

# 18 July 2014

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09:33

NC	APP157 is a response to the questions from Mr Jones. We have had Ms Carey-Jones' representation.
Insp	I'm also receiving responses to your previous APP154- seen 2 now and I think there's a third one.
NC	No doubt they'll get to me and I'll look at them. On programming I am concerned we're not going to complete Mr Speak's evidence in the time available b/c we have Mr Chadwick fixed on Tues and potentially Prof Purseglove. So potentially we've got today.
Insp	Could have a shorted lunch break.
NC	Even with all that we have potential probs- either acknowledge we can't get through it and put some people off, if we did that I'd seek to re-examine.
Insp	Yes I think so.
NC	He deals with planning policy and he also expresses a view on the balance and heritage issues. It may be that you think it all has to be taken together. But given that we haven't completed Mr Ward's evidence, we could put that off and also to deal with whether that additional evidence is put in or not.
Insp	Mr Jones will probably have a few words.
GJ	Of the 2 it's probably better to break off Mr Speak. We're told it's ES separate from evidence. Mr Speak's evidence is based on Mr Ward's evidence. If it is to be held off to wait for the ES, that undermines the Applicant's case - not a good point - that it is separate. Also, very difficult to cross-examine for me and also lay people, not on his balance.
Insp	I can see there might be an overlap between policy and the balance.
GJ	And they said they weren't going to recall Mr Speak as his opinion was based on the cons and the cons haven't changed. I do agree on the timetabling and it would be undesirable for him to be in purdah. I've a separate matter about a doc we've put in but...
Insp	I think it would be very awkward to put a cut-off line between policy and heritage balance. Too difficult to split it like that. SO we'll have to keep the cross-examination...and people will have organised their X-Ex in respect of the whole evidence - would be unmanageable Mr Cameron to do it your suggested way. If that evidence is to be admitted we'll have to just see if it affects anything Mr Speak says.
NC	Sir it seems on the programming that Mr Speak will have to come back anyway. Don't know yet if Mr Ward is going to come back and Mr Speak could come back after him.
Insp	If necessary.
NC	I couldn't re-examine if Mr Jones got halfway through.
Insp	It might be that Mr Jones won't get to cross-examine at all.
GJ	I've regard to the act we're examining Mr Chadwick, and not just me - am aware Prof Bonsall has some Qs purely arising out of the new document points.
Insp	And I'd want some time on Wednesday to discuss the new evidence.
NC	I am concerned about witnesses giving evidence for too long in 1 day.
Insp	I realise yesterday was quite a long day for Mr Walker and it was tricky for him to keep his concentration all the way through- obviously I don't intend to do it too often.
NC	I didn't object yesterday because I saw the meits for M Walker as well.
Insp	[9:45]. Any other matters?
GJ	FWY131 Sir which we showed to the Applicants yesterday. Mr Turner was going to comment on APP132 and APP134 in evidence and since it contains figures about how many people can fit on a Mercedes Benz Citaro we thought it best to reduce it to writing with the hope we can

	agree the figures with the Applicant. It's an A4 sheet. The first part repeat what Mr Turner's already said - halfay down there's a picture of a bus and well, Sir, youll see.
Insp	To Cameron - you're happy? Oh and the GVLIA note is APP158.
NC	APP 158.
HP	The submissions on the heritage - are they inquiry docs and will they go on the website?
Insp	Yes as soon as possible. You'd like to see what others are saying?
HP	Yes they are inquiry docs.
Insp	They are coming in all the time- if possible but try not to complain if they aren't all there- most pertinent ones certainly will be. Promoters' ones will be.
NC	I call Mr Speak.
Insp	How long?
NC	Up to 2 hrs [9:53].
	Degree in Land Economy, most experience reates to forward planning, local plan and sustainable development. Involved with preparation of UDP, the UD Review in 2006 and the Core Strategy which is still subject to examination - not received ins's report as yet?
SS	Correct.
NC	Read Summary Proof
SS	[reads]. [Policy support- saved policies- for the route, which were not subject to examination by CS Inspector- no discussion of NGT at the examination]. The scheme is supported in principle in planning policy. Great weight should be given and consistent with NPPF. Impact on heritage assets is affected. Evidence of Mr Ward is hat the harm to heritage assets is less than substantial and will be addressed by the design- on balance support for NGT and its benefits not outweighed by harms.
NC	Thank you can I deal with 2 corrections please. Your rebuttal, Reb1- OBJ1641- to South Headingley Community Association. Can I hand mine- has the correction.
SS	Figure should be 5120 sqm. The 3500.
NC	And 6.6 you wanted to change refs in your proof. List currently says [...].
SS	Nos should read, 4.6,4.18-22, 4.42 and 4.44.
NC	And start with D-2-5, the UDP Inspector's report. [February 1999]. There are some concs. What were the Insp's concs and remind us what he or she's dealing with?
SS	Insp's clearly considering the Supertram proposal that was current at that time as the rapid transport option in this area. Saying there's policy support for public transport- can provide alternative to the car - fast, quiet and comortable journey and the coridor is congested and wouldbenefit from such a scheme. Sees supertram playing a rle for the next century.
NC	And sees guided bus as playing a lesser role in areas of low patronage.
SS	Yes.
NC	Have those policies survived?
SS	Yes.
NC	159.9- what was Insp's view of tram on heritage issues that appar to have been raised by an objector the Joint Council? <b>{NB THIS IS ONLY AN EXTRACT AND WE NEED THE FULL REPORT TO BE ABLE TO DEAL WITH THIS!!}</b>
SS	He says trams have run through historic cities.
NC	What's he say at 160.16?
SS	It's for an inquiry such as this one to consider the detailed merits but does say it's clear that "new measures are needed". Doesn't see bus services are likely to attract motorists from their cars. He saw that Supertram would offer a real alternative to the car.
NC	And 160.19 - says will be impacts on LBs and their settings and reference to design issues.. Now D-2-6 at p.103 we have T1 and T13.

