



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

## Section 55

# Acceptance of Applications Checklist

Appendix 3 of [Advice Note Six: Preparation and submission of application documents](#)

December 2019

## Portishead Branch Line Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at [legislation.gov.uk](http://www.legislation.gov.uk), here:

<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

**DISCLAIMER:** This Checklist is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

<b>Section 55(2) Acceptance of Applications</b>				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
		<b>15 November 2019</b>	<b>13 December 2019</b>	<b>12 December 2019</b>
<b>Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:</b>		<b>Planning Inspectorate comments</b>		
<b>Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent</b>				
2	Is the development a Nationally Significant Infrastructure Project <sup>1</sup> (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order <sup>2</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the	<p><b>Yes</b></p> <p>The Proposed Development set out in <b>Schedule 1</b> of the <b>Draft DCO (Doc 3.1)</b> includes development falling within the categories in Section 14 of the PA2008. The development is for the construction of a railway and satisfies section 25(1) of the PA2008.</p> <p>This is consistent with the summary provided in <b>section 4</b> of the</p>		

<sup>1</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

<sup>2</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>development to which it relates (i.e. which category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p><b>Application Form (Doc 1.2)</b> and <b>Table 1</b> of the <b>Explanatory Memorandum (Doc 3.2)</b> which states that the application is for the construction of a new railway with works wholly in England, which will form part of Network Rail's national rail network, where Network Rail is an approved operator for the purposes of the PA2008 and also includes a stretch of track that has a continuous length of more than two kilometres, is not on land that is currently operational land of a railway undertaker, and is not a permitted development.</p>
3	<p><b>Summary: Section 55(3)(a) and s55(3)(c)</b></p>	<p>The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc 3.1)</b> includes development for which development consent is required.</p>
<p><b>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b></p>		
4	<p>In accordance with the EIA Regulations<sup>3</sup>, did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p><b>Yes</b></p> <p>On 23 June 2015 the Applicant notified the Planning Inspectorate in accordance with Regulation 6(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the 2009 EIA Regulations) of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received before the start of the Stage 2 statutory consultation on 23 October 2017.</p> <p>The Applicant has submitted an ES in respect of the Proposed Development in accordance with the requirements of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations). The Applicant did not notify the Planning Inspectorate of its intention to provide an ES under the 2017 EIA Regulations, however the notification requirements set out in Regulation 6 of the 2009 EIA Regulations</p>

<sup>3</sup> Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

		<p>are essentially analogous with those specified in Regulation 8 of the 2017 EIA Regulations.</p> <p>The Planning Inspectorate has considered the ES pursuant to the requirements of the 2017 EIA Regulations and it will therefore be examined on this basis.</p> <p>A copy of the notification letter is provided at <b>Appendix J1</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
5	<p>Have any Adequacy of Consultation Representations<sup>4</sup> been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p><b>Yes</b></p> <p>There are 13 host and neighbouring authorities, of which seven responded to the Planning Inspectorate's invitation to make an Adequacy of Consultation Representation (AoCR) by the deadline of 2 December 2019.</p> <p>All responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> <li>• Gloucestershire County Council ('A' Authority)</li> <li>• Sedgmoor District Council ('A' Authority)</li> <li>• Somerset County Council ('A' Authority)</li> <li>• South Gloucestershire Council ('A' Authority)</li> <li>• Bristol City Council ('B' Host)</li> <li>• North Somerset Council ('B' Host)</li> <li>• Wiltshire Council ('D' Authority)</li> </ul> <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website:  <a href="https://infrastructure.planninginspectorate.gov.uk/projects/south-">https://infrastructure.planninginspectorate.gov.uk/projects/south-</a></p>

<sup>4</sup> Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

## Section 42: Duty to consult

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

The Applicant carried out its formal consultation in three main stages: **Stage 1 Consultation**, from 22 June 2015 to 3 August 2015 (pursuant to Section 47 only); **Stage 2 Consultation**, from 23 October 2017 to 4 December 2017 and **Additional Stage 2 Consultation** (being several further periods of consultation at different times following Stage 2 Consultation)

The Applicant's principal Section 42 consultation was the Stage 2 Consultation which this checklist hereafter refers to.

