

## **COFFERIDGE CLOSE SAVED FROM NEAR TOTAL DEMOLITION**



The Planning Inspectorate has just issued its decision in relation to the Cofferridge Close planning appeal. The Inspectorate has decided to dismiss the appeal. This means that the owner's wish to demolish most of Cofferridge Close and build a new larger supermarket in its place will not now happen. The Inspector's decision, is final but, like any such decision, it could be subject to judicial review.

### **BACKGROUND**

In January 2011 the owners of Cofferridge Close submitted a revised planning application to the MK Council to demolish the central part of the development, replacing the existing supermarket, the two office wings and the dental practice with a much larger supermarket. Alterations would also be made to the car park, circulation areas, servicing arrangements and the amenity land, with 46 mature trees scheduled for uprooting. The demolished colonnade to High Street would be reinstated and the unattractive metal and glass panels removed. Only 9 of the existing 15 columns in the Close would have been retained, destroying the architectural integrity of the building. During the estimated 18 month period of demolition and re-building, there would be no replacement supermarket for local shopping needs, and the high volume of HGV construction traffic would create traffic chaos and pollution in the town centre.

In March 2013 this planning application was turned down by the MK Council. In September 2013 the owners submitted an appeal to the Planning Inspectorate against the decision taken by the MK Council. In March of this year a two week long public inquiry was held by a Planning Inspector at the Cock Hotel in Stony Stratford.

The inquiry received formal contributions from several directions and interests. The owners/developers were represented by Planning Consultants, Barton Willmore, coordinated by Timothy Corner QC; the MK Council contribution was coordinated by junior barrister Philippa Jackson and the contribution of the Rule 6 Party (Stony Stratford Town Council and Local

Residents Group 'Save Cofferridge Close') was coordinated by junior barrister Jack Smythe. In addition there were at least 16 other informal contributors, representing various aspects of the town's activities.

The Inspector (Mr. M Middleton, BA(Econ), Dip TP, Dip Mgmt MRTPI ), having heard strongly-presented cases representing both sides of the argument, has now come to a refusal decision. Taking everything into account, the Inspector came to three main conclusions as follows:

*1 "The proposal would be harmful to the character and appearance of the Stony Stratford Conservation Area and the setting of the Listed Building at Nos. 7-23 Silver Street. It is therefore contrary to CS Policy CS19 and saved LP Policies HE5 and HE6. Sections 66 and 72(1) of the Act require that I attach considerable weight and importance to any harm found to a heritage asset. Notwithstanding the acknowledged benefits of the proposal to the heritage assets, I nevertheless consider the overall harm to the significance of the heritage assets would be at least significant".*

*2" There would also be harm to the living conditions at 7-23 Silver Street and could be harm to local highway considerations. Although insufficient on their own to refuse planning permission, these other considerations also weigh against the proposal. Paragraph 134 of the Framework says that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".*

*3 "In the circumstances of Stony Stratford Town Centre, I consider the public benefits of the scheme to the securing of a vital and viable town centre, increased customer choice and reducing unsustainable journeys to shop, as well as all of the other benefits acknowledged, amount to no more than moderate weight. I therefore find for the reasons discussed above and having taken account of all of the other matters raised, including the representations from local residents, both verbally at the Inquiry and in correspondence, that the appeal should be dismissed".*

### **COMMENT: Rule 6 Party Reaction**

Rob Gifford (Chair. Stony Town Council) said, subsequently *"Since 2010, when the Cofferridge Close owners submitted their first planning application (subsequently superseded by the 2011 version), Stony has felt as though it has been under siege for the last four years by big commercial interests at odds with the good health of the town. The owners were only interested in enhancing the value of their property not with estimating what the town needed or what local residents thought. The Town Council held two packed public meetings where the overall view was to oppose the developer's scheme. The Town Council is delighted that a very thorough planning inquiry has resulted in the proposal to demolish Cofferridge Close has been turned down. This is a good day for our town"*

Tony Kaye and Graham Benjamin (town residents) said *"Ripping- down a highly re-usable building like Cofferridge Close and thereby and town life turning Stony into a building site for two years would have been a disaster. It would have killed-off town trade for those two years. Also, the extra traffic that a much larger store would have generated would have been too much*

*for our narrow streets. The sensible thing to do is to make use of the existing building - which is exactly what we raised at the inquiry with our Plan B "proposal".*

Robert de Grey (architect and town resident) who drew-up Plan B for the Rule 6 Party said, "*Cofferidge Close is a good solid building and can easily be adapted to meet the future needs of the town. We don't need a massive new super store, a slight size increase of the existing Budgens store would be adequate to meet local needs*".

Edward Hudson (town resident) who challenged the economics of the proposed large store said, "*The developer's sums never added-up. The proposed store would have needed to have generated something like £19 million turnover per annum but with the number of competing stores in the area, the likely turnover for the proposed store would have been only around £10 million per year thus resulting in a failing development. Stony could easily have been left to pick-up the pieces - not an attractive situation*".

Mike O'Sullivan (town resident and former City Councillor) said, "*The planning decision is fantastic because two very worthwhile ends emerge. We have saved from needless demolition a very excellently designed 1970's building that Nikolaus Pevsner spoke well of in his "Buildings of England". Further, we have seriously raised the profile of modern architecture locally. Being a new city, MK is full of twentieth century buildings yet only two have been listed so far. It is now time for our City Council to get a move on with its promised scheme for local listing of contemporary buildings and structures. That way we might avoid future confusion and upset such as we have experienced with the Cofferidge Close saga. It has been a very wearisome four year experience for all of us - I'm still having dreams about it!*".

### **WHAT HAPPENS NEXT?**

The Inspector's decision is final but is theoretically subject to judicial review. Such a review could arise if there was a concern about the Inspector's decision being improperly arrived at, but in this instance there would seem to be no grounds for concern.

The owners should now accept with good grace that their proposal to give us a huge new superstore that we neither want or need is not going to happen. They should sell Cofferidge Close off to someone who can make a 'go' of it as it stands. Basically, this means using Robert de Grey's Plan B solution as a basis for going forward and raising the standard of shopping in the town.

*Mike O'Sullivan. Dip.Arch., DP.TP., MRTPI.*