

From: [Browne, Lauren](#)
To: [TRANSPORTINFRASTRUCTURE](#)
Cc: [Ultoria Crowne](#); [Dave Candlish](#); [Rachel Dominey](#); [Claire Moody](#); [Lawson, Angela](#); [Piper, Tracey](#)
Subject: The Network Rail (Leeds to Micklefield Enhancements) Order
Date: 18 August 2023 16:19:49
Attachments: [Appendix 2 - Planning Policies.docx](#)
[Appendix 3 - TWAO vs designated green space.xlsx](#)
[LCC Holding Objection.docx](#)
[Appendix 1 - Detailed Concerns v0.7.xlsx](#)

Dear Sir/Madam,

Application for The Network Rail (Leeds to Micklefield Enhancements) Transport and Works Act Order

Pursuant to the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, please find enclosed Leeds City Council's Rule 21 objection to the above Application submitted by Network Rail.

Enclosed with the Council's objection letter is:

- Appendix 1 – Detailed Concerns
- Appendix 2 – Planning Policies
- Appendix 3 – TWAO vs designated green space

Please kindly acknowledge receipt.

Please note, the attached response has been approved through the council's delegated decision scheme, following support to the approach at Executive Board of 21st June 2023, and will be published for call in for the next 6 days.

Kind regards,

Lauren Browne
Senior Project Officer (Station Development)
Asset Management and Regeneration
City Development

Leeds City Council



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Martin Farrington
Director of City Development
Leeds City Council
Merrion House
110 Merrion Centre
Leeds, LS2 8BB

Telephone: [REDACTED]
Email: martin.farrington@leeds.gov.uk [REDACTED]

Enquiries to: Lauren Browne

18 August 2023

Secretary of State for Transport
c/o Transport Infrastructure Planning Unit,
Zone 1/18
Department for Transport,
Great Minster House,
33 Horseferry Road,
London,
SW1P 4DR

Dear Sir/Madam,

The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 - Network Rail Leeds to Micklefield TWA Order

SECTION 1 - INTRODUCTION

The following submission is made under rule 21 of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 and is made by Leeds City Council, of Civic Hall Calverley Street Leeds LS1 1UR in its various capacities including landowner, planning and highway authority.

Leeds City Council (The Council) welcomes Network Rail's Transport and Works Act Order application to the Secretary of State for Transport for the Leeds to Micklefield scheme. The Council fully recognises and supports the stated principal outcomes of the scheme, namely:

1. **Improved Safety:** delivery of a safe way of passage for existing level crossing users across a number of level crossings, either via alternative routes, or new crossing structures.
2. **Efficiency and reliability of the railway:** The closure of the level crossings and the installation of electrification equipment will help to provide the capability to regulate both freight and passenger trains.
3. **Modernised signalling** will mean shorter headways between trains, meaning they can run closer together through more effective digital controls in place, and this in turn will allow for increased capacity in the number of trains that can be on the route at any one time.
4. **Reduced operating and maintenance costs** as a result of the closure of the level crossings that need to be inspected, maintained and operated and the delivery of new track and electrification equipment. This will improve the reliability of the route and the train services operating on it.
5. **Reduction of delays to trains and other highway users:** The closure of the level crossings will reduce the number of incidents which have a detrimental impact on train

performance. Improved efficiency on the railway means fewer heavy vehicles on the highway network causing traffic issues and contributing to air pollution.

The Council recognises that a lot of work has been undertaken by Network Rail in partnership with the Council's own technical officers over the course of the evolution of the scheme, and that much of the detail has been discussed through technical meetings with Council Officers as referenced by Network Rail in document NR07.

The Council is aware that the application for the Transport and Works Act Order is a large set of documents that contains a lot of detail. Notwithstanding the level of detail submitted, there are a number of areas where the Council requires further information in order to be satisfied that the scheme can be delivered without unacceptable impacts on the carrying out of the Council's various statutory functions.

Appendix 1 sets out in detail the areas in which the Council require further information or clarification and where errors in the application documentation have been identified by the Council.

Whilst being fully committed to and supportive of the scheme, there are a number of areas where further collaboration is required to agree some of the detail of the scheme, particularly during the construction phases and understanding the extent and timeframe for each construction phase.

The Council's Rule 21 representation to the Transport and Works Act Order application is structured in two parts:

1. This introduction, where the Council's overall support for and commitment to, the Transpennine Route Upgrade between Leeds and Micklefield is set out.
2. Issue specific representations which cover in greater detail technical issues that Officers in the Council have raised throughout the afore-mentioned partnership working process and where the Council considers that:
 - a. Modifications to the Order and/or the draft deemed planning permission are required;
 - b. Further information should be provided to justify the design decision taken; or
 - c. Mechanisms for the submission and approval of further information needs to be provided as part of the future partnership working between Network Rail and the Council.

This section contains the Council's rationale for suggested amendments to proposed conditions and new proposed conditions (see Appendix 1) to deal with the lack of information provided, errors in that information or to ensure that the design or construction methodology does not impact, in the Council's opinion, more than absolutely necessary on residents.

Appendix 1 comprises a working document, detailing specific technical concerns and/or points of detail identified by the Council's various technical teams and which the Council considers will need to be addressed, or further detail provided, prior to the implementation of the relevant Works or Stage.

SECTION 2 – ISSUE SPECIFIC REPRESENTATIONS

Approach to use of permitted development rights

1. The Council notes that the definition of "authorised works" contained within Article 2 (Interpretation) of the draft Order (Document Ref: NR02) is as follows, "*the scheduled works and any other works authorised by this Order the planning permission and the Town and Country Planning (General Permitted Development) (England) Order 2015 including Part 18 of Schedule 2 to that Order or any part of them*".
2. Network Rail explains in the Explanatory Memorandum (Document Ref: NR03) that the definition has been "*widened to include both the Scheduled Works (which are the subject of the request for deemed planning permission) and also works which falls within permitted development rights and planning permissions which are to be secured by Network Rail, as are identified in the List of Permission and Consents.*"
3. Notwithstanding that certain works may be consented pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015 (**GPDO**), Network Rail has included these in

the draft Order, but has not subsequently listed these works on the Works and Land Drawings (Document Reference NR09). In addition, those works listed in the List of Permission and Consents (Document Ref: NR18) only refers to permitted development which requires prior approval. Those applications for prior approval set out in NR18 relate to works to Kirkgate Bridge, the replacement of Marsh Lane Bridge and works to an underbridge in the vicinity of Neville Hill Depot. The Council is aware of a number of other works that are proposed to be carried out under permitted development rights, which have not been listed in document NR18. For example, the set-up of working compounds, storage areas, and accesses to the same. It is essential that this is detailed.

4. The Environmental Report Volume 1 (Document Reference NR16) makes clear, at paragraph 1.3.4 that the scope of the environmental assessment "*does not consider the effects of certain additional elements which are either to be carried out as permitted development or through planning permission obtained separately from the local planning authority. The proposed Leeds to Micklefield Enhancements Order includes provisions to facilitate these elements but does not authorise the works. These elements are not included in the scope of this Report.*"
5. The draft Order therefore has the effect of granting powers and rights to Network Rail to carry out works which go beyond the works consented within the Order, and which have not been taken into account in the assessment of the environmental impacts of the Scheme. The Council therefore questions whether the approach taken to the use of permitted development rights is correct and justifiable especially where permitted development rights are not capable of being relied upon where it would otherwise comprise EIA development which when taken as a whole the scheme is.

Approach to consents sought within the draft Order

6. The Council is not clear on Network Rail's rationale for its approach to consenting this stretch of the Transpennine Route Upgrade. The Council notes that Network Rail is seeking to include powers granted under the draft Order, together with consents granted (or expected to be granted) pursuant to prior approval applications. This appears to differ from the approach taken in The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 and the draft The Network Rail (Church Fenton Level Crossing Reduction) Order where the Orders include works either granted (or to be granted) only pursuant to the details contained in the relevant Order (and not including additional prior approval or planning applications). The reason for deviation from these precedents is not clear.
7. The Council is concerned that by dealing with the consents in this way, it is not clear whether the impacts of the Scheme have been properly assessed.
8. In addition, Network Rail appear to be splitting mitigation to the works authorised under the draft Order and the deemed planning permission. For example, the Code of Construction Practice is split into Part A and Part B and the scheme components that fall under the relevant mitigation is not clear. However there is inconsistency in the document itself in relation to the terminology used, which in itself makes the whole document unclear as to which element of the works it applies to.
9. The Council would welcome an explanation from Network Rail as to why it has taken this approach with the Scheme, which is a variation to the approach taken in other applications for other parts of the Transpennine Route Upgrade.

Level of detail in application documents

10. The Council is concerned that the Application documents submitted are generally lacking in information and detail, such that the Council, in carrying out its various statutory functions, is not able to adequately review the proposals.
11. For example, the proposals for the Neville Hill temporary compound, which are not included within the Application for the Order are unclear. Further clarification from Network Rail is required for the Council to properly understand what is proposed. The Council understands that these works will be carried out under permitted development rights. The Council has previously provided comments on the proposed compound and the associated traffic impacts, and the accesses from the existing access off Pontefract Lane and the proposed new access at Newmarket Approach. However, the

Application does not include sufficient details of the level of traffic that will be using the new access off Market Approach for access to the compound.

12. In addition, the provision of a construction traffic management plan is proposed in the Code of Construction Practice (Document Ref: NR17) and as a deemed planning condition. However the Council notes that, whilst a construction traffic management plan is welcomed by the Council, any construction traffic management plan requires substantially more information, including diversion details, public parking management, other movement restrictions, details of access to properties, and accommodation of pedestrian/cyclist movements. This detail is currently not shown in the draft construction traffic management plan.
13. The above are just some of the examples where there is detail lacking in the Application documents submitted by Network Rail. Further examples of where information is limited is included in Appendix 1. The Council will continue working with Network Rail to discuss any of the additional information required.

Errors in the Order and application document

14. The Council notes that the Application as submitted contains a significant number of errors throughout. Some examples are as follows:
 - a. Street names have been incorrectly labelled in Schedule 3 (*Streets subject to street works*) of the draft Order:
 - i. Wybeck Avenue should be Wykebeck Avenue,
 - ii. William Parkin Lane should be A6120 William Parkin Way or William Parkin Way
 - b. Article 41(1)(a) (*Traffic regulation*) of the draft Order refers to the City of Leeds being located in the County of North Yorkshire. This is incorrect.
 - c. Article 44(4) (*Removal of human remains*) of the draft Order:
 - i. refers to Birmingham City Council when this should be Leeds City Council
 - ii. refers to the "Authority" throughout when this is not defined in the drafting
15. Further examples of errors in the draft Order and other Application documents can be found in Appendix 1. The Council would require that these errors are corrected in the next iteration of the draft Order.

Application Plans

16. The land over which Network Rail has control does not appear to be shown in the Application documents. However Network Rail is applying for powers and planning consent over such land, together with carrying out works under separate permitted development rights. The Council is concerned that in taking this approach it does not allow the Council, as a party with statutory functions, to be able to properly assess the impacts of the Scheme on its functions. It also creates further difficulty in managing the project and, for example, subsequent discharges of conditions as various approaches are proposed to be used. Nor does it allow the Inspector(s) or Secretary of State to adequately assess the Scheme, and ensure that the cumulative impacts of the various forms of consent are taken into consideration.
17. In addition to the above, the plans show the Scheme split into distinct elements as shown on the various works and land plans, and planning drawings. There is no continuous red line boundary of the Scheme which the Council would expect to see on a linear scheme such as this. The Council is not clear on the reasoning behind Network Rail taking this approach, nor the precedent for doing so.
18. The Council notes that there is open space affected by the Scheme at Penny Pocket Park (south of the existing railway and north of Kirkgate). However no open space plans have been included as part of the Application documents. The Council notes that an application has been made to the Secretary of State for certification under section 19 of the Acquisition of Land Act 1981 (**ALA 1981**) that no replacement open space land is required so it is clear that Network Rail recognises there is open space affected by the Scheme and as such open space plans should be provided.

Approach to land acquisition

19. The Council has a number of concerns relating to Network Rail's approach to compulsory acquisition of land for the Scheme:

a. Open space acquisition

- i. As is mentioned above Network Rail is seeking certification from the Secretary of State under section 19 of the ALA 1981 that no replacement land is required for the open space land to be affected and acquired in relation to the Scheme.
- ii. The Council would query on what basis Network Rail is able to justify the assertion that no replacement land is required. Under section 19 of the ALA 1981, where an order authorises the purchase of any land forming part of a common, open space or fuel or field garden allotment, the order shall be subject to special parliamentary procedure unless the Secretary of State is satisfied that:
 1. Land will be given in exchange;
 2. The land being purchased is to in order to secure its preservation or improve its management; or
 3. The open space land to be acquired does not exceed 250 square yards.
- iii. An example of the open space affected as a result of the Scheme is Penny Pocket Park which sits south of the railway line and north of Kirkgate. This land is designated as green space in the adopted Local Plan and further consideration is required by the Council to be given by Network Rail as to how its effects on this can be mitigated.
- iv. In addition, Network Rail calculates the area of open space to be acquired within the Scheme as being approximately 190 square metres (approx. 227 square yards). However the Council calculates the affected area as being 382 square metres (approximately 456 square yards), as per Appendix 1. The Council would welcome sight of Network Rail's basis for its own calculation.
- v. Based on the Council's calculation of the affected open space, the Council would welcome Network Rail's proposals for appropriate replacement land, and would invite the Secretary of State to refuse the request for a certification on section 19 ALA 1981.

b. Overall justification for land acquisition

- i. The Council views Network Rail's overall justification for compulsory acquisition as inadequate and not in compliance with the tests of necessity, proportionality and being in the public interest. For example, plots have been included for compulsory acquisition, on which no works listed in the Order are currently proposed.
- ii. Specifically, Network Rail is seeking to include acquisition of land, rights in land and temporary possession of land relating to works that have been consented (or are subject to applications for consent) outside of this Application. We have explained the Council's disagreement and confusion in respect of the definition of "authorised works" above. Part 2 of Schedule 2 (*Relating to authorised works (excluding scheduled works)*) of the draft Order lists out a significant number of plots that Network Rail requires for works that form "*any other works authorised by this Order, the planning permission and the Town and Country Planning (General Permitted Development) (England) Order 2015 including Part 18 of Schedule 2 to that Order or any part of them*". Article 22(1)(a) of the draft Order gives the powers to Network Rail to acquire the land required for the "authorised works". The Council does not agree with Network Rail's approach to land acquisition where the Order seeks to acquire land/rights for works not consented by the draft TWAO.
- iii. Given this very broad definition and powers included, the Council would expect to see more detailed information as to the specifics for what the land is required for.
- iv. Examples include:
 1. Land at New Market Approach (Plots 4-001 and 4-003) have been included for permanent acquisition. However in discussions with the Council, Network Rail's rationale for the use of this land has changed on a regular basis. The

draft Order notes at Schedule 2 (*Acquisition of certain lands for ancillary works*) that this is required for provision of a permanent access for rail related purposes. However the Council has previously been advised that the land is required for altering the route to Pontefract Road, as well as for the relocations of businesses from the vicinity of the Neville Hill Depot site to elsewhere. Network Rail's justification for the acquisition of this land is not sufficiently clear.

2. Plot 1-018 is listed to be acquired temporarily for access and construction. However there is no indication in the works plans or other application documents what the extent of the area will be used for construction or access.
 - v. Conversely there are instances where it would appear that Network Rail has not included sufficient land within the Application in order to provide for, for example, replacement bridges to be built to the correct standard. Whilst the Council appreciates that Network Rail needs to take a proportionate approach to land to be acquired compulsorily, the Council's view is that building structures in accordance with the most up-to-date guidance and standards would be a justifiable reason for acquiring land.
 - vi. The Council looks forward to receiving further information from Network Rail setting out its justification for the compulsory acquisition of all of the Council-owned plots, together with its reasoning for taking this approach more generally.

Approach to level crossings

20. The Council would like further information and clarity from Network Rail in relation to its approach to the level crossings in the Applications documents.
21. Specifically, there are four level crossings that are to be closed as part of the Application:
 - a. Barrowby Lane and Barrowby Foot level crossings;
 - b. Garforth Moor level crossing;
 - c. Peckfield level crossing; and
 - d. Highroyds Wood level crossing
22. The Council notes, however, that only deemed consent has been included for the Peckfield level crossing in the draft Order, but none of the other level crossings. The Council notes that the List of Consents, Permissions or Licences Under Other Enactments (Document Reference: NR18) does not include reference to any other consent received or applied for in relation to the above level crossings. Peckfield level crossing is currently the only proposed level crossing without an appropriate diversion. A full list of the consents required outside of the Transport and Works Act process, that the Council is aware of, have been previously provided by Network Rail to the Council and this does not align with those included in the Application.