SS	Correct.
Nc	We'll come onto it as it's part of the current development plan. Your proof at 4.14 you say the UDP Review is the current development plan and you refer there to the most relevant policies T12, T13 and T17. At 4.16 you say the Revision to the UDP was saved pursuant to directions of SoS. And at D-1-4 we have a schedule of saved and deleted policies. This isn't the actual saving direction but it identified those which will be superseded and those which won't?
SS	Correct - was requested by CS examiner.
NC	T13 and T17 appear in blue - saved and not superseded?
SS	Correct.
NC	Survive the CS?
SS	Yes.
NC	Turn up D-2-9: the UDP Review. [i.e. The 2006 Reviewed Version]. Can you explain - you've been involved in prep of policy in Leeds for some time - what was the purpose of the review?
SS	Largely to bring thye housing policies up to date - scale and phasing of the sites- a partial review.
NC	Page 111. Ref at 6.2.9 to Supertram. The Inq is very familiar with the 2005 letter withdrawing the funding or more accurately making a final decision that funding will not be available. How did they respond?
SS	Felt appropriate to retain the corridor and P&R facilities pending consid of what the alternaives might be to give a clear steer that it remained the intention to improve public transport in this corridor and alternatives would be considered as and when the LDF got underway.
NC	And we see at 6.2.11 [reads]. And the point you've just made.
SS	That's what's happened.
NC	Good. Take up Mr Brooks's Proof of evidence and rebuttal. 923/04 and 923/11.
SS	[doesn't have it]
NC	We'll try and make progress. At 4.6 of his proof he says at the time of the UDP alternatives to Supertram had not been considered and the business case had not been considered. Not of the opinion that policy support for Supertram can simply be transferred. One of the points was that the business case for NGT was not examined- would you expect the bsiness case to be considered?
SS	I would not- I don't believe the Insp examined the business case for Supertram.
NC	We've got the rebuttal. At 1.8 he says you made ref to "rapid transport" and that reinforces his view. Your view as to the extent to which, if at all, the policies relating to Supertram - particular T12 ad T13 give support to the current NGT proposals?
SS	In my view they do give significant support to current NGT propoals. Fundamentally, support for modern rapid transport- connect to P&Rs allocated for that purpose. In my view it's clear the UDP provides support for a rapid public transport system.
Insp	Wasn't the policy T12 shown in red and superseded [D-1-4, p.5]?
SS	No it's to be superseded when the CS comes into effect but is in the Reviewed UDP.
	NGT is similar to Supertram apart from visual impacts, costs. Also a rapid transit scheme running along a corridor identified in the development plan.
NC	Still in D-2-9. Diagra no.2 Public Transport. What does that show us?
SS	Shows potential supertram corridors running to the NW towards Bodington and in act extends up towards Holt Park as it happen and another one to South Leeds and a further route to East Leeds.
NC	Before we go t the Proposals Map while w've D-2-9 to hand. Page 128 and T17- we recall it's not to be superseded. What does it make allocation for?
SS	A number of P&R sites, te first 2 are relevant to this application, Stourton and Bodington.

NC	Now, D-2-8- can you ID the correct maps for P&R sites?
SS	16?...15 I beg your pardon.
NC	Where do we find that?
SS	To RH side of the page, blue dots representing the supertram run to P&R sites.
NC	Shown as T12 Supertram Line. Should that actually be T12 or T13?
SS	I think in reality it should be both but T13 should have been referenced on the key as in reality that's the policy safeguarding the corridor.
NC	And Map 16 we see the blue dots. Map 22 does that show the route of Supertram?
SS	Yes picks u the route through City Centre heading down into south Leeds and I did refer earlier to the section adjoining Hunslet where the route uns along Whitfield rather than as shown.
NC	How does it show Belle Isle?
SS	Through Belle Isle Circus as NGT is proposed to do but extends to Tinsley. [Map 28].
NC	As it happens the Proposals Map shows the originally proposed route for NGT and now proposed route for NGT apart from extension from Belle Isle?
SS	The originally proposed route for Supertram and the now proposed route for NGT.
NC	Page 112 of D-2-9- "strategic principle" SP4. Need Mr Brooks' evidence at 4.8.Says he's of the opinion that NGT is contrary to SP4 b/c will have a detrimental impact on overall PT in Leeds.
	Your opinion please?
SS	I think it's consistent with SP4 which simply is a statement that Leeds will seek to support any improvements to PT of which this is one. There are many improvements to PT and that's a priority.
NC	And T12. Mr Brooks at 4.11 says whilst NGT broadly accords with T12 so does bus proposal. But he says when considered holistically across Leeds the conflicts appear as diverting funds from other schemes with benefits and more certain costs conflicts. Your opinion that if there's an impact on buses elsewhere it will somehow conflict with the policy?
SS	Simply says new forms of transport will be support. NGT is such a proposal and clearly accords with the policy. I've no doubt that there will be some impact on PT as there will be from the other PT interventions occurring in the district. So from my perspective it clearly accords with that particular policy.
NC	T13 and Mr Brooks 4.14 says the technical and business case is difft in NGT from Supertram though he acknowledges it follows the same route. He says that because the technical and business case is difft it could undermine the strategic objectives of the UDP.
SS	Don't agree and don't understand it. Protection of a route for a modern rapid transit scheme that is itself an objective of the plan so I don't understand how it undermines the objectives of the plan.
NC	What about it being part of the corridor - could be expanded further?
SS	That's correct.
NC	T15,p.126. What Mr Bropoks says at 4.17 is that the explicit support can in his opinion be reversed and used to oppose measures that do not give priority to bus movements and reduce vehicle accessibility. Do you agree?
SS	Don't agree with the point. The plan needs to be taken in the round. It's supporting improvements to bus services and NGT at the same time <b>[SUPERTRAM not NGT!!!!]</b> . Clearly this supports the sort of bus improvements that First have been talking about.
NC	Complaint in Mr Brooks's rebuttal at 1.9 that there has been no meaningful engagement with the bus companies about hw their routes are affected when NGT is up and running. When the policies in the UDP wee developed was there opp for bus os to object if they wished?
SS	Extensive opps and consultation.
NC	Have you hecked whether First made any reps?

