

2 November 2020

Bart Bartkowiak  
Case Manager, National Infrastructure Planning  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**By email only**

**Email: [bart.bartkowiak@planninginspectorate.gov.uk](mailto:bart.bartkowiak@planninginspectorate.gov.uk)**

**Womble Bond Dickinson (UK) LLP**

3 Temple Quay  
Temple Back East  
Bristol  
BS1 6DZ

Tel: 0345 415 0000  
Fax: 0345 415 6900  
DX: 200561 Bristol Temple Meads

[richard.guyatt@wbd-uk.com](mailto:richard.guyatt@wbd-uk.com)  
Direct: +44 (0)117 989 6877

Our ref:  
KJG1/RG1/381278.1  
Your ref:

Dear Mr Bartkowiak

**North Somerset Council  
Development Consent Order application for Portishead Branch Line - MetroWest Phase 1  
Application Ref: TR040011  
DCO Document Reference: 9.6 ExA.CL.D1.V1**

### **Deadline 1 Submissions**

I write further to the Planning Inspectorate's Rule 8 letter dated 26 October 2020 (the **Rule 8 letter**).

In accordance with the examination timetable at Annex A of the Rule 8 letter, I provide the following in response to Deadline 1:

1. Notification to speak at CA hearing
2. Notification to speak at open floor hearing (OFH)
3. Notification to attend accompanied site inspection (ASI)
4. Notification to have correspondence received electronically
5. Comments on relevant representations
6. Draft itinerary for the ASI
7. Updated BoR
8. Initial SoCG
9. Statement of commonality of SoCG
10. Post hearing submissions (including written summaries of oral case at the OFH)

### **Additional Items**

11. Amended Works Plans
12. Amended General Arrangement Plans
13. Amended Compound, Haul Roads & Access Plans.
14. Revised Guide to the Application

### **Items 1-2: Notification of wish to make oral representations**

The Rule 8 letter requested, amongst other things, Interested Parties to notify the

Womble Bond Dickinson (UK) LLP is a limited liability partnership registered in England and Wales under number OC317661. VAT registration number is GB123393627. Registered office: 4 More London Riverside, London, SE1 2AU, where a list of members' names is open to inspection. We use the term partner to refer to a member of the LLP, or an employee or consultant who is of equivalent standing. Womble Bond Dickinson (UK) LLP is authorised and regulated by the Solicitors Regulation Authority (SRA number 449247). Womble Bond Dickinson (UK) LLP is a member of Womble Bond Dickinson (International) Limited, which consists of independent and autonomous law firms providing services in the US, the UK, and elsewhere around the world. Each Womble Bond Dickinson entity is a separate legal entity and is not responsible for the acts or omissions of, nor can bind or obligate, another Womble Bond Dickinson entity. Womble Bond Dickinson (International) Limited does not practise law. Please see [www.womblebonddickinson.com/legal](http://www.womblebonddickinson.com/legal) notices for further details.

Planning Inspectorate of any intention to speak at the forthcoming Compulsory Acquisition Hearing or the Issue Specific Hearings. Accordingly, the Applicant hereby notifies the Planning Inspectorate of its wish to attend these hearings and make oral representations at:

1. CA hearing 4 December 2020 (and the Issue Specific Hearing on 7 December 2020).
2. All future open floor hearings (OFH).

The Applicant confirms that the following persons will be attending and speaking at the CA hearing on the Applicant's behalf:

- James Willcock – North Somerset Council
- Richard Matthews – North Somerset Council
- Richard Guyatt – WBD
- Steve Yates – Ardent
- Clare Williams – Jacobs

The Applicant will provide emails addresses for the above by separate email.

### **Item 3: Notification to attend accompanied site inspection (ASI)**

The Applicant confirms that it would wish to attend all accompanied site inspections. At this stage it is anticipated that ASI will be attended by:

- James Willcock – North Somerset Council
- Richard Matthews – North Somerset Council
- Carolyn Francis – Jacobs
- Steve Yates – Ardent

In addition for the second day of ASI (see further Item 6 below) the following additional attendees will join the ASI:

- Sarah Holmes – WBD
- Clare Williams – Jacobs

### **Item 4: Notification to have correspondence received electronically**

The Applicant confirms that all correspondence should be received electronically.

