

# **THE NETWORK RAIL (LEEDS TO MICKLEFIELD ENHANCEMENTS) ORDER (REF DPI/N4720/23/19)**

## **Statement by P E H Ward on behalf of Leeds City Council to Public Inquiry**

### **Introduction**

I am Philip Ward and I hold the position of Team Leader Landscape, Heritage and Design at Leeds City Council. I hold a Bachelor of Arts Degree (Honours) in Town Planning and a Master of Arts Degree in Architectural Conservation. I have held my current position since 2010, previous to which I held various posts at Leeds City Council and at other local authorities. I am a member of the Royal Town Planning Institute and the Institute of Historic Building Conservation.

This short statement expands on Statement of Common Ground in relation to the impact of the proposed signal gantry on the Kirkgate to Marsh Lane land (HUL4/44) at Penny Pocket Park in Leeds city centre.

To confirm this statement is submitted following a request of the Inspector to provide an assessment of the heritage implications from the Council's point of view, and does not change the Council's position as set out in the Statement of Case.

To clarify the Council's reports on the four listed building applications should be taken as the Council's position in relation to those assets.

### **Heritage assets affected**

The proposed lighting gantry affects the setting of Leeds Minster, a grade I listed building, the grade II northern boundary and war memorial and the Leeds City Centre Conservation Area. Extracts from the list descriptions for the Minster and its separately listed northern wall and memorial and the boundary of the conservation area are attached at appendix 1.

### **Legislation, policy and guidance**

The legislation and policy relating to listed buildings and conservation areas are well understood and are set out in the various documents submitted by Network Rail and I will not repeat them. Instead, I will focus on the Historic England guidance: The Setting of Heritage Assets: Good Practice Advice Note 3 (2017) which provides detail on understanding setting and the associated assessment of the impact of any changes.

A staged approach to assessment is advocated involving identification of the assets that may be affected, assessing the degree to which setting makes a contribution to the significance of the heritage asset or allows significance to be appreciated, assessing the effects of the proposed development and exploring ways to maximise enhancement and avoid or minimise harm.

In assessing the degree to which these settings and views make a contribution to the

significance of the heritage assets or allow significance to be appreciated, the key attributes of the heritage asset should be addressed and then the following considered:

- The physical surroundings of the asset and its relationship with other assets;
- The asset's intangible associations with its surroundings, and patterns of use;
- The contribution made by noise, smells etc to significance; and
- The way views allow the significance of the asset to be appreciated.

The Step 2 Checklist provides a list of potential setting attributes that may help to elucidate its contribution to significance under the headings 'The asset's physical surroundings' and 'Experience of the asset'. The Step 3 Checklist provides a list of potential attributes of a development affecting setting that may help to elucidate its implications for the significance of the heritage asset including the 'Location and siting of development', the 'Form and appearance of development', 'Wider effects of the development' and 'Permanence of the development'.

### **Significance of heritage assets and contribution of setting**

Adopting the staged approach advocated by Historic England, it is first necessary to necessary to assess the contribution of setting to the significance of the Minster and the boundary wall which are considered holistically, although they have separate listing. I will particularly consider the contribution of the railway viaduct and its infrastructure to the setting of the listed building. As the Minster and its setting are within the conservation area, for brevity it should be assumed that the discussion of setting overlaps with the assessment of the special architectural or historic interest of the conservation area.

The setting of the Minster to the north is dominated by the railway viaduct which lies approximately 70 metres to the north. The viaduct dates from the 1860s when a new station and railway line through the city centre were constructed after much controversy because of the impact on the old graveyard which would be cut half. In response to the controversy, the Act of Parliament for the new line stipulated that the railway should pass through the graveyard on a solid embankment so as not to interfere with the graves and the gravestones were to be placed in corresponding position on its slopes.

