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Leeds inquiry 27 June 2014

[9:32]

Cameron: two points, first I've been provided with and anticipate will be provided with by Malcolm Bell an application that a witness summonses be issued...

I want to make some submissions – there is a power to issue a witness summonses but sir it is a discretionary power and it is only exercised in very limited circumstances. I'm going to make three submissions, sir. First is that this application is incomplete (because no person is specified), secondly that the application is based upon a false premise/false premises (first it is necessary to understand the ambit of the inquiry – it's not a general inquiry into why decisions were made by councils at particular times. secondly, it is for a party to the inquiry, in this case the promoters, to decide on the witnesses that they call in support of their case – so even if a summons was issued it would not be to require a promoter to call a witness. And thirdly, there appears to be a misapprehension that witnesses who are called as experts somehow are obliged to support the case of the party who call them. They have each signed a declaration that they give evidence as experts, state their opinions – and if Mr Bell is contending they are not doing so he should put it to them – not by requiring some other witness to be called. Last submissions – is that you have a discretion – including, first, is attendance necessary to resolve an issue in dispute, no, and is it necessary to obtain info which is necessary for a decision to be made, and the answer is no, and can you make adequate report in the absence of the attendance of the witnesses, yes you can – therefore there is no basis upon which to issue a summons. It would be wholly exceptional to do so, the circumstances don't begin to warrant it. Just think of the precedents it would make ... some non-statutory objector asking to question the way political decisions are made. There is absolutely no justification for this.

Ins- I personally don't see need for any politician to be called forward for this inquiry based on what info I'm trying to gather for the sec of state – primarily based on the statement of matters. There's no reason for a politician to be called to address any of those matters. As far as I'm concerned, unless anyone can come up with something more than Mr Bell has I can't see any reason why any politician should be called to give evidence. I've made my decision and I shall be communicating that in due course to Mr Bell.

[Cameron says he will put in a summary of what he just said in writing – *N.B. this later becomes APP148*]

Cameron- earlier in the inquiry when Mr Smith was giving evidence, Claire Randall [Comic Claire] raised some issues on in particular the regarding of Buckingham road and during the inquiry I indicated that somebody appropriate would be prepared to discuss the matter with Miss Randall and I'm told that's exactly what happened – Mr Andrew Norman had a meeting with her. And when I had given that indication, what I anticipated was that they would have a discussion outside and that was as far as that went but I understand that Miss Randall would like a note to be put in. But I'm not minded to put it in as all the info is already in the inquiry. I have actually got a note – happy for her to have a copy of it but not going to put it in

Ins- so this refers to info already in the inquiry

Cameron – yes. Ref to Mr Smith's proof and references to a rebuttal proof.

Randall – I was approached by two gentleman who said they would provide me with the references but I have not been given that info – it may well exist in those doc but I haven't been directed to the references. I have followed it up by two verbal requests and a written request to NGT. Unless I'm directed to the particular ref I don't know what that info is.

Ins – to clear this matter up it might be worth having everything in writing. It's a better record.

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Cameron – I have written to Mrs Vincent twice.

Ins – really it should be addressed to whoever is necessary.

Randall – I haven't been directed to who I should be directing it to.

Cameron – I'll give her the note and if she's not satisfied we can deal with that until it becomes an impasse.

Ins – only response in that is that if you are going to use it in your statement...

Randall – yes...

Ins- having said that if it's already in the docs.

Randall – I'm happy to be shown where the info is

Cameron – Dr Dickinson asked a no. of questions to Mr Hanson – two points (explain ref to 'about 50% increase in public transport demand in ngt corridor' and to provide a plot of origins of p and r) – we have put it in as app147

Walton – we have written questions electronically just received from nwltf for Mr Webb

Ins – problem there is that nwltf hadn't suggested they did want to ask questions and as Mr Webb hasn't been called they suddenly decided to...

Walton – we are not going to respond to cross-examination by post but in so far as there are factual points we will certainly help.

Kemp – it is unfortunate that we were unable to appear yesterday due to personal circumstances but we are not trying to cross-examine by mail but it would be helpful if some of the basic points could be addressed.

Ins – you're welcome to raise issues in your statements anyway and you'll be cross-examined from those points yourself.

Walton – this is a party that there is no case in their evidence about EMC – like first – factual stuff we can help on...

Ins – you should put something on early enough...if you are going to raise these you need to put it in as early as you possibly can so you can give the applicant the chance to look at it. That applies to everyone [looks at Alex]

Alex – we've linked them [our questions] into our case. I don't foresee there being any issues there.

Walton – in so far as the party now introduced more evidence on EMC...we may not respond to that. We will not respond to /points/ being put us.

Ins – I haven't had the chance to look at the doc yet, but if there are pertinent questions asked then I would want a reasonable response to them if I feel like it's something to address

Walton – we'll see when you get the chance to read it sir but we've offered for Mr Webb to answer these questions... and they can't start asking questions by post.

Ins – yes I see, but we are still waiting for a response from Mr Natkus as well – I'm still needing to test the evidence myself as well. If there is something raised that is important they will need to be addressed

[N.B. Walton keen to not have 'cross examination by post', and won't respond to points being put to them – so the Promoters may well object to the FWY written questions we put in (FWY130 – see end of today).

However, the inspector seems keen for questions to be addressed if they're important.

The Promoters don't have much basis of complaint in my view as:

1) they were putting Webb on during Greg's well-known holiday week, so we couldn't have cross examined anyway as there was no one actually available to do it.

2) all the questions in FWY130 are points of clarification

3) FWY130 is tied into our case via concerns regarding the transport and business case, therefore they can't really state it's not relevant.

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4) It's not actually four pages of questions, a lot of it is just context and quotes from other documents (which I did mention to Walton).]

Examination in chief of Thomas Walker – Landscape, Townscape and Visual Amenity

Walton – a list of docs - there is app 10-1, 2, 3 and landscape visual impact assessment, ES and design statement etc. [introduces TW]

Tw – I've been leading Gillespies design team since 2011. My involvement has been through a considerable length of time. They have lead the landscape/townscape process and developing design in conjunction with Mott McDonald. I've lead the teams preparing all the docs.

Walton – give us an explanation of the approach you have taken...we see that on page 25 of your proof. Para 5.1 – please take one of the character areas and explain how you went about things.

Tw – ok, I'm referring to a-08-e-1 – technical appendix of visual landscape/townscape assessment – please can you put up on the screen the character area plan.

Ins – where's the character area plan taken from

Tw – the ES figures, a-08-f page 196. Also get ready by appendix 10-3 in the proof containing the updated 1 to 1 updated landscape drawings.

Walton – please talk us through the character assessment and visual impact assessment in drawing 3

Tw – the way we've approached this assessment is by using recognised best practice guidance. The approach has been firstly to split the whole area as a series of character areas – homogenous features. North 03 covers otley old road to bodington p and r. we have 29 character areas in north and 15 in the south. The other key thing is that we separate the process of assessing character from the process of assessing visual amenity. Very easy to confuse. If I can start off with the landscape/townscape (L/T) assessment which relates to character...page 40 of the ES figures (a-08-e-1)... the start of page 40 we clarify which elements of the drawing you are looking at. There are 2 main drawings – the character area plans (set out the boundary of the character area...e.g. n-03 -it indicates those buildings with high visual sensitivity, medium etc. and sets out its visual influence) – that is the theoretical point that the ngt will be visible from. We've also shown things like the photo locations etc... the other important thing is that there are little no.s in front of groups of receptors. Receptors are people. People have different sensitivity to what they are observing. Residential ones are more sensitive. Those in cars are less sensitive. But in L/T character, we start off by assessing the base line conditions and identify how sensitive that particular area is. Then we describe the works that affect the l/t area – e.g. construction phase, operational phase year 1 and op at year 15. That's describing the sensitivity of the townscape. Then we say the effects prior to mitigation measures – we are now going on to page 42 and 43 – we summarise mitigation measures shown on the landscape plans and then describe what the effect that has during year one etc... we summarise that all in a table at the end. You can then arrive at the significance of the effects are after mitigation. We've ended up with more adverse effects in construction phase but actually slight benefits at year 1 and year 15 – after planting matures. Anything that is medium adverse/beneficial becomes significant.

Walton – so that's the methodology for the character assessment. For the visual assessment on page 43 – explain your approach

Tw – we are looking at things in a different way. Whilst character takes into account things like listed buildings/conservation areas – with visual assessment we are looking at what people will actually experience and whether they are in cars/office which have varying levels of sensitivity. Page 43 – describing current visual amenity, the baseline, and then works affecting views in general terms. We then start to describe impacts at each of the three staged.

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We are then looking at individual receptors – we need to break that into a summary table (page 45 onwards) – we broke them down into different receptor groups. We then identify sensitivity and magnitude of change, the effects and the mitigation and then the significances. This breaks down the groups in very detailed way.