SS	So far as I can tell First did not. One of the reports of consultation in June 1993 - and no idea if that's a doc people have access to - refers to engagement of bus companies in the process. I don't know enough about it whether some of the bus cos were absorbed into First - West Riding Buses, Rider, Yorkshire Traction and Yorks Buses. Notwithstanding that engagement, no objection.
NC	Strategic aim. Mr Foren suggested the offline sections contravene this policy?
SS	Plan must be read as a whole. Strategic aims may conflict with each other. There to provide a context for the policies that follow. "balancing the interests of the envt of Leeds with development aspirations" is a main theme.
NC	When's CS report due?
SS	Insp told us he'd let us have a report for fact-checking at end of August.
NC	D-1-2. Key Diagram.
SS	Could I just make a point on the Core Diagram - has been overtaken by a later version that shows more clearly the link down Belle Isle Road.
NC	Sir can we undertake to check on that?
Inp	You say the end of Aug - the report. Have you any idea about adoption?
SS	Haven't seen the report but have had 2 sets of Main Mods from the Insp. First round went to consultation. Second round which Insp advised us was necessary - nearing completion now. Therefore on the hope that there will be nothing more significant because the Insp has given us those directions we would hope to move rapidly to adoption.
Insp	In other words, could be adopted before we conclude this Inquiry.
SS	Would have to go to Full Council so it would depend on the schedule of council meetings.
NC	Do any of the proposed Main Mods affect NGT?
SS	No.
NC	Map 9 says "key elements".
SS	Again I believe this diagram has been extended to include Holt Park.
Insp	If it does get adopted it would be useful to get the adopted plan presented to the inq.
NC	Sir that would have to be.
GJ	I agree with what Mr Cameron says - would be a legal duty on SoS to take it into acct - a bit greyer what your obligations are sir, depending on when it comes out.
NC	And the Insp's report too Sir may be material. Moving on to Map 11. Is that the latest version?
SS	Believe so.
NC	Strategic Priority 1... Does NGT accord or not with Policy 11?
SS	It accords with Policy 11.
NC	Once the CS is adopted, you said T13 remains?
SS	Yes.
Nc	D-1-4 p.5. And policies of P&R remain?
SS	Correct.
NC	So T13, T16 and T17 saved from UDP?
SS	Yes.
NC	Mr Brooks says the principle of NGT is supported but then says there is a dichotomy. Do you see this tension?
S	No - provides for a rapid transit system and NGT accords with that.
NC	On the map, specific reference to NGT?
S	Correct.
NC	We come to the CS. This time we go p.81, Policy P10(ii) Design. D-1-3 page 82. Miss

	Lightbody's rebuttal says NGT doesn't accord with P10(ii). Taking the plan as a whole and the emerging CS have we support for NGT along a specific route and how do we resolve what Ms Lightbody sees as a tension between effects on envt and overhead lines and support for NGT corridor?
SS	In that instance it's absolutely right and proper that landscap and heritage interests are given proper weight in the policy but qually clear that hey are not intended to be an embargo on anything happening in CA.s and they give a context to help us to judhge whether the proposals are appropriate or ot - heritage assessments and landscape assessments. Wd say that at the UDP te Insp acknowledged that there would be harm and contemplated a system hat had overhead wires and indeed racks as well and accepted it could be accommodated in this route but I accept absolutely that it is necessary to take account of the detailed impacts as well.
NC	Can I ask you a similar question about engagement. Have there been objectons from er, First Group, indeed other objectors to the strategic policy that includes reference to Mao 9 and the Key Diagram and supports the NGT route?
SS	Can't off-hand say if there have been objctions to SP11. I suspect there will have been some reps made about SP11 but am not aware that there were specific objections that elated for instance to P&R or the corridor.
NC	So we keep the Insp up to date. Turn to your proof at 7.11.
Insp	Mr Cameron can you find a suitable time to break?
NC	Can I deal with this point. At 7.11 you refer to an objection by Headingley Land Dvpmts [reads]. How far has the Site Allocations DPD gone?
SS	We had a consultation last year. We are reviewing that and are hoping to move fwd with our intended allocations. That work is ongoing and I dpoubt that we will have any further doc published before the Inq closes.
NC	Sir that's a good time to stop and we've probably another 20 mins or so.
Insp	[11:08]- I adjourn till twenty-past.
[11:29]	
NC	How would any conflict be resolved?
SS	I don't see that there is a conflict and the emerging proposals at Holt Park could take NGT into acct.
NC	New point. APP121
SS	[...]?[11:32]. We could cut down further on city centre car parking spaces.
NC	Contradiction between the doc nos - copy of the SPD on City Centre Parking on the website shown as APP115?
SS	No
NC	Policy CCCC41 -what's the purpose of that approach?
SS	If there are to be further temporary car parks, should be subject to planning approval, secure improvement works, 5 year life and limited to 3,200 spaces.
Insp	Which doc is this?
NC	Called "Leeds City Centre Parking SPD" - on the wbsite as APP115 but numbres have got muddled up. Now, 8.1.5 at p.15
SS	Says "mix of both rail and bus based P&R is envisaged" and for this purpose "bus-based" is taken to include rapid transit.
NC	What do yo understand to be "rapid transit"?
SS	NGT.
NC	You refer to Chadwick's Proof at 7.2. Take up Mr Chadwick's proof at 3.96 and 3.98 he refers there to er the TEE table in the Business Case Review and says at 3.96 "NGT results in a modest monetised GHG disbenefit" and at 3.98 "assuming the current national mix of electricity generation...small net increase in carbon emissions"- 0.1% of total emissions for

