



MetroWest+

Portishead Branch Line (MetroWest Phase 1)

TR040011

Applicant: North Somerset District Council

9.23 ExA.ISH2.D4.V1 – Applicant's Oral Case and response to Representations at the Issue Specific Hearing 2 (ISH2)

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The proposed Portishead Branch Line (MetroWest Phase 1) Order

Applicant's Oral Case and response to Representations at the Issue Specific Hearing 2 (ISH2) held on 11 January 2021 at 10am

Document Reference: 9.23 ExA.ISH2.D4.V1

1. Introduction

- 1.1 The second Issue Specific Hearing (**ISH2**) for the Portishead Branch Line – MetroWest Phase 1 (**DCO**) application was held virtually on Microsoft Teams on Monday 11 January 2021 at 10am.
- 1.2 The Examining Authority (**ExA**) invited the Applicant to respond to matters raised at the Hearing but also in writing following the ISH. This document summarises the responses made at the ISH by the Applicant and also seeks to fully address the representations made by Affected Parties, Interested Parties and other parties attending.
- 1.3 The Applicant has responded to the topics raised by each of the attending parties in the order the ExA invited them to speak provided cross-references to the relevant application or examination documents in the text below. Where it assists the Applicant's responses, the Applicant has appended additional documentation to this response document as follows:
 - 1.3.1 Appendix 1 – photos and a plan showing example bridge screening in situ;
 - 1.3.2 Appendix 2 – two updated photomontage No 2 of the footbridge included in ES chapter 11, Appendix 11.4 (which have been amended to include screening and the bridge in holly green colour. Note that only the final photomontage stage is included in this appendix);
 - 1.3.3 Appendix 3 - visuals of the proposed fencing in relation to the Avon Gorge and Clifton Suspension Bridge and visuals from the viewpoints of the Avon Gorge and the Clifton Suspension Bridge;
 - 1.3.4 Appendix 4 – documents from the Office of Rail and Road (**ORR**) explaining the process regarding the regulation of track access;
 - 1.3.5 Appendix 5 - draft CTMP Chapter 5, incorporating the Highways England SoCG analysis;
 - 1.3.6 Appendix 6 - Pedestrian etc counts at Galingale Way September 2014
 - 1.3.7 Appendix 7 – Draft s278 agreement with BCC

2. Submissions in response to matters raised at ISH2

Ref	Comment/ Representation by:	Questions/Issues Raised at the ISH	Applicant's Response at the ISH	Applicant's Written Response
1.	ExA Panel	<p>The ExA Panel queried if there were any implications for the ISH2 as a result of the change request that was granted prior to Christmas.</p>	<p>The Applicant stated that there were no implications of the change request on the proposed agenda items for ISH2.</p> <p>The Applicant confirmed that documents that have changed as a result of the change request will be submitted in accordance with a timetable set by the Panel.</p>	<p>The Applicant will provide a list of affected documents at Deadline 4. The affected documents included several parts of the Environmental Statement, plans, etc, which could not be completed by Deadline 4. It was agreed in ISH 3 that the revised ES would be submitted at Deadline 6.</p>
2.	ExA Panel	<p>Work No 5 (Portishead Station)</p> <p>The ExA Panel asked the Applicant:</p> <ul style="list-style-type: none"> • to provide an explanation of how the proposed Portishead Station will provide a gateway feature to the town of Portishead. • How the ExA can be sure that the Station will comply with the criteria for good design as set out in paragraphs 4.32 and 4.33 of the National Networks National Policy Statement (NN NPS); and • The Scheme's contribution to the quality of the area in which the Scheme is located. 	<p>The Applicant stated that the approach the Applicant has sought to take is to provide a station that is more than a basic functional building and one that fits in with its surroundings, in a largely urban area. This is secured by reference to the relevant plans, mainly plan reference: APP-035 and plans for the station itself plan reference: APP-018</p> <p>Through Requirement 4 of the dDCO a design is secured that is fairly well advanced but still capable of refinement. The Scheme has reached GRIP 4 and the parties involved have a good idea of what the final Scheme will be but it is not at final detailed design yet (GRIP5). GRIP5 will deal mostly with railway operational features e.g. signals, communications, electronics etc.</p> <p>In the Statement of Common Ground (SoCG) with NSC the Applicant has sought to explain that the level of detail is largely resolved but there may still be some changes to the detail for the design for example, in the area around the station. The DCO</p>	<p>The Applicant believes the design drawings listed for Portishead Station, in Requirement 4 provide a framework for the relevant planning authority to be provided with details to approve for a station that is more than a basic functional building and one that fits in with its surroundings, in a largely urban area.</p> <p>The Applicant believes that the realignment of part of Quays Avenue for the chosen site, effectively created a corner site for the station, giving the station more prominence than would have been the case with the other site options.</p>

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		<ul style="list-style-type: none"> • When will the design be finalised and will this have implications for the DCO if granted? • What changes are likely to be made at GRIP5? • If the main refinements at GRIP5 will be features and finishes, the ExA need to be assured that the design quality and use of materials does not diminish following GRIP5. How can the Applicant assure the ExA that those finishes are not going to be diminished? What issues may force changes? 	<p>Scheme is best described as being at a stage of more than an outline but still with final details to be approved by the LPA.</p> <p>In relation to the comment from the ExA Panel about the station as a "gateway", the Applicant referred to the Design and Access Statement (Ref: APP-196). Within the Design and Access Statement there is a summary of the station location study. The station location study presented in the Design & Access Statement concluded that the current proposed location of the station was the only viable location. It is prominent in the landscape as it projects from the current boundaries to the east into the space currently occupied by the roundabout and because of this it was considered that a standard urban/suburban station would not be appropriate and a more gateway-type station would be required.</p> <p>The gateway station includes addressing a number of design aspects, e.g. having a building (rather than a shelter), moving away from the palisade type fencing, (which is metal bar fencing around 2m tall) and instead providing paladin fencing which is more transparent, along with acoustic fencing.</p> <p>Other features include enclosing the buffer stop with a visually solid screening feature, rather than fencing. The buffer stop extends approximately 10m beyond the buffers (which is needed if a train fails to stop) and will be a notable feature in the new landscape. The details of which are to be determined, but it was included as part of a process of enclosing the buffer</p>	

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			<p>stop with a material that fits within the urban and contemporary context.</p> <p>The Applicant added that there has been a contemporary urban treatment of the station – the surrounding buildings are modern and contemporary, and this is reflected in the design.</p> <p>The Applicant stated that the level of flexibility within the layout, in relation to the track and station, is very constrained. The existing track location is fixed and determines the station location adjacent to the track. There are limited opportunities to change much of the design. The materials and finishes might be the only matters where there is some flexibility. The suggested materials and finishes are all indicated in the Design & Access Statement (Ref: APP-196). This includes, for example, the stone boundary walls, and soft landscape which is appropriate to the context of the station. For GRIP5, any changes could only realistically relate to finishes, and functional aspects of the operational railway only. The Applicant advised that it was relatively comfortable with the level of detail provided on the station and it believes that the LPA is comfortable with what has been provided.</p> <p>Network Rail (NR), speaking in support of the Applicant, stated that the function of the station is to enable people to get on and off the train. Working with Great Western Railway, the current franchisee for this franchise area, has suggested that the ticket office and waiting area become a ticket machine/ticket selling area. The station will have a formal waiting area, staff facilities and plant room.</p>	

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			<p>The facilities will be basic but are more advanced than type you would normally get at the end of a branch line - normally there would be just a shelter. The Scheme is creating a facility that is more than just basic provision.</p> <p>The Applicant stated that the provisions of Requirement 4 provide that consent has to be sought from the LPA on the final detailed design, in accordance with the principles of the design drawings, and the Environmental Statement (Ref: APP-094 to APP-191). The Applicant stated that it was sufficient for LPA to have control over this as the LPA has the ability to approve/deny the applications for materials/finishes.</p>	
3.	North Somerset Council (NSC) (as LPA)	<p>NSC was asked whether it was satisfied that Requirement 4 will be sufficient to secure high quality design of the station.</p> <p>NSC stated that it welcomes a building for the station rather than just a platform and a shelter. NC agreed that Requirement 4 allows the LPA to hold the Applicant to the level of design and quality proposed.</p> <p>NSC noted that it thought there was scope for further discussion around the forecourt layout, quality and nature of the landscaping (including the maintenance of the planting, which the LPA is pleased is to be local planting).</p>	<p>In relation to public art, the Applicant proposed that this is not something that needs to be dealt with through the DCO process given that the Applicant is the landowner, developer and LPA. The Applicant proposes that a DCO obligation would not be required for this.</p> <p>NSC agreed with the Applicant that an obligation was not required and that a degree of flexibility could be allowed for.</p> <p>In relation to future-proofing the Site the Applicant added that it has tried to find the appropriate compromise between the design and size/location of the station site.</p>	The Applicant does not propose to enter into a development consent obligation for the provision of public art at Portishead Station.

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		<p>Keen to see some sense of arrival at the station and a possible public art feature.</p> <p>NSC highlighted that the buffer end stop is prominent and in a visible location. Discussions on this feature would form part of the approval process under Requirement 4.</p> <p>The ExA Panel queried the consideration of future-proofing the station and possibility for extension. NSC stated that in many new stations there are other uses that are welcomed by passengers and that reinforce the benefit of the location but the LPA accepts that there are limitations given the size and location of the station site.</p>	<p>The Applicant added that there is some flexibility within the station forecourt area (in terms of layout) but there is no potential to relocate the station parallel to the track - It is not possible to relocate it towards Portishead town centre due to the proximity of Quays Avenue, the diversion of which is in itself constrained by adjacent properties. Heading towards Bristol, the station building is already close to the Wessex Water pumping station north of the railway.</p> <p>Any platform extension towards Bristol would go into the open space towards Tansy Lane. There are constraints on any expansion. The station forecourt does provide some scope for future expansion of the building but there might be trade-offs to consider.</p> <p>NR stated in support of the Application that in its discussions with Great Western Railway, the Train Operating Company (GWR) indicated that the current layout inside the station building is such that the ticket and enquiry area is probably not required in the same way that it perhaps once was. NR added that the only other space that could be extended is at the buffer end of that station, but this might compromise access. The internal layout of the station could be changed but this might disrupt passenger movements. GRIP 5 is expected to commence towards the end of 2021 and will continue throughout 2022.</p>	

