

# 15 July 2014

25 June 2014

11:07

[9:30]	
Insp	The Inq is resumed. The Promoters wish to submit some evidence.
RW	<p>We've submitted APP 149 through to APP 152. APP149 is an update note on the Rose Court piers and extent to which they need to be set back. APP150 is a response to what Katie Peerliess asked for regarding what is required in LBC applications. APP151 is a note setting out how those have been applied in this case, by Mr Leather. APP152 is a note on the extent of consultation with St Joseph's Primary School - authors are Haskins and Smith.</p> <p>In addition, we have an updated ES on heritage. It's proposed it be taken into account. We propose to respond i writing to the 6...</p>
Insp	It's nine objections
RW	I may not have seen all those but propose that you have a written objection and a written submission from us- I as that we have a day or two
Insp	I would like to bring to your attention the application for costs -you will have a number of applications against you.
RW	Yes I've flagged that up.
Insp	I don't know if all objectors are aware of the ability to apply for costs. You can if you consider yourself aggrieved and it's unreasonable. I will make a recommendation after hearin submissions from the party applying and the party opposing costs. It wil be for the Secretary of State for Communities and Local Govt - the SoS will determine those applications. He will not say how much, just say whether a full or partial award of costs made. If there is an award, you will have to submit the costs to the other party and see if ou can reach agreement and can take it further f it's not accepted.
Insp	Anything else anyone else wishes to say?
GJ	<p>'Fraid so, Sir. There are 2 letters. One copied to you Sir as a courtesy as it affects timetabling. We offered the applicants to withdraw and we would undertake not to seek costs. The sooner this is put to bed and no more public money wasted the letter for all concerned. I hope that as a responsible public authority the promoters will at least consider the offer.</p> <p>We made our submissions without having seen the covering letter- I'm not saying it was not sent, just not received.</p>
Insp	There are a lot of changes- I've not been through them in any detail.
GJ	<p>The promoters say they don't accept the original ES is inadequate and say it sets out further details that <i>were</i> assessed. This is not a case where the Applicant is inviting the SoS to exer5cise powers where there is something wrong. They want to have their cake and eat it. We don't accept it was adequate - clearly demonstrated not to be. But that's their case. If they are prepared to stand by it and say it's fine, then let them stand by it. In short, the evidence was closed on heritage some weeks before notice was given. Then we were sent it some weeks later. Costs are relevant only insofar as you can be persuaded that costs can overcome any prejudice. Now, First have instructed some professional witnesses. But also some non-professional witnesses. We say that if it was admitted, it should be conditional on an undertaking to pay our costs. You have got to be vertain we would get our costs - should be accompanied by an undertaking to pay our costs hrown away. Is that the end of the matter? No. For third parties, time off work, not their working time, to go through evidence diligently. Summer vacation is coming up. Very difficult to take the time. There is at leats 100 pags in green. The key is wrong and it's not clear what's changed. Costs are not an answer. Then the question is- what's the impact on the timetabling? Obviously it's a matter for the Promoters whom they call. Presently the position is they don't intend to call Mr Ward. We're not applying for a summons. But on the other hand, <i>all</i> parties must be entitled to</p>

	<p>submit their own evidence. And there are questions we want answers to - when it was commissioned, why was it commissioned and authorship. Mr Speak is this week. His evidence must and can only relate to the original evidence. I'm not in a position to cross-examine on the new evidence this week. We have instructed our heritage expert to go through it but the impact on third parties is pretty grievous. The impact on timetabling is pretty grave and terribly unfortunate. We'd want to explore the explanation given on 4th July. Somewhat surprisingly we're told it already existed but for some reason was not included. If it was to be included the bare minimum must be an undertaking to pay costs, otherwise no way to be sure that the SoS would award us costs. It's simply unfair for TPs. Knock-on implications for the Inq timetable.</p> <p>And the application's not entirely frank- say they don't accept the ES is inadequate. They've got to come off the fence 'fess up that heritage case was frankly a shambles and this is a belated attempt to prop it up. If it was unnecessary then it should be excluded. If it was necessary, I'd make submissions on that. At the moment it's put fwd on basis that there's nothing wrong with the existing ES.</p> <p>And the ES should have been available at the outset. People not here who might have chosen to become a party.</p>
Insp	Would you like to reply Mr Walton?
RW	I think it replicates what's in the letter. Don't think it's advantageous - we wish to address <u>all</u> the letters.
Insp	I've not made a decision. I would want some questions answered first, but will wait.
RW	In terms of whether there's an intention to advertise the info, it was published in the Yorkshire Evening Post last Monday.
Insp	You'll be providing a copy of that advert will you?
RW	Yes.
Helen Pickering	We've sent a letter. We think, there's so much additional info it should go out to wider public consultation again. Lots are interested in heritage. Not a fortunate time to do it - school holidays. Would question how much time that would need for the Inquiry. Our group did commission expert advice - Mrs Hardy. She's now out of the country and has an additional workload. It's difficult for her to advise further. It puts us at a disadvantage compared to the Promoters.
Susan Sleeman	We and other objectors haven't had <u>any</u> of this info, not even in an e-mail.
Insp	This advert - does it give advice about where this evidence can be inspected?
RW	Yes - we'll provide it.
Claire Randall	Would it not have been appropriate to at least send an e-mail?
RW	Being one of the objectors who cross-examined Mr Ward, she would have received a copy.
Insp	I don't want more detail until I've had responses from the Promoters,
GJ	Sir it's somewhat unusual. Normally one would have expected the Promoter to set out its case today. We've set out our initial response. The person who seeks to admit evidence should make the case first and then as a matter of fairness we are able to respond. It's not a "response" but their case why they want to admit it. We would ask for more time to respond.
Insp	You'd expect <u>more</u> ?
GJ	Well we were told there would be more. Not just updating. The one thing they were asked to do by Ms Peerless seems to be the one thing not done - conservation area consents.
Insp	Yes but if they were to submit something we consider unnecessary we won't chase them, it's up to them.
GJ	One thing asked for is not provided. We just ask for a fair time period to respond. b

RW	If we get a written response to objection letters tomorrow, then we could have another session.
Insp	I'm happy for further written responses but don't want further correspondence. We might not do that till the end of the week.
GJ	Well on timetabling, Mr Speak has to rely on original evidence def to him by Mr Ward. But I do flag up the difficulty whether people not here tomorrow can respond to a letter.
RW	We put our reasons down in the letter to which Mr Jones referred. We've had 9 objections. We'll respond.
Insp	I wanted to get some idea of timescale to decide if this evidence should be admitted.
Caroline Toms	Has the emperor got any clothes? How are we supposed to respond if we've not seen it and it's not in the public domain?
Insp	It's not public because it's not an inquiry document.
RW	Anyone should feel free to approach my team.
Insp	You can put any concerns in writing. As I say it is not an inquiry doc at present. Mr Walton has said that there was an advert put up telling people they could inspect it. You can write in with any prejudice you think has been caused to any parties. Now, carrying on with Mr Walker, how long do you need? Not here tomorrow?
GJ	No Sir. Hopefully finished today, so others may be able to cross-examine.
Insp	I'd like you to finish today- I don't want to yap.
GJ	Yes Sir no question that I will.
Insp	You'll be for both First and College and combining them together?
GJ	Yes sir - I'll be clear -
Insp	Helpful to indicate where you have the College hat on.
GJ	College adopt what First say but where we get onto the College I'll flag it up. Could I have 5 or 10 minutes - I have left my notes somewhere?
Insp	You have till ten-to-eleven.

