

TOWN AND COUNTRY PLANING 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 & DOCUMENT LIST
OF RULE 6 (6) PARTIES**

**STONY STRATFORD TOWN COUNCIL
SAVE COFFERIDGE CLOSE GROUP**

**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

Planning Inspectorate reference: APP/Y0435/A/13/2205359

Local Planning Authority Reference: 11/00143/FUL

The partial demolition of the existing buildings at Cofferridge Close and the construction of a new foodstore with the reconfiguration of the car parking
Cofferridge Close, Stony Stratford, Milton Keynes

STATEMENT OF CASE ON BEHALF OF STONY STRATFORD TOWN COUNCIL AND SAVE COFFERRIDGE CLOSE GROUP - RULE 6 (6)

1. INTRODUCTION

1.1 The Town Council and Save Cofferridge Close Group is opposed to the Appeal, supports the Milton Keynes Council's reasons for refusal and will call evidence to supplement the reasons for refusal and in addition advance evidence on the viability of the proposed development and the impact on the highway network.

1.2 The proposed development would undermine the value of Cofferridge Close as a major architectural project of “new heritage” of the new city of Milton Keynes and be detrimental to the character and appearance of the Conservation Area.

1.3 Cofferridge Close is an area of 1.4 hectares fronting the High Street, Stony Stratford. The Close was designed by a nationally respected planning team as an urban design scheme to integrate Stony Stratford into the new city of Milton Keynes, and is considered significant in the history of the early years of the development of Milton Keynes. The scheme is based on the architectural concept of a cathedral close with modern English architecture and reflects the original concept of a medieval town enclosure.

1.4 The residential part of the scheme and the covered entrance to Cofferridge Close were statutorily listed Grade 2 in May 2012. The way in which the housing is integrated into its setting in the Close merits the protection that its recent listing reflects.

1.5 English Heritage in their assessment for listing commented that an extremely high level of intactness is required for the listing of buildings of this type otherwise the scheme would have been listed in its entirety.

1.6 Cofferridge Close is critical to the setting of the residential part of the scheme, namely 7-23 Silver Street, which is only the second building in modern Milton Keynes to be added to the statutory list, a fact that reinforces the importance of the scheme as a whole.

2. OTHER RELEVANT PLANNING APPLICATIONS

2.1 Details of relevant previous and current planning applications and decisions will be provided. The following are particularly relevant to this appeal:

- Applications MKL/401/95 and MK/402/95
- Application 13/01518/FUL: Stony Stratford Community Church, Horsefair Green ,Stony Stratford ,Milton Keynes MK11 1JW
- Application 13/02219/FUL: Change of use from retail (use class A1) to dental practice (use class D1)

3. THE CASE FOR REFUSAL: HARM TO THE CONSERVATION AREA

3.1 The developers' proposed intervention neither preserves nor enhances the character and appearance of the Conservation Area and damages the setting of contemporary and historic listed buildings at the heart of the town's Conservation Area.

3.2 The removal of a significant area of open space and other landscaping which is integral to the original design of Cofferridge Close and replacement with hard standing for car parking provision will be detrimental to the character and appearance of the Conservation Area.

3.3 The removal of a large number and variety of mature trees and the town orchard which has existed since 1707, and replacement with a lesser number of trees that will be incidental to the main function of the space as a supermarket car park, will be detrimental to the character and appearance of the core of the Stony Stratford Conservation Area and to the Conservation Area as a whole.

3.4 The redevelopment proposal is contrary to Conservation Area guidance which aims to

preserve or enhance all features that make a positive contribution to a Conservation Area, not just the buildings. Such features include open spaces, green areas, parks, gardens and trees.

3.5 The removal of town centre green space and 'the orchard' will be detrimental to the special interest of this core part of the Conservation Area since both elements hark back to historic uses of Cofferridge Close. The loss of these features will diminish historic significance and sense of place.