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4.	NSC	<p>NSC was asked whether there were any energy efficiency and micro-generation issues with the proposals, and what measures it expected to be incorporated.</p> <p>NSC responded that it has a policy which, depending on the floorspace of a development, it requires a certain percentage of energy to be providing on-site by micro-generation means. This tends to be things such as solar panels. NSC confirmed that it had not explored in more detail the suitability of the building for this, and whether there may be any impacts on the operational plant and machinery required for a train station. NSC noted that this would be dealt with through the Requirements.</p>	<p>The Applicant stated that it would need to consider this further and provide a written response.</p> <p>NR added that their redesign principles are set by NR and the Department for Transport (DfT) has a code of practice in relation to functionality of the station that is to be complied with. However, these are minor in relation to the size of the building and station being provided.</p>	<p>The Applicant will discuss this topic further with the relevant planning authority. The Applicant believes the most appropriate measures, would be to install solar panels on the roof of the station building and this will be secured via Requirement 4. This would need to be discussed with Network Rail and the TOC.</p> <p>The Applicant and the LPA will clarify the position at deadline 5, in the relevant Statement of Common Ground (SOCG).</p>
5.	ExA Panel	<p>The ExA Panel noted that NN NPS (paragraph 4.33) advocates that applicant consider the use of professional independent advice on design proposals to ensure that good design principles are embedded in the scheme. Has this been considered?</p>	<p>The Applicant stated that it thinks the level of professional input is appropriate for the nature of the building and so did not identify any particular need for this.</p> <p>The Applicant added that the scheme was not taken to design review as there has been an extensive design team involved. If the scheme were to go to design review at this stage, the Applicant would need to ensure the reviewers were clear on the constraints of the site and parameters of the review. The only place where a design review would be effective is at the discharge of Requirement 4 stage. The Applicant</p>	<p>The Applicant has no further representations to make.</p>

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			stated that it would be reluctant for a design review to take place that might unpick work that has been carried out over a number of years.	
6.	ExA Panel	At the unaccompanied site inspection the ExA Panel noted that there is a care home on the roundabout, opposite where the station will be situated. Has the outlook of the residents of the care home been considered as they will have direct views over the station?	<p>The Applicant stated that it will review the Landscape and Visual Impact Assessment (LVIA) (Ref: APP-152 ES Volume 4 - Appendix 11.3.</p> <p>The Applicant noted that the current view from the care home overlooks the existing roundabout at the junction of Quays Avenue, Harbour Road and Phoenix Way . This roundabout will be relocated as part of the Scheme. The space that will be vacated by the existing roundabout will be planted with trees. This is shown on the drawings in (Ref: APP-035). The landscaping and planting in this area and around the boundary of the site will provide a screen for the care home, which will soften the view.</p>	<p>It understood that the current name is Harbour Residential Care Centre.</p> <p>Views from the care home were not included in the LVIA. The text below is the assessment which will be included in the amendments to the ES to be submitted at deadline 6 as follows:</p> <p>Reference number: [– TBC in ES]. High sensitivity</p> <p>Location – north of the roundabout junction of Harbour Road, Quays Avenue and Phoenix Way.</p> <p>Existing View – Open views from windows facing south directly over to the roundabout and its moving traffic. The existing trees on the roundabout do screen views from some of the windows of view down Quay Avenue. More extensive views from upper floors over the adjacent trees.</p> <p>Construction Impacts – open views to the construction works associated with the highway repositioning to the west and then to the construction compound (station forecourt), construction of the station and then the construction</p>

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				<p>of the station forecourt. Loss of existing trees opens up the views.</p> <p>Magnitude: major adverse Significance: very large adverse</p> <p>Operational impact after 1 year -</p> <p>Open view south to the</p> <p>Open view south over the extended Phoenix Way to the station forecourt and the station building behind. Less movement of vehicles in the view due to repositioned roundabout.</p> <p>Magnitude: moderate adverse Significance: moderate adverse</p> <p>Operational impacts after 15 years:</p> <p>Open view south over the extended Phoenix Way to the station forecourt and the station building behind. Less movement of vehicles in the view due to repositioned roundabout. Tree planting by the acre home and to the boundary to the station forecourt beginning to provide some visual screening of the station.</p> <p>Magnitude: moderate adverse Significance: moderate adverse</p>

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7.	ExA Panel	<p>Work No 7 (Trinity bridge)</p> <p>Can the Applicant establish the principle for the footbridge and explain why this is necessary?</p> <p>Can the Applicant provide more reasoning for the "do nothing" scenario and instead focus on diverting the route around Quays Avenue?</p> <p>The ExA Panel has seen reference to the long term risks of the "do nothing" scenario which include risk of trespass on the railway and increased health and equality impacts on diverting people around Quay Avenue but what are those risks and explain why those are particular to this part of the railway.</p> <p>The ExA Panel queried the user counts and that these date back to 2014. Are there any more recent user counts? Is it proposed that further counts will be carried out and can the Applicant explain what these counts show? Were users questioned about their activities whilst using the path?</p> <p>The ExA Panel asked what the social and economic consequences of not having the bridge crossing are, and what are the differences between having</p>	<p>The Applicant stated that in terms of the overall position, Work No 7 is there to re-provide an existing crossing over the railway that has been in place for a number of years, which is well-used.</p> <p>The Applicant believes there would be substantial severance on the basis that the next crossing of the railway is further along the railway at Sheepway. It is also not to be forgotten that Quays Avenue to the west will be moved so the walk-around at that end of the railway line will be longer. The Applicant believes it is appropriate that there will be a crossing at this location.</p> <p>The Applicant stated that in terms of what type of crossing is appropriate, the Office for Rail and Road (ORR) does not allow new level crossings except in exceptional circumstances. The only option for a crossing is a bridge. The bridge is further constrained by what is required for compliance with the Equality Act. Work No 7 is part of a wider network of connecting the development and users to the station, and Work No 7 is integral to this.</p> <p>The Applicant stated that the principle need for the footbridge came from the surveys in terms of the usage of the permissive footpath at grade path over the railway. The Applicant sets this out in detail in the Transport Assessment (Ref: APP-155) that there are over 500 trips a day with people using the path over the railway. This is substantial. Given the land uses, the proximity of the development on either side of the</p>	<p>The Applicant refers to the relevant provisions of the National Networks National Policy Statement (NNNPS):</p> <p>Para 3.16:</p> <p>As part of the Government's commitment to sustainable travel it is investing in developing a high-quality cycling and walking environment to bring about a step change in cycling and walking across the country.</p> <p>Para 3.22:</p> <p>"Severance can be a problem in some locations. Where appropriate applicants should seek to deliver improvements that reduce community severance and improve accessibility."</p> <p>Para 5.205:</p> <p>"Applicants should consider reasonable opportunities to support other transport modes in developing infrastructure. As part of this, consistent with paragraph 3.19-3.22 above, the applicant should provide evidence that as part of the project they have used reasonable endeavours to address any existing severance issues that act as a barrier to non-motorised users."</p>

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		<p>to walk around to the station, rather than crossing the railway.</p>	<p>railway and the primary school, the route over the disused railway is well used.</p> <p>The Applicant added that the "do nothing" scenario is not ideal as there will be realignment works at Quays Avenue, so in turn the diversionary route becomes longer. This then takes away the same level of accessibility for pedestrians and cyclists. In relation to trespass, in other locations where people have become frustrated with having to walk around in order to cross a railway, NR has found that there are much greater occurrences of people attempting trespass on the railway in order to cross at that location. This is another reason why the Applicant feels it is necessary for the footbridge.</p> <p>NR added that the ORR has made clear that new level crossings will not be approved. The indication is that there is a fair amount of usage of this crossing, and there are examples, including at Gloucester, Worcester and Penzance, where level crossings have been closed and users do not think there is a viable access across the railway, so there have been instances of vandalism such as locks being removed and fences taken down. NR supports the construction of the bridge.</p> <p>The Applicant explained that further survey work has not been carried out as it wasn't felt that this was necessary. The Applicant believes that the data is typical and that there haven't been any changes in the local circumstances (except for Covid-19) to warrant the need for further survey work.</p>	<p>The Applicant believes the proposed Trinity Bridge would contribute to access to the new station whilst also contributing to the high quality cycling and walking environment in the eastern part of Portishead. The provision of a fully accessible bridge is in line with the NNNPS and in particular paragraph 3.16 and 3.19. The bridge both replaces an existing very well used connection and, in combination with the other proposed improvements to the public right of way network at this location provides improvements that reduce community severance and improve accessibility, in accordance with paragraph 3.22 of the NNNPS.</p> <p>The Applicant provides at Appendix 6 a spreadsheet of the enumerated video surveys undertaken in 2014 of pedestrian, pushchairs/wheelchairs and cyclists using the crossing over the disused railway between Galingale Way and Tansy Lane. Sheets 1-3 show the daily count of users over a 3 day period between Marjoram Way, north of the Trinity School and Galingale Way.</p> <p>A summary of this data is set out in the Transport Assessment (Document 6.25 - ES Volume 4 - Appendix 16.1 - Transport Assessment (Part 1 of 18)), reference: APP-155' (at table 4.20). Para 4.10.18 of the Transport Assessment states:</p> <p><i>Table 4.20 summaries the flows captured in Portishead. The data captured confirms the importance of the permissive route across the disused line between Trinity Primary School to the</i></p>

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			<p>The data in Table 4-20 of the Transport Assessment (Ref: APP-155) gives an indication of the movement directions of where people are coming from and going to. Pedestrians and cyclists were counted. The Applicant felt that a through approach was taken at the time and don't believe the circumstances have changed.</p> <p>The Applicant noted that the method of the survey did not include interviews of the users – they were observed only. The survey was carried out using video, and the Applicant will check whether any of the video footage is still available. Typically in the morning, people make trips across the railway for reasons wider than the school and people making triangular journeys (to go to one stop, then a second, before returning).</p> <p>The Applicant referred to the Applicant's responses to the ExA's first written questions (Ref: REP2-013) at DE.1.3 which sets out the measurements that were taken of the route to the station, and a plan was provided showing the route measurements, point to point. The existing walking route is 28m, using the bridge would be 288m (which includes using the ramps but using the stairs would be shorter (192m)) and walking around to the station would be 480m.</p>	<p><i>north and the residential area (Galingale Way) to the south with over 150 NMU two-way movements recorded in the school morning peak and over 200 two-way movements during school afternoon/evening peaks.</i></p>
8.	Mr and Mrs Sanders	Mr and Mrs Sanders stated that they have been listening to what has been said so far. Mr and Mrs Sanders noted that they have also measured the differences in the walking routes that a	The Applicant responded to the comments from Mr and Mrs Sanders, Mr Twist and the LPA, that the consultation report for the scheme (Ref: APP-058)	Please see the examples of privacy screen on bridges already in situ at Appendix 1.