6 Section 42(1)(a) persons prescribed<sup>5</sup>?

**Yes**

The Applicant has provided a list of persons consulted for Stage 2 Consultation under s42(1)(a) on 19 October 2017 at **Appendix B1** of the **Consultation Report (Doc 5.1)**.

A sample of the letter sent to s42(1)(a) consultees is provided at **Appendix E4** of the **Consultation Report (Doc 5.1)**.

The Inspectorate identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that do not appear to have been consulted by the Applicant under s42:

- Caldicot and Wentlooge Levels Internal Drainage Board
- Essex and Suffolk Water
- Cadent Gas Limited
- Energy Assets Pipelines Limited
- ESP Pipelines Ltd
- Murphy Gas Networks Limited

<sup>5</sup> Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		<ul style="list-style-type: none"> <li>• Energy Assets Networks Limited</li> <li>• Harlaxton Gas Networks Limited</li> </ul> <p>The <b>Consultation Report (Doc 5.1)</b> does not explain why the bodies identified above do not appear to have been consulted, however none of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the <b>Book of Reference (Doc 4.1)</b>.</p> <p>Section 51 advice has been issued to the Applicant in respect of the above matter:  <a href="https://infrastructure.planninginspectorate.gov.uk/document/TR040011-000582">https://infrastructure.planninginspectorate.gov.uk/document/TR040011-000582</a>.</p>
7	Section 42(1)(aa) the Marine Management Organisation <sup>6</sup> ?	<p><b>Yes</b></p> <p><b>Table 7.2</b> and <b>Appendix B1</b> of the Consultation Report (<b>Doc 5.1</b>) confirms that the Marine Management Organisation was consulted.</p>
8	Section 42(1)(b) each local authority within s43 <sup>7</sup> ?	<p><b>Yes</b></p> <p><b>Table 7-4</b> of the <b>Consultation Report (Doc 5.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 23 October 2017.</p> <p>The host 'B' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• North Somerset District Council</li> <li>• Bristol City Council</li> </ul> <p>The boundary 'A' authorities were consulted:</p>

<sup>6</sup> In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

<sup>7</sup> Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

		<ul style="list-style-type: none"> <li>• South Gloucestershire County Council</li> <li>• Bath and North East Somerset Council</li> <li>• Mendip District Council</li> <li>• Sedgemoor District Council</li> <li>• Somerset County Council</li> <li>• Monmouthshire County Council</li> <li>• City of Cardiff Council</li> </ul> <p>The following 'D' authorities were also consulted in addition to 'A' and 'B' authorities:</p> <ul style="list-style-type: none"> <li>• Wiltshire County Council</li> <li>• Vale of Glamorgan Council</li> <li>• Newport City Council</li> </ul> <p>There are no host 'C' authorities.</p> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>Appendix E4</b> of the <b>Consultation Report (Doc 5.1)</b>.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>Not Applicable</b>
10	Section 42(1)(d) each person in one or more of s44 categories <sup>8</sup> ?	<p><b>Yes</b></p> <p><b>Paragraph 7.3.11</b> of the <b>Consultation Report (Doc 5.1)</b> states that all persons identified under s42(1)(d) were consulted.</p> <p><b>Paragraphs 7.3.6 to 7.3.9</b> of the <b>Consultation Report (Doc 5.1)</b> summarise how the Applicant made diligent inquiry to seek to identify and</p>

<sup>8</sup> Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

		<p>consult persons with an interest in lands affected by the <b>Draft DCO (Doc 3.1)</b>.</p> <p>The <b>Book of Reference (Doc 4.1)</b> lists the persons consulted under s42(1)(d). The persons consulted under s42(1)(d) are listed at <b>Appendix B3</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the letter is provided at <b>Paragraphs 7.3.7 to 7.3.10</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>Section 51 advice has been issued to the Applicant in respect of consultation which may be required when new persons within the categories set out in Section 44 are identified when updating the Book of Reference.</p>
<b>Section 45: Timetable for s42 consultation</b>		
11	<p>Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>Appendix E4</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>The sample letter dated 18 October 2017 confirmed that the consultation would run between 23 October 2017 and 4 December 2017, providing more than the required minimum time for receipt of responses.</p>
<b>Section 46: Duty to notify the Planning Inspectorate of proposed application</b>		
12	<p>Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p><b>Yes</b></p> <p>The Applicant gave notice under s46 on 18 October 2017, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>Appendix E1</b> of the <b>Consultation Report (Doc 5.1)</b> and a copy of s46 notification acknowledgement letter from the Planning Inspectorate is provided at <b>Appendix E2</b> of the <b>Consultation Report</b>.</p>
<b>Section 47: Duty to consult local community</b>		



