

DR CHRIS MIELE SUMMARY PROOF OF EVIDENCE: TOWNSCAPE AND VISUAL IMPACT RFR2

LAND NORTH AND SOUTH OF GOLDSWORTH ROAD, WOKING GU21 6DD

LPA REFERENCE: PLAN/2020/0568

PINS REFERENCE: APP/A3655/W/21/3276474

NOVEMBER 2021



SUMMARY

- 1.1 My name is Chris Miele, and I am senior partner at Montagu Evans LLP.
- 1.2 My main Proof of Evidence ('PoE' or 'Proof') addresses the second Reason for Refusal ('RfR2') identified by Woking Borough Council (the 'Council') in relation to the planning application (PLAN/2020/0568) at land north and south of Goldsworth Road, Woking, GU21 6DD (the 'Site').
- 1.3 The Council's concerns are expanded upon in the Council's Statement of Case [CD 10.1.2] and the topic-based Statement of Common Ground [CD 11.1.1] pertaining to RfR2.
- 1.4 I also address matters raised by third parties and which are now represented in the case presented by the Rule 6(6) Party, acting as Oaks and Vale Farm Road Residents' Group (the Residents' Group or the Rule 6(6) Party) [CD 10.1.3].
- 1.5 My evidence treats the design and townscape impacts of the appeal scheme, and as part of this the suitability of the Site for this form of development having regard to the urban form of the area, the planning policy applying to and the forces for change which are shaping the town centre. The two latter are a crucial part of context.

BACKGROUND AND EXPERIENCE

- 1.6 My main Proof sets out my background and experience over more than twenty years during which I have assisted in the promotion of tall and large developments. Many of these are in locations which are undergoing transformational change supported by development plan policies and so are comparable to what is happening in this town centre.
- 1.7 The majority of these sites are in London and early in my career I helped the Greater London Authority develop guidance on the management of skyline change as the principal author of the London View Management Framework.
- 1.8 I have worked in other locations in the wider metropolitan region where there are similar changes underway, for example, Guildford, Maidenhead, Slough, Reading, Luton and in outer London areas where the prevailing character of the land is suburban but which are developing more intensively in selected locations to relieve Green Belt pressure and meet urgent housing need.

- 1.9 I recognise that the planning position in Woking and the context are not the same as in London, and my analysis does not suggest so. My citation of that London experience goes to demonstrating my expertise in this form of assessment. Nevertheless, it is important to understand that Woking town centre has been identified as a place where transformational change is expected. In that sense, and recognising the policies here are different, the proportional change to character which is expected is in this location might even be said to be greater.
- 1.10 I make these points early in my Proof because I am aware that a major concern raised by the Rule 6(6) Party is that the proposals are out of character, resembling central London sites. I do not comment on the amenity matters that they adduce to support this claim. I restrict my evidence to the matters raised in RfR2.
- 1.11 It will be seen I have no formal design qualification (architecture or urban design), but that I have developed expertise as a design assessor through experience, including serving on the National Design Review Panel at CABE. My higher degrees are in the history of C19 and C20 architecture and town planning and so I am competent to discuss matters of visual appearance and townscape, and I have provided such independent review work for clients and at appeals, including call-in inquiries and recovered appeals. Whilst many of my clients are private developers, I work for many public and charitable bodies too, including National Government and nationally important arts and educational charities, including on site masterplanning as well as development and estate management advice.
- 1.12 My main Proof also notes my regular work as an expert at planning appeals (where I treat design and heritage matters largely) and in the Lands Chamber of the Upper House of the Tribunal (where I work on compensation and valuation cases and also in relation to the variation or quashing of covenants). In most of these expert planning instructions, I have become involved through peer review at the Appeal stage, and typically where a developer wants a second opinion on design and/or heritage and/or townscape.
- 1.13 In others, such as this case, I was involved at application stage.

- 1.14 The requisite signed affirmation concluding this Proof explains I have understood and adhered to the duties of an expert witness advising the Inspector. This also confirms I am not paid under any success-based or similar contingency arrangement.

THE SCOPE OF MY EVIDENCE

- 1.15 In cases such as this, where an application was refused against officer recommendation [CD 6.1.1 and 6.1.2], the SoCs provided by the Council [CD 10.1.2] and the Rule 6(6) Party [CD 10.1.3] are particularly important in framing the evidence.
- 1.16 The Council's SoC under RfR2 is concise (I make no criticism of it on that basis) [CD 10.1.2].
- 1.17 The Rule 6(6) Party's SoC as it treats RfR2 and related matters is quite detailed [CD 10.1.3].
- 1.18 I summarise the main points these make in my **Section 4**, and I will return to those points severally in my evidence.