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		<p>bridge would make. The 192m that the Applicant quotes is actually closer to under 100m, taking account the length of the ramps.</p> <p>Mr and Mrs Sanders argument is that the proposed bridge is enormous and expensive and construction is not justified for a saving of just under 100m of the alternative walking route. Mr and Mrs Sanders argued that the alternative walking route would be level, well-lit, and accessible, as well as being cheaper to install and maintain. There is an alternative route around to the station and the bridge is in itself going to be expensive to construct and maintain. It will have a huge impact on the area and local residents and will directly overlook bedrooms and bathrooms of families. Mr and Mrs Sanders stated that they cannot see the benefits to the bridge.</p>	<p>includes key points that were made by local residents in respect of the proposed footbridge.</p> <p>The Applicant had asked for views on specific parts of the Scheme including the footbridge. The comments that were made are recorded and that the Applicant's overall view of the bridge is that there was support for its inclusion.</p> <p>In relation to privacy, it may be possible to introduce screens and the Applicant has received details from Network Rail of the use of screens at another footbridge in the Bristol area (Stapleton Road).</p> <p>In respect of the survey counts that the Applicant undertook, the Applicant acknowledges that it was some time ago that the surveys were carried out, but the circumstances have not changed, other than Covid-19. If the Applicant were requested to repeat those surveys, there would be difficulty, because of Covid-19 and lockdown this wouldn't be a true representation. There is no benefit in reproducing those surveys because of the pandemic.</p>	<p>The Applicant has no further representations to make.</p>
9.	Mr Twist	<p>Mr Twist stated that in addition to the representations of Mr and Mrs Sanders, not enough has been done to look at who uses the path. Accept that this is not a public right of way. But most of the people who seem to use the path are out for a walk, so what is another 100 or 200m if exercising. In addition cyclists want to stick to flat. Mr Twist stated that the responses from the Applicant are</p>		

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		<p>generic and what would be expected but feels that this has not been considered at a local level and that the construction of the bridge is based on the responses, of 500 people using the track 7 years ago.</p> <p>Mr Twist stated that most people using the track couldn't climb a fence. Mr Twist stated that there was not enough justification for the new bridge. Mr Twist suggested that the money would be better spent on improving the footpath. Mr Twist would like to see more study carried out on the footbridge to justify this.</p> <p>Mr Twist stated that he accepted that there were challenges in carrying out further surveys at the moment because of Covid-19 but stated that this will pass, but the bridge, if built, will be permanent. Mr Twist stated that there will be an impact on 8-10 properties and wants to ensure that the correct surveys are carried out and that the evidence is provided to justify the bridge. Mr Twist stated that he did not believe that what had been provided justified the bridge.</p>		
10.	NSC (as LPA)	The ExA queried if the LPA would be concerned if the bridge was removed		

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		<p>and if that meant there would be an impact on local residents.</p> <p>NSC stated that it accepts that the bridge could adverse impacts on local residents.</p> <p>NSC stated that in other crossings over railway lines there have similar impacts on local residents but that there could be additional mitigation work that could be carried out, including, for example, side-screens to ramps, more appropriate and better planting around the area, and removing proposals such as benches close to the bridge to not encourage gathering by the bridge.</p> <p>The alternatives are not something that NSC has looked at in a greater amount of detail. NSC stated that it is aware that a permissive use of the crossing has taken place over a number of years.</p> <p>NSC stated that it is about weighing up the pros and cons of the bridge. If the bridge were omitted, the view of NSC would be dependent on the consideration of the uses for users crossing the railway. If it was shown that the removal of the bridge from the scheme would not have an impact on the community then NSC could be flexible. NSC will consider this further</p>		

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		and submit an additional comments in writing.		
11.	ExA	<p>Work No 7 – The ExA explained that it does need convincing of the benefits of the footbridge as at the moment it is not convinced of this.</p> <p>The ExA Panel asked for further information on:</p> <ul style="list-style-type: none"> • Who is using the existing crossing? • Is this mostly recreational? If that is the case then what is the problem with users being diverted? • What are the destinations that users are going to, as the bridge would not lead directly to the Town Centre. • What are the social and economic effects of not having the bridge? 	<p>The Applicant stated that it would put its case on the bridge to the ExA Panel again. The Applicant stated that it believes in policy terms there is an issue of severance.</p> <p>The Applicant will put forward that there is a desire line focusing on the crossing point. Furthermore, there is no other crossing point for a considerable distance, with Sheepway being the next crossing along the proposed route. Quays Avenue is also going to be realigned to the west, increasing the distance between the crossing points at Quays Avenue and Sheepway.</p> <p>The Applicant believes that there is a clear policy requirement for the bridge. This crossing was specified and secured by agreement when the housing estates were built a decade ago.</p> <p>As well as the ramps, there will be steps, so for those who are able-bodied there will be a shorter route, not using the ramps. Removing the crossing would also have an impact on the cycling route and feedback was received that it was imperative that there be a continuous cycle route.</p> <p>The Applicant stated that the reason for mentioning Sheepway is to emphasise the severance point. The location of the proposed Trinity bridge is the best option for a point crossing the railway as the next</p>	<p>Please see updated Photomontage of the proposed Trinity footbridge at Appendix 2 of this response document.</p> <p>See also the Applicant's response at point 7 above.</p>

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			crossing point east, Sheepway is some distance away to the east.	
12.	ExA Panel	The ExA then further queried that if consent was granted for the bridge, could the Applicant explain the evolution of the design of the bridge following pre-application consultation?	<p>The Applicant stated that the footbridge requires ramps to meet accessibility requirements, so this has to borne in mind when considering the location as this bridge requirement derives a certain footprint. The only location in this area identified where there was sufficient space is the proposed location.</p> <p>The Applicant noted that it considered the gradient of the ramps and different design configurations. At one point there were additional flights of steps to provide more direct access to the school but these were removed following engagement with Trinity Primary School. There are also various site constraints with the neighbouring land uses. The Applicant has been mindful of the proximity to residential housing and has tried to do as much as possible to mitigate the effects but could potentially do more with screening and or planting.</p> <p>The Applicant referred to documents submitted as the Applicant's responses to the ExA's first written questions (Ref: REP2-013) DE.1.2 and DE.1.3 to add further context to those site constraints. In addition to what has already been mentioned there are a number of I underground utilities, including drainage and electricity cables, and the Applicant has had to work around those. There are also culverted watercourses. The Applicant has sought to "narrow" the footprint of the bridge by keeping it parallel to the railway track. The Applicant is seeking to use the</p>	<p>Please see the photomontages of the bridge at Appendix 2 of this document.</p> <p>The Applicant has no further representations to make.</p>

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			<p>space available for planting and there are issues around open space.</p> <p>The final colour of the footbridge will be secured through Requirement 4.</p> <p>Photomontages of the bridge were included in ES chapter 11, Appendix 11.4 (Ref: APP-152) and these could be amended to include the screening and the green colour. The ExA agreed that this would be useful.</p>	
13.	ExA Panel NSC	<p>In relation to the landscaping around the bridge, the LPA refers to relocating trees and the impact of this. There is likely to be a net loss of landscaping on Peartree Field.</p> <p>NSC stated that it regards the colour and finish of the bridge as being important in terms of minimising impact. NSC clarified that its point about replacement trees is that in its experience it is easier to plant new trees rather than replant older trees, which are harder to re-establish. New planting has a better chance of becoming established.</p>	<p>The Applicant responded that the some of the existing planting north of Peartree Field will need to be removed. The extent of which is difficult to work out. The photomontages referred to earlier, show the trees being removed. The Applicant suggested marking out on the ground where the fence lines and footpaths are likely to be on the ground for the site visit.</p>	<p>The Applicant has no further representations to make.</p>
14.	ExA Panel	Pill Station and Car Park	N/A	<p>A discussion of the heritage value of No. 7 Station Road is provided in ES Appendix 8.2 [APP-132]</p>

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	NSC	<p>NSC mentions in its LIR that the demolition of 7 Station Road will be locally damaging to the street character.</p> <p>NSC added that the general view is that Pill is a difficult design proposition. The building is of historic character which is important to this part of Pill. The loss of the existing building means that a degree of that urban/village environment will be lost. But NSC's view is that there is a necessity for that to be lost, it is unfortunate for visual point of view but it needs to be a balanced against the wider benefits. This is quite a difficult location topographically and there is very little alternative for locations for the station and the car park.</p> <p>The LPA also confirmed that accessible parking for the station will be provided in place where the building is to be demolished, rather than in the main carpark. There is a benefit to this.</p> <p>NSC confirmed that the new structures at Pill station will be dealt with under Requirement 4.</p>		<p>and a photomontage is provided in the ES Appendix 11.4 [APP-152].</p> <p>The Applicant believes the provision of a mobility impaired parking area and a drop off area for the re-opened station at Pill justifies the removal of the building.</p>
15.	ExA Panel	There are views [of Pill station and car park] from properties on Sambourne Lane, Monmouth Road, and Monmouth Court. Can the Applicant explain how	The Applicant stated that in relation to Severn Road and Monmouth Road, the drawings within the Application documents (Ref: APP-038) show the intention to retain the existing vegetation around the	Please refer to drawing 467470.BQ.04.20-207 within APP-038.

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		<p>views from these properties will be mitigated against? If palisade is to be used for the fencing on car park, please confirm the colour of this.</p>	<p>car park. If this is not possible then it will be replanted.</p> <p>In relation to Monmouth Road, the existing bankside vegetation down to the track is being retained and therefore the existing screening features will be retained. Residents in the properties will be able to see the top of the platform.</p> <p>Station Road does change in that Station House is removed. In relation to the houses to the west of the cutting and station, on Sambourne Lane and Hardwicke Road, their existing boundaries and garden fences will remain so there will be no change there. The Applicant believes that the fences will be coloured but will confirm in writing.</p>	<p>There will be a security fence between the main car park and the track along with a vehicle restraint barrier to prevent vehicle incursion onto the track. There would also be security fence around the Network Rail maintenance compound which would be between the compound and the retained hedge adjacent to Severn Road.</p> <p>The car park itself would be gated and fenced. The fence type and detail has not been selected as yet, but does not need to be a high security fence.</p> <p>Fence colours have not yet been specified.</p>
16.	Mr Ovel	<p>Mr Ovel raised a question in relation to the shelter at Pill station. In particular Mr Ovel asked how the size of the shelter was determined and how many people will be able to fit under the shelter?</p>	<p>The Applicant stated that it would need to respond in writing on this point.</p>	<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.</p> <p>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 with 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 approx. 25 people when standing closer together (but not shoulder to shoulder).</p>

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				<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 practice to provide shelter capacity for the peak passenger flows.</p>
17.	ExA Panel	<p>The ExA Panel stated that comments have been received from both LPA's (NSC and Bristol City Council (BCC)) about the visual impacts of fencing that needs addressing. Is the Applicant going to provide further information on fencing?</p> <p>ExA requested visuals of the Avon Gorge and Clifton Suspension Bridge with the fencing in place. The Applicant to provide visuals from the view points of the Avon Gorge and Clifton Suspension Bridge and also visuals including these sites with the fencing.</p> <p>In relation to planting, the ExA queried how long it will take for this to be established naturally in this area?</p>	<p>The Applicant stated that it would respond in more detail in writing but added that when Requirement 14 was initially drafted it was anticipated that more information would be provided on fencing in the AVGMP (Ref: AS-044). However this may not now be the case. The Applicant will review and consider if it is appropriate to amend Requirement 14.</p> <p>NR added that fencing in some areas is expired and for the most part will be replaced like for like. In some areas there will be palisade fencing or paladin fencing and the standard fencing is post and wire. If there is something more substantial required an explanation will be provided. This is usually in urban areas.</p> <p>The Applicant stated that it is difficult to confirm when planting will become established. The Applicant's approach has been to coppice the existing vegetation. This creates the working space above ground and retains the route stock. The plant species</p>	<p>The Applicant is reviewing the fencing provision in detail and will respond more fully at Deadline 5. Appendix 3 provides some initial indicative visualisations to assist the ExA.</p>