Biodiversity Net Gain

23. The Council notes that Network Rail state in document NR13 that it is committed to deliver 10% Biodiversity Net Gain (BNG) via the Network Rail (2020b) Transpennine Route Upgrade – Programme wide Net Positive Biodiversity Strategy (Revision P03.1), and a BNG assessment will be carried out to meet the Strategy objectives. BNG will be delivered locally wherever practicable.”
24. In addition to the National Planning Policy Framework requirement (paragraph 174b) that requires net gain to be achieved in a measurable way, planning policy G9 of the Leeds City Council's Core Strategy requires a net gain for development.
25. Policy G9 requires that Development is required to demonstrate:
 - a. That there will be an overall net gain for biodiversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement, and
 - b. The design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife, and

- c. That there is no significant adverse impact on the integrity and connectivity of the Leeds Habitat Network.
26. The Environment Act 2021 contains a requirement to provide a minimum of 10% net gain in relation to all new developments. Whilst the specific provisions dealing with biodiversity net gain are not yet in force as of today's date, these are expected to be coming into force in November 2023, ahead of the decision on the deemed planning consent and Transport and Works Act Order,
27. On all development the Council seeks a minimum of 10% net gain, which is expected to be delivered through the Council's guidance in the Council's administrative area.
28. The Council notes the commitments made by Network Rail in NR13 and requests that a more specific and deliverable commitment is made to secure 10% net gain within the Council's administrative area which is policy compliant. Furthermore, the Council has not been provided with any baseline calculations or measurements for Network Rail's assessment of the net gain which the Council would like to review in order to confirm the approach taken.
29. The commitment requested by the Council can be achieved through amendment of the relevant deemed planning conditions as set out in more detail in Appendix 1. In addition the Council looks forward to receipt of Network Rail's baseline calculations and to holding further discussions on this point.

Ecology – Great Crested Newts and Other Protected Species

30. Network Rail highlights in its Environmental Statement (Document reference: NR17) at paragraph 2.1.13 that great crested newts have been confirmed as present in ponds adjacent to the Austhorpe Lane Southeast compound and that mitigation for the effects on great crested newts is contained in paragraph 4.3 of the Code of Construction Practice (**CoCP**) (Document reference: NR17). The Council notes, however that paragraph 4.3.2 of the CoCP states that:

"In the event there is potential for the disturbance of any great crested newts in the compound location at Austhorpe Lane, Network Rail would utilise its operating organisational licence and submit information to NatureSpace, rather than a standard licence application made to Natural England."

31. The Council has not been provided with any justification for Network Rail's approach in not seeking a licence from Natural England, as is standard, nor, save for one email, has the Council received any details of the information to be submitted to NatureSpace that would mitigate the effects of construction on the great crested newts. The Council requires commitments within the Application itself that demonstrate that the mitigation for the effects on great crested newts and any other protected species, will be sufficient, and will be secured. Further information is required by the Council in relation to other protected species that may be affected by the Scheme, that have not been already been identified.

Deemed Consents and disapplication of other legislation

32. Discussions are ongoing with Network Rail in respect of the deemed planning permission sought as part of the TWAO and the conditions sought within the draft Order. The Council have particular concerns that some of the consultation to be undertaken with the Council in its capacity as local planning authority would happen retrospectively for example, condition 5 states *"Within 6 months of the commencement of the development for that stage"*.
33. In addition, the Council is concerned that Network Rail is seeking to disapply the provisions of the Neighbourhood Planning Act 2017 relating to the temporary possession of land, with the effect that the level of notice to be given by Network Rail under the draft Order would be significantly less than is required under the statute. The Council notes that the relevant provisions of the Neighbourhood Planning Act 2017 are not yet in force. However should they come into force between now and the implementation of the Order, the Council would wish to rely on the notice period set out in section 20 of the Neighbourhood Planning Act, which requires at least 3 months' notice be given to landowners, as opposed to the 14 days proposed in Article 28(2) of the draft Order.

34. In reviewing the standard conditions deemed planning conditions against the conditions proposed in this instance, the Council have proposed amendments to those proposed to make the conditions more responsive to the Council. Discussions are ongoing in this regard. More detailed comments on the draft deemed planning conditions are set out in Appendix 1.

Planning policy and guidance

35. Network Rail has set out a number of planning policies on which it is seeking to rely on in relation to the planning justification for the Scheme. These policies are listed in the Planning Statement (Document Ref: NR13). However a number of these policies are referred to incorrectly, include incorrect references, are now out of date or have been superseded. The Council sets out the correct policies that the inspector should refer to at Appendices 1 and 2.

36. The Council wishes to provide the Inspector with an update on the latest position with the Council's Site Allocation Examination. Representations made during consultation up to 27 January 2023 were submitted to the Inspector by the Council and the Inspector's report is expected to be received in August 2023. Currently the Site Allocations Plan is still in examination.

37. As part of the examination of the site allocations plan, the Council agreed to remove housing from a Green Belt site, which forms part of the land required for the Scheme. See Plots [8-001, 8-003A, 8-003, and 8-005]. The Council's view is that exceptional circumstances apply in order to meet employment needs in relation to this site. The Council understands that the current proposal is to use the above plots for a temporary construction site.

38. The above plots form part of a strategic development site for the Council and at this stage the Council objects to the use of this land on a temporary basis for construction. This is especially so given that the Council has not been provided with sufficient information as to the extent of the time for which the temporary compound will be operational. In addition, the Council has already accepted the location of another temporary compound in relation to this Scheme. The Council has proposed an alternative site for the compound, which has not been taken into account by Network Rail.

39. Further information is also required regarding timescales for required compounds, and proposed reinstatements. Without sufficient information impacts on land allocation, designation, reinstatement and delivery on other schemes/developments such as at Wykebeck Avenue [see plots 6-001, 6-002, 6-003 and 6-004] cannot be wholly accounted for and allocated sites may be compromised

Deemed Planning Conditions

40. The Council has included, at Appendix 1, a list of deemed planning conditions that it would expect to see in relation to the proposed Scheme, together with amendments to the conditions already proposed by Network Rail.

Replacement of Structures

41. The Council is aware from discussions with Network Rail to date, that where replacement of structures is proposed, that Network Rail is proposing that structures are replaced on a "like for like" basis. The Council has concerns about this approach, which have been expressed to Network Rail, where existing structures are considered sub-standard in line with current design standards and in need of updating to meet current accessibility requirements, Network Rail needs to demonstrate this.

42. The Council would expect to see all replacement structures built in accordance with paragraphs 110 and 112 of the NPPF which provides that;

- a. the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46;
- b. applications for development should:

- i. address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- ii. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

Highways

43. To date, there has been a lack of detail provided by Network Rail regarding how the impacts on the highway network, including any permanent or temporary road closures and diversions, will be managed throughout the construction period and their overall impact post construction. Insufficient information has been provided regarding the extent of the construction period and what each phase of construction will consist of. A clear plan of the proposed phases of construction would be welcomed by the Council in order for it to properly understand the construction impacts of the Scheme and how they can be managed appropriately.
44. It is also not clear from the discussions with Network Rail to date which statutory undertakers have been consulted and what their views have been in respect of any diversions or work required to their infrastructure and any impacts that any such works may have on the operation of the highway network. As set out in Appendix 1, the Council own a number of service tunnels which are impacted by the Scheme. It is not clear from the provisions included in the draft TWAO whether such service tunnels are classed as "apparatus" for the purpose of the TWAO.
45. There has been a lack of detail provided around the movement of construction traffic, Abnormal Indivisible Loads (AILs) (and the process through which their movements will be authorised and managed) and available routes for emergency vehicles, especially for access to St James Hospital whilst works are ongoing in that location.
46. Additional detail is also required in relation to any permanent restrictions (e.g. parking and loading restrictions) sought by Network Rail and how they are to be secured. From the information received to date, it is not clear whether any such restrictions will be secured within the TWAO or outside of the TWAO using the Council's usual procedures.
47. The Council looks forward to receiving an update from Network Rail as to when a draft Communications Plan will be sent to the Council, the terms of which can be secured through the Side Agreement to be agreed between Network Rail and the Council.
48. The Council also has concerns around the disapplication of legislation within the draft TWAO and welcome further discussions with Network Rail in this regard to properly understand Network Rail's intentions in particular in respect of the disapplication of part of the New Roads and Street Works Act 1991. The Council is concerned that the disapplication of certain provisions negates the need for Network Rail to comply with the notice periods expected by the Council.
49. Traffic data – The council are concerned that the transport assessment submitted with the application does not use up to date traffic data which includes traffic figures since the opening of the East Leeds Orbital Route.

Austhorpe Lane

50. The Council is aware, through discussions that have taken place with Network Rail to date, that it is Network Rail's intention that the Austhorpe Lane Bridge will be demolished to enable the electrification underneath it, and replaced with a two-lane bridge, incorporating a footway in the same single structure. It is understood that designs are still being worked up in this regard. Whilst the Council is supportive of the proposals in principle, and welcomes the negotiations to date, further detail is required from Network Rail in respect of the proposed design standard to which the new structure is built, the process for which approval will be sought from the Council, as well as the proposals for the stopping up (and definition of) of Austhorpe Lane.
51. Network Rail requested the Council make a contribution of £800,000 to the new structure following negotiation on the proposed replacement structure. This is not agreed by the Council on the basis

that it remains the Council's view that structures should meet current standards set out in the Design Manual for Roads and Bridges or as agreed with the Council in its capacity as local highway authority. Network Rail's original proposal did not meet the required criteria and would have built health and safety issues into the design. The Council has also confirmed to Network Rail that the structure would need to be owned and maintained by Network Rail. Discussions are ongoing between the Council and Network Rail in this regard.

52. In respect of the high pressure gas main in this location that would be impacted as a result of the works to Austhorpe Lane, and the diversion required, the Council requested an arboricultural impact assessment and mitigation plan from Network Rail regarding the location of the gas main diversion required as part of the bridge works and the ecological and arboricultural impacts it will have on the adjoining Green Park. This is yet to be provided by Network Rail.
53. The Council has asked Network Rail to look at possible changes to the location of the intended diversion in order to mitigate these impacts. Network Rail has indicated that they have provided sufficient justification for the location and intend to include this within the TWAO submission. Further information is still considered necessary (for the reasons set out in Appendix 1).

Safe access to compounds

54. As detailed in Appendix 1 the Council have substantiated concerns in relation to the lack of clarity provided by Network Rail to date in relation to the timeframes during which temporary compounds are required. This makes assessing the impact (and any concerns arising from this) challenging as it is not clear whether the impact will be short or long-term. As previously drafted, the draft TWAO gave proposed timescales for the temporary works, but this is not set out in the current version submitted with the application. The Council require an explanation as to why this information has been removed from the submitted version of the draft TWAO and provision of more detailed information from Network Rail, so that highway impacts can be assessed in a more meaningful way. From the information currently available, it is not possible for the Council, in its capacity as local highway authority to consider the traffic management required at each compound location where access is required from the highway. The accesses that are relevant here as detailed in Appendix 1.

Code of Construction Practice

55. The Code of Construction Practice (COCP) proposed by Network Rail is proposed to be provided in two parts; Part A and Part B. To date, the Council has only had sight of Part A.
56. The Council's comments on Part A are set out in Appendix 1. Discussions are ongoing with Network Rail to ensure that the COCP contains the relevant measures and standards to be followed throughout the construction period and ensure that that the proposed construction-related mitigation identified in the Environmental Report is committed to by Network Rail.
57. It is important to the Council to ensure that it contains the required mechanisms to ensure that residents are able to report any issues directly to Network Rail and its contractors during the construction period.
58. The Council cannot agree to the provisions in the COCP in totality until it has been provided with COCP Part B and been able to assess both parts in conjunction with each other. To date there appear to be contradictions between Parts A and B as set out in NR16 and 17 as to which part of the works Part A and B are intended to apply to.

Side Agreement

59. As set out above, the Council is of the view that greater clarity is needed in respect of the powers being sought under the TWAO relating to works needing to be carried out on the highway or to highway infrastructure to facilitate the construction of the Scheme.

60. Clarity is needed in order to avoid issues concerning traffic management, the mechanism under which works to the highway will be carried out, how disruption to users of the highway network will be managed, traffic management plan, and blue badge parking bays temporary closures.
61. In addition to the wording of the planning condition proposed by Network Rail, the traffic management plan requested by the Council should additionally provide full details of all road closures and diversions for each stage of the proposed works, including any time constraints to accurately predict the impact on specific waste collection routes. The Council would seek opportunity to engage early with Network Rail to suggest diversion routes based on local operational knowledge. The timing is critical to ensure correct processes are put in place to ensure minimum disruption to the network.
62. The Council considers that any engagement, detail of works and mechanisms for securing works are capable of being agreed through the Side Agreement to ensure early engagement with the Council in its capacity as highway authority where necessary.
63. Network Rail has provided the Council with a draft Highways Side Agreement which is anticipated will set out the agreed position between the Council and Network Rail in relation to those matters. Until those matters are agreed, the Council will not be in a position to withdraw its objection in principle to the Scheme.

Approach to closure of Peckfield Level Crossing

64. Concerns have been raised by the Council regarding the proposed diversion of the bridleway and footpath required as a result of the proposed closure of Peckfield Level Crossing. Network Rail has undertaken an options assessment of alternative solutions for bridleway and pedestrian users. Two options are now included in the TWAO as a result of feedback from consultees during the consultation process and the options evaluation. The Council understand that it is Network Rail's intention to let the Secretary of State determine the most appropriate solution.
65. The Council is still considering the options proposed by Network Rail and discussions are ongoing with Network Rail as to the suitability of the current options proposed. A further update will be provided to the Secretary of State of the Council's position on this issue, following further discussion with Network Rail.

Communication Plan

66. The Council has requested a Communication Plan (and means of public engagement by Network Rail) setting out the proposed communication plan from Network Rail detailing how communication of all works and impacts on residents and all key stakeholders including Ward Members will be provided. Such a plan should include the following (which is not an inclusive list); dates, times and diversion plans for any highway works that are required and will affect users of the highway during the construction period of the Scheme as well as noise and vibration impacts. It is hoped that the Communications Plan will detail how Network Rail will deal with any unforeseen issues arising during construction in addition to means of public engagement and engagement with all key stakeholders and how Network Rail will keep ward members, local residents and businesses proactively informed of the works.

Sustainable Transport and PROW

67. The Council require additional information and further clarifications from Network Rail in respect of the impacts of the Scheme on the cycle routes across the City Centre and further afield (including the core cycle route 66 to East Leeds).
68. The specific locations of the cycle network across Leeds that the Council believe to be impacted most significantly are set out in detail in Appendix 1 (Transport Policy section). It is vitally important that the construction impacts of the Scheme do not negatively impact on city centre cycle routes, and if there are negative impacts, the mitigation proposed must be clear, which isn't the case currently. Further discussion with Network Rail is welcomed to enable the Council to properly understand the

impact on affected cycle routes, whether such impacts can be avoided or mitigated, and the form of mitigation to be agreed.

69. Appendix 1 sets out the locations at which works are proposed which the Council believe may clash with works proposed to the City Centre Cycle Loops scheme. The full impact of this clash need to be properly understood, which can only be done following provision of the requested clarification in Appendix 1. It is important that the construction programme for the Scheme is aligned to the planned works for the City Centre Cycle Loops scheme and any other impacted schemes.
70. It is the Council's view that there needs to be a clear plan in place by Network Rail to ensure that access to the affected routes are maintained and accessible for all. The position on this from the application documents submitted, is not yet clear.

Heritage

71. Mitigation has been agreed with Network Rail for the substantial harm caused by the demolition of the listed buildings as part of the proposed Scheme.
72. However further assessment is required to be discussed in detail with Network Rail in relation to the Kirkgate/Marsh Lane works, including the installation of signalling gantry in the vicinity of the Grade I listed Leeds Minster.
73. Paragraph 199 of the National Planning Policy Framework (NPPF) states that "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*"
74. In addition, paragraph 202 states, "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*"
75. The Council's view is that the impacts on the Minster as a result of the installation of the signalling gantry would cause less than substantial harm. This harm is not such that can be mitigated against but the Council would like to draw this to the Inspector's attention in the consideration of the Application.

