



Application by North Somerset District Council for Portishead Branch Line – MetroWest Phase 1
The Examining Authority’s Further written questions and requests for information (ExQ2)
Issued on 26 January 2021

The following table sets out the Examining Authority’s (ExA’s) further written questions and requests for information – ExQ2. Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 7 September 2020. Questions have been added to the framework of issues set out there as they have arisen from representations, Hearings and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique topic prefix identifier (two or three letters) and reference number which starts with 2 (indicating that it is from ExQ2) and then a question number. For example, the first question on air quality and emissions issues is identified as GC.2.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact Metrowest1@planninginspectorate.gov.uk and include ‘Portishead Branch Line – MetroWest Phase 1’ in the subject line of your email.

Responses are due by Deadline 5: Tuesday 16 February 2021.

Abbreviations used:

AGVMP	Avon Gorge Vegetation Management Plan [APP-141 and APP-209]	NT	National Trust
BCC	Bristol City Council	NPPF	National Planning Policy Framework
BPC	Bristol Port Company	NSDC	North Somerset District Council
BoR	Book of Reference [APP-057]	PA2008	Planning Act 2008
CA	Compulsory Acquisition	RR	Relevant Representation
CAH	Compulsory Acquisition Hearing	SoCG	Statement of Common Ground
dDCO/DCO	Draft/Development Consent Order [REP3-005]	TP	Temporary Possession
DL	Deadline	WR	Written Representation
DLL	District Level Licence		
EA	Environment Agency		
ES	Environmental Statement [APP-094 to APP-114]		
ExA	Examining Authority		
ExQ1	Examining Authority's first written questions [PD-010]		
FRA	Flood Risk Assessment [APP-173]		
HRA	Habitat Regulation Assessment [APP-142]		
ISH	Issue Specific Hearing		
LIR	Local Impact Report		
NE	Natural England		



The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link:

[https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR040011/TR040011-000588-Portishead%20Examination%20Library%20\(pdf%20version\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR040011/TR040011-000588-Portishead%20Examination%20Library%20(pdf%20version).pdf)

It will be updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference followed by question number, eg ExQ2 GC.2.1 – refers to General and Cross-topic question 1 in this table.

PLEASE NOTE:

- 1) A number of these questions were drafted prior to Deadline 4. Therefore, if the answer to the question asked has been submitted at Deadline 4 please signpost where in the Deadline 4 submissions the answer to the question can be found.
- 2) The ExA has assumed as per the Examination Timetable that the Applicant and Interested Parties will be providing comments/ answers to the points raised in each other's Deadline 4 submissions. As a consequence, the ExA has not sought formal responses to these submissions through the asking of questions, other than where they are seeking a point of clarification, requesting specific further evidence, or asking a follow up question.

Index

GC	General and Cross-topic Questions	5
	General	5
AQ	Air Quality and Emissions.....	7
BIO	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA)).....	7
CC	Climate Change.....	10
CI	Construction Impacts.....	10
CA	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations.....	11
DE	Design	15
DCO	Draft Development Consent Order (DCO).....	17
FRD	Flood Risk and Drainage.....	17
HE	Historic Environment	19
NV	Noise, Vibration and Light	20
SE	<i>Socio-economics</i>	21
TT	Traffic and Transport	21
	Public Rights of Way, including cycle routes	23