THE SUBSTANTIVE PART OF MY EVIDENCE

- 1.19 My Proof spends some time describing the regional context for the proposals I mentioned above, at Woking's role in the spatial hierarchy of the London metropolitan region (a geographical term not a planning designation).
- 1.20 In **Section 6** I consider the development plan policy for the Site and town centre, along with material considerations.
- 1.21 One such is the resolution-to-grant scheme for the Site. This is a material consideration. It establishes historically the in principle acceptability of a building of scale on the Site. That proposal was assessed against the same current Core Strategy [CD 1.1.1].
- 1.22 The resolution-to-grant scheme is to be taken together with the site allocation or Site Allocations and Development Policies Document ('SADPD') [CD 1.1.7].
- 1.23 The long and short of both is that the Site is identified for major change in the town centre.
- 1.24 In respect of height, it is noteworthy, and relevant, that the Council avoid reference to height in RfR2, relying instead on bulk and mass which are also aspects of scale.

1.25	Another material consideration is the Housing Infrastructure Fund ('HIF') [CD 1.1.15] programme which was based on the delivery of major town centre change. This sits on top, as it were, of the allocations, and the Appellant has done some work for the Appeal to consider what sites can meet the HIF requirement which I understand to be the delivery of up to 3,304 extra town centre homes above existing commitments. I understand that the enhanced access to the town centre from the south, via what is called Victoria Arch, is a long-standing objective of this Council. It is tied in to the development of the Site and this part of the town centre too.		to disagree with the inference which the Rule 6(6) Party SoC [CD 10.1.3] invites the Inspector to draw, namely that that there is insufficient policy to determine this application and in the absence of some urban design masterplan or framework.		some of the surrounding context height, but those differences do not comprise poor or inappropriate design for a number of reasons.
1.26	This is one of those cases thus where the layering of policy and material considerations points to transformational change on the Site and within the town centre. There is the resolution to grant scheme, the supporting allocation, other allocations, the HIF package and the allocations which continue the direction of travel. There is already established significant change to skyline, townscape and character, with much greater densities on those sites, and it should be clear that the poor-quality townscape one finds across much of the town centre represents a major opportunity.	1.30	In Section 7, I treat the townscape context for the proposals, starting with the historical development of the town centre. This is a story of pretty considerable change over a relatively short period of time. The ultimate shape of the town centre was set by the railway, producing a somewhat unusual linear form that is coming to be expressed in its skyline. That infrastructure has had the unfortunate effect of separating the two parts of the town. The alignment is further reinforced by the canal.	1.38	First, one has to look at the quality of the affected land and what the development plan supports. It is clear that the land highlighted by the Rule 6(6) Party (and excepting the residential enclave) is of poor townscape quality, lacking grain. It is not cohesive, demonstrating good structure. It lacks active frontages in parts and includes a large area of hardstanding. The landscape (hard and soft) is of no real quality. The land in the main has a coarse townscape grain, with large footprint buildings that have a certain scale reinforced by single uses.
1.27	This opportunity is not materially constrained by heritage considerations which is a unique circumstance in my experience of growing town centres outside London. For example, the development opportunity at and near to Guildford Station is affected by the view from the medieval castle of the modern, grade II* listed Cathedral which is a skyline feature rising high above the town. Or in Reading, the land near the railway (identified broadly as suitable for tall buildings) is still constrained to some extent by the proximity of conservation areas and nearby listed buildings. This does not apply to the application Site.	1.31	In more recent times, and since WWII (gathering pace in the 1980s), the town centre has seen significant new commercial developments. Those buildings do not demonstrate good urban design and in some cases appear more suited to an out of town office park than a town centre.	1.39	Second, the date of construction of use of many of these buildings (larger floorplate commercial offices from the 1980s) make them obvious candidates for intensification through a mix of uses and, inevitably, an increase in scale. They should not be taken as the benchmark for the sort of development required by the plan. And the land lying west of the site, and so interposing to some extent on the small residential area which gives its name to the Rule 6(6) Party, is also identified for intensification, residential led with commercial.
1.28	Added to this is the position of the Site relative to the urban form of the town centre. That area has a rectangular form and in the centre is a conservation area with a number of listed buildings. The Site is located at the single north-south road under the railway in the town centre, and that threshold is being enlarged. And the scheme has been formulated with that improvement in mind. The Site also bookends Victoria Square, answering that development which has changed the skyline and character of this part of the town centre, and is visible also from the residential area to the northwest and more widely too.	1.32	The townscape has, in the language of Environmental Impact Assessment (EIA), a low sensitivity to change with the exception of scattered residential uses which are sensitive from an amenity perspective (and have no real cultural heritage value).	1.40	Third, the Rule 6(6) Party's position seems to give less weight to those parts of context which are comparable in scale to what is proposed. The Site has a strong association with the railway and nearby sites to the south of it and to the east, including Victoria Square.
1.29	My review of the policy context and material considerations leads me	1.33	This observation on townscape quality (or the lack of it) goes to what I see as a main point at issue as between the parties and in relation to RfR2.	1.41	Fourth, part of that context includes the highway improvements at Victoria Arch, which entail the widening of the road under the viaduct. This would become an important entrance to the town centre from the south, and one framed by the largest building in the Appeal scheme and the answering tower in the Victoria Square redevelopment.
		1.34	RfR2's wording is telling. It alleges that the bulk and massing of the proposals will harm the 'prevailing character of the area'. The Council's SoC [CD 10.1.2] reinforces that point by referring to impacts on a range of local views and the impact of the scheme more generally in its local area'.	1.42	Therefore, the proposals have legibility which reflects the function and organisation of the town centre and reinforce the town's status in a wider regional context, reflecting too the importance of the railway for that.
		1.35	The Rule 6(6) Party's SoC [CD 10.1.3] makes the point emphatically highlighting several areas around the Site which are lower in height and contain sensitive uses (see its part 1 SoC, figure 3, which also identifies the residential enclave to the northwest of the Site).		
		1.36	The proposals, the Rule 6(6) Party effectively allege, are out of scale with the prevailing context heights north and west of the Site.		
		1.37	It is obvious that the scale of the proposals is in parts much greater than		
		¹ I should add the Council do also identify a more distant impact expressly, HTVIA view 10, from a settled residential area near the historic parish church to the north and west of the Site. I note here that there is no allegation of harm, however, to any designated assets or otherwise formally designated land as set out in footnote 7 of NPPF [CD 0.1.1], paragraph 11.			