Environmental Report

76. The Environmental Report Volume 1 (Document Reference: NR16) makes clear, at paragraph 1.3.4 that the scope of the environmental assessment "*does not consider the effects of certain additional elements which are either to be carried out as permitted development or through planning permission obtained separately from the local planning authority. The proposed Leeds to Micklefield Enhancements Order includes provisions to facilitate these elements but does not authorise the works. These elements are not included in the scope of this Report.*"
77. Given the above statement, the Council cannot at this stage carry out an assessment itself of the impacts on the environment, as a result of the Scheme, nor can it state whether any of the proposed mitigation is acceptable.
78. The Council appreciates that works may be consented outside of the Transport and Works Act process. However, these works do need to be considered on a cumulative basis when looking at the Transpennine Route Upgrade as a whole.
79. The Council also notes in the Environmental Report Volume 1 (Document Reference: NR16) at paragraph 1.5.2 that no technical studies have been carried out in relation to air quality as potentially significant effects "*will be avoided through construction works being carried out in compliance with Network Rail's Minimum Requirements for Projects – Design and Construction (NR/L2/ENV/015) (Document Reference: NR/L2/ENV/015, current version v9, 2021) and a Code of Construction Practice (CoCP), detailed in Section 1.5.5.*"

80. Paragraph 4.1.8 of the Environmental Report Volume 1 (Document Reference: NR16) does identify that there may be air quality impacts, and that these may be localised and temporary in nature.
81. The Council does not follow the logic of not including an air quality assessment in the Environmental Report, particularly where it has identified that there may be impacts, and that these impacts will be secured through the CoCP Part B. Given that mitigation is being provided for air quality effects, the Council would expect to see the assessment carried out to reach this conclusion.

Land contamination

82. Paragraph 183 of the NPPF requires that planning policies and decisions should ensure that:

"a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments."

83. In addition, paragraph 184 of the NPPF makes clear that, *"Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."*
84. As currently drafted the proposed conditions for the deemed planning consent (Document Reference: NR12) do not require Network Rail to take on any responsibility for site investigation or remediation (if required) in relation to the works it is carrying out as part of the Scheme.
85. As a minimum the Council would expect to see a condition requiring Network Rail to carry out a site investigation, carry out ground investigation reports and submit these to the Council. In addition where any remediation is required to be carried out the Council would expect this to be identified by Network Rail, agreed with the Council and ultimately carried out by Network Rail.
86. The Council is under a statutory duty as the local authority to inspect its area, identify any contaminated land and decide whether such land is to be designated as a special site under the Environmental Protection Act 1990. The above requested condition will assist the Council in discharging its statutory duties, and is not an unusual condition to include in a proposed planning permission.

Conclusion

The Council strongly welcomes the economic, environmental, and social benefits the Scheme will bring to Leeds and surrounding areas, and the Council remains committed to assisting wherever possible, Network Rail in bringing the Scheme forward.

The Council understands that disruption during construction is to a certain extent inevitable but does not currently have sufficient information, in sufficient detail to be able to properly assess and understand the impacts of the Scheme on the businesses and residents of Leeds and how such impacts will be properly managed.

For these reasons we seek to ensure that our residents and businesses can move around the City as efficiently as possible during the construction, that their future is assured in terms of housing choice in a greener and cleaner environment and that they do not disbenefit from the Council having to pay disproportionately for increased maintenance costs of legacy infrastructure.

The Council reiterates its full support in principle for the scheme and hopes that through further partnership working with Network Rail that as many as possible of the issues raised can be dealt with prior to the determination of the application by the Secretary of State, or else can be conditioned through the drafting of the Order, the negotiation of a side agreement and/ or through planning conditions.

The Council reserves the right to add to or vary the grounds of its in principle holding objection pending receipt of further information from Network Rail.

Please note that this letter does not constitute a formal objection to the TWA Order Application. The Council has not yet discharged its governance obligations in order to comply with S.239 of the Local Government Act 1972. It is hoped that matters set out in this in principle holding objection can be resolved in advance of needing to secure the approval of the Council to submit a formal objection. Should a formal objection be necessary this will be submitted as soon as the necessary approval has been secured.

Any correspondence relating to this representation can be sent using the contact details at the top of this letter.

Yours faithfully

Martin Farrington
Director of City Development
Leeds City Council

	A	B	C	D
1	TWAO Responses			
2	Document	Article / Schedule	Notes	Comments
3	General comments	Accessibility		Where level crossings are being closed and diversions created that these diversions benefit from improved accessibility and discussions are ongoing with Network Rail about their obligations under the Equality Act to meet the needs of the communities impacted by their programme of work.
4	General comments			Confirmation on whether services required to compounds
5	General Comments	Schedule 4 Part 1 column 2 and 3		Austhorpe Rd and Austhorpe Lane are not going to be formally stopped up. The highway remains adopted highway.
6	General comments			Concern re. lack of clarity regarding the timeframes of temporary compounds. This makes assessing the impact (and any concerns arising from this) challenging as it is not clear whether it will be a short term or long-term impact. The draft TWAO gave proposed timescales for the temporary works, but this is not set out in this TWAO.
7	General comments			Culverts and minor structure to be identified and protected with details agreed with the highway authority.
8	General comments			Where TRU works conflict with LCC schemes, LCC need additional information to properly assess the impacts of any such works and whether the impacts of any conflicts are appropriately mitigated, so as to ensure that users of the routes are not negatively affected by the TRU work.
9	General Comments			No requirement for Network Rail to supply land contamination reports to LCC for review and approval, however LCC require this information to ensure that land contamination risks have been adequately assessed and remediated where required prior to scheme areas becoming operational to ensure that there is no risk to operational end-users (principally members of the public). Network Rail have confirmed that where remediation is required for any part of the scheme, LCC shall be consulted with to agree the remediation strategy. All Remediation Strategies and Verification reports shall be sent to LCC as well. However, Network Rail have not confirmed that they will provide reports for all supplementary ground investigations proposed to be undertaken. LCC will need copies of these ground investigation reports as well so that we can review them to be assured that the appropriate land contamination risk assessment has been undertaken for each supplementary ground investigation.

	A	B	C	D
10	General comments			<ul style="list-style-type: none"> • Ensure as to where we address issues such as ancillary structures and works. • Having reviewed the documents I cant see anything with to how we manage noise from works/compounds and route for complaints etc. • How do we deal with BNG where it falls outside TWAO? • Information regarding what mitigations/ conditions fall in/out of TWAO and in/out of deemed planning is unclear. (and how/when receive). • ECC as the highway authority are to approve the designs at every stage of design f1/f2/f3 etc – all designs are currently outline including addition to where additional structures / highway are required as a result of detailed design • No wording to clear up how we deal with departures from standards on highways structures • When proposed developments require new highway infrastructure a road safety audit is required prior to planning permission being granted. It needs to be clarified that stage 1 road safety audits where necessary should be undertaken and provided to the highway authority before submission of the TWAO. (RSA required before form F's can be approved) – issue that needs to be addressed final road safety audit approval leads to adoption of road / structure for maintenance where is this role for the HA set out and if not what is the handover procedure from NR to LCC and ongoing contribution towards maintenance will need to be resolved. ☐
11	General comments			<p>Requested improved communications and a clear communications plan.</p> <ul style="list-style-type: none"> - To avoid conflicts with other proposed works - To mitigate impacts on residents
12	General comments	Highway condition		Require highway condition survey which will ensure a developer makes good any damaged adopted highway
13	General Comments	CoCP Part B		Not yet provided. NR advised likely to be provided late sept/ Early Oct. Contents of CoCP part B to be agreed.
14	NR02	2		Interpretation: No mention of the definition of 'Stopping Up'. The phrase is used in the HA (S116) in relation to the permanent removal or diversion of a highway. S14 RTRA refers to restriction or prohibition of traffic in relation to a temporary situation. In the TWAO it appears to be used for both scenarios.
15	NR02	4		Clarity on application of NRSWA.
16	NR02	8		<p>“(a) deviate laterally from the lines or situations shown on the deposited plans to the extent of the limits of deviation for that work; (b) deviate vertically from the levels shown on the deposited sections—(i) to any extent upwards not exceeding 3 metres; or (ii) to any extent downwards as may be found to be necessary or convenient”</p> <p>- deposited plans refer to NR9 and/or NR14. Further clarity required. Horizontal deviation not defined, vertical deviation seems too high</p>
17	NR02	11		Subject to Highway Authority approval (structures) in highways agreement? May alter street or carriageway under substandard portion of a structure

	A	B	C	D
18	NR02	12		Do these powers supersede STGO Regs? (Abnormal loads) Would they still have to notify?
19	NR02	14		Construction and maintenance of new or altered streets: article 11 states 'temporary' nature. Article 14 doesn't specify – clarification on permanent/ temporary nature
20	NR02	15		Doesn't seem to be anything to cover ownership and maintenance of structure(s). Needs to be included in the highways side agreement or in the order
21	NR02	16		Further clarification required about protocol for reaching agreement.
22	NR02	20		LCC own several service tunnels that are used by stats, are these classed as apparatus under the order?
23	NR02	21		access for surveys only requires 7 days' notice this needs to be one month to allow notification to all appropriate departments
24	NR02	21		7 days insufficient time but subject to highways agreement.
25	NR02	23		seems to change time period not clear
26	NR02	28		Subject to Highway Authority approval (structures) in highways agreement.
27	NR02	28		Dilapidation survey/ condition survey to be undertaken on any affected structure
28	NR02	28		Seems to be about time periods after the works have been completed.
29	NR02	29		Subject to Highway Authority approval (structures) in highways agreement
30	NR02	29		Will a dilapidation survey be undertaken of any affected structure
31	NR02	29		"restore to reasonable satisfaction" – method for agreement or change to e.g. "previous condition or as per local plan"
32	NR02	30		Where access is taken from adopted highway, NR require LCC highway consent.
33	NR02	41		Traffic Regulation: This appears to relate to permanent changes to TROs - clarification required regarding powers sought
34	NR02	41		This section seems to relate to permanent Traffic Regulation Orders in terms of parking, loading, stopping restrictions, speed limits and weight restrictions. Where are these, what restrictions are being proposed and who has been consulted on them to date?
35	NR02	10 (6)		Section 10 (6) further information required
36	NR02	11,12,13,14,15,41,42,43 (likely to be others)		28 days not sufficient. Link to highways side agreement.
37	NR02	19 (flood risk)		as per above) 28 days not sufficient. Link to highways side agreement.
38	NR02	19(1)		Part Two Works Provisions: Supplemental Powers Discharge of Water Network Rail to comply with the requirements of Watercourse consenting. (Land Drainage Act 1991) Add: Including Local Authority owned open and culverted watercourses. Watercourse Consenting has a statutory time of EIGHT Weeks.
39	NR02	19(2)		Same as NR02 19(1) comment above

	A	B	C	D
40	NR02	19(8)		Same as NR02 19(1) comment above
41	NR02	2.2.1		<p>Part 2 Section 17 Paragraph 4 and 5: gives 28 days for LCC to confirm works have been provided to reasonable satisfaction. Our orders usually state 'The diversion of the footpaths/bridleway shall have effect on the date which Leeds City Council certify that the terms of Articles 2 and 3 have been complied with' thus giving us no deadline for confirming works have been completed to reasonable satisfaction. A longer time frame, perhaps 8 weeks, for us to do our checks would be beneficial.</p> <p>Schedule 6 refers to Non-definitive footpath between T17 and T18. This is part non-definitive footpath and part Definitive Footpath Leeds City 100.</p> <p>Schedule 8 refers to Bridleway Austhorpe 9 this should be Definitive Bridleway Austhorpe 9. Also refers to Definitive Footpath Micklefield 8 but this should be Definitive Bridleway Micklefield 8.</p>
42	NR02	20(5)		Notify if emergency access (as soon as possible)
43	NR02	20(6)		14 days insufficient time but subject to highways agreement.
44	NR02	21(1)		Notify Highway Authority if near structures / apparatus
45	NR02	21(13)		21(13) contradicts 21(2)
46	NR02	23(7)		"for "section 4 of this Act" substitute "article 34 (time limit for exercise of powers of acquisition)" - should be substituted for section 33?
47	NR02	27(1)		Subject to Highway Authority approval (structures) in highways agreement?
48	NR02	3 (1)(a)		Railway Clauses Act: Clause 58(b) of the RCA allows NR to use roads and they shall make good any damage they cause. Asset Man will require dilapidation surveys? Also, where can the specification of such repairs be controlled?
49	NR02	30(1)		Do these powers supersede STGO Regs? (Abnormal loads) Clarification on powers and notice periods required
50	NR02	30(2)		Do these powers supersede STGO Regs? (Abnormal loads). Reasonably practicable does not apply for abnormal loads.
51	NR02	4(2)		<p>NRASWA: Schedule 3A (c) - What does this refer to? Clarify correct part of Schedule 3A in the 1991 Act.</p> <p>Why do the provisions of S58 not apply to these works? S58 does not appear to have any impact on the TRU works and prevents our ability to protect new road surfaces provided as part of that work.</p>
52	NR02	4(4)		NR is required to comply with notice periods, coordination (albeit one-sided given the loss of S56) etc. Area for the Highway Agreement that although they have the power, they use best endeavours to give us advanced notice and apply for a permit etc.
53	NR02	41(1)a		Traffic Regulation: North Yorkshire should be West Yorkshire.
54	NR02	41(1)a		Reference to the City of Leeds being in North Yorkshire which is incorrect.
55	NR02	41(a)		Ref to North Yorkshire
56	NR02	42(1)		Temporary Traffic Regulation: Needs the word 'temporarily' adding to each of lines (i) to (v)
57	NR02	42(1)		'Temporarily' needs adding to the start of each point to highlight that the restrictions will only be temporary.
58	NR02	42(3)(b)		Temporary Traffic Regulation: Does not make sense. Error in wording?

	A	B	C	D
59	NR02	42(4)(b)		Temporary Traffic Regulation: Section 32 of RTRA is power to create parking spaces off-street or on-street without payment. Where is this to be considered?
60	NR02	44(4)		Ref to Birmingham City Council
61	NR02	7(5(f))		Reference to 'works to strengthening, alteration or demolition of any building'. Is this relevant to this project and are there any buildings that this relates to?
62	NR02	7(5(j))		Reference to 'works to alter the course of, or otherwise interfere with, a watercourse other than a navigable watercourse'. Is this relevant to this project and have the necessary departments been consulted on such works?
63	NR02	7(5)		Subject to Highway Authority approval (structures) in highways agreement
64	NR02	7(6)		Subject to Highway Authority approval (structures) in highways agreement
65	NR02	8(a)		Lateral deviation of how far?
66	NR02	9 (and 29 – likely to be in other clauses)		Method for agreeing 'reasonable satisfaction' required.
67	NR02	9(1)		Subject to Highway Authority approval (structures) in highways agreement
68	NR02	9(1)a		Power to execute street works: Allows NR to break up or open the street and any sewer, drain or tunnel under it. Are YW aware of/party to this Order?
69	NR02	Construction and Maintenance of new or altered streets (14)		Para (5) refers to powers under para (5)
70	NR02	Power to alter layout etc (11)		Looks like any changes to any street must be agreed with the street authority within 28 days of notification. Further agreement required under highways side agreement.
71	NR02	Power to Construct and maintain works 7		There is nothing in here about returning areas affected by the works and used as access to an acceptable condition as agreed with the landowner/highway authority
72	NR02	Power to execute street works 9(a)		1. Break up or open the street or any sewer drain or tunnel under it (streets listed in Schedule 3)– the sewers aren't generally LCC owned and this seems to give them rights to do whatever they please 2. Place apparatus in the street (streets listed in schedule 3) – need clarification what sort of apparatus (1991 act is new roads and street works) so is this cables etc?
73	NR02	Protective works (20)		Should this also apply to areas of land i.e. penny pocket park, paved footways etc Road – is not defined as far as I'm aware so what does it mean