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
GC General and Cross-topic Questions		
General		
GC .2.1	<i>Clarification of title of project</i> The Applicant	<p>The Planning Statement [APP-205] states that MetroWest Phase 1 comprises the delivery of infrastructure and passenger train operations that would provide the following:</p> <ul style="list-style-type: none"> ▪ A half hourly service for the Severn Beach line (hourly for St. Andrews Road station and Severn Beach station); ▪ A half hourly service for Keynsham and Oldfield Park stations on the Bath Spa to Bristol line; and ▪ An hourly service (or an hourly plus service) for a reopened Portishead Branch Line with stations at Portishead and Pill. <p>Bullet points one and two are collectively known as MetroWest Phase 1A. Bullet point three, which is the subject of this application, is known as MetroWest Phase 1B.</p> <p>The Application documentation and consequently the Planning Inspectorate have referred to the current application as MetroWest Phase 1. For the purpose of clarity when reporting to the Secretary of State should the application be referred to as MetroWest Phase 1B?</p>
GC .2.2	<i>Updates on development</i> All Relevant Planning Authorities	<p>Provide an update of any planning applications that have been submitted, or consents that have been granted since the last set of written questions that could either effect the proposed route or that would be affected by the Proposed Development and whether this would affect the conclusions reached in Chapter 18 and Appendix 18 of the Environmental Statement (ES) [APP131 and APP-191]?</p>
GC .2.3	<i>Other Consents and Permits</i> The Applicant	<p>Following your response to first written question GC.1.5 [PD-010] can you provide an update on the progress that has been made since this response in obtaining these other consents and licences that would be required by the development and can you comment on North Somerset District Council's (NSDC) Deadline 4 submission [REP4-040] that consents under section 61 of the Control of Pollution Act should be added to the list of other permits required.</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
GC .2.4	<p><i>Central Government Policy and Guidance</i></p> <p>The Applicant The Relevant Planning Authorities</p>	<p>Are there any changes to Government Policy or Guidance, that have resulted from the United Kingdom's departure from the European Union on the 31 December 2020? If yes what are these changes and what are the implications, if any, for the Application?</p> <p><i>This excludes the DEfRA policy paper Changes to the Habitat Regulations 2017 that was published on 1 January 2021 which was discussed at the ISH3 [EV-010] and was the subject of an action point [EV-010e] arising from that meeting.</i></p>
GC .2.5	<p><i>Work No 24</i> <i>Chapel Pill Lane, Ham Green</i></p> <p>North Somerset District Council</p>	<p>Mr Tarr referred at the Issue Specific Hearings (ISH) 2 and 3 to an affordable housing scheme proposed at Chapel Pill Lane as part of the emerging Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan [REP2-025]. His subsequent Deadline 4 submission [REP4-056] includes a link to a public consultation on the housing plans. Could NSDC respond to his points regarding whether the project proposals for a permanent access and compound in this location would be enabling development for the proposed housing scheme?</p>
GC .2.6	<p><i>Green Belt</i></p> <p>North Somerset District Council</p>	<p>Work Nos 24 and 24A (permanent and temporary compound south of Ham Green Lake) would be located in the Green Belt. The Applicant advocates [REP2-013] that the proposal would be local transport infrastructure which needs to be located in the Green Belt and as such would be defined as not inappropriate development in the Green Belt under paragraph 146 of the National Planning Policy Framework (NPPF). However, Paragraph 146 states that this only applies provided the works preserve openness and does not conflict with the purposes of including land within the Green Belt.</p> <p>i) As the proposed compound would be Associated Development are you satisfied that it would fall within paragraph 146 c)? If not, why not and would it fall within any of the categories of development included within paragraph 146?</p> <p>ii) If you are satisfied that paragraph 146 c) (or any of the other exceptions) does apply are you satisfied that the proposal would preserve openness and would not conflict with the purposes of including land within the Green Belt? If not, are you satisfied that a case of Very Special Circumstances exists?</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
GC .2.7	<i>Green Belt</i> Bristol City Council	At ISH3 [EV-010] the location of the Clange Road depot in the Green Belt was discussed. You advised that you considered that the proposed depot would fall within paragraph 146 c) of the NPPF as it would be local transport infrastructure and would not adversely affect openness. However, the depot is associated development therefore can you: i) Confirm that you are still satisfied that it would fall within paragraph 146 c)? If not, why not and would it fall within any of the categories of development included within paragraph 146? ii) If the ExA was to conclude that openness would not be preserved are you satisfied with the case of Very Special Circumstances provided by the Applicant [Paragraph 6.5.14 onwards, APP-208 and the information contained within the site selection process APP-189].
GC .2.8	<i>Statements of Common Ground</i> The Applicant All Relevant Parties	The Statement of Commonality of Statements of Common Ground submitted at Deadline 3 [REP3-020] lists a number of Statements of Common Ground (SoCG) as " <i>not yet in circulation</i> " why is this and when will they be circulated/ agreed?
GC .2.9	<i>Heads of Terms with Forestry Commission</i> The Applicant	Item 4 of your Deadline 4 submission [REP4-017] says that Heads of Terms have been agreed with the Forestry Commission regarding the use of its land for mitigation. Could a copy (even if it is in draft) of these terms be submitted at Deadline 5 in order to help inform the drafting of the Report into the Implications for European Sites.

AQ Air Quality and Emissions*The ExA do not wish to ask any further questions on this topic at this point in the Examination.***BIO Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))**

BIO .2.1	<i>Land east of Pill</i> The Applicant The Alvis Family	At Deadline 4 [REP4-057] the ExA received a suggestion of an alternative service route to access the land east of Pill in order to avoid 'very significant environmental damage and local disturbance'.
----------	---	---