13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>The Applicant has prepared and published two SoCCs. The <b>Stage 1 SoCC</b> was published on 18 June 2015 and is provided at <b>Appendix C1</b> of the <b>Consultation Report (Doc 5.1)</b>. The Applicant carried out all consultation in accordance with the Stage 1 SoCC until 14 September 2017.</p> <p>The Applicant then published the <b>Stage 2 SoCC</b> on 14 September 2017 and this is provided in <b>Appendix D1</b> of the <b>Consultation Report (Doc 5.1)</b>. The <b>Stage 2 SoCC</b> was prepared in order to account for changes to the project since the Stage 1 SoCC publication. The Applicant carried out all consultation in accordance with the <b>Stage 2 SoCC</b> from this date.</p> <p>For the avoidance of doubt the <b>Stage 2 SoCC</b> is the final SoCC referred to hereafter.</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	<p><b>Yes</b></p> <p><b>Chapter 8</b> of the <b>Consultation Report (Doc 5.1)</b> explains that the Applicant sent the draft SoCC to Bristol City Council and North Somerset District Council ('B Authority') on 2 August 2017 and set a deadline of 31 August 2017 for responses; providing the required minimum time for responses to be received.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Table 8.2</b> and <b>Table 8.3</b> of the <b>Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from North Somerset Council, Bristol City Council, Bath and North Somerset Council and South Gloucestershire Council in respect of the draft SoCC and demonstrates how the Applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> <li>• The Applicant's intention to use permitted development rights for parts of the development was changed to associated development so the local communities could comment on it</li> <li>• The Applicant updated the introduction section of the SoCC to make it clear what aspects of the MetroWest Phase Scheme 1 were included in</li> </ul>

		<p>the DCO consultation and those that were not</p> <ul style="list-style-type: none"> <li>• The term Hard to Reach (HtR) was amended to Hard to Hear (HtH) to reflect current usage</li> </ul> <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	<p>Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?</p>	<p><b>Yes</b></p> <p>The final SoCC was made available at the following locations, which are reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> <li>• Castlewood North Somerset Council Office</li> <li>• Long Ashton Library</li> <li>• Pill Library</li> <li>• Portishead Library</li> <li>• Weston-super-Mare Library</li> <li>• Bedminster Library</li> <li>• Bristol Central Library</li> <li>• Marksbury Road Library</li> <li>• Citizen Service Point – Bristol City Council</li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> <li>• Bristol Post – 14 September 2017</li> <li>• Western Daily Press – 14 September 2017</li> </ul> <p>The published SoCC notice, provided at <b>Appendix D1</b> of the <b>Consultation Report (Doc 5.1)</b> states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at <b>Appendix D2</b> of</p>

		the <b>Consultation Report (Doc 5.1)</b> .
17	Does the SoCC set out whether the development is EIA development <sup>9</sup> ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<b>Yes</b> <b>Pages 8</b> of the final stage 1 SoCC at <b>Appendix C1</b> of the <b>Consultation Report (Doc 5.1)</b> and <b>Page 11</b> of the final Stage 2 SoCC at <b>Appendix D1</b> sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<b>Yes</b> <b>Chapter 8</b> of the <b>Consultation Report (Doc 5.1)</b> set out how the community consultation was carried out in line with the final SoCC. <b>Appendices D1, D2 and D3</b> of the <b>Consultation Report (Doc 5.1)</b> provide evidence that the commitments within the final SoCC have been carried out.
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<b>Yes</b> <b>Paragraph 9.3.1</b> of the <b>Consultation Report (Doc 5.1)</b> states: "The Applicant prepared the Section 48 notice with reference to the relevant legislation and guidance." <b>Table 9-1/ Section 9.5</b> of the <b>Consultation Report (Doc 5.1)</b> displays the newspapers and dates of s48 publicity as set out below. A copy of the s48 notice is provided at <b>Appendix H</b> of the <b>Consultation Report (Doc 5.1)</b> . Clippings of the published notices set out below are provided at <b>Appendix H</b> of the <b>Consultation Report (Doc 5.1)</b> :

