



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

9.26 ExA.FI.D4.V1 – Applicant's response to the ExA's Actions from the Issue Specific Hearing 2 (ISH2)

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

Applicant's Response to the Hearing Action Points arising from the Issue Specific Hearing 2 dealing with Environmental Matters (Day 1 of 2) held virtually on Monday 11 January 2021

DCO Document Reference: 9.26 ExA.FI.D4.V1

Action	Description	Action by	When	Applicant's Response
1	Consider what energy-efficiency/ micro-generation measures that could be incorporated into the design of Portishead Station and explain how these would be secured.	Applicant	Deadline 4	The Applicant believes the most appropriate measure would be to install solar panels on the roof of the station building. The Applicant will discuss the potential for such provision with the relevant planning authority, Network Rail and the Train Operating Company. Please also see the Applicant's responses to Representations at ISH 2 (Reference: 9.23 ExA.ISH2.D4.V1).
2	Review the visual impact assessment to see whether the effect of Portishead Station and forecourt on the care home has been assessed in terms of setting of and outlook from the care home and signpost where in the application documentation this assessment is. If it has not been assessed either provide an assessment or an explanation as to why such an assessment would not be necessary. Confirm the correct name of care home.	Applicant	Deadline 4	Please see the Applicant's Response 6 in the Applicant's responses to Representations at ISH 2 (Reference: 9.23 ExA.ISH2.D4.V1).
3	Invite the Town Council as they were not in attendance at the hearing the opportunity to provide any further comments on the design of Portishead Station and footbridge following the comments made at the hearing.	Portishead Town Council	Deadline 4	-
4	To provide a copy of the Network Rail advice/ guidance that sets out why level crossings for pedestrians are no longer considered appropriate or if submitted already signpost where this information can be found.	Applicant	Deadline 4	The Applicant refers to The Office of Rail and Road document, "New level crossings: How ORR applies its policy of no new crossings unless there are exceptional circumstances" dated August 2018, attached at Appendix 2 to Deadline 3 Submission - 9.15 - Applicant's Oral Case and response to Representations at the Compulsory Acquisition Hearing 1

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				(CAH1). Appendix 2 is document REP3-024.
5	<p>To review the 2014 non-motorised user counts of the pedestrian level crossing at Portishead [Table 4.20, ES Appendix 16.1 – APP-155] to see if any further detail can be provided eg type of users, activity they were undertaking, where they were going.</p> <p>Provide a response as to why a more up-to-date/detailed survey cannot be undertaken.</p>	Applicant	Deadline 5	Please see the Applicant's response at line 6 of the summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
6	To consider further what, if any, concerns they may have if Trinity Footbridge (Work No 7) were to be removed from the application and weight the adverse impacts against the benefits.	North Somerset District Council (NSDC)	Deadline 4	The Applicant refers to its summary of its oral submissions, regarding the submissions of Mr and Mrs Sanders and Mr Twist on this topic (Reference: 9.23 ExA.ISH2.D4.V1).
7	To provide photos and location plan of a footbridge of a similar design which the Applicant referred to and which is located in Bristol that has privacy screens of the type being considered for Work No 7.	Applicant	Deadline 4	Please see the Appendices of the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
8	To provide further justification for the footbridge including detail of any socio-economic benefits that would result from the provision of Work No 7. Include desire line maps.	Applicant	Deadline 4	The Applicant refers to response 6 above and its summary of submissions regarding Mr and Mrs Sanders and Mr Twist on this topic (Reference: 9.23 ExA.ISH2.D4.V1).
9	Update plans and visuals of Work No 7 to show the bridge in the proposed Holly Green colour and include details/ indicative image of Work No 7 with the potential privacy screens.	Applicant	Deadline 4	Please see the Appendices of the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
10	Advise whether the fencing around the car park at Pill would be coloured. If it is what colour would it be and how would this be secured?	Applicant	Deadline 4	Please see the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).