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		<p>The Applicant: Can you please respond to this suggestion and outline what the implications for Compulsory Acquisition/ Temporary Possession would be and whether, should you consider such a change is required, it could be accepted into the Examination at this stage.</p> <p>The Alvis family: Provide further detail to outline what the 'very significant environmental damage and local disturbance' that you consider would arise from the route as currently proposed and why the route that you are suggesting would resolve these concerns.</p>
BIO .2.2	<p><i>Amphibian Mitigation</i> North Somerset District Council Natural England</p>	<p>The Applicant [REP4-017] has advised that it proposes to retitle the "Reptile Mitigation Strategy" as the "Reptile and Amphibian Mitigation Strategy" and to include within it the application of appropriate measures for the protection of amphibians including newts and toads.</p> <p>NSDC/ Natural England (NE): Would this address the concerns raised by the Council in its Deadline 4 response [REP-064] and provide a sufficient mechanism to deliver any necessary measures in relation to the toads at Lodway Farm? If not, why not and what measures would you consider necessary?</p> <p>Applicant: You indicate that the strategy would be submitted at Deadline 6 (15 March 2021). However, at the ISH3 [EV-010] you advised that the survey of the toads at Lodway Farm would occur in late February/ early March. Would the results of this survey work therefore be available to inform this strategy if it is to be submitted at Deadline 6? If not, when would it be able to be incorporated into the strategy and how, given the limited time to the close of the Examination, would NE/ NSDC views be sought/ incorporated?</p>
BIO .2.3	<p><i>Ham Green Lake</i> The Applicant</p>	<p>Mr Tarr in his Deadline 4 response [REP4-056] refers to the adequacy of the proposed measures to mitigate pollution and traffic effects during the construction phase on Ham Green Lake Site of Nature Conservation Interest. Provide a reference to where in the application documentation the potential impacts specifically on Ham Green Lake and its surroundings (and any mitigation measures) can be found.</p>

ExQ2: [26 January 2021]

Responses due by Deadline 5: Tuesday 16 February 2021

ExQ2	Question to:	Question
<p>BIO .2.4</p>	<p><i>Avon Gorge Vegetation Management Plan (AGVMP)</i> Network Rail Natural England</p>	<p>Network Rail did not specifically respond to BIO.1.7 of ExQ1 [PD-010]. The Applicant states in Appendix 1 to their Oral Case and response to Representations at ISH3 [REP4-018] that <i>“Network Rail has assisted the Applicant in developing the AGVMP and is satisfied that it complements its current arrangements, both in terms of vegetation management and management of the SAC. The measures set out in the AGVMP are those that relate to the DCO Scheme.”</i> Can Network Rail confirm this is the case?</p> <p>The Applicant states NE’s concern is <i>“in relation to the provision of woodland compensation on Network Rail (NR) land because of the difficulty in distinguishing between the proposed compensation measures and the positive management that NR is already obliged to carry out under the Habitats Directive as the owner of the land”</i>. The Applicant elaborates on these points around the management of the site under <i>“Natural England’s Site Improvement Plan for the SAC (January 2015) together with Supplementary Advice, and Network Rail’s Site Management Statement and Vegetation Management Plan as they develop”</i> in section 3 of REP4-018.</p> <p>NE and Network Rail are invited to respond on the specific points raised by the Applicant in this section, and in particular the Applicant’s conclusion that <i>“in practice there will be a clear distinction between the works being undertaken under the AGVMP compensation measures and the normal management activities undertaken by Network Rail”</i>. Note that the Applicant is also of the view that current positive management measures (as per the Site Improvement Plan, Supplementary Advice, and Network Rail’s Site Management Statement and Vegetation Management Plan) are <i>“for whatever reason are not occurring in the form envisaged in these documents and there is no reason to suppose that situation would change. There is no detail on how they would be achieved or assurance that they will be.”</i></p>
<p>BIO .2.5</p>	<p><i>Native Species</i> The Applicant</p>	<p>The Applicant’s response to ExQ1 [REP2-013] at BIO.1.18 stated <i>“A seed collection was undertaken on 6 October 2020 and ripe fruits were sent to University of Bristol Botanic Garden and University of Liverpool Ness Botanic Garden for cultivation”</i>. Can the Applicant:</p> <p>iii) Provide an update as to the current success of this cultivation and whether or not, at this stage, changes are proposed to the proportion of 54 replacement Whitebeams to be planted ie</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		<p>whether more than five Avon Whitebeams being planted is now proposed, depending on the success of cultivation.</p> <p>i) Confirm if changes were to be made to the proportions of whitebeam species to be planted at a later date, would the mechanism for varying these proportions change given that the AGVMP would be certified under DCO schedule 17?</p>
CC Climate Change		
<i>The ExA do not wish to ask any further questions on this topic at this point in the Examination.</i>		
CI Construction Impacts		
CI .2.1	<i>Temporary Compounds</i> The Applicant	<p>Various Relevant Representations including RR-032, RR-38, RR-044, RR-047, RR-076, RR-103 and RR-107 refer to the use of Green Belt land for compounds, suggest alternative locations, and raise concerns that post construction these areas could be classified as previously developed land so then have potential for future house building. Can the Applicant provide reassurances regarding the full re-instatement of the compounds to farmland post-construction including how this would be secured within the Development Consent Order and undertaken within a reasonable time period.</p>
CI .2.2	<i>Access at Portbury Hundred</i> The Applicant North Somerset District Council	<p>Permanent access into Portbury Hundred following use of land as a temporary construction compound is required as an alternative farm access following closure of a crossing. However, the scale of the junction would be far bigger than what would be required for an agricultural access.</p> <p>The Applicant's response to ExQ1 at TT.1.3 [REP2-013] states that it is not the intention to alter the access in size or specification once the compound is no longer required for construction. The access is only required to enable access to the land at Elm Tree Farm after construction. Given its location in the Green Belt a large overengineered permanent access would appear to be unnecessary.</p> <p>Applicant:</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		ii) Provide an explanation as to why the access would not be reduced in scale given its Green Belt location. iii) How would its use by vehicles other than those associated with the farmland be prevented? NSDC: Do you consider the access should be altered to dissuade inappropriate future use following closure of the construction compound?
CI .2.3	<i>Freight Traffic during Construction</i> The Applicant Bristol Port Company	What would the alternative arrangements for transport of freight be on the occasions when the existing freight railway line would be closed to enable construction works?
CI .2.4	<i>Access for construction Mount Pleasant</i> The Applicant	Respond to the suggestion made by Mrs Stowers [REP4-053] regarding alternative access for construction to the land to the rear of properties in Mount Pleasant. Including: iv) Implications if the alternative access suggested were to be used; v) How concerns about potential damage to her property due to the narrowness of the access would be addressed.
CA Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
CA .2.1	<i>Update</i> The Applicant	Provide an update on the progress being made regarding voluntary agreements.
CA .2.2	<i>Protective Provisions</i> The Applicant	Provide a progress report on negotiations with each of the Statutory Undertakers listed in the Book of Reference (BoR) [APP-057] and an indication of whether these negotiations will be completed before the close of the Examination and if they won't provide a progress report on the preparation of the section 127 case that will need to be submitted by the Applicant including a timescale for when this would be submitted into the Examination.

