

**The Planning Act 2008**

**The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 Regulation 5(2)(d)**

**The Portishead Branch Line (MetroWest Phase 1) Order**

**Book of Reference (Parts 1 - 5)**

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## **The Portishead Branch Line (MetroWest Phase 1) Order**

### **BOOK OF REFERENCE**

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## 1. Introduction

- 1.1 This Book of Reference (“BoR”) accompanies the proposed Development Consent Order (“the Order”) for the Portishead Branch Line (MetroWest Phase 1) (“the authorised development”), as required by Regulation 5(2)(d) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (“the Regulations”). It describes all the land, and identifies all the interests, affected by the Order.
- 1.2 The land described in this BoR, which is to be subject to powers of compulsory acquisition and/or temporary possession, is required to deliver the works comprising the authorised development which are described in detail in Part 1 of Schedule 1 of the Order and shown on the works plans accompanying the Order.
- 1.3 Every parcel of land that is affected is identified on a plot by plot basis and a unique number has been ascribed to each plot. The plots are shown on the land plans which accompany the Order.
- 1.4 This BoR is comprised of five Parts, in accordance with Regulation 7(1) of the Regulations, as follows:
  - (a) Part 1 contains the names and addresses of those who own, lease, occupy or have another interest in the land that will be affected by the authorised development and the rights contained in the Order;
  - (b) Part 2 contains the names and addresses of those whose land, while not directly affected by the authorised development, may be entitled to claim compensation for loss resulting from the implementation of the Order and use of the authorised development;
  - (c) Part 3 contains the names and addresses of those entitled to enjoy easements or other

private rights which it is proposed may be extinguished, suspended or interfered with in connection with the authorised development, pursuant to the Order;

(d) Part 4 identifies plots in which there is a Crown interest that may be affected by the authorised development and the rights contained in the Order (Crown interests will not be subject to powers of compulsory acquisition); and

(e) Part 5 identifies plots which constitute “special category land” for the purposes of sections 131 and 132 of the Planning Act 2008 that will be affected by the authorised development and the powers and rights contained in the Order (being open space, access land (treated as open space) and National Trust land, which types of land are identified as such on the special category land plans).

1.5 The Order seeks powers to compulsorily acquire land, new rights and temporary powers for the purposes of the construction and operation of the authorised development.

1.6 The majority of the plots identified in Part 1 of the BoR will be subject to the acquisition of all estates and interests in land pursuant to Article 24 (Compulsory acquisition of land) of the Order. These plots are shown coloured pink on the land plans.

1.7 A number of the plots identified in Part 1 of the BoR will be subject to the acquisition of permanent new rights (including restrictive covenants) pursuant to Article 27 (Compulsory acquisition of rights or imposition of covenants) and Schedule 10 (Land in which only new rights etc. may be acquired) of the Order. These plots are shown coloured blue on the land plans.

- 1.8 A number of the plots identified in Part 1 of the BoR will be subject to the acquisition of permanent new rights in subsoil of the land only pursuant to Article 27 (Compulsory acquisition of rights or imposition of covenants) and Schedule 10 (Land in which only new rights etc. may be acquired) of the Order. These plots are shown coloured purple on the land plans.
- 1.9 A number of the plots identified in Part 1 of the BoR will be subject to the acquisition of permanent new rights in subsoil pursuant to Article 27 (Compulsory acquisition of rights or imposition of covenants) and Schedule 10 (Land in which only new rights etc. may be acquired) of the Order, with temporary possession at surface level. These plots are shown coloured green with purple hatching on the land plans.
- 1.10 A number of the plots identified in Part 1 of the BoR will be subject to the acquisition of all estates and interests in structures in land, together with temporary possession at surface level. These plots are shown coloured pink with green cross-hatching on the land plans.
- 1.11 A plot identified in Part 1 of the BoR will be subject to the permanent acquisition of all estates and interests in structures in land, together with the compulsory acquisition of new rights. This plot is shown coloured pink with blue cross-hatching on the land plans.
- 1.12 Plots identified in Part 1 of the BoR are not subject to acquisition, and only permanent traffic regulation powers are sought in those plots. These plots are shown coloured orange on the land plans.
- 1.13 Plots that are subject to powers of temporary possession only, such as for the purpose of access to and/or use as a temporary construction compound, are included in Schedule 12 (Land of which temporary possession may be taken) of the Order and shown coloured green on the land plans.

- 1.14 The land shown coloured pink, blue, purple, green with purple hatching, pink with green cross-hatching, pink with blue cross-hatching, and orange on the land plans will also be subject to powers of temporary possession for the purpose of carrying out the authorised development (by virtue of Article 33 (Temporary use of land for carrying out the authorised development)).
- 1.15 By virtue of Article 34 (Temporary use of land for maintaining the authorised development) of the Order, any land within the Order limits which is reasonably required for the purpose of maintaining the authorised development may be entered and/or temporarily possessed in accordance with the provisions of that Article.
- 1.16 In addition to the above, by virtue of Article 23 of the Order (Authority to survey and investigate land), any land within the Order limits, or which may be affected by the authorised development, may be entered for the purpose of carrying out surveys and investigations.
- 1.17 In instances where Network Rail Infrastructure Limited is the “Freehold or Reputed Freehold Owners” of the land, the abbreviation “(NRIL – Unregistered)” is applied.