By accident rather than design, the viaduct sequesters the Minster from the urban core of the city centre to the north. Although there are glimpses of taller buildings, they are backgrounded by the viaduct, which is an idiosyncratic but positive feature in the setting of the Minster. Trees in the pocket park and on the viaduct provide further screening especially of the railway infrastructure on top of the embankment (photo 1 in appendix 2). This is especially the case in views from the Minster to the railway viaduct but there are other views on the approach to the Minster such as the framed view of Minster through the arch over the route from York Street to Kirkgate (photo 2) where the railway and the longer view over the bus station (photo 4) where the infrastructure is laid bare, interposing in views of the tower, and is a negative element in the setting of the Minster

### **Proposed lighting gallery**

There is an existing signal/light on a post with access and protective cage some 10m high on the site of the proposed gantry and it is assumed that it will be removed. The proposed design of the replacement lighting gallery is shown on pages 63-65 of the Environmental

Report Doc NR15: Design and Access Statement which are reproduced in appendix 3. In simple terms, the replacement light gallery is a goalpost design spanning the track with light hanging from the “cross bar”.

### **Effect of gantry on significance of heritage assets**

As before in assessing the impact of the proposed gantry on the setting of the listed buildings, I will be simultaneously referring to the impact on the conservation area.

The existing lighting/signal is a one-dimensional vertical object whereas the proposed replacement lighting gantry is a horizontal two-dimensional object which frames views and encloses space and has a different and more significant visual impact. Similar gantries over the line already exist further east along the line attached to the viaduct over Duke Street for comparison.

The proposed gantry will be more visible than the existing structure in the views discussed above. Instead of the structure being lost in the overwhelmingly vertical array of the trees as currently pertains, in the view from the Minster and across the Pocket Park from the east in view 5, the skyline above the viaduct will be crossed by the gantry. In views 2 and 4, the gantry will not be filtered by trees and will be juxtaposed against the silhouette of the Minster where it will not be seen as a single vertical point but as more complex figure with lighting which will further detract from the primacy of the listed building.

The harm to the setting of the listed buildings and the conservation area is considered to be towards the bottom end of “less than substantial”. Nevertheless, any harm to heritage significance, regardless of the level, needs to be demonstrated to be necessary and have a “clear and convincing justification” (para 206) before weighing it against the public benefits, as required by para 208 of the NPPF.

## **Appendix 1 – Heritage assets**

### **SE3033SE KIRKGATE 714-1/79/229 (South side) 26/09/63 Parish Church of St Peter**

#### **GV I**

Church. 1839-41, altered 1870-80. By RD Chantrell; Dr WF Hook, vicar; alterations to east end 1870-80. Ashlar, slate roofs. PLAN: equal-length chancel and nave, both with clerestories and tall aisles; massive tower at centre of north aisle, shallow chancel apse, low outer north aisle, south transept. In Gothic Revival style. EXTERIOR: main entrance below tower: massive oak doors, original ironwork. Generally Perpendicular tracery, 5-light east window, crocketed pinnacles, turrets at corners. Tower: panelled sides, clock by Potts of Leeds, tall 2-light belfry, openwork battlements, crocketed pinnacles. INTERIOR: entry is into the crossing; a long chancel with steps up to sanctuary, crossing and transepts lierne-vaulted and apse fan vaulted all in plaster. Arcades with moulded arches. Enormous galleries along nave and chancel; decorated canopies throughout, especially chancel stalls. Much use of plaster painted to imitate stone/wood. East end: sanctuary marble arcade with fine mosaic work by Salviati of Venice, life-size figures of 12 apostles; reredos of coloured marble and alabaster by GE Street representing Christ in Glory flanked by saints, cartoons by Clayton and Bell and executed by Rust, 1888. East window contains glass collected on the continent by J Summers and given to the church 1846. Panelled memorial tomb of Dr Hook, Dean of Chichester, by Sir G Gilbert Scott, 1875. (Sprittles, J: Leeds Parish Church History and Guide).

**LEEDS, KIRKGATE (South side), North boundary wall and steps, NW gate & piers, war memorial and East Bar Stone (Formerly Listed as: KIRKGATE, Gatepiers NW and SW of St Peter's Church and churchyard wall north and west)**

**08/05/74**

#### **GV II**

Boundary wall to church with entrance steps and piers, gateway, memorial to First and Second World War casualties and boundary stone. Walling and piers after 1841, East Bar stone possibly early C19 and reset, war memorial 1921.