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			<p>present within the Avon Gorge Woodlands would support that type of growth.</p>	
18.	ExA Panel	<p>The ExA Panel asked whether there will be visual effects from the acoustic fence that is proposed alongside the former Portbury Station House and Peartree Field. Is there space for planting alongside these fences?</p>	<p>The Applicant stated that there is not much room in that area for planting. At Portishead Station, there will be separate acoustic and security fencing to secure the platforms. The Applicant has not specified the fence type and appearance, but has indicated the maximum height of the fences.</p> <p>The fencing at the Station House, Portbury will not be mounted on the former station platform. It will be on the trackbed between the railway and the former platform edge.</p> <p>In relation to noise modelling, the Applicant stated that this has assumed that the fence works as a noise barrier as a solid structure to reduce noise passing through it. The Applicant stated that the noise modelling assessed the noise barrier as located between the ex-platform and the new rails of sufficient height and acoustic properties to reduce the noise levels at the property to within acceptable levels.</p> <p>Extensive consultations have taken place with the relevant owners of the former Station house over several years. Initially the Applicant considered a separate security fence and an acoustic fence. Over time the owner was keen to push away the fence as much as possible from their land and as such the Applicant and owner have decided to have a combined security and acoustic fence. At the design</p>	<p>The acoustic fencing at Portishead Station is shown on the drawings within APP-038 Portishead Station Car Park Layout, Landscaping and New Boulevard and Access Plan (includes lighting for footpaths).</p>

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			<p>stage the Applicant did put forward a number of options: the option settled on is a close-boarded wood fence.</p> <p>The ExA queried if this is shown in the plans and the Applicant responded that it would check and confirm.</p>	
19.	ExA Panel	<p>The ExA Panel noted that Mr Twist stated in his relevant representation that he was concerned with the public announcement system at Portishead Station. Would acoustic fencing address this concern and if not, what mitigation can be provide?</p>	<p>The Applicant stated that the acoustic fence is being provided at this location to mitigate against the noise effects of the diesel trains.</p> <p>The Applicant stated that with regard to the public address system, the fence would not give much screening. The public address systems are usually around 2.4m high. above the platform, whereas the acoustic fence would be 2m above ground level. The public address system has been included in the noise modelling see ES Appendix 13.3 Table 3.1 [APP-152] on assumptions in the noise model.</p>	<p>The noise from speakers used for such public address systems is very directional, and these speaker would be aligned to avoid noise pollution where possible.</p>
20.	Mr Ovel	<p>Mr Ovel queried the lack of provision of acoustic fencing in particular in relation to the M5 underbridge. Specifically, Mr Ovel stated that as you walk under the M5 this is an enclosed space and the amount of noise that will be generated when a train goes past will be phenomenal. Mr Ovel queried if any consideration has been given to providing an acoustic barrier within the bridge?</p>	<p>The Applicant will respond in writing.</p> <p>The route under the M5 bridge is not a public right of way. This is a permissive route granted by NR by licence to Sustrans. However, the intention is to re-provide this route under Work No. 18 as part of a permissive cycle route.</p>	<p>Footpaths have been considered within the noise assessment as sensitive receptors. However, due to the nature of their use (i.e. transient users being there by choice), the sensitivity or value of the receptor is considered as medium.</p> <p>This location is already subject to high levels of noise due to the presence of the M5 motorway. The passage of two trains per hour is not expected to increase the noise level by an amount that would cause a significant effect. Therefore, no mitigation</p>

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				<p>in the form of an acoustic barrier is proposed at this location.</p> <p>Although beneath the bridge is an enclosed space, and the overall noise level may increase due to reflections, the time the train is within this space would be a matter of seconds. We would therefore not consider that this short exposure to a high level of noise would be detrimental to health.</p> <p>The Applicant will respond further in writing at Deadline 5 once Mr Ovel provides his comments at Deadline 4.</p>
21.	ExA Panel	<p>The ExA Panel discuss a relevant representation (Ref: AS-002) concerned about the lack of noise survey and monitoring carried out in gardens.</p> <p>The ExA Panel asked whether this survey was acceptable and if other properties need acoustic fencing, rather than palisade fencing? In addition the ExA Panel queried if the extent of the monitoring is acceptable?</p>	<p>The Applicant stated that it believes that robust assessment and monitoring has been carried out.</p> <p>In addition the Applicant stated that it has responded to this point in [the Applicant's responses to the ExA's first written questions (Ref: REP2-013) response to question NV 1.1.</p> <p>The noise monitoring was undertaken at representative locations and locations were chosen on the basis of those that represented specific groups. The Applicant stated that it feels the noise monitoring locations were sufficient.</p> <p>NSC added that it was satisfied that the noise monitoring has been carried out and that additional</p>	The Applicant has no further representation to add.

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			monitoring in the Pill area that was requested, has been done. NSC is satisfied with this. NSC thinks that the fencing proposed by the Applicant is sufficient to minimise any effects.	
22.	ExA Panel	The ExA Panel stated that paladin fencing will be used in sensitive locations, with palisade fencing in most other areas. Why is there not more use of paladin fencing? Will any of the fencing be coloured?	NR stated that along the whole length of the line there will be 350m of new palisade fencing. The majority of new fencing will be paladin fencing. NR is not aware of any restriction in colouring (from the viewpoint NRs specification). Approximately 10,000m of boundary fencing for the project that will not change. NR and the Applicant can respond in detail with more information on the proposed fencing.	The Applicant is considering this point further and proposes that a comprehensive response regarding fencing is provided at Deadline 5.
23.	BCC	In relation to the fencing proposed around the Clanage Road depot. The site is adjacent to a conservation area and so palisade fencing wouldn't be appropriate here.	-	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.
24.	ExA Panel	Rochdale Envelope The ExA Panel stated that this relates to where full details of the project are not available at the time of submission, which can evolve over a number of years but within parameters as set out in the ES. The flexibility of this project in terms of design is dealt with in the Requirements. E.g. Requirements 4, 14,	The Applicant had no further responses to the points made by the ExA and relevant planning authorities	The Applicant has no additional comment.

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		<p>25 and 26 are details that are to be agreed with LPA post-consent.</p> <p>Applicant explained GRIP5, concerned about design and use of materials. Don't want to see these diminished over time. Could both of the LPAs confirm that they are happy with the relevant Requirements?</p> <p>NSC confirmed that largely speaking they are satisfied with this but will give one last consideration to this and if anything else is to be added will notify the ExA.</p> <p>BCC stated that it confirmed at ISH1 that it was satisfied with the Requirements.</p>		
25.	Mr and Mrs Sanders	Mr and Mrs Sanders stated that there may be anti-social behaviour issues with the proposed footbridge. In particular bridges tend to be a magnet for graffiti or for people to congregate. Mr and Mrs Sanders stated that police records have shown that this is the type of place where youngsters will congregate on an evening.	The Applicant stated that it would respond in writing.	The Applicant has not identified anti-social behaviour as an issue for the bridge.

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26.	Mr Twist	Mr Twist stated that there are issues with being overlooked, noise pollution, light pollution which are problems with a railway bridge. In addition Mr Twist stated that the people likely to trespass on a railway are those likely to take advantage of the bridge being in place for antisocial behaviour. There are already issues in the area (e.g. mopeds) that will be added to by the new bridge.	The Applicant stated that it would respond in writing.	<p>The Applicant will discuss with the relevant planning authority the potential for providing screens to consider whether there is a risk of overlooking and the effectiveness of screens if overlooking is anticipated to be an issue.</p> <p>The Applicant believes noise issues from the bridge would mainly arise from the bridge being poorly constructed leading to vibration from bridge use.</p> <p>Lighting mitigation is already proposed – the lighting on the bridge will be integral to the grab rails on the bridge.</p> <p>The Applicant has not identified anti-social behaviour as an issue for the bridge.</p>
27.	Mr Tarr	Mr Tarr stated that there is a risk of rocks and other object being thrown from a bridge onto the railway and trains.	The Applicant stated that it would respond in writing.	<p>This risk will be assessed at the detailed design stage. Once the railway is operational, Network Rail takes incidents of this nature very seriously and has a dedicated team who respond to incidents where the safety and security of the railway is threatened. This includes assisting the police in gathering evidence of the incident, making enquiries in the local community and talking to children in local schools.</p>
28.	Mr Ovel	Mr Ovel stated that in the past there have been a number of residents complaining about the noise from freight trains coming through the village (Pill). Mr Ovel acknowledged that as a result	The Applicant stated that it would respond in writing.	<p>The railway at Pill is an existing operational railway.</p> <p>The need for noise barriers within Pill was determined following the noise assessment, not the</p>

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		<p>of noise surveys there was no need for acoustic barriers in Pill to protect those properties, but wanted to make the point that because of this he expects more noise complaints in the future. Once passenger trains are running through every hour, will expect more complaints. The noise will be more frequent than the freight trains – this didn't appear to be included in the consideration of the acoustic barriers.</p>		<p>noise surveys. However, the noise surveys did form a part of this noise assessment process as they were used to determine the existing noise level at various locations within Pill.</p> <p>For the noise assessment, the predicted noise level from the passenger services was added to this existing measured noise level to determine the impact and subsequent effect. The existing noise level within Pill is relatively high due to the presence of the M5 motorway, and so the inclusion of noise from the passenger services did not increase this noise level by an amount sufficient to cause a significant effect</p> <p>The Applicant has not identified the need for acoustic barriers in Pill and noise has not been identified as a likely significant effect.</p>
29.	ExA Panel	<p>The ExA Panel stated that it had seen a number of emails about the frequency of service. In relation to the hourly plus model please explain how this is factored into the environmental effects.</p> <p>Members of the public have also raised concerns that train will be full by the time it reaches Pill and that non-peak trains will be empty.</p>	<p>NR stated that the client's (the Applicant's) requirement was for a hourly service in each direction, 7 days a week, 16 hours a day. The trains that are to be used can vary in length. GWR operates 2 car and 3 car trains, which can be joined and operated as 5 cars. The scope of infrastructure at Pill station and Portishead station would allow for 5 car trains. It is proposed that the trains will start as 2 or 3 car trains. 2 car trains have seating for 160 passengers, 3 car trains have seats for between 244 and 259 passengers.</p> <p>The timetable and infrastructure are designed for an hourly service. It is possible that additional services</p>	<p>The Applicant has nothing further to add in relation to its representations.</p>