	Leeds District but lower emissions per passenger than other alternatives considered. So when you refer to envtl benefits from a vehicle with a reduction in GHGs what were you referring o?
SS	Chadwick's 3.96- zero emissions in operation, compared to diesel on the route, compared to car use.
NC	Should that read GHG emissions at the point of delivery of the trabsport?
SS	Yes I accept that as worded it doesn't reflect Mr Chadwick's evidence correctly.
NC	How are you suggesting it be changed?
SS	I take the point he does say fewer emissions per passenger kilometre. I realise Mr Leather refers to different means of electricity generation and avoiding things getting worse if there is no improvement in PT in this corridor.
Insp	Mr Cameron was asking if you wanted to revise the wording?
SS	Do you want me to rewrite it now?
Insp	Was Mr Cameron's question.
NC	I'm content unless it would assist you Sir?
Insp	No I understand your position - referring to Mr Chadwick's evidence.
NC	And Mr Leather- Proof pp.20-21. At 4.22 he says "predicted to lead to a change in GHG emissions...small increase...0.2% and then 4.23 increased transport capacity with fewer emissions per passenger kilometre and opp to power the scheme from local o renewable supply. Which parts were you relying on i Mr Leather's evidence?
SS	Particularly 4.24 because the oher points are covered similarly by MChadwick.
NC	Go to D-6-2- this is ..You refer to supertram at 8.35 and to the SoS's er decision on Supertram. Can I just ask you, TWE can reliance be placed on oncs reached in relation to Supertram?
SS	I think it wd not be appropriate to place reliance on the oncs- clearly a matter for Insp now and for SoS but do think they are relevant b/c the Insp considered the proposal acorded with local and natiuonal policy at the ime, tok a view that there was harm but the benefits outweighed the harm. So in a number of ways those previous decisions are relevant.
NC	You said couldn't "place reliance" - my words - but that they were relevant. You referred to p.85 in D-6-2., at 72.3(a)- made a finding that improved public transport facilities are needed. Has there been any change in that position?
SS	I believe there is still a need identified at the previous inquiry.
NC	In terms of balance, (d) - integrated transport strategy, adhere to spirit o UDP. Any change there?
SS	No.
NC	In terms of balancing benefits against harm. (f)- overall balance some disbenefits.... Is a similar balancing exercise required in this case?
SS	It is - I think a similar thing has been referred to in evidence and I think largely similar issues to be considered.
NC	Can the same approach be applied?
SS	Yes it is - I think a similar scheme.
NC	When you say can't place reliance o it, what did you mean?
SS	Can't say that just because Supertram was granted previously, can't take the view that NGT has t be approved - all schemes have to be assessed on their own indiv merits.
NC	Brooks' rebuttal at 1.14 Mr Brooks responds to your 8.35. And says he's pf the opinion that the SoS's words you refer to at 8.35 in your evidence can be used to resist the NGT scheme- satisfied the wider public benefits outweighed the concerns. Do you, you've explained that you shouldn't automatically grant this order because SoS made the Supertram order but do you agree the SoS's words can be used to resist the NGT scheme?
SS	No can't understand that. NGT will provide modern rapid transport system in a wider

	strategy- should provide speed and punctuality improvements and supported by local and national policy. I accept will be some impacts on PT but don't agree with Mr Brooks' concs.
NC	You say at 8.25, refer to Statement of Case- what were you referring to when referring to "growth in demand"?
SS	I think I had in mind the growth projected for the city in the CS which is substantial.
NC	8.37 you are referring to Supertram SoS decision and say the overall planning balance is the same today for NGT. Can you explain what you meant?
SS	Very similar scheme with a similar range of impacts but would deliver similar range of benefits.
NC	The SoS came to view that benefits outweighed the disbenefits- your view of this scheme?
SS	My view is that's the case with this scheme as well.
NC	Let's see how you perform that exercise. Say it's recognised there is harm..heritage..considerable weight. Explain how you've conducted that balance and come to your conclusion?
SS	Started from NPPF and development plan and looked at the support they provide. Looked in particular at protection of the corridor and P&R allocations and the consistency there. Looked at city growing and will need PT interventions. Looked at what Mr Farrington says that the city will need investment. Looked at Mr Chadwick's evidence on social and economic benefits. Considered Mr Flesher. Looked at Mr Ward and acknowledge that many LBs that are described as affected and CAs that are affected but also taken account of concerns of Mr Ward that there is less than substantial harm.
NC	Now support for Supertram in CS and UDP. And that includes overhead lines and tracks and in the case of NGT OLEs but not tracks, how does that operate as an input into the balance when considering impacts on heritage assets. What's your starting point, initially with development plan and other material considerations?
SS	Just what you said - starting point is development plan and the inspector has already carried out a balancing exercise between need for investment in this corridor so that would be my starting point.
NC	You said heritage should be given considerable weight. Words of the CA were "considerable weight and importance". How do you give considerable weight and importance to the presumption in favour of their preservation?
SS	At the end of the day a matter for inspector and SoS- I don't think there's a precise prescription to how to do it - a matter of judgement - I have to take account of the view of Mr Ward that it's less than substantial harm and that's part of the overall balancing exercise.
NC	Thank you. Sir the 2 extracts from the CS- revised Key Diagram which shows as Mr Speak said it would be the route up to Holt Park and Belle Isle and Map 9 - I don't know if there is a difference.
Insp	They might change again in the adopted document.
NC	Sir we'll either add them or omit as an APP document.
Insp	I think go in as an APP document because other objectors will have referred to the previous document - I'll keep it as a new document.
NC	Well it's probably APP 159.
Insp	Amended draft CS plans. Thank you.
NC	That completes EIC Sir.
Insp	Mr Ray from NWLTF ('TR').
TR	I did draft some Questions before that I'm passing round to you - just a guide from the discussion we had.
NC	Sir I haven't got a copy, could I have a copy.