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
CA .2.3	<i>Protective Provisions</i> The Applicant	Provide an update on the progress of negotiations with National Grid Electricity Transmissions and comments on the wording or the suggested Protective Provisions submitted by them at Deadline 4 [REP4-046].
CA .2.4	<i>Availability of Funding</i> The Applicant	Provide an update on funding and whether there have been any changes to the funding arrangements since the Application was submitted in 2019. In particular whether the Proposed Development would benefit from funding from the "Restoring our Railways" fund announced in 2020.
CA .2.5	<i>Rock Fencing</i> The Applicant National Trust	<p>Provide an update on whether agreement has been reached regarding the maintenance of the rock fencing and whether or not the National Trust (NT) will be withdrawing its objection to the Compulsory Acquisition (CA) of its land by the end of the Examination. If the NT objection were to remain in place at the close of the Examination explain the implications for section 130 of the Planning Act 2008 (PA2008)?</p> <p>Following the NT submission at D4 [REP4-047] it would appear that the NT is seeking contributions to cover the cost of the on-going management and maintenance of the rock face and catch fencing. Please detail how this would be secured eg through the land agreement, a Unilateral Undertaking or a section 106 agreement?</p>
CA .2.6	<i>District Level Licensing for Great Crested Newts</i> The Applicant	Explain what the implications for CA/ Temporary Possession (TP) are for the use of District Level Licensing rather than on-site mitigation in particular whether the plots required for the delivery of Work Nos 10C, 12B and 16B would still be required and if so which plots would be required, what would they be required for and would there be any change to the rights sought?
CA .2.7	<i>Change Request</i> The Applicant	At the Compulsory Acquisition Hearing [EV-008] it was indicated that even though Work No 16D would be removed from the Application part of Plot 05/85 would still be required to enable access to Work No 16B now that this work is also proposed to be removed from the Application would this land still be required and if so why?

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
CA .2.8	<i>Clanage Road</i> The Applicant	Provide an update on the discussions regarding the acquisition of plot 15/10 [REP1-041] and whether these are likely to be successfully concluded before the close of the Examination and if so whether the objection to the CA of this (and plots 15/15 and 15/17) is likely to be withdrawn before the close of the Examination.
CA .2.9	<i>Royal Portbury Dock</i> The Applicant Bristol Port Company	<p>The Bristol Port Company (BPC) provided a number of documents at Deadline 4 which the ExA expects the Applicant to respond to at Deadline 5. In particular can you advise:</p> <ul style="list-style-type: none">vi) Why the CA of plots 05/101, 102, 130, 131, 135 and 136 is needed (the Applicant) and what the alternative to these plots is (the BPC).vii) Provide further detail as to why you consider the right, as currently sought, for plot 05/75 is to wide (BPC) and (the Applicant) why you are needing the rights as currently sought?viii) BPC you advise that you have concerns [REP4-058] about some other parcels of land that are not owned by you but that you have rights over which you will need to retain. Can you provide the plot numbers and details of what the rights are and why you would need to retain them?ix) The BPC indicate that the Applicant has advised that they would be willing to remove part of plot 05/50 for freehold acquisition. Both parties provide further detail of how this plot would be affected and whether any other rights would be needed.
CA .2.1	<i>Royal Portbury Dock</i> The Applicant North Somerset District Council	<p>The BPC [REP4-060] has provided a detailed response regarding the number of train movements into and out of the port that it considers are allowed by the planning permissions granted in 2000 and 2011. At the ISH2 [EV-009] you appeared to indicate that you thought that the number of daily movements was limited to a total of 20 movements. Can you:</p> <ul style="list-style-type: none">x) Comment on the response provided by the BPC; andxi) Comment on the wording suggested by the BPC for a Protective Provision in relation to this matter.