Walton – you obviously repeat the exercise for all the character areas you identify – where do you draw it all together.

Tw – we then draw it together into a summary at the end at page 529-531 of this technical appendix. The results we've broken down into the north and south route.

Walton – ok, we've also got the design statement which is doc a-08-k.

Tw – this is the urban design and access statement. It's split into two volumes, the first one essential set out the principles adopted for the current design before you now and also should be carried through to more detailed design processes (volume two is at the back of the same doc).

Walton – so we need only concentrate on volume 1 – as 2 – sept landscape plans has been superseded.

Tw – yes. It would be helpful to look at the contents page. This is a comprehensive doc that sets out the design objectives and principles for ngt. It's been used as a way of setting out metro and LCC's agreed position on design and their commitments on design. We've applied these so far – this doc will go forward and be used in more detailed design processes. Vol 1 split into three sections [reads out sections]. 2.10 is a very important section.

Walton – ok, in terms of this document please carry on what is covered here.

Tw – [keeps reading out what types of topics are covered in this statement] in effect this document has become the design and access statement

Walton – there is in fact a vol 3 to this doc at b-12.

Tw – this is what we call the character area regeneration synergy doc – this is less significant to you and the inquiry sir but it is a doc setting out what ngt could be to developments in the pipeline adjacent to the route. It also identifies where LCC can contribute to uplifting areas of ngt – none of this is in the mitigation section. It sets out opportunities for ngt to help other developments. What it hasn't done, none of the proposals set out here has been taken into account in the visual assessment process. Eg. Park row, it talks about the opportunity to completely upgrade park row. That's not something ngt can deliver but it could be the trigger for that.

Ins – so when you've said on your app 10-3 plans that you've said 'opportunity to' do something – you've said that in a lot of points in your plans, does that refer to these opportunities or are they opportunities within the designs themselves?

Tw – they are one in the same.

Ins – I want to clarify what these opportunities are. E.g. belle isle 'opportunity to enhance belle isle circus' – is that aspirational or something in the design?

Tw – in this case we are showing how you could enhance the open space to mitigate how ngt runs through it -

Ins - All I want to know in this stage ... is that are these opportunities relying on extra funding from others...not directly funded from ngt scheme

Tw – yes that's correct. What we're showing on the landscape drawings is what has been proposed.

Walton – please turn to montage at b-7. The updated montages – they start at page 5.

Tw – for every photomontage we show the existing view is and then what we've developed is a photo montage of the scheme at year 1 (replacement trees are smaller and match specifications of trees in design statement vol 1) and then at year 15 the trees have reached greater stature. We have used cad layout supplied by mott mcdonald and our own – we created a digital 3D model. If you go to the next series of photo montages –

[he goes on to describe what each photo montage shows in turn]:

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Tw - lawnswood at page 8 – this is the before (first photo), at this point the make-up of lawnswood roundabout with its central green reserve – small roundabout at the centre... if we go to the year 1 view we've retained design iterations over the years, we've looked at different options for the route of ngt here (gutter running, central running etc.) and we looked and saw that the least damaging option was to put ngt on central running. We also found areas to replace tree to mitigate visual impacts. [explains what the photo shows...]. And then if you go to year 15, we've assume the replacement trees will have reached a height of 8-9 metres after 15 years. We've been trying to focus replacement trees into soft grass verges.

Tw- If we look at st. chad's three horseshoe pubs – this is where we widen the carriageways – we see the York stone pavements and kerbs which exist right now– if we go to the next photo montage...the proposal to take traffic away from this junction gives opportunity to give more ped space, also we have created replacement stone etc... you can also see the two cable wires which the trolleybuses use, we have shown combined OLE and street lights to reduce the clutter.

Tw - Perhaps the next one we can go to is headingley off highway (behind st colombus church) – page 14 – the year one view is on page 15 – shown young hedge being planted. **The key thing to understand is that we are trying to create a different character to that of a road...we are using grass between the tracks... a technique used in other schemes.** [N.B. This also means trolleybuses won't be able to pass a broken down trolleybus on the off-road segregated sections...] We have used native hedgerows, grass verges and footpath cycle way – to allow people to access the area where they can't at the moment.

Moving on... page 17-18 headingley hill stop. if we go to the year 1 view, this particular photo montage hasn't been updated (The scheme has amended to take out the cut through)

Walton – let's pick up the relevant landscape plans to get our bearings – plan 118 and 119 [explains what the update is that is not represented] – that cut through is now not represented in the scheme. This particular montage is not up to date.

Tw- ok so with pag 17-18 montage - the grass track approach starts here for the project. We are showing the strategy implemented here for replacement new walls to be natural stone in areas where you are replacing the existing stone walls. Exit from path/cut through to the left of the wall now won't be visible [as path design has been realigned].

Walton – take us through remaining montages

Tw – hyde park corner – you can see the shops that have to be removed.

Ins – so these are dated 16 january... is that when they were taken?

Tw – that's when we generated...

Walton – taken on 26 july 2013 - last year.

Tw – not all are taken then ... some were taken in the winter time - But mainly taken last year.

Ins – so it will be stated on each one when taken

Tw- yes, to the minute in fact

Tw- so this hyde park corner is a view looking up towards headingley corner. If we go to the next montage, this shows how ngt integrated in – the removal of the shops and the positive removal of the billboards at this location, we have enlarged the space and also widened a lot of the pavements at hyde park corner as rationalisation of turning movements...widens pavements.

Tw- so again we've generated year 1 and 15 views.

Walton – come down to monument moor

Tw – the current view, and then if we look at the year 1 montage, the inbound lane has to come off the highway and run along a short section at woodhouse moor. Again this is an area which we've spent a lot of time on working out different options. The final scheme is the correct scheme in terms

of retaining the integrity of otley road at this point. This is a formal street scape focussing in on Parkinson tower. We thought it better to put ngt onto the moor rather than significantly widening the no. of lanes of traffic as you wouldn't be able to do that uniformly – also that would have taken away the opportunity to replant the avenue. It's a very attract feature that you've got an avenue focussing in on Parkinson tower... the decision was made to run ngt onto the moor as it retains the integrity of the street and boulevard to replant the trees on these points. Also we will take away the current gravelly area here and upgrade the landscape associated with monument moor to offset the impacts of ngt.

Walton – so ngt coming back on the mainline

Tw- yes this is the other end going back to headingley... – page 25 (drawing 123 of the landscape plan relates to this). This shows the changes in the highway infrastructure, showing how ngt comes back onto the road network at this point and the opportunity to do more with the pavements at this point and do more to create a little public space here rather than a slightly untidy mess of highway the current view takes up. The strategy – combined street light and OLE support poles. It would be a canter lever effect.

Tw – cookridge street – potentially a very fine street, the year 1 photo montage shows the natural stone on the pavements and similar natural stone within the carriageway itself...the street reads more like a comfortable ped focussed environment rather than a road. You see the benefit of where you are building mount OLE – it does mean fewer columns in the street.

Ins – on this view, there are cycle lanes down there now [at present on 27th June 2014]... I've used them so I'm pretty sure...

Tw – this existing photo was taken last year –

Ins – so they've been put in fairly recently and they're not on the proposed view are they...would that change because of that?

Tw – I'm not sure but I'm pretty sure the idea is that cyclists combine with ngt at this point.

Ins – so the cycle lanes put in recently would go?

Tw – yes but ngt and cyclists would be able to share the road. Mott's would have to respond to the point here... but cyclists are accommodated for within the proposals of this scheme...

Ins – ok I'll leave it now

Tw – city square – if you go to the new view, it shows that there is no tree planting proposed. You can use the standard stop design – there are standard and bespoke stops and we and metro have made it clear where a bespoke stop design would be appropriate.

Tw – now we are galloping down the route on the south section at whitfield way – this is a very unique situation where the scheme makes use of the existing pedestrianized street. We did look at options to avoid this area but generally it was found that the alternate options would have far more impacts on residential communities (along hunslet road – having to remove trees). Ngt is introduced on this ped street, sadly we have to remove the two trees there and at the Garden Gate pub on your left but we can see that our proposal is to resurface the street scape – so whilst it's clear where the buses run it tries to strike a balance between not creating a road but making it clear where it runs. Importantly, it's to offer residents the upgrade their front boundaries so if they need to keep their children getting out they can do that with a robust wall and railing detail. It would also upgrade the feel of the street at this point – there is a strategy for replacement planting to replace the trees lost.

Ins - so when you say it's not shown...?

Tw- they are shown... just not clear. You can see the year 1 and 15 trees.

Tw – finally, the pennyhill centre – proposed view design hasn't changed much – offers opportunity for ngt to invigorate the centre. We are proposing a bespoke stop. this is based on the DF4 (Design

Freeze 4) alignment. We are trying to create a shared surface approach. We are not creating new road but a space shared with ngt and peds.

