

# 21 July 2014

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15:03

Insp	Any matters arising?
NC	One point Sir. In EIC I asked Mr Speak about what I thought was APP115 and it wasn't. It's an SPD and we'd like to submit that as <b>APP160</b> . But it's still in draft and the doc I asked Mr Speak about was Oct 2013 version but in fact there's a July 2014 one. It's now LPP3. I asked about 8.1.5 and it's become 8.1.4.
Insp	Only thing we were doing today was Mr McKinnon X-exing Mr Speak. I'd hoped to finish by 5.
MK	We'll finish by 5.
Insp	Mr McKinnon gave a list of docs- I didn't have 119, 120 and 121. Mr McKinnon gave it to me 15 mins ago - just wanted to ask Mr Speak if he was happy to answer questions on it which he's not seen before?
SS	Yes.
Insp	Report from Plans panel anyway?
NC	Helpful is putting it a bit low, but docs should be submitted before X-Ex. It's a recent doc and I'm not taking a point on it. I take it it's a decision of one of your colleagues?
SS	Don't know.
Insp	These docs will be accepted and we'll see if Mr Speak can deal with it. Who are you representing today?
MCK	Friends of Woodhouse Moor and myself in a small capacity. Thank you for arranging this and thank you Mr Speak for coming along and agreeing to answer Qs on the planning report from last Thursday. Can you look at APP106 - road safety audit designer's response. At para 2.1 it restates issue 2.1 of the Road Safety Audit- "runs through a number of what are otherwise pedestrian zones...will be safety issues associated with the introduction of near-silent trolley vehicles" and recommend it be limited to no more than 10mph. Should have speed limiter and a strong case could be made to fitting it with a bell. You've referred to Shared Space in your evidence so you've some familiarity with the concept?
SS	Can you point me to the reference.
MCK	I'm sorry I didn't make a note but....
Insp	Ask the Q and we'll see if he can respond.
MCK	Para 2.16 they say the design speed need not be the same as the speed limit. That's been the response. My question to you is what speed limits the Council will be imposing?
SS	I'm not the appropriate witness.
Insp	This is planning policy more, rather than speed limits.
MCK	Okay. Obviously this is a matter for Leeds City Council, who can I put that to?
NC	Mr Smith was asked Qs about these matters.
Insp	If you were to ask Qs from the promoters I think you are likely to get a response and if you do, you can certainly use it in your evidence.
MCK	Mott MacDonald were saying it wasn't a matter for "us" but for the Council.
Insp	I understand that and there isn't a witness who can answer that so you can refer to it in your evidence.
MCK	OBJ-1623 Friends of Woodhouse Moor PoE. Para 15.
Speak	I haven't got it
NC	Can I have it [folder]? It's missing. Can I just pass it to Mr Speak.
MCK	[reads - ]
Insp	Please- I think I asked before not to read everything out to save a bit of time.

McK	Also look at Appdx 15 to Friends of Woodhouse Moor PoE. Para 3.49.
Insp	I haven't got a 3.49. I've got a 10 point smth...
McK	I'm sorry I've not brought it along with me.
Insp	Can you ask a question- going through lots of docs and haven't got to a Q.
McK	The Q is what you said in the rebuttal to Friends of Woodhouse Moor- 1623. Para 2.81
Insp	I must say it's quite helpful to get to the question first. I've got that now - "rebuttal argt 8".
McK	What you've said there Mr Speak is that any other approach would be contrary to the standard democratic process involving ward members and local groups. But you decided without consulting people- you decided for them that 50% would be spent...
SS	I don't know - you're telling me. The standard approach is that the Council will get a commuted sum and the Council will then undertake a dialogue with Friends and the Parks service and consider their views and come to a view on how the money should be spent. I said I'm not involved in St Mark's Flats decision but that's the process for s106 conribs.
McK	The Council never de[parts from that?
SS	I can imagine there might be sitns...but the normal course of events is that it's not even certain whether money will come in or when and it's only when the money has come in that a decision can be made n where priorities lie at that time.
McK	But a decision has been made that only 50% would be spent on Woodhouse Moor but the rest elsewhere. You've already made the decision.
SS	[reads] - that para isn't a commitment to do one thing or another.
Insp	Please can we carry on - this point isn't even related to the trolleybus scheme so I'm allowing you a bit of leeway. We want to be a bit more precise in what you're trying to get to if you can please.
SS	Can I go to the last sentence to help - says officers consider that allocating money to one place is at odds with the council's normal policy of consultation.
Insp	When was this written?
MK	Oct 2010.
Insp	When you do give docs it's useful to at least give a front page.
McK	Para 6.2.15 and para 4.20 of your PoE. The ward of Hyde Park and Woodhouse records one of the highest levels of greenspace deficiency- so how can you reconcile those 2 statements with your decision to support the trolleybus?
SS	A number of comments I want to make. One is clearly to recognise a degree of harm to the moor. Mr Walker clearly acknowledged that and there is an issue whether the public benefits outweigh that. I don't know whether Hyde Park and Woodhouse Moor is a ward with one of the highest deficiencies of green space. You're probably familiar with the Site Issues and Options Allocations Plan.
Insp	In public domain>
SS	Published by Council last June - deals with houses, employment, an early stage consultation doc leading up to site allocations plan.
Insp	I don't imagine we've got this.
NC	I don't think...
Insp	I'm a bit concerned about introducing new docs when they are not adopted....
SS	The info on green spaces is actual based on what's been put to, prepared for the CS Inquiry.
Insp	This is the only way this has been presented?
Insp	I'd prefer not to have another doc.
SS	What tat does is analyse the green space and see how the area fares compared with the ideal standards that the CS sets out. In a number of categories, Hyde Park and Woodhouse is shown to be i surplus. In relation to playing fields it is below and in relation to allotments it is marginally below. There are a number of wards ust in that doc alone where the picture is far