3.6 The orchard, trees and green space are the subject of local and national designation

3.7 The survival of a traditional orchard in an urban setting is an unusual survival and as such should be preserved

3.8 The open space, trees and orchard are at the heart of the Conservation Area visible and accessible to and valued by the people using the 8 pedestrian routes through the Close.

4. THE CASE FOR REFUSAL: LOSS OF A HERITAGE ASSET

4.1 The redevelopment proposal fails to protect an important 20th Century New Town architectural contribution. The scheme is significant in the history of the new city of Milton Keynes, being the first major development of the newly formed Milton Keynes Development Corporation.

4.2 The application for demolition fails to recognise the architectural importance of Cofferridge Close and the impact that demolition will have on a non-designated heritage asset, the setting of adjacent designated Heritage Assets, and the Conservation Area

4.3 The loss of the majority of the existing scheme through demolition will destroy the architectural context of the listed buildings 7-23 Silver Street

4.4 The harm that the proposal will cause to the heritage assets, to a non-designated heritage asset, and to the Conservation Area ,will not be outweighed by alleged public benefits.

5. THE CASE FOR REFUSAL: DETRIMENTAL PUBLIC IMPACT OF THE TRANSPORT PROPOSALS

5.1 The Traffic Management evidence used in support of the redevelopment proposal is based upon an inappropriate design standard and ignores the way in which the local streets actually work, particularly the impact on on-street parking, movement and the way the network is used by pedestrians and cyclists.

5.2 The proposal is based on the incorrect use of government guidance and makes an incomplete and incorrect assessment of the nature and capacity of the local streets.

5.3 It was accepted by Milton Keynes Council in the Report to Committee there can be no doubt that the proposed development will result in an increase of traffic on the streets of Stony Stratford.

5.4 The proposal for removal of long stay parking in the town centre fails to recognise the impact on businesses, shops, pubs, restaurants, and town events that makes Stony Stratford unique and attract visitors to the town.

5.5 Cofferridge Close is the main town car park and its replacement, as sought, by time controlled parking to serve a supermarket would be detrimental to the viability and vitality of the town centre, both as to retail and non-retail impacts and overall parking provision.

5.6 The only access for vehicles, including all delivery vehicles, is through a single archway entrance statutorily listed Grade 2. It was accepted by Milton Keynes Council in the Report to Committee that visibility from Cofferridge Close along Silver Street is less than ideal.

5.7 The redevelopment will exacerbate existing pedestrian safety issues in the town due to increase in traffic movement, particularly heavy goods vehicles.

5.8 Cofferridge Close has very well defined pedestrian access routes reflecting the historic fabric of Stony Stratford that link the green spaces at the centre of the town, being part of a sequence from Horsefair Green to Market Square. This pattern of pedestrian routes which cross Cofferridge Close will be disrupted and cut by the redevelopment.

5.9 The proposed redevelopment does not take into account the need to prioritise pedestrians over motor traffic flow.

5.10 The proposal does not promote sustainable transport and contravenes specific provisions set out in the NPPF.

6. THE CASE FOR REFUSAL: IMPACT ON ECONOMIC SUSTAINABILITY

6.1 The proposed supermarket and car park do not constitute sustainable development within the meaning of the NPPF. The social, environment and economic benefits claimed from this redevelopment will be refuted.

6.2 The development is speculative and would not be a viable use of the site, because a store of the size proposed would not achieve a retail density approaching the benchmark require by major food multiples.

6.3 It is neither economically nor environmentally sound to demolish a historically significant building when a viable alternative use can be demonstrated.

6.4 The proposed demolition of the office block would represent the loss of a unique opportunity to relocate the Stony Stratford Health Centre, which is currently seeking to move out of its present unsatisfactory premises on the Market Square.

7. OTHER INFORMATION

7.1 We will call witnesses to address the main points of our case. We will also call local witnesses.

7.2 We reserve the right to submit further information in respect of the reasons for refusal of the application, and reserve the right to present evidence to rebut or otherwise address any other issues that may be highlighted in the appellant's submissions.

