



# 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 3 dealing with Environmental Matters held virtually on Tuesday 12 January 2021

Action	Description	Action by	When
1	To provide an updated Habitats Regulation Assessment (HRA) and Environmental Statement (ES) to capture all changes that have been made to the application since it was submitted and update the relevant documents to reflect the current policy position with particular reference to recent changes to policy on climate change and the Paris Agreement	Applicant	Deadline 6
2	To submit a completed Statement of Common Ground (SoCG) agreed with Natural England	Applicant/ Natural England (NE)	Deadline 4
3	To provide an updated version of the legal opinion from Stephen Tromans QC regarding the Report to Inform HRA [APP-197] including a written commentary on the implications for the application of the policy paper published by DEfRA on 1 January 2021 relating to changes to the Habitats Regulations 2017 following the departure of the UK from the EU	Applicant	Deadline 4
4	To provide an update on the progress of the SoCG's with the National Trust and the Forestry Commission/ Forestry England including an indication of when they would be agreed and submitted into the Examination	Applicant	Deadline 5
5	To provide further detail on whether a SoCG with the Woodland Trust is likely to be forthcoming including details of what attempts have been made to engage with the Woodland Trust and the progress made	Applicant	Deadline 5



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6	To submit completed SoCG's agreed with North Somerset District Council (NSDC) and Bristol City Council (BCC)	Applicant/ NSDC / BCC	Deadline 5
7	Confirmation as to whether Whitebeam planting compensation Package 1 is to fall away; if it is when would Package 2 be agreed and when would reference to package 1 be removed from the application documentation?	Applicant/ NE	Deadline 4
8	To set out their position if Package 2 was not agreed and the application was to proceed on the basis of Package 1	NE	Deadline 4
9	To set out what their concern is regarding the 0.06 hectares of grassland loss and the implications for the HRA	NE	Deadline 4
10	To provide a plan (or reference to existing plans) confirming where the 0.06 hectares of grassland that would be lost is located and who owns it, Network Rail or National Trust; to confirm whether this would be lost temporarily or permanently and if it would be lost on a permanent basis clarify how this would be mitigated and confirm if this loss/ mitigation needs to be reflected in the HRA or other application documents.	Applicant	Deadline 4
11	To provide a written summary of Ms Allchins oral response on the potential loss of grassland	Applicant	Deadline 4
12	To provide a written response to the points raised by Mr Tarr in his written submission [AS-053]	Applicant	Deadline 4



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13	To submit a change request in relation to the removal of works 10c, 12b and 16b from the application as they would no longer be required as mitigation in relation to Great Crested Newts	Applicant	Deadline 4
14	To confirm how the Ham Green newt population would be affected by the change to a District Level Licensing approach for dealing with Great Crested Newts	Applicant	Deadline 4
15	To confirm when the survey results for the toads at Lodway Farm that is due to occur in late February/early March would be submitted into the Examination	Applicant	Deadline 4
16	To further consider the use of half pipes and other types of mitigation used elsewhere under railway lines for the movement of toads and whether there are any existing gaps that toads can migrate through and how these would be secured	Applicant	Deadline 5
17	To provide an update within the SoCG regarding the situation with regards to the contribution to the delivery of trees off-site requested by BCC	BCC/ Applicant	Deadline 4
18	To submit a marked up plan to confirm that the protected oak tree referred to by Mr Tarr in his written submission [AS-053] would not be affected by the proposal with particular reference to the Root Protection Zone, impacts from construction traffic and the proximity of the proposed compound to the tree and to confirm whether the tree is an actual or potential bat roost	Applicant	Deadline 4
19	To provide a written response to the comments made by Mr Bonham regarding carbon offsetting with particular reference to tree planting	Applicant	Deadline 4



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20	To confirm that bio-diversity net gain would not be required by the National Policy Statement for National Networks and then set out what if any additional enhancement measures are proposed, where and how they would be delivered/ secured	Applicant	Deadline 4
21	To include the additional air quality table in the HRA and ES	Applicant	Deadline 6
22	To signpost where the Network Rail 'Traction decarbonisation network strategy' can be found in submissions (or provide a copy if not done so) and to confirm whether this is policy and if not, what weight can be given to the strategy	Applicant	Deadline 4
23	To confirm when the North Somerset Nature Emergency was declared and provide a copy of the action plan	NSDC	Deadline 4
24	The Environment Agency and BCC Flood Experts who could not attend the hearing to listen to the digital recording and respond to any points raised in relation to agenda item 5. In particular they should provide a clear statement about the implications of Order land falling within flood zone 3a and 3b and the tests that the Secretary of State would need to apply in the event that this matter is not agreed by the end of the Examination	Environment Agency (EA)/ BCC	Deadline 4
25	Applicant to continue discussions with the EA and BCC to resolve this matter and even if matters remain outstanding a completed SoCG to be submitted by Deadline 5	Applicant/ EA/ BCC	On-going
26	To provide comment on the emergency evacuation plan and confirm of BCC function	BCC	Deadline 4
27	To provide a plan showing the Clange Road compound and adjoining track overlaid with the	EA/ Applicant	Deadline 4



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	flood zones as advocated by the EA and by the Applicant to aid understanding of where the areas of dispute with regards to the functional floodplain lie. Including if available an indicative layout for the compound		
28	To consider how pre/ post construction topographic studies and any remedial work required at Cattle Creep bridge could be secured in the DCO	Applicant	Deadline 4
29	To provide comment on whether the culverts around Royal Portbury Dock under the disused railway would need to be adapted to accommodate climate change and if they would when and how this detail would be submitted/ secured	Applicant	Deadline 4
30	To provide details of how run off from the proposed compound at Ham Green would be dealt with to ensure that it would not contaminate the ponds	Applicant	Deadline 4
31	Provide a location/ layout plan of the proposed affordable housing scheme overlaid with the location of the Ham Green compound	NSDC	Deadline 4
32	To submit details of the location of any further sites that parties think that the Examining Authority (ExA) should visit on either an accompanied or an unaccompanied basis including reasons as to why they need to be visited and if they need to be on an accompanied basis how this could be done given the current COVID-19 restrictions	All	Deadline 4
33	To provide written consent for the ExA to access the disused track in order to be able to carry out an Unaccompanied Site Inspection	Applicant/ NSDC	Deadline 5



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34	To submit post hearing submissions including written summaries of any oral cases put at any of the hearings	All	Deadline 4
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