TR	I'm a retired town planner representing the NWLTF and live in West Park. Will refer to PoE but focus will be on the policy issues and their respective weightings to try to get some
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	<p>understanding where they fit - esp now with NPPF and less where we were 15 years ago. Para 4.7 in your evidence. NPPF - requires applicants to describe the significance of any heritage assets in their setting. The original Hist Env't doc A-08c-7, para 3.66. You said it is critical to the balancing exercise. Mr Ward's evidence was based very much on this doc. In the context of the NPPF I want to know whether in your opinion this was an adequate exercise. Fundamental errors in that Woodhouse Moor was not protected by any heritage designation. Fundamental error and I can quote many other examples. Your view on how well that doc has met the reqts of NPPF in describing the significance of any heritage asset?</p>
SS	<p>Not able to give a detailed response. I haven't sat through his evidence. My conclusions rely on his concs. Clearly if the Insp finds that incorrect that affects the balance of interests. Clearly if a balancing of interests is to be done then the info on which that is based needs to be accurate.</p>
TR	<p>Para 4.3 you quote from policy P11 - as historic environment "will be conserved...partic those elements which help to give Leeds its distinct identity". It's the cumulative effect of all those elements that give Leeds its identity. Do you agree that the cumulative impact partic the off-highway sections will not comply with his and not conserve the distinct ID?</p>
SS	<p>Policy P11 rightly reflects national policy which is an overarching concern for historic env't. It needs to be seen in the round - the approach I took with UDP. It's not intended to be a blanket embargo on devpmt in areas of historic interest but clearly addressing those interests and how you balance harm. We have a policy background that enables harm to be considered and you'll no doubt come back to how Mr Ward gave his evidence but I take the view that he's the expert whether there is a heritage impact or not.</p>
TR	<p>No proviso - "will be conserved" period.</p>
SS	<p>I don't see that you would need a policy that addressed harm if every time you considered a development that there was harm, you had to turn it down.</p>
Insp	<p>Can we just look at that policy? <b>[HASN'T ANSWERED WHETHER IT COMPLIES WITH THE POLICY]</b></p>
TR	<p>A pretty positive statement?</p>
SS	<p>I agree.</p>
TR	<p>Applying that to the northern NGT route and recognising the distinct ID of Victorian villas in a mature landscape setting would you say that area alone meets the requirement as an area that contributes to the distinctive id of Leeds?</p>
SS	<p>I have to rely on the evidence of others and come to the conc that it does.</p>
TR	<p>The maps and policy docs relating to it - Map 9 wording "key elements" - is schematic to reflect the emerging nature of the city transport strategy. So can you clarify what is this emerging city centre transport strategy? Implies this is subject to change and modification so what is shown on the map could be updated now. The map handed round which we just had a new version of.</p>
NC	<p>Mr Ray is referring to last 2 sentences in SP11.</p>
TR	<p>Yes - item 11. Talks about an emerging transport strategy. I wanted to know the relationship between an emerging transport strategy and the core strategy - are the transport elements of CS subject to further change?</p>
SS	<p>Elements of a CS are always subject to change. Have been looking at city centre for instance and whether the loop might be extended but the fundamentals such as Kirkstall Forge and P&amp;Rs I think are settled.</p>
TR	<p>Principles settled but routes could change?</p>
SS	<p>Well we're preparing an Area Action Plan for the Aire Valley and it could well be that new transport would link in.</p>
TR	<p>So we need to be aware that there could be changes in proposals?</p>
SS	<p>Transport proposals don't stand still they are dynamic.</p>
TR	<p>Exactly. I want to focus on balance. If we um go to para 8.3 and do it sequentially. You quote here from UDP Inspector some 15 yrs ago on Supertram proposal. Say this type of scheme</p>

	will influence patterns of growth so that dvpm is encouraged. Specifically on the northern route north of the Uni precinct where will such growth take place now in accordance with the CS?
SS	If you don't mind I'll take you back a bit. The CS inspector envisaged a number of sites would benefit from P&R at Bodington. Those sites have already been developed without the improvement he had in mind e.g. At Filter Beds, Paul and Adel. But moving forward clearly the CS has a strategy that distributes the 70,000 houses that we have to plan for over the 15 year period and there will be sites undoubtedly in NW sector on A660 corridor- will include East of Otley, Land at Branhope, Adel, north of Lawnswood currently of interest, a planning application for land at Cookridge. So there are sites over and above those the UDP inspector envisaged.
TR	None of those schemes are on the route. You are referring to the potential for using P&R at Bodington?
SS	Correct. And, sorry, at some stage there will be dvpm at Leed Girls High School -that's a large site on the route.
TR	If those sites already have come forward what about influencing future growth?
SS	We can't say that -we are implementing distributing the 70,000 and the fact that there is the P&R may well influence say colleagues from the Highways section in terms of where is more important in allocating sites.
TR	So the P&R is what is responsible for influencing development?
SS	I think a lot of it will be. The plan allows for windfall and an additional 10,000 units in the city centre and I've no doubt there will be additional opportunities in south Leeds.
TR	But in respect of the northern corridor. At 8.6 you refer to alternatives in the context of public policy. If P&R is the critical element wouldn't a dedicated express link - hybrid or objective bus -not meet the policy you've described of meeting growth in the NW sector as we've seen in other sectors.
SS	I think P&R is an important element but a view has been taken that NGT is an appropriate solution. That's not to say that other schemes couldn't come forward but a view has been taken that this is the best alternative.
TR	But that could meet the objective, in terms of the P&R?
SS	In part- I go back to what the UDP inspector said that it could be of benefit both to commuters and residents along the route
TR	Back to Mr Ward -you referred to his concern that harm is not substantial. I and others have challenged Mr Ward on that. But nevertheless you agree that the harm has to be balanced and the scheme has to be judged on its own merits?
SS	Yes.
TR	Would you agree that the crux of this inquiry is the balancing of harm to heritage against benefits?
SS	Yes.
TR	If the benefits cannot be substantiated, then the harm cannot be justified?
SS	Almost inevitable- if someone has got the benefits wrong or the harm wrong, the balance must change.
TR	You say the NGT will support regeneration and redevelopment- referred to Mr Farrington's quote. Do you give that significant weight?
SS	I think it's important yes.
TR	On the northern route, where does it do that?
SS	I've already mentioned the Government Office redevelopment, the housing scheme. Redevelopment of Uni site is another one. The High School site is another one. The Uni have proposals all the time in the Uni. There will be development in the City Centre- passes near where a new hotel is being constructed near the Arena.
TR	You mentioned the Bodington site which is underway already and the High School site in the