<sup>9</sup> Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<b>Newspaper(s)</b>	<b>Date</b>	
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> <li>• Bristol Post</li> <li>• Western Daily Press</li> </ul>	23 October 2017 30 October 2017 23 October 2017 30 October 2017	
b)	once in a national newspaper;	<ul style="list-style-type: none"> <li>• The Guardian</li> </ul>	23 October 2017	
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> <li>• London Gazette</li> </ul>	23 October 2017	
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not Applicable	Not Applicable	
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	<b>Yes</b> The published s48 notice, supplied at <b>Appendix H</b> of the <b>Consultation Report (Doc 5.1)</b> , contains the required information as set out below:		
<b>Information</b>		<b>Paragraph</b>	<b>Information</b>	<b>Paragraph</b>
a)	the name and address of the Applicant.	One	b) a statement that the Applicant intends to make an application for development consent to the Secretary of State	One

c)	a statement as to whether the application is EIA development	Four	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	Two and Three
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	Five and table below	f)	the latest date on which those documents, plans and maps will be available for inspection	Five
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Six	h)	details of how to respond to the publicity	Eight
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	Nine			
21	Are there any observations in respect of the s48 notice provided above?				
	No.				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations <sup>10</sup> ?	<p><b>Yes</b></p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>paragraph 7.4.9</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>Appendix E</b> of the <b>Consultation Report (Doc 5.1)</b> confirms a copy of the s48 notice was</p>			

<sup>10</sup> Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

enclosed.

#### s49: Duty to take account of responses to consultation and publicity

23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes</b></p> <p><b>Chapters 10-13</b> of the <b>Consultation Report (Doc 5.1)</b> comprehensively set out how the Applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
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#### Guidance about pre-application procedure

24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' <sup>11</sup> ?	<p><b>Section 4.2</b> of the <b>Consultation Report (Doc 5.1)</b> provides a brief outline on how the Applicant has taken into consideration all relevant statutory and other guidance. Furthermore, the <b>Statement of Compliance (Appendix A1)</b> of the <b>Consultation Report</b>, demonstrates that the Applicant has adhered to all relevant requirements set out in the relevant legislation, regulations and guidance in completing its pre-application consultation.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified, and had regard to, the relevant statutory guidance.</p>
25	<b>Summary: Section 55(3)(e)</b>	<p>The Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008.</p> <p>In respect of the minor consultation discrepancies identified, s51 advice has been provided to the Applicant how in this regard, available here:</p>

<sup>11</sup> The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

<https://infrastructure.planninginspectorate.gov.uk/document/TR040011-000582>.

**s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)**

26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> <li>• a brief statement which explains why it falls within the remit of the Planning Inspectorate; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Yes</b></p> <p><b>Section 4</b> of the <b>Application Form (Doc 1.2)</b> explains why the development falls within the remit of the Planning Inspectorate, whilst <b>Section 5</b> provides a brief non-technical description of the site and <b>Section 6</b> provides the location of the Proposed Development.</p> <p><b>Section 2.1</b> of the <b>Planning Statement (Doc 8.11)</b> also provides an outline of the scheme location and surroundings.</p> <p>A <b>Location Plan (Doc 2.1)</b> has been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p><b>Yes</b></p> <p>The application is accompanied by a <b>Consultation Report</b> and supporting <b>Appendices A1 – J2 (Doc 5.1)</b>.</p>
28	<p>Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?<sup>12</sup></p>	<p><b>Yes</b></p>
29	<p>Is it accompanied by the documents and information set out in APFP Regulation 5(2)?</p>	<p><b>Yes</b></p> <p>The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:</p>