Wall Squared gritstone blocks laid to ashlar finish approx 110m long and 1m high, 2-4 courses, triangular coping with seatings for missing railing. NW gateway: the 2 gate piers have chamfered plinth, panelled sides, cornice with quatrefoil panels, 2-tier pyramidal caps. North entrance to church: wide shallow steps flanked by low wall as front, massive single-block piers with octagonal moulded caps. East Bar stone built into wall to east of war

memorial; chamfered block with lettering: 'EAST BAR', the first word in Italic, both deeply-cut with strong serifs. Marks line of a gateway on the old town boundary.

War memorial The Leeds Rifles (the Leeds Batalions, The Prince of Wales's Own (West Yorkshire) Regiment was the only regiment to choose a Lutyens War Cross as a memorial. The chosen site was the edge of the churchyard of St Peter Kirkgate, in the centre of Leeds. It was unveiled on 13 November 1921 by Captain G Sanders VC MC who fought with distinction for the regiment.

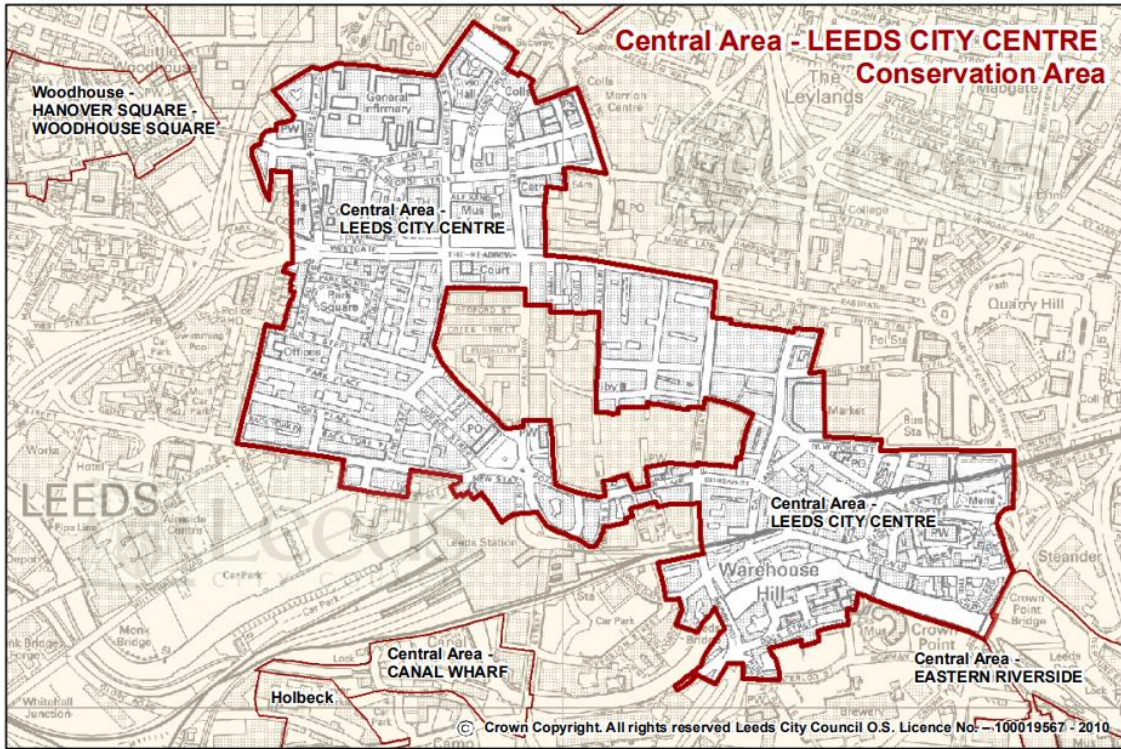
Sir Edwin Lutyens OM RA (1869-1944) was the leading English architect of his generation. Before the First World War his reputation rested on his country houses and his work at New Delhi, but during and after the war he became the pre-eminent architect for war memorials in England, France and the British Empire. While the Cenotaph in Whitehall (London) had the most influence on other war memorials, the Thiepval Arch was the most influential on other forms of architecture. He designed the Stone of Remembrance which was placed in all Imperial War Graves Commission cemeteries and in some cemeteries in England, including some with which he was not otherwise associated.

The memorial is a relatively small War Cross of Portland stone, set in a break in the churchyard wall facing out to the street. The fall in levels accommodates a stone bench beneath the cross that doubles as a ledge for wreaths. Elaborate iron railings with arrow-head finials to bars flank the cross.

