

CRA Cross Examination Questions to Telford's Third Witness, Dr Chris Miele

1) Your point 5.2, would you agree that although this Inspector can use the previous Inspector's report for general guidance, it is important that she re-evaluate for herself the merits and suitability of the Scheme 2 houses in light of the CA designation?

A Yes, however, the descriptive sections of the first inspector's report are factual and suitable for use by this inspector.

2) Your point 5.4 identifies the cause of the staggered house line as being necessary to avoid the TPOs. As you make no similar point in Section 6 regarding the Scheme 3 houses, would you agree that the shape of the Scheme 2 houses is what makes them more difficult to position successfully?

A No, not more difficult, just different.

3) Did the Scheme 2 houses change during the application?

A No, I do not think so.

Do you believe English Heritage to be an important voice in this process?

A Yes, of course

Can you explain how, if the houses haven't changed, how English Heritage's view that the houses "lack a residential/domestic appearance" is resolved? (Hicks appendix 10, line 2).

A I struggled with the email referenced myself and believe this is a typo on the part of EH which should have read "flats [B&C]" not "houses". The remainder of the email does after close study indicate this is correct.

4) Staying with English Heritage are you aware of their email 4/6/09 to the Redbrige where they say to developer "consider Arts and Crafts, rather than Art Deco"? If English Heritage opinion is so valued why is Arts and Crafts not implemented until Scheme 3?

A Again this is a poorly worded email from EH and references Block A which did change to an Arts and Crafts look as suggested.

5) In your point 5.48 you state the contrast between Blocks B&C and the Arts and Crafts are not damaging because you believe Blocks B&C are of a high quality design. Would you therefore agree that if the Inspector were to conclude Blocks B&C were of a poor quality design, she would be right to dismiss the appeal as the scheme would then be damaging to the Arts and Crafts?

A Yes

6) In your points 5.33 & 5.34, 5.52 - 5.54 and 7.39 you defend the skew relationship of Blocks B&C in terms of views approaching the site, the effect on the street scene of Nutter Lane and the relationships between the blocks and to their immediate neighbours. However, you make no reference to the vista through the site. Would you agree that the vista between Blocks B&C through to the inners of the site and beyond, including the view to some very large and impressive TPO trees, is more constricted in Scheme 2 than in Scheme 3 as a result of the skew?

A No, I believe the vista through the site will be more open with the skew given that the gap permits a wider arc from where it is possible to see through the site.

7) Your point 5.46 you mention Art Deco being acceptable in part due to the existence of the Shrubberies on Grosvenor Road. How do you explain this in light of the first inspector's findings (para 14 of the decision notice LBR14) that "*in my view Grosvenor Road is sufficiently distant not to be an integral part of the visual context of the appeal site*".

A The Shrubberies were too distant for Scheme 1, however, The Shrubberies now forms part of the overall Conservation Area and therefore it is right that it can lead new design in the area.

8) In many points through Section 6 of your proof (for example points 6.7, 6.10, 6.17 and 6.22) and in point 8.9 you mention that it is beneficial, and at one point you even say it is best practice, to design something "in keeping" or which draws on the "prevailing pattern". If this is true, why is there no explanation in your proof of evidence why Scheme 2 does not follow this best practise and/or prevailing pattern?

A I believe that there are two acceptable fundamental approaches to design within a Conservation Area, one the "in keeping" approach demonstrated by Scheme 3 and the other [the one I prefer] a contrasting approach and that is what I "defend" in my proof of evidence for Scheme 2.

9) Your summary proof 1.15, can you put an approximate number to "some residents" please.

There were in fact over 70 local residents in attendance that night. Even taking half this value as the number of households this equates to over 10% of the local populace. Do you still regard this as merely "some residents".

A I was not aware of the specific number, but would still describe this as some.

10) In your appendix 2 and as referenced in your proof section 4.7 you demonstrate you researched the auction sales of Wanstead Grove House in 1865 and 1885. How is it that you are not aware of Leicester Road formed a bridal path through the grounds of Wastead Grove House and that its land fanned out from the main house all the way down to the River Roding. Additionally the farmers cottages repeatedly referred to are not the Roding Cottages, but rather earlier buildings no longer in existence opposite them known as Squires Cottages.

A OK, but I do not see how this is material to the case.

11) In your appendix 6, photograph 28, can you confirm whether this is No.9 The Avenue referred to by Mr Woods in his evidence as being four storeys when it is three storeys as can be seen.

A I cannot confirm whether this is No.9, however, the Inspector can view this during her site survey. But, I believe Mr Woods was saying "equivalent of four storeys in height".

12) In your cross examination by Redbridge you reference No.39-45 Leicester Road as a terrace, when in fact they are two pairs of semis, do you concur.

A Accepted, however, it was their height, not their "detached" status I was referring to.

13) PPS3 was reissued last week and as already mentioned the two key changes are the redesignation of gardens as NOT being brownfield and the removal of the minimum dwelling density per hectare? Are you familiar with the responsible Minister's (Mr Greg Clark MP) statement covering the reissue of PPS3 in which he stated "*these changes put the power back in the hands of local authorities and communities*". Would you agree that this indicates that the new government now wishes local residents to have more say in local developments? Scheme 3 as we know had considerable local resident input, however, would you agree that Scheme 2 with its lack of local resident input was contrary to the spirit of the new PPS3?

A I cannot comment on that issue, it is not within my remit.