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	If it is not to be coloured, why not?			
11	Provide detail of how the size of the proposed shelter at Pill Station was decided, including details of how many people it would be able to accommodate and whether it would be sufficient to meet the needs of users of the station.	Applicant	Deadline 4	<p>The shelter shown in plan APP-020 is a modular design produced by Macemain Paragon which is widely used by the rail industry including in the West of England. The Paragon design is based on a 1500mm modular construction in both its length and width with a low vault roof but is adaptable so that all dimensions can be maximised. The design shown in plan APP-020 is a six bay version which gives an overall length of 9 metres and a depth of 1.5 metres. This is sufficient to accommodate approx. 20 people comfortably, increasing up to approximately 25 people when standing closer together but not shoulder to shoulder.</p> <p>In the opening year the maximum number of people forecast to use Pill station is in the 8am to 9am peak hour which is 30 people. At all other times of day the number of forecast users is lower. This provides a user to shelter capacity ratio of 0.66 or 0.83 with a higher density. There are no standard requirements in the rail industry for shelter capacity and it is not common practise to provide shelter capacity for the peak passenger flows. This is in recognition that travelling by train entails trips at the origin and destination which often entail walking in the public realm (streets).</p>
12	Provide further detail of the design of the proposed fencing in the Avon Gorge and whether it would replace the existing post and wire fencing that currently runs through the Avon Gorge.	Applicant	Deadline 4	The Applicant is aiming to provide a full review of fencing provision, including within the Avon Gorge. The intention is to retain existing fencing or, where required, to provide paladin fencing within the Avon Gorge. A full response on fencing will be provided at Deadline 5.
13	If the existing post and wire fencing is to be replaced with different type of fencing what is proposed and provide visuals of the proposed fencing through the Avon Gorge from key vantage points including the Clifton Suspension Bridge.	Applicant	Deadline 5	The Applicant will respond on fencing matters at Deadline 5.
14	Mr Matthews to provide a transcript of his comments in regard to the proposed acoustic fencing at Old Station House, Portbury as they couldn't be fully	Applicant	Deadline 4	<p>Mr Matthews has provided the following transcript:</p> <p><i>The Applicant has had an on-going dialogue and meetings with the land</i></p>

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	heard at the hearing.			<p><i>owner and resident over the years since 2017, including discussions about the acoustic fence. The original proposal was for a separate acoustic and security fence. Due to the limited space available between the proposed track and the property, the acoustic fence was proposed to be located on the landowner's land (the old station platform) while the security fence was to be located on the trackbed.</i></p> <p><i>Since the initial proposed was tabled, several meetings took place to try and minimise the impact where possible. The land owner / resident was concerned about the proximity of the acoustic fence to the house and how it might reduce light into the property. Consequently, the Applicant changed the design to move the acoustic further away from the property and it is now proposed to be a combined acoustic / security fence on the track bed instead of two separate fences.</i></p> <p><i>Various options were discussed with the owner on the type of material to be used for the fence and the final agreed design is for a close-boarded wooden fence. In order to reach an agreement without the need to exercise temporary possession rights, the Applicant will offer a licence for this small area of land adjacent to the proposed fence, for the purpose of assisting with the erection of the fence.</i></p>
15	Provide further detail on his concerns regarding the potential need for an acoustic barrier between the public footpath and the M5 underbridge by Deadline 4 with the Applicant to provide a response at Deadline 5.	Mr Ovel/ the Applicant	Deadline 4/ Deadline 5	The Applicant will respond at Deadline 5 once Mr Ovel provides his comments. In the meantime, the Applicant has responded in the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
16	Where possible to provide an indicative plan showing the type of fencing (paladin, palisade or post and wire) that would be used (including colour) where this would be located along the length of the railway route and advise how this could be secured taking into account the operational needs of the railway.	Applicant	Deadline 4	The Applicant is considering this further and proposes to provide a fuller answer at Deadline 5, together with its response to item 13 above, to provide the information in a single comprehensive response

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17	Applicant to provide further detail of the fencing proposed for the Clamage Road depot, including style, height and colour by Deadline 4 with the Council to provide an assessment of the effect of this on the adjoining Conservation Area at Deadline 5.	Applicant/ Bristol City Council (BCC)	Deadline 4/ Deadline 5	Palisade fencing will be used. The northern boundary at this location that abuts the neighbouring public footpath already has palisade fencing. In addition landscaping will be provided. See APP-044 for location of proposed planting.
18	To provide further detail (or signpost where in the application documentation this information can be found) regarding how anti-social behaviour would be managed for both the footbridge Work No 7 and around Pill Station.	The Applicant	Deadline 4	The Applicant has not identified this issue as a risk created by the DCO Scheme.
19	Provide further detail on each bodies understanding of the allowed freight rail paths from Royal Portbury Dock including those allowed by the planning consent and whether these are different to those allowed by Network Rail.	Bristol Port Company (BPC)/ the Applicant/ NSDC/Network Rail	Deadline 4	<p>The Applicant points to its comment on BPC's response to CG1.12 of EXQ1, doc ref REP3-030:</p> <p>"North Somerset Council's consent to the Port's Planning Application referenced 11/P/1893/F, states:</p> <p>Variation of Condition 16 of planning permission 99/0737 (Construction of rail link, field north of Pill, south of M5 bridge, Easton-in-Gordano) to allow the number of freight trains using the rail link not to exceed an average of 20 trains daily per calendar year, in and out of the port, and not during any time when the Bristol to Portishead railway branch line is in use for scheduled passenger services and shall not exceed one train per hour in each direction."</p> <p>This means while the freight line remains a freight only line, freight trains can be operated at any time (subject to the availability of freight paths through the rail network) but with to an upper limit of no more than 20 freight trains into Royal Portbury Dock per day and 20 freight trains out of Royal Portbury Dock per day.</p> <p>It also means that when scheduled passenger services are re-introduced an additional restriction comes into effect which is to limit the number of freight trains to one freight train per hour into the Dock and</p>