Walton – can we have a moment on trees please. Deal with this on section 6 of your proof. The general approach on trees, please.

Tw – worth everybody getting out a-08-i (aborocultural assessment) – carried out by mott mcdonald which we worked with them on - their aboroculturists produced this assessment. Original survey carried out in 2010 and the updated august 2013 survey. What this tree survey does, following british standard, goes through and surveyed individual trees and groups of trees and woodland where there are dense groups. It is an extremely comprehensive survey covering excess of a thousand trees. Every tree/woodland/group is listed at the back of the doc. The plans that go with that are shown. This doc is in draft form, we took into account when we were carrying out our visual assessment. It's also profoundly influenced the visual assessment approach we've adopted - **in the region of 458 trees need to be felled as well as approx. 1 hectare of woodland. Approx. 262 of those are category c or u trees.** These category grading is kind of the more important aspect. The categories a, b, c, and u have been developed to identify how important they are for retention. Category c trees are either quite small, or they have a limited life expectancy. Category U trees are those that are poorly and have less than 10 years to live.

Ins – have you split the 262 trees between the c and u?

Tw – No, but I can do... If you go to page 13 – you can see that 246 are grade c trees and 16 grade u trees to be removed. And to the right of that...tree groups to be removed...14 groups are graded c and there aren't any graded u. inevitably trees are living organisms...and I'm sure some of the trees surveyed last year have already been removed. The hotel next to the arena stop – the hotel development has had consent to remove 10 trees there. It is a moving feast, no document can be totally up to date at any time.

Walton – what's the replacement strategy?

Tw – yes, based on what is set out in the design statement vol.1. the replacement ratios where you've got one individual tree being removed it will be replaced by 3 new trees. **3 for 1 ratio.** Where you've got groups/woodland is an area for area match. In the landscape drawings you can see exactly where we are proposing those replacement trees. If you go to my appendix 10-3 of my proof, Walton – can you cover whether there is a general plan...indicative...

Tw- they are not indicative, they are reflective of the design statement. These drawings clearly set out where we are showing specimen streets – indicated by that little symbol.

Ins – can I ask, when you show a picture of a specimen tree, does that mean you are going to put a tree in there – does that indicate a line of trees or does that indicate individual trees.

Tw – yes, it shows each individual tree on those avenues. We would hope that these are actual spots where these will be planted. We've set them out at approx. six metres spaces. They are pretty significant trees (on monument moor for instance).

Tw – let me point out the key – 'native scrub woodland mix' – this planting style has been applied around the park and ride sites – this is where you would mass plant small trees at around 1-2metre centres, and heavily mulched. This would create dense woodland screen planting within 15 years. The aim is that you get it going and it creates a dense thicket (around 5 years).

Walton – lets look at one of the p and rs.

Tw – let's look at the southern one – stourton p and r. we are proposing very extensive woodland belts around the outside. This is 'whip' planting. There is also meadow areas and water attenuations and more meadow areas around the car park. And then within the car park themselves...we are proposing specimen 4 and half metre trees – there stems will start above head height. There is also tree planting around the car park – clear stemmed trees. In total this scheme proposes 6 hectares of this dense woodland scrub planting. We are replacing 1 hectare with 6 ... the ngt scheme is doing well in replacing woodland and scrub. 453 trees being felled, with 260 ish which are in the lower

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categories. That is compared with over a thousand trees replaced and 60 super-big tree replacements – so more than a 1 to 3 replacement.

Ins – so the super ones are around 5 and half metres. The specimen ones are always going to be 4.5 metres.

Tw - So a-08-k, vol 1, page 56, you can see we've got our replacement 3 for 1 strategy, we've got specification there on page 57 for the native scrub woodland mix (you can see small whip trees) and you have woodland specimen trees (which go into that mix as well) and the urban specimen trees at page 58 have specifications there – a picture of them on the left, these are semi-mature trees of a min height of 4.5m and below that the spec for super replacement trees of a min height of 5.5m. again these are not heavy standard trees, they are bigger than that.

Walton – please pick up some short points dealt with in the rebuttal – firstly, the widening of headingley lane on south as opposed to north side. Then please take us to headingley castle and the changes from df2 to df7.

Tw – drawing 120 – widening to the north would have far more impact on trees and stone retaining walls and cause more disturbance because it would mean regrading far more of the roads joining headingley at this point. Therefore widening to the south was felt to be the better option because of need to provide better pavements and cycle lanes at this point has meant that the scheme has to widen and move the stone walls at the back of pavements on the south side. You can see the location of that...walls set back around 2-3m. these will be rebuilt by reusing the stone/gate pillars wherever possible. Some sections of this wall are not stone e.g. old brick and the proposals are to resurface all the pavements in York stone. Widening to the south was the least damaging option. This is a relatively moderate widening. This is a relatively modest pushing back the wall into what is currently a development site. It's important here...if you go and have a look and experience the narrowness of the pavements...

Ins – yes, I have visited the site on a no. of occasions now

Walton - G -4-91 – from a landscape point of view, the difference between df2 and df7.

Tw – the comparison has been made between the df2 (very similar to the supertram alignment) and the current one the df7 alignment. The difference between the two at its closest point to headingley castle is that it right now runs slightly closer which I don't believe changes things significantly... the difference between df2 (around 66m from the castle) and df7 (58 m from the castle) [is not much] and the level difference is only around 0.75m.

Ins – which direction is the level difference? Is it higher or lower?

Tw- the df2 was lower than the df7.

Walton – the back of g-4-91 – the penultimate drawing - shows df7 height versus df2.

Tw – yes so df2 sat slightly lower in the landscape by 0.75m. Our currently scheme is slightly higher. As the cross section shows the difference wouldn't be apparent from the castle. Other differences include – operation of st colombus church which the df2 alignment following supertram was very tight to the back of the church. There was a good reason to that...to miss the very large beech tree. That has gone in the mist of time so the alignment doesn't need to now avoid that tree and impact on the back of the church. The benefit of that is that the church can carry on operation and won't need a replacement car park where the pocket park is at.

[11:20ish]

Walton – leeds college of art, app 10-3 your proof, at the back of your appendices are some documents relating to the college. App 10-3-4 – 'design revisions discussions booklet' – what is the point of this doc?

Tw- we used it with a meeting with miss swanacox (principle of the college) - we had a meeting with them following their objection. We looked at the scheme with mott mcdonalds, [revised it and showed it to the college]

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Walton – when was the meeting?

Tw – 13th march – day after we finished this booklet. The idea of the meeting was to present a revised scheme to the college which aimed to address their concerns about them basically losing public realm/café spill out area.

Walton – we will concentrate on what is in the doc. 1-2 key to plan, 1-3 is df7 revision p3 and the next page is revision p4 the new proposal etc.

Tw – yes you can compare the old and new scheme proposals on page 7-8. We redesigned the layout of the junction completely to provide more space for the college for their frontage. There are two lines of trees...that is their spill out space from the café. That is now being retained. There is also a grass verge which follows the existing verge. The road has still moved closer to the college but we have been able to retain a reasonable generous spill out space and outside seating area. If you look to the north of the college, you can see that the difference in alignment here is that we have pulled the road, st. marks road, well away from the college to create a large 'piazza' area. We gave them back something for the loss of open space. The foyer will be moved, if they wanted to, so they still have that feature to use. If you turn over the page you'll see these are 3D sketch models showing the new scheme designs. On page 9 of 1-10 you can see what the proposals are. What the college are losing is a grass verge at this point [points to it on map]. The new alignment for the road is approximately where I'm drawing here... it would require the movement of the folly. The piazza is a spill out space getting evening sun where students can put up artwork. They have now got plenty of space, the scheme is much improved

Walton – st marks [road]– comparing current and what is now proposed...will they have more or less space?

Tw – definitely more space. We've indicated there could be a low wall which could be seating. There are different ways you can configure it. We've shown alternative designs we've shown to the college.

[11:28]

BREAK

[11:45]

Walton – mr Cameron has typed up and submitted app 148, those points about mr bell's witness summons and also app 145 has gone in, a note as to what was said at a site meeting at rose wood nursery raised by mr natkus.

Ins – I will be replying to mr bell as well, I will be referring to your doc in my reply. We'll continue now with mr walker.

Cross-examination by Mr John Reed (Weetwood Lane RA)

Jr – I objected to the ngt on transport and environmental grounds (e.g. widening carriageway).

Ins – ok how long will your questions last?

Jr – around 40 mins

Jr – I submitted my questions by letter in april. Did you receive a copy of those?