### Cross-examination of Mr Walker

GJ	Were asked about your brief. Sir, Mr John Reed asked about Mr Walker's brief. I really ask the same question as of your colleague. Outside the Inquiry can you produce to me your brief?
W	Well we had a series of briefs. I can outline our brief but a number of tasks orders since 2007 - a whole series of docs. But I'm happy to outline what our work has involved.
GJ	I don't want to take up inquiry time but can you do the best we can with the docs. Can I suggest to you that the route largely follows the route of the aborted Supertram and you weren't involved in determining the route - followed Supertram?
W	Yes but not entirely fixed to that but route was fixed for some time by UDP.
GJ	Yes but subject to some tweaks, the route is the route?
W	Not quite true- stripped out the routes to the east and to St James' hospital.
GJ	You weren't involved with a blank piece of paper - were you involved with the route for Supertram?
W	Not personally but Gillespies were involved with Supertram and the southern element.
GJ	You are where you were subject to the tweakings?
W	There's been an awful lot of changes and not the case that the route was what we were given.
GJ	Not materially outside the routes in the UDP?
W	No but there are elements like the sports pitches near P&R.

GJ	Well a matter of record and obvious and you can disagree if you want but there was an amount that was a given - you weren't involved when there was route planning.
W	A lot of the route was highway and it would be extremely difficult to deviate from that.
GJ	I hear what you say. So far as the arboricultural survey- done by a colleague- not your bailiwick?
W	That's right - done by Mott MacDonald we were in constant liaison with them but I'm happy that it forms a substantial part of my expertise.
GJ	You're a landscape architect?
W	Chartered landscape architect.
GJ	A landscape assessment is different from a heritage assessment - that's why different evidence called and different witnesses?
W	Yes.
GJ	Moving from 2nd to 3rd edition of the GLVIA but you say should be assessed in accordance with 2nd edition?
W	Yes -the Institute has made very clear that you shouldn't retrospectively apply the 3rd edition once the assessment is underway.
GJ	Your Proof focuses on the situation, principally at 15 years?
W	Yes that's right. I do recognise that there are impacts at Year 1 and they've been covered in the Landscape and Townscape Assessment.
GJ	Imp't not to forget the levels of harm you've assessed at year 1?
W	Yes.
GJ	By Year 15 you rely on a number of factors that are tempering the impacts. Like mitigation.
W	Well a lot of mitigation by Year 1.
GJ	Well you accepted your proof focused on Year 15.
W	Yes not to say I ignored Year 1.
GJ	Well to get any idea of Year 1 we have to go to A-08-e Volume III of the ES. Para 5.5 of your Proof deals with additions. Para 5.6 explains why you focused on Year 15 "after mitigation has been employed" - imp't because potential permanent impact. That's why I put to you that mitigation was there at Year 15. Are you worried I'm going to suggest I'm going to say that there's no mitigation at Year 1?
W	I think you are trying to paint a picture.
GJ	I'm not.
Insp	Mr Jones focus your Qs and Mr Walker focus your answers.
GJ	When the Insp's reading your evidence. Let's take 5.8 for example. Of the LCAs, "9 will be subject to residual effects" - that's the position after 15 years?
W	That's correct.
GJ	Then you say at 5.9 needs to be set in the context of 10 character areas benefited albeit of a non-significant level. That's after 15 plus years?
W	Correct.
GJ	And 5.10 - that's describing residual effects too after 15 plus years?
W	Yes- my proof then goes on to unpack those residual impacts ...in some detail to give my commentary on that. The way the townscape and visual impact is set out, 15 years is the cut-off. But the 3rd Edition which applies more sensible flexibility says you look beyond that.
GJ	Your case is that the longer you leave the trees to grow, the more weight you give them?
W	Yes- mainly for trees.
GJ	When last cross-examined, one of the factors you took into account, you took into account an "acceptance factor" - that the longer a building is there, the more that people will accept it?

W	That is a slight factor.
GJ	A factor to take into account?
W	Yes to a small degree.
GJ	I've looked through the 2nd and 3rd Edition guidelines and no support for that. Is there something I've missed?
W	Well I can't off top of my head look at hundreds of pages. Things will settle down after a long time - walls, OLEs will look less different. But majority of VA is based on sensitivity of the landscape or of the receptor (people) and the magnitude of the change. I think you are overplaying that factor.
GJ	I'm not playing anything. A simple question- I can't find anything in either 2nd or 3rd edition that supports it. Sitting as you are now- are you aware of any passages in the guidance that says, however ugly and visually intrusive people just accept it because they get used to it?
W	Not right now, no.
GJ	At 5.5 you say the evidence is based on those guidelines. You may say it's a small factor. But if there is no guidance on that, in that respect the approach you've taken is not in accordance with the guidance?
W	It is broadly in accordance with the guidance. 523 pages - you're just focusing on one tiny aspect in the reasoning,
GJ	We have to test the evidence by looking at elements of it. If I'm right that there's no guidance that you take into account "acceptance" - in that respect, would be an approach that doesn't follow the guidance?
W	The guidance gives flexibility to make reasoned arguments about the effects and we have done that.
GJ	IN addition to not identifying anything in 2nd or 3rd editions of guidance, not pointed to other guidance that allows for acceptance in passage of guidance.
W	I have answered this already- a very minor guidance.
Insp	Have you taken into account any guidance.
W	Well generally...
Insp	Have you taken any specific guidance other than GVIA that says you take into account "acceptance"?
W	Off the top of my head I can't think of any.
Insp	Does that mean you haven't taken it into account?
W	I can't recall is perhaps the best way to put it. I would need to check again he other guidance on DMRB and such, whether that is referred to.
GJ	Do you identify any other guidance in your written evidence to date?
W	No. It could be in the DMRB Volume 11. If you read GVIA they are huge docs but may identify that.
GJ	Have you identified any passages?
W	No.
GJ	Staying in your PoE. At 5.11 there is a recognition, you say "non-significant beneficial...or non-significant adverse...only small changes...impact is limited to only 9 character areas". This is commenting on 15 or 15-plus years?
W	No, year 15. Only considers Year 15. My commentary is that you'd need to consider the street scene after 15 years when the trees have got bigger.
GJ	There's a degree of infusion- townscape sensitivity goes up if there's a conservation area?
W	Yes that's right.
GJ	Presumably your assessment, were you liaising withy and taking into account the work done in Heritage Chapter of ES or smth you had no regard to?
W	We worked with Motts and were sub-consultants to Motts. They managed and checked out