	NW and that's sit.
TR	Then you refer to growth and bringing derelict and under-utilised land back into use. Again on NW, what areas do those policies come in?
SS	I think it's particularly important in terms of the growth of the city - already explained the City will grow by 70,000 dwellings over the next 15 years. Will be important that people are able to access growths as part of that agenda and in a sustainable way instead of just piling onto the A660 in their cars.
TR	But in that NW corner corridor there's none.
SS	I think you've got to look at the scheme in general. Our view is that if you are going to have these additional jobs you need to make sure that people can get to them. Our view is the NGT corridor from Stourton to Bodington is part of that agenda.
TR	At 8.25 you said scheme will deliver public transport benefits and help to support growth in demand, housing and employment. Again, the planned growth in housing and employment will not be along the northern route but beyond it?
SS	It will be served by the northern route.
TR	It's serving development elsewhere?
SS	It's supporting retail and leisure offer in the city centre and will provide access to that.
TR	So it's service of growth and development elsewhere. You said it was an attractive alternative to car travel. What weight do you give to that element?
SS	That element is given important weight as it is specifically mentioned in national policy.
TR	We're talking about modal shift?
SS	Depends how you define that. Talking about P&R.
TR	Talking about getting out of the car and using P&R or Trolley?
SS	Correct...
Insp	Give him a bit of time to answer the Qs.
TR	Predominantly the P&R
SS	Yes.
TR	Crunch question is, what is the modal shift predicted in NW?
SS	I'm not sure what the modal shift is but in terms of transferring from car there will clearly be additional joined from people who would otherwise have used their car and that will reduce congestion beyond the P&R scheme and it's also important to consider what conditions would be like without the NGT scheme.
TR	But you said getting people out of the cars is fundamental?
SS	It's important yes.
TR	So extent of modal shift in the business case is critical?
SS	It's important.
Insp	How much more questioning?
TR	I'm winding down for 1 o'clock. [12:43]. At para 8.20 you talk about benefits of the scheme and envtl benefits in 8.20 and 8.2. Again, what weight do you give to these envtl benefits of the scheme - issue of pollution and talk about substantial investment in landscape and townscape.
SS	I think those benefits are important but before instance you would need to look at the evidence of Mr Walker - he describes a mix of benefits and disbenefits and they all play into the mix.
TR	The impact is pretty marginal on GHGs?
SS	Yes I think conc in the Business Case was that it was neutral.
TR	Would that weigh in the benefits?
SS	The conc was it was neutral so...
TR	We lose that benefit?

SS	Yes or there's no disbenefit.
TR	8.29 you rightly conclude that the impact on LBs and CA's must be give significant weight. We talked about trying to distil or disaggregate the benefits side. On the harm side I'm trying to address where the balance finally lies particularly on the northern route where it affects many LBs, CAs and undesignated heritage assets. Do you agree that the benefits don't outweigh the harm to the envt?
Ss	Bo.
TR	So which elements tip the balance?
SS	Well I rely on other witnesses - if you want me to run through all the benefits of the scheme?
Insp	When you say tip the balance, do you mean the ones that are most significant?
SS	I think you need to look at i in the round - I'm not sure you can say a particula benefit is virtually insignificant. I think it is significant that we have a proposal that is plan-led - whole purpose of the plan is to provide certainty for those promoting other proposals. I think it fits with nationa and local policy agenda. About proviing a faster, more rapid puctual and reliable system. More capacity in an area that's congested. Growth of the area as a whole. Thye views of previous inspectors who carried out the balancing exercise. Saves us from congestion and provision of even more parking in the city centre that would be to everyone's detriment - would put us on a par with other cities which s something Mr Farrington spoke about. Does rovide acess for people coming from outside Leeds . Regeneration - I accept predominantly in the south. Direct jobs growth -overall Mr Chadwick predicted 3,500 jobs and social and econmic benefit. He overall concluded slight environmental enefits. A moderate adverse impact on noise. Impacts on landscape and townscape. Improved pedestrian facilities and cycle lanes. Improved open spaces and artificial pitches on the Bodington site. A range of benefits. Clearly I have acknowledged there is harm. I suspect you would agree with me that the predominant element is the harm to heritage assets.
TR	What is your definition of "substantial harm"?
SS	I haven't got one - I' relying on Mr Ward's conclusion- relying on the judgment of the expert witness.
TR	And you referred to 3,500 jobs directly resulting from his scheme. How much weight do you give to that on the benefits side of the scale?
SS	I'm not scoring these out of ten. A matter of judgment but clearly 3,500 jobs is a significant number.
TR	Thank you.
Insp	D Dickinson next then after lunch. Shorter lunch - adjourn till quarter to two.
[1:48p m]	
Insp	Any matters arising?
NC	APP154A recognises that we didn't respond to Dawn Carey Jones and apologises. Nothing further substantive.
Insp	Dr Dickinson.
D	Good afternoon Mr Speak. May I first pick up some oral evidence you gave this morning. Does CS become operative on the date the Council approves it?
SS	The Council will make it operative from a particular date which is likely to be immediate.
D	Does it make a difference to this proposal?
SS	No it doesn't.
D	You mentioned, Mr Cameron elicited D-1-2, para 160.19 an inspector's view that buses were not attractive enough to get people out of their cars. But isn't it true that NGt isn't attractive enough to get people out of their cars because apart from NGT not many people transferring from cars?