Inscriptions:

On the cross: 7TH AND 8TH BATTALIONS/ WEST YORKSHIRE REGIMENT/ THE PRINCE OF WALES'S OWN/ LEEDS RIFLES/ 45TH (LEEDS RIFLES) BATTALION/ ROYAL TANK REGIMENT/ 66TH (LEEDS RIFLES) HAA REGIMENT/ ROYAL ARTILLERY

On the wall: TO/ THE MEN OF/THE LEEDS RIFLES/ WHO GAVE THEIR LIVES/ 1914-1918/ 1939-1945 Bronze regimental badges on cross: above the inscription: Leeds Rifles; below (L to R) Royal Artillery, Prince of Wales's Own (Leeds Rifles), Royal Tank Regiment.





## Appendix 2 – Photographs (25/02/24)

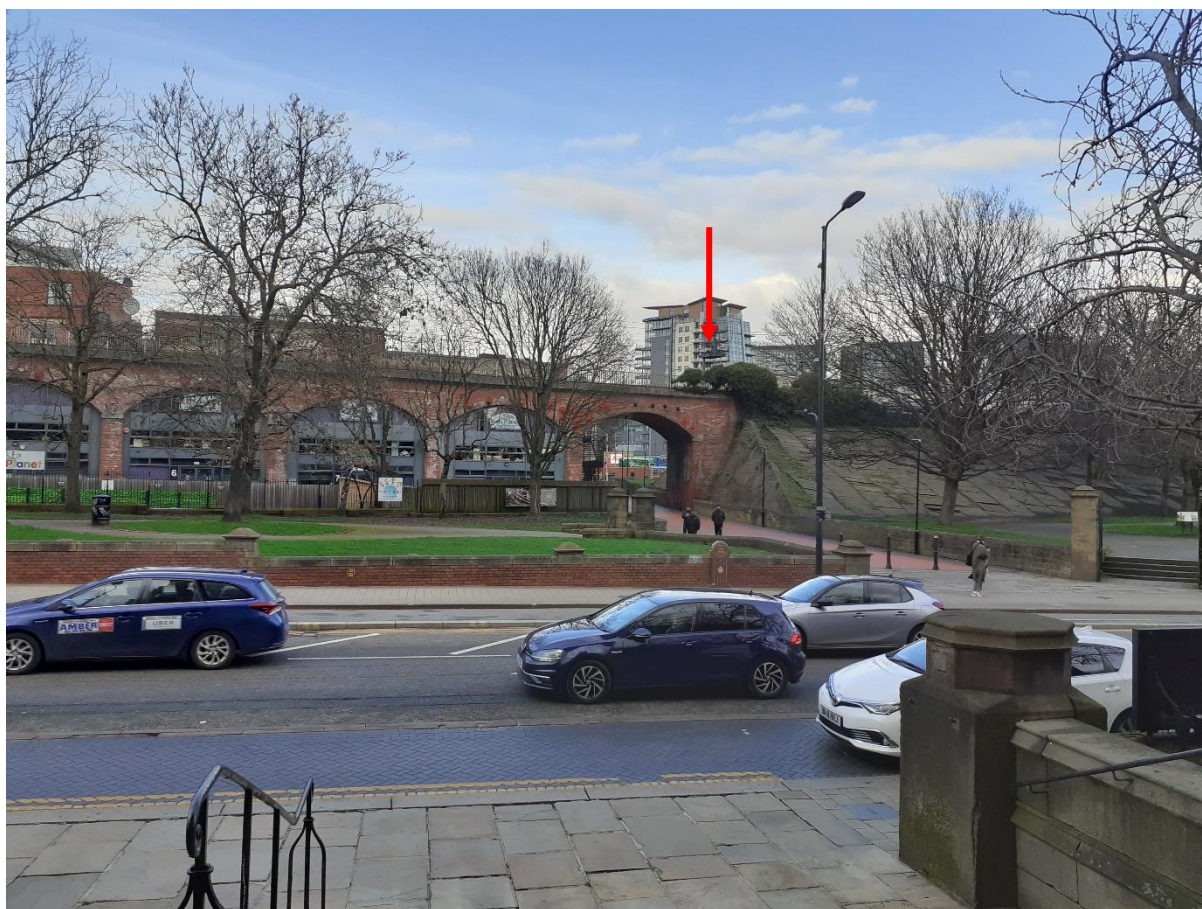


Photo 1: view from steps of Leeds Minster (approximate position of proposed gantry shown with red arrow)



Photo 2: framed view south towards Minster (approximate position of proposed gantry shown with red arrow)





Photo 3: view from park to north of viaduct (approximate position of gantry shown with red arrow)



Photo 4: view from north across bus station (approximate position of proposed gantry shown with red arrow).