	work to ensure that there was consistency. We took into account the baseline heritage info.
GJ	You presumably were looking at the Heritage Chapter as we see it before the Inq.
W	Not quite as straightforward as the 2 chapters were being written at the same time -an interrelationship.
GJ	In terms of the Guidance, one's looking to take a precautionary or prudent approach- worst possible case that could be permitted?
W	Before or after mitigation?
GJ	As a general principle, taking into account mitigation?
W	You assess it as it is, before and after mitigation. Shouldn't have an optimism but look at what you are actually assessing which is the scheme.
GJ	Certain things remain to be fixed such as the number of poles>
W	Yes but generally understood poles 25m along the streets, 2-8m high and wires along the carriageway and from other schemes we understood what the parameters were.
GJ	None of those assumptions were part of the application? Say, about the spacing of poles.
W	There is a condition that the design of the poles be submitted to the Council.
GJ	Applying to themselves. But once a condition it's too late. In the description or limitation of the application there is no limit in terms of number or minimum spacing distance of poles?
W	No. No detailed design. But as set out in assessment and montages we've set out what is generally recognised as an OLE and there is provision for fixing to buildings.
GJ	It may be, you don't know, the assumptions you've taken may underplay the impact on a sensitive view to a sensitive receptor?
W	Well I think as I set out we have taken into account the broad parameters for design of thye OLE. No there is not a detailed design for OLE. We have taken into account what is likely to happen- not rocket science.
GJ	At 5.11 you say they heighten the townscape sensitvity. I want to get a sense of what reliance can be placed. Can you take me to a montage showing the worst-case scenario as you understand it showing cables affixed to a Listed Building, Say the Museum which is Grade II*. Can you take me to that?
W	Um.
GJ	See, Mr Ward agreed that the montages had taken a best-case scenario rather than a worst-case. We couldn't find a montage showing say the fixing to the Museum.
W	You're focusing on a particular aspect which is Listed Buildings. We've chosen in general tems the 8 areas. We've done a montage of City Square and Cookridge Street which shows the Catholic Church. It shows the fixings. B-7, Updated ES Figures.
GJ	Can we see that?
W	Doesn't show the building fixing itself but it shows the lines
GJ	They just disappear.
W	The fixings themselves will be small eyes.
Gj	That's another assumption. We just don't know.
	Would you agree with me, if a higher-grade LB then the sensitivity would be higher?
W	Yes but we also need to see if the building is adjacent.
GJ	The Museum is grade II* and adjacent and ixings. But don't know how many fixings?
W	It's quite easy with Mott MacDonald to identify a layout and we are preparing a montage of that location.
GJ	Oh are you? What else is being prepared?
W	2 new montages- one down the Headrow and one looking towards Leeds Museum.
GJ	Yes Mr Ward identified that as the most sensitive view. You were involved in production of that?

W	Yes
GJ	You'll be finished giving evidence - who's being proposed to be called to give evidence on this?
RW	Those are being prepared but as things stand there is no intention to submit them.
GJ	I have to suggest to you Mr Walker, that any fair and balanced assessment looking at impact on the townscape, one can't look at everything. One would focus on the areas that are sensitive. You say and I agree that the LBs are sensitive. Therefore it is shocking, surprising to put it mildly that montages do not focus on those areas of heightened sensitivity. That is unfortunate in terms of landscape assessment isn't it?
W	Well the photo-montages are just there to illustrate what the scheme will look like. Not intended to be comprehensive. Take a long time and expensive to produce. From a landscape and townscape perspective we generally chose the areas that were sensitive and likely to have an effect. You have picked out one thing.
GJ	Mr Ward said the cables shown were a best-case.
W	I think, a fair representation of it. We're showing cables against sky. Often when you show them against buildings they are less clear. Is it helpful to go to Design and Access Statement or photos elsewhere?
GJ	We looked at it showing the best-case of the type of cables.
W	A-08k, pages 52-53.
GJ	None of those ones are shown on your montage. Where do we see a "double-sided cantilever" on the montages?
W	A single-sided cantilever shown for Monument Moor.
GJ	Single cantilever is the least intrusive.
W	You wouldn't need a double cantilever there.
GJ	Are you an expert?
W	No. You use them when 2 buses, on either side of that pole so there is less impact.
GJ	Where is that set out so that we could have explored it with other witnesses? We were told it is all up for grabs.
W	The Design Statement sets out the principles and it is a condition that the details be approved.
W	Single cantilevers shown at Chad's. At Lawnswood Roundabout we've shown [...]. Cantilever...unlikely that we need in a conservation area, a double-side cantilever. It's very unlikely that they would be needed - that would be where the busway was on either side of the pole.
GJ	Your understanding is the developers would accept conditions there be no double-central or double-sided cantilevers?
W	I'm not sure where you are going with this - could argue that 2 single poles and a wire between them had more visual impact than 1 double one. Every montage was approved by Motts and they have experience with overhead lines.
GJ	We have a note of the evidence of Mr Smith. These are the design principles that will be employed. Strangely, if your evidence is right this is all misleading because you're never going to use them.
W	It's unlikely that you would deploy that in a conservation area b/c apart from the Arndale Centre there aren't any areas where buses run past each other so you could put the pole in the middle of the carriageway.
GJ	No- didn't ask that- is there nowhere where you show a double-sided cantilever.
W	You could have one on the southern route - we haven't shown it because there are no significant effects.
GJ	There are no montages - do we see a montage of the double-sided cantilever?
W	Single & Bodington P&R, then Lawnswood where we have catenary with 2 poles and catenary between it. St Chad's and 3 Horseshoes we show single ones- not possible or necessary to put

	one in the middle of the road. I'm sure there isn't.
GJ	The same answer- no double cantilevers shown?
W	On the montages - not appropriate to show them on these montages.
GJ	Can we just agree- none of the montages show - double-cantilevers?
W	No
GJ	Don't show Museum?
W	No
GJ	No fixings shown?
W	No- some shown in Design and Access Statement.
GJ	No fixing desoigns for LBs?
W	Not asking the right person.
GJ	The spacing etc will be left for detailed design?
W	That's right but we obviously considered the likely design when we carried out our assessment.
GJ	Not necessarily be evenly spaced- could have clumping together?
W	Can't have hard-and-fast rules. We've set out some principles to make sure that the poles are elegantly laid out. It's not easy to design things in an inquiry.
GJ	Not proposed as a principle that they be evenly spaced?
W	Let me refresh my memory reading the design and access statement. Page 50 we talk about OLE and the principle for building fixngs which obviates the need for OLE poles. Talks about the need to..the overhead wire designed to minimse its visual impact. Crrent assumption on height -no less than 5.8m. You cannot apply a hard-and-fast rule - may not be aestetically appropriate.
GJ	Answer and then qualify.
W	Not there- slightly preposterous to suggest i should be a hard and fast rule.
GJ	Not even a principle?
W	We talk about a tapered pole, colour, impact protection not being there, not having poles at the front of the footway. We talk through a number of principles.
GJ	Mr Walker, the D&A sets out principles, not "hard and fast rules"- "current assumption", "where possible". What hasn't been done is anyone applying their mind to how much of these pinciples are achievable and what is the landscape impact of that. Hasn't been done?
W	I wouldn't agree that the landscape impact hasn't been taken into account. A detailed design for the route hasn't been done - that's true.
GJ	We're not talking about a counsel of perfection- no co0mmitment as to number of poles or how far apart they will be. I do suggest that if one is doing a fair and balanced LTVA that needs to be considered and not simply assumptions. Doesn't fit with the guidance on taking "orst-case" scenario. You've taken assumptions separately from the application and that are favourable to Promoter's case.
W	I don't agree it makes the LVA inadequate in some way simply because we don't have a detailed design for the whole route.
GJ	OK the Insp has your answer of that. On montages - some are taken in summer and some at other times of year. Here, the principal mitigation is trees isn't it, overall?
W	For what?
GJ	Harm caused by the development
W	I can't agree that it's only trees.
GJ	A significant element.
W	It's one of the elements.
GJ	Mr Walker, life's too short - am happy with "one". Trees are green in summer?