1.43	Fifth, the criticisms appear to me to disregard the ways in which design can mitigate scale differences through the position of buildings on a site and the massing of development as well as through detailed design. The objections on pure height and mass grounds cannot be made out fully without a consideration of the fine grain of the architectural design (presented in detail as part of a full application). In fact no party has taken a pure design point against Mr Bidwell's scheme. Design quality just does not figure in the case being put on RfR2, and yet it is highly relevant as to mitigation but as a freestanding consideration (see the next point).	1.50	The design concept is a strong one, relying on a massing diagram which builds in scale to the main tower. The western aspects of the scheme have a well-mannered, handsome quality, demonstrating care and attention in detailing and variety which is the product of different brick cladding colours.	1.57	Section 9 treats the impacts of the proposals with the assistance of accurate visual representations. A number are being updated for the inquiry and on my advice, the Appellant also instructed two digital animations to assist the Inquiry.
1.44	And sixth, the objection appears to reject the idea that a striking new piece of modern architecture, forming part of a new skyline, be a benefit in its own right, completing or consolidating a skyline visually or adding something of high quality that lifts the standard of design in an area. If the Inspector agrees with that assessment, then that design quality is a benefit of significant weight under the terms of recently revised National Planning Policy Framework (2021) ('NPPF' or 'Framework') [CD 0.1.1] policy on design.	1.51	The eastern aspect of the scheme – the end you see on the approach from London – has a striking and memorable character which is inspired, Mr Bidwell explains [CD 12.2.2], by a geological formation, a geode. The effect of this eastern, angular plan is to generate a striking building image and silhouette which creates a particular sense of event or arrival for someone arriving by train and for someone walking to the scheme from the station or from eastern parts of the town.	1.58	First is a sequence that demonstrates how the proposals will add to the arrival and departure experience by train. I conclude this demonstrates that the proposals will provide a dramatic and positive addition to the skyline, enhancing that experience and so raising the prestige and profile of the town in its wider context.
1.45	Reading the two SoCs, it appears to me that no consideration is shown for the grouping and massing of the scheme as a whole, the way it tapers, and the role of intermediate scale blocks on the edges to create that taper and so providing transition to nearby sites.	1.52	The stepped massing, the open face of the 'geode', the variety of colours and well considered detailing, give the scheme a cohesive and well defined character which also has direction, marking the square and providing a point or figure of orientation in the wider townscape. Mr Bidwell's proof [CD 12.2.2] provides an analysis of this geological inspiration for the form of the development.	1.59	Second is a sequence that demonstrates the visual impact of the proposals from the residential enclave to the northwest, where I understand some of the Rule 6(6) Party syndicate members live. This was not requested at application stage.
1.46	Neither, and seventh, do the objections on RfR2 appear to take into account the way landscape proposals can likewise moderate and enhance scale as perceived in context.	1.53	Finally, I think the very clear build-up of form, from west to east, and the similar height of the tallest element to the consented scheme opposite, set up the conditions for skyline management. This is particularly apparent in the longer distant and medium distant views, where one sees the skyline in pure form, rising then falling.	1.60	This demonstrates how the proposals come in and out of view and also the way that the varied massing reduces visual impact. Moving studies enable an appreciation of what is sometimes called setting depth, and is the product of motion parallax. With reference to this useful piece of evidence, I conclude an acceptable impact on residential amenity, taking into account what has been consented including on land near to these streets and also the design of the proposals.
1.47	Section 8 , then, comprises a design analysis of the scheme, and a consideration of how it sits in its local context. This section, I think, answers the majority of the criticisms set out in the SoCs from the Council and the Rule 6(6) Party.	1.54	The clear transition in the scheme massing, therefore, will shape proposals near to it, encouraging the evolution of a coherent skyline (what is sometimes called 'skyline curation').	1.61	Throughout my evidence contextualises the static views, and I do this on the basis that some of the observations set out in the SoCs appear based on an analysis of the images rather than on the actual impact and effect on visual amenity. The Inspector will appreciate that human perception in the field is much more subtle and complex than a two dimensional image.
1.48	In that section I conclude that the proposals demonstrate architecture and urban design (including landscape) of the highest quality. This is an exemplary scheme by a very experienced architectural team, led by Mr Bidwell.	1.55	Inevitably some of these judgments are going to be subjective, and it falls of course to the Inspector to form his own views.	1.62	My Section 9 also refers to the provision of a static '360' view taken from the junction of Goldsworth Road and Victoria Way. The view demonstrates the proposals in the context of the Victoria Square development and the improvement works to Victoria Arch, including the public realm works proposed as part of the Appeal scheme. Taken as a whole, the changes are transformational and wholly beneficial to this key approach route into the town centre from the south.
1.49	It meets the terms of the National Design Guide ('NDG') [CD 0.1.3] as properly applied to this form of development, and so also therefore the design policies in the Framework [CD 0.1.1].	1.56	However, in this case I think it is right for the Inspector to give significant weight to the views of an experienced design review panel which has been involved in looking at a number of tall and large building schemes over the years in this town centre. This body of experts concluded that the proposals met the high standard of design required and also that the proposed scale was acceptable in context. The professional officers of the Council concluded similarly.		