	A	B	C	D
74	NR02	Sch 15 40.		<p>“apparatus” means electric lines or electrical plant (as defined in the Electricity Act 1989), belonging to or maintained by Northern Powergrid and includes any structure in which apparatus is or is to be lodged or which will give or gives access to apparatus;</p> <p>LCC own structures that NPG use for their apparatus. Clarity on approvals process and apparatus affected.</p>
75	NR02	Sch 4		Extent of new street – where is point P3 on Sheet 5 ?
76	NR02	Schedule 1		<p>1. Work No 1 - 140m from Manston Lane should mean that Austhorpe road is not affected by the works as its only 118m from Manston Lane to its end (the junction with Railway Road)</p> <p>2. Work No 1 – are the works only 10m long? The wording is open to interpretation. These seem to correspond to points P1 and P2 on Sheet 4, so why not say that?</p> <p>3. Work no 2 – 250m from its point of commencement, that’s 100m longer than the main bridge works is that correct, as it will extend a long way outside the area shown on Sheet 4</p> <p>Work no 5 – 375m from church lane is only 20m or so from the start of the bridge, we believe that the tie in length for the vertical realignment of the bridge will go further than this, it may as well go further than the 76m which is the length of the actual works.</p>
77	NR02	Schedule 1		Scheduled Works: No mention of Kirkgate, Penny Pocket Park, Marsh Lane, New Market Approach, Wykebeck Avenue, yet they are all impacted by TWAO works (see Schedule 6)
78	NR02	Schedule 1		<p>Streets Subject to Street Works:</p> <ul style="list-style-type: none"> • Wykebeck, Not Wybeck. • William Parkin Way, not Lane. • Ridge Road, Micklefield (as opposed to Ridge Road, Woodhouse). Listed twice. • Church Lane, Micklefield (as opposed to one of the other 17 Church Lanes in Leeds). Listed twice. Phoenix Avenue. Listed twice.
79	NR02	Schedule 1		No reference in this schedule of Kirkgate, Penny Pocket Park, Marsh Lane, New Market Approach, Wykebeck Avenue, yet they are all included in the proposed works and are referenced in Schedule 6
80	NR02	Schedule 1		Clarification of whether Kirkgate to Marsh Lane land (i.e. Penny Pocket Park) and Peckfield/ lower pit lane is missing from schedule 1, schedule of works. (both mentioned for first time in appendix 3 of NR12. also appears in NR13 section 3 as part of scheme development).
81	NR02	Schedule 12 (part 1 & 2)		<p>Schedule 12 – land which temporary possession may be taken</p> <p>Part 1 – Land relating to works</p> <ol style="list-style-type: none"> 1. Item 2 – there is no 7-018 shown on plan 4 (works nos 1 & 2) 2. Item 3 -8-002 access of William Parkin Way is not acceptable <p>There is a lot of references on the plans that are not include within this schedule why i.e. 10-*, 4-001, 003, 004</p>

	A	B	C	D
82	NR02	Schedule 12 Part 2 column 2 and 3		Displaced private car parking complemented by stopping up of part of Wharf Street/Kirkgate. Have arrangements been agreed with owner?
83	NR02	Schedule 13		The temporary construction access is indicated as Crown St, a one-way street from Call Lane, which is inappropriate.
84	NR02	Schedule 2		Schedule 2 – acquisition of certain lands for ancillary works 1. Lower Peckfield Lane – according to our street Gazetteer this is Pit Lane, and also definitive bridleway Micklefield 8
85	NR02	Schedule 3		Schedule 3 – Streets subject to Street works 1. Wy beck Ave should be Wykebeck Ave 2. A usthorpe Road, not sure this is affected as it start at Railway road and travels north from there 3. W illiam Parkin Lane should be A6120 William Parkin Way or William Parkin Way (A6120)– it's a newly constructed road so should be protected under S58 and therefore should not be dug up or altered in any way. 4. B ridleway Leeds 125 a street, if so it should have its own entry not coupled with Barrowby Lane 5. N anny Goat Lane is not part of the adopted highway and is therefore Private land 6. W hy is Ridge Road listed twice and should it be A656 Ridge Road or Ridge Road (A656) 7. C hurch Lane – listed twice are these 2 different streets and how are they affected by the works 8. W hy is the last entry Pit Lane and Phoenix Ave, as Phoenix Ave is listed separately
86	NR02	Schedule 4 (1)		Schedule 4(part1) – Streets for which a substitute is to be provided 1. A gain don't believe that Austhorpe Road is affected, is there to be a temporary replacement for the footway bridge 2. I t mentions a substitute between P1 and P3, cannot find P3 on (sheet 5) 3. D efinitive Footpath Micklefield 7 - should reference Sheet 13
87	NR02	Schedule 4 (2)		Schedule 4 (part2) – Streets for which no substitute is to be provided 1. S o what happens to the footpath between Dale Croft and point 21 (end of allotments), will it be given to the adj land owners, there seems to be little or no info unless I have missed something, there is no replacement for this either.
88	NR02	Schedule 4 Pt 1		Streets to be stopped up (substitute provided): Is this correct? The streets (Austhorpe Lane, Austhorpe Road and Ridge Road) are not being 'Stopped Up' in line with S116 of the Highways Act 1980 in that the highway is neither unnecessary nor being diverted. The replacement structure keeps the Highway on the same general line as existing and maintains the same rights of passage. The Highway Authority does not stop up roads where the kerb/footway/cycleway/carriageway arrangement is being amended/adjusted, so why is it necessary here?

	A	B	C	D
89	NR02	Schedule 5		<p>Schedule 5 – Streets subject to alteration</p> <ol style="list-style-type: none"> 1. Again William Parkin Way is protected under S58, can this access be taken from Manston Lane instead? 2. Barwick Road and Barrowby Lane junction (sheet 7) – need more details of temporary works, may wish to retain 3. Bridge Road (sheet 9) – need more details of temporary works, may wish to retain 4. Church Lane (sheet 9) – need more details of temporary works, may wish to retain 5. Barwick Road and Nanny Goat Lane junction (sheet 7) – need more details of temporary works, may wish to retain 6. Bridge Road (sheet 10) – need more details of temporary works, may wish to retain 7. Phoenix Ave (sheet 11) – private street.
90	NR02	Schedule 5		Streets subject to alteration of layout: William Parkin Way - includes for temporary removal of signs. We cannot support 'temporary removal' as the signs will be there for a purpose. This should be 'temporary relocation' or be replaced by temporary signage for, for example, a diversion.
91	NR02	Schedule 5		Streets subject to alteration of layout: Barwick Rd and Barrowby Ln - includes for temporary removal of signs. We cannot support 'temporary removal' as the signs will be there for a purpose. This should be 'temporary relocation' or be replaced by temporary signage for, for example, a diversion.
92	NR02	Schedule 5		Why are signs on William Parking Way, Barwick Lane and Barrowby Road being removed, why can't they simply be relocated on site to maintain the reason the signage is in place?
93	NR02	Schedule 5 Column 2 and 3		The temporary construction access is close to signals and the impact on the traffic at A6120 has not been demonstrated. – William parkin way

	A	B	C	D
94	NR02	Schedule 6	(Please expand column D)	<p>Schedule 6 – streets to be temporarily stopped up</p> <ol style="list-style-type: none"> 1. Diversion routes need to be agreed for all these 2. Kirkgate (sheet 1) – T1 to T2, traffic flow is in opposite direction, major issue as bus route, delivery access to City Centre etc, why does this section (harper St to New York Street need to be closed?) 3. Wharf Street(sheet 1) – delivery access? Is ped access to properties etc retained? 4. High Court/Kirkgate/Duke Street/Crown Point Road(sheet1) – points T5 to T6 – traffic flow in opposite direction, I assume this will only be when required due to bridge lifting works, will the cycle way and footways also be affected? 5. East Street/A61/Crown Point Road/Duke Street(sheet 1) – T7 to T8 I assume these will only be required at certain times 6. Marsh Lane to Saxton Lane(sheet 1) – T9 to T10, does T9 have to be so far north (adj Shannon St Junction) again assume this will only be used when required 7. Marsh Lane To Crown Point Road (including A61)(sheet 1) – T11 to T12 This may just affect Marsh Lane – don't understand why this is required, Marsh Lane is the A61 8. Marsh Lane/Crown Lane/Brussels Street(sheet 1) – T12 to T13 Where is Crown Lane? Which Part of Brussels Street? again assume this is only when required 9. New Market Approach and Permissive footpath/cycleway(sheet 2) – T2 to T4 Permissive Footpath is known by is as Pontefract Lane – Track Btwn Pontefract lane and Halton Moor Road, away from carriageway, unsegregated Cycleway only 95a. so the footpath/cycleway will not be at any time stopped up. 10. Non definitive bridleway (sheet 2) T1 to T3 - referred to differently in 9 above, also assume this will only be closed as required 11. Osmandthorpe Lane (sheet 3) – T1 to T2, its Osmondthorpe Lane. I assume access to all properties will be maintained during the works 12. Neville Garth to Osmandthorpe Lane(sheet 3) – T3 to T4 to T5 – again spelling incorrect, why is this required? The section of the main road between T3 is not closed so why affect this residential street. 13. Wybeck Avenue (sheet 3) – T6 to T7 its Wykebeck Ave, I assume access will be maintained to residential properties 14. Non definitive footpath (sheet3) – T8 to T9 – why is this not listed adj to osmondthorpe Lane as its in that area. What about the rest of the footpath, your just closing the last bit when required 15. Austhorpe Road (sheet 4) – within order limits – which are? Assume access will be maintained 16. Austhorpe Lane (sheet 4) – within order limits – which are? Assume access will be maintained 17. Railway Road (sheet 4) – within order limits – Which are? Assume access will be maintained, is Croftdale Grove within the order Limits?
95	NR02	Schedule 6		<p>Ref NR09 Sheet 1:</p> <p>Kirkgate (not Kirgate) - T1 to T2. T1 is junction with New York Street. T2 is on Harper St. T1 to T2 does not include the area of the works (1-022 on Sheet 1). Should this refer to T2 to T3 (with location of T2 corrected)?</p>

	A	B	C	D
96	NR02	Schedule 6		Ref NR09 Sheet 1: ·Wharfe St - T3 to T4. 'Stopped Up' infers all rights to passage are revoked. How is access to be maintained? If vehicular access is needed from High Court into Wharfe St then Section 42 covers the one-way management but does the junction need altering (inclusion in Schedule 5) because it is currently configured for one-way movements, Wharfe St to High Court, only.
97	NR02	Schedule 6		Ref NR09 Sheet 1: ·High Court/Kirkgate (not Kirgate)/Duke Street (should be East St)/Crown Point Road - T5 to T6. Errors as noted in brackets. Should Kirkgate between High Court and T3 also be included? (Assumption that this is related to the movement of the abnormal loads between the Marsh Lane compound and the site).
98	NR02	Schedule 6		Ref NR09 Sheet 1: ·East St/A61 (superfluous - part of Duke St/East St)/Crown Point Road/Duke St - T7 to T8. Is Crown Point Road the length between East St and Marsh Lane? (Assumption that this is related to the movement of the abnormal loads between the Marsh Lane compound and the site).
99	NR02	Schedule 6		Ref NR09 Sheet 1: ·Marsh Lane to Saxton Lane - T9 to T10. Needs clarification on where T9 is - A64 off slip or junction with Shannon St? Concerns re hospital access and other local access.
100	NR02	Schedule 6		Ref NR09 Sheet 1: ·Marsh Lane to Crown Point Road - T11 to T12. Both directions or will there be an exit from Saxton Lane?
101	NR02	Schedule 6		Ref NR09 Sheet 1: ·Marsh Lane/Crown Lane/Brussels Street - T12 to T13. No information on where Crown Lane is (it's not in the Street Register). All of Brussels St?
102	NR02	Schedule 6		Ref NR09 Sheet 2: ·Newmarket Approach - T2 to T4. Not Highway and no PROW shown. Assume that the path will need to be closed with the owner's permission.
103	NR02	Schedule 6		Ref NR09 Sheet 2: ·Bridleway - T1 to T3. Does this need to be closed or can access through the works be managed for peds and cyclists? That would be far preferable to a diversion via the A63 and the need to make people cross Halton Moor Road, Newmarket Lane and Newmarket Approach. Note: this arrangement is NOT covered in NR16 Vol 3 Appendix 11.
104	NR02	Schedule 6		Ref NR09 Sheet 3: ·Dsmandthorpe Lane - T1 to T2. T1 location should be further north with managed access to properties, as illustrated by the location of T2.
105	NR02	Schedule 6		Ref NR09 Sheet 3: ·Neville Garth - T3 to T4 to T5. Purpose? Access?
106	NR02	Schedule 6		Ref NR09 Sheet 3: ·Wykebeck Avenue (not Wybeck) - T6 to T7. Purpose? Access?

	A	B	C	D
107	NR02	Schedule 6		Ref NR09 Sheet 4: Austhorpe Road, Austhorpe Lane, Railway Road - What does 'within Order Limits' mean? Why is this referenced differently? Sheet 4 does not show 'Order Limits'. Croftdale Grove may be included or may be isolated by proposed closure. Please clarify. order limits to be whole shaded area on map, but what is necessity for this and not using points? The order limits also do not cover the north or South of Austhorpe Lane up to appropriate junctions, leaving these sections under TTRO process.
108	NR02	Schedule 6		Ref NR09 Sheet 9: Bidge Road. What does 'within Order Limits' mean? Sheet 9 does not show 'Order Limits'.
109	NR02	Schedule 6		Ref NR09 Sheets 11 & 12: Phoenix Avenue. What does 'within Order Limits' mean? Sheets 11 and 12 do not show 'Order Limits'. order limits to be whole shaded area on map, but what is necessity for this and not using points?. also why does Schedule 6 not reference points as per others?
110	NR02	Schedule 6		Is 'temporarily stopped up' the correct terminology bearing in mind the need for access to various properties along these streets?
111	NR02	Schedule 6		The extents for Kirkgate - T1 to T2 seems incorrect with T1 being the junction with New York Street and T2 being the junction with Harper St on NR09 Sheet 1, which does not include the works area.
112	NR02	Schedule 6		The schedule implies that a section of Wharfe Street from T3 (Kirkgate) to T4 will be temporarily stopped up and the highway rights extinguished albeit temporarily. How are the various premise3s on Wharfe Street be accessed and/or serviced if temporarily stopped up? And have these premises been consulted on this fact?
113	NR02	Schedule 6		Are NR proposing to temporarily stop up sections of the main routes of High Court/Kirkgate/Duke Street/ East St/Crown Point Road? How will access into The Calls, Swingate, market areas be achieved if High Court/Kirkgate/Duke Street/ East St/Crown Point Road are temporarily stopped up and highway rights extinguished?
114	NR02	Schedule 6		Are NR proposing to temporarily stop up sections of the Marsh Lane? How will this affect access into the southwest area of the city centre, Stage 7 of the Ring Road and St James's Hospital from the A64 if Marsh Lane is temporarily stopped up and highway rights extinguished?
115	NR02	Schedule 6		Are NR proposing to temporarily stop up Marsh Lane in both directions? How will this affect access into the southwest area of the city centre, the A64 York Road and St James's Hospital from the A61 if Marsh lane is temporarily stopped up and highway rights extinguished?
116	NR02	Schedule 6		If Osmondthorpe Lane is temporarily stopped up between points T1 & T2 how are the residential properties and cul-de-sac accessed if the highway rights have been extinguished?
117	NR02	Schedule 6		If Austhorpe Road, Austhorpe Lane and Railway Road are temporarily stopped up in line with the extents of works shown on Sheet 4 how are the residential properties and cul-de-sac accessed if the highway rights have been extinguished?