<sup>12</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

Information		Document	Information		Document
a)	Where applicable, the Environmental Statement required under the EIA Regulations <sup>13</sup> and any scoping or screening opinions or directions	<b>Scoping Opinion (Doc 6.1)</b> <b>Environmental Statement</b> Volume 1: Non-Technical Summary ( <b>Doc 6.2</b> ) Volume 2: Main Report ( <b>Doc 6.4-6.23</b> ) Volume 3: Book of Figures ( <b>Doc 6.24</b> ) Volume 4: Technical Appendices ( <b>Doc 6.25</b> )	b)	The draft Development Consent Order (DCO)	<b>Draft Development Consent Order (Doc 3.1)</b>
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum (Doc 3.2)</b>	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	<b>Book of Reference (Doc 4.3)</b>
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
e)	A copy of any Flood Risk Assessment	<b>Flood Risk Assessment (Doc 5.6, duplicated in Doc 6.25)</b>	f)	A statement whether the proposal engages one or more of the	<b>Environmental Protection Statement of Engagement (Doc 5.2)</b>

<sup>13</sup> The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations



			matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Is this of a satisfactory standard?	Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	<b>Statement of Reasons (Doc 4.1)</b> <b>Funding Statement (Doc 4.2)</b>	i) A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private	<b>Land Plans (Doc 2.2)</b> <b>Special Category Land Plans (Doc 2.5)</b>

			rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)
j)	A Works Plan showing, in relation to existing features:-  (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and  (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO	<b>Works Plans (Doc 2.3)</b>	k)  Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	<b>Permanent and Temporary Stopping Up and Diversion Plans (Doc 2.30)</b> <b>Permanent Traffic Regulation Order Plans (Doc 2.31)</b> <b>Public Rights of Way Plans (Doc 2.33)</b> <b>Diversion Routes for Pedestrians and Cyclists Plans (Doc 2.34)</b> <b>New Highways Plans (Doc 2.35)</b> <b>National Cycle Network (NCN) Temporary and Permanent Works Plans (Doc 2.37)</b>
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)	Is this of a satisfactory standard?	Yes
l)	Where applicable, a plan with accompanying	Plans are provided in:  (i) <b>Plan of Statutory or Non-Statutory Sites and</b>	m)  Where applicable, a plan with accompanying	Plans are provided in:  <b>Plans of Statutory and Non-Statutory Sites and Features of</b>

<p>information identifying:-</p> <p>(i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</p> <p>(ii) habitats of protected species, important habitats or other diversity features; and</p> <p>(iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p><b>Features of Nature Conservation Designations (Doc 2.55); ES Figures 9.1, 9.2, 9.3 and 10.1 (Doc 6.24).</b></p> <p>(ii) <b>Important Hedgerow Plan (Doc 2.56); Habitat impacted by construction works within the Avon Gorge Woodlands SAC (Doc 2.58); ES Figure 9.4 (Doc 6.24).</b></p> <p>An assessment of effects for (i) and (ii) is provided in <b>ES Chapters 9 Ecology and Biodiversity (Doc 6.12); 10 Geology, Hydrogeology, Ground Conditions and Contaminated Land (Doc 6.13)</b> and <b>Report to Inform Habitats Regulations Assessment (Doc 5.5).</b></p> <p>(iii) <b>Plan of Statutory or Non-Statutory Sites and Features of Nature Conservation Designations (Doc 2.55); and ES Figure 17.1 Water Features (Doc 6.24).</b></p> <p>An assessment of effects for (iii) is provided in <b>ES Chapter 17 Water Resource, Drainage and Flood Risk (Doc 6.20)</b></p>	<p>information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development</p>	<p><b>the Historic Environment (Doc 2.54)</b></p> <p><b>ES Figures 8.1 and 8.2 (Doc 6.24).</b></p> <p>An assessment of effects is provided in <b>ES Chapter 8 Cultural Heritage (Doc 6.11).</b></p>
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		and <b>Water Framework Directive Compliance Screening (Doc 17.2).</b>		
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	<b>Crown Land Plans (Doc 2.6)</b>	o)	<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping</p> <p><b>Disused Railway engineering Plans (Doc 2.7)</b></p> <p><b>Portishead Station Sections (Doc 2.8.1)</b></p> <p><b>Portishead Station Proposed Platform Sections (Doc 2.8.2)</b></p> <p><b>Trinity Footbridge Proposed General Arrangements Sections (Doc 2.8.3)</b></p> <p><b>Quarry Underbridge2 Proposed Sections (Doc 2.8.4)</b></p> <p><b>Pill Station Proposed Station Sections (Doc 2.8.8)</b></p> <p><b>Railway Landscape Plans (Disused Line) – (Doc 2.10)</b></p> <p><b>Portishead Station Building Design: Proposed Station Buildings (Doc 2.11)</b></p> <p><b>Portishead Station 3D views (Doc 2.13)</b></p> <p><b>Portishead Station Platform Lightning &amp; Lighting Control</b></p>

