

Our Ref: SB-MTWQ1

Your Ref: 20024095 ExQ1 26 October 2020

Date: 20/11/2020

The Planning Inspectorate
The Square,
Temple Quay,
Room 3 O/P,
Temple Quay House,
Bristol BS1 6PN

Dear Sir or Madam,

Portishead Branch Line – MetroWest Phase 1

Below are the North Somerset Levels Internal Drainage Board's answers to the Examining Authority's written questions and requests for information (ExQ1) Issued on 26 October 2020.

Question FRD.1.1

Although this question is not directed to the Internal Drainage Board, the IDB does have an insight into the culvert that it would like to share. The unnamed culvert was initially constructed as part of the Portishead Branch Line. It was subsequently partially upgraded and changed to a pre-cast concrete pipe when the Royal Portbury Dock Road was constructed. The section beneath the railway was not upgraded. The arrangement of the culvert is unclear, and the size changes at an unknown point and recent survey work have been unable to be completed because of potential blockages. The Board is of the view that the current arrangement is unsatisfactory and the culvert requires partial replacement, the size of the culvert should be made consistent along its length and access chambers installed in appropriate locations such as changes in direction.

Immediately to the west, there is another culvert with a potentially compromised outlet into Drove Rhyne. Although outside of the DCO boundary it is recommended that the applicant and the landowner seek to resolve this issue during the construction of the line to aid with the drainage of the track and land in the area.

Question DCO.1.7

The Internal Drainage Board is unaware of any legislation that would require the maintenance of drainage of the land. The Land Drainage Act 1991 only applies to ordinary watercourses ("watercourse" includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows) and does not extend to drainage associated with buildings and infrastructure.

The Board would be supportive of an article securing the long-term maintenance of drainage infrastructure as with all major development there is a requirement that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The Board feels that nationally significant infrastructure should be no different in this regard as the flood risk associated with unmaintained drainage is no different and potentially more significant than other developments.

The Board would suggest the following addition to the DCO at 11 (4) The surface water drainage system shall be implemented and thereafter managed and maintained in accordance with the approved details for the lifetime of the development.

Question FRD.1.4

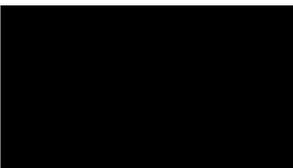
The Board have been engaged with the applicant throughout the design process and through the DCO process to resolve the Board's issues. A statement of common ground has been drafted. Although certain principles have been resolved, the Board still has concerns about making decisions based on the level of detailed information that has been provided.

In the location of the Portishead station footbridge and the Board's maintained watercourse known as The Cut (between Galingale Way and Tansy Lane), the applicant's current drawings are partly based upon ordnance survey mastermap data which only is accurate to the nearest metre, and individual features such as watercourses are not accurately surveyed. The top of the bank (a position which is critical when considering safe operational maintenance activities) is not shown. The Board would wish to see a topographical survey of the watercourse undertaken and a more accurate drawing and cross-section of this area provided. This will enable a precise assessment of the space between the top of the watercourse and the railway fence to see if there is enough space for the Board to undertake its statutory duties. For safety reasons, this surface must be flat, and the current drawings do not provide enough level information to determine if this can be achieved. The Board would also want further detail on any street furniture including lighting columns, kerb details, proposed tree species and associated tree pit details. The applicants drawing 467470.BQ.04.20-SK110 rev 8 also incorrectly refers to the batter of a watercourse as being an 'area of grass suitable for excavating vehicle to occupy' which clearly it is not as the drawing does mark the top of the bank (ToB).

The Board has no issues with the railway fence in the location shown in red on 467470.BQ.04.20-SK110 rev A and that provides a similar (not the same) level of access to which the Board has now, but this is subject to the detailed design of the landscaping, lighting, surfacing, levels and any non-network rail fencing and the accuracy of the currently presented information.

Even if this level of information is provided the Board still has concerns regarding the disapplication of byelaws due to the nature of large projects such as this, full detailed design is not undertaken until planning permission has been granted. This does mean that the design evolves when further more detailed engineering assessments are undertaken; this will then determine steel sizes, foundation design, pavement thicknesses etc. All of which will change the spatial arrangement of the approved design. Where space is tight, as it is in this location, small changes can have significant impacts on the Board's ability to continue with its statutory duties. When a consent is submitted to the Board for Land Drainage Consent, the expectation is that construction level information is provided. This is not the level of detail that has been provided to the Board to date or has it been submitted for approval with the DCO. Until this level of design has been undertaken, which will be post-approval, the Board cannot have any comfort that its access will be retained. This is why the Board's byelaws should not be disappplied.

Yours Sincerely,



Simon Bunn
Development Control Officer