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
CA .2.1	<i>Manor House Farm</i> The Applicant Mrs Freestone	<p>xii) Following the proposed removal of Works No 16B and 16D from the DCO – confirm whether plot 05/85 would still be required and if it would why, would all of it be required and if so on what basis eg TP or CA?</p> <p>xiii) Explain why plot 05A/05 is required on a permanent basis when the Works Plans [Sheet 5, REP3-004] indicate that it would be used as a temporary ecological mitigation area.</p> <p>xiv) Explain why plot 05/151 would be required on a permanent basis when the General Arrangement Plans [Sheet 5, REP1-004] indicate that it would be used as part of the temporary construction compound at Lodway Farm and why this is not shown on the Works Plans [Sheet 5, REP3-004].</p> <p>xv) Provide an update on negotiations with regards to these plots and an indication as to whether these are likely to be successfully concluded before the close of the Examination and if so whether the Owners of this land will be withdrawing their objection to the CA of their land.</p>
CA .2.1	<i>Freightliner</i> The Applicant Freightliner	Provide an update on the negotiations regarding the acquisition of plots 17/05, 17/15, 17/20 and 17/10 with particular reference to plot 17/15 (the access across the site) where there were concerns regarding the operational viability for the current users. Indicate whether these are likely to be successfully concluded before the close of the Examination and if so whether the objection to CA of these plots is likely to be withdrawn before the close of the Examination.
CA .2.1	<i>Sheepway Farm</i> The Applicant Mr Crossman	Provide an update on negotiations regarding the acquisition of plots at Sheepway Farm following the discussion at the CAH [EV-008], with particular reference as to the progress made regarding the provision of an alternative means of crossing the line, and whether these are likely to be successfully concluded before the close of the Examination and if so whether the objection to the CA of these plots is likely to be withdrawn before the close of the Examination.
CA .2.1	<i>Work No 27</i> Osborne Clarke LLP on behalf of Babcock Integrated Technology Ltd	At Deadline 4 [REP4-027] the Applicant has requested the deletion of Work No 27 (foot and cycle track and ramp of 140 metres in length, shown on sheets 15 and 16 of the works plans, from the A370 classified road known as Ashton Road to Ashton Vale Road to the west of Parson Street to Royal Portbury Dock railway, Ashton together with alterations to utilities apparatus, drainage, fencing, lighting and landscaping) from the Proposed Development.

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
	BNP Paribas on behalf of London Pension Fund Sutherland PLS Ltd on behalf of Manheim Auctions Ltd, ETM Contractors Ltd and Flynn Ltd	Bristol City Council [REP4-039] as the relevant Highways Authority has confirmed that it has no objection to this request. Are there any comments you wish to make regarding the removal of this work?
CA .2.1	<i>Update</i> The Applicant	Provide an update with regard to negotiations in relation to plots 06/925 and 06/300 [RR-026]; plots 06/646 and 06/0647 [RR-040]; plots 04/20, 04/21, 04/35 and 04/36 [RR-089]; plot 06/633 [RR-100] and plots 06/634, 06/636 and 06/644 which were discussed at the CAH [EV-008] including an indication of whether these objections are likely to be withdrawn before the end of the Examination.
CA .2.1	<i>Outstanding Objections</i> The Applicant	Given the outstanding objections listed above, explain whether the Secretary of State should withhold consent for the Proposed Development if these and other objections remain unresolved at the close of the Examination.
CA .2.1	<i>Crown Land</i> The Applicant	Provide an update on the progress made regarding obtaining Crown consent and whether this is likely to be achieved before the close of the Examination.
DE Design		
DE .2.1	<i>Work No 5</i> <i>Portishead Station</i> The Applicant	ExQ1 answer DE.1.5 [REP2-013] states that the GSM-R mast antenna cannot be attached to the station building for maintenance and safety reasons. If proposed as a separate structure, how would its visual impact be minimised?
DE .2.2	<i>Work no 5</i> <i>Portishead Station</i>	Harbour Residential Care Centre which faces the Quays Avenue/ Harbour Road roundabout is not currently shown on the existing or proposed plans, in particular Portishead Station car park layout, landscaping and new boulevard and access plans 467470.BQ.04.20-100 & 102 Rev X. In order to