SS	I'm not an expert on that but my understanding is that they will.
D	You applied very local circumstance to that CO2 emissions were counted a point of delivery of the transport - is that how you look at it in your planning balance or did you look at it in the round?
SS	My understanding is that in the overall balance it is regarded as a neutral factor because the increase is marginal but looking in the corridor itself it is a benefit but in future we might get new technology.
D	That applies to vehicles too?
SS	Yes.
D	Not at Supertram Inquiry?
SS	No.
D	Objections there were not as great there.
Ss	It was a SoS decision.
D	Adjectives imbue proposals with positive connotations.
	"modern forms of transport". Today's modern is tomorrow's retro so what do you understand by "Modern"?
SS	Larger capacity, more reliability, better quality- it embraces all of those things, something different and better than what we have now.
D	Last time you were asked about "rapid transport" and you said it meant "something akin to NGT"- circular. Do you think something now will still be considered "modern" in 60 years time?
SS	I think so yes.
D	Mr Chadwick said a quality differential was important. Do you think NGT could maintain that differential when buses are continuously updated but NGT is replaced every 12 years?
SS	I don't know how often an operator updates its fleet.
D	Scattered throughout your proof are various adjectives- particularly "sustainable" as in "sustainable development" - since some consider it as oxymoronic what do you consider it as?
SS	Extremely difficult task - gov considered it and said it was everything between paras 16 and [ ] of NPPF. I'll say it's what the government tell me it is. Everything in the policy framework contributes to sustainable development.
D	UN did have a go - [bruntland definition]?
SS	Yes,
D	Proof notes the objective of delivery of an accessible and integrated transport system by increasing the use of sustainable transport- 4.36- fully integrated transport system. Does it not concern you as a planner that NGT will draw people away from active modes?
SS	Need to look at that in the round - not the only improvement - improvement to cycling environment, cycle lanes, better pavements and crossings. Part and parcel of a package of measures. Can't see NGT in isolation.
D	The model specifically suggests people who are cycling and walking
SS	I don't know whether it says that or not in the modelling. Perhaps I can offer a firm view as someone who travels that corridor every day and has done for 20 years to get to work. It always amazes me how many people do cycle - doesn't seem to me an attractive route and in my view it will improve conditions. I can't myself see why someone who already cycles in the adverse conditions that exist will not continue to cycle in improved conditions. Now that's a layman's view from someone who uses that corridor not modelling evidence.
D	Did you feed that view to Mr Hanson?
SS	No not spoken to Mr Hanson on that issue.
D	Does it not concern you that development in Leeds depends on a thriving bus service? Or must all development depend on NGT corridor?
SS	There is potential to look at other corridors, whether or not NGT. I mentioned the Aire Valley

	and whether at some future date there might be an extension of the route into that area.
D	Does it not concern you that failure to integrate with other public transport signified a failure to integrate with public transport?
SS	It integrates with the City Centre. Will bring people into a location where they can interchange with other services. With regard to stops, yes there are separate stops. Perhaps I am fitter than some, I don't know but they don't strike me as being that far apart.
D	You say in principle NGT scheme is consistent with the NPPF framework. It would be surprising would it not, for it were not, for if it were not you would not be here. The Framework is permissive only, it doesn't give direct support for NGT?
SS	[???
D	[???] [14:09.
SS	[???
D	Appendix 8-3-1 At para A3.2-6 you record that Supertram was also accepted as consistent with national and regional and local policies. We can conclude that NGT is not uniquely consistent with these policies?
SS	That's fair.
D	Can you imagine any other schemes that would be consistent?
SS	Yes in my wildest dreams I can imagine an underground.
D	Alternatives LCA and by First also would comply?
SS	Whether they would be rapid transit systems as well, I honestly don't know.
D	In your main proof at para 8.8 you note that although the CS inspector did not specifically address the NGT scheme he did not raise any concerns. More than a decade previously the Supertram inspector considered the Supertram positively but in a generic way. Was that UDP inspector an informed commentator on transport matters?
SS	I have to assume he was suitably qualified.
D	Or did he say, "If this is what Leeds want to do there is no law and policy that prevents it"?
SS	No he went far further than that and considered that the corridor needed improvements and considered heritage and environment on the whole gamut.
D	Local and national policies are permissive and don't specifically support the scheme so should only be quoted as supportive if the scheme unambiguously and clearly advances the objectives?
SS	Yes I think that's correct- there are very many benefits and the Insp and SoS need to consider whether they outweigh the harm to other planning interests.
D	Policies are being transferred into the CS from plans that are thought to have been justified elsewhere?
SS	To some extent it reflects the local transport plan and planned investment.
D	We feel the NGT will fail to satisfy the objectives set out for the scheme. Mr Whitehead, I don't feel it's relevant to go into them now?
Insp	No but you can ask some questions on Mr Speak's views if you want.
D	In forming your view you have relied on the views of your expert witnesses- have you relied solely on their written evidence?
SS	Yes and on the ES and business case review.
D	Are you aware that many errors and flaws were revealed by the questioner?
SS	No.
D	Were you in no way suspicious of the conclusions they gave you?
SS	It's pretty hard for me as a planner to question say transport modelling evidence -you're right that my proof draws on their conclusions.
D	Have you read Appdx B to NWLTF?

