



Meeting note

Status	Final
Author	Richard Hunt
Date	11 October 2016
Meeting with	North Somerset District Council, CH2M, Bond Dickinson LLP
Venue	Bond Dickinson Offices, 3 Temple Quay, Bristol
Attendees	North Somerset District Council Steve Penaluna and Jenny Devereux CH2M Carolyn Francis Bond Dickinson LLP Claire Rees, Sarah Holmes, Richard Guyatt Planning Inspectorate Richard Hunt – Senior EIA and Lands Rights Advisor
Meeting objectives	Portishead Branch Line - MetroWest Phase 1 Environmental Impact Assessment & Habitats Regulations Assessment Update Meeting
Circulation	All attendees

Summary of key points discussed and advice given:

The Developer was reminded of the Planning Inspectorate's openness policy that any advice given would be recorded and published on its website under s51 of the Planning Act 2008 (as amended by the Localism Act 2011) (PA2008) and that any advice given does not constitute legal advice upon which developers (or others) can rely.

Introductions were made by everyone present, and individual roles were explained.

Project Update

An update on various aspects of the programme was provided by the Developer:

- Public consultation – currently scheduled for spring next year. The Preliminary Environmental Information Report (PEIR) will be close to the level of detail contained in a draft Environmental Statement (ES). Several road alignment options may be put forward for the Ashton Vale Industrial Estate;
- Application submission – is intended to be in Autumn 2017, the programme for submission has been delayed due to engineering constraints in the Avon Gorge.

Scoping

The Developer queried whether changes in the potential development footprint and proposals since the original Scoping Opinion in 2015 would require the Developer to submit a new request for a Scoping Opinion. The Inspectorate stated that this was for a developer to decide but that it was common for schemes to evolve following scoping and noted that requesting a Scoping Opinion was not an obligatory part of the PA2008. A developer should provide full justification for the scope of assessment undertaken and seek approval from relevant stakeholder organisations where appropriate.

The role of the Developer as both promoter of the scheme and as the Local Authority in informing scope was discussed. The Developer agreed that material would be included within the explanatory memorandum to describe the divisions between the four authorities comprising the Developer and their respective planning functions. The Inspectorate suggested this could also usefully be included in the Preliminary Environmental Information Report.

Avon Gorge Special Area of Conservation (SAC)

The Developer stated that Network Rail was engaging with Natural England on site management in the Gorge.

It was noted that minor track slews to accommodate the increased passenger line speed would be required in the Gorge. Asset survey works undertaken over the last year to understand the condition/stability of slopes, railway structures (bridges/tunnels) and potential vegetation clearance requirements were discussed. The aim of the surveys was to refine the scope of construction work required and to assess the need for remedial works such as stone/boulder removal or stabilization and netting off the cliff face that would be required to comply with Network Rail's passenger safety standards.

The Developer outlined the assessment work and management plans required to be agreed with Natural England prior to undertaking this work. The possibility of collecting material from the existing seed bank on site to grow the seeds into saplings is being considered.

The Developer described recent multi-disciplinary site visits to discuss constraints in the Gorge such as the Bristol whitebeam, invasive species (Holm Oak, Norwegian Maple, Sycamore, etc), and evidence of ash dieback. The potential for a combined site visit between the Developer, Natural England and the Inspectorate was discussed.

Stakeholder Meetings

The Developer has been engaging with stakeholders in the Gorge including Natural England, the National Trust, the Forestry Commission and the Avon Gorge Wildlife Trust. The Forestry Commission was noted to be felling certain trees within the Gorge for safety reasons. The National Trust was noted to have an underbridge access within the development boundary.

Green belt

The Developer queried whether the development would be classed as 'appropriate development' within the green belt. The Inspectorate stated that this would be a

matter for the Examining Authority to address and would typically be included within an application's Planning Statement.

The overlap between the landscape and visual impact assessment and green belt was discussed.

Enhancement

The division between enhancement, mitigation and betterment was discussed. The Inspectorate stated that it was for the Developer to distinguish between mitigation, enhancement and betterment but that enhancement/betterment would need to demonstrate an improvement over the baseline situation.

Habitats Regulations Assessment (HRA)

The Developer described recent bird survey work to support the assessment of effects on the Severn Estuary European designated sites and on Portbury Wharf Nature Reserve.

Survey work on the disused section of railway identified a single bat from the North Somerset and Mendip Bats SAC using tagging. The effect of the scheme on that site would be considered within the Developer's HRA. The potential cumulative impact with a separate scheme promoted by Bristol Port Company was also discussed, which could impact on land currently used by bats for foraging on the east side of the rail corridor. The potential for impacts due to light spill were considered. Various mitigation measures are being considered by the Developer. The Developer explained that bat survey methodologies have been agreed with Natural England.

The Developer noted that separate licences are likely to be required for badgers, bats and reptiles.

Draft Development Consent Order (DCO)

The Developer identified a number of complexities in drafting a DCO, including the interaction/conflict between Network Rail's normal operating parameters and operational requirements. Issues such as hours of construction, operational mitigation and transfer of benefits to Network Rail were discussed as well as the potential to apply different mitigation criteria in different route sections (e.g. urban vs rural sections of the route).

The potential for a meeting to discuss the draft DCO in May-June 2017 was discussed.

Environmental Impact Assessment

Water quality and Flood Risk

The drainage design and potential effects on the River Avon were discussed, which will include various brooks and rhynes. The Developer has undertaken a Water Framework Directive assessment as part of their ongoing assessment work.

The Developer explained that as the scheme is largely located in Flood Zone 3, flood risk assessment has been undertaken and will be appended to the ES. The Developer considers that the scheme is essential infrastructure. The potential need to provide compensatory storage and the impact on existing flood defences was discussed, as well as the likelihood of requiring protective provisions for the Environment Agency.

Noise and vibration

The Developer set out the approach to baseline noise monitoring and noted the differing noise sources within the area (rural, urban, motorway etc). The potential requirement to mitigate noise at Pill Junction and Portishead Station was discussed. It was noted that changes to traffic flows within Portishead would require assessment and that the GBATS model was being reviewed.

Archaeology

The potential for archaeological features to be present in the Gorge was discussed. The Developer stated that Bristol and Somerset Historic Environment Records had been consulted and that watching briefs had been recommended for construction works at the construction compounds on green field sites.

Landscape and Visual Impact Assessment

Historic England has provided advice to the Developer on potential viewpoints. The Developer is currently reviewing the proposed viewpoints to assess whether the scheme is visible from these locations. The Developer explained that, at present, the focus of the assessment has been on landscape character rather than views.

Air Quality

The Developer stated that the trains would be diesel and that there was no intention to electrify the scheme at the current time. The scheme will pass through an Air Quality Management Area in Ashton Gate. The Inspectorate advised the Developer that emissions to air should be considered for the whole route.

The Developer was considering the impact of the scheme on vegetation in the Avon Gorge Woodlands SAC due to nitrogen deposition and noted that due to high levels of traffic emissions in the area (due to the Portway), the existing interpolated nitrogen deposition levels exceeded the critical loads. The Developer has consulted with Natural England about existing impacts on the SAC including and air quality.

Construction method and construction environmental management

The Developer indicated that a combination of high output train and traditional construction methods was likely to be used for the construction of the development.

The potential need to separate construction and operational control measures was discussed as was the potential to adopt different working hours along different parts of the route (e.g. rural vs. urban).

Actions

- Applicant to notify Inspectorate of potential site visit dates in November.
- Applicant to confirm provisional meeting date in May-June for draft DCO discussion.