	A	B	C	D
118	NR02	Schedule 7		Schedule 7 – Access to Works 1. Mybeck ave – should be Wykebeck ave 2. Pit lane and Phoenix Ave – should these have 2 separate entries Also what about all the other streets / areas where access will be required over & from.
119	NR02	Schedule 7		Clarification on what this is reflecting. Seems to exclude key elements such as access for works at Crawshaw Woods.
120	NR02	Schedules 14 and 15		Statutory Undertakers: NR to confirm consulted all SUs and provide list of responses. NR07 - Consultation, only lists British Telecom, Northern Gas Networks, Northern Powergrid and Yorkshire Water. There are far more SUs than that. (Some others are listed on pages 104/105 of NR08). NR to confirm SU works to be undertaken under NRSWA/ permit scheme or whether the order leads to disapplication of normal powers in this situation.
121	NR02	Stopping up streets 10(2a)		1. Who is to inspect the works to ensure that they are completed to the reasonable satisfaction of the street authority and that it is open for use? 2. What notice etc will be given?
122	NR02			The requirements relating to the Leeds Permit Scheme will still apply to all works impacting on the public Highway - NR to confirm agreement
123	NR02			28(4) only requires the land to be restored “to the reasonable satisfaction of the owners of the land” and specifically states that Network Rail is not required to “(b) restore the land on which any works have been constructed”. This is of concern, particularly where temporary compounds are proposed to be sited on land designated as Green Space in the Local Plan. This poses a risk that land will be returned in a state that renders it unsuitable for use as public green space. It is suggested that this wording should be tighter to ensure that land is restored to a suitable standard that enables it to function as per its existing designation in the Local Plan.
124	NR04	2.2.1		Option 2 refers to bridleway (not footway)
125	NR04	2.2.3		"two-lane carriageway highway (6 metres)" - previously agreed circa 7.1 to 7.3m wide carriageway. (6m is also repeated in NR16 v1 3.2.38)
126	NR04			Why no mention of any works between Leeds and Crossgates?
127	NR04			No reference to the works at Osmondthorpe Lane or Neville Hill
128	NR07	App 3		Only lists four SUs (BT, NGN, NPG and YW). What about all of the others? (Some others are listed on pages 104/105 of NR08). - NR to provide list of SUs consulted
129	NR07	Page 49 Community Consultation		Private parking accessed via automatic gates off Wharf Street will be displaced temporarily. NR07 Consultation Report indicates community consultation was undertaken to inform interested stakeholders about the overall scheme. Was notice served on owner(s) of the private car park? NR02 only refers to substitute/alternative offered where rights are extinguished, which is not the case here.
130	NR08			Pages 104/105: Lists SUs not mentioned elsewhere (NR02 and NR07)

	A	B	C	D
131	NR09			Rule 12(2) of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 requires that " All plans... shall contain a reference to the National Grid base or, where this is not practicable, to the latitude and longitude of the site of the proposed works." This is not included in any of the NR09 sheets, while reference is made to OS map data that it is produced from no further information is included as to the National Grid base or latitude and longitude. While the plots are shown on sheets 1- 14 in the interests of clarity it would be beneficial to have them colour coded rather than in greyscale with plot descriptions in the key. This will avoid any confusion regarding boundaries as well as make the limits of deviation clearer.
132	NR09	Sheet 1		why is sheet 1 titled March Lane viaduct when it also includes details for Kirkgate bridge
133	NR09	Sheet 12		To our knowledge Lower Peckfield Lane is actually Pit Lane. Clarification required
134	NR09	Sheet 19		Where is the location of the cross section shown?
135	NR09	Sheet 2		Why is sheet 2 titled Neville Hill access when it mainly affects New Market Approach
136	NR09	Sheet 20		This is supposed to be the Gas Main sections – where is the gas main shown?
137	NR09	Sheet 5		Changes to access off William Parkin Way, this is a newly adopted street and if therefore protected under S58, can the access be used as it is with the main site access being off Manston Lane
138	NR09	Sheet 7		The footpath (Garforth 7) off Dale Croft, what is to happen to this section up to the old level crossing?
139	NR09	Sheet 7		The limit of deviation is shown on the key but no deviation is present on the drawing itself, please can this be amended to either remove the key on sheet 7 or insert the deviation into the drawing itself (as relevant).
140	NR09	Sheet 9		Is the Length P1 to P2 adequate for the work and regrading works required for the level changes on this bridge
141	NR09			Comments made as part of NR02 – Draft Order
142	NR09	Sheets 15, 16, 17, 18, 19 & 20		Rule 3(a)ii of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 requires that the height of every intended bridge, viaduct, aqueduct, embankment and elevated to be included. While some measurements for constituent parts of the bridges are given, the total height and lengths are not, we would expect this to be included for clarity.
143	NR10	Sheets 15, 16, 20		Other drawings show the works from north, south, east and west, it would be beneficial to have such a view of Works No 2, No 3, No 4, No 5 and No 6.
144	NR11	Sheets 16, 17, 18 & 19		Rule 3(a)i of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 requires that ground levels are shown on the drawings, in the sheets this is only shown from the long view of the works, it would be beneficial to have the ground level shown on all drawings.
145	NR12	Sheets 15, 16, 17, 18, 19 & 20		Rule 3(a)iv of The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 requires that the levels of the bed of any tidal waters or inlay waterways should be shown on the drawings (where relevant). Please confirm that none of the bridges are proposed to pass over any such waterways.

	A	B	C	D
146	NR12	Condition 10	(Please expand column D)	<p>Leeds City Council only has planning powers for the Leeds District and therefore the BNG Strategy should state that a minimum 10% BNG will be delivered per LPA area. Therefore, in Leeds we can be assured that any impacts in Leeds District will be off-set by BNG to a minimum of 10% in the Leeds District. Without this there could be a loss of BNG in Leeds, as it could be delivered in a neighbouring LPA.</p> <p>It is acknowledged that no Baseline Metric Calculations and Post-development Calculations have been submitted for the Leeds District to understand whether a BNG will be achieved in the LPA area – but the commitment to achieving a min 10% BNG in Leeds District (and every other affected LPA area) should be stated in the overarching BNG Strategy condition – rather than achieving a min 10% BNG at project level (cross-LPA).</p> <p>It is not clear when the Metric Calculations that demonstrate a min. 10% BNG will be produced – but this is required to inform the 30-year BNG Management Plan and BNG Habitat Monitoring (these will need to be based on a specified number and type of Biodiversity Units.).</p> <p>The LPA (Leeds City Council) is the BNG Monitoring & Reporting Body and requires developers to send a copy of a 30-year BNG Management Plan and regular progress reports against the actions in the BNG Management Plan. The LPA also requires that BNG Habitat Monitoring is carried out in years 1,3,5,10,20 and 30 to demonstrate that the target number of Biodiversity Units stated in the Management Plan is on-track to being achieved. Therefore 2 additional separate conditions will be required to this effect:</p> <p>One condition specifying the submission of a 30-year BNG Management Plan that clearly states the specific number and types of Biodiversity Units to be delivered and that this will be to achieve a minimum of 10% BNG in the Leeds District.</p> <p>A separate condition for the BNG habitat monitoring that refers specifically to the number and types of Biodiversity Units to be delivered in the Leeds District – numbers and types of Biodiversity Units are the new language and should be referred to in condition wording for BNG delivery.</p> <p>The above condition-wording is normally secured by a planning obligation (s106) if the land is deemed to be Off-site as per the Metric calculations (and also if on land outside of the applicant’s ownership).</p>

	A	B	C	D
147	NR12	Condition 4	(Please expand column D)	<p>NR12_Request for Deemed Planning Permission</p> <p>Condition 4 – Preliminary Works</p> <p>It will be essential to relate any habitats shown to be retained or enhanced within the updated Biodiversity Metric calculations (not yet submitted) to the construction phase impacts (and preliminary works stage). Any habitats shown to be retained or enhanced in the Biodiversity Metric Excel Spreadsheet calculations will need to be referred to in this condition/s. An example of the condition wording used in Leeds for this purpose is below (states actual numbers of Biodiversity Units):</p> <p>Prior to the commencement of development a Construction Environmental Management Plan (CEMP:Biodiversity) shall be submitted to and approved in writing by the LPA. The CEMP (Biodiversity) shall put in place measures to retain and protect the W Biodiversity Habitat Units and Z Biodiversity Hedgerow Units as shown in A and include the following:</p> <ul style="list-style-type: none"> a. Risk assessment of potentially damaging construction activities b. Identification of “biodiversity protection zones” c. Measures to avoid or reduce impacts during construction d. Location and timings of sensitive works to avoid harm to biodiversity features, including nesting birds e. The times during construction when specialist ecologists need to be present on site to oversee works f. The role of a responsible person (Ecological Clerk of Works) and lines of communication g. Use of protective fences, exclusion barriers and warning signs <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the LPA.</p> <p>Reason: to ensure the protection of existing biodiversity features in accordance with Core Strategy Policy G8, the NPPF, and BS 42020:2013.</p>
148	NR12	Condition 5		<p>Condition 5 – Landscaping and Ecology</p> <p>The LEMP is wider than delivery of BNG and needs consideration so that it relates to (but does not replace) the proposed two additional BNG conditions as per the comment under Condition 10 below.</p>
149	NR12	Condition 6 and 7		<p>Condition 6 and 7 cover the information required prior to commencement of any stage of development, to ensure safety during the construction phase.</p>

	A	B	C	D
150	NR12		(Please expand column D)	<p>NR12_Request for Deemed Planning Permission RN12 Request for deemed Planning Permission</p> <ul style="list-style-type: none"> Appendix 2 conditions Stages Of Development – I would object to the exclusion of “preliminary works” from the term “Development”: Extract: No development (excluding preliminary works) is to commence until a written scheme setting out all the stages of the development has been submitted to and approved in writing by the local planning authority. <p>Extract Interpretation: “preliminary works” means environmental investigations, site or soil surveys, ground investigations and the erection of fencing to site boundaries or the marking out of site boundaries; site clearance; and the erection of contractors’ work compounds, access routes and site offices; Reason- preliminary works are likely to have the most significant impacts on trees and the landscape prior to approval.</p> <ul style="list-style-type: none"> Object to Arboriculture being lumped in with other disciplines. It is a standalone specialism requiring an Arboriculturalist not an Ecologist <p>LANDSCAPE AND VISUAL IMPACT ASSESSMENT has not been mentioned in the Order Mitigation terms need to be expanded to include for Landscape and Visual Impact Assessment outcomes. The likely visual impacts are likely to come from the removal of strategic trees and vegetation. One clear example is Austhorpe Lane Bridge. The removal of belts of trees will have a significant adverse visual impact on the properties overlooking the development site. Mitigation for visual impact must be aimed at reducing the effects. In this case it translate into new visual buffer planting in the same location to recreate the functionality of the original. The development may also have an impact on the landscape character of an area. The assessments need to be carried out in accordance with Guidelines for Landscape and Visual Impact Assessment (landscape institute and institute of Environmental Management and Assessment)</p> <p>LANDSCAPING & ECOLOGY - PRELIMINARY WORKS: Extract: A (i) A plan of existing trees and tree features (such as groups of trees or woodland) to be retained and protected and to be removed in accordance with BS5837(2012)</p>

	A	B	C	D
151	NR12		(Please expand column D)	<p>To be read in conjunction with 145, 146 and 149. Standard LCC conditions below:</p> <p>a) No works shall commence (including any demolition, site clearance, ground works or drainage etc.) until all existing trees, hedges and vegetation shown to be retained on the approved plans are fully safeguarded by protective fencing and ground protection in accordance with approved plans (as approved pursuant to b) below) and the specifications and the provisions of British Standard 5837 (2012) Trees in relation to design, demolition and construction, unless otherwise agreed in writing by the Local Planning Authority. NOTE: safeguarding includes any ground areas intended for Structural Planting (clause 6.2 of BS5837) and only the BS5837 default barrier with the scaffold framework shall be employed. A fully dimensioned tree protection plan drawing shall be included in the submission. Such measures shall be retained for the full duration of any demolition and/or approved works.</p> <p>b) No works or development shall commence until a written Arboricultural Method Statement (AMS) in accordance with BS5837 for a tree care plan has been submitted to and approved in writing by the Local Planning Authority. Works shall then be carried out in accordance with the approved method statement. The AMS shall include a Site Supervision Schedule i.e. a list of site visits and the operational specifics related to trees for the full construction duration. The AMS shall include for reporting back to the Local Planning Authority immediately after each site supervision intervention (written & photographic). NOTE - this item cannot be discharged until the last supervision visit report is submitted.</p> <p>c) Evidence shall be submitted, such as a written appointment (including site specifics), that confirms that a qualified Arboriculturist/competent person has been appointed to carry out this Arboricultural monitoring/supervision.</p> <p>d) Seven days written notice shall be given to the Local Planning Authority that the protection measures are in place prior to demolition/ approved works commencing, to allow inspection and approval of the protection measures as implemented on site. NOTE - this item cannot be discharged until post inspection approval is confirmed.</p> <p>e) No equipment, machinery or materials shall be used, stored or burnt within any protected area. Ground levels within these areas shall not be altered, nor any excavations undertaken including the provision of any underground services/drainage, without the prior written approval of the Local Planning Authority.</p> <p>Other conditions:</p>
152	NR12			Generally acceptable however, condition 5 (landscaping/ecology), some concern with it requiring details within 6 months from commencement, seems a long time. Would normally expect this prior to development commencing however, I will defer to colleagues in landscaping/biodiversity regarding this
153	NR12			Condition 3 - "may be" replaced with "shall be"

	A	B	C	D
154	NR12			Condition 10 – To allow for the net gain not to be implemented until 6 months after the final bridge is completed seems a long time. Requested - “Prior to the formal completion of bridge e HUL4/14 (or whichever is the last bridge to be completed) on the Order scheme measures to achieve an overall minimum 10% net gain in biodiversity for the development (assessed in accordance with the 2019 Department for Environment, Food & Rural Affairs biodiversity metric) shall be implemented in accordance with the approved strategy”
155	NR12			Highway condition survey required to also ensure developer makes good any damaged adopted highway
156	NR12	Condition 3,7, 9 and 10		Change to 'including preliminary works'. 'Excluding' is not appropriate wording to ensure correct mitigation.
157	NR12	Condition 12		LCC objects to deemed condition relating to Micklefield PRow.
158	NR12	Appendix 3		Some of the drawing references don't seem to correspond with NR14 (mainly revision numbers)
159	NR12	States of development		stages of development not clearly defined and therefore so is the discharge of conditons at this stage.
160	NR12/16/17	CoCP Part B		NR16 ER 16 v1 states – “16.2.12 Part B of the CoCP is applicable to the relevant works components of the Scheme that require planning permission and will be secured through a planning condition as described in the draft planning condition 6 Code of Construction Practice in the Order application document 'Request for deemed planning permission and statement of proposed conditions' [NR12].” (relevant works components as per Table 1.1 in NR16 V1) – This does make sense as per condition 6 of NR12. It is somewhat conflicting/ inconsistent though because then NR17 CoCP part A states – 1.3.5 “The CoCP Part B environmental documents as listed in section 1.3.4 and 1.3.5, will be submitted for conditional discharge to LCC in relation to the elements requiring planning permission. As the CoCP [assume part A] constitutes an overarching EMS, the measures set out in the Part B documents will be applied to all works including permitted development works.” This reads that CoCP A and B will apply to everything within the whole scheme/ TWAO and that part B is not just ‘relevant work components’ as stated above.
161	NR13	1.2.5		Refers to 21 elements. NR07 1.2.5 refers to 19 elements
162	NR13	3.2.7		Austhorpe Lane is not PRow (same in NR15 2.2.5 and 2.2.9)
163	NR13	7.8.18		Document states “Network Rail is committed to deliver 10% Biodiversity Net Gain (BNG) via the Network Rail (2020b). Transpennine Route Upgrade – Programme wide Net Positive Biodiversity Strategy (Revision P03.1), and a BNG assessment will be carried out to meet the Strategy objectives. BNG will be delivered locally wherever practicable.” commitment required to 10% in LCC area.
164	NR13			Various issues with Policy references – AVAAP not mentioned, a number of policies referred to which are “not saved” and others which haven't been covered. Barrowby Lane SAP allocation incorrectly referenced (see policy comments for more details)

	A	B	C	D
165	NR13			<ul style="list-style-type: none"> • 6.2.13 This wording is incorrect: proposed allocation MX2-38 (now titled EG2-37) has not been removed from the Local Plan. The remittal hearings are ongoing and the latest letting from the Inspector (dated 25 May 2023) indicates that inspector is considering retaining the site. The text should state: “Immediately to the south of the bridge there is a proposed previously was a site allocation in the local plan with an indicative capacity for 21.2ha 150 residential units and 10ha of general employments uses (Policy MX2-38 EG2-27 Barrowby Lane, Manston). The examination into the remitted parts of the Site Allocations Plan is ongoing However, this has since been removed from the local plan subject to a recent inspector’s direction (refer to paragraphs 6.3.58-6.3.71 for more details).”
166	NR13			<ul style="list-style-type: none"> • 6.1.1 (Table 2): Should also reference: o 21/00654/FU (affected by Wykebeck Avenue Temporary). Compound forms part of a wider site that has planning consent for the development of 147 houses. The compound will occupy part of the area of public open space being developed to serve the scheme.
167	NR13			<ul style="list-style-type: none"> • 6.1.2 (Table 3) Should also reference: o Mixed use allocation MX2-27 (affected by Kirkgate Viaduct Temporary Compound). Allocated for 14 dwellings and office use. o Mixed use allocation AV18 (289 residential units and 27,500sqm office). Affected by The Marsh Lane Compound and Marsh Lane Construction Land. o Green space site G523(1) Neville POS (designated by Site Allocations Plan) and G523(2) Neville POS (designated by Neville POS). Affected by Osmondthorpe Lane temporary compound. 2876sqm of G523(1) and 1301sqm G523(2) will be lost from Green Space use during the construction period. o Housing allocation H3-1A.23 / HG1-256 (affected by Wykebeck Avenue temporary compound. As noted above, planning consent has been granted for the development of this site). o Green space site G1213 Micklefield Miners Welfare Ground (diversions associated with Peckfield Level Grossing closure run through / adjacent to this site) o Green space site G114 Castlehill Woods (PROW diversion associated with Highroyds Wood Level Crossing closure will run through this site).
168	NR13			<ul style="list-style-type: none"> • 6.1.2 (Table 3) text re. MX2-38 is incorrect (as per comments above). This should state: “EG2-37 Barrowby Lane. This allocation was previously proposed for mixed use (MX2-38) but now is proposed to be allocated as – a mixed use development and EG2-37 – a proposed Main Modification for general employment land only). was originally in the local plan but has since been removed by direction of Inspector. The examination into the remitted parts of the Site Allocation Plan is ongoing (refer to paragraphs 6.3.58-6.3.71 for more details). Planning application 22/08491/OT relates to this land and is currently undetermined.”
169	NR13			<ul style="list-style-type: none"> • 6.1.2 (Table 3) re. E3B:6 Peckfield Business Park: the final sentence is incorrect in stating the scheme development does not require any land defined by this allocation. The temporary compound is sited on allocated land. The final sentence should be deleted.