Photo 5: view from the east from Duke Street (approximate position of proposed gantry shown with red arrow).

## Appendix 3 – Extracts from Design and Access Statement

### The Network Rail (Leeds to Micklefield Enhancements) Order

Document NR15 – Design and Access Statement

July 2023

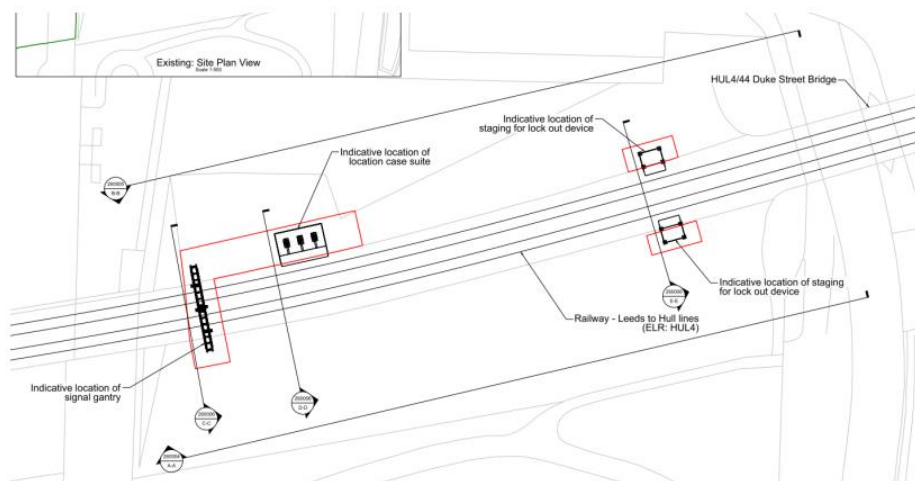


Figure 37: General Arrangement of the Kirkgate to Marsh Lane Land

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### The Network Rail (Leeds to Micklefield Enhancements) Order

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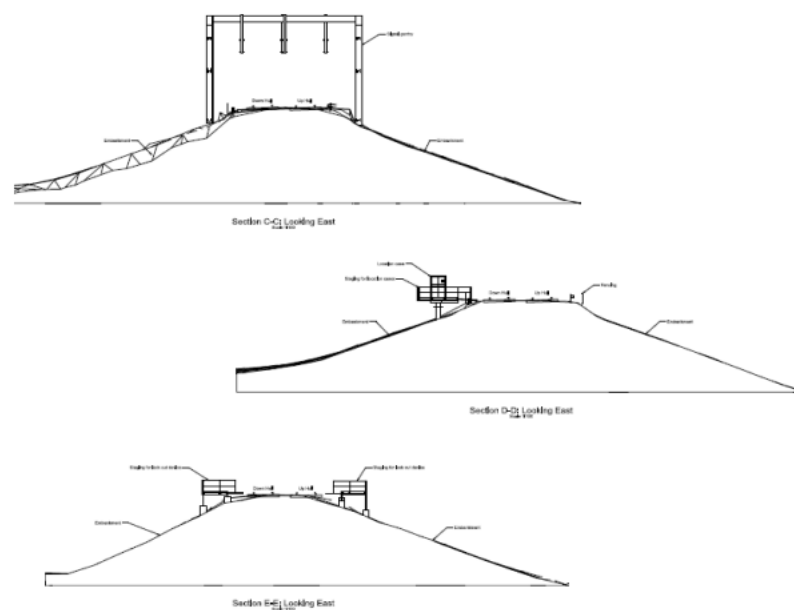


Figure 38: Elevations of the Kirkgate to Marsh Lane Land Equipment