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			<p>could operate at times freight services are not operating and that there is available capacity.</p> <p>In an interim phase it may mean that a train from Bristol could run as a 5 car train and split at Portishead then run as a 2 car train, with a 3 car run 30 minutes later.</p> <p>Another option proposed by NR was that, depending on use of freight paths and funding, may be possible to run 30 minute services. The infrastructure has availability but this relates to spare capacity; in particular this is directly related to the availability of freight paths and, indirectly, the availability of the local authority to fund any additional costs.</p> <p>The Applicant added that in relation to passenger demand the headline numbers are set out in the document the outline business case for the scheme (Ref: APP-203), pg. 166, section 3.6, which included the capacity analysis. This shows the breakdown of passenger demand during the day over the morning peak, inter-peak and PM peak. In the first year, the AM peak hour is expected to be 220 passengers. This rises to 327 in 2036. There will be a high level of occupancy for the train service.</p> <p>Regarding the trains being full before reaching Pill, the outline business case (Ref: APP-203) includes graphs which show the distribution of demand over the first 15-20 years. By year 6, the forecasts indicate a 3 car train set would be used for the hourly service and by year 6, this will be using all of the seating capacity on the trains, but with standing capacity</p>	

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			<p>available still. Then it becomes a matter for the train operating company to consider making a five car formation which will have approx. 450 seats plus standing. This should be beyond 15 years.</p> <p>NR added that the numbers of passengers is an aggregate number for both Portishead and Pill. The work has been undertaken between GWR, NR and the Applicant, and the parties are happy there are opportunities in there for growth.</p> <p>In addition, looking at historical growth in passengers around Bristol, this has grown considerably in the last few years.</p> <p>GWR does have the rolling stock in the Bristol area and further trains are to be cascaded from the Reading area as new rolling stock is introduced. The availability of rolling stock is not a concern for this scheme.</p>	
30.	Mr Tarr	<p>Mr Tarr queried the increasing trend for people to work from home and the impact of this on modelling for the projected numbers of people using the train. It suggests a net reduction.</p> <p>Mr Tarr also queried that if the train service goes ahead and another cost benefit analysis is not needed, it will be in competition with the local bus</p>	<p>The Applicant stated that this is an issue for any promoter of a linear transport scheme. The process of assessing business case is by using WebTag.</p> <p>During the summer of 2020 WebTag (Web based Transport Analysis Guidance) issued by the DfT. During the summer of 2020 the DfT received lots of enquiries on the impacts of the pandemic for business cases. In response the DfT published the document "<i>Appraisal and modelling strategy updating for WebTag during pandemic times</i>". This was included in the Applicant's response to the ExA First</p>	The Applicant has nothing further to add in relation to its representations.

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		<p>services. To what extent can we predict that people will move from bus to rail?</p>	<p>Written Questions (Reference: REP2-013) at reference CG1.23.</p> <p>In addition the Applicant stated that in this document the DfT talked about flexing the need for transport modelling and other different aspects of economic appraisal that will need to be looked at as the DfT owns WebTag. The DfT is due to issues new guidance in February this year. There may be some changes to do with appraisals. The Applicant will wait and see.</p> <p>In relation to modal shift from buses to rail, the Applicant stated that that buses in the morning peak take over an hour to get to Bristol city. No other mode of transport can rival the 23 minutes that it will take to get from Portishead to Bristol City Centre by rail.</p>	
31.	ExA Panel	<p>Car Parks and Parking Zones</p> <p>The ExA Panel stated that the local police force has requested resident parking zones but the Application does not propose that these are imposed. Can the Applicant give further information on any proposed charging regimes for the car parks, monitoring of parking and the potential for a residents parking zone.</p>	<p>The Applicant stated that parking was a big issue that came through pre-application consultation. The Applicant consulted on two categories of parking; 1) double yellow lines around Portishead station and 2) single yellow lines in residential areas.</p> <p>The responses showed that people were mostly in favour of double yellow lines around Portishead station. On the single yellow lines proposal there was a spectrum of views: some people operate businesses from their home and felt that it would hinder their ability to operate their businesses. For context when Portishead was first developed, the "Village Quarter" area was part of a national parking</p>	<p>The Applicant has nothing further to add in relation to its representations.</p>

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			<p>policy of maximum parking standards. Consequently a lot of the housing in the village quarter has limited parking available. Many properties only have one parking space. It is an issue. Some people flagged that if the project went ahead with restrictions then they would have to move their car elsewhere during the day. This could in turn perversely impact on their use of the train.</p> <p>In relation to residents' parking schemes, this was considered but not seen as necessary as the Applicant is providing sufficient numbers of parking off-street at the station as part of the DCO Scheme. Questions were raised around the justification for the residents parking scheme. They do cost money to operate and there is typically an annual charge of £100 or more for permits. The Applicant felt that imposing those costs on residents was not justified.</p> <p>NSC Highways' experience at Worle and at Nailsea & Backwell and advised the Applicant against single yellow restrictions and no residents parking zone initially. But parking restrictions could be introduced later on if needed. NSC Highways has decriminalised parking powers to implement these measures if there is justification in the future, after the opening of the scheme.</p> <p>The tariff for the station car parks has not yet been decided: an officer will prepare a recommendation to committee and decision will be made by councillors. The Applicant does not feel that it is necessary to set a tariff yet. It is likely that any tariffs will be similar to</p>	

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			<p>other tariffs elsewhere such as at Worle and Nailsea and Backwell where the tariff is £2.40 all day.</p> <p>The Applicant added that the situation and demographics in Portishead and Pill are very different. Pill could have lower tariffs as the average incomes are slightly lower. The officer recommendation may suggest this, but it will be for the councillors to determine.</p>	
32.	Mr Ovel	<p>Mr Ovel stated that this issue is almost unresolvable in Pill. There is limited street parking there. Quite a number of residents raised concerns about rail users parking in residential areas. A resident parking permit might resolve that issue. But there are costs involved outside what people are prepared to pay.</p> <p>Equally if the tariffs for car parks are set too high then that would encourage parking on the side streets. Alternatively the residents might end up using spaces in the car park to the detriment of rail users.</p> <p>Mr Ovel noted that the Parish Council should be involved in those discussions about the best way forward. Anything done is going to be a compromise. There are 58 spaces in the plan for Pill station carpark which doesn't seem like</p>	-	Please refer to the Applicant's response to the ExA Panel's questions on this issue above. The Applicant believes the car parking provision in Pill is appropriate for the Station and in respect of the opportunities to provide parking for the station in Pill.

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		<p>a lot. Mr Ovel stated that he thinks that there will be a lot of pressure on limited parking in the car park and in the limited parking on the surrounding streets.</p>		
33.	ExA Panel	<p>Does NR have an in-principle requirement that they must charge for car parking? From NHS experience, the acceptance is that the parking should be free otherwise parking would go onto the surrounding area but NHS policy was to charge for car parks.</p>	<p>NR does not operate car parks at most stations. Most are operated by the train operating companies. There is no policy that NR must charge for any car parking.</p> <p>The Applicant added that both Portishead Station car park (which is made up of car park A and car park B), and at Pill Station Car park, will be owned, operated and maintained by NSC.</p> <p>The tariff will be under the control of NSC and there is no intention to hand over control to anyone else – it is an income stream. Local government needs to have an income stream but there also has to be an appropriate balance. If the tariffs are too high then people won't use the car parks. The Applicant will be making an officer recommendation to set the tariffs low but the decision will be made by Members.</p>	<p>The Applicant has nothing further to add to its representations.</p>
34.	ExA Panel	<p>The ExA Panel stated that it had heard today that Pill is a tight, small village. Imagine that most people will be able to walk or cycle. What is the wider catchment area for Pill? What is the likelihood of users driving to catch the train?</p>	<p>The Applicant stated that there is detail in the Transport Assessment (Ref: APP-155 to APP-172). The immediate catchment area is Pill Village, Easton-in Gordano and Ham Green, which is classed as one suburban settlement. This covers over 10,000 people.</p>	<p>The Applicant has nothing further to add to its representations.</p>

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			<p>The further a person is away from the station, then the greater the tendency for car use, but within 1km of the station there are several thousand dwellings where walking and cycling will be the predominate mode of transport to the station.</p>	
35.	Mr Ovel	<p>Mr Ovel stated that the tariffs set for the car park will be important but the real problem is the lack of parking space numbers in Pill. Were any other areas identified for car parking? It is quite a long walk from the outlying reaches of the village to the station. About a mile walk from the outer reaches to the station. There are also quite a lot of applications for new housing developments, which will be further away from the station than the existing homes.</p>	<p>The Applicant stated figure 7.29 of the Transport Assessment (Ref: APP-155) shows that 10 years after opening the maximum occupancy of the car park is predicted to be 38 cars. There is sufficient capacity for the future. The Applicant has only taken into development that is committed, i.e. that it has planning consent and it is fairly certain to go ahead. The Applicant has not taken into account speculative planning proposals.</p> <p>In relation to monitoring, the Applicant stated that NSC will, as local highway authority, have responsibility for traffic in the area, and has the de-criminalised parking powers. The local highway authority would have to respond to any issues that arise. This is why the Applicant has taken on board the advice received from the local highway authority that it would not be justified to go ahead with the particular parking restrictions suggestions.</p> <p>NSC, as the local highway authority added that it has looked at the details of parking at both stations and confirmed it considers that more than adequate parking is provided. NSC confirmed it does have the powers to put in traffic regulation orders but this is done in response to issues on the highway network. NSC stated it would not want to put TROs in without</p>	<p>The Applicant has nothing further to add to its representations.</p>

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			<p>knowing if any issues have arisen in the first place. NSC will listen to feedback (if any) from councillors and local residents.</p>	
36.	<p>Bristol Port Company (BPC)</p>	<p>The BPC stated that BPC is a nationally significant asset. BPC provides transit facilities and multi-modal facilities for customers, and trains are part of this. Rail is needed for Royal Portbury Dock (RPD).</p> <p>BPC stated that it had two points to make:</p> <p>1) Under the current arrangements there is a restriction on the number of freight movements – 20 movements per day. Under the proposals there were be restrictions on when these 20 paths can be used i.e. only at particular times. The proposal under the DCO is quite significantly worse than what BPC currently enjoy. This is to do with rail paths. Because movement down Portishead branch line is constrained but when included timing restrictions, that rail path may no longer exist. Potentially quite significantly worse position for the BPC.</p> <p>2) BPC would like to see protections for the BPC, including the number of rail paths, enshrined in the DCO so that if</p>	<p>NR stated that on the rail pathing issue, NR's understanding is that under the pre-existing contract with BPC it is a total of 20 movements per day.</p> <p>Access rights are governed under the Network Code, and authorised by the ORR. These rights are awarded to the parties (usually train operating companies or freight operating companies) who may pass these onto other users.</p> <p>NR added that Part G of the Network Code – Network Change – governs any timetable changes, which have to be consulted with all network beneficiaries.</p> <p>The infrastructure is in place to provide an hourly plus service in each direction and gives enough flexibility for the freight services to continue to operate. In the past that has included coal traffic to power stations and automotive products.</p> <p>The Applicant then stated that when arrangements for re-opening the branch line in 2001 were being made, there was a section of new railway needed to connect Royal Portbury Dock to the Portishead Branch Line. This was consented through the Town and Country Planning Act 1990 and determined by the LPA. The planning consent conditions (as varied) contemplated that the line would be opened for</p>	<p>The Applicant has reviewed again the wording of condition 3 of planning permission 11/P/1893/F which currently sets the maximum number of train movements in to and out of Royal Portbury Dock.</p> <p>Condition 3 states:</p> <p><i>"The number of freight trains using the Rail Link shall not exceed an average of twenty trains daily per calendar year in and out of the Port and during any time when the Bristol to Portishead railway Branch Line is in use for scheduled passenger Services, the number of Freight Trains using the Rail Link shall not exceed one train per hour in each direction"</i></p> <p>The control is therefore two-fold, being one train an hour in each direction during the hours a passenger service operates and an average number of 20 trains per day in to and out of the Port.</p> <p>On the latter restriction the control is drafted equivocally. Reference to the report by officers suggests the control was intended to be (averaged out) 20 movements in and 20 movements out of Royal Portbury Dock.</p> <p>The vast majority of the rail network in Great Britain is owned and operated by Network Rail as 'facility</p>