Ins – I might have done but I haven't kept track

Jr – [gives copies out to everyone] that letter has a list of the docs I will refer to – mr walker's app 10-3, his proof 10-2. On the screen is a picture of wood lane [Reed's own pictures] – an example of where on the route will have quite severe damage. If you look at the plan in the appendix page 21 – the photo is taken from outside no. 10 wood lane. Mr walker, looking at the photo principally, do

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you agree that stone walls along a660 both within and outside conservation areas add to the distinct character of area

Tw – yes

Jr – the stone, which is cut stone etc., is a finite resource. Once you've lost it you can't recreate it

Tw – no, you can take them down and rebuild them, you can re-use [coping] stones – that is a strategy for ngt. Where replacement walls are needed, the idea is to use a much stone as possible

Jr – how much of the stone in the pics will be removed?

Tw – most of those on both sides will be retained. It's difficult for me to know where exactly ngt comes through in the photo – but as ngt comes through... around here[points] the wall will be rebuilt in the area at the back of where the ngt stop will be created. If you look at drawing 117 there is a dash/dotted line where we are proposing to rebuild the stone wall.

Jr - so what is the specification of those walls rebuilt?

Tw – the stone walls should be rebuilt using existing materials if they can be reclaimed. But if not possible (e.g. when it deteriorates when dismantles) then it will be replacement stone of the similar type and quality

Jr – so far as with the sections demolished, demolition contractors will be quite excited about the quarry for the stone

Tw – I don't understand what you are asking but there will be a requirement for them to dismantle the walls as carefully as possible

Jr – where will the stone go to...when they are demolished

Tw- they will be reused...there are other areas which we are proposing new stone walls.

Jr – so do you think that the stone will be taken to a central ngt storage facility or a contractor

Tw – the exactly methodology for how these features are dismantled has not been defined but certainly possible and desirable that the contractor does that in a careful way. We should reuse the stone that comes from an area in that particular area. I think that's what you're getting at here – it's possible not for that to be the case (them not treating it properly). That is something the design statement talks about and something that the planning conditions make clear about. The control in how this will happen will be to do with what is on the design statement, the council etc. that will flow into a more detailed design spec for whoever builds this scheme.

Jr – I could suggest that the stone could be reused locally. Do you agree that this is a good idea [mentions school wall that could be replaced with reused stone].

Tw – we can only reuse stone walls for ngt...within the limits on our landscape plans. We can only reuse that stone in the ngt route limits...we can't I'm afraid start to rectify other areas which might be desirable to do – that's something outside the scope of ngt

Jr – so the doc saying 'opportunities' beyond ngt...is that the sort of thing that could be included

Tw – indeed

Jr – what would you say your design brief is...or do you write your own brief?

Tw – we've developed a proposal here that has to do a whole no. of things. Our brief was many – **first that we have to create a stop, we have to try and make sure that that stop is as visible as possible** and we have to try and re-create the character in the area and we have to encourage footfall...maximise it through this area. So if you look at our plan on page 21 [Wood Lane, the Headingley Centre NGT stop]. Your photo was looking that way [points] – we have to create a stop that is visible. The extent of this area is not the canopy of the stop, but the footprint of the platform. This includes where there is a raised kerb. We have enabled that the peds can still cross freely at this point (near the photo). We have shown a hard material for paving...we would have two platforms and shelters on both sides and we have to remove a sig no of trees here, sadly, to make sure we can create the stop but also to create good visibility. We are then proposing shared surface treatment, we are retaining access to service yard at back of Arndale Centre. There will be only hints of kerb around the area, to make peds more comfortable. We've also proposed replacement planting and

walls up here. We have also had to accommodate peds and cyclists following the alignment of ngt. This becomes a really important modal point from peds and cyclists – and the designers sought to accommodate all those uses. To summarise, we had a no. of different objectives to the design brief at this point and we have shown how they are accommodated.

Jr – there is a green triangle left after the demolition of no. 6 wood lane. Were you given instructions as to what that will be used for?

Tw – simply will become a new piece of open space. The existing trees are retained and we are proposing meadow grass – low key proposal

Jr – are you aware that local residents have been consulted on the use of that triangular piece of land

Tw – I'm not aware personally

Jr – are you aware that it is proposed as a temporary use as a car park. The plan I have is headed df7 st michael's court provision of temp car park.

Tw – is this the mott mcdonald tech development plan.

Jr – yes

Tw – can I get that on the screen?

Jr – I think it is part of a rebuttal statement

Walton – is it at the back of rebuttal 1177? What plan no. do you have?

Jr – penultimate page of the promoters' rebuttal evidence to mr yarrow – st. michael's court – drawing 1177. Is this only a temporary arrangement? But I would be concerned if there was a large car park at the end of the road. I would suggest that the triangular area would be better use

Ins – so you are asking firstly whether that car park for construction would be reverted to landscape

Tw – It looks like just temporary use of that space. There are existing trees that will be conserved...this are needs to be handled carefully. The permanent scheme in the gillespies plan is what will be there after all the construction etc.

Ins – who will make sure there won't be too much harm done to the existing land... when its being used as a car park

Tw – well, I would hope we'd be technical advisors to ngt beyond this inquiry – there is a commitment to making sure that trees are not damaged inadvertently during the works. We've shown trees to be removed in a dotted red line in the app 10-3 but there are the orange line trees which are the ones we perceive to be at risk – there will be special measures needed to make sure they are not damaged in the process. In this particular instance there are around two trees that have orange lines around it – so have to be careful when doing the detailed design process.

Jr – there is a mature beech street that is of particular concern

Tw – absolutely

Ins – so the second question is the future use and maintenance of the area – maintenance liability of that open space is not clear.

Tw – there is a requirement for a lot of the landscape to be maintained. The promoters have made provisions for it in the cost estimates. I wouldn't say that space is a large area that represents a particularly onerous commitment to the promoters at all. Metro have made that commitment through the design statement and their own papers.

Ins – so over what period of time would that be required

Tw – in perpetuity if it's obtained as open space.

Ins – but that would be decided

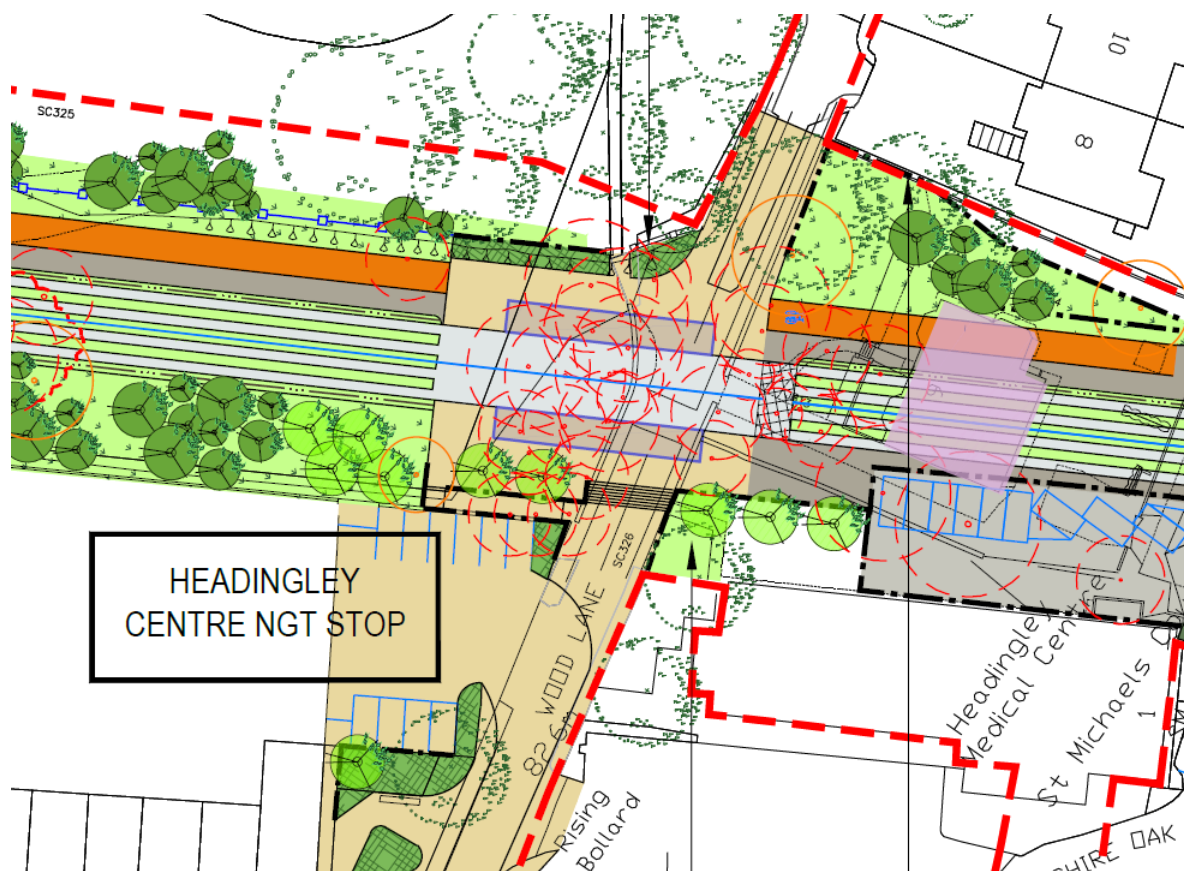
Tw – yes

Ins – so still to be decided whether operator or LCC looking after it

Tw – yes I don't think final decision has been made as to who these areas are to be maintained by.

