

From: Ali, Zulfiqar
Sent: 10 August 2009 10:34
To: Vanessa East
Subject: RE: Leeds NGT Scoping Opinion

From: Ali, Zulfiqar
Sent: 06 August 2009 15:44
To:
Subject: TWA/02/02/72/01
Importance: High

Dear Vanessa,

Please find enclosed my comments in relation to the above TWA proposal.

Best Wishes

Zulfiqar

Zulfiqar Ali
Planning Liaison Officer

Environment Agency
Phoenix House
Global Avenue
Leeds
LS11 8PG

Part of the Environment Agency's Yorkshire and North East Region

Department for Transport
Transport and Works Act Orders Unit
Southside (105) Victoria Street
London
SW1E 6DT

Our ref: RA/2009/111123/01-L01
Your ref: TWA/02/02/72/01
Date: 06 August 2009

FAO Vanessa East

Dear Madam

**PROPOSED LEEDS NGT ORDER - SCOPE OF ENVIRONMENTAL STATEMENT
LEEDS CITY CENTRE**

Thank you for the opportunity to comment on the scope of the Environmental Statement in relation to transport works proposed in the City of Leeds.

We would advise that the following issues are scoped into your Environment Statement.

Flood Risk

The Scoping Report acknowledges that a Flood Risk Assessment and Drainage Strategy will be necessary. The report acknowledges the need for the development to allow for the upgrade of existing flood defence structures (5.16.2). However, the Flood Risk Assessment also needs to consider how the development could impact on the construction of the new Leeds Flood Alleviation scheme on the River Aire and Hol Beck. Surface water hydrology can also be affected during both construction and operation of light transit systems. The increase in surface water runoff should also be scoped in to examine the impact of surface water flooding.

The applicant should also be aware that any works in, over, under or within 8 metres of 'main river' require the prior consent of the Environment Agency under the Water Resources Act 1991. In addition, any works in the channel of an ordinary watercourse also requires the prior consent from the EA under the Land Drainage Act 1991.

There is also a need to consider whether the route of tramways and transit systems, either during construction or afterwards, might obstruct Environment Agency access to watercourses and Agency premises, plant and equipment.

Biodiversity

The Environmental Scoping Report acknowledges the need for assessments of impacts on ecological features and receptors including habitats along the scheme routes, designated sites, protected species and BAP habitats and species.

Methodology for assessing all the above seems adequate, including sourcing of baseline data. This covers all the species and habitats that the Environment Agency would wish to see scoped into the Environment Statement.

The report also includes a section regarding mitigation for impacts which is an important element to any EIA. Proposed mitigation should be on a like for like basis and of good quality.

Conservation is important and must always be incorporated but enhancements must also be encouraged in accordance with PPS9. The severance of ecological communities should be given special attention, as should the likelihood of permanent damage occurring to habitats during the construction phase.

Water Resources

Water Quality

For information:

Please be mindful of the Water Framework Directive (WFD) when completing the Environment Statement as well as the water quality and quantity aspects of the development. The first River Basin Management Plan will be delivered on 22 December 2009 and the WFD requires all waterbodies to be at good status by 2015 through voluntary initiatives.

In order to ensure there is no deterioration of any waterbodies that could be affected during the construction or operation phase of the development there should be no direct discharge without Environment Agency consent to either surface or groundwater. All potential pollution must be mitigated against. There should be no site runoff to surface water, unless treated and with Environment Agency consent.

There is reference to RQO in the Water Resources section. This should now refer to current status and whether or not it is achieving 'Good' status under WFD.

Water Resources

When planning for this development the Environment Statement should consider the impact any works could have on groundwater or surface water courses; they must ensure no derogation of rights for existing licensed water abstractors.

Waste

We would wish for waste to be scoped into your Environmental Statement. A detailed Strategic Waste Management Plan will go along way towards ensuring that wastes from the project are handled in the most environmentally efficient manner. We would also urge that waste is 'designed out' of the project as far as possible and that the most efficient use of new resources is made together with reused and recycled materials where appropriate. Consideration in your Environment Statement should also be given to the practicalities of segregating, storing and possibly processing large volumes of waste during the construction; this type of activity requires space and may cause unacceptable levels of dust, noise and visual impact if not well managed. Initial plans should include where and how wastes are to be managed so that the correct permissions can be sought.

