



# The Planning Inspectorate

## Planning Act 2008 – Section 91

### Application by North Somerset District Council for an Order granting Development Consent for the Portishead branch line – MetroWest Phase 1

### Agenda for Issue Specific Hearing 3 dealing with Environmental Matters

**Issue Specific Hearing 3:** Environmental Matters: Habitats Regulations Assessment, Biodiversity and the Natural Environment; Noise, Vibration and Air Quality; and Flood Risk and Contaminated Waters  
**(Day 2 of 2)**

**Date:** Tuesday 12 January 2021

**Joining available from:** 9:30am<sup>1</sup>

**Meeting start time:** 10:00am<sup>2</sup>

**Location:** Virtual event

### Participation, conduct and management of the Hearing

This is the third Issue Specific Hearing to be held in this Examination. It is being held because the Examining Authority (ExA) wishes to question the Applicant and hear from Interested Parties about environmental matters arising from the documentation submitted with the application documents, together with any updates and responses at the preceding submission Deadlines.

All Interested Parties are invited to attend the Issue Specific Hearing, but as this is a virtual event you need to let the Inspectorate's Case Team ([Metrowest1@planninginspectorate.gov.uk](mailto:Metrowest1@planninginspectorate.gov.uk)) know of a wish to participate in the Hearing so that the relevant instructions can be sent for you to join the event. The event will also be livestreamed and a link for watching the livestream will be posted on the project page of the National Infrastructure website closer to the event date.

Interested Parties may be invited to make oral representations at the Hearing (subject to the ExA's power to control the Hearing). The ExA may ask questions about written representations or ask the Applicant or other parties to comment or respond. Questioning at the Hearing will be led by the ExA.

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<sup>1</sup> Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

<sup>2</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

This agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a hearing does not preclude further examination of this issue, including the asking of further written questions.

Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. However, should consideration of the issues scheduled for day 1 take less time than anticipated then the ExA may choose to start consideration of some of the items that are on this agenda. **Consequently, can participants therefore please make themselves available for both days.** Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

#### **Please Note:**

**In order to ensure timely publication of the agenda, this has been drafted before the receipt of submissions for Deadline 3. As a consequence, the ExA may need to adjust the agenda at the meeting to allow for responses received at this deadline.**

#### **Agenda**

The main purpose of the third Issue Specific Hearing is to undertake an examination of various environmental matters. In particular to examine:

- The Habitats Regulations Assessment, biodiversity and protected species, and the natural environment in general, including proposed mitigation of any likely significant effects.
- Potential pollution from noise, vibration, light, air quality and emissions.
- Flood risk and drainage issues including consideration of climate change allowances and contamination of the water environment.

General planning policy matters will also be examined.



# Agenda

<b>Title of meeting</b>	Portishead Branch Line – MetroWest Phase 1 Issue Specific Hearing 3 on Environmental Matters (Day 2 of 2)
<b>Date</b>	Tuesday 12 January 2021
<b>Time</b>	10.00 am
<b>Venue</b>	Online via Microsoft Teams invitation
<b>Attendees</b>	Invitees

## **1. Examining Authority’s opening remarks**

## **2. Purpose of the Hearing and introductions**

## **3. Habitats Regulations Assessment, Biodiversity and the Natural Environment**

- An update on the Habitat Regulation Assessment and the extent of progress towards statement of common ground with Natural England (NE).
- Discussion on the Avon Gorge Vegetation Management Plan and proposed compensatory measures for loss of woodland including discussion of NEs suggestion for alternative planting locations [REP2-045], including progress with Package 2.
- Need for submission of a case to demonstrate the existence of Imperative Reasons of Overriding Public Interest (IROPI) and the provision of compensation.
- Effects on bats and proposed mitigation measures.
- Update on the proposed use of District Level Licencing for Great Crested Newts and the implications for the DCO scheme.
- Discussion of Reptile and Amphibian mitigation strategies including for toads.

## **4. Air Quality and Climate Change**

- Discussion on the implications of the proposed use of diesel trains and how this would affect air quality and the consequence that this would have for climate change, including exploring the potential for future electrification.
- Implications for compliance with the Paris Climate Agreement and the Climate Emergency declared by North Somerset Council from the use of diesel trains.

## **5. Flood Risk, Drainage and Contaminated Waters**

- Applicant and Environment Agency (EA) to provide an update on progress with regards to the updates and additional information requested in the EAs Deadline 2 response [REP2-040].
- Applicant and EA to provide an update on the extent of progress towards a statement of common ground.
- Discussion with EA as to why flood mitigation proposed as work No 16D would no longer be required.
- Discussion with EA and Applicant regarding the implications for flooding and drainage as a result of climate change and what measures are proposed to ensure that the scheme is as resilient as possible.
- Potential for contamination of the water environment, likely significant effects on the Severn Estuary and necessity for a verification plan.

## **6. Planning Policy**

- Consideration of whether the proposal would comply with the National Policy Statement for National Networks.
- Consideration of whether the proposal would be inappropriate development in the Green Belt and if it is whether a case of Very Special Circumstances exists. Consideration of the issue of safeguarded land and the weight that can be given to the loss of this land.
- Update on emerging policy including Neighbourhood Plans.

## **7. Action points arising from the Hearing**

## **8. Any other business**

## **9. Close of Hearing**

### **Attendees:**

All Interested Parties are welcome to attend the hearing. However, the ExA considers that representatives for the following parties should consider attending because the ExA believes that the material that they have submitted raises issues that may need to be explored at the hearing:

- The Applicant
- North Somerset District Council as the Local Planning Authority;
- North Somerset District Council as Lead Local Flood Authority;
- Bristol City Council;
- The Environment Agency;
- North Somerset Levels Internal Drainage Board;
- Network Rail;
- Natural England;
- Woodland Trust;
- Forestry Commission / Forestry England; and
- Pill Toad Patrol.