Ins – so if it was LCC they would have to maintain in perpetuity but if the operators then there would be a limited time – you don't know anything about that?

Tw – yes, that would be a later consideration



Jr – you mentioned how busy it is around that top area [points to area of wood lane where an ngt shelter will be built in the centre of the road – (see above plan)] – were you aware that the civic trust objected to the Birmingham tram scheme in similar circumstances– at the moment it seems to be just a blockage to people crossing Wood Lane

Tw – what we’ve shown as a rectangle on the crossing – peds still will be able to walk across that point.

Ins – isn’t that where the raised kerb will be to access the trolleybus

Tw – only part of that

Ins – oh only part. So you would only be at level either side of the rectangle [the stop area]...

Jr – I’ve mentioned this in a bit more detail in my statement – at the moment you’ve got bollards and high kerbs.

TW – there would be a kerb to negotiate at this point...people will still be able to walk straight through. There will be some positives of there being a slight kerb [in the middle of the stop] to deflect pedestrians slightly as well though [alludes to safety issue]. But people will still be able to walk straight across

Ins – when they say ped crossing is that a signalised one?

Tw – no this isn’t I don’t think – it’s an uncontrolled ped crossing [which means that people won’t bother using the crossing designed in – the hatched ‘box-junction’ marked area on plan above, they’ll just cross the road between the NGT stops and the crossing, as it will be quicker for them to do so and ignore the crossing]

Ins – ok

Tw- we were keen that the stop be visible from Otley Road [the main road] – for encouraging patronage and comfort of users.

Jr – rose court headingley hill on page 23 of your appendix plans 10-3. I've got two areas of concern – proximity of road to grade II building – mr jones, natkus, miss randall etc. have established that there is no precise measurements – they established with [Ward?] that the road will be set back around 5 metres– para 8.50 you say that the road would be moved 2 metres and this morning you said 2-3 metres. Can I ask whether you've seen more precise plan?

Tw – I was talking about the whole of headingley hill. I think the drawings are quite clear, they show the extent the wall has to be set back and the road widened. At this point it's about two metres.

[Ward did not know – a couple of weeks down the line, the next relevant witness does now know...] I haven't seen any further detailed engineering drawings at this point. Widening at this point means that there has to be some regarding of Buckingham road. You are talking about page 24, down old rose court.

Jr- yes, (we are not talking about the nursery)

Tw – sorry, could you clarify where you're talking about?

Jr – page 24 on the right hand side which says 'rose court', I'm particularly interested in the garden area – it fronts headingley hill and the valley. There seemed to be a consensus of around 5 m that the road would be moved – give a constricted area

Tw – no I think it has being set back by 2 m. the confusion has come from listed building consent which allowed promoters the right to working areas [of around 5 metres] and degree of latitude in those areas. The proposal right now is to move the wall by 2m at this point. The difference between the powers being obtained and what is actually proposed is where the confusion lies.

Jr - there was a comment by Katie Peerless that it was lacking in precision. If it were 5m what would be your landscape protected view of the area left?

Tw – well it's not... 5m would be more significant on the frontage of rose court but in my view 2m is not that significant.

Jr – ok well mr ward changed his position when he was cross examined by Claire Randall...

Ins - that was probably based on the 5 metres.

Jr – my concern is that we haven't seen more detailed plans

Jr – I am concerned about the cost of excavating and building a retaining wall along headingley hill – constructing a new wall to a high specification do we know what the cost is for the distance around Buckingham road.

Tw – I'll find the doc – g-4-90 page 36 headingley lane option summary report – the costs associated with the different options (widening of either direction etc.) the option 5 was recommended and taken forward. Let's get the cost – the min cost of 7.7million and max of 13 million. Cost wasn't a driver for the final solution here, the driver was trying to minimise the environmental effects

Jr – could you briefly say what the costs include?

Tw - I can only really guess on that point.

Ins – I don't think there's any point in your guessing.

Jr – I asked this question to mr haskins in February. Last night I had an email reply and they did refer to this options doc. I am trying to establish what costs are included.

Ins – you can certainly put it into your statement if you feel there is something you want to flag up.

Jr – stuart natkus put to mr ward – who made the decision to move from df6 to df7

Tw – a decision metro made having taken advice from advisors and own officers, in consultation with leeds members in terms of the plans panel.

Ins – were you involved

Tw – yes we were – working as a team. The change from df6 to df7 was driven by consultation with cycle groups. The need to maintain good cycle provisions for this hill from a safety point of view – to prevent buses from being held up by cyclists. Also from my point of view the width of the pavements have been pretty uncomfortable along here – as a student I've been aware this needs improvement. To cut it short, lots of people involved in the design change.

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Jr – was that decision and that costs associated with df7 documented?

Tw – I can't answer that question...I'm sure somebody can. Certainly the consultation process with Leeds City Council plans panel was documented

Jr – St. Chad's location – please put up the next photograph – there is a clump of 21 mature trees in this location next to the St. Chad's parish centre. I'd like the evidence for these decisions to be clarified e.g. which trees removed/replaced and which locked.

Tw – the change from the drawings submitted for the original TWA order and the revised drawings submitted in January and our landscape drawings have been amended. The scheme has been modified and none of those trees will be removed. The scheme was modified at this point to make sure they are retained. If you look at my plan 114, on page 18 of my proof appendix.

Ins – that shows some trees going...

Tw – sorry that's not the right plan. The group of trees are the trees here [points] are shown to be retained. Where we are removing trees is by the war memorial. Those particular trees you are concerned with are not touched now.

Jr – ok my understanding was only 8 would survive.

Tw – yes the original scheme has been reworked [so no, all 21 will be retained]

Jr – if we look at further up the road out of town to the west of St. Chad's road – taken from the corner of St. Chad's road looking out towards West Park.

Tw – so on my plans is it page 17 of my proof, drawing 113?

Jr – yes. Which trees would be removed

Tw – none. The kerb lines aren't being changed

Jr – which trees will be lopped [pruned?]

Tw – that's hard to say...there is no problem with trees in reasonable proximity of cables. There is no industry standard or minimum clearance [guidance] that trees... they do have to be pruned and cleared of the overhead lines but if we go back to your photo is that...you have to imagine the wires will be at the centre so if there was any pruning there will be very modest cutting back. There is no tree removal and I don't think the trees are overhanging. **You have to remember that high vehicles naturally prune these central areas of the road. Therefore it stops the trees from growing really low** [N.B. This is true, vehicles do 'naturally prune', but it shouldn't be the case, the local highway authority has a legal responsibility to maintain adequate clearance above the carriageway in maintaining/cutting back trees. The fact they don't and buses/lorries continually smack into trees is the Promoters' fault – and certainly not something they should be relying on!]

Jr – is it possible that tree branches could be left if they are directly above the trolley line

Tw – yes, if there was sig space when wind blew that the branches didn't touch the wires

[N.B. Walker set out that he didn't see there would be an issue, as trees are already naturally pruned so pruning for trolleybus wires wouldn't be any different. However, it would. Minimum legal clearance for a road is 16 feet ish in height – so that's what the trees will be maintained to now. Obviously the wires can't be lower than the minimum clearance, so they've have to be at 16 feet at the lowest. The trees can't also be at 16ft, as then they'd be touching the wires, so the trees would have to be cut back to a higher height than they are currently. Therefore, it will have an adverse effect].

Jr – can we look at the montage shown this morning opposite the three horse shoes pub on Weetwood Lane – I saw one with a fairly mature trees on the left... my question is that has a site survey been carried out to check underground network doesn't prevent the replanting of trees above it.

Tw – we have used a plan showing the statutory undertaker equipment under it – we have checked there weren't underground utilities. **There is sometimes a chance where there are utilities which**

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haven't been detected. We are planting over 1700 trees...to do the site survey would be far too onerous. Also this is the only photo montage produced for the three horse shoes so I'm perplexed you saw one with a tree...

Jr – my interpretation of the situation is that there is a broad York stone pavement on the left of the photo existing right now...that suggests to me that there aren't many services under there. Most are in the verge area... given the limited space left it seems hard to me to find places to put trees.

Tw – well we have checked with the combined utilities drawings and they have done a search – we underlay that plan and carried through that exercise. We can't ever be 100% certain but we've tried to be realistic where we've shown the new tree planting.

Jr – wood lane and this site has a lot of stone walls/pavements – would there be an opportunity for objectors to contribute to the writing to the draft planning conditions.

Ins – we will be talking about the planning conditions later – send your opinions/points in to the inquiry before that. I will decide how I will have that discussion – it will be more informal.