### **Item 5: Comments on Relevant Representations**

The Applicant's document providing comments on Relevant Representations is enclosed – DCO Document Reference 9.4 ExA.RR.D1.V2.

### **Item 6: Draft itinerary for the ASI**

The Applicant's draft itinerary for the ASI is enclosed with this cover letter.

### **Item 7: Updated Book of Reference**

The Applicant's Book of Reference (DCO Document Reference 4.3) has been updated in accordance with the ExA's request and is provided as a clean PDF, tracked changes PDF, and Word version.

### **Item 8: Statements of Common Ground (SoCG)**

The Applicant has progressed matters with stakeholders in relation to SoCGs. These fall in to the following categories:

1. Agreed and signed SoCGs, enclosed, with:
  - 1.1 Highways England Company Limited (DCO Document Reference 9.3.4 ExA.SoCG-HECL.D1.V1);
  - 1.2 Somerset County Council (DCO Document Reference 9.3.9 ExA.SoCG-SCC.D1.V1); and
  - 1.3 Historic England (DCO Document Reference 9.3.5 ExA.SoCG-HE.D1.V1).
2. Agreed but not yet signed SoCGs, enclosed, with:
  - 2.1 Openreach Limited (DCO Document Reference 9.3.10 ExA.SoCG-OL.D1.V1); and
  - 2.2 Avon and Somerset Police (DCO Document Reference 9.3.11 ExA.SoCG-ASP.D1.V1).
3. Largely agreed but not yet signed SoCGs The Applicant will reflect on the ExA's first written questions and may add further matters in to these SoCG for future drafts. The current drafts, which are not yet finalised and may be subject to further amendments by any of the parties, are enclosed for:
  - 3.1 North Somerset Council as Local Planning Authority (DCO Document Reference 9.3.1 ExA.SoCG-NSC.D1.V1);
  - 3.2 Bristol City Council as Local Planning Authority (DCO Document Reference 9.3.2 ExA.SoCG-BCC.D1.V1);
  - 3.3 Natural England (DCO Document Reference 9.3.6 ExA.SoCG-NE.D1.V1);
  - 3.4 North Somerset Levels Internal Drainage Board (DCO Document Reference 9.3.7 ExA.SoCG-NSLIDB.D1.V1); and
  - 3.5 National Grid Electricity Transmission PLC (DCO Document Reference 9.3.8 ExA.SoCG-NGET.D1.V1).
4. SoCG not yet agreed, and latest draft not yet reviewed by the interested party. The draft reflects the position from the Applicant's perspective which the Applicant believes is an accurate reflection of the current position. These are enclosed to assist with scoping issues in the examination. The document should not be taken as in any way indicating the position of the Interested Party and we would respectfully suggest that the drafts are not treated as examination documents at this time as it is hoped they will be superseded by a more advanced draft shortly. The relevant interested parties are:
  - 4.1 Environment Agency (DCO Document Reference 9.3.3 ExA.SoCG-EA.D1.V1) - The Applicant supplied a draft SoCG in September 2020. Initial responses were received in late October 2020 The Applicant is in the process of reviewing the initial response to the draft SoCG to determine points on which there is agreement between the parties. The Applicant is confident that it will be able to resolve the queries raised at this later stage
  - 4.2 First Corporate Shipping Limited trading as The Bristol Port Company (DCO Document Reference 9.3.12 ExA.SoCG-BPC.D1.V1); and
  - 4.3 Wessex Water Services Limited (DCO Document Reference 9.3.12 ExA.SoCG-WW.D1.V1).