	A	B	C	D
170	NR13			<ul style="list-style-type: none"> 6.3.43: The Aire Valley Leeds Area Action Plan and Garforth Neighbourhood Plan should also be identified as part of the adopted development plan.
171	NR13			<ul style="list-style-type: none"> 6.3.49: N1 has been superseded and no longer forms part of the dev
172	NR13			<ul style="list-style-type: none"> 6.3.44 / 6.3.45 The Garforth Neighbourhood Plan is now adopted.
173	NR13			<ul style="list-style-type: none"> 6.3.49: N1 has been superseded and no longer forms part of the development plan for Leeds
174	NR13			<ul style="list-style-type: none"> 6.3.61: The allocations relevant to the Scheme Development are discussed below, including those proposed allocations that are that have since had their allocation removed pending the outcome of the remittal examination process.
175	NR13			6.3.60: Add further sentence to clarify "The Council is no longer promoting the allocation of these housing sites. The only remitted site affected by the TWA0 is site MX2-38 (now titled EG2-37 and proposed for general employment use only).
176	NR13			<ul style="list-style-type: none"> 6.3.71: This paragraph should be deleted. This quote is taken out of context and suggests the conclusion of inspector / council is to not allocate the site. The Council continues to promote the allocation of this site for general employment uses. The latest letter from the Inspector (dated 25 May 2023) notes the issue is finely balances and the inspector is yet to reach a decision – as noted in 6.3.72. For clarity, may be clearer if both 6.3.70 and 6.3.71 are deleted so that the Planning Statement just factually reports the consultation stages and that consideration of this site is ongoing.
177	NR13			<ul style="list-style-type: none"> 6.3.78: As noted above, Garforth Neighbourhood Plan is now adopted.
178	NR13			<ul style="list-style-type: none"> 7.6. As noted above, the following areas of designated green space are also affected by the proposals: <ul style="list-style-type: none"> Green space site G523(1) and G523(2) Neville POS (affected by Osmondthorpe Lane temporary compound). Total of 4,177sqm of designated green space affected by the proposal. Housing allocation H3-1A.23 / HG1-256 (affected by Wykebeck Avenue temporary compound). As noted above, planning consent has been granted for the development of this site, with the public open space required as part of the development situated on the land proposed for the compound. Green space site G1213 Micklefield Miners Welfare Ground (diversions associated with Peckfield Level Grossing closure run through / adjacent to this site) Green space site G114 Castlehill Woods (PROW diversion associated with Highroyds Wood Level Crossing closure will run through this site).
179	NR13			<ul style="list-style-type: none"> 7.6.1 / 7.6.3: Both refer to Policy N1 which has been superseded. Policy G6 of the Core Strategy should be referred to instead.
180	NR15	2.2.5		Austhorpe Lane footbridge is not PROW. . Ref NR02, Sched 14 Pt1 comments.
181	NR16			NR16 Volume 1_Environmental Report Volume 1 Main Text NOTE: I note that the information is expanded in NR 16 volume 1. This is just a breakdown of trees to be removed. This would all have to be analysed in an AIA to evidence that all potential impacts have been considered as above. condition 5: The AIA needs to be used as a mechanism for ensuring a mitigation plan is agreed with LCC prior to any development as per suggested amendments to condition 5 above.
182	NR16			Further negotiation and information required regarding land restoration proposals

	A	B	C	D
183	NR16 v1	13.3		Mitigation and Consideration of Control Measures Flood Risk Consider signing up to the Environment Agency Flood Warning Service
184	NR16 v1	1.3.2 & 4		Scope: Only includes certain works (Table 1.1). Powers under TWAO are being applied to the sites not included (Table 1.2) yet there is no info on CTMP in this report.
185	NR16 v1	11.3.2		Also in NR16 Vol 3 App 11 (page 437). Construction Traffic Management Plan, CTMP, for construction traffic only. Is there to be a TMP for the management of all other traffic at all sites? (NR17 refers to TMP) The environmental report includes the diversion routes for normal traffic at the sites included but no similar information in the documents regarding the sites in Table 1.2. CTMP inclusions: Mirrors at critical junctions. NO. LCC does not support or permit the use of mirrors on the Highway (Traffic Engineering).
186	NR16 v1	13.1.4		<ul style="list-style-type: none"> • Leeds City Council Strategic Flood Risk Assessment (SFRA) (2007) - Updated 2023 • Leeds Local Flood Risk Management Strategy (LFRMS) (2018) - Refreshed 2023 • Leeds City Council Minimum Development Control Standards (2022). - Updated 2023
187	NR16 v1	3.2.62 -		Should include no working on bank holidays for standard working hours (standard working hours - condition to be agreed)
188	NR16 v1	3.2.64		Regarding non-standard hours, should be some provision to advise local residents of the hours & provide a point of contact for any issues
189	NR16 V1	Chapter 16 Table 13.2		Table 13.2 - Summary of relevant works components of the Scheme mitigation measures for operation – clarification on what this is reflecting
190	NR16 v1	general		How about using sequential page numbers so we can find section 11 quickly? Rather than page numbers for each section (Page 11-1, 11-2 etc...)
191	NR16 v1	Table 1.1		Table doesn't seem to include works between the city centre and Austhorpe Lane at Osmondthorpe Lane and Neville Hill.
192	NR16 v1			NR02, Section 12.2, Table 12.1 - please clarify where the LC:RM Risk Ratings criteria have been derived from within LC:RM. Having reviewed LC:RM, there is no reference made to any of the risk rating terminology used within Table 12.1.
193	NR16 v1			NR02, Section 12.3, Table 12.2 - with respect to supplementary ground investigations to be undertaken within the scheme areas at detailed design stage, it states that following completion of the supplementary ground investigations, an interpretative report will be produced. However, no reference is made to providing copies of the interpretative report(s) to LCC for review and comment, which was an ask. Therefore, can it be clarified that copies of any interpretative reports will be provided to LCC for review and commentary as required.
194	NR16 v2			Where land is permanently or temporarily acquired by Network Rail, it needs to be returned to the original planning designation or as otherwise agreed with LCC.
195	NR16 v3	2.3.24		Has Network Rail consulted LCC Accident Studies team regarding this assessment?

	A	B	C	D
196	NR16 v3	App11, Table 3.1 (page 424)		Traffic flows for Marsh Lane? What are their relevance to Penny Pocket Park works? Traffic flows for William Parkin Way are 2021 DfT figures - before ELOR opened. Figure used for cars/lgv is approx 7000. 2022 LCC figures show 18700. Upshot is that road is significantly busier but %age impact of construction traffic will be much lower...
197	NR16 v3	App11, Table 3.1 (page 426)		Do the traffic flows for works at Austhorpe Lane and Crawshaw Woods bridge include volumes since the opening of ELOR?
198	NR16 v3	App11A 2.3.12 (page 451)		States that bus routes are 'anticipated to be impacted by temporary bridge closure.' Should say WILL be impacted... There is no doubt.
199	NR16 V3	Appendix 11		shown on Figures 1.1.1 to 1.1.6 and 3.1.1 to 3.1.6 in Volume 3 of the Environmental Report [NR16]. - should it not v2? and 1.1.1 - 1.1.3?
200	NR16 v3	Appendix B		Are the traffic data recently and include data since the opening of ELOR last year?
201	NR16 v3	Maps		General Comment: Historical maps are shown by year of the update of the specific sheet. This means that one plan has part of the subject area for, say, 1893 and the next plan has the rest of the subject area for 1894. This is illogical. Map sheets were updated over time so a set of 'current' sheets at any time will include sheets updated in different years. Accordingly, why not group those sheets that are close to each other in date so that the plans show the whole area. The title could reflect this, in saying 1893/94 maps etc. The purpose of the information would be better displayed, easier to understand and the document will be shorter as a result.
202	NR16 v3	Page 568		Drawing 151666-TRA-80_HUL4-REP-W-EN-000006 - diversion route is incomplete. Diversion needs to accommodate from one side of the closure to the other. Diversion route does not cater for drivers heading eastbound on Austhorpe Rd (towards Manston Lane) or Southbound on RR Halton. Closure does not correspond with that shown on Sheet 4 in NR09.
203	NR16 v3			Environmental Report NR16: Volume 3, Appendix 12, Section 4 – with respect to the risk assessment classification used for assessing consequence (e.g., minor, severe, etc.), probability (e.g., low likelihood, etc.) and overall risk, it is not clear where this risk classification has been derived from. Please clarify as required.
204	NR16 v3			Environmental Report NR16: Volume 3, Appendix 12, Section 4.3.7 - please clarify if the first sentence is complete, is there meant to be further wording/explanation after the word “based”? Please clarify and amend as required.
205	NR16 v3			Pg.19 - Austhorpe Lane Bridge. Disagree with “some more extensive tree loss, again unavoidable, will be required in the compound to the south” I haven't seen any other potential locations for compounds to be able to confirm this
206	NR16 vol 1	10.3.1		Document refers to relevant national guidance and importantly, Leeds City Council’s noise and planning guidance document for specific criteria. Agree with approach outlined to provide further details in a CEMP as part of planning approval and Noise and Vibration Management Plan.

	A	B	C	D
207	NR16 vol 3	10.3.1		Best Practicable Means segment outlines physical and management controls to reduce impacts where noise is significant but should also include the option to offer residents alternative accommodation where residual impacts remain significant at night time despite these measures. For example, should the demolition of Austhorpe bridge occur during the night and residents are only 5m distance.
208	NR17	2.1		the phrase " ..to minimise.." repeats several times. Amend wording to "...to minimise and/or mitigate..."
209	NR17	2.1		Request an additional clause along the lines of "The Alliance will have proper regard to and mitigate where reasonably required by the Council/Highway Authority any road safety or operational concerns relating to construction activities not anticipated pre construction, provided that the construction activities are the cause or materially contributing to such issues. Any such mitigation shall be implemented in a timely manner"
210	NR17	7.1		General Requirements Flood Risk Consider signing up to the Environment Agency Flood Warning Service
211	NR17	11.1		I assume the condition 7 will be discharged following the grant of the TWAO? Need to make sure the details cover the above for 2.1 and 2.3.5? (LCC highways to approve condition 7)
212	NR17	11.2		The Alliance will conduct any required street works and street stopping up in accordance with provisions of the Order and the provisions in the Highways Agreement.
213	NR17	1.2.3		Clause required 1.2.3 that cross references the CoCP to the Highways Agreement
214	NR17	11.3.1		Traffic Management Plan: Refers to Condition 7. However, both NR13 8.1.3 and NR16 Environmental Report only refer to a CONSTRUCTION TM Plan (CTMP), not a TMP.
215	NR17	11.3.2		Add a extra bullet point for them to provide calculated total daily vehicular trips arriving and leaving for each construction site/compound, broken down to the AM and PM peak periods and separately identifying different classifications (Staff, car, HGV, etc).
216	NR17	11.3.2		8th Bullet - the reference to mirrors should be removed but welcome the views of traffic colleagues who will confirm the council's position on this. I would prefer the bullet to say ..suitable mitigation at critical turning junctions and access routes to assist drivers and any capacity or safety concerns caused and agreed with the LHA....
217	NR17	11.3.2		Traffic Management Plan: The TMP inclusions are the same as the CTMP in NR16 (Chapter 11). A TMP needs to include: <ul style="list-style-type: none"> ·Diversions details ·Public parking management (temporary restrictions as required plus additional provisions to mitigate impact on certain groups of road users). ·Other movement restrictions ·Access to properties ·Accommodation of pedestrian/cyclist movements where possible. ·Mirrors at critical junctions. LCC does not support or permit the use of mirrors on the Highway

	A	B	C	D
218	NR17	11.3.2		<p>Any Traffic Management Plan should also include:</p> <ul style="list-style-type: none"> • Diversion route details • All temporary restrictions, closures or banned movements • Any temporary provision for pedestrians, cyclists and equestrians where routes are affected by works. • Retention of access and egress to any affected businesses or properties <p>LCC does not permit nor does it give permission for mirrors to be erected within the constraints of the highway.</p>
219	NR17	11.3.3		The TMP should include full routing plan for HGVs, deliveries and construction traffic A full plan should be provided.
220	NR17	11.3.6		Nuisance Management Measures: Suggest this should also include management of delivery vehicles where they may need to wait to be called in to site. Location, practice (engine off etc). Linked to CTMP in that construction vehicles will not be able to park on certain roads in the vicinity of the site - clarification required.
221	NR17	13.1.1		Are diversion of utilities is intended to be undertaken by statutory undertakers required as an ancillary activity to the wider Scheme development subject to our normal Permit Scheme or will powers be adopted by TWAO - clarification required
222	NR17	13.1.1		Add a new clause that cross references the CoCP to the Highways Agreement
223	NR17	14.1.14		Refers to a 'Construction Traffic Management & Travel Plan (TMP)'. Is this the same as the CTMP or something else? The documents need to be consistent for the avoidance of doubt.
224	NR17	14.1.3		External Comms Programme: NR to clarify working in conjunction with the LCC comms team
225	NR17	14.1.5		Should this statement be included in 14.1.2 BEFORE the lists of the measures referred to in 14.1.3 and 14.1.4?
226	NR17	2.3.5		Request an additional clause along the lines of "The Alliance will have proper regard to and mitigate where reasonably required by the Council/Highway Authority any road safety or operational concerns relating to construction activities not anticipated pre construction, provided that the construction activities are the cause or materially contributing to such issues. Any such mitigation shall be implemented in a timely manner"
227	NR17	3.1.4		Track Possessions: Only refers to specific sites yet track possessions will be needed at other location and the TWAO provides powers in respect of temp closures at those sites, so why not the same methodology for all works covered by the TWAO? Where/ how will we be informed on other possessions and what conditions are to be required/ discharged?
228	NR17	App2 of App A		Licence to Kill Birds: Copy licence was only in effect 1/1/2003 to 31/12/2003 so not valid.
229	Kirkgate	1-027		Compensation to be paid during period of occupation, land to be reinstated, consultation to be carried out with adjoining land owners on use of this land.
230	Kirkgate			Registered title clarification required for Kirkgate
231	Kirkgate			Compounds need to be clearly defined on drawings.

	A	B	C	D
232	Kirkgate		(Please expand column D)	<p>My comments are entirely concerned with the works to the Kirkgate Viaduct(HUL4/47) and Marsh Lane Viaduct (HUL4/44) at Penny Pocket Park in Leeds City Centre. The Environmental Report NR16: Volume 1 says that “The proposed works involve small-scale electrification and signalling infrastructure within an area of existing railway infrastructure. As such it is not considered that there will be any harm to the Conservation Area or heritage assets that lie within it.” Similarly, the Environmental Report NR16: Volume 3 says “Proposed infrastructure (signal gantry, cabinets and two lock out devices) will be visible in winter and introduce additional detracting features into the view, however, the presence of detracting urban features, such as street lighting columns, road signage, and existing railway infrastructure currently exist in the landscape. Views will be oblique and filtered by existing vegetation. Features remain in context with the urban environment and are unlikely to be immediately apparent to the casual observer”. However, if viewpoint is moved to the junction of Wharf Street and Kirkgate (see extract from Street View below), there is a relatively unobstructed view along the viaduct converging on the grade I Minster. There are overhead lines above the parapet which are lost against the sky, their converging lines emphasising the unobstructed view along the viaduct . The proposed signalling gantry to be introduced at the open arch opposite the tower of the Minster will be a “detracting feature”, standing vertically from the viaduct and breaking the continuity of the view, and will cause “less than substantial harm” (at the lower end of the scale) to the setting of the Minster and the City Centre Conservation Area.</p> <p>The footpath under the Kirkgate underbridge is a dark spot at night and may discourage pedestrian movement along Kirkgate. Improved lighting could encourage movement and assist with the regeneration of Kirkgate and the City Centre Conservation Area. There is support for this in Policy 10 of the Leeds Core Strategy says that proposals will be supported where they accord with the following key principles:</p> <p>(v) The development creates a safe and secure environment that reduces the opportunities for crime without compromising community cohesion,</p> <p>(vi) The development is accessible to all users.</p> <p>In addition, paragraph 92 of the NPPF says that planning policies and decisions should aim to achieve healthy, inclusive and safe places are accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.</p> <p>See image 01</p>
233	Kirkgate			Site specific TM details need to be included in the overall project TM plan
234	Kirkgate			Kirkgate between Wharf Street and Harper St and a section of Wharf Street will be temporarily stopped up including on-street parking and the cycle lane. The temporary construction access is indicated as Crown St, a one-way street from Call Lane, which is inappropriate. Construction traffic management measures need to be agreed with Network Management. Highways Side Agreement to be agreed.
235	Kirkgate			Plans and statements suggest very minimal impact with upgrade limited to signalling and electric structures within network rail boundaries. Consideration of viewpoints will need to be undertaken.