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
	The Applicant	enable an accurate assessment of its relationship to the proposed station can the Applicant provide revised layout plans to include the care home building.
DE .2.3	<i>Work no 5 Portishead Station</i> The Applicant	The Applicant [REP4-021] and NSDC [REP4-042] have indicated that the most appropriate energy efficiency/ micro generation measures would be to install solar panels on the roof of the station building. The Applicant states that they will discuss the potential for such provision with the relevant planning authority, Network Rail and the Train Operating Company. Provide an update on such discussions, a drawing to indicate the location/ extent of such solar panels, and state how such measures can be specifically secured within the DCO – would an additional requirement necessary?
DE .2.4	<i>Work No 7 Trinity Footbridge</i> The Applicant	Provide a site location plan of the footbridge shown in the photographs at REP4-010.
DE .2.5	<i>Work No 7 Trinity Footbridge</i> The Applicant	<p>NSDC's response to ISH2 action point 6 [REP4-042] states that there are some disadvantages of omitting the bridge but these appear to be relatively minor and capable of being addressed. It also expresses a concern that the footbridge would be more overbearing if fitted with privacy screens. The photographs and visuals provided by the Applicant at REP4-010 and REP4-011 also serve to increase the concerns of the ExA regarding the adverse visual effects of the footbridge.</p> <p>Given the concerns of NSDC, neighbouring residents and the ExA, the Applicant should confirm if the Applicant still proposes to retain the footbridge as part of the Proposed Development.</p> <p>If the footbridge is to remain, can the Applicant:</p> <p>xvi) Provide details as to how the screens reduce overlooking as it appears from the photographs at REP4-010 that views through to nearby windows and gardens are still possible.</p> <p>xvii) Provide a response to NSDC's comments regarding the screening of views of the ramps and/or steps and that it may encourage misuse, anti-social behaviour or vandalism, which would potentially add to the impacts for nearby residents.</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		<p>xviii) Provide cross sectional drawings through the bridge and the nearby houses at Tansy Lane, Galingale Way and Pear Tree Field.</p> <p>xix) Only one visual of the bridge with the green colour and screens in place was provided at Deadline 4 [REP4-011] from Tansy Lane (photomontage location 2). Provide additional visuals of the bridge from photomontage locations 1, 5 and 6 as previously provided in ES Volume 4 Appendix 11.4 [APP-152]</p> <p>xx) Provide a daylight and sunlight assessment of the bridge on the nearby houses at Tansy Lane, Galingale Way and Pear Tree Field.</p>

DCO Draft Development Consent Order (DCO)

The ExA do not intend at this point in the Examination to ask any questions on the DCO as the draft DCO was last updated at Deadline 3 [REP3-005] and an Issue Specific Hearing into the draft DCO is scheduled to be held in March.

FRD Flood Risk and Drainage

FRD .2.1	<p><i>Clanage Road</i> The Environment Agency</p>	<p>It was evident from the discussion at the ISH [EV-010] that there remains a dispute as to whether the site of the proposed depot at Clanage Road falls within Flood Zone 3A or 3B. It is clear from the evidence submitted that the Environment Agency's (EAs) position is that it falls within 3B. On a without prejudice basis to your position can you:</p> <p>xxi) Advise what your advice would be if the compound was found to be in Flood Zone 3A?</p> <p>xxii) As requested by the ExA plans have been submitted by the Applicant at Deadline 4 [REP4-026] to show the proposed Clanage Road compound overlaid onto the Floodplain map. However, this simply shows it as being within Flood Zone 3 and does not differentiate between Flood Zone 3A and 3B, can you provide a more detailed map at a scale of 1:1250 or lower showing which areas of this site are in Flood Zone 3A, and which are in 3B.</p>
FRD .2.2	<p><i>Clanage Road</i> The Environment Agency</p>	<p>In your Deadline 4 response [REP4-043] you indicated that in order to maintain flood capacity at the proposed Clanage Road compound the welfare unit would need to be raised off the ground and no materials of any kind could be stored at ground level.</p>

ExQ2: [26 January 2021]

Responses due by Deadline 5: Tuesday 16 February 2021

ExQ2	Question to:	Question
		<p>xxiii) By how much would the welfare cabin and any material storage need to be raised above ground level in order to maintain the flood capacity of the site?</p> <p>xxiv) Are you satisfied that the DCO as currently drafted would provide a sufficient level of control over these elements if this solution to flooding concerns needed to be pursued? If not what changes/ additional drafting would be needed to secure this detail or would this information need to be provided/ agreed at the Examination stage?</p>
FRD .2.3	<p><i>Clanage Road</i> The Applicant Environment Agency Bristol City Council</p>	<p>xxv) Provide details, if any are available, as to how often this site has flooded in the last ten years or signpost where in the application documentation this information can be found.</p> <p>xxvi) In item 34 of REP4-017 the Applicant states that during the 12 March 2020 flood event, peak levels at Avonmouth were slightly above the CFB2018 20 year return period EWL but did not result in flooding to the railway or the proposed Clanage Road depot site and concludes that this provides further evidence as to the site of the compound being outside of Flood Zone 3B. Can the EA comment on these points given their stance [REP4-043] is that "...land which would flood with an annual probability of 1 in 20 or greater, or is designed to flood in an extreme event, is viewed as functional floodplain."</p>
FRD .2.4	<p><i>Clanage Road</i> The Applicant Bristol City Council</p>	<p>The EA has provided detailed comments at Deadline 4 [REP4-043] in response to flooding which the ExA expect the Applicant to respond to at Deadline 5. Furthermore, the ExA is expecting the parties involved to try to resolve this matter before the close of the Examination. In the interim:</p> <p>xxvii) As set out above the EA has indicated that to maintain flood capacity at the site the proposed welfare cabin and materials would need to be stored above ground level. Applicant: Is this practicable and would these stipulations be within the parameters allowed for by the DCO and as assessed in the ES, Flood Risk Assessment (FRA) and other relevant application documents?</p> <p>xxviii) Bristol City Council: If the welfare cabin and material storage were to be raised off the ground given the location of the site within the Green Belt would the proposal still meet the requirements of paragraph 146 of the NPPF which states that local transport structure would not be inappropriate development provided they preserve openness?</p> <p>xxix) Bristol City Council: Are you satisfied that the DCO as currently drafted would give you sufficient control over these elements if this solution to flooding concerns needed to be</p>

