



**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE)
RULES 2000**

**TOWN AND COUNTRY PLANNING APPEALS (DETERMINATION BY INSPECTORS)
(INQUIRIES PROCEDURES) (ENGLAND) RULES 2000**

**STATEMENT OF CASE
OF MILTON KEYNES COUNCIL**

**THE PARTIAL DEMOLITION OF THE EXISTING BUILDINGS AT COFFERIDGE CLOSE
AND THE CONSTRUCTION OF A NEW FOOD STORE WITH THE
RECONFIGURATION OF THE CAR PARKING (AMENDED DESCRIPTION, AMENDED
PLANS AND AMENDED SUPPORTING INFORMATION).**

AT

PROPERTIES AT COFFERIDGE CLOSE, STONY STRATFORD

**Planning Inspectorate reference: APP/Y0435/A/13/2205359
Council Reference: 11/00143/FUL**

22 NOVEMBER 2013

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APPENDIX 1

Site Location Plan showing "The Site" and its relationship with surrounding properties

1.0 Site and Surroundings

- 1.1 A full description of the appeal Site known as Cofferridge Close (“the Site”) and surrounding locality and the context within Milton Keynes will be given. The key characteristics of the Site are considered to be:
- 1.2 The Site lies within the centre of Stony Stratford, to the rear of the High Street and measures approximately 1.4 hectares. The Site lies within designated Stony Stratford Conservation Area.
- 1.3 The Site comprises of two A1 retail units and an A3 restaurant fronting onto the High Street, with a dry cleaners, opticians and A1 food store (currently Budgens) set back from the High Street with the food store facing onto a short stay car park containing 59 spaces. The Site includes a number of offices (all of which are currently vacant), a dental practice, a long stay car park a service yard for the existing food retail store and access to other service yards and an area of open space containing a number of substantial trees and parking spaces for surrounding properties and private residential garaging for occupiers of some of the properties in Silver Street and Horsefair Green.
- 1.4 Vehicular access to the Site is taken from Silver Street through an archway formed by residential flats at first floor level, which was statutorily listed as Grade II in May 2012. This is the access for all vehicles including delivery vehicles to the existing food store and other units within Cofferridge Close and on the High Street. There are currently eight pedestrian access routes into the Site.
- 1.5 The Site was built in the 1970's by the Milton Keynes Development Corporation and fronts onto the High Street. The element of the building fronting the High Street is set back from the other buildings along the High Street, behind large brick columns and this design is carried through into the building at the rear which consists of one large two storey brick built building which extends back from the High Street towards Silver Street, with a continuous linear structure and a single storey element which projects out from the main structure to the north west which forms part of the existing food store and dental practice.
- 1.6 To the south west of the Site lies Silver Street which comprises mainly of residential dwelling houses located on both side of the road. Silver Street provides vehicular accesses to both Cofferridge Close and the Market Square and is one of the main routes around the edge of the town centre following the implementation of a one way system along the High Street. There are a number of statutory listed buildings within proximity of the site including the Methodist Church and residential dwellings at numbers 7 to 23 Silver Street.
- 1.7 To the south east of the Site is Horsefair Green, which consists of residential dwellings on both sides of the road with a linear green area. A number of buildings located along Horsefair Green are listed. Pedestrian access to the Site is taken from Horsefair Green. The northwest boundary of the Site lies adjacent to the rear

of properties located on Market Square and includes Stony Stratford Health Centre and a former office building which has been converted into residential dwellings and car parking to the rear of 8 Market Place. The High Street forms the north eastern boundary of the Site and comprises of a number of listed buildings with a number of pedestrian access points from the High Street to the Site, including the main access between units 9 and 10 Cofferridge Close

- 1.8 Details of the location of the Site and its relationship to surrounding properties can be seen at Appendix 1.

2.0 PLANNING HISTORY

- 2.1 Details of relevant previous planning applications and decisions will be provided.
- 2.2 The following history is particularly relevant to this appeal:
- 2.3 The existing Cofferridge Close development was permitted under the New Towns Act in the 1970's by Milton Keynes Development Corporation.
- 2.4 MK/401/95 – Permission for part removal of street colonnade, erection of glazed canopies, cafe extension, widening of passageway, additional car parking, re-alignment of footpaths and associated works on 02.11.1995
- 2.5 MK/402/95 - Listed building consent for removal of 3 brick columns on high street frontage and reduction in the size of retail and cafe units adjacent to passageway on 02.11.1995
- 2.6 11/01423/EIASCRCR - Screening opinion request for the partial redevelopment of Cofferridge Close, Stony Stratford (Environmental Impact Assessment is Not Required 14.07.2011).

