



# MetroWest+

## Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

9.1 ExA.Sch.D2.V2 – Schedule of Changes to the draft Development Consent Order

Author: Womble Bond Dickinson (UK) LLP

Version: 2

Date: November 2020



**MetroWest Phase 1: Draft Development Consent Order**

**Log of drafting changes for Deadline 2 draft DCO**

**23 November 2020**

The following table has been prepared by the Applicant to set out the changes made to the dDCO submitted to the Examination at Deadline 2 (23 November).

It is submitted together with:

- a. revised dDCO (clean)
- b. a comparison version of the dDCO showing the changes from the submitted dDCO (APP-052; DCO Document Reference 3.1).

The Applicant has not fully updated Schedule 17 – the proposed certified documents – and anticipates that further updates to that schedule will be required.

The Applicant has also updated dDCO to reflect the suggested removal of Work 16D from the proposed authorised development. That change is however subject to the Panel accepting the Applicant's proposal for the removal of Work 16D and that removal being treated as a non-material change to the submitted DCO Scheme.

Until The Panel has indicated whether Work 16D can be removed, the Applicant will maintain its case for acquisition of the whole of Plot 05/85 and has therefore not updated the revised Land Plans (AS-012), revised Book of Reference (REP1-006) and Statement of Reasons (APP-055).

<b>Article</b>	<b>Change</b>	<b>Reason for change</b>	<b>Precedent used</b>	<b>Consequential changes</b>
Preamble	Remove italics and wording regarding single Inspector	Amendments to reflect that a Panel of Inspectors was appointed	-	-
2	Definition of Hedgerow location plan added	To provide further information regarding location of hedgerows to be removed	-	Schedule 13 has also been altered.

13	Added new permitted actions for works within street in to article	At the suggestion of the Panel	-	-
28	Corrected formatting in 28(7)	Typographical error	-	-
31	31(3) (a) now includes "as modified by article 25 of this Order "	At the suggestion of the Panel		-
33	33(2) amended to include  and explain the purpose for which entry is taken in respect of land specified under paragraph 1(a)(ii)	At the suggestion of the Panel	A585 Windy Harbour to Skippool Highway Development Consent Order 2020 (2020 SI. no. 402) Article 29	-
34	New 34(4) inserted as suggested by PINS for emergency access, together with consequential changes	At the suggestion of the Panel	-	Consequential amendment to article 34(3), 34(8) and 34(9)
42(2)	Corrected formatting in Article 42(4)	Typographical error	-	-
43	43(1) amended	At the suggestion of the Panel	-	-
43	Trees in Conservation areas	A few trees in Bower Ashton Conservation area, at the Clanage Rd Compound, have been identified as needing to be removed and which may qualify for protection under the provisions of s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition there is a	The Thames Water Utilities Limited (Thames Tideway Tunnel) Order 2014 (2014 SI no. 2384) article 27 used in part. Because it is difficult to identify the individual trees in the Avon Gorge, reference to a plan has been removed.	Explanatory Memorandum to be updated

		chance that some trees within North Somerset overhang Bristol City Council's Sneyd Park and City Docks Conservation Areas.		
44	Additional paragraphs to cover Regulation 6 of Hedgerow Regulations 1997	The Applicant has identified a few hedges that will be removed for haul roads and compounds. Only one will not be restored, at Chapel Pill Lane, in Pill, where a short section of hedge will be permanently removed.	The A30 Chiverton to Carland Cross Development Consent Order 2020 (2020 SI no. 121) Article 39 referred to as a precedent but adapted	Explanatory Memorandum to be updated
46	Typographical error	46(4)(a) incorporated the remainder of the para following it		
Schedule 1 – works description	Work 16 D removed	It has been agreed with the Port that the flood attenuation work is not required.	-	Statement of Reasons and Explanatory memorandum will need updating if the Panel agrees to the change. Note that for convenience Requirement 30 has been changed already but can be re-inserted if the Panel does not agree to the removal of Work 16D.
Requirement 1	Delete “GCN strategy” means a strategy for the protection and relocation of great crested newts for the purposes of a stage of the authorised development;	Definition not used	-	-

Requirement 3 - Stages	16D removed	16D no longer required (subject to Panel's acceptance of the change being non-material)	-	-
Requirement 6(4)	Any tree or shrub planted as part of the approved railway landscaping scheme that, within a period of five years after the date that it is planted is removed, uprooted, destroyed, dies or becomes in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced with a specimen of the same species and size as that originally planted, unless the relevant planning authority gives written consent to any variation	At the suggestion of the Panel	-	-
Requirement 7(2)	Amended as per 6(4)	At the suggestion of the Panel	-	-
Requirement 8	The fencing must be removed to the satisfaction of the relevant planning authority in accordance with a previously agreed timetable.		-	-
Requirement 10 - Archaeology	16D removed	16 D no longer required (subject to Panel's	-	-

	Work 17 added	acceptance of the change being non-material)  At the suggestion of the Panel		
Requirement 11	Tailpiece in 11(2) removed	At the suggestion of the Panel	-	-
Requirement 12 (1)	Addition of reference to BS 5837:2012	At the suggestion of the Panel	-	-
Requirement 12 (4)	Addition of time limit- by reference to the method statement	At the suggestion of the Panel	-	-
Requirement 16	Substantially amended	Following discussions with Relevant Planning authorities As and NR – but needs NR approval	-	-
Requirement 19(1) (b)	19(1) (b) changed to read:  a statement detailing the times at which the temporary path (or any replacement temporary path for which siting, design and method of construction has previously been approved by the relevant planning authority) will be available for use.	For additional clarity	-	-

Requirement 30	Removed Regarding Work 16D and replace by new Requirement regarding Junction 19 of M5	It is proposed that Work 16D is no longer required.	-	-
New Requirement 30	Added for Highways England	Required for HE SOCG drafting approved by HE.	-	-
Requirement 31, 32, 33 and 34	Remove " to the reasonable satisfaction of the relevant planning authority in writing"	At the suggestion of the Panel	-	-
Schedule 3	Hart Lane changed to Hart Close	Incorrect reference to street name	-	-
Schedule 12 – Temporary Possession	All references to 16D removed	It is proposed that Work 16D is no longer required		List of works in explanatory memorandum will need updating.  Statement of Reasons, Land Plan and Book of Reference will need to be changed to reflect consequential changes regarding a new rights plot replacing part of plot 05/85.
Schedule 13 - Hedgerows	Affected hedgerows added	It is proposed that Work 16D is no longer required	-	-

**Womble Bond Dickinson**

**23 November 2020**