8. DOCUMENT LIST

8.1 The document list is attached.

Town and Country Planning Act 1990

Appeal by CB Richard Ellis Investors - Site at Properties At Cofferridge Close, Stony Stratford, Milton Keynes, MK11 1BY

Appeal ref. no: APP/Y0435/A/13/2205359

Rule 6 Parties -

Stony Stratford Town Council & Save Cofferridge Close Group

DOCUMENT LIST accompanying Statement of Case

0. ABBREVIATIONS

MKC – Milton Keynes Council

SSTC – Stony Stratford Town Council

SCC – Save Cofferridge Close group

1. CORE REGULATORY DOCUMENTS across subject categories

1.1 Localism Act 2011

1.2 MKC (MKC) Adopted Core Strategy (2013)

1.3 MKC Assets of Community Value (Right to Bid) Register

1.3 MKC Saved Local Policies (Local Plan 2001-11, adopted December 2005)
- referenced in Core Strategy appendix 3

1.4 National Planning Policy Framework (March 2012) (NPPF)

2. OTHER CORE DOCUMENTS across subject categories

2.1 'Plan B' – Community alternative scheme for Cofferridge Close – SCC

3. SUBJECT CATEGORIES

3.1 HERITAGE

3.1.1 National Planning Policy Statement 5 (PPS5)

3.1.2 Applicant Perspective in Application and Appeal submitted literature and correspondence

3.1.3 English Heritage Opinion, May 2012, Case Number: 468471

3.1.4 English Heritage list entry (7-23 Cofferridge Close) Entry no. 1407948

3.1.5 Twentieth Century Society Opinion to MKC Case Officer 27 February 2013

3.1.6 Architectural Design , Vol. XLV, 6/1973 Cofferridge Close supplement, Milton Keynes

Express/Mirror, November 7 1975

3.1.7 Terry Farrell , Cofferridge Close: an Appraisal (including landscape comment by John Medhurst), The Architects' Journal , 1 November 1978
Fisk, Eugene, Milton Keynes, 1981

3.1.8 Meadows, Dorothy M, Early Years in Stony Stratford 1913-1929

3.1.9 Pevsner, N and Williamson, E, The Buildings of England: Buckinghamshire, 2000

3.1.10 Walker, Derek, The Architecture and Planning of Milton Keynes, 1982

3.1.11 Wynn, Martin with Smith, Roger & Totterdill, Peter, Planning Games, Ch. 2 New Build in a New Town (the Design of a Retail and Service Centre): the Cofferridge Close Game, 1985 Housing at Cofferridge Close, sale details (nd) Map National Grid Reference: SP7873340255

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3.2 LANDSCAPE IN A CONSERVATION AREA

3.2.1 Milton Keynes –Eugene Fisk-The People's Press of Milton Keynes- 1981

3.2.2 The Architecture and Planning of Milton Keynes – Derek Walker – The Architectural Press: London -1982

3.2.3 Understanding Place: CA Designation Appraisals and Management – English Heritage 2011

3.2.4 Understanding Place-an introduction – English Heritage- June 2010
Revised June 2012

3.2.5 UK Biodiversity Action Plan Priority Habitat Descriptions – Traditional Orchards 2008

3.2.6 Traditional orchards – Natural England Technical Information Note TIN020 - 19/10/2010

3.2.7 Traditional Orchard Project in England – Natural England 05/05/2011

3.2.8 Objection to planning application 11/00143/FUL on grounds of loss of Amenity – Angela Cook 2012

3.2.9 Documents submitted for planning application 11/00143/FUL

3.2.10 Planning decisions by the Local Authority and appeal decisions by the Planning Inspectorate relevant to the subject