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				<p>one freight train per hour out of the Dock.</p> <p>The Applicant included in its brief to Network Rail from the beginning of the scheme the need to include one freight train path into the Dock per hour and one freight train per hour out of the Dock. The proposed infrastructure is sufficient to provide this freight train pathing capacity and the pathing capacity for the proposed passenger train service. These paths are shown in the Working Train Timetable which the Applicant has issued to Bristol Port, and is included as Appendix 1 to this response.</p>
20	Provide further detail as to how the Railways Act 1993 would preserve movements to and from Royal Portbury Dock	Applicant/ BPC	Deadline 4	Please see the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
21	To confirm whether any of the site for the proposed 62 touring pitches at Clanage Road falls within the Order limits.	Applicant/BCC	Deadline 4	A Revised Works plan has been submitted with the Applicant's Deadline 4 responses (Reference Document 2.3 (Version 5)). The Works Plan incorrectly showed the Caravan club owned land included in the Works Plan. The Land Plan shows the correct boundaries. No acquisition of Caravan Club land is proposed
22	Provide a layout and location plan of the proposed touring pitches including the access onto Clanage Road and an indication for the likely timescale for the determination of the application that has been referred to the Secretary of State.	BCC	Deadline 4	-
23	To provide a written response to the Applicants Deadline 3 response regarding traffic modelling carried out at Ashton Vale Industrial Estate.	Carl Tonks of CTC Consulting	Deadline 4	The Applicant will respond at Deadline 5
24	To review their comments on the Winterstoke Road/ Ashton Road junction in light of the response received from Mr Tonks at Deadline 4.	BCC	Deadline 5	The Applicant will respond at Deadline 5

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25	Applicant to respond to the response received from Mr Tonks at Deadline 4.	Applicant	Deadline 5	The Applicant will respond at Deadline 5
26	Applicant to confirm whether the two minutes closure for the level crossing at Ashton Vale relates to the current freight trains or the proposed 2-5 car passenger trains. If it does relate to the current freight trains confirm how long these trains are compared to the proposed passenger trains.	Network Rail/ the Applicant	Deadline 4	<p>Part 3 of Appendix N to the TA (APP-172) sets out Ashton Vale Road level crossing train times used in the assessments of the level crossing and traffic signal junction. This utilises the following level crossing closure (to road traffic) times:</p> <ul style="list-style-type: none"> • 1m 50s: 'down' train towards Pill; and • 2m 05s: 'up' train from Pill. <p>These times are based on observations of level crossing barrier timings, incorporating minor changes to the signalling system included in the DCO scheme. The same timing assumptions were used for both passenger and freight trains in traffic signal modelling. In practice, barrier down times for passenger trains could potentially be slightly lower, as they are markedly shorter than</p> <p>The current freight trains vary in length greatly. They can be up to 700 metres in length but usually are shorter.</p> <p>The length of the passenger trains to be used for the proposed service is:</p> <ul style="list-style-type: none"> • 2 carriage train is 46 metres • 3 carriage train is 69 metres • 5 carriage train is 115 metres
27	To provide an update on the progress with the s278 application for the proposed Toucan crossing.	BCC/ the Applicant	Deadline 4	The Applicant continues to discuss the provisions of the S278 Agreement with the local highway authority.
28	To provide further comments regarding whether or not Work No 27 (pedestrian footbridge and ramp at	BCC	Deadline 4	The Applicant will respond, if needed, at Deadline 5.