W	Yes.
GJ	If looking at worst-case, when is it appropriate to take summer photos?
W	I don't think that's appropriate - you are suggesting we should have taken winter views.
GJ	Yes- not fanciful as that is what is experienced in the winter. You'd want to take the worst-case which is always in the winter.
W	This is guidance and we don't have to follow it.
GJ	Your explanation was that you had a limited budget and had to focus on the most sensitive sites. Following the guidance and if you don't have the resources to do summer and winter views for every view, the proper course is to take the winter views isn't it?
W	Well if you take the montages' purpose to be the worst case then yes but the purpose is to show what the scheme will look like.
GJ	Well you could have explained in the text that in the summer the trees would have leaves. You'd be showing the worst-case.
W	Not all the montages have trees. There is a winter scene in City Scheme. And Cookridge Street.
GJ	Are tree planting a significant element at City Square?
W	No tree planting there. It's just guidance.
GJ	You've not followed it here?
W	No not in all cases.
GJ	Not followed the guidance in the 2nd or 3rd edition?
W	No, not totally. But not all the montages have trees in the foreground.
GJ	Shouldn't mislead?
W	That's right.
GJ	With benefit of hindsight, should have been proper, better to explain to Insp and public, where you hadn't followed the guidance and then said why.
W	Yes perhaps it would have done. I think we've been quite transparent. Some of the montages have been shown with leaves on the trees. Winter and summertime views would be the ideal but not always possible to do that. It's perfectly valid to show summertime views as well.
GJ	As well but not instead of. We've agreed that. Was also put to you in X-Ex by a TP the angles that photographs were taken from. What was the methodology employed in selecting the directions of the photos? Was there methodology, or just a decision of you or colleagues?
W	Showing the change that was characteristic of that area. E.g. This photo shows we widen the carriageway, shows the true worst case.
GJ	Was there methodology or
W	Wasn't just random.
GJ	Let me finish - methodology or judgments?
W	A collective decision with Metro and ourselves to represent the changes in the area. There is no defined methodology.
GJ	One of the flaws is that you can miss out views. You may recall that Mr Ward volunteered what he thought would be the most important view affected which is along the Headrow. Must be aware because you are busily preparing a montage of that view. That would suggest that the methodology was prone to failure wasn't it? The key view not subject to montage?
W	The location was discussed with Leeds officers. We can't do a view from every corner.
GJ	Not a matter of that. Your expert's opinion that was the most important.
W	His view, not from townscape perspective.
GJ	Till he gave evidence were you unaware of his views on the Headrow?
W	Yes I was.

GJ	So the methodology of asking around the team doesn't work?
W	In that particular instance the overhead lines will appear against buildings and will not be that apparent.
GJ	Well now, you are giving your opinion now. But it's not that his view came up and you disagreed with it. It didn't come up.
W	No I wasn't aware. He may not have consistently had that opinion.
GJ	That's a problem with the methodology. Now, the trees and 3:1 ratio. When one looks at developments and replacing trees, 3:1 is a norm isn't it?
W	Not just about numbers but about the trees replaced- not appropriate to replace a whip tree for a large tree. Greater than was done in Merseyside.
GJ	You're not aware of any council policy or strategy that one should do a 3:1 replacement of trees?
W	No I'm not aware of that.
GJ	Sometimes, 10:1.
W	If you are planting whips or feather trees which are much smaller when planted it's appropriate to increase the ratio substantially. But here we are trying to reinforce the boulevard appearance and it's not appropriate to plant whips.
GJ	For some habitats or species it may be appropriate to plant 10:1 or 20:1?
W	I've never seen that. I'd imagine that's where you are planting smaller species and trying to plant thickets.
GJ	One of the reasons is, not all will take? One has to factor in that some trees won't take, or stunted as well?
W	I don't think it is in this case- what's very important is that any trees that do die are replaced during their defect period - one thing that is always conditioned. There will always be tree failures during their establishment period but that's not to say it's not appropriate to have a replacement. You say it's 3:1 to allow for loss. If the contract is set up right, any trees that die will be replanted.
GJ	Contracts don't go for 15 years?
W	Standard defect period is 5 years. That's the riskiest period.
GJ	Say a tree dies in Year 3. It dies and is replanted. It dies again at Year 3. No obligation to replace.
W	If it died at the end of the period, the snagging period would identify it.
GJ	No obligation to replace. We all know that landscaping schemes fail.
W	My schemes don't generally fail. Schemes fail when they don't have input of landscape architect.
GJ	It's not been decided who will adopt the trees?
W	Correct -that's a complex exercise. Somebody will be responsible for the trees.
GJ	When I look at your 15 year assessment, it's on an assumption that all the trees planted will have survived?
W	Correct.
GJ	All trees survive to full healthy maturity?
W	That's right because I think it is possible.
GJ	Possible.
W	Well, an entirely reasonable thing to assume that the trees survive and make a contribution to the streetscape.
GJ	I would suggest that assuming all trees will have survived and grown to full and healthy potential doesn't conform to the spirit of the guidance. Best conceivable scenario.
W	I think it would be odd not to show the scheme.

GJ	Are you aware of any methodology or guidance which makes allowance i.e. takes into account a certain amount of tree loss or under-growth?
W	Not off top of my head. Are you talking about photomontage production?
GJ	I'm talking about assessing impacts of tree planting.
W	No I'm not. As an industry standard you assume that about 10% will fail in the first 5 years and it will either be replaced or other species cover over the gap.
GJ	When we look at your assessment of trees. It's right that not all trees will perform to full potential - as your arboicrural survey has identified.
W	Yes- are a living organism and there is inherent variation in how it grows.
GJ	Your evidence is only consistent with a proactive management scheme for the first 15 years at the very least?
W	Well yes there will need to be management and the 5 year period is critical.
GJ	Even if it's only 10%. The trees that die and are replaced will not be at 15 year growth at year 15. How if a tree dies will there be any obligation to replace them?
W	It will be for anyone who adopts them.
GJ	What's their obligation? What is it apart from their goodwill that requires it?
W	Well they will be highways authority- will be street trees. A lot of the street trees you see now are subject to that maintenance regime.
GJ	Subject to any budget cuts?
W	Yes.
GJ	Unrealistic assumption- no commitment -we know that authorities as highway authorities may well have other priorities and as highway authority may have impetus to get rid of trees.
W	I'm saying it's a realistic assumption that you can get them all to survive if you can get them through the first 5 years. You're painting a worst-case scenario.
GJ	In accordance with the guidance.
W	For landscape and visual assessment but I'm talking about trees.
GJ	You do rely on it - as mitigation. Another example of where you've departed from guidance. You are taking a best-case scenario?
W	I think it's reasonable to assume that the majority of the trees, that after 15 years most of the trees will survive.
GJ	Guidance tells us we shouldn't be assuming the best case.
W	Well if we agreed 10% loss was a worst-case I'd say it made no difference to my assessment at 15 years.
GJ	I'm not agreeing that - it comes from you. It's not the right approach is it?
W	Ok, maybe not in that particular instance. But if we assumed 10% would fail, there would still be an enormous number of trees- proposal for 1,700 trees- an enormous number.
GJ	Unlike the poles. And need to take allowance for utilities?
W	Can never be sure where utilities are. That's why the 3 for 1 ratio is important- metro have committed to the 3:1 ratio.
GJ	Well that's why I put to you it's an attempt to deal with the fact that not all trees would survive and some would not be planted or removed because they would interfere with utilities e.g. Sewers. Not uncommon particularly Victorian areas.
W	In other words it may be needed to replace trees and put them in a different location.
GJ	We don't know.
W	Well we generally do know where the utilities are.
Insp	Have you consulted the utilities on locations of trees?
W	No.