3.3 SUSTAINABILITY

Appeal decisions

3.3.1 Appeal Decision APP/A4710/A/12/2171556 of 13 November 2012 re. proposed food store at Todmorden, West Yorkshire

3.3.2 Appeal Decision APP/E2340/A/12/2175946 of 31 October 2012 re. proposed food superstore at Barnoldswick, Lancashire

Guidance material

3.3.3 DCLG & DfT, Manual for Streets (2007)

3.3.4 The Highways Agency, Design Manual for Roads and Bridges, Vol 0, Section 1, Part 2, GD01/08 (May 2008) and Vol 11, Section 3, Part 8 (June 1993)

3.3.5 DCLG, Planning for Town Centres: Practice Guidance on Need, Impact and the Sequential Approach (December 2009).

3.3.6 JMP, TRICS® Good Practice Guide (2012)

Retail studies

3.3.7 Roger Tym & Partners, The Milton Keynes Retail Capacity and Leisure Study (February 2010) and Appendices

3.3.8 Roger Tym & Partners, Milton Keynes Council Retail Capacity Update (August 2011) and Appendices

Documents in planning application 13/00143/FUL

3.3.9 Barton Willmore, Design and Access Statement (December 2012, revised)

3.3.10 Barton Willmore, Revised Planning Statement (December 2012) and Appendices

3.3.11 Barton Willmore, Retail Statement (December 2012)

3.3.12 WSP, Updated Highways, Traffic and Transportation Assessment (December 2012) and Appendices and Drawings.

3.3.13 Edward Hudson, Economic Sustainability Assessment for the Proposed Store (July 2012) and updated edition in course of preparation

3.3.14 All correspondence from Barton Willmore and WSP to Milton Keynes Council

Documents in other planning applications

3.3.15 Barton Willmore, Representation on behalf of CBRE Investors, letter 17073/A3/AI/cjh of 31 October 2011 in planning application 11/01685/MKPCO

4. TRANSPORT

4.1 WSP, Land at Cofferidge Close, Traffic and Transportation Assessment (January 2011 revised March 2011)

4.2 Correspondence WSP to MKC (MKC case file)

4.3 Department for Transport, Design Manual for Roads and Bridges (1992 with subsequent updating)

4.4 Department for Transport and Department for Communities and Local Government, Manual for Streets (2007)

4.5 Parking survey

4.6 Shopper survey

5. PLANNING APPLICATION - change of use for relocation of dental surgery

5.1 Planning Application MKC 13/02219/FUL

By Barton Willmore for CBRE Investors; including documents and references cited therein

5.2 Objection to application MKC 13/02219/FUL by Stony Stratford Town Council (November 2013); including documents and references cited therein

6. MISCELLANEOUS

6.1 The relevant officer report on the application

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

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

6.4 Speeches to MKC Development Control Committee (DCC) 14th March 2013 by Ward Councillor (MKC) Philip Wharton; Chair SSTC Rob Giffard; Graham Benjamin of SCC

6.5 Various correspondence between the agent Barton Wilmore and the MKC Senior Planning / Case Officer obtained from MK Council following Freedom of Information Request and other requests – MKC case files

6.6 Letter of Objection: Barton Wilmore to WEA Supermarket

6.7 Applications MKL/401/95 and MK/402/95

Application MKC 13/01518/FUL Stony Stratford Community Church Horsefair Green Stony Stratford Milton Keynes MK11 1JW

6.8 The appeal decision (06/2025545)

at: [http://www.pcs.planningportal.gov.uk/pcsportal/fscdav/READONLY?OBJ=COO.2036.300.2.6407332&NAME=/decision letter.pdf](http://www.pcs.planningportal.gov.uk/pcsportal/fscdav/READONLY?OBJ=COO.2036.300.2.6407332&NAME=/decision%20letter.pdf).

The full list of planning applications for this property (including the one just launched) is at: <http://publicaccess2.milton-keynes.gov.uk/online-applications/propertyDetails.do?activeTab=relatedCases&keyVal=0000G100LI000>

END