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Another matter raised by the Rule 6(6) Party, and addressed in section 9, is the impact of the taller buildings seen over distances, as part of the skyline. They cite, in particular, an objection from Guildford Borough Council in support of this point. It is important to note that this objection is made in relation to the Crown Place ²and Commercial Way ³schemes only; those schemes are located at the other end of the town centre. The objection does reference the cumulative impact of tall buildings in Woking, but it is a very specific point in relating to the “cluttering” of the skyline by virtue of development to the east and west of the town centre. I return to this point at my section 9. Guildford Borough Council was consulted on the Appeal scheme, but has made no objection.
- 1.64

I conclude here again that the effects consequent on the visual impacts are acceptable and do not jar or undermine the quality or composition of those distant views.
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My final section, 10, considers the performance of the proposals against the criteria in the development plan policy and the Framework’s [CD 0.1.1] overarching design policies.

MY FINDINGS IN SUMMARY

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Thus, I conclude that RfR2 cannot be sustained because:
 - The bulk, mass and consequent scale of the proposals, having regard to detailed design, has an acceptable and in some cases beneficial effect on the townscape character of the local area and its visual amenity, taking into account consented and planned future development. On height, which does not feature in the RfR, I conclude that this is also acceptable. I record my finding in this way because the Rule 6(6) Party are objecting on pure height grounds.
 - That the proposals have an acceptable impact on the visual amenity across a wider area, enhancing the skyline in certain respects and causing no harm to the visual quality of settled residential areas.
 - Furthermore, I find that the proposals represent architecture of the requisite high standard for a development of this scale, and so will raise the standard of design in the local area. If the Inspector agrees, then, under the terms of Framework [CD 0.1.1] in particular, this finding attracts significant weight in the planning balance.
 - Additionally, I note the careful way that the proposals have been developed through discussions with officers and with the DRP, which has been involved over time in the consideration of tall and high density building proposals for Woking town centre.
 - I find furthermore that the allegation from the Rule 6(6) Party that there is no policy basis suitable to determine this Appeal is not made out. In fact, there is a well developed policy framework and it has been shaping consents over time.



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² Crown Place ref: PLAN/2019/1141 and PINS appeal ref: 3259819.
³ Commercial Way ref: PLAN/2019/0611.

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