Energy from waste and Anaerobic digestion are in most cases preferable to landfill but should not be used if there is a viable recycling or reuse option.

Groundwater & Contaminated Land

Due to the extent of the proposed developments, no comments have been made about specific potentially contaminated sites or receptors. We understand from section 5.9.1 that the details are provided in Geo Environmental Reports prepared in May 2009. These reports were not included in this consultation.

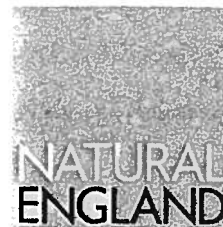
As identified in section 5.9, there is a need to identify potentially contaminated land within the footprint of the proposed development. Under planning Policy Statement 23 there is a requirement to provide information to determine the existence of contamination and risk assessment demonstrating pollutant linkages.

If you have any questions regarding these comments please contact me using the details below.

Yours faithfully

Mr. Zulfiqar Ali
Planning Officer

Date: 30 July 2009
Our ref: SE23 (YH-2219)
Your ref: TWA/02/02/72/01



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Government Team
(West)
Government Buildings
Otley Road
Lawnswood
LEEDS
LS16 5QT

Dear Vanessa,

Transport and Works Act 1992 ("TWA") Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 ("the Application Rules") Proposed Leeds NGT Order – Scope of Environmental Statement.

Thank you for your letter of 6 June 2009, consulting Natural England on the Scoping Report for the above proposed development.

The Scoping Report is very comprehensive; however, we would like to make the following comments.

Replacement Sports Pitches

The area chosen for the replacement sports pitches is in a part of Leeds that is very much undeveloped. We advise that any construction or development in this area should be in keeping with the local character. This site does not fall within any designated landscapes, however all proposals should complement the local distinctiveness and be guided by the local authorities landscape character assessment. Any buildings required at this site should utilise sustainable construction techniques.

Prior to any works to create the new pitches at the replacement site we would expect to see a full ecological survey of the site. There may be an opportunity to retain the field margins in the area in their current state, maintaining at least some of the existing wildlife value. Consideration of how this could be achieved and the impact that a change in the use of this site would have on wildlife in the surrounding area should be included in the EIA

Many patches of woodland habitat surround the site chosen for replacement sports pitches. These woodland patches appear to be outside of the redline boundary of the replacement pitch area. However, there is a chance that the proposals could impact on these woodland patches. It is reasonable to assume that bats will be active in this area as they are attracted to woodland edge habitat to forage. Floodlighting has the potential to illuminate this habitat, which could have a negative impact on its ability to support foraging bats. Natural England advises that the EIA should include a bat activity survey of this area to inform the design/layout of the pitches and their lighting requirements. Lighting solutions are available which would limit the impact on bats, such as shielded lights.

Natural England
Head Office
1 East Parade
Sheffield S1 2ET

Road Verges

Although they are often polluted and are generally populated by common plant communities road verges nonetheless provide valuable habitat for invertebrates and other small animals. Verges also have a role in the local landscape character of some areas, providing a green element in many urban or suburban areas. We advise that the impact of the scheme on road verge habitat along the route be considered from a biodiversity and landscape perspective.

Park & Ride Site

The area chosen for the new Bodington Park & Ride site is presently a sports pitch. Much of this area is likely to have limited conservation value as a result of the management required for sports use. However, the field margins may provide a valuable habitat for wildlife. Parts of this area are not managed for sports use due to topography or the presence of trees and may have greater value than the surrounding managed areas. Natural England advises that a Phase 1 survey of this site be carried out and that appropriate mitigation be designed into the scheme. There may be scope to design the site layout around any existing wildlife interest; however, isolation of areas of habitat should be avoided.

A large car park has the potential to generate a large amount of runoff during heavy rain. The EIA should include an investigation into the potential impact of this increased level of run off on the surrounding areas. We advise that consideration be given to the use of porous surfaces and sustainable drainage techniques to control the level of runoff generated from the site.

Rights of Way

The Scoping Report indicates that Public Rights of Way will be considered in terms of severance of routes. Natural England would wish to see the transport system linked to existing pedestrian routes and would recommend that consideration be given to providing good links between major stops, such as park and ride sites, and the existing pedestrian route network.