	worse than Hyde Park and Woodhouse. For a number of wards, Hyde Park and Woodhouse meets the standards. But I do agree that it is valuable and there is harm from NGT going across Woodhouse Moor and you have to look in the round at the benefits and as I think Mr Flesher put to you there would be positive benefits from the NGT scheme and no loss of its recreational value.
Insp	So this para that Mr Mck's put to you you son't agree with?
SS	It's at odds with what I know. Doesn't give any facts or figures, it's just a single sentence. Is it talking about a particular category of green space, how do you define what is the "highest level"?
NC	We do have the July 2011 Open Space assessment prepared for Leeds LDF but I don't know if that's what Mr Speak's referring to.
SS	It's probably the source- will not be in there in the same for, unfortunately.
Insp	If an assessment has been made and it's in he docs before the inq it might be worth having a loo - a bit of homework for you.
Mck	Can you confirm that if that statement <i>were</i> correct, your decision to support NGT would be contrary to policy?
SS	There's already an issue that policy protects green space and if NGT is there that's already the case and I've already acknowledged that.
Mck	[reads...local shortfall].
SS	Even if I'm wrong, it would cause harm to that planning objective and would harm that planning objective. That needs to be taken into account in the balance. It doesn't mean it's an absolute embargo.
Mck	So "will not be permitted" doesn't mean what it says?
Insp	You are looking at deemed planning consent and determining it in acc with the plan unless other material considers indiate otherwise?
SS	Yes - from planning perspective rather perhaps than T&WA.
Mck	[????]
	Are you aware that 9 parcels of land inc Woodhouse Moor were appropriated under s.122 of LGA on ground that they are no longer required as ope space?
SS	Yes.
Mck	G-4-64. From your colleague in the council Andrew Wheeler to the director of development. Paras 2.10 and 2.11 make t clear that the real reason for appropriation of land was to circumvent failure to provide replacement open space under special parliamentary proedure as required by Acquisition of Land Act?
SS	Taking me into territor I don' know about but there was advice from legal officers and I would be surprised in the extreme if this wasn't in compliance with legal reqts.
Mck	Well just looking at it as a layperson it doe seem there was another motve for appropriating the land?
SS	I don't think I'm in a position to comment other than repeat the answer I've given already.
Mck	If you read further at 3.4 and 3.5- they fail to demonstrate don't they, that the land is no longer required as open space?
Insp	Mr Speak were you involved at all in this?
SS	No I wasn't.
Insp	I don't know how you'll be able to answer this but you can have a go...
NC	If Mr Speak isn't familiar with it, he'll have to say that. Of course this is a report to the Council on this appropriation matter and the decision's been taken some time ago.
SS	Well at the end it concludes the land can be appropriated for planning purposes and I'm fully aware that the Council's legal officers were engaged and looked at these...
Mck	D-3-4. Page 50. Table 4.5. Do you see that this shows that the Inner North West area- a

