



# 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 5 dealing with Environmental Matters**

**Issue Specific Hearing 5:** Environmental Matters: Habitats Regulations Assessment, Biodiversity and the Natural Environment; Flood Risk and Drainage; Design, Landscape and Visual Impact (including heritage assets and Green Belt); and Transport, Highways and Public Rights of Way.

**Date:** Thursday 4 March 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 fifth 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 issue specific hearings, but as this is a virtual event it would assist the running of the hearing if you could let the Inspectorate's Case Team ([Metrowest1@planninginspectorate.gov.uk](mailto:Metrowest1@planninginspectorate.gov.uk)) know by **Friday 26 February 2021** if you 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.

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 on the reserve 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 5 which includes the responses to the ExA's further written questions. As such, any reference to documents may be superseded by Deadline 5. Therefore, the ExA may need to adjust the agenda at the meeting to allow for responses received, and updated documents submitted at this deadline.**

**Agenda**

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

- The Habitats Regulations Assessment and demonstration of Imperative Reasons of Overriding Public Interest (IROPI), with particular reference to Avon Gorge Vegetation Management Plan Package 2.
- Protected species and biodiversity with particular reference to the toad survey and Reptile and Amphibian mitigation strategy.
- Flood risk and drainage issues including consideration of climate change allowances.
- Design and layout of the Trinity footbridge and the Clanage Road compound and the impacts on: the character and appearance of the area, living conditions of nearby occupiers (Trinity footbridge), the openness of the Green Belt (Clanage Road) and the setting of heritage assets (Clanage Road).
- Transport, highways and public rights of way matters both during construction and when operational.



# Agenda

<b>Title of meeting</b>	Portishead Branch Line – MetroWest Phase 1 Issue Specific Hearing 5 on Environmental Matters
<b>Date</b>	Thursday 4 March 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) with particular reference to Avon Gorge Vegetation Management Plan Package 2.
- Need for submission of a case to demonstrate the existence of IROPI and the provision of compensation.
- Toad migration survey results and forthcoming submission of Reptile and Amphibian mitigation strategy.

## **4. Flood Risk and Drainage**

- Applicant and Environment Agency (EA) to provide an update on progress with regards to the updates and additional information requested at ISH3.
- Applicant and EA to provide an update on the extent of progress towards a statement of common ground.
- 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.

## **5. Design, Landscape and Visual Impact (including heritage assets and Green Belt);**

- Further consideration of the need for the Trinity footbridge.
- Consideration of the additional mitigation measures proposed to reduce the visual effects of the footbridge and impacts on living conditions of nearby occupiers.
- Consideration of the effects of permanent development within the Clamage Road construction compound on the character and appearance of the area, the openness of the Green Belt and the setting of heritage assets.

## **6. Transport, highways and public rights of way**

- Interaction between freight trains to/ from Royal Portbury Dock and passenger services.
- Effects on the industrial/ trading estates around Ashton Vale from increased use of the existing level crossing.
- Construction traffic around Pill/ Easton-in-Gordano/ Ham Green and its effects on the local environment and living conditions.
- Temporary and permanent public right of way/ permissive path diversions.

## **7. Other Matters**

- Land instability and contaminated land;
- Nuisance (common law nuisance and statutory nuisance) (operational);
- Dust, odour, artificial light, smoke, steam (operational);
- Civil and military aviation and defence interests;
- Safety;
- Security, major accidents and disasters;
- Pollution control and other environmental protection regimes;
- Cumulative effects; and
- Decommissioning.

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

## **9. Any other business**

## **10. 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;
- Portishead Town Council;
- Pill and Easton-in-Gordano Parish Council;
- The Environment Agency;
- Network Rail;
- Natural England;
- Forestry Commission/ Forestry England;
- Bristol Port Company;
- CTC for Manheim Auctions Ltd/ ETM Contractors Ltd;
- Pill Toad Patrol;
- Historic England; and
- Interested Parties who have raised concerns regarding design, construction and operational impacts.