ExQ2: [26 January 2021]

Responses due by Deadline 5: Tuesday 16 February 2021

ExQ2	Question to:	Question
		<p>pursued? If not what changes/ additional drafting would be needed to secure this detail or would this information need to be provided/ agreed at the Examination stage?</p> <p>xxx) Applicant: Given the concerns raised regarding the flooding of this site could the Proposed Development proceed without it?</p> <p>xxxi) Applicant: If the Proposed Development could not proceed without a depot in this location are there any alternative solutions such as the depot only being used for access and material being imported on a just in time basis and not stored at the site that could be used to address this concern regarding flood capacity? If so, how would these alternatives be secured?</p>
FRD .2.5	<p><i>Emergency Plan</i> Bristol City Council North Somerset District Council</p>	<p>xxxii) Do your emergency planning officers wish to comment on the principles of the detailed operational Flood Plan [REP3-015], building from the outline operational flood plan in Appendix T of the FRA [APP-092]?</p> <p>xxxiii) Is it appropriate that this plan forms an appendix to Version 2 of the SoCG between NSDC, Network rail Infrastructure Ltd and the EA, as opposed to a standalone application document, or as part of a revised FRA?</p> <p>xxxiv) The EA [REP4-043] also refer to the need for an "Emergency and Evacuation Plan" to be agreed with them. If this is a separate document, how does it interface with the flood plans as set out above?</p>
FRD .2.6	<p><i>Updated FRA</i> The Applicant</p>	<p>Item 34 of REP4-017 states (of the FRA) "<i>on climate change allowances in particular, further work has been undertaken and the FRA will be updated</i>". When can this update be expected?</p>
FRD .2.7	<p><i>Culvert Capacity</i> The Applicant</p>	<p>Are you content to conduct checks of the capacity of culverts during the design process and are you intending to revise the wording of Requirement 23 of the draft DCO as requested by the North Somerset Levels Internal Drainage Board [REP4-048]?</p>
<p>HE Historic Environment</p>		
HE .2.1	<p><i>Clanage Road</i> Historic England</p>	<p>In your SoCG [REP1-020] you raised concerns with the designs for the Clanage Road construction compound and requested a number of photomontages from various vantage points in order to be able to assess the effect of the proposal on a number of local heritage assets including the Clifton Suspension Bridge and Ashton Court Gate. The Applicant advised that this would be a temporary</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		<p>construction compound that would not be permanently lit and as a result the matter is marked as agreed.</p> <p>However, this is incorrect whilst there would be a larger temporary compound during construction (Work No 26A) there would also be a permanent vehicular access, ramp, flood mitigation works and railway maintenance compound of 2,984 sqm (Work No 26) in this location. Given these works would be permanent are you still satisfied that the proposed works would not harm the setting of any of the identified heritage assets and that the matter remains agreed? If you do have outstanding concerns can you please advise what these are, what additional information (if any) would be required to assess these affects and/ or what mitigation would be required and how this could be secured.</p>
HE .2.2	<p><i>Clanage Road</i> Historic England Bristol City Council</p>	<p>Do you have any comments on the points raised in REP1-041 with particular reference to the concerns raised regarding the views from Clifton Observatory?</p> <p><i>In answering this question, you may wish to look at the Applicants response to these comments [REP2-032]</i></p>
HE .2.3	<p><i>Clanage Road</i> Historic England Bristol City Council</p>	<p>The EA has raised concerns [REP4-043] in relation to flooding at Clanage Road. A suggested solution would be that the welfare cabin and the materials would need to be stored off the ground.</p> <p>xxxv) Would you have any concerns regarding such a solution? xxxvi) Are you satisfied that the DCO as currently drafted would give you sufficient control over these elements if this solution to flooding concerns needed to be pursued?</p>
NV Noise, Vibration and Light		
NV .2.1	<p><i>M5 Underbridge and Underbridge at Royal Portbury Dock</i></p>	<p>In their Deadline 4 Responses [REP4-036 and REP4-063] Mr Ovel and Mr Berry have suggested the need for an acoustic barrier between the footpath and the track at the M5 underbridge and the Royal Portbury Dock road underbridge to protect users of the path from the noise of passing trains. Do you agree that such a barrier would be necessary, and if so, how would it be secured and are there any standards it would need to meet?</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
	North Somerset District Council	
SE Socio-economics		
<i>The ExA do not wish to ask any further questions on this topic at this point in the Examination.</i>		
TT Traffic and Transport		
TT .2.1	<i>Work No 22A</i> The Applicant	Explain further why the proposed alterations to the junction and upgrading of bus stop by the Pill and District Memorial Club are necessary Associated Development – including typical situations in which rail replacement services are likely to happen, and how often, and how this would justify the level of works in this area of Pill?
TT .2.2	<i>M5 Junction 19</i> North Somerset District Council Bristol City Council	The draft DCO [REP3-005] includes a new requirement no. 30 relating to M5 Junction 19 following the SoCG with Highways England [REP1-019]. Could the Highway Authorities both confirm that they are satisfied with the wording of the requirement and if they have any further comments in relation to the M5 Junction 19.
TT .2.3	<i>Work No 24 Chapel Pill Lane, Ham Green</i> The Applicant North Somerset District Council	<p>The emerging Abbots Leigh, Ham Green, Pill and Easton-in-Gordano Neighbourhood Plan [REP2-025] includes at page 16 (map 6) a plan of the Chapel Pill Lane area and labels the track alongside the proposed Improvement Area 2: Affordable Housing as Hay's Mays Lane PROW. It is not identified as such on sheet 8 of the Public Rights of Way Plans [APP-028].</p> <p>Additionally, Mr Tarr's DL4 response [REP4-056] at Appendix 1 includes an extract from a 2015 consultation document referring to the use of a bridleway to provide an emergency access route to Pill Tunnel.</p> <p>xxxvii) Confirm if the access referred to at [REP4-056] Appendix 1 is Hayes Mayes Lane xxxviii) Clarify the correct name/ spelling of the lane. xxxix) Confirm if this is a bridleway or has some other access designation, and whether it is publicly accessible.</p>