				<p><b>Layout (Doc 2.14)</b></p> <p><b>Trinity Footbridge Proposed Landscaping General Arrangement (Doc 2.16)</b></p> <p><b>Trinity Footbridge Proposed Electrical Layout General Arrangement (Doc 2.17)</b></p> <p><b>Pill Station Design Plan: Proposed Overview (Doc 2.18)</b></p> <p><b>Pill Station Proposed Station Layout (Doc 2.19)</b></p> <p><b>Pill Station Proposed Electrical Layout (Doc 2.20)</b></p> <p><b>Avon Road Underbridge General Proposed Arrangement (Doc 2.22)</b></p> <p><b>Compound, Haul Road and Access to Works Plan (Doc 2.29)</b></p> <p><b>Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (Doc 2.38)</b></p> <p><b>Pill Station Car Park and PSP Layout, Landscaping Lightning and Access Plan (Doc 2.42)</b></p> <p><b>Pill Memorial Club Bus Stops and Car Park Plan (Doc 2.43)</b></p> <p><b>Ham Green Highway Works Plan (Doc 2.45)</b></p>
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				<b>Pill Tunnel Eastern Portal Compound, Landscaping and Access Plan (Doc 2.46)</b> <b>Ashton Vale Road and Winterstoke Road Highway Works Plan (Doc 2.47)</b> <b>Ashton Vale Road Pedestrian Ramp Design Plan (Doc 2.48)</b> <b>Sheepway Bridge Maintenance compound and landscaping Plan (Doc 2.49)</b> <b>Sheepway Bridge Compound Interim Access Arrangements (Doc 2.50)</b> <b>Sheepway Bridge Southern Interim Access Arrangements (Doc 2.51)</b> <b>Clanage Road Compound, Landscaping and Access Plan (Doc 2.52)</b>
	Is this of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Longitudinal Profile of Railway Alignment (Section Plans) (Doc 2.9)</b>	q)	Any other documents considered necessary to support the application <b>Copies of Newspaper Notices (Doc 1.3)</b> <b>Navigation Document (Doc 1.4)</b> <b>Electronic Index (Doc 1.5)</b> <b>Letter of support from Tim Bowles, West of England Mayor dated 24 October 2019 (Doc</b>

				<p><b>1.6)</b>  <b>Consents and Licences required under Other Legislation (Doc 5.3)</b>  <b>Construction Strategy (Doc 5.4)</b>  <b>Schedule of Mitigation (Doc 6.31)</b>  <b>Report to The Council 25th June 2019 MetroWest Phase 1 Submission of Development Consent Order Application &amp; Associated Approvals (Doc 7.1)</b>  <b>Minutes of the meeting of The Council Tuesday 25th June 2019 (Doc 7.2)</b>  <b>Design and Access Statement (Doc 8.1)</b>  <b>Legal Opinion from Stephen Tromans QC regarding the Report to Inform the Habitats Regulations Assessment (Doc 8.2)</b>  <b>Preliminary Business Case 2014 (Doc 8.3)</b>  <b>Outline Business Case 2017 (Doc 8.4)</b>  <b>Major Accidents and Disasters (Doc 8.5)</b>  <b>Letter from Colin Medus, North Somerset Council re: Offsite</b></p>
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			<p><b>planting on the A369 Portbury Hundred dated 12 September 2019 (Doc 8.6)</b></p> <p><b>Level Crossing Risk Assessment Report – Ashton Junction (Doc 8.7)</b></p> <p><b>Level Crossings Narrative Risk Assessment - Ashton Containers Footpath Level Crossing (Doc 8.8)</b></p> <p><b>Draft European Protected Species Licences (to be submitted post acceptance of the application) (Doc 8.10)</b></p> <p><b>Planning Statement (including Green Belt statement) (Doc 8.11)</b></p> <p><b>Avon Gorge Vegetation Management Plan (Doc 8.12)</b></p> <p><b>CTMP – Construction Traffic Management Plan (Doc 8.13)</b></p> <p><b>Master Construction Environmental Management Plan (CEMP) (Doc 8.14)</b></p> <p><b>Code of Construction Practice (Doc 8.15)</b></p>	
	Are they of a satisfactory standard?	Yes	Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?			