SoCG not yet in circulation. These are where notification of the ExA's request for a SoCG was received in the Rule 6 letter and either had not been previously considered by the Applicant, or the Applicant has been prioritising agreement before determining if a SoCG was required. No document is enclosed as only limited progress has been made with the draft. This applies to the following parties:

- 4.4 Network Rail Infrastructure Limited – The Applicant and Network Rail are working closely together but have been concentrating on other documents. A SoCG is being prepared by the Applicant;
- 4.5 National Trust - there has been extensive engagement since before submission of the Application, but negotiations on heads of terms for agreements has been prioritised;
- 4.6 Forestry Commission - there has been extensive engagement since before submission of the Application, but negotiations on heads of terms for agreements has been prioritised;
- 4.7 Bristol Water Plc – discussions have taken place but have concentrated on protective provisions;
- 4.8 Woodland Trust – the Applicant has been trying to make contact with the relevant Woodland Trust officers; and
- 4.9 Western Power Distribution (South West) PLC – discussions have taken place but have concentrated on protective provisions.

Where the Applicant has submitted drafts of SoCGs, or not submitted a document, the Applicant will of course seek to continue to progress discussions with stakeholders throughout the course of the examination.

**Item 9: Statement of Commonality of SoCG**

Please find the Statement of Commonality of Statements of Common Ground (DCO Document Reference 9.7 ExA.SoC.D1.V1) enclosed, summarising the position between the Applicant and the relevant interested parties on topics for consideration in SoCG.

**Item 10: Post-hearing submissions (including written summaries of OFH)**

The Applicant's written response to the representations made at the Open Floor Hearing of 19 October 2020 are enclosed – DCO Document Reference 9.5 ExA.OFH.D1.V1.

**Items 11-13: Works Plans, General Arrangement Plans and Compound, Haul Roads & Access Plans.**

As a result of Mrs Freestone's questions at the OFH the Applicant has made amendments to the Works Plans, General Arrangement Plans and Compound, Haul Roads & Access Plans.

Amended plans are provided to the Inspectorate as follows:

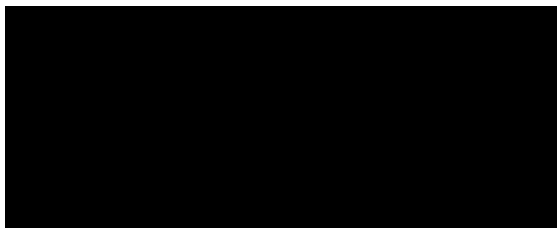
Works Plans (DCO Document Reference 2.3 (Version 3));  
General Arrangement Plans (DCO Document Reference 2.4 (Version 2)); and  
Compound, Haul Roads & Access Plans (DCO Document Reference 2.29 (Version 2)).

**Item 14: Guide to the Application**

As a result of the additional documentation provided, I enclose a revised Guide to the Application (DCO Document Reference 1.4 (Version 5)).

Please confirm safe receipt.

Yours sincerely



**Richard Guyatt**  
Partner  
Womble Bond Dickinson (UK) LLP

**Application by North Somerset District Council for an Order Granting Development Consent for the Portishead Branch Line – MetroWest Phase 1**

**Application Ref: TRO400011**

**Applicant's Suggested timetable for Accompanied site Visit(s)**

**Submitted for Deadline 1: 2 November 2020**

**Day 1 – Assumed to be by car**

<b>Area</b>	<b>Locations</b>	<b>Purpose/Works nos.</b>	<b>Timetable</b>
Bristol	<ul style="list-style-type: none"> <li>- Ashton Vale Rd and permissive cycle track to level crossing</li> <li>- Clanage Road</li> <li>- Clifton Suspension Bridge and Clifton Observatory</li> </ul>	<p>Proposed Path diversion and impact on Ashton Vale Road</p> <p>Works 28 and 29</p> <p>Work Nos 26 – 26B</p> <p>For LVIA assessment</p>	<p>9.00 – 10.00</p> <p>Meet at on path at south side of Aston Vale Road next to Level Crossing. Parking on Ashton Vale Road.</p> <p>Then by car Clanage Road (Parking may not be possible) and across the Suspension Bridge.</p>