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
		xl) Provide details of the restrictive covenant referred to by Mr Tarr at point 5 of his response [REP4-056] and whether this has any impact on the access and compound proposals. xli) Does the lane currently form an emergency or maintenance access route to the Pill Tunnel (for freight trains) – if so, would it remain as such?
TT .2.4	<i>Work No 28 & Ashton Vale Road crossing</i> CTC on behalf of ETM Contractors Ltd and Manheim Auctions Ltd	Table 4.1 of CTC Technical Note 3 (Response to 9.18 ExA.CWR.D3.V1 – Appendix 2 to Applicant’s responses to Written Representations submitted at Deadline 2) [REP4-050] sets out the traffic movements to/ from Manheim on auction and non-auction days. xlii) Is it correct that the number of staff movements to/ from the site are the same whether it is an auction day or not? xliii) Confirm the days of the week that Manheim typically holds an auction, the regularity of such auctions, and the start/ finish times when customers typically arrive and leave the site (when not restricted by the Covid-19 pandemic). xliv) Provide a similar table to show current traffic movements to/ from ETM and their operating hours.
.2.5	<i>Work No 28 & Ashton Vale Road crossing</i> Bristol City Council	Provide comment on the submissions by CTC and Sutherland Property and Legal Services (SPLS) [REP4-050], in particular regarding: xlv) The recent and future expansion of existing businesses around Ashton Vale Road and whether this ‘stress testing’ should be accounted for in the TA; and xlvi) The ‘Agent of Change’ and fallback position of increased use of the railway line by freight trains.
TT .2.6	<i>Cala Trading Estate & Ashton Vale Road crossing</i> BNP Paribas Real Estate on behalf of	Provide your further comments following review of the Applicant’s oral case and response to action points at ISH2 [REP4-009 and REP4-021] in relation to the Ashton Vale Road industrial area/ Cala trading estate.

ExQ2: [26 January 2021]**Responses due by Deadline 5: Tuesday 16 February 2021**

ExQ2	Question to:	Question
	the London Pensions Fund Authority	
Public Rights of Way, including cycle routes		
TT .2.7	<i>Works Nos 15, 16 and 18</i> The Applicant North Somerset District Council	<p>In their Deadline 4 response [REP4-058] the BPC state that they do not accept that their land is needed for the provision of Public Rights of Way given that there are existing available alternatives. Do you agree and if not, why not?</p> <p>Regardless of the above, BPC indicate that they would be happy to allow the execution of Work Nos 15, 16 and 18 subject to work No 16 remaining a permissive route rather than a public footpath and that Work No 18 should be maintained by NSDC. Do you agree and if so, how would this be secured?</p>