Jr – ok thank you mr walker.

Ins – thank you. how long will your questions, mr ray, take?

Ray – half an hour?

Ins – ok we'll resume in three quarters of an hour. And then mr kemp

kemp – half an hour

Ins – ok resume at half past 1

Walton – I would envisage that I would re-examine on those questions so mr walker isn't in purdah for two weeks. Precedent set by Chadwick.

Ins – ok, but it's not a standard principle, are there any objections.

Alex – Well, this wasn't mentioned before, but I can't see any reason to object.

Ins – I don't accept that Chadwick has set a precedent and I don't want anyone to think that into the future, but I think for Mr Walker it should be ok.

[12:51]

LUNCH

[13:30]

North West Leeds Transport Forum - Tony Ray (also resident of West Park)

Tr – 3.8 – some discussion about the headingley bypass this morning – the off road section. In 3.8 you refer to the possibility of this bypass being used for general commuter traffic. That was rejected because 'environmental intrusion to a relatively undisturbed area might be difficult to justify' – you described it as an area of extreme sensitivity. But doesn't the cutting of the ngt route including the turn-around facility, straddling of wood lane, placing of the other stop on green space in front of hinsley hall and loss of mature trees in the area make it equally difficult to justify from a landscape/townscape view point?

Tw – no, I don't think it's equally difficult to justify. To put a new road behind the arndale which would take all the traffic that currently uses the main road is a v. different thing to what ngt proposed. They propose a bus way with grass tracks and a foot path cycle way on one side. Only 20 bus movements an hour. If you put all the traffic onto the corridor it would be substantially more impact and a wider construction, far more traffic on it.

Tr – from a townscape/landscape visual perspective, isn't the cutting through of the trees just as visually intrusive as a road

Tw – no I don't think so, as I just said. It doesn't look like a road as it has grass tracks ...

Tr – you've got a turn round facility, stop to headingley hill, looked to me like a tarmac highway

Tw – we are not saying there is no adverse effects, I recognise that. But to put a road in would have far more impact in landscape/townscape terms.

Tr – you are saying it's not difficult to justify the ngt from environmental perspective

Tw – I'm confident that a road would cause more impact than the ngt proposal

[N.B. The point Tony missed is that if you put general traffic around the back of the Arndale centre on the new by-pass, it would enable the central Headingley shopping area to be buses/trolleybuses only and then the whole bit could be pedestrian dominated/shared space/townscaped/plaza-ed etc – which would have benefits probably greater than the adverse impact of traffic on the bypass].

Tr – ok let's move on to para 3.17 referring to the design statement a-08-k. those are summarised on table 1.01 on page 11-12. The first objective is the integration of the ngt system should be about good place making in the city. And one of the detailed points is that the first principle should aim to maintain the existing townscape character. You want to fit in with the existing character. Again from the perspective of the headingley bypass going across woodhouse moor, don't you think it doesn't fit in with the existing townscape structure

Tw – there are adverse effects behind the Arndale. I would take more issue with monument moor but we've been robust in our assessment of the route and we've taken a pretty cautionary approach at the rear of the arndale. There are adverse effects but this is a transport scheme. It is very good we have that objective for place making – you cannot always achieve good place making along a route. its not a public realm project.

Tr – the key word is integration. You are separating it from the main public access facilities etc.

Tw – we are maintaining the ped routes that cross it. We've changed the design approach – not a road, a grass track solution. There is replacement planting. It isn't that urban that area, at the moment. So we are trying to soft landscape and replace existing stone walls. We have responded to the character of that area.

Tr – your second objective is to reinforce the ngt identity and brand - so that the ngt routes can be easily identifiable. The third objective is that segregated routes are preferable. That seems to be contradictory. The objectives of integrating with the landscape but also getting a separate identity for the ngt are in competition.

Tw – they are both important. Identity for ngt is more than just the alignment.

Tr – so looking at the principles – the last says 'segregated routes are preferable in creating a legible system.

Tw – segregated routes we mean a consistent route that is separate from the highway. As you know the segregation is only at the rear of the arndale and some other small areas. There are lots of other areas where we have proposed a large number of shared space areas so we are conforming with the integration.

Tr – so you are saying you don't agree with the third design principle about segregated routes being preferable

Tw – no, it's something that was introduced as a principle for situations where that is possible and those are isolated situations where it's essential for the running of ngt.

Tr – would you say that integrated with existing landscape and townscape is the most fundamental principle?

Tw – you can't say that that is most important it's about balancing competing objectives.

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Tr – ok let's take the example of wood lane. You emphasised that the ngt stop should be visible from otley road – that overrides the t/l of wood lane itself because you deliberately positioned the stops in the middle of wood lane. It completely blocks the view.

Tw – I wouldn't agree. the stop is supposed to be visible from otley road. There are a number of key objectives ... keeping pedestrian flow, comfort of users etc. was just as important.

[N.B. This repeated 'comfort of users' point seems to be an admission that there may be safety issues from the location of the NGT stop out of the way of everything...]

Tr – but which principle took priority really?

Tw - we needed both. we've shown a shared surface approach at that point. We've improved the surface of wood lane to create a more shared surface approach – not traditional kerbs. I think we're doing the right thing there.

Tr – you may have heard that Ward concurred that it was an [Atkinson group sure] view – dominated by stone walls and mature trees.

Tw – the overall leafy area will stay the same

Tr – the view along wood lane will be broken completely by the positioning of the ngt stop and it cutting through at that point

Tw – I don't agree – the rectangular shape on that plan...

Ins – let's get the plan

Tr- pg 21 of my proof appendix

ins – there would be shelter?

Tw – yes there would be a shelter. It wouldn't cover the entire rectangle – we're not saying it would be [as big as it is shown in the plan]... the views through the road will be pretty much uninterrupted.

When I said extreme sensitivity... I meant that one of the Yorkshire Ripper victims was here... I didn't mean it in terms of landscape/townscape – more about the need of safety/visibility. So in terms of landscape it is only 'high' sensitivity not 'extreme' like you said.

[13:48]

Tr – move on to another set of principles. So go to para 4.15-16 of your proof. You refer to another source of the design principles in relation to streetscape – 'the manual for streets'. The first key principle you quote is that streets 'should integrate not segregate communities' – do you not agree the off road sections in headingley/woodhouse moor contravene these principles – you are fencing/hedging these roads off

Tw – I don't agree.

Tr – are they not being fenced and hedged?

Tw – the route is but it does not obstruct ped movement across the route. ngt delivers a new footpath cycle way that opens up a new ped route. the open spaces is not currently accessible. It will be under this scheme.

Tr – isn't the principle ped environment to do with active frontages through headingley itself?

Tw – you are suggesting that ngt should run along the main road instead

Tr – that is integrating public transport etc.

Tw – I'm sure you are acutely aware that it is extremely busy there... this route has been allocated in the UDP because of the need for ngt not to be delayed. In an ideal world if otley road wasn't already extremely busy then perhaps it would have used it but now not possible without it getting snarled up in extremely busy traffic.

Tr – so the principle to give ngt identity overrides the existing principles of townscape...

Tw – that's your view...it hasn't overridden it in most other places

Tr- whitfield way in the south is currently pedestrianized. The houses were laid out and designed to relate to that type of street

Tw – I wouldn't know what the existing conditions were on those streets.

Ins – do you know that that is the case

Tr – when the houses were built that was when the street was pedestrianized. This is about the principles in the manual of the streets. Again they were giving ped access priority – do you not feel that the ngt following that route contravenes the principles of the manual for streets

Tw – no, manual for streets is trying to change the emphasis of streetscape – not advocating pedestrianizing every street but to give power to enlightened engineers to give them gov backing for looking at roads in a different way to normal highway – there isn't a traditional road there in whitfield with traditional surface/kerbs etc. it is a shared space solution which is what the Manual for streets is looking at

Tr – if we look at para 5.8 – you identify as the 9 character areas on the north route which will suffer sig adverse effects. Notably the consecutive areas from n12-16, you judge those as being 'moderate adverse', recognising the conservation area status. What I want to clarify was whether you had consistently taken into account...you mentioned conservation areas but not consistently...have you consistently raised this issue in all the areas

Tw – yes we have

Tr – so if we look at the tech appendix on pg 198 table after para 4.6.74 where you look at character area 9 (n-18). This is describing monument moor – the townscape sensitivity there is 'medium'. Why is it not 'high' – it's in a conservation area. I thought you said you consistently recognised all these as having high sensitivity.

Tw – no we haven't

Tr – so woodhouse moor has not got high sensitivity.

Tw – still significant [but not high]

Tr – so not all conservation areas have high sensitivity

Tw – depends how dominant the character is that flows from the area

Tr – do you also refer to the boulevard nature ...the view of the Parkinson building tower... you don't regard that as 'high' sensitivity?

Tw – it's all very fine the judgement here. At the end of the day this is an important part...we are still identifying the effects that constructions...