Trees

Trees will be lost along parts of the proposed route due to the widening of the roads. The Scoping Report indicates that trees will be surveyed for their potential to support roosting bats. Only trees of a certain size/age are able to support bats, as small and young trees generally have not developed suitable features.

However, all trees, irrespective of their size, can be utilised by bats as way points on their commuting routes. The impact of loss of trees on commuting bats should be considered in the EIA, particularly in the areas outside of the city centre where bat activity is more likely.

The proposed route of the NGT Scheme passes through a number of areas where trees are situated very close to the roadside. The Scoping Report indicates that there are areas where trees will be lost to facilitate road widening required to accommodate the scheme. Many of the trees along the route are large and contribute to the character of the local areas, such as those near Hyde Park on Woodhouse Lane, in Headingley and along the A660. Other trees, such as those in the city centre on The Headrow are important in light of climate change, as trees are known to have an effect on temperature in urban areas, known as the urban cooling effect. There are numerous significant trees along the route, many of which are irreplaceable, and many others that contribute to the landscape character of their areas. Natural England advises that the scheme retains as many of the trees along the NGT route as possible.

If you have any questions regarding the above comments, please do not hesitate to contact me.

Yours sincerely

Richard Clarke
Government Team (West)

Vanessa East
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Department for Transport
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105 Victoria Street
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City Development
The Leonardo Building
2 Rossington Street
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LS2 8HD

Contact: David Newbury

August 2009

Dear Madam,

Transport Works Act 1992
Transport & Works (Applications and Objections Procedure) (England and Wales)
Rules 2006
Proposed Leeds NGT Order – Scope of Environmental Statement

Thank you for your letter dated 31st July 2009 and the opportunity to submit further comments in respect of the above. I am replying on behalf of my colleague Martin Sellens.

Our comments on report No. 236834/RPT17 Revision B June 2009 are as follows:

Page 38, 5.5.3 (ii) – preference would be to see models for at least two 'future years', say 5 and 15 years after opening.

Page 39, 5.5.5 – it is recommended to use a 3-5 year average for traffic data to avoid annual blips caused by fuel prices/recession.

Page 40, 5.5.7 (i) - what is the data source? (it is recommended that the Environment Agency database be used).

Page 41, 5.5.9 – this should include reference the choice of lower carbon energy for propulsion.

Pages 74 – 75, 5.9.9 - another bullet point should be added to suggest that appropriate PPE be worn by constructions workers and that measures be implemented to reduce risk from the works to the general public.

Page 122, Table 5.41 - the River Aire and Wyke Beck should not be singled out in the first paragraph. There are other important watercourses that could be affected by the NGT routes.

Page 123, 5.16.5 - Baseline (Sources of Information): the list should include records of culverts and data relating to watercourses from Leeds City Council Land Drainage Section.

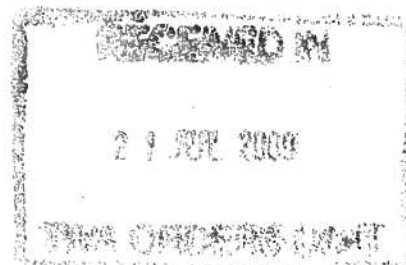
Hopefully these comments are clear but if you do have any queries please do not hesitate to contact me.

Yours faithfully

David Newbury
Area Planning Manager



ENGLISH HERITAGE



Vanessa East
Department for Transport
Zone 9/02
Southside
105 Victoria Street
London
SW1E 6DT

Your Ref: TWA/02/02/72/01
Our Ref: NonStat69

16 July 2009

Dear Vanessa

TRANSPORT AND WORKS ACT 1992 ("TWA")
TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS PROCEDURE)
(ENGLAND AND WALES) RULES 2006 ("the Application Rules")
PROPOSED LEEDS NGT ORDER – SCOPE OF ENVIRONMENTAL STATEMENT

Thank you for consulting English Heritage. We are happy for you to proceed on the basis outlined in the Environmental Scoping Report.

Yours sincerely

Kathryn Gibson
Historic Buildings and Areas Adviser
West Yorkshire