GJ	If utilities object, what would happen?
W	Can't object unless it contravenes their guidance. Could change the species. Not black and white that they have total control.
GJ	Have the promoters got a considered opinion as to what would happen if the utilities objected?
W	Well you normally negotiate .
GJ	Is there one? If there isn't, I could move on.
W	I don't think there is some position statement to cover that scenario - that's why we have a 3:1 ratio so that it broadly replaces what is lost. It's possible to change the location or the species. Often where we are replacing trees is in the vicinity of where there have been trees already.
GJ	I understand you have 3:1 so you can lose some trees and still have 2:1 or 1:1?
W	No.
GJ	What's it got to do with the ratio?
W	You'll always have a number to offset the trees lost and the numbers may change.
Insp	You say, often replaced in the vicinity of where it is removed. Why would you replace it at all?
W	E.g. The 3 horseshoes. The trees are sufficiently close to the alignment that they need replacing. We are trying to replace them in the immediate area.
Insp	There may be a reason why that tree was planted in the first place in a particular location. When you say "vicinity" you mean more or less the same area.
W	Yes.
GJ	So where not in the same spot you don't know if there's a utility there?
W	I think there's a better chance of that that you wouldn't get an objection from the utility company.
GJ	You spoke about "natural pruning" which was a bus or vehicle physically bashing against the tree canopy?
W	Where that came from, is that people were concerned that because of the OLE trees would need to be pruned. Where over the highway they are already pruned by vehicles so the difference is not that great.
GJ	The highway authority should be ensuring that there <i>isn't</i> a conflict between vehicles and trees?
W	Yes.
GJ	Presumably you have identified it in Leeds.
W	Pruning maybe not the right word.
GJ	That suggests we can't identify the highway authority as an assiduous guardian of trees?
W	There are some authorities with good arboriculturalists - Leeds has them.
GJ	Well not a good thing for trees to be "pruned" by collisions with Leeds.
W	Generally small twigs and branches unless major branches fail. It's not major branches, generally small things. Not a major impact on the health of the trees. There were large trees and I was explaining that naturally a bit like a browsing line in a field the high-sided vehicles create a high browsing line along roads?
GJ	Not good for the vehicle or for the tree?
W	Certainly not good for the vehicle and not good for the tree but I wouldn't say it was major.
GJ	In respect of the cables, there will be a necessity for active management and pruning of the trees?
W	Yes.
GJ	There will be a need to keep back the trees- existing or indeed trees you've planted around the route?

W	Yes will be a need for management.
GJ	{shows slide}. Anything further would have to be cut back.
W	It could have a canopy above a cable as long as there was a 2 -3 metre clearance. Plenty of examples where cables co-exist with trees in Europe.
Insp	Branches could fall on it and short it?
GJ	What about branches and leaves falling onto cables?
W	Not likely to stick to the cables, the leaves. Page 61 of the D&A - pictures of trees co-existing. Have been "crown-lifted"- smaller braches taken off and a clear stem - like an umbrella. [ <i>France and China</i> ]
GJ	Do we have a section in the evidence on safety implications or impact on route-running of branches falling off etc?
W	Not in my evidence - don't know about others'.
Insp	I'll adjourn for an hour [13:05] to 5 past two.
	[Lunch]
GJ [14:07]	Moving away from the French and Chinese photographs, can we go to your Proof at 6.2. Categories. If there's a tree of high quality but life expectancy less than 40 years, what category does that go in? Doesn't seem to fit in "A" or "B".
W	Asking about a very detailed point in arboriculture report - perhaps we shold go to that. Saying that a high quality tree has a life expectancy of 40 years.
GJ	Is that the definition?
W	No, not the only factor.
GJ	Seems to fall in a gap.
W	I think a tree of less than 20 years cannot be a high-quality tree, is the way I interpret it.
GJ	But say I have a high quality tree but life expectancy less than 20 years. Where does it come in the categorisation.
W	If only 20 years, I think it goes into the lower category. Linked.
GJ	Not synonymous with quality.
W	I think they are, in that assessment. Would feel happier if we looked in the arboricultural report.
GJ	By all means. Obviously you've given an opinion on the tree assessment and say it's robust.
W	A-08i dated Sept 2013. The indiv assessment of trees is a large table. Not just the life expectancy that dictates the final category: height, canopy spread, general comments and "estimated remaining contribution"; a blend of those things.
GJ	So isn't the cetegorisation of para 6.2 in some way misleading? Can you be in Category A of high quality and at least 20 years?
W	No I don't think it's true- I copied directly from the arboricultural assessment -the quality is partly linked to life expectancy but there are other factors as well.
GJ	So category B may actually be high quality but more mature b/c life expectancy is "at least 20 years"?
W	Yes- 20-40 category.
GJ	Isn't that worth assessing. Could be a high quality tree and a very mature tree with at least 20 years to go, and if one was to look at losing 174 "B" trees we can have high quality trees that are more mature.
W	Well they could be "over-mature".
GJ	What, at least 20 years left you are "over-mature"?
W	Yes, potentially.
GJ	Are you just saying that or is that reflected in the arboricultural report?
W	No well they talk about "veteran trees" and "Mature", "semi-mature" etc.