	A	B	C	D
236	Kirkgate			<p>Comments</p> <p>1) clashes with proposed works programme for City Centre Cycle Loops scheme</p> <ul style="list-style-type: none"> • Scheme construction planned 2024/25 • Impacts construction work on Kirkgate/High Court/The Call/Call Lane • Need to understand level / timing of works to help co-ordinate Traffic Management (mitigate scheme costs) • City Connect route runs under the bridge, need to ensure we maintain access for cyclist and pedestrians for the duration of the works (and before and after) • Bus gated area to protect buses coming from Harper Street on to Kirkgate north of the bridge (no impact) • Will closure just be for motor vehicles?? • Also cycle track running along Kirkgate (opposite Minster) could be impacted. • Need to understand potential mitigation measures for peds/cyclists, co-ordinated Traffic Management <p>See image 02</p>
237	Kirkgate			<p>This brownfield city centre site forms part of Lower Kirkgate Townscape Heritage initiative – which has seen multi-million pounds investments into one of the most historic streets in Leeds City Centre and an important aspect of Leeds City Centre Conservation Area. The site also has an important relationship with our investments in the Corn Exchange – the current condition of this site detracts from the positive placemaking around it. Properties we have spent money in overlooks onto this site which is an eyesore at present. The redevelopment of the brownfield site impacted here could form a key part of the strategy in terms of a comprehensive scheme where a development of the site in question could both ‘placemake’ and provide financial subsidy towards the regeneration of the nine properties</p>
238	Kirkgate			<p>Need for discussion with Network Rail to ensure that LCC's ability to secure £550k of external funding in the next 18 months is not impacted</p>
239	Kirkgate			<p>Further discussion required with NR to address wider regeneration impacts to avoid unintended consequences.</p>
240	Penny Pocket Park	2-001-2004		<p>Is access to be taken from the rail line? No temporary land use has been included only Permanent can all work be done in the space detailed. How will the surrounding land be protected while the works take place.</p>
241	Penny Pocket Park			<p>designated Green Space but agree with conclusion in the planning statement that the proposal will not have an unduly negative impact on designated green space.</p> <p>Our measurements calculate the overlap between the green space designation and TWAO extent to be 382sqm. This exceeds what is stated in the Planning Statement (does this has consequential implications for obligations under Acquisition of Land Act)?</p> <p>See spreadsheet for details.</p>
242	Penny Pocket Park			<p>The limits of the land to be used should be highlighted, will vehicle access be required to the site of will that be done from the railway land, if access over the land is required will protection works be carried out to minimise damage, and the area returned back to its exiting or better condition</p>
243	Penny Pocket Park			<p>Protected greenspace with public access, therefore any infrastructure instalment should not undermine this. Proposals look to be limited to signalling equipment with nothing wider planned so impact will be limited.</p>

	A	B	C	D
244	Penny Pocket Park			<ul style="list-style-type: none"> • Clashes with proposed works programme for City Centre Cycle Loops scheme • Scheme construction planned 2024/25 • Impacts construction works Calls (City Loop) on Kirkgate, adjacent to Penny Pocket Park • Need to understand level / timing of works to help co-ordinate Traffic Management (mitigate scheme costs) see image 03
245	Penny Pocket Park			Possible conflict with existing structures. Subject to Highway Authority approval (structures) in highways agreement
246	Penny Pocket Park			Need to consider protection of the flags if accessing over the park. Embankment stability in York Road Park needs to be considered.
247	Marsh Lane			same as comment for Kirkgate above from Conservation team see image 01
248	Marsh Lane			affects western tip of allocated site AV18 but does not overlap with planning consent for the site and so not considered to affect the deliverability of the allocation
249	Marsh Lane			The area of land to be used as a compound should be highlighted on the picture. Should it also mention that it will be returned to its existing condition when works complete.
250	Marsh Lane			Comments provided above in section NR02. Site specific TM details need to be included in the overall project TM plan
251	Marsh Lane			Temporary compound and stopping up of the highway. Diversion routes for traffic and pedestrians and cyclists need to be agreed and reinstatement works need to be agreed.
252	Marsh Lane			1) Maintain and potential upgrade access to core cycle network and working City Connect cycling route towards A64 and other important city centre links, key route to East/Northeast Leeds and Garforth. 2) Ensure 73 Rail Street (end of railway street) - maintained a cycle and pedestrian access (upgrade) - Important as viewed as the main starting point for the Garforth Core Cycle Network. See images 05, 06, 07 and 08
253	Marsh Lane			See Article 12 above Possible conflict with existing structures. Subject to Highway Authority approval (structures) in highways agreement?
254	New Market Approach	4-001-4-005		Unclear as to why tarmac are being moved to this location in relation to TRU. permeant access seems to be unrelated to TRU. further information has been requested. market value is to be paid for the land. Awaiting detailed HoT from NR The works at this site seem to be unrelated to TRU East as no compound at this location had been include in the order
255	New Market Approach	sheet 2		Plan refers to route as non- definitive bridleway. Should also be shown as adopted cycleway.
256	New Market Approach			Should mention that the non motorised users and footpath will be maintained

	A	B	C	D
257	New Market Approach			Planning application for the new access has been submitted and the Transport Statement includes an evaluation of traffic to the Neville Hill TRU temporary compound. However, the Neville Hill temporary compound is not included in the TWAO, due to being contained within Network Rail's land. However, the logistics for the Neville Hill temporary compound need to be considered. At a meeting with Network Rail comments were provided regarding plans for use of the existing access off Pontefract Lane until the proposed new access at Newmarket Approach was completed, advice was granted on what measures were required to accommodate NCN 66 users during construction. Clarification is required if all TRU temporary compound traffic would use the new access off Newmarket Approach.
258	New Market Approach			Negotiations currently ongoing with NR. Unclear on intended use and necessity for access.
259	New Market Approach			<p>1) Proposed works will directly impact the core cycle route 66 to East Leeds.</p> <p>2) Would expect the route to be maintained and/or suitable diversion routes are provided</p> <p>3) Currently used as a quieter alternative to the City Connect 2 route on A64 (important)</p> <p>4) Note: potential permanent access to proposed new rail freight interchange on Neville Hill previously suggested by Network Rail. Some concerned raised on potential impact by other internal teams however there is strategic importance in LCC supporting Rail Freight expansion as part of the wider de-carbonisation</p> <p>See image 09, 10 and 11</p>
260	New Market Approach			Separate planning application submitted – not part of this assessment for planning – app number 23/03522/FU
261	Osmondthorpe			Object: Site is designated as Neville POS (G523(1) and G523(2)) and in total will affect 4,177sqm of the designated green space. Impact on eastern part of site (adjacent to Osmondthorpe Lane) is a particular concern. No consideration of the temporary impact has been made in the Planning Statement or other supporting documents. This area is well maintained and will be lost for an unknown period of time with no mitigation proposed (and order gives minimal assurances about it being restored to a suitable standard for it to continue to serve a green space function following the compound being removed).
262	Osmondthorpe			Main Text - The area of land to be used as a compound should be highlighted on the picture. Should it also mention that it will be returned to its existing condition when works complete.
263	Osmondthorpe			Surface water flood risk - mitigation needed
264	Osmondthorpe			Temporary compound accessed off Osmondthorpe Lane. Traffic management needs to be agreed.
265	Osmondthorpe			<p>Licence to occupy would be acceptable subject to licence/professional fees and the land been reinstated to its original condition after use.</p> <p>The compound doesn't seem to be large enough for all the works planned at this site – connection between highway and compound missing.</p>
266	Osmondthorpe/ Neville Garth			Land required adj to Neville Garth linking to the Osmondthorpe compound is not provided in TWAO documentation. However the highway is shown as providing access, further detail required regarding access over land and why its not accounted for in TWAO.

	A	B	C	D
267	Osmondthorpe			<p>Land appears to be adjacent to development area and would therefore be PD in line with Part 4 Class A of the GPDO. Conditions associated with Class A are:</p> <p>Development is permitted by Class A subject to the conditions that, when the operations have been carried out—</p> <p>(a)any building, structure, works, plant or machinery permitted by Class A is removed, and</p> <p>(b)any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out.</p>
268	Osmondthorpe			<p>1)Recognised as a bike friendly road which is used to connect key communities to Halton Moor</p> <p>2)Need to ensure we maintain access for cyclist and pedestrians for the duration of the work.</p> <p>3)Also, important core network bus No. 5 route (single deck) servicing the area (10-15 min frequency) using EV buses – critical to reduce the potential impact on this key service</p> <p>4)Review width of carriageway – improve provision for walking and cycling under bridge</p> <p>See image 12</p>
269	Wykebeck Avenue	sheet 3 6-001 NR13 3.1.14		<p>The compound is to be on adopted highway. occupiers of the houses adjacent to this require notification they will need access to be maintained to their properties. what will the working hours be? No information about timescales as not in deemed consent. Not LCC land</p>
270	Wykebeck Avenue			<p>Object: This compound will be sited on land which forms part of a wider site with planning permission for the development of 147 houses (application reference 21/00654/FU). No consideration of the temporary impact has been made in the Planning Statement or other supporting documents. It will occupy part of the area proposed to be developed as public open space to serve the development, as required by planning policy. There is no clarity on the length of time that the compound will be sited on this land, or how this will align with the developers intentions for developing out the site. The order does not give assurance that the land will be restored to a suitable standard that enables it to serve a public open space function following the removal of the compound. POS required as part of the development, particularly if they have completed the development and disposed of the site prior to the compounds removal, then NR to install POS under planning application.</p>
271	Wykebeck Avenue			<p>Main Text - The area of land to be used as a compound should be highlighted on the picture. Should it also mention that it will be returned to its existing condition when works complete. It does seem to be Network Rail Land, with an access A frame.</p>
272	Wykebeck Avenue			<p>Surface water flood risk - mitigation needed</p>
273	Wykebeck Avenue			<p>Land appears to be adjacent to development area and would therefore be PD in line with Part 4 Class A of the GPDO. Conditions associated with Class A are:</p> <p>Development is permitted by Class A subject to the conditions that, when the operations have been carried out—</p> <p>(a)any building, structure, works, plant or machinery permitted by Class A is removed, and</p> <p>(b)any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out.</p>

	A	B	C	D
274	Crawshaw Woods	NR16 v 1 3.2.22		Note permanent land take mentioned in NR16 V 1 but not referred to on the plan sheet 5 or in the order. which land is to be take permanently ? How will the land be access ? From the railways? Compound no details provided – compensation will be required and consultation with the tenant that occupied the land not referred to in the order.
275	Crawshaw Woods			<p>As noted in the Planning Statement, this site is proposed for allocation for employment uses through the Site Allocations Plan (and examination hearings on this are ongoing) and a planning application for employment uses on the site is also pending consideration. The proposed access track does not align with the proposed position of the site entrance set out in the planning application, and both the track and compound would affect the proposed siting of buildings. There is no clarity on the length of time that the compound will be sited on this land, or how this will align with the developers intentions for developing out the site. The concern is that the proposal will undermine the timely delivery of this site; this is a particular concern given that the site is being proposed for allocation due to its strategic importance in addressing the shortfall in general employment land across Leeds in the short term.</p> <p>This TWAO is already resulting in a loss of general employment land at Phoenix Avenue and cumulative impact of this needs to be considered. Whilst the temporary loss of land at Phoenix Avenue is not being specifically objected to, following the receipt of further clarification/justification on this proposal, it remains that this will further reduce the supply of general employment land available for development in the Leeds District. This needs to be taken into account as context to the potential further loss of land proposed here.</p>
276	Crawshaw Woods			Again re access, and any damage created during demolition / construction
277	Crawshaw Woods			Surface water flood risk - mitigation needed
278	Crawshaw Woods			Reconstruction of the bridge. Concerns raised relating to the construction access route (see above)
279	Crawshaw Woods			Previous queries regarding upgrading to bridleway status as FP 124 links between leeds BWs 123 and 125. FP 124 also carries the Leeds Country Way. Concerns regarding gradients for raised bridge approaches need answering. Issues are accessibility and approach gradient from the north which is not compliant with DDA standards
280	Crawshaw Woods			<p>See above (all same area)</p> <ol style="list-style-type: none"> 1) Links to main core cycle network route 66 to (Leeds/Garforth) 2) Essential to maintain access during works and mitigate (maintenance improvements). 3) Installation/upgrade of bridge must remain accessible / current surface provision poor. 4) Note: this is a very busy walking and cycling route. <p>see image 16</p>
281	Crawshaw Woods			Concerns regarding design of the bridge – which needs to be agreed in consultation with LCC
282	Crawshaw Woods			<p>Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment)</p> <p>LB Consent application submitted - 23/04388/LI</p>

	A	B	C	D
283	Manston Lane			Main Text - The area of land to be used as a compound should be highlighted on the picture. Should it also mention that it will be returned to its existing condition when works complete. How will access be gained to this site which is on William Parkin Way if the photo is correct?
284	Manston Lane			Surface water flood risk - mitigation needed
285	Manston Lane			Temporary construction compounds and an access from A6120 William Parkin Way. There are concerns with impact of the use of the access on the A6120 as relates to the location adjacent to signals. In addition, the alignment and level differences raise concern. There surfacing would need to ensure there is no loose material and mud on the A6120. It should be noted there is a planning application under consideration on the land where the access is proposed.
286	Manston Lane			Licence in the process of being agreed with NR. Area on plans in order is large than area agreed in current licence.
287	Manston Lane			<ol style="list-style-type: none"> 1) Proximity to ELOR (East Leeds Orbital Route) with potential negative impact on highway. 2) Need to maintain segregated cycling/walking/bridleway provision – growing cycle and walking usage (recreational and commuter) with quality bridleway. 3) Recognised traffic free cycle path and walking routes along William Parkin Way – near proposed site access road) and on Manston Lane to the north 4) Core Cycle route 66
288	Manston Lane			<p>Land appears to be adjacent to development area and would therefore be PD in line with Part 4 Class A of the GPDO. Conditions associated with Class A are:</p> <p>Development is permitted by Class A subject to the conditions that, when the operations have been carried out—</p> <p>(a) any building, structure, works, plant or machinery permitted by Class A is removed, and</p> <p>(b) any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out.</p>
289	Austhorpe Road and Green Park			<p>Questions around transfer of land to LCC and POS. Land will transfer under Planning Agreement to LCC soon</p> <p>Issues regarding alignment of bridge into highway and departure from DMRB standards and how the detailed design will tie into the existing highway</p> <p>Issues regarding loss of bio-diversity due to gas main design.</p>
290	Austhorpe Road and Green Park			Ward members concerned regarding design of the bridge – which needs to be agreed in consultation with LCC
291	Austhorpe Road and Green Park,			Object: Site is designated as Austhorpe Lane Neighbourhood Park (G1913) and in total 2.59ha of this land will be affected. Whilst the conclusion of the planning statement that there will be no permanent adverse impact (with the only permanent impact being an inspection chamber entrance) no consideration of the temporary impact has been made in the Planning Statement or other supporting documents. The land forms part of a wider area proposed to form the new 'Green Park'. There is no clarity on the length of time that the compound will be sited on this land, or how this will align with the intentions for developing out the site as Green Park.

	A	B	C	D
292	Austhorpe Road and Green Park,			Surface water flood risk - mitigation needed
293	Austhorpe Road and Green Park,			The design of the highway infrastructure includes a two-lane highway infrastructure of 5.5m width with 2m footway west of the bridge and a design speed of 30mph. The design standard for the structure is DMRB standards. However, a departure of standard is required as elements of design including the carriageway width and minimum k-value cannot be achieved. The LCC departure from standard procedure needs to be agreed. The stage 1 Road Safety Audit has been submitted and comments have been provided with revisions required.
294	Austhorpe Road and Green Park,			Arrangements need to be made with LCC tenant on the land at Railway Road as a tri-partite agreement, but Licence to occupy would be acceptable subject to licence/professional fees and the land been reinstated to its original condition after use. Noted that land belonging to Thorpe Park developments will eventually come to LCC. Requirement for compensation and reinstatement
295	Austhorpe Road and Green Park,			Demolition of existing footbridge subject to technical approval of asset owner, Subject to Highway Authority approval (structures) in highways agreement
296	Austhorpe Road and Green Park,			<p>Whilst understanding that the gas pipeline needs to be moved, the location where it would be moved to would be within a large, wooded area. Concerns that 9 trees, 1 group & 2 part groups are to be removed – including CAT A & B trees. No details provided that show how tree loss has been minimized (including retention of most important trees). Landscape to advise on acceptability</p> <p>Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment)</p> <p>LB Consent application submitted 23/04387/LI</p>
297	Barrowby Lane (level crossings & bridleway)			Concerns regarding design of the bridge – which needs to be agreed in consultation with LCC
298	Barrowby Lane (level crossings & bridleway)			Reinstatement of ares where footpath to be removed
299	Barrowby Lane (level crossings & bridleway)			Arrangements need to be made with LCC tenant Mr Marsden. Tenant details not listed on book if ref. On the land at Railway Road as a tri-partite agreement, but Licence to occupy would be acceptable subject to licence/professional fees and the land been reinstated to its original condition after use. It is not clear whether there will be a compound on site or whether there will be any permanent land take which needs to be clarified.