3.0 THE PROPOSAL

- 3.1 Permission is sought for the partial demolition of the existing buildings at Cofferridge Close and the construction of a new food store with the reconfiguration of the car parking.
- 3.2 The application was accompanied by a Planning Statement, Design and Access Statement, Retail Statement, Highway, Traffic and Transportation Assessment, an Arboriculture Impact Assessment (including a tree survey and tree retention/removal), a Flood Risk Assessment and Surface Water Drainage Strategy and a Heritage Assessment (Archaeology) and draft Heads of Terms (for a section 106 Agreement).

4.0 THE COUNCIL'S RESOLUTION

4.1 At a Development Control Committee meeting on 14th March 2013 the committee resolved to refuse planning permission for the following reasons:

1. The size, scale, form and design of the development and extent of the area of hard standing to accommodate an over provision parking to serve the development and lack of opportunities to retain an existing area of public open space within the site; the loss and re-provision of less trees than are already contained with the site; the lack of opportunities for on site biodiversity and detrimental impact on the residential amenities of 7-23 Silver Street would all constitute an over development of the site. The application would be contrary to policies D2, D2a, D1 (iii and iv), NE3, L2 of the Milton Keynes Local Plan 2001 – 2011.
2. The demolition of a large section of the existing building and proposed scheme would cause harm to Cofferridge Close as a heritage asset in its own right. The proposed development would cause harm to the significance of the designated heritage assets, Stony Stratford Conservation Area and the listed buildings, 7-23 Silver Street. The development would be contrary to policies HE5 and HE6 of the Milton Keynes Local Plan 2001 – 2011, Policy CS20 of the Core Strategy and paragraphs 134 and 135 of National Planning Policy Framework
3. The development would result in the loss of an important community facility (NHS dental practice) for which no alternative provision has been made within Stony Stratford Town Centre. The development would be contrary to policy C2 of the Milton Keynes Local Plan 2001 – 2011.

5.0 THE COUNCIL'S CASE

- 5.1 The Council will expand on its reasons for refusal of Planning Permission to show why the proposal is contrary to policies in the adopted Milton Keynes Local Plan 2001 – 2011. In particular, the Council will comment and expand upon the following issues:
- 5.2 The nature of the planning application which is a full planning permission for the partial demolition of the existing buildings at Cofferridge Close and the construction of a new food store with the reconfiguration of the car parking
- 5.3 The character and impact of the landscaping on the Site.
- 5.4 The extent of development already on the Site.

- 5.5 The size, scale, form and design of the development and extent of the area of hard standing to accommodate an over provision parking to serve the development and lack of opportunities to retain an existing area of public open space within the Site.
- 5.6 The loss and re-provision of fewer trees than are already contained with the Site and the lack of opportunities to improve or enhance on Site biodiversity
- 5.7 The detrimental impact on the residential amenities of the occupiers of properties at 7-23 Silver Street which constitute an over-development of the Site.
- 5.8 The demolition of a large section of the existing building and the harm caused by the proposed scheme to Cofferridge Close as a heritage asset in its own right.
- 5.9 The harm which would result to the significance of the designated heritage assets, Stony Stratford Conservation Area and the listed buildings at 7-23 Silver Street.
- 5.10 The loss of an important community facility (NHS dental practice) for which no alternative provision has been made within Stony Stratford Town Centre contrary to Policy C2 of the Milton Keynes Local Plan 2001 – 2011.
- 5.11 The Council reserves the right to submit further information in respect of the reasons for refusal of the application, and reserves the right to present evidence to rebut or otherwise address any other issues that may be highlighted in the appellant's submissions.

6.0 Relevant Planning Policies

- 6.1 A list of all relevant policies from the Milton Keynes Local Plan Adopted December 2005 will be provided.
- 6.2 Policies D1, D2A, D2, HE5, HE6, NE3, L2 and C2 are considered to be particularly important in the assessment of this appeal.
- 6.3 A list of all relevant policies from the Milton Keynes Core Strategy Adopted July 2013 will be provided.
- 6.4 Policy CS20 is considered to be particularly important in the assessment of this appeal.

7.0 National Planning Policy

- 7.1 Reference will be made to the National Planning Policy Framework (NPPF March 2012). The conformity of the relevant policies in the Milton Keynes Local Plan will

be explained. Reference will also be made to Circular 11/95 – Use of Conditions in Planning Permission.

7.2 Paragraphs 134 and 135 of National Planning Policy Framework 2012 are considered to be particularly important in the assessment of this appeal.

8.0 Comments on the Appellant's Grounds of Appeal

8.1 In addition to the Council's case as outlined above comments on the appellant's grounds of appeal will be made where appropriate.

9.0 Conditions

9.1 Without prejudice to the Council's case in this matter, in the event that the Inspector is minded to allow the appeal, conditions will be suggested.