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	Ashton Vale Industrial Estate) would still be required in light of the comments made at the hearing about the possibility of it not being provided.			
29	To explain, or signpost where in the application document it was considered, whether the provision of a pedestrian refuge in the centre of Royal Portbury Dock Road during the temporary diversion of the footpath/cycleway was considered and if it was why it was considered unnecessary.	Applicant/ NSDC	Deadline 4	<p>Royal Portbury Dock Road is a crossing point on the bridleway network for bridleways LA15/21/20 and LA8/66/10. The Applicant proposes only minor works to increase the area for waiting on either side of the carriageway of Royal Portbury Dock Road. Neither bridleway is proposed to be closed or suspended for any period of time beyond that which might possibly be necessary to carry out the minor works proposed.</p> <p>As such it is not felt that there is going to be any substantial change to the exiting public right of way network that necessitates alterations to the carriageway. The proposed permanent alterations to the crossing in summary entail improving the waiting area either side of the crossing with colour paving, cutting vegetation and replacing the signage. Visibility on Royal Portbury Dock Road is good at this point and traffic subject to a speed restriction of 30 miles per hour.</p> <p>The use of the route under Royal Portbury Dock Road next to the disused railway is by licence for pedestrians and cyclists (and not equestrians). It is proposed that the licence will be terminated by notice prior to works commencing at this location. It is also anticipated that a new licence for a re-provided route will be granted by Network Rail following completion of works in this location.</p> <p>If required there is sufficient space for the provision of a refuge in the centre of the road for pedestrians and cyclists, during the construction works when the only route open will be the bridleway route across the road at road level</p>
30	To review whether 'reduce speed' / traffic warning signs should be provided on Royal Portbury Dock Road during the period that the footpath/ cycleway	Applicant/ NSDC	Deadline 4	Signage on Royal Portbury Dock Road during the period that the footpath/ cycleway would be diverted can be provided if felt necessary by the local highway authority (and following consultation with Bristol Port Company). It is suggested this is best dealt with by the Applicant

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	would be diverted.			engaging with the local highway authority and need not be provided for in the dDCO.
31	To review whether Requirement 30 duplicates the need to provide a Construction Workers Travel Plan that would be secured as part of the CTMP in requirement 5. If it would, to consider which mechanism would best deliver the outcome required and amend the dDCO as necessary.	Applicant/ NSDC	Deadline 4	The need for an additional requirement is being discussed with the relevant planning authority and an update will be provided in the Statement of Common Ground at Deadline 5
32	To extract into a separate document the information/ graphs/ background calculations that are included in the Statement of Common Ground with Highways England that relate to construction traffic movements in Pill.	Applicant	Deadline 4	Please see the Appendices for the Applicant's summary of its oral submissions at ISH2 (Reference: 9.23 ExA.ISH2.D4.V1).
33	Mr Ovel and Mr Berry to submit their concerns regarding the proposed Lodway construction compound in writing by Deadline 4, Applicant to provide a response at Deadline 5.	Mr Ovel/ Mr Berry/ the Applicant	Deadline 4/ Deadline 5	The Applicant will respond at Deadline 5 .
34	Ms Stowers to submit her concerns in writing by Deadline 4, Applicant to provide a response at Deadline 5.	Ms Stowers/ the Applicant	Deadline 4/ Deadline 5	The Applicant will respond at Deadline 5.
35	To provide further detail regarding soil nails and how they are installed with particular reference to the amount of waste that they generate and how this waste would be managed in private gardens.	The Applicant/ Network Rail	Deadline 4	<p>Soil nailing is a technique that is used to strengthen and stabilise slopes. It is commonly found around the railway network where track is often laid on embankments or through cuttings to minimise the gradients of the railway.</p> <p>Soil nails are often drilled into the embankments from specialist vehicles operating from the railway. This machinery has a long-reach arm with a drilling attachment and is effective at minimising the amount of work required at the base of the slope. Once the nail has been drilled into place, a grout is used to cement the nail in position.</p>

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				Soil nailing can generate some spoil although this is often dependant on the ground conditions and not expected to be significant. Before drilling commences, a dilapidation survey will be carried out on any land used for the works, so that it can be remedied after the construction is complete. This will include the removal from site of any spoil generated by the construction works.
36	To review the locations visited by the ExA on their Unaccompanied Site Inspection [see notes EV-001 and EV-002] and advise whether there are any further locations that he would like the ExA to visit either on an accompanied or unaccompanied basis.	Mr Berry	Deadline 4	-