Tr – no I am talking about the baseline level of sensitivity. This is your landscape/townscape assessment and you've only said it has medium sensitivity. You don't think that's inconsistent with your valuing the other conservation areas as 'high'.

Tw – it's not just the presence of conservation area as automatically raising the status to 'high'. The woodhouse moor is not high quality value land...

Tr – isn't the fact that the area being neglected is not a mitigation

Tw – yes you take it at face value

Tr – so you said the character of the boulevard and the view of the parkinsons hall etc. are important.

Tw – well there are issues with monument and cinder moor which do not have that high quality feel.

Ins – I think you will have to disagree, it's a matter of judgement.

Tr – other principles on the visual assessment side. Para 5.41 of your proof – you are describing the impact on Shaw Lane junction and section up to Arndale centre. You recognise it will have impact on houses/cafés and two significant trees in front of the shops. There is a sentence at the end where you say once the replacement planting comes to maturity and the ngt becomes part of the accepted view it will reduce its significance. Is it your personal view or part of the accepted methodology for visual assessments?

Tw – well when something has been in place for a long time it does become part of the accepted view if designed well. If we look at Shaw Lane junction, look at page 20 of my appendix drawing 114, there are two big trees here that do have to be felled. They are replaced with three super

replacement trees – we have done a lot of work to lessen the widening – we are retaining the open space near here, the only impact is by making the forecourt in front of shops a bit smaller, and the boundary to this house in the end is set back...the stone wall would be set back. This is an extremely busy junction so I believe that once all these measures have been put in place and the trees have got going and reach maturity then the effects of ngt become non-significant.

Tr – ‘non-significant’... you are saying acceptance reduces the impact. I want to know whether that is an integral part of your assessment

Tw – it’s a factor that that is the case

Tr – in 5.43 n-13 area, you say there is a ‘moderate adverse impact’ that will persist. You are there saying that this will persist instead of being accepted...

Tw – well we are introducing a new element in the form of the ngt alignment, footpath and cycle way – we recognise that will persist after 15 years.

Tr – so no acceptance of it...still a blot on the landscape. So it’s not an inconsistency with the previous statement?

Tw – no there is a big visual change in this particular area [compared to last]

Tr – let’s move on to para 8.8 of your proof – this is referring again to the design statement and the objective to reduce clutter. You state there is a clear commitment to rationalising street furniture. Won’t the duplication because of the important of the identity of ngt scheme haven’t associated bus stops etc...contravene that objective of reducing clutter – you’re duplicating it

Tw – yes there will be extra stops...but it’s an imp principle to apply to the scheme in future designs. Street furniture does have a habit of proliferating through the years. There is always an opportunity to rationalised the amount of signs... there is a real opportunity for ngt to have a clear out of the streetscape. I don’t agree that it is always in conflict...

Tr – so you are doing a de-cluttering exercise as part of the ngt scheme are you

Tw – yes. The idea is to try and minimise the clutter.

Tr – why not then combine trolleybus and bus stops to minimise the clutter

Tw – that is a decision to make it a clear and legible system to use

Tr – so once again the brand reinforcement overrides the other principles

Tw – you are trying to say that that has had more importance but it’s not as straight forward as that you have to try and do both

Tr – you can combine bus and trolleybus stop

Tw – but then you will compromising other factors

Tr – I’m trying to get clarification as what is the principle driver to the design guide.

Tw – there is no overriding principle. Both the principle to keep clutter to a min and to make system easily recognisable are both important principles and taken into account

Tr – para 8.8 again, there is a clear ‘commitment’ to rationalising street furniture and clear aspiration to integrate lighting, signing and overhead line poles etc. so one is a clear commitment to rationalise existing further but only an ‘aspiration’ for other things. The montage you showed had integrated lighting and poles for the cables – is that a commitment to do that in all areas?

Tw – generally it is – but not always best thing to do in each street.

Tr – so it’s a ‘commitment’ to integrate combined lighting and cable poles.

Tw – I have used the word ‘aspiration’ as that is something that still needs to be worked through. It is possible in this country to do it – I think it is still a commitment by metro to combine street lights and OLE poles together where it’s technically feasible to do that. You can’t do that at every pole...

Tr – you won’t be able to integrate across woodhouse moor could you

Tw – yes you could, the lighting columns are down the road...

Ins – the photo montage shows the lighting removed from the centre

[N.B. Walker arguing that NGT would reduce street/signage clutter as road signs could be incorporated onto trolleybus poles, but this ignores 1) the trolleybus poles and wires introduce far more clutter than can be negated by attaching signs to them and 2) NGT involves adding lots of new pedestrian crossings also which increase clutter – and they can't be certain the crossings will be incorporated into poles as they don't know where the poles will go yet].

Tr – we are talking about principles here... I'm not trying to get too much into the details - my concern is the guiding design principles... if we don't have clear commitment and design principles up front... who knows what the result will be? The subject of clutter...the boulevard effect...that's why I don't understand why you don't see it as high sensitivity – when the two sides of woodhouse moor are just boulevard trees and nothing else. What is your idea in relation to the integration of lighting and cables on woodhouse moor?

Tw – it needs more thought... it's not as always as clear cut as you are trying to make out. The overriding principles here are the same...where buildings can support OLE they will be building mounted and where it is feasible the street lights will combine with the OLE poles.

Tr – so there is no option at woodhouse moor...as –

[tw interrupts] – you are trying to force a point in a specific situation.

Tr – how would you do it in that situation ...

Tw – it might be more sensible to keep the lights at that point and ole wouldn't necessary have lighting where it runs of the road

Tr – you are saying you haven't looked at it

Tw – no that is one point where we need to look at it in more detail

Tr – one of the frustrations is that I've cross examined phil ward so far... so far we've talked about landscape/townscape and visual assessments – in assessing the overall harm to the historic environment along the northern corridor, these three forms of assessment...I don't understand why there isn't a clear coherent statement about the impacts... three assessments that look at the historic environment?

Tw – the l/t character appraisal recognises the presence of conservation areas and listed buildings – that recognises those in the assessment. It's not particularly just about the historic environment. It takes all sorts of characteristics. The impact assessment – uses receptors which are people

Tr – so these three assessments – have they been integrated to look at the overall impact

Tw – that's what the ES does...and also looks at other types of environmental factors

Tr – so originally I was going to be speaking after Helen and she was going to refer to the webtag bit-dcra-107 - I want to refer to a few words in para 5.3.19. It talks here about the different levels of assessment and the importance on two levels – draw attention to the most adverse categories. The scheme as a whole should be assessed according to the highest level of impact. Similarly the issue of cumulative adverse effects – the scheme as a whole should be scored in a higher category than the average category when accumulated.

We've had all these different levels of assessment etc – can you point where the overall assessment in the overall impact of these scheme. In the totality that has been undertaken.

Tw – the whole ES doc is the one that does that. Mr leather, from mott's, would be the right person to talk about that. You are asking me about the whole of the ES and I'm dealing with one aspect – sorry to bat it towards him.

Ins – so you are dealing with the landscape and visual aspects of it and you want the impacts of the whole ES. So it's been passed to mr leather.

Tw – but I don't think ppl look at it in the overall round *[N.B. I don't think people look at it the way the guidance says]* e.g. they are concerned with trees etc. you are ignoring what the overall effect is – you are saying that if there is a sig high adverse part of the scheme then the whole scheme should be categorised as such which in my view is wrong.

Tr – to me, there is a significant impact in the northern corridor.

[14:26]

Doug KEMP cross-examining for West Park Residents Association

Dk – refer you to app 10-2 your proof at para 3.6 page 8 – talking about lawnswood roundabout. towards the bottom of the para you say that new tree planting maintains the character of the area. You obvious see the character as being important

Tw – yes

Dk – your planting scheme is to maintain the character

Tw – well no it's not reliant on the planting scheme...most of the trees on the edges of the corridor are retained so the verdant character has already been retained

Dk – but sig no. removed from the central reservation

Tw – yes and we seek to replace it

Dk – you are planting 13 super trees and 22 specimen trees

Tw – where did you get those figures?

Dk – looking at drawing 110 and counting them

Tw – I'll take your word for it. Also a no. of trees planted to the north in the central reservation where there are no trees at the moment.

Dk – In a sense from an outsiders perspective the character is being changed as the trees adjacent to the roundabout removed...and others are being planted elsewhere

Tw – [??] you're correct these trees in the central reservation is what is being felled and not being planted back but we are planting them elsewhere. I think the verdant character is being maintained the woods that line the road is being retained...all of this is dense woodland...very large trees as well – all the trees in front of police hq etc are being retained so it does retain the verdant character.

Dk – the concern is the supersize trees and specimen trees are 4-5m but the size of the original trees are considerable larger than those put together

Tw – I can understand ppl being distressed at losing them

Dk – you said before about the utility companies – has there been any costs projections allowed for if you find out you can suddenly not plant a tree because of underground utilities

Tw – not sure

Dk – do you think there should be a cost allocation for relocating utilities if they become a problem?

