Department for Transport

Great Minster House	Telephone :	████████
33 Horseferry Road	e-mail:	████████@dft.gov.uk
London, SW1P 4DR	Web:	████████

Date: 28 January 2022

To: The Applicant

Dear Sir/Madam

Planning Act 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010

Application by North Somerset District Council ("the Applicant") for an Order granting Development Consent to construct a new railway on the trackbed of the former branch line from Bristol to Portishead including associated works ("the Proposed Development").

REQUEST FOR COMMENTS FROM THE APPLICANT

Further to my letter of 24 November 2021, following receipt of the Examining Authority's report with its findings and conclusions of the above application to the Secretary of State for Transport, I am writing in relation to further matters on which information is requested before determining the application.

1. The removal of whitebeam trees

The Secretary of State considers that adverse effects on the integrity of the Avon Gorge Woodlands Special Area of Conservation and the whitebeam trees associated with the *Tilio-Acerion* woodland, a priority habitat as defined in regulation 3 of the Conservation of Habitats and Species Regulations 2017 (as amended ('the Habitats Regulations') cannot be excluded. In accordance with regulation 64(2)(b) of the Habitats Regulations, the Secretary of State for Transport requested an opinion from the Secretary of State for Environment Food and Rural Affairs, as the appropriate

authority under these Regulations, on whether the Development must be carried out for reasons of over-riding public interest, other than those relating to human health, public safety or beneficial consequences of primary importance to the environment.

As part of the consideration to be given by the Secretary of State for Environment Food and Rural Affairs, additional information in relation to the removal of whitebeam trees is requested from the Applicant.

a. Given the diminutive size of the whitebeam trees that may need to be removed, please could the Applicant provide details on why each of the trees indicated in table 8.4 of the Applicant's Habitat Regulation Assessment would need to be removed prior to development rather than left to grow and removed or coppiced at a later date.

b. The Applicant is asked to provide details on the exact threat to the railway line or to safety that each of the whitebeam trees identified for removal poses in their current form and position.

c. For each of the whitebeam trees impacted, the Applicant is asked to provide the Secretary of State for Transport with the regulations and/or legislation that is guiding the identification of these trees as a threat to the railway line. Further, the Applicant is asked to confirm whether there are previous circumstances where the regulations and/or legislation have been used, and if so, the Applicant is asked to provide details of those circumstances.

2. Babcock Integrated Technology Ltd ("Babcock")

The Secretary of State notes the comments made in the letter from █████████████ ███████████, to which the Applicant is asked to provide a response.

The deadline for any response is 9 February 2022 at 23:59

Responses to the matters outlined in this letter should be submitted by email to Metrowest1@planninginspectorate.gov.uk. Given the coronavirus (COVID-19) emergency, the Planning Inspectorate is currently unable to accept hard copies of consultation responses.

Your response will be published on the project page for the Portishead Branch Line – MetroWest Phase 1 on the Planning Inspectorate website as soon as possible after the above deadline for response at:
https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portishead-branch-line-metrowest-phase-1/

This letter is without prejudice to the Secretary of State's decision whether or not to grant development consent for the Portishead Branch Line – MetroWest Phase 1 and nothing in this letter is to be taken to imply what that decision might be.

Yours faithfully

Kevin O'Hanlon