SS	Er I don't think so unless it related to planning issues.
D	The casewe make has not been comprehensively rebutted - should we take it that they are accepted?
Insp	Difficult for Mr Speak to say that and yu will be cross-examined so I don't know how well it will stand up in coss-exam.
SS	Your drift is that if I rely on material that is flawed that will affect the overall judgment. The extent to which it is flawed and how that affects the overall case will also need to be explored.
D	You refer to 2 neighbourhood design statements. What is the status of these when they are approved?
SS	They become SPDs.
D	As such do they reflect Council planning policies?
SS	As such they should reflect the development plan.
D	If they conflict do the council's policies have force majeure?
SS	They have to be consistent with the aims and policies of the primary document. Inevitably it will give more detail and a local flavour.
Insp	Are you involved in these- how far have the got?
SS	One is adopted- Headingley Hyde Park one adopted in 2010 and there is one in Far Headingley that is approved but there is another one that is very close to approval.
D	Are you involved in the Plans Panel that approves them?
SS	It's a decision of the chief panning oficer and I have sined off on such docs in the past.
D	Are you aware that the one you refer to at 8.2 has ben extremnely contentious and changes have been sought and it's at last in 9th draft?
SS	I'm aware.
D	Drummond and Churchwood RA have contested description of A660 as "radial distributor route" and wish to remove reference to NGT. Would you agree that the approved wording is unlikely to reflect the views of residents and so should not be given weight by Insp?
SS	The docreognises NGT and the issues around NGT are I believe around its integration but clearly in order to be supplementary to a development plan that includes NGT it clearly has to mention it and reflect it. Whether it properly reflects local views, the LA can only approve a doc that is reflective of the dvpmt plan. I mean just using the language here it says "characterised by wide verges" but much of it there are not verges and just pavement and wall.
D	Some areas with lareg erges.
SS	Some areas.
D	You accept there is disagreement between local residents and Council?
SS	Yes.
D	Section you call an "analysis" but I as a chemist call a synthesis- an analysis or a "taking apart" I shall now attempt. It is clearly an executive summary of the report he would like to see. You have a positive view of planning?
SS	Yes impt role to play.
D	Do you regard the congestion on A660 as a failure of the planning department?
SS	A symptom of failure of the supertram proposal and the isue of not getting funding when other cities have managed to. Wheher a failure of planning, I would say a failure of the city as a whole.
D	Can we be confident that the scheme promoted by your dept which has failed in the past will actually relieve cngestion on the A660?
SS	Hopefully you can have a great deal of cofidence. The city will grow a great deal- if there aren't interventions it's difficult to see how it can grow without the congestion gettin worse. This is one of a number of interventions.

D	Is the purpose in constructing a planning balance to guide you to grant permission?
SS	Yes.
D	Is this done for all proposals or only major ones?
SS	No for any application a report will balance positives and negatives.
D	Is it intended as a tool to give a quantitative evaluation?
SS	It's more a matter of judgment - can't say 10 for this, 5 for that and add them up and see if positive or negative. It's all a matter of judgment.
D	Wording with regard to aspect and amenity matters. Which of the 7 major radial routes into Leeds would you regard as the most characterful, individual, contributing most to the character or appearance of the city?
SS	Difficult because I don't travel the other routes. All have their own characters and who's to say one is more valuable than another - all have their own characters and it's very difficult to say one is more than another.
D	Right but Policy P12- conserving - is referenced in paras 4.43 and 4.44 and is imperative. Does it not give you as a planning officer a duty to give the greatest possible weight to those particular harms when the Insp within the CS has accepted it?
SS	It's important.
D	But overriding weight?
SS	No.
D	You are aware many of the things you say are contested?
SS	Clearly as I said before if the Insp finds the benefits are not what they are claimed to be that will be different.
Insp	No more people here who said they wanted to X-Ex so I'm happy to adjourn at this point. Anything else anyone wants to add?
NC	No Sir, 3 o'clock for Mr McKinnon?
Insp	Yes - just to let everyone know that Mr McKinnon has put in 2 docs he'd like to refer to - BN119 and BM120 which are national statistics.
NC	Yes Sir, a list of appendices 1 to 20.
Insp	As far as I'm aware, all of those have been submitted before and are available. I'm not sure whether all of those are relevant to planning policy.
NC	We'll find out on Monday.
Insp	I'd just like to remind people to try to get submissions on this doc by the end of Monday and I'll consider them. I don't want too much of a major discussion about it on Weds b/c I'll have looked at them and will have some Qs. Is anyone intending to speak on Weds?
GJ	We intend to respond as you've indicated in writing unless something comes up.
NC	By close of play Monday do you mean 5pm. Can I ask whose application you are treating this as? Presumably as our application we get a final right of reply?
Insp	Yes your reply would be following on from anything else.
GJ	I agree - Mr Cameron would get the last word.
Insp	Miss Pickering?
HP	We'd like to reserve our position and have a think.
Insp	No point in reading out smth in writing and once Mr Cameron says his piece that's it. It doesn't seem necessary if it's going to be in writing. So I think first thing Weds I want to get that out of the way. I don't think Mr Chadwick is available on Thursday and if we've got on Thursday is Prof Purseglove for Mr Natkus. And Tuesday the only planning is Mr Chadwick - have Mr Jones and Prof Bonsall got together?
GJ	Yes we got together at lunchtime and he has Qs on I think 3 additional docs. Probably better if he carries on and finishes and I follow.

Insp	I can foresee this going past Tues partic if there's going to be re-ex on these points so was wondering if Thurs might be appropriate if we overrun.
NC	Mr Chadwick is available on Thurs, yes and it would be sensible yes. We could finish Mr Speak on Weds.
Insp	Don't want Mr Chadwick haning over. I really do want to try and finish Mr Chadwick, and Mr Speak on Weds.
NC	I can give an indication how long I need in re-exam an programme that in.
Insp	If everyone can Joanna know.
	I'll be ajourning til 3 o'clock on Monday 21st that'll be M Speak again.