Tw – no, but they could adjust the location of the trees. I don't know if there is or isn't a budget...

Ins – so you are saying that if they do find there is a problem in the utilities then they don't put the tree in or adjust the location if possible. So if you can't get the same no. of trees in...you would look at somewhere else to put it?

tw – yes there is a commitment ratio – 3 for 1. To make sure that overall there isn't a net loss of trees along the corridor.

Dk – so are you sacrificing the character of the individual area for the route as a whole?

Tw – inevitably in some places you simply cannot squeeze trees in so you have to look at alternative locations but one of the principles of the schemes is that this should be a green scheme...it's an objective that has been rolled out across the whole scheme. You can say that one area has been sacrificed for another but really we are just trying to maximise the no. of trees planted along the whole route.

Dk – so you are replacing trees even if they don't go back to the same place

Tw – well, where the actual bus way is you can't put it in in those places.

Walton – I've found the contingency for the costs of utilities - c-1 page 19-2 table 19.1 – that was the point about the 20% premium and contingency.

Dk – however, that general premium is not specifically geared to trees.

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Dk – app 10-2 page 14, do you think these are a bit disingenuous given the photos are always taken north to south

Tw – they haven't been routinely taken from north to south – others go the other way

Dk –but the photos taken this way round tends to understate the removal of the trees

Tw – I don't agree with that...

Dk – approaching the roundabout from the south and also having the trees in a summer time view...

Tw – there has not been a deliberate ploy to hide the effects of the scheme. We have deliberately chosen views where the adverse effects have been greatest.

Dk – you are also planting trees in the roundabout in the new proposals – do you think that these will lead to problems with cabling interference

Tw – no

Dk – and the maintenance of these trees will be included amongst the rest

Tw – yes

Dk – any impact on the route of existing trees because of the OLE works etc.

Tw – instead of engineers/contractors getting sole control of what happens in the tree route there will also be an arborist that develops a detailed guidelines/practice for working near tree routes.

That in some cases means hand digging and protecting routes where they are exposed. There is an accepted methodology for working with tree roots.

Dk – so this would be part of the requirements of the scheme

Tw – yes

Dk – 3.7 in 10.2 and refer you to 10.3 drawing no. 112 – you have two areas flagged where it talks about regeneration opportunity etc. could you confirm that these opportunities have not been included in the ngt plans?

Tw – yes... they are not part of the ngt. They are opportunity boxes rather than core mitigation. In both those areas there are land ownership issues. Ngt can't do everything. There is a limit to things the highways funding can deliver...

Dk – you mentioned there is some potential danger to one of the two trees in front of the west park stop

Tw – that is a tree at risk, indicated as such. That is another one where special measures are required to make sure that that tree can be retained. If you notice that the kerb line isn't changing sig in that point – we are really just resurfacing the pavement etc. so I would have thought it's possible to keep it but I do notice that it is looking a bit stressed compared to the other sycamore near it. Sometimes if you strip away the tarmac you can perk it up

Dk – do the marking signify the actual shelter itself

Ins – we've been through this in the wood lane shelter...

Tw – there is a special section on stops in the design statement.

Dk – I was concerned that the footings there might add to additional problems with the tree.

Tw – if you go to page 42 of doc a-08-k. that shows the layout of a typical stop.

Ins – we can move on...

Dk – turn to rebuttal to objector reb1-1719 – promoters' response to nwlft para 2.9 on page 7 under the heading equality act

Walton – this is prepared by mr smith.

Dk – it talks about the detailed design phase will also include seating etc to create good walking journeys – where will the locations of this seating actually be?

Tw – we haven't defined them on our drawings at the moment... we have talked about how much the scheme should provide new furniture on the route away from the stops... that is something that

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needs to be thought about and built into more detailed design. There may well already be seats in those areas.

Dk – another question is the extent to which these seats have been included in the costing.

Tw – we haven't been dealing with the seating exercise.

Dk – no criteria has been laid out to define where the need would be

Tw – no not in my documentation

Dk – para 5.8 page 27 with app 10-2. Here you are talking of the nine areas in the northern route which will be subject to sig adverse residual effects. You mention otley road but no mention of the next area down adjacent to spenfield house – given the frontage of it being on otley road...

Ins – let's look at that on a plan

Tw – no I wouldn't say the effects on the townscape here would be moderate or high – we are talking about setting back an existing stone wall approx. a metre and a half and an intro of a stop and removal of a couple of trees and what's been replaced is resurfacing the pavements and new trees planted behind the wall to replace those lost. I wouldn't say it is a sig residual effect

Dk – is there anything planned of the old tram shelter than forms part of the wall.

Tw – we did have to move it at one point...but we decided to keep it...it's a useful historical feature but decided not to use it as ngt stop as can't see what's coming.

Dk – ok.

Dk – in para 5.10 also page 28 of appendix 10-2 – you have two areas, n6 otley road and west park junction. Does it take into account the road widening impact?

Tw – yes it does. It will have taken all sorts of different circumstances into effect. For N-07, the changes at this point I don't believe are that significant. We've modified the design over the years to maximise the amount of soft landscape. Its quite distinctive and its quite green etc. so we've sought to recreate that...the roundabout here is the same size as existing roundabout but we have been able to maximise areas on either side of the roundabout by introducing the soft landscaping. The green feel is maintained so I don't think there's a sig adverse effect here.

Dk – page 27, you have a few areas which have slight or moderate beneficial effects ...but you appear to balance those with the nine areas with sig adverse effect – do you think that that conforms with web tag guidance?

Tw – we are saying there are 29 character areas down the route...it's a perfectly reasonable thing to set out...

Dk – are the areas of equal size

Tw – they are of differing size

Dk – should you have had a weighted average?

Tw – guidance doesn't say that you should do that. We don't want to make it more complicated. We've been transparent in setting out the significant effects

Dk – page 53 of 10.2 – how would you describe ngt as refreshing the streetscape

Tw – because of the movements to the kerbs in many places, because the actual surface of the roadway will be resurfaced, the streets will look a lot tidier...everything is brand new (high quality concrete or York stone) – so it's not all ngt when ngt comes down a street, it will enhance some of these streets. 'Refreshing streetscape' is shorthand for repaving/renewal of street infrastructure.

Dk – so you are saying ngt is performing the same function as the council's street maintenance

Tw – it's going beyond that...its widening pavement, creating new spaces e.g. hyde park corner, its bringing in positive features.

Dk – these are all that could be introduced through other means other than a transport scheme

Tw – yes some of that

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Dk – ngt being embedded in the townscape – some ppl find that difficult to understand due to OLEs etc.

Tw – I still think it's important that the objectives/aspirations is the integration of the design... minimising clutter principle is still very important principle to apply...

Dk – well I disagree that it is minimising clutter etc. – thank you, I'm finished now

RE-EXAMINATION of Walker of the points raised so far by David Walton

Walton – drawing 118– a point about dividing neighbourhoods that you were put before. Can you say whether any existing movements off Otley Old Road are severed by NGT and whether movements along those routes are prevented?

Tw – absolutely not, the east west alignment/links that currently cross this corridor are all maintained.

Walton – let's look at the route running off the main road off Headingley castle. please let's go on to 116 behind the Arndale – in terms of the provision of that combined footway and cycle way running the length of this off route section – what does that do in terms of connectivity?

Tw – I thought I made it clear... it opens up this area to pedestrian and cycle access where it isn't at the moment - opening a new view of Headingley. And also links up the east west route as well. It improves permeability.

Walton – thank you

[15:05]

Alex – Mr Jones is coming back but he is away on the Wednesday we are back. Do we know who the next witness will be?

Ins – Erm, basically, no. We don't know what's happening and we need to decide who the best witness will be to put on next.

Alex – Have spoken to Joanna, she was proposing putting Bill McKinnon and Dawn Carey-Jones on first, on the Tuesday, and then Mr Jones would follow. Mr Jones was happy with this.

Ins – Can you email Joanna Vincent, it might be that Mr Jones has to go first thing on Tuesday if he's not available on the Wednesday.

Alex – OK will do.

Walton – Mr Jones said he was happy about it...

Ins – [interrupts]. It's not about whether Mr Jones is happy, it's the most efficient running of the programme.

Walton – No, I took it to mean Mr Jones would be happy he'd finish by Tuesday... never mind.

Inspector ignores him.

Alex – also have FWY 130 - our written questions to Mr Webb.

[Walton looks shocked at the length of the questions]

Walton – I was expecting a couple of points, not an essay

Alex – It's not all questions.

Ins – Well I'm not reading through it now.

Ins – Remind people that we will be resuming on Tuesday 15th July at 10am. I'm hoping Mr Chadwick will be heard in either that week or the next.