



The Planning Inspectorate

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

Hearing Action Points arising from the Issue Specific Hearing 1 on the draft Development Consent Order (dDCO) held virtually on Monday 7 December 2020

Action	Description	Action by	When
1	<p>Article 22 (Discharge of water)</p> <p>Discussion regarding maintenance to be had at ISH2/3 when other flood risk and drainage issues will be discussed.</p>	Examining Authority (ExA) Applicant Environment Agency (EA) North Somerset Council (NSC)	ISH2/3
2	<p>Article 2 (Commencement)</p> <p>Applicant and the Local Planning Authority's (LPAs) to continue discussion of how this is to be defined to enable the carving out of preliminary works.</p> <p>Applicant to check that all preparatory/ preliminary works are captured eg clearance of vegetation; works to secure rocks to prevent rock falls; works to trees including protective fencing; laying out of temporary compounds. Article to be amended as necessary.</p> <p>Applicant and LPAs to review how the carrying out of any preparatory/ preliminary in accordance with the Code of Construction Practice (CoCP); the outline Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CTMP) would be secured.</p>	Applicant NSC Bristol City Council (BCC)	On-going
3	<p>Article 44 (Hedgerows)</p> <p>Discussion between the Applicant and NSC as to whether article 44 is</p>	Applicant NSC	Before ISH2/3



The Planning Inspectorate

	sufficient or whether a requirement is needed to address NSC concerns.		
4	<p>Article 46 (defence to proceedings in respect of Statutory notice)</p> <p>NSC to provide further detail as to why they are requesting a 12-week notification period.</p> <p>Applicant to provide detail as to why they consider a 4-week period would be appropriate.</p>	NSC Applicant	Deadline 3
5	<p>Requirement 5</p> <p>Applicant to check with EA whether the requirement as drafted addresses their concerns regarding waste management and if not the EA to provide their preferred wording.</p>	Applicant EA	ISH2/3
6	<p>Requirement 11</p> <p>Applicant to review and respond to NSC suggested alternative wording for requirement 11(c) provided in their Deadline 2 (D2) response to First Written Questions [REP2-038]</p>	Applicant	Deadline 3
7	<p>Requirement 16</p> <p>Change to start time to be discussed as part of discussion on construction impacts at ISH2/3</p>	ExA	ISH2/3
8	<p>Requirement 17</p> <p>Applicant to review revised wording suggested by EA regarding the need to submit a verification plan.</p> <p>Applicant to review either including the additional wording suggested by the EA regarding previously unidentified contamination either within Requirement 17 or whether it should be a separate requirement.</p>	Applicant EA	Before ISH2/3
9	<p>Requirement 4 versus Requirements 18, 32 and 33</p>	Applicant	Deadline 3



The Planning Inspectorate

	<p>Applicant to review whether these Requirements 18, 32 and 33 duplicate Requirement 4 and whether Requirements 18, 32 and 33 should be retained and reference to works No 28, 18 and 27 should be deleted from Requirement 4 or whether Requirement 4 should be reworded and Requirements 18, 32 and 33 should be deleted.</p>		
10	<p>Off-site tree planting on land not within order limits</p> <p>Issue of whether this is needed and if it is how it would be secured in the dDCO to be discussed at ISH2/3.</p>	ExA	ISH2/3
11	<p>Requirement 30</p> <p>NSC to comment on the proposed wording.</p>	NSC	Deadline 3
12	<p>District Level Licensing (DLL)</p> <p>Applicant to review whether the dDCO would need to be amended if the Applicant choses to opt for DLL rather than on-site mitigation with particular reference to Work Nos 10c, 12b and 16b and Requirement 34.</p>	Applicant	ISH2/3 Deadline 4
13	<p>Applicant to review dDCO in light of the comments contained in NSC Local Impact Report (LIR) [page 133, REP1-033] regarding suggested amendments to address bat and bird habitat issues, landscape design and whether the CEMP should be informed by ecological constraints.</p>	Applicant ExA NSC	ISH2/3
14	<p>Construction Workers Travel Plan (CWTP)</p> <p>Further consideration of whether the CWTP should be a certified document and whether it needs to be referred to in Requirement 5.</p>	NSC BCC Applicant	Statement of Common Ground (SoCG)



The Planning Inspectorate

14	Correct typo at beginning of Schedule 17	Applicant	Deadline 3
15	Submission of copies of the Letters of No Impediment (LoNI) by Natural England in relation to bats and badgers.	Applicant	Deadline 3
16	Applicant to provide an update on whether the provisional Impact Assessment Conservation Payment Certificate has been received and completed.	Applicant	ISH2/3
17	Update on progress with obtaining Crown consent.	Applicant	Deadline 4
18	Update on progress with obtaining the relevant consents/ permits from the EA.	Applicant EA	Deadline 4/ SoCG
19	Applicant to review whether consents under s61 of the Control of Pollution Act should be added to the list of other permits/ consent that the Applicant would need to obtain and if they do an update as to when and how these would be applied for/obtained.	Applicant NSC	Deadline 4
20	BCC/ Applicant to confirm whether the proposed upgrade of the pedestrian crossing to Ashton Road would be secured through a s106 agreement or through s278 of the Highways Act. To then be added to the list of other permits/ consents that the Applicant would need to obtain.	BCC Applicant	Deadline 4
21	BCC/ Applicant to confirm how, if required, the contribution towards trees to compensate referred to in BCC LIR [REP1-032] would be secured. If S106 or unilateral undertaking - what would the timescale be for the submission of the completed obligations to the Examination?	BCC Applicant	ISH2/3 Deadline 4



The Planning Inspectorate

	BCC and Applicant to have discussion about the need for these (and other) off-site contributions.		
22	If any S106 agreements or Unilateral Undertakings required by the proposal – completed obligations need to be submitted by Deadline 7.	Applicant	Deadline 7
23	The list contained in article 13 (1) of the dDCO to be amended to include the two additions suggested by BCC.	Applicant	Deadline 3
24	Applicant to seek a separate letter (rather than the EA's D2 response [REP2-040]) to confirm that the EA has no objection to the proposed change request.	Applicant EA	Deadline 3