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		<p>the timetable changes this is not worsened further still for the BPC.</p> <p>BPC stated that if there were any proposed changes to the timetable it would expect to be consulted.</p> <p>BPC confirmed it's understanding is that under its pre-existing arrangements it is allowed to make 40 movements a day, being 20 in each direction.</p>	<p>passenger use in future. The intention was always that the line was going to be shared between freight trains and passenger trains, and this has always been made clear.</p> <p>The Applicant has provided the Port with a Working Timetable showing both the proposed passenger train service and an hourly freight path in each direction. In respect of the continuity of freight trains into the future the Applicant stated preserving freight paths is not best dealt with in the Order. This would be better dealt with under the existing arrangements through the Railway Act 1993.</p> <p>There is nothing in the draft Order that would restrict the use of the Branch line for the Port. There is a clear regime to deal with the number of train paths that are available to the Port.</p>	<p>owner' with train services run by passenger and freight train operators who have entered into track access contracts with Network Rail.</p> <p>Because railway infrastructure is a "natural monopoly" it has always been subject to statutory regulation since the current railway industry structure was established in the mid-1990s. The Office of Rail and Road ("ORR") is the statutory regulator.</p> <p>The regulatory framework applying to the use of rail network capacity was established by the Railways Act 1993 ("the Act") and added to by legislation originating from the European Union.</p> <p>Under the Act, a train operator may only enter into a contract with Network Rail for the use of that facility (whether track, a station or a light maintenance depot) following ORR's approval and direction.</p> <p>The only current access rights over the line to Portbury Dock are held by freight operators. The Port of Bristol do not hold any such rights.</p> <p>Proposed contracts that have been agreed by the parties require ORR approval and direction under section 18 of the Act. Where the parties have not been able to reach agreement on the terms of a contract, the beneficiary can apply to ORR for determination and to issue directions requiring</p>

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				<p>Network Rail to enter into a contract under section 17 of the Act.</p> <p>Any subsequent agreed amendments to a contract entered into under either section 17 or section 18 require ORR approval under section 22 of the Act. If the parties have not been able to reach agreement on the terms of a proposed amendment to an existing contract which permits the beneficiary to make “more extensive use” of the facility, the beneficiary may apply to ORR for determination and ORR may direct the parties to amend the contract under section 22A.</p> <p>ORR carries out industry consultations in relation to the grant of new or amended track access agreements.</p> <p>The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016 transposed an EU rail Directive into domestic law. These Regulations apply to the allocation of capacity and levying of charges, and provide for open access for all types of rail freight services. They provide for appeals to ORR where applicants are unable to agree what they consider to be fair terms with Network Rail.</p> <p>When determining access to the network, ORR must have regard to its statutory duties, most of which are set out in section 4 of the Act. It must exercise its functions in a way that it considers best achieves those duties.</p>

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				<p>When considering proposed contracts or amendments, ORR has stated that it expects to focus on:</p> <ul style="list-style-type: none"> (a) the implications for the efficient use of network capacity over time; (b) actual and potential impacts on third parties; (c) any areas of disagreement; (d) the extent to which agreed applications require assessment in line with specified criteria ; and (e) consistency with our access charges determination for the relevant Network Rail Control Period. <p>Taking account of its duties, ORR may identify amendments it would wish to see made to a proposed contract before it would be happy to approve it. In the case of section 17 and 22A applications, it can determine the amendments as in these cases it is deciding the overall content of the contract.</p> <p>Network Rail's track access contracts generally capture:</p> <ul style="list-style-type: none"> (a) the access rights held by the beneficiary - generally expressed in terms of an entitlement to have train slots incorporated in the working

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				<p>timetable in order to operate a train service over a defined part of the network;</p> <p>(b) conditions and obligations attached to those rights - including, charges; the performance regime; compensation for restrictions of use (for example, for engineering possessions); the rolling stock to be used; confidentiality provisions; and the liability of the parties to each other if things go wrong.</p> <p>An access right is any right conferred on a beneficiary by its track access contract with Network Rail. Access rights will represent a balance between:</p> <p>(a) the beneficiary's need to ensure that it can meet its key commercial requirements (including commercial obligations) over the period of the contract;</p> <p>(b) Network Rail's need for flexibility to optimise the use of network capacity in compiling a robust and reliable timetable reflecting the requirements of all beneficiaries; and</p> <p>(c) Network Rail's need to reserve access to the network in order to maintain, renew and enhance it.</p> <p>In conclusion, access to the Portbury route will be subject to ORR regulation in the context of ORR's extensive duties and powers to ensure that such access is appropriately granted in legally binding</p>

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				<p>track access agreements in accordance with the provisions of the Act and other law.</p> <p>The process regarding the regulation of track access is further explained in the two documents published by the ORR included in Appendix 4 to this response.</p>
37.	ExA Panel	The ExA Panel asked whether the caravan park land is to be included within the Order lands.	The Applicant responded that it should not be but it will check and confirm.	Please see revised Document 2.3 Works Plan (Version 5) submitted at Deadline 4, correcting the Works Plan.
38.	Mr Tonks (on behalf of ETM Contractors Limited and Mannheim Auctions)	<p>Ashton Vale Level Crossing</p> <p>Mr Tonks stated that the reason for his clients concern is that the traffic modelling did not reflect the day-to-day operation of the junction into the trading estate. This is a congested area and it is difficult to get out of the site. The layout of the access to the unit sees the access from the car park coming in close to the railway line. Traffic from the level crossing causes congestion and any worsening of the situation in capacity terms will make it difficult to handle.</p> <p>The traffic model states that 12 cars queue at the level crossing by Mr Tonks' client sees more than that number regularly. This questions the accuracy of</p>	<p>The Applicant stated that the Ashton Vale Road and Winterstoke Road junction had been modelled using LinSIG and VISSIM models. LinSIG is used for assessing signal controlled junctions and VISSIM is a microsimulation model for assessing a wider area. The models had been validated and calibrated in accordance with technical standards and that there was a high correlation between the output of both models.</p> <p>The models had been used to test a range of different scenarios including a Realistic Worse Case and the outcome of this was reported in the Applicant's Transport Assessment. This shows there will be no overall detriment to the existing highway conditions.</p> <p>BCC stated that within the Local Impact Report (LIR) and SoCG with the Applicant it indicated no issues</p>	The Applicant will respond at Deadline 5.

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		<p>the model. If the "do nothing" model is inaccurate, it then has a knock on effect to the "do something" model.</p> <p>Mr Tonks advised that he has 32 years of traffic modelling experience but sought further input which was supported.</p> <p>Mr Tonks advised that the traffic modelling was built on traffic survey detail that was undertaken when there were roadworks taking place. The turning counts and journey times taken at a time when the road works are in place so these can't be relied upon for when works were not taking place. Likely that there were significantly less traffic flows when the works were being carried out. This is not representative of normal daily traffic movements at the trading estate.</p> <p>Mr Tonks stated that the Applicant has undertaken further ATC surveys but they don't give sufficient data. The fact that the model validates against inappropriate baseline data survey brings into question how much we can trust the data/survey flow.</p> <p>The above validates Mr Tonks' clients concerns that the data is not accurate.</p>	<p>with the junction arrangements, but these will be reconsidered with the highways team.</p> <p>In response to Mr Tonks suggesting that the Applicant had not undertaken sufficient traffic counts the Applicant signposted Mr Tonks to Appendix N of the Transport Assessment (Reference: APP-172), where full details are set out.</p> <p>Mr Tonks stated that it was not for the objector to pay for this data to be collected. The objection is not based on empirical data but on Mr Tonks' clients' experiences. Mr Tonks stated that some of the traffic counts were undertaken when road works were taking place and one lane was closed.</p> <p>The Applicant clarified for one the turning counts [Manual Classified Count] one of the two lanes on Winterstoke Road northbound was closed due to the MetroBus road works but the turning manoeuvre into Ashton Vale Road was still permitted. The Applicant explained that because the lane that was closed is very short in length this did not have a material impact on the data or the model. Had there been an issue with the turning count data it would not have been possible to validate the models. The data did reflect the observed traffic conditions and the models were validated in accordance with the technical standards. The Applicant signposted Mr Tonks to Part 2 of Appendix N of the Transport Assessment (Reference: APP-172), which sets out the turning count and other traffic count data collected over several years.</p>	

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		<p>In relation to the date of the survey - 19th May 2017, Mr Tonks stated that on that day there were no Mannheim auctions taking place. There is usually 2-3 times more traffic on auction days. In addition, the surveys were not undertaken on the day of the match for nearby Ashton Gate Stadium. Both types of event have significant increases in the amount of traffic. This is the only method of accessing the trading estate.</p> <p>Mr Tonks advised that one of his clients has spent £5million in updating their plant and machinery. In 2017 they were generating 250-300tonnes of moved product per day and now it is 600-700 tonnes per day. They use the same type of vehicles – this one company has vastly increase their level of use since 2017. This has not been taken into account in the model. This means that the do- nothing scenario is wrong.</p> <p>Mr Tonks stated that much has been said in regard to the two different models. Mr Tonks accepts this and agrees that they are appropriate. Mr Tonks' concern is that they are built on inappropriate data. Referring to validation in accordance with WebTag, the problem is that surveys shouldn't be</p>	<p>The Applicant felt that carrying out further work on the turning model is not a worthwhile endeavour. The model matches national guidelines in WebTag and no competing evidence has been offered up by Mr Tonks. The Applicant is comfortable that the data collected is representative.</p> <p>The Applicant added that in relation to the modelling, the Applicant has used VISSIM and LinSig. Both models indicate with a high degree of correlation that the impact will be limited. Indicates impact on Ashton Vale Road will be limited.</p> <p>The Applicant explained the Transport Assessment demonstrates the cycle time for the junction signals is up to a maximum of 160 seconds with circa. 20 seconds given to Ashton Vale Road in the PM peak. On the PM peak the vehicles are still delayed under the Aston Vale signal cycle.</p>	