Area	Locations	Purpose/Works nos.	Timetable
Avon Gorge	<p>- Tow Path SAC between Suspension Bridge and Napier Miles Bridge</p> <p>(Please note a more detailed list of locations within the Avon Gorge SAC can be agreed between Natural England the relevant Planning Authority and the Applicant – some may require access to Operational Railway)</p>	For HRA and LVIA considerations and to view location of Work No 25	For discussion – this may be better dealt with by walking the tow path on a second day or half day.
Pill/Easton in Gordano	<p>- Chapel Pill Lane/ Watch House Hill</p> <p>- Victoria Park</p> <p>- Pill station and local roads, including Pill Memorial Club</p> <p>- Avon Road to Marsh Lane on the cycle path parallel to the railway</p> <p>- Marsh Lane/Court House Farm</p>	<p>Works 24 and 24A</p> <p>Work No.1 B and 1 C, S132 considerations</p> <p>Work Nos 21-23</p> <p>Work Nos 15-20B</p>	<p>10.30 – 13.00</p> <p>Park on road at Ham Green for Chapel Pill Road then</p> <p>Drive to Victoria Park (park on Road) for Victoria Park and walk up hill to Pill Station</p> <p>Return to Victoria park then drive to Avon Road</p> <p>Then walk on NCN 26 to Marsh Lane?</p>
<p>M5/Portbury Dock Road/Portbury Hundred</p> <p><i>(Note: the traffic conditions for these areas may make</i></p>	<p>- J19 M5</p> <p>- Royal Portbury Dock Road</p>	<p>Highway impacts</p> <p>Works Nos 1A-1C, 12 – 14B</p>	<p>13.00 -13.30</p> <p>Likely to be by car – parking will be difficult</p>

Area	Locations	Purpose/Works nos.	Timetable
<i>arrangements impractical for stopping and observing some of these sites, certainly in large groups)</i>	- Proposed Compounds and accesses on A369		
Lunch break - Portishead	Various venues available	-	13.30 – 14.30
Portishead	<ul style="list-style-type: none"> <li>- Quays Ave and Harbour Rd</li> <li>- Galingale Way/Tansy Lane</li> </ul>	Work nos, 1 – 7D,  S131/132 assessment regarding open space certification	14.30 – 16.00  Park at car park behind Majestic Wine
Sheepway	- Sheepway/ Portbury Wharf	Work nos. 1, 8 – 12B	16.15 - 16.45  Parking may be possible at Sheepway Bridge depending on extent of NGET activities



### Day 2 – Walk along River Avon Tow Path

Area	Locations	Purpose/Works nos.	Timetable
Avon Gorge	- Tow Path and Avon Gorge Woodlands SAC between Clifton Suspension Bridge and Napier Miles Dock	<p>For HRA and LVIA considerations and to view location of Work No 25 – Quarry Bridge 2</p> <p>Whitebeam planting sites:</p> <ul style="list-style-type: none"> <li>a. Nightingale Valley 1a and 1b</li> <li>b. Clifton Tunnel 2</li> <li>c. Red oak plantation site</li> <li>d. Miles Dock Embankment</li> </ul> <p>Grassland positive management areas (on NR land - G1, G13, G14)</p> <p>Woodland positive management areas (on NR and FC land)</p> <p>Quarry Bridge 2 construction site and compound</p> <p>Mitigation measures for SAC bats along disused railway line</p>	<p>Meet at Open Space located next to River Avon at former Clifton Bridge station, 10 am.</p> <p>The walk is likely to take half a day.</p> <p><b>Notes:</b> there is no parking nearby. Parking is available at the Create Centre and it is then a 5 minute walk to the Open space on the River Avon tow path at the site of the former Clifton Bridge Station, via the cycle path next to the MetroBus Route then through the open space south of the River Avon to the meeting point.</p> <p>There are no facilities of any kind along the River Avon tow path.</p> <p>For a site visit in March robust and waterproof boots will be essential.</p>