	collection of 4 wards - Hyde Park & Woodhouse, Headingley, Weetwood and Kirkstall- have a shortage of parks?
SS	I see the figure that's there.
McK	Page 58, table 5.4. Shows a shortage of amenity space?
SS	I do.
McK	Page 115, table 7.7- shows the Inner NW area has a shortage of outdoor sports facilities?
SS	Yes.
McK	Open Space technical assessment- B-5. Are you aware that the Council supplied MottMacdonald with the data so they could produce Technical Appdx J?
SS	No.
McK	Have you had a chance to look a Open Space Technical Appdx J?
SS	No.
Insp	Is this to do with policy?
McK	Mr Speak has referred us to the PPG17 assessment and that does form the basis of the technical appdx the Promoters have submitted. Table 3.1 on page 10 to Technical Appdx. Shows 3 wards with a surplus of open space. Could you confirm to the Insp that 2 of those wards don't have the trolleybus route running through them?
SS	Well, Kirkstall won't.
NC	This is all set out in the document- Beeston and Kirkstall.
McK	Okay we'll leave that be. Purpose of the Q was I'm not sure why they were there.
Insp	The problem is it's a doc Mr Speak says he knows nothing about.
SS	Certainly I had no role in its preparation and don't know how they.
Insp	If we carry on with these Qs, Mr McK we'll have to stop- I don't know how asking Mr Speak about docs he doesn't know anything about will help this inquiry.
McK	Well, Mr Speak you referred to PPG17 study. Shows surplus as does Tech Appdx J. Is it based on 2001 Census figures? Is it a good idea for Insp to make a decision using popn figures that are 13yrs out of date? Are you aware that Hyde Park and Woodhouse has had an increase of 15%?
Insp	Can you answer the first one- aware whether it's based on 2001 census figs?
SS	I can give an answer- the answer I gave earlier around the Site Allocations doc related to the 2011 population.
Insp	Not the 2001?
SS	No.
Insp	That's one answer and the other was about 13 yrs which doesn't apply. Carry on Mr McKinnon.
NC	Sir if it helps I'm told the reason it includes wards NGT doesn't pass through is because they are in those management areas.
Insp	Some of these might be better clarifying outside the Inq. If Mr Speak says he's had nothing to do with a particular doc there's no point carrying on.
McK	This is a question you rebutted, Mr Speak. So if I may draw attn to it again.
Insp	Rebutal to whom?
McK	Friends of Woodhouse Moor. Don't think it's necessary...
Insp	What's the Q.
McK	You said at 8.1 and 8.3 you said NGT is plan-led- and also said this under X-Ex. But why then is it that if we look at Map 22 of the site allocations plans there is no blue line on it? FOWM, OBJ-1623 Appdx 19.
SS	The sub-heading is "green space allocations" - it's not a plan that purports to show everything. It's limited to green space allocations and open space audit sites.

Insp	Without seeing the whole doc, there might be other plans that show the transport routes...
SS	No- deals with housing, employment, green space and retailing. Doesn't deal with transport- the CS identifies the NGT route. It's still in the UDP and the CS Proposals Map.
McK	This is the Site Allocations Map 22. That was the UDP Map 22.
Insp	I know you're not a planner but you're showing a misunderstanding how the plans are put together. The UDP remains the development plan. This hasn't gone through examination or anything, a draft plan that hasn't one through the process of being adopted and even if it did, it's only dealing with a particular aspect.
SS	Yes and if it was, the proposals would be added to the Proposals Map which would already have the blue line on it.
NC	Under the current development system the Proposals Map is a separate DPD that is amended as and when proposals are brought forward.
Insp	The problem is you are asking Qs of clarification on matters you don't understand, Mr McKinnon.
McK	You did say NT would improve cycling and improve cycle lanes. I wonder if you could look at B-9 at table 6.2.
NC	Page 196 - cycle lane lengths.
McK	Yes. When you study the table it shows that on the northern section there would be a reduced length of cycle-only lanes and shared cycle lanes?
SS	Yes.
McK	This would be matched by an increase in "shared cycle/NGT" lane?
SS	Yes.
McK	And more than 1km of shared cycle-footpaths?
SS	Yes.
McK	So would you agree that while there is an increased length it's not ideal because they are sharing with NGT and cyclists. Would you still say it'll improve cycling along the northern route?
SS	I was drawing what I said the other day from the concs of Mr Chadwick. As a layman, I'm afraid I don't know whether there's any difference between sharing with a trolley vehicle and with a normal bus- width of the lanes and so on. Difficult for me as not a technical expert to answer that.
McK	Do you agree there is currently a surplus of parking spaces in the city centre?
SS	Surplus judged against what?
McK	More spaces than people seeking to park?
SS	We had an interim policy. The view was, coming out of the city we shouldn't just immediately shut down parking particularly in the south in the regeneration area. Temporary period, to be reviewed, hopefully in the light of the improved transport provision that would mean we didn't have to give more temporary permissions in future.
Insp	Thank you Mr McKinnon.
NC	Sir, we're due to have Mr Chadwick cross-examined by Mr Jones. Was 1 additional doc put in- note by Mr Turner on capacity and Mr Chadwick will be putting in a response that we'll make sure First get.
DG	I'm grateful for that.
Insp	We're looking on Weds just the 3 remaining - First will be a long time off. Then re-ex and anything else that's been raised in x-ex.
	On Weds having considered submissions on B13 I'll then ask Qs- don't expect anyone to speak from objectors against this doc but will, if you wish let the applicant say smth- but I want it fairly brief and on Thurs I'll make a decision.
NC	I don't know what I'll have to respond to yet.

Insp	- Yes but don't want more- whould be in writing. Not going to be a lot on Thurs -finishing Mr Chadwick and making a decision.
NC	And Prof Purseglove.
Insp	Thurs will be 9.30 - deal wit Prof Purseglove then Mr Chadwick then say how I'll proceed- nothing further on that, people can obviously write in if they want to complain. Or put something else in if they feel that's necessary- deal with that as it comes- not made the decision yet. 10 o'clock okay?
DG	Yes- have got Thurs.
NC	I don't want a long day for Mr Chadwick.
Insp	I'll adjourn till 10 o'clock tomorrow.