GJ	I understand that to an extent what's left has to be taken into account. But trees that are well established and accepted by receptors and of intrinsic high quality, the categorisation doesn't take account of a distinction between a tree of high quality of at least 20 years, would need to dig down into the survey?
W	Yes it has been transparent, the survey has estimated its life stage and that is fed through into overall value.
GJ	Yes but when you say "17 category A trees", the impression that's given is that if you are in category B you can only be of moderate quality. Obviously while life expectancy is a factor, there will be trees of higher quality whatever age they may be.
W	I'm struggling here.
GJ	Say, a tree of moderate quality.
W	Well, it's not just the age.
GJ	Let me put the question, don't keep interrupting. Say 2 trees - same age, one is high quality and one moderate. Same life expectancy. 20 years pass. The one in "A" becomes "category B".
W	Not necessarily b/c a tree can live for different periods.
GJ	Say it had 40 years at the outset. 20 years have passed and goes to moderate
W	About how many years left, not how long it's lived.
GJ	Not rocket science. If 40...
W	There would have to have been other factors that would reduce its quality.
GJ	Oh but that goes back to the original question - a high quality tree with at least 20 years is that category A or B?
W	You're trying to link it to other factors?
GJ	No I'm not [reads it out]
W	Yes it may have dropped down a category.
GJ	So may be tree of high quality but in category B because of life expectancy.
W	Yes but wouldn't then be a "high quality tree", would be moderate.
GJ	If that's right, you could never have a high quality tree of more than 20 years?
Insp	Do you know how they categorise trees in the British Standard?
W	Not recently, no.
Insp	I'm looking at it, Core Doc F-20. Table 1, page 9.
GJ	Can have trees in Category B with all the attributes of Category A but low life expectancy.
W	No, it says here that you can have a tree downgraded because of a defect affecting life expectancy.
Insp	No - says, something has happened to the tree so it's downgraded and hasn't got those characteristics.
W	Well it hasn't got the health quality.
GJ	I think you're misreading it. We've got a Category A tree, no longer has some of the qualities e.g. Damaged or lower quality.
Insp	No, if you read what it says, trees that might be downgraded so that they are of lower life expectancy, or lacking the condition to merit high quality.
GJ	Yes, second category never in A. First one, qualities would within 20 to 40 years would no longer have the qualities making it suitable for retention - not about life expectancy.
W	Well, may have defects or cavities r not be safely retained.
GJ	Doesn't say, "safely" retained. Remember your understanding was that it dropped a category.
W	Yes drops down because lacks life expectancy. May still have the characteristics that make it a special tree.

GJ	Yes, so category B contains more than simply moderate quality trees but trees that were of the same quality
W	It's only really special trees that are in category A but may have a defect- not high quality but moderate. You're trying to say there are lots of "A" trees hidden in "B".
GJ	Stop trying to jump ahead and guess where I'm going. Are you saying a tree with less than 40 years to live is by definition only a moderate tree?
W	Has to meet the criteria for moderate They are still good trees, category B.
GJ	So it could have all the attributes of A but be 20 years older and become B.
W	Not necessarily, would have low life expectancy because of a defect.
GJ	Are you saying trees live forever and don't have a lif expectancy.
W	No, they do have a life expectancy...
GJ	Trees vary in quality
W	There are 5 categories here...
GJ	There are 4? A, B, C, U.
W	Sorry, 4.
GJ	You were asked by the Inspector to separate categories C and U?
Insp	I did ask something like that.
GJ	In respect of EiChief.
Insp	It was numbers that were in U and C and I wanted to discover which were split between C and U.
W	Yes, so I have split them out.
GJ	If we look at Category C- "trees of low quality with a life expectancy of less than 10 years" or "young trees, stem less than 150mm". Their age will vary depending on type of tree?
W	Yes that's true.
GJ	So though they are in the same category, nothing to suggest the young trees have any ailment wrong with them?
W	No.
GJ	Can you give any broad age range?
W	Could be between 10 and 15 years if say a Sycamore. Maybe a bit less depending on how fast growing. Semi-mature trees.
GJ	When weighing up impacts on amenity, should look to distinguish low quality trees with less than 10 year life expectancy, and the trees beyond the 5 year risk period? Because "C" is the vast majority of the trees to be felled?
W	That's right.
GJ	Would be helpful, to look at arboricultural survey to see how many are low quality, life expectancy less than 10 years and how many are young?
W	It's possible to get that from the tables.
GJ	It's worth carrying out that exercise because there's a difference in terms of the loss between a low quality tree of less than 10 years and one that's simply younger.
W	Different trees but following the British standard are in the same category.
GJ	Yes, but you are engaged in a landscape and visual impact assessment and the guidance is not to determine that exercise.
W	Yes guidance but also a matter of professional judgment.
GJ	Need to distinguish.
W	Yes but replacing the young trees with a tree of a similar age - super-replacement are already something like 8 years old and a diameter of something like 100mm. It's a positive thing that we are replacing trees that are low quality.

GJ	No, young trees are younger and others are assessed at low quality.
W	Because they have a low life expectancy. The positive thing is we are planting 1,700 trees that are semi-mature.
GJ	If you look at comparison of Year 15 against current baseline, the younger trees in the no-scheme world would have grown up, with no obvious limitation on their lifespan.
W	We'd have to assess and see- I would estimate many of the C trees are self-seeded sycamore.
GJ	Can get that from arboriculture report but I've not done that detailed assessment.
W	I've not done that.....
GJ	Well we've got to be careful - look at your PoE para 6.6 - gives the impression that Category C and U trees are those which are of limited life expectancy.
W	Can be read in that way but I go on to say "and would not normally be planned around".
GJ	Need to separate this category - Category C encompasses trees not at the end but at beginning of their life?
W	Yes but I think most of those are probably in thickets rather than street trees. I think it's obvious there are few young street trees.
GJ	Not an assessment you've done?
W	No but have walked the route and made a professional judgment and been involved since 2007.
GJ	Just picking up on a couple of points made in Chief. I don't think we need to go to t but I want to take you to...had just been to visit the City Square - no tree planting proposed and you say, "now galloping down the south section to Whitfield Way". Say we did look at alternative options to avoid that area but would have far more impacts on Huntslip Road and need to remove trees. Short question - are those alternatives found in the ES anywhere?
W	Erm, I'm sorry I've only written 1 chapter. I know that an options appraisal process was carried out and I'm pretty sure it was put before the Plans Panel.
GJ	What were the options you were referring to?
W	If I can get the plans out. I think the original Supretram alignment used Hunslet Road not Witfield Way. One would have required removal of the mounding that separates Hunslet and Whitfield Road. Was one route that used the Open Space at the end of Witfield Way and one used Whitfield Avenue I think. I think 2 or 3 options were looked at.
GJ	Is it Mr Leather I should ask about where to find that in the ES?
W	Yes.
GJ	On Cuckfield Street, you say a benefit is there would be fewer columns in the street. In general you say the approach is to fix wires to buildings. Why beneficial over poles?
W	Reduces the amount of street furniture in front of buildings. If furniture and signage is allowed to become too extensive it could screen the facade of a good building.
GJ	We don't know the details as to how much is to be overhead and how much attached?
W	It is but powers are being taken over appropriate buildings. The limits and rights are all set out in the Order.
GJ	How that works out has a potential for how much harm is done to the streetscape?
W	It's also...
GJ	Is that right?
W	No. It is better to have fixings for the OLE but also important to try to combine street signage and lighting with OLEs as well. So 2 strategies to reduce impacts - affixing to buildings and placement.
GJ	If someone objects to having something fixed to their wall, I presume you would have to show a compelling case to get those powers - are you saying there's a compelling case or is it not necessary? How is the promoter putting its case?
W	The preference is attachment. But may not be possible for structural or aesthetic reasons.