	A	B	C	D
300	Barrowby Lane (level crossings & bridleway)			Proposed bridleway bridge needs to be constructed to meet highway authority approval for all users – including walkers, horse riders and pedal cyclists and should address matters, including parapet height, decking treatment, appropriate gradients, approaches, and widths, which all need to be agreed. The addition /upgrade of the full length of Nanny Goat Lane to a public bridleway would provide extra connectivity for bridleway users.
301	Barrowby Lane (level crossings & bridleway)			To advise on tree loss/retention Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment)
302	Barrowby Lane (level crossings and bridleway)			1) Works will impact important route from Nanny Goat Lane linking to CCN route 66 on Barrowby Lane – cited a bike friendly route. 2) New bridge replacing current crossing must be fully accessible, well surfaced, bike friendly and cater for horses – Need clear signage and wayfinding See image 17
303	Barwick Road			Details of temporary traffic management to be agreed.
304	Barwick Road			Access to works run off Barwick Road which is part of CCN route 66 See image 18
305	Barwick Road			Only other rail crossing point close by is the Garforth Moor level crossing which is proposed to be closed/removed.
306	Brady Farm			Main Text - The area of land to be used as a compound should be highlighted on the picture. Should it also mention that it will be returned to its existing condition when works complete. I the title 'Brady Farm Bridge Temporary Compound' is a little misleading for the details it contains, is this to be rebuilt or just demolished. - Clarification required
307	Brady Farm			Bridge to be demolished, unclear on landscaping proposals please clarify
308	Brady Farm			Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment) LB Consent application submitted 23/04389/LI
309	Garforth Moor			LCC own the allotments to the north of the bridge which are leased out to an allotment association, it is likely that many people access the allotments over the bridge and therefore compensation is required due to the effect of the diverted access. The access rights need to be granted across the new road for the benefit of the freeholder of the allotments which is LCC. New access to Garforth Moor allotments and maintenance liability needs addressing.

	A	B	C	D
310	Garforth Moor			Garforth Moor level crossing carries Public Footpath Garforth No. 7. This is currently subject to a Rail Safety Extinguishment Order under S118A of the Highways Act 1980 but is subject to objections Current S.118A Extinguishment Order has been made with an accompanying Public Path Creation Order, under S26 of the 1980 Act, to provide an alternative public footpath connection. Why doesn't the draft TWAO replicate this ? There isn't a TTRO in force currently for the closure of the crossing.
311	Garforth Moor			1) Well used cycling / walking route north/south avoiding the narrow Barwick Bridge 2) Currently links the residential estate with the allotments. Closure will add significant walking distance to access from the south which could encourage some less able people to drive.
312	Garforth Moor			Planning application submitted for the "Retrospective planning application for access track and turning head to service adjacent allotments" 22/03144/FU
313	Ridge Road			Comment re gas main should this be the same as Austhorpe Road and 'bored tunnel' rather than 'micro-tunnel'
314	Ridge Road			Reconstruction of the bridge providing a carriageway width 7.07m and 1.8m footway to the east. Stage 1 Road Safety Audit has been undertaken and this is acceptable. Temporary construction compounds with the access off Ridge Road. Traffic Management needs to be agreed.
315	Ridge Road			Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment) LB Consent application submitted 23/04390/LI
316	Phoenix Avenue	NR09 12014 ASheet 11		To note that both Homes England and the Coal Authority have a financial interest in all land disposals within the identified plot and may therefore have a compensable interest in the land with the owner(LCC) under contractual obligations with respect to those relating to land disposal and receipts generated.
317	Phoenix Avenue			Additional justification for this compound was submitted following discussions on the draft TWAO and on the basis of this information the previous objection has been lifted.
318	Phoenix Avenue			The area of land to be used as a compound should be highlighted on the picture. needs to be returned to its existing condition when works complete. Is the permanent compound not included in the TWAO?
319	Phoenix Avenue			Location of compounds appears to be adjacent to development area and therefore PD (as above Manston Lane comment)
320	Pitt Lane / Lower Peckfield Lane			Flood risk - mitigation needed
321	Pitt Lane / Lower Peckfield Lane			New access to the proposed Micklefield TSC linking to the roundabout at Pit Lane including kerb line alterations and dropped kerbs across the access road to promote pedestrian access at the roundabout. A stage 1 Road Safety Audit has been undertaken and is acceptable. Highways Side Agreement needs to set out the procedure replacing the S278 process.

	A	B	C	D
322	Pitt Lane / Lower Peckfield Lane			Important first / last mile link to the Rail Station. Network Rail to clarify
323	Pitt Lane / Lower Peckfield Lane			1) Confirmation required that Lower Peckfield Lane works will be carried out to adoptable standards (N.b. LCC does not intend to adopt this road) 2) future maintenance liability regarding lower peckfield lane and any PROW diversions needs to be clarified.
324	Peckfield Level Crossing	NR09 Sheet 12 12014A		To note that both Homes England and the Coal Authority have a financial interest in all land within the identified plot at this location with the owner (LCC) under contractual obligations with respect to those relating to land disposal and receipts generated. Continued share access is required over the roadway portion of the plot to serve development proposals on land to the south of the Phoenix Way turning head
325	Peckfield Level Crossing			There is a Veteran tree (T44) that the redirected path route (along the north side of the railway) will pass within the canopy spread of which in turn will put pressure on the landowner to carry out works to the deadwood in this tree (or fell the entire tree) to prevent a safety hazard to the nearby path users. Instead, the path route should stay outside the canopy spread of this tree to avoid any such future conflicts. There is likely to be future pressure to introduce lighting to this section of path for safety reasons – which will impact on bats that may roost in the Veteran tree and other trees along this affected section, as there does not appear to have been consideration of indirect impacts from the path creation in this area (have trees been assessed for Bat Roosting Potential and surveys carried out accordingly?). Surveys of all trees along this wooded section (G105 and G106 and T44) for bat roosting prior to agreement of the path alignment going under the canopy spread area should be carried out. See Fig. 8.5.6 and Fig 9.1.9 NR16 Vol 2 to see the path route passing through the canopy spread of many trees (G105 and G106) including the Veteran tree. Solution would be to relocate the sports pitch further north and east and align the new path route so that it is outside of the canopy spread of any of these trees. No arboricultural impact assessment has been done in relation to the alignment of the new path, and whether the route being a bridleway will have a higher impact than a footpath (in height for branch clearance and overall width) – and what kind of path surface is being proposed?
326	Peckfield Level Crossing			Affects Green space site G1213 Micklefield Miners Welfare Ground as the PROW diversion will run through this site, but footpaths are compatible with designation as green space.
327	Peckfield Level Crossing			New Public Right of Way north of the railway line linking Great North Road to Pit Lane. Improvements to Pit Lane to allow vehicles to pass and provision of a parking/turning area for residents. The new Public Right of Way must be built to adoptable standard.

	A	B	C	D
328	Peckfield Level Crossing			The closure of the level crossing that carries Micklefield Bridleway 8 will sever the bridleway as a point closure and neither option 1 or 2 through the recreation ground north of the railway and the use of adopted roads (Pit Lane and Gt North Road) are a suitable replacement. The provision of a footpath through the recreation ground is not a diversion as these are already available and bridleways users won't have a right of access on horse-back or pedal cycle if a footpath is created. Earlier proposals for a diversion west to the A656 Ridge Road to facilitate bridleway access and connectivity, and / or a new footbridge, due to the problem of taking users onto the Gt North Road and underbridge and increased vehicular traffic in Micklefield centre as new housing goes in have been disregarded. Future / likely origin & destination data is required together with safety audits, particular regarding the low railway bridge over the main road.
329	Peckfield Level Crossing			Issues around commodiousness of solution and s119a highways act. (comments reflected above in Public Rights of Way)
330	Peckfield Level Crossing			1) Need to understand alternative crossing route if crossing is closed. Walking and cycling route would need to run from Great North Road (Micklefield Station) to join Pit Lane – could footpaths / wayfinding be improved to promote this as viable route. 2) Important access route to house and current shorter walking / cycling route to Phoenix Avenue (as per previously noted)
331	Peckfield Level Crossing			<ul style="list-style-type: none"> Ward members advised they do not support closing the level crossing without a bridge. Network rails figures (as per the options assessment) do not consider future housing or commercial development to the south of the railway. The current route is also a traffic free walking route to the villages primary school and almost traffic free to the GPs etc. Concerns were also raised as to future maintenance costs for new PROWs and in this case only being created to suit Network Rail and not the Micklefield community.
332	Highroyds Wood			NR have submitted a diversion order application under the Highways Act 1980 which is a cross border application, between Leeds and North Yorkshire, and this has not been determined yet.

IMAGE 01



Conservation Team, Marsh Lane

IMAGE 02



Transport Policy Team, Kirkgate

IMAGE 03



Transport Policy Team, Penny Pocket Park

IMAGE 04



Transport Policy Team, Marsh Lane Viaduct

IMAGE 05



Transport Policy Team, Marsh Lane Viaduct

IMAGE 06



Transport Policy Team, Marsh Lane Viaduct

IMAGE 07



Transport Policy Team, Marsh Lane Viaduct

IMAGE 08



Transport Policy Team, Marsh Lane Viaduct

IMAGE 09



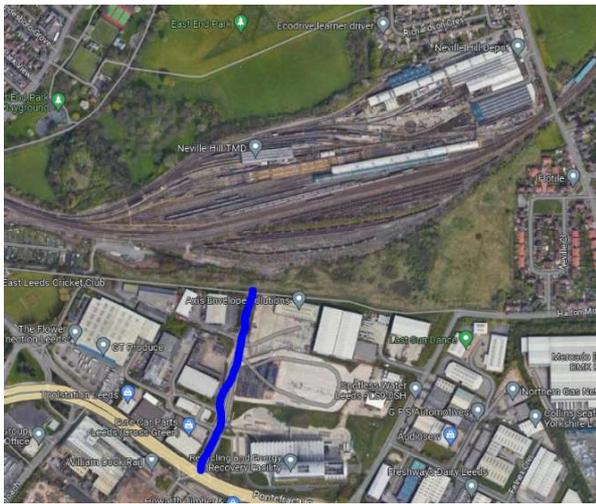
Transport Policy Team, New Market Approach

IMAGE 10



Transport Policy Team, New Market Approach

IMAGE 11



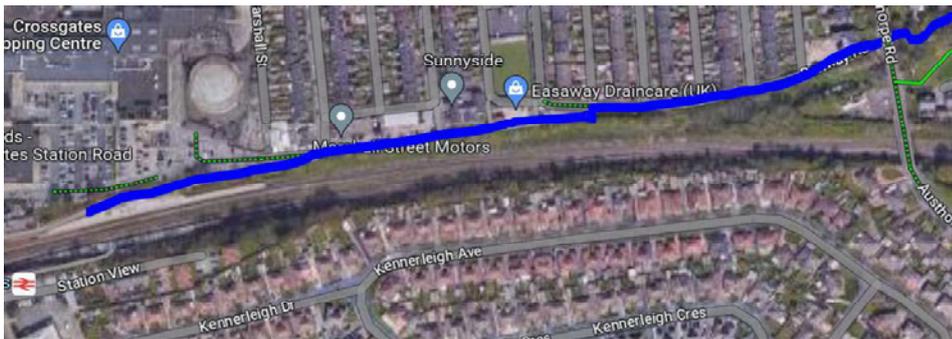
Transport Policy Team, New Market Approach

IMAGE 12



Transport Policy Team, Osmondthorpe

IMAGE 13



Transport Policy Team, Austhorpe

IMAGE 14



Transport Policy Team, Austhorpe

IMAGE 15



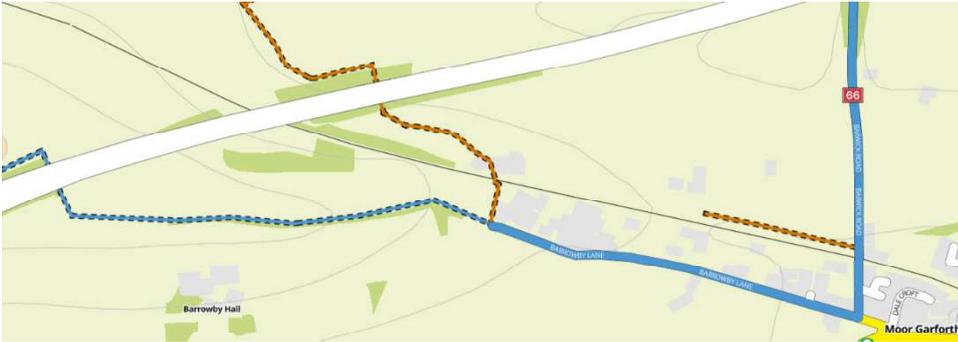
Transport Policy Team, Austhorpe

IMAGE
16



Transport Policy
Team, Crawshaw
Woods

IMAGE
17



Transport Policy
Team, Barrowby
Lane

IMAGE
18



Transport Policy
Team, Barwick
Road

The planning document missed is the Aire Valley Area Action Plan. This is available online at:

- <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/aire-valley-area-action-plan>

Documents note Garforth Neighbourhood Plan, but refer to this as being in preparation whereas (as of 29th June 2023) it was approved at referendum and so is considered to be 'made' as part of the development plan for the purposes of determining planning applications. This is available online at:

- <https://www.leeds.gov.uk/planning/planning-policy/neighbourhood-planning/garforth-neighbourhood-plan>

All of the documents that form part of the adopted local plan are available from <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan>. These are:

- Aire Valley Leeds AAP (2017): (as above) <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/aire-valley-area-action-plan>
- Core Strategy (with Core Strategy Selective Review Policies) 2019: <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/core-strategy-introduction>
- Site Allocations Plan <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/site-allocations-plan>
- Natural Resources and Waste Local Plan: <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/natural-resources-and-waste-local-plan>
- Saved Policies of the Unitary Development Plan: <https://www.leeds.gov.uk/planning/planning-policy/adopted-local-plan/unitary-development-plan>
- Made Neighbourhood Plans where geographically relevant (i.e. Garforth): <https://www.leeds.gov.uk/planning/planning-policy/neighbourhood-planning/made-neighbourhood-plans>

	A	B	C	D	E	F	G	H	I	J	K
1	OBJECT ID	SITEREF	LOCAL PLAN REFERENCE	SITE ADDRESS	LOCAL PLAN GREEN SPACE TYPOLOGY	LOCAL PLAN TOTAL AREA (HA)	TRU LABEL	AREA OVERLAP (SQM)	AREA OVERLAP (HA)	% OF DESIGNATED AREA	PLANNING POLICY NOTES
2	1	GRN00083	G84	Parish Church Gardens (Penny Pocket Park)	Amenity Greenspace	0.94	Marsh Lane Viaduct	382.19	0.0382	4.06	Concern - this figure differs from that quoted in the Planning Statement. See planning policy comments.
3	2	GRN00112	G114	Castlehill Woods	Natural	23.12	Highroyds Wood Level Crossing	6067.92	0.6068	2.62	PROW diversion only. No conflict with GS designation.
4	3	GRN00327	G345	Osmondthorpe Recreation Ground	Outdoor Sport	5.19	Osmondthorpe Lane & Wykebeck Avenue	2.61	0.0003	0.01	Concern - see planning policy comments.
5	4	GRN01133	G1213	Micklefield Miners Welfare Rec Ground	Outdoor Sport	4.59	Micklefield & Peckfield Level Crossing	4089.91	0.409	8.9	PROW diversion only. No conflict with GS designation.
6	5	GRN01794	G1913	Austhorpe Lane	Neighbourhood Park	47.64	Austhorpe Lane Bridge	25892.65	2.5893	5.43	Concern - see planning policy comments.
7	6	GRN01832	G2346 (CVC06)	Corn Exchange Pedestrian Route	Civic Space	0.21	Marsh Lane Viaduct	0.14	0	0.01	n/a
8	7	GRN01843	G523(1)	Neville POS (SAP)	Amenity Greenspace	0.85	Osmondthorpe Lane & Wykebeck Avenue	2876.32	0.2876	33.59	Concern - see planning policy comments.
9	8	GRN01844	G523(2)	Neville POS (AVLAAP)	Amenity Greenspace	1.49	Osmondthorpe Lane & Wykebeck Avenue	1301.45	0.1301	8.73	Concern - see planning policy comments.