10.0 Documentation

10.1 The documents which the Council will adduce in evidence will include any or all of the following: -

10.1.1 Adopted Milton Keynes Local Plan 2001 – 2011

10.1.2 Adopted Milton Keynes Core Strategy July 2013

10.1.3 National Planning Policy Framework March 2012

10.2.4 Circular 11/95 – Use of Conditions in Planning Permission

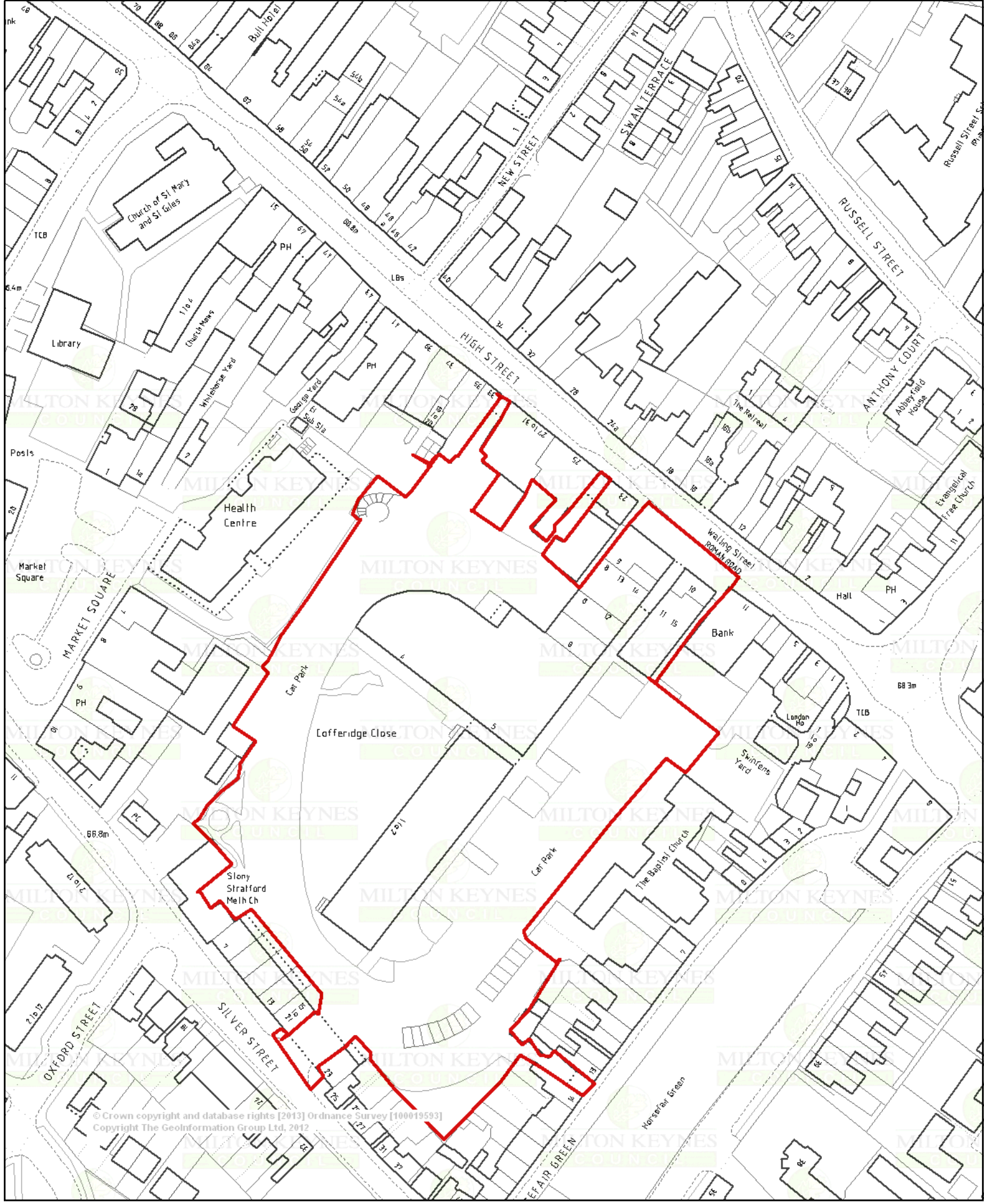
10.1.5 The relevant officer report on the application

10.1.6 The submitted application drawings, supporting letters, representations and other documents submitted with the appeal questionnaire.

10.1.7 Details of other planning applications and appeals, as appropriate.

This Statement of case can be viewed on line at:
www.milton-keynes.gov.uk/publicaccess using the planning
reference number 11/00143/FUL

Or at the Planning Department
Civic Offices, 1 Saxon Gate East
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COFFERRIDGE CLOSE, Stony Stratford

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