	E.g. At Trinity Church there will now be a pole.
GJ	Well if you take it from me that it's not good enough to be a preference, is it necessary?
W	I think it's very important that they are building mounted to reduce clutter.
GJ	Bc that could have a negative impact?
W	It could do if it was not properly designed.
GJ	But only if not properly designed. Are you saying it's an absolute necessity?
W	Not an absolute necessity but it is a preference.
GJ	At some stage I'm going to suggest the promoters will need to jump one way or the other.
Insp	Have you got much more before the College, Mr Jones - wanted t have a break after this bit?
GJ	Not long. You were asked Qs by Mr Reed aout Wood Lane and the Headingley Centre NGT Stop.
W	Plan 117.
GJ	Quite a busy area - Wood Lane where te NGT shelter will be built, in the centre of the road?
W	Correct- a pedestrian thoroughfare through there.
GJ	Pedestrians...have got to negotiate the NGT stop that's now in the middle of the road?
W	Yes the platform is but the shelter doesn't extend across the whole of that platform that's shown.
GJ	The kerb you described as positive for pedestrians to negotiate?
W	They will be able to walk over the ends of the platform and this point here (gstures to left of the plan).
GJ	One of the things you said was that the stops are intended to be highly visible.
W	The important thing is it is visible from the main road so it encourages people to use NGT and also for people to feel comfortable that they are visible from Otley Road.
GJ	You said, "as visible as possible"?
W	Yes.
GJ	Won't people just go straight cross the road rather than using the crossing.
W	Yes they will do and I see no problem with that.
GJ	What's the purpose of having the hatched area?
W	No reason they couldn't. It's a shared surface. Tactile area for the disabled is elsewhere. Maybe a consistent material palette.
GJ	Not shown as a shared space with pedestrian priority?
W	I think it is, shared space isn't about pedestrians having priority. It's a mixture. The vehicles would have to slow down here anyway as there is a stop. The design is deliberately to make drivers feel uncomfortable and pedestrians more comfortable.
GJ	Are you familiar with the policy on shared space.
W	Reasonably yes. There is still a different material here at the stop for NGT.
GJ	Are you saying the NGT shares the space with pedestrians or not?
W	Let's get out the technical drawings. There a dot showing plaza and surrounds and a kind of brick-hatch that shows a shared space. That in design terms means it would make the drivers less comfortable following the principles in Manual for Streets 2. So a strategy there to make pedestrians feel more comfortable, enable pedestrians to cross and pedestrians at the stop feel more comfortable.
GJ	Do you recognise that shared space is where it is "pedestrian dominated"?
W	Yes. It is a concept that is still being developed - Exhibition Road in London and New Road in Brighton. There have been more radical and removed all kerbs and markings and met with resistance primarily by blind people. It's a moveable feast and what was best practice 3 years ago may not best practice in 3 years time.

GJ	That doesn't accord with how I'll put the case - is there anything in extant current guidance on shared space you want to point to?
W	Just Manual For Streets 2 which is the guidance at the moment.
GJ	Which passage. I put to you that the NGT would have to give way to pedestrians and there seems to be an issue between us about that - where in MFS2 do you get support that pedestians don't dominate and NGT won't have to give way to pedestrians?
W	I can't point at this time to where the reference is to priorities.
GJ	Getting out of your comfort zone, if I may respectfully suggest, Mr Walker - I think you are wrong and want to give you a fair opp now to find where it says vehicles take priority?
W	In our technical drawings, the shared space is shown coming up to the stop but doesn't go across the stop.
	[Adjournment at 3:20; resumed 3:37].
GJ	You said you were using grass between the tracks. Can you help me with the implications for and assessment of what happens if a trolleybus breaks down and has to be drive around.
W	My understanding is that the grass would be capable of withstanding buses occasionally driven over it.
GJ	Any assessment in the evidence of it?
W	Standard- a technology that has been adopted elsewhere e.g. At Cambridge.
GJ	Guided bus not a trolley bus.
W	Still buses but there are parts which are unguided and concrete tracks.
GJ	Yes that's the whole beauty.
W	You ask can buses drive over the grass and the answer is yes.
GJ	Your understanding but not addressed in promoters' evidence?
W	Yes.
Gj	Landscape and Visual Assessment of ES. Will deal with it shortly. We know don't we, your proof has focused on the 15 year position. We have construction?
W	Yes
GJ	Operational Year 1?
W	Yes
GJ	Operational Year 15.
W	Correct.
GJ	15 years is quite a long time isn't it, if living with the consequences as a receptor?
W	It is for ability of trees to mature.
GJ	I'm talking about people. A long time?
W	It is quite a long time but the trees don't stand still- in terms of growth take a couple of years to gather themselves and then start putting on growth.
GJ	Of course. But we don't have any feel in your assessment; there's no indication or flavour as to how SoS or Insp is to visualise how the mitigation impacts between Years 1 and 15?
W	No -we haven't set out an interim position. But the document is extremely large and I don't think the approach would be proportionate.
GJ	Well it's a big scheme. It's said when people haven't done sometjing that it's "not proportionate" but you've left a gap. At Year 1 we have various degrees of adverse impact in construction and operation which are significant don't we?
W	That's right.
GJ	Would have been useful to have at least some interim assessment between 1 and 15 years b/c we're faced with a doc that presents quite significant adverse effects and then at Year 15 the assumptions you've made but no feeling at all for the degree of harm in between?

W	No- would have made a very long doc even longer and I think it was fair to have done an assessment at Year 1 and at Year 15.
GJ	It depends whether you agree 15 years is a long period. Was there any question of assessment being carried out say at Year 7?
W	We decided early on we would do construction, year 1 and year 15 and seemed to be a sensible balance because the difference might not be that great.
	The difference would be say between 7 or 10 metres and when you are a resident sitting in your house the results will not be that apparent.
GJ	Well when I suggested the mitigation was principally about trees you railed at that and said it was other things. Speculating. Have missed out "medium" term and gone to "long" term?
W	There are other mitigation measures like paving and new open space that will be felt at Year 1.
GJ	Position is, the Insp and SoS has to do best they can- no idea about type of evolution- logarithmic or what?
W	Yes I think it's a good approach to set it out for those 2 things.
GJ	Beginning and the end.
W	Not the end a and I do pass comment on position beyond 15 years.
GJ	Nowhere else any guidance how to assess the interim between 1 and 15 years?
W	No I don't point to anything.
GJ	<u>Of particular interest to the College,</u>
	First the College heard was March 2014?
W	Yes- Doc 10-3-4. Met Ms Wannocote on [date March] [15:51].
GJ	You were involved in the initial design, pre-March 2014.
W	Page 5 of my Proof.
GJ	This was the scheme at the time the College made their objections?
W	Yes.
GJ	And at time statement of case had to be filed in Ja 2014?
W	Yes it was.
GJ	No consultation with the College following its objections prior to your meeting in March about the design, so far as you were aware?
W	Well, I wasn't party to any. As far as I am aware but that doesn't mean any consultation didn't happen. I wasn't involved in any discussions that might or might not have taken place. The impression I got was, there had been. Ms Wannacot came to Plans Panel in 2013 and expressed her concerns then.
GJ	I'm interested in after the initial scheme. The scheme that remained the scheme, what consultation was there then about the new scheme? A presentation meeting, not a discussion before March 13th?
W	As far as I am aware. There may or may not have been meetings with other people before that. I understood discussions were on going. I was asked by MottMacdonald to present a revised engineering alignment. Wasn't just a presentation, we were hoping to obtain their support because the scheme had been amended.
GJ	But had been no consultation - designed without consultation or input of the College.
W	No. Miss Wannacote came to the Plans Panel and made very clear her objections and that's what led to...
GJ	They were objecting. You didn't then sit down with the College. Where did students sitting on the "piazza" as you call it come from?
W	They were plans for discussion. They then subsequently got firmed up and submitted as part of the scheme.