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		undertaken when one or two lanes are out of use. This is not representative.		
39.	ExA Panel	<p>The ExA queried stated that there was originally a proposal for an alternative access road. Why was this removed?</p> <p>The ExA queried the 2 minute closure time of the level crossing in the current scenario. Please can the Applicant confirm how many carriages does the 2 minutes cover? There have been 3 different sizes of trains mentioned today.</p>	<p>The Applicant explained the background of the scheme when previously a half hourly passenger train service was proposed resulting in a need to consider an alternative access road into Ashton Vale Road. The key differences were</p> <ul style="list-style-type: none"> i. the frequency of the operation of the level crossing barriers would be much greater (twice as many passenger trains); and ii. the duration of the barrier down times (times when the level crossing is closed) would be much longer. <p>The Applicant explained that there would have been six train movements per hour, two passenger trains and one freight train to Pill/Portishead per hour and two passenger trains and one freight train to Bristol per hour.</p> <p>In order to operate that number train movements and capacity, the infrastructure required is different e.g. 1.7km of additional double tracking would be required. In that scenario because there were 6 different train movements within the Ashton Gate area, when the barriers were activated they would be down for much longer (than the current version of the scheme). The way that level crossings work is that the barriers remain down – this would have been for</p>	<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 for a 'down' train towards Pill; and • 2m 05s for an '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 most freight trains and may therefore clear the level crossing more quickly.</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 are:</p> <ul style="list-style-type: none"> • 2 carriage train is 46 metres

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			<p>5 minutes or longer as trains would cross each other in the vicinity of Acton Vale Road.</p> <p>In the current scheme the level crossing barriers would be down for 2 minutes only as only one train could occupy the single line.</p> <p>The combination of the much greater frequency of the operation of the level crossing and the much longer duration of the barrier down times meant there would have been traffic impacts at Ashton Vale Road sufficient to consider justifying an alternative access road. But those conditions are not present in the scheme that was submitted in the DCO Application in November 2019.</p> <p>In relation to the train length for the level crossing down time, the Applicant understands that this is based on the current freight trains passing over the level crossing.</p> <p>The Applicant noted that freight trains are much longer than a passenger trains so the time to clear this level crossing will be shorter for passenger trains.</p>	<ul style="list-style-type: none"> • 3 carriage train is 69 metres • 5 carriage train is 115 metres
40.	ExA Panel	Pedestrian Crossing on Ashton Vale Road	The Applicant stated that an update will be provided on the status of the S278 agreement.	The Applicant and Network Rail Infrastructure Limited will enter into a highway works agreement with Bristol City Council to secure the following works under the DCO on land forming part of the public highway and/or in Bristol City Council's ownership:

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		<p>ExA Panel requested an update on the S278 agreement, that is anticipated will include provision for a Toucan crossing.</p> <p>The ExA Panel also asked if the Toucan crossing will be included in the Consents and Licences Document?</p>	<p>The Applicant advised that reference to the Toucan crossing can be added to the next iteration of the Consents and Licences Document.</p>	<p>1. The works shown in principle on the Ashton Vale Road and Winterstoke Road Highway Works Plan (APP-041); and</p> <p>2. The works shown in principle on the Clanage Road Compound, Landscaping and Access Plan (APP-044).</p> <p>The Applicant will also seek a licence from Bristol City Council (in its capacities as highway authority for and as freehold owner of part of land forming part of the River Avon Tow Path) for the purposes of constructing the DCO Scheme.</p> <p>A copy of the draft s278 agreement is included as Appendix 7.</p>
41.	ExA Panel	<p>Work No 27 – alternative footbridge crossing over railway</p> <p>The ExA Panel queried whether this work will be carried out as part of the scheme or carried out later.</p>	<p>The Applicant stated that the ramp was originally proposed under the half hourly passenger train scheme. This entailed consideration of an alternative access road and the closure of the Ashton Vale Road level crossing. This would have closed the pedestrian route between Ashton Vale Road and Winterstoke Road, therefore the ramp would have provided a replacement pedestrian access route.</p> <p>For the one train per hour the Applicant has undertaken further work/analysis. Given the shorter and less frequent barrier down time at the level crossing, and further analysis carried out by NR indicated at on match days, the pedestrian desire line is likely to remain over the railway via the level crossing. Ashton Vale Road industrial estate is used</p>	<p>The Applicant has discussed the provision of the ramp further with Bristol City Council. It has been agreed by the parties that the provision of the ramp is not required as mitigation for the effects of the DCO scheme. Whilst it remains the case that the Applicant would wish to provide the ramp, due to:</p> <ul style="list-style-type: none"> i. the absence of a compelling case in the public interest and; ii the ramp not being required as mitigation for the DCO Scheme, <p>the applicant will ask the Panel to remove Work No. 27 from the proposed works.</p>

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			<p>for coach and car parking and it is unlikely spectators would divert along Winterstoke Road, along Ashton Avenue and down the.</p> <p>On match days, there is police presence and they control spectators crossing Winterstoke Road.</p> <p>The Applicant therefore felt there was not a compelling case for the compulsory acquisition of new rights over Babcock's land, needed for utility diversions if the ramp is to be constructed..</p> <p>The Applicant felt that there was sufficient justification to achieve the planning consent for the ramp should it be required in the future could only provide the ramp if agreement for the required utility works was reached with Babcock.</p> <p>The Applicant confirmed that it was not proposing to build the ramp as part of the main Scheme works but at a later date when Babcock and the Applicant agreed for the required arrangements for utility diversions.</p>	
42.	ExA Panel	<p>Footpaths at Royal Portbury Dock area</p> <p>In relation to the re-routing of the NCN 26 and the footpath across Royal Portbury Dock Road, has a half-way</p>	<p>The Applicant stated that it would check whether a half way refuge was considered and respond in writing.</p> <p>The Applicant stated that the bridleways will be the route for users diverted from the licenced route currently parallel to the railway across Royal Portbury Dock Road. Once the railway reopens the additional licenced route is expected to again be available to</p>	<p>The Applicant refers to its response on the Applicant's response to the ExA's Action List (Reference: 9.26 ExA.FI.D4.V1).</p>


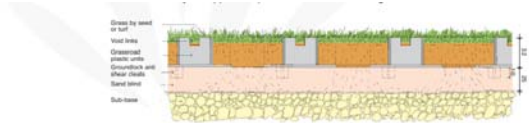


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		<p>point refuge been considered for this crossing?</p>	<p>users of NCN 26, to allow users to again pass under Royal Portbury Dock Road using Network Rail's land.</p> <p>The Applicant stated that it was mindful in the consideration of the design that the number of horse riders using the site could increase (although the licence from Network Rail is for cyclists and walkers only). The Applicant considered a full Pegasus crossing and discussed this with BPC. BPC was concerned about the provision of a signal controlled crossing at this location and did not believe it was justified. Whilst holding areas are proposed, the signals are not part of the DCO Scheme. The Applicant concluded that some minor works to improve the crossing would be appropriate and sufficient. The Applicant will provide paving, improve signage here and cut back vegetation to achieve visibility.</p>	
43.	Mr Berry	<p>Mr Berry stated that in relation to Work Nos 14A and 14B, he walks around that path quite often (approximately 6 times a week). Mr Berry stated that he had never seen a horse on the bridleway, but lots of walkers and cyclists. The crossing is marked as the curb is dropped. If this is the main route during the development of the railway there is a good chance of a fatality. The road is very fast and traffic is heavy.</p>	<p>The Applicant responded that the road is subject to a 30mph speed limit. The visibility is fairly good and there is a roundabout at each end of the road.</p> <p>Whilst the route under Royal Portbury Dock Road is available only by licence (and does not include equestrian use) the cessation of the licence should only be temporary and the Applicant has included reprovision of the licenced route in its Scheme. It is hoped the licence will be re-granted by Network Rail once the works to construct the railway have been carried out.</p>	<p>The Applicant refers to its response on the Applicant's response to the ExA's Action List (Reference: 9.26 ExA.FI.D4.V1).</p>


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			<p>The Applicant is seeking to improve the bridleway but believes there is no justification for works to the bridleways in addition to what is proposed in the dDCO.</p>	
44.	Mr Ovel	<p>Mr Ovel stated that he wanted to re-inforce Mr Berry's submissions. Mr Ovel stated that in relation to NCN 26 down Marsh Lane into Pill Village, he has never seen a horse but there is the potential for a fatality. Cyclists are often family groups so it will likely be a challenge to get across Royal Portbury Dock Road for 18 months.</p> <p>M Ovel added that he disagrees that the NCN shouldn't be closed.</p>	<p>The Applicant responded that the construction phase of works is expected to be 20 months to 24 months in total. The road is 30mph and it is for the Applicant to ensure warning signs for motorists to slow down and point out that there are crossings.</p> <p>The Applicant stated that Mr Ovel made comments about Marsh Lane – this is very different to Royal Portbury Dock Road which has HGV traffic. Marsh Lane is used by locals and the level of traffic is different to Royal Portbury Dock Road. The Applicant did not agree with the suggestion to not suspend the NCN route to Pill village from Marsh Lane. The proposed diversion is advisory and on to the existing highway network.</p>	<p>The Applicant refers to its response on the Applicant's response to the ExA's Action List (Reference: 9.26 ExA.FI.D4.V1).</p>
45.	Bristol Port Company (BPC)	<p>BPC stated that it cannot accept the compulsory acquisition of land within their ownership. The routes can't be purchased outright, routes should be as shown on the drawings. Satisfied that Work No 18 could be dealt with by dedication. Work No 16 should be provided by way of a permissive path agreement. BPC referred to paragraph</p>	<p>The Applicant has spoken with Wedlake Bell on behalf of BPC. The Applicant is grateful for indication by BPC in relation to the dedication required for Work No 18, public use to be established there. In relation to the transfers the Applicant will consider and respond to BPC.</p>	<p>The Applicant has arranged a further meeting with BPC and will provide a further updated at Deadline 5.</p>


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		<p>5.19 of its Deadline 2 response (Ref: REP2-064).</p> <p>BPC confirmed that it was content with Work No 15.</p>		
46.	ExA Panel	<p>BPC raised a concern about dust generated from the trains on cars and other sensitive cargoes at the Port. Has the Applicant perceived this as a concern and what is going to be done to mitigate this?</p>	<p>The Applicant did not perceive it to be an issue but will consider this and provide a more detailed response.</p>	<p>The Air Quality assessment considered PM10 (particulate matter 10 microns or less in diameter), which are very small particles of concern to human health because they can be drawn into the lungs and cause respiratory illnesses.</p> <p>It is very unlikely that there would be any fugitive dust emissions (ie particles of a diameter greater than 10 microns) generated by the train operation, which would be of concern to adjoining land users. The predominant wind from the south west would tend to transport emissions away from the port and railway towards the north east. No mitigation is required.</p> <p>The Applicant understands that the Port's concern is dust soiling of vehicles temporarily parked in cargo storage areas near the DCO Scheme, in particular close to the existing bridleway route and the proposed construction access route off Marsh Lane into Lodway Compound.</p> <p>The Air Quality assessment considered construction dust. Appendix 7.1 Construction Dust Section 3.3 (AS-034) considers the risk of dust generation along the railway near Royal Portbury Dock. This concludes a medium to high risk of dust</p>