There are some inconsistencies relating to the referencing of plots on the Land Plans (**Doc 2.2**), Statement of Reasons (**Doc 4.1**), Book of Reference (**Doc 4.3**) and draft Development Consent Order (**Doc 3.1**). For example, there are several instances where plots do not appear to be listed in the Statement of Reasons but are on the Land Plans and in the Book of Reference (eg plots 1/100, 1/105, 1/113). There are also instances where plots are listed in the Statement of Reasons but not in the Book of Reference or on Land Plans (eg plots 3/72 and 1/122).

Additionally, some further errors were identified. For example: Plot 1/205 does not appear in Schedule 10 of the dDCO but is coloured blue on the Land Plan, or Plot 2/16 appears in Schedule 12 of the dDCO but its not listed within the Book of Reference or on Land Plans.

There are also inconsistencies between the Description of the Works in Schedule 1 of the draft Development Consent Order and the Works Plans (**Doc 2.3**) (eg Works Plan 2a, 7e, 13a).

The extent of powers sought in the dDCO (**Doc 3.1**) in respect of associated development are not fully consistent with the description and assessment of the development in the Environmental Statement.

It is not clear from the Book of Reference (**Doc 4.3**) how persons within category 3 of Section 44 have been identified. Further consultation may be required when new persons within the categories set out in Section 44 are identified when updating the Book of Reference.

There are inconsistencies in the Flood Risk Assessment (**Doc 5.6**, duplicated in **Doc 6.25**) between the Applicant's modelled climate change allowances/parameters and those specified in scenarios and the technical guidance to the National Planning Policy Framework.

Advice on these matters has been issued under s51: <https://infrastructure.planninginspectorate.gov.uk/document/TR040011-000582>.

31 Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate

**Yes**  
 A Habitat Regulations Assessment (HRA) Report has been provided (**Doc 5.5: Report to Inform Habitat Regulations Assessment**).  
 The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.  
 Note: The Examining Authority will be able to ask questions during the

	assessment of the implications for the site if required by Regulation 48(1)? <sup>14</sup>	Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans <sup>15</sup>	The Planning Inspectorate did not request two paper copies of the application form and other supporting documents and plans.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<b>Yes</b> <b>Section 4.2 of the Consultation Report (Doc 5.1) and the Statement of Compliance (Appendix A1) of the Consultation Report</b> , demonstrates that the Applicant has had regard to statutory guidance on the form of the application. The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.
34	<b>Summary - s55(3)(f) and s55(5A)</b>	The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory. In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the Applicant in conjunction with the decision to accept the application. That advice is published on the National Infrastructure Planning website: <a href="https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portishead-branch-line-metrowest-phase-1/">https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portishead-branch-line-metrowest-phase-1/</a>

## The Infrastructure Planning (Fees) Regulations 2010 (as amended)

<sup>14</sup> Regulation 5(2)(g) of the APFP Regulations

<sup>15</sup> Regulation 5(2)(r) of the APFP Regulations

**Fees to accompany an application**

35	Was the fee paid at the same time that the application was made <sup>16</sup> ?	The fee was received on 8 November 2019; before the application was made.
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<b>Role</b>	<b>Electronic signature</b>	<b>Date</b>
Case Manager	<i>Hefin Jones</i>	12 December 2019
Acceptance Inspector	<i>Andrew Prior</i>	12 December 2019

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<sup>16</sup> The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made