GJ	Is that right? They were dated 31st March. When were they put in?
W	I can't say for sure.
GJ	Guidelines GVLIA 2nds Edn Paras 9.1-9.4. Consultation "an essential part". Let's test this a bit. Were you involved in the landscaping of 1st version of the scheme for the College?
W	Yes- was shown in our landscape plans.
GJ	When you designed it were you aware of the existence of the college as opposed to it being an office block?
W	Yes.
GJ	Aware of proximity of entrance to the College.
W	Yes - shown on the plans.
GJ	Our impression was, only a moron in a hurry would have designed that with the entrance to a college being there with peak flows of people. Is it now your evidence it was deliberately designed that way for a functioning College of Fine Art?
W	Yes. Knew it was a College of Art - it said so on the plans. But does impinge on the open space at the front and does have shortcomings I'll admit.
GJ	It's not a scheme you'd now promote?
W	No.
GJ	Had you visited and been inside the College?
W	Not personally. My team would have visited, not gone inside I doubt very much they;d have gone inside the building but could see where the entrance and exit is.
GJ	The only amenity site is what you call the "spillover" (bottom right of plan) [Design Freeze 7 revision P3 in APP_10-3-4"]
W	Yes changes but still a pavement outside.
GJ	2 issues- entrance and egress and also the amenity space. Original scheme was taking part of the amenity space away?
W	Yes.
GJ	We've got a reduced soft embankment?
W	Slightly reduced
GJ	Gone from one-way to 2-way road?
W	Yes.
GJ	Backing-up of traffic effectively moved from outside the Uni to outside the College of Art.
W	Yes basically the benefit of 2 way traffic on Blemheim Walk is that the area around he Uni would be changed in character - only buses and NGT.
GJ	Not quite - access for deliveries and offices.
W	The street would be improved and there are benefits in linking the campuses together by NGT and pedestrians.
GJ	I want to focus on the "Piazza". Is this really an appropriate mrketplace. Piazza means a public square. Is this a public square?
W	Okay it's an open public space.
GJ	Well one of the things that brngs the development industry into disrepute is greenwash and landscaping speak. Is this really "St Mark's Piazza"?
W	Splitting hairs. Public space- where students can meet their friends or place their art or banners and gets evening sun and usable space hat replaces the frontage and grass space.
GJ	Evening sun, but in the college day it would get no sun?
W	sun from early afternoon. Dn't need evidence to know that there's sun sets in the West.
GJ	And shady in the time predominantly when students are there.
	You've got to look at use of building and time of day when students are predominantly in the

	college.
W	I would imagine they are there in the evening.
GJ	Don't know do you when the lessons are?
W	I would imagine some in the evening and some in the evenings?
GJ	Did not know?
W	No
GJ	Did not take the trouble
W	Took the trouble to amend the scheme. MJrs Wannacotte did not want to discuss the design details.
GJ	You presented it as a fait accompli.
W	No - says clearly, "Woring draft for comment and discussion use".
GJ	So was the alignment and the areas of open space up for grabs, really?
W	Well they didn't give an idea how they would have wanted it to look differently. Subsequently Ms Wannacote's highway expert has come up with another scheme and it may be helpful to look at that.
GJ	Not going to look at that- is it your evidence that at the meeting in March that area in the red dotted line was up for grabs?
W	I cannot recall exactly, I wasn't there representing the highway design or engineering design- there was a Mott Macdonald engineer.
GJ	Is it your evidence that your team at the meeting made clear to the College that everything was still up for negotiation and those red lines...?
W	I didn't call the meeting
Insp	Can he say what happened?
GJ	Is it the case that the alignment in the red lines was up for negotiation?
W	Can't recall exactly. Impression I got was that Ms Wnanocot didn't like the idea of 2-way traffic and was keeping her impressions to herself about the detailed design. Subsequent to that Mr Wilkins was suggesting moving the alignment over such as would demolish 3 or 4 of the other buildings on te corner...
GJ	I've got the answer that it was an impression you got at the meeting. Did you take trouble to find out for yourself the hours of operation of the college?
W	No I ddidn't. I don't think when you go to present a first draft of a replacement open space you need a detailed discussion of the open hours and when the lectures are and assumed that lectures would be in the day and as a studio environment it would be open in the evening.
GJ	Important - if light in the day, more usable throughout the day?
W	Yes but still retains the spillout area behind the trees in its entirety. Doubt it will ever get sun in the morning b/c sun rises in the east.
GJ	One factor in good landscaping is interconnectivity?
W	Correct but unfortunately there are no doors.
GJ	No - a brick wall there - no interconnectivity is there. Exit in oposite side and have to walk back past the entrance to the "square" with a brick wall?
W	I still think it's a useable space.
GJ	You are comfortable with the name "St Mark's piazza"?
W	It's a name, a label to get the College interested and make them aware how large it is.
GJ	Totting up number of square metrage is not aproprate - have to look at the use?
W	Yes - can't just say a tiny piece of open space is useable. But this is a space that with good design could be useful to the College.
GJ	A space if it was moved round and connected with the existing amenity area it would be more useful?

W	Then they would have more space than at the moment.
GJ	What's wrong with that?
W	Now it's about 25metres square more. The space they currently use is just a pavement.
GJ	Don't use the grass verge do they?
W	That's the point. Losing a grass verge that's not nice and the a pavement.
GJ	No you misunderstand me- area behind the fence retained. The soft landscaping is going to be reduced. The key aspect.
W	No - you are absolutely wrong. The most important area is the paved area at the front and the area under the trees.
GJ	Have you been and seen where they have their lunches?
W	Yes I have. Some will sit there.
GJ	Can't get to piazza without going round the corner?
W	No but a desire line to get to the college.
GJ	You said would display the artwork there?
W	Could do- a suggestion to get them interested.
GJ	Is that why you labelled it a piazza to get them interested?
W	Yes.
GJ	Not because it was an accurate description of the space?
W	It's a useable space.
Insp [16:29]	Is there anyone who would like to ask Qs for half an hour now?
Christopher Foren	I've not got the Proof of Evidence here today which I marked up.
RW	With respect the Programme does have A660 Council down as cross-examining today and if there's a reason for it great but if not...
Insp	Well it was Mr McKinnon who was down next.
RW	Could Mr Foren start then tomorrow?
Cf	Yes Sir.
Insp	Adjourn and resume at 9.30 tomorrow morning.
RW	Mr Natkus is asking Prof Purseglove to be recalled. Will take some instructions.
Insp	Inq is adjourned.