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				<p>soiling depending on the construction stage pre-mitigation.</p> <p>With mitigation in place, the Environmental Statement Chapter 7 Air Quality and Greenhouse Gases (AS-029), paragraph 7.6.7 predicts a slight adverse effect which would not be significant.</p> <p>The Master CEMP section 4.2 (AS-046) outlines the types of mitigation measures to be undertaken to reduce dust soiling to neighbouring land uses. The successful contractor will provide an Air Quality and Dust Management Plan to control dust setting out their proposals, which would be approved by the LPAs as part of DCO requirement 5 CEMP.</p> <p>Effective dust suppression measures along haul routes include:</p> <ul style="list-style-type: none"> - Temporary surfacing of the haul routes for example with a Type 1 aggregate, - Regular dampening of the surface of the haul route with a water bowsers, particularly during prolonged dry weather, - Erecting temporary hoarding between the haul road and the port. <p>The contractor will propose detailed plans for dust control which will be approved by Network Rail, the Applicant and the LPAs.</p>

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47.	ExA Panel	<p>In relation to the CEMP and Requirement 5, the ExA Panel queried whether there are any further refinements to this following ISH1?</p> <p>ExA Panel requested an update on the construction working hours.</p>	<p>The Applicant confirmed that it does not think there is anything else in relation to Requirement 5.</p> <p>The Applicant confirmed it had reached agreement with the LPA on the matter. The parties have changed the start time to 6.30am but because of constraints being put upon the Applicant for safety reasons for movement of traffic in the morning peak, there cannot be a morning start time later than this.</p>	<p>The Applicant has nothing further to add to its representations.</p>
48.	Mr Tarr	<p>Mr Tarr highlighted that on behalf of the residents of Ham Green down to Chapel Pill Lane there would be concern from residents of working start times of 6.30am as the workers are likely to start to arrive from before 6am. Mr Tarr stated that he would ask for the start time to be no earlier than 7am, Monday to Friday.</p> <p>Mr Tarr also raised concerns about the evolution of the CTMP and CEMP. Mr Tarr read from his email of 10 January to the ExA.</p> <p>Mr Tarr commented that so far he does not feel reassured that the rules will be complied with.</p>	<p>The Applicant will respond in writing to Mr Tarr.</p>	<p>The Applicant has prepared a separate response to the queries raised by Mr Tarr before, and during, ISH2 and ISH3.</p> <p>See document reference: 9.29 ExA.CAS.D4.V1.</p>

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49.	ExA Panel	<p>The ExA Panel asked about the use of grasscrete at Ham Lane, rather than tarmacked road. In addition, queries have been raised about the proposed lighting, timescales, and potential contamination of the lake. NR to explain how the compound will be used operationally.</p>	<p>The Applicant noted that grasscrete is a generic term for reinforced grass. This allows for the occasional overrun by a large vehicle.</p> <p>The Pill Tunnel access point is for emergency vehicles to get to the tunnel and it is the last point for gaining access to the track before the Avon Gorge. This is a long gap before Clanage Road. The turning area by the track is for smaller vehicles rather than low loaders. The access is relatively steep, the Applicant was concerned that emergency vehicles would get stuck so proposed tarmac. Overall the area has been kept as small as possible.</p> <p>NR added that the other key issue is that this facility is used to gain access to the silt busters – this is where water that drains down through the tunnel is stored to deposit silt before it goes into the lakes. These need to be maintained. The compound area is big enough to take equipment off track overnight and be kept there overnight. This site has the potential for a Road Rail Vehicle to be left in the compound. But the main reason for the access for emergency vehicles, and for maintenance access to railway tunnel and silt-busters.</p> <p>NR stated that NR carries out "just in time" maintenance on a cyclical basis. The equipment can be delivered on a Friday, for example, where it can be placed onto the track. It is about the efficient use of equipment and not having to return the equipment to places in an inefficient way.</p>	<p>The Applicant has nothing further to add to its representations but has included below some examples of grasscrete products.</p> <p>Grasscrete:</p>  <p>Grassroad:</p>   

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				<p data-bbox="1556 411 1675 443">Bodpave:</p>  <p data-bbox="1556 1294 1675 1326">Cellpave:</p>

Ref	Comment/ Representation by:	Questions/Issues Raised at the ISH	Applicant's Response at the ISH	Applicant's Written Response
				 <p>BEFORE AFTER</p> <p>CellPave HD product installed for a Hotel project with grass infill - The ultimate grass access tracks</p>
50.	ExA Panel	<p>The ExA stated that relevant representations had been received on construction works and the disruption to residents in Pill. The Applicant has provided comments in response to the relevant representations. Please can the Applicant summarise the mitigation proposals for minimising effects on the tight road areas in Pill? Can assurances be provided about the use of the tight road network with HGVs? And provide details on the minimising effect of traffic and construction around the Pill area.</p>	<p>The Applicant stated that the details are set out in the Construction Traffic Management Plan (CTMP) (Ref: APP-210). The CTMP sets out the principal routes to be used by the contractor during construction. These routes are suitable for HGVs and don't include narrow single width lanes.</p> <p>The Applicant confirmed that it undertook a detailed assessment to inform the Highways England SoCG. The information that was presented to inform the Highways England SoCG, which is not yet in the CTMP, but could be provided to give more information within the CTMP. This includes the assumptions that have now been refined and is more up to date than the originally submitted CTMP.</p>	<p>Please see Figure 6-2 of the draft CTMP and Chapter 5 incorporating Highways England SoCG analysis included as Appendix 5 to this response document.</p>

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51.	Mr Berry	<p>Mr Berry stated that he understands the need for the compounds but it is not clear what will be happening at Lodway, especially in relation to the removal of the old track and replacing of the ballast. Assume not yet decided.</p> <p>Mr Berry then added that his main concern is Work Nos 17 and 17a. Light workers traffic will be coming down through the village. Anyone who has been in the Breeches will know it is a tarmacked farm track, very narrow, and no pavements. No one is against the railway but have to weigh up the benefits of the railway against the value to residents lives. Secondary access has to be considered and think about this. Mr Berry stated that he has seen some of the projections of the traffic through the village. Is this is going to be all day? Mr Berry queried why the traffic can't access through Marsh Lane and the primary access.</p>	<p>The Applicant stated that there are constraints to be taken into account but the Applicant has to have an ability to deliver and construct the scheme.</p> <p>At the Lodway compound there are constraints: Marsh Lane is a suitable route for HGVs, but the track from Marsh Lane towards the M5 is only a single width. It is not suitable for dual purpose of being a HGV haul route and a route for construction workers. The only other route to the Lodway compound is from the A369 and Priory Road.</p> <p>The contractor will be produce a final construction workers traffic management plan. The Applicant explained the route for construction workers proposed in the outline CTMP is via Priory Road, Lodway, The Poplars, Stoneyfields, then Trinder Road and then into The Breaches.</p> <p>Only a small section of the Breaches would be used before turning into Lodway Farm and into the compound.</p>	The Applicant has nothing further to add to its representations.
52.	Ms Stowers	Ms Stowers stated that she supported the representations from Mr Berry on his comments in relation to the Breeches. It is a narrow entry from the end of the Breaches into Debeccas Lane. Will anything be done to stop traffic going down that lane?	The Applicant stated that the part of the Breaches between Church Road and Debeccas Lane has not been identified as an access route. All the construction access routes are set out in the CTMP (Ref: APP-210).	The Applicant has nothing further to add to its representations.

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53.	Mr Ovel	<p>Mr Ovel stated that nobody at Lodway Farm is looking forward to this compound. Why is this so big? Concerned about noise generated. In the DCO there is mention that waste material from the rail bed will be stored either at Royal Portbury Dock Road or at the compound. Mr Ovel stated that he was concerned with the large amounts of waste being stored near residential areas and possible dust.</p> <p>Mr Ovel stated the railway siding is dedicated to the construction programme – still no definite plans on this. Mr Ovel stated that the Applicant mentioned construction workers needing access but can't use the haul road, but didn't explain why it was necessary for HGVs to be entering off the Breaches?</p>	The ExA asked whether the Applicant could respond to these questions in writing following receipt of Mr Ovel's concerns in writing.	The Applicant will respond at Deadline 5.
54.	Ms Stowers	<p>Ms Stowers stated that there is going to be work in the embankment behind the houses on Mount Pleasant and Eirene Terrace but there has been some access points for this work through the gardens, one of which is very narrow and not suitable for the equipment or materials. Can this be re-looked at?</p> <p>There is a church next door, why can't that be used for the same access or at</p>	<p>The Applicant was not aware that much waste would be generated from soil nail works or that there are any proposals for the waste to be stored in the gardens of the properties at Mount Pleasant and Eirene Terrace.</p> <p>NR added that it would not leave material in gardens, if there is some that is produced.</p>	<p>The Applicant awaits a note of Ms Stowers' concerns and will respond to these accordingly by Deadline 5.</p> <p>Soil nailing is a technique that's 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.</p>

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		<p>the northern end of the terrace, near the viaduct, can the access be used there?</p> <p>In relation to the soil nails Ms Stowers understands that the waste from soil nail drilling – the work on the railway bank behind Eirene Terrace and Mount Pleasant - might be left on the gardens of those properties, but the gardens at the northern end are very small garden.</p>	<p>The reason for the works is to ensure that the embankment is re-enforced for the proposed Pill Junction at this location.</p> <p>The ExA Panel asked Ms Stowers to provide her concerns in writing for the Applicant to consider and respond to.</p>	<p>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> <p>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 of any spoil generated by the construction works.</p>
55.	ExA BPC	<p>The ExA Panel highlighted the comments made by the BPC in relation to dust from construction traffic along Marsh Lane and at Lodway Farm.</p> <p>BPC added that it has included all of its comments in written submissions. It's preference is that the track be tarmacked. In addition BPC stated that there are proposals by the Applicant to occupy the land to the north which BPC opposes. This area is useful for security and the vegetation around the barrier filters dust and helps with security. This area is an HMRC bonded area so security is very important.</p>	<p>The Applicant noted that there are currently several different organisations that use the access track that is referred to, including Highways England, Environment Agency and National Grid.</p> <p>BPC has allowed access to all the other organisations but haven't previously required a tarmac upgrade. The Applicant does not believe that there is a valid justification for this additional upgrade resulting from the proposed MetroWest development.</p>	Please see the Applicant's response at line 46 above.