



Appeal Decision

Site visit made on 1 November 2023

by Nick Palmer BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st November 2023

Appeal Ref: APP/F3545/W/22/3314065

4-6 Market Hill, Brandon, Suffolk IP27 0AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr G's Bowling Alley against the decision of West Suffolk Council.
 - The application Ref DC/22/0971/FUL, dated 26 May 2022, was refused by notice dated 14 September 2022.
 - The development proposed is a first-floor extension over existing bowling alley to provide bedsit accommodation together with ancillary accommodation and access.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application form states that the Use Class¹ of the proposed development is Class C1, which covers use as a hotel or as a boarding or guest house. There is correspondence between the main parties in which the Council described the development as motel accommodation. While it would seem that this description is agreed between the parties, there is no record before me of any amended description having been agreed. I have accordingly used the description given on the application form in the heading.

Main Issues

3. The main issues in the appeal are:
 - i) the effect of the proposal on the character and appearance of the area, including its effect on the Brandon Conservation Area;
 - ii) its effect on the living conditions of adjacent occupiers;
 - iii) its effect on biodiversity; and
 - iv) its effect on highway safety.

Reasons

Character and Appearance

4. The Brandon Conservation Area (CA) is characterised by buildings lining its main routes which are domestic in scale with pitched roofs and faced with flint,

¹ Under the Town and Country Planning (Use Classes) Order 1987

- brick and render. Market Hill is a wide pedestrianised space with a large red brick Victorian building at its southern end.
5. The bowling centre occupies frontage buildings on London Road and Market Hill and includes a large single storey flat-roofed building which adjoins the rear of those buildings. This building adjoins Stores Street, a narrow street which runs between London Road and Market Hill and provides access to dwellings. Also, on that street and to the immediate south of the site is a two-storey hotel building.
 6. The single storey bowling centre building is of a larger scale than the surrounding buildings in terms of its footprint. It is also of a utilitarian modern design with a blank wall along Stores Street. This contrasts with the historic character of the houses on Stores Street, which are constructed of flint with pantile roofs.
 7. The additional storey would add substantially to the scale of the existing building. In this respect it would clearly be out of character with its surroundings and with the CA as a whole. Its size and bulk would be particularly oppressive when seen from Stores Street and it would be dominant in relation to the historic dwellings on that street. It would also be visible from London Road at its junction with Stores Street. The proposed mansard-style treatment to the first-floor elevations would do little to mitigate the scale and bulk of the development.
 8. The proposal would include a pedestrian bridge between the accommodation and the adjacent hotel at first floor level, which would be of steel construction with glazed balustrades. This structure would add to the incongruous nature of the development. Because of its elevated position it would be particularly visually intrusive and dominant.
 9. Policy CS5 of the Forest Heath Core Strategy (2010) (CS) requires development to be designed to a high quality and to reinforce local distinctiveness. Policy DM2 of the Development Management Policies² (DMP) requires that design respects the character, scale, density and massing of the locality, and that there is no adverse effect on distinctive historic character. For the reasons given, the proposal would not accord with those policies.
 10. For these reasons, the proposal would not preserve or enhance the character or appearance of the Conservation Area (CA). The proposal would not accord with Policy DM17 of the DMP which has this requirement and requires development to be of an appropriate scale, form, height and massing which respect the area's character and its setting. The harm to the CA would however be less than substantial, having regard to the location of the building behind the main street frontages.
 11. The appellant states that the development would provide accommodation for students and families. As such it would contribute to housing supply. It would also provide tourist accommodation. The development would be of public benefit in these respects. There is no evidence before me to indicate that there is any shortage of these types of accommodation, however.
 12. I give great weight to the identified less than substantial harm to the CA. The identified benefits would not be sufficient to outweigh that great weight.

² Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (2015)

13. Policy DM34 of the DMP is supportive of tourism development in towns provided that the character and appearance of the area is not harmed. The proposal would not accord with that policy for the reasons given.
14. For these reasons the proposal would unacceptably harm the character and appearance of the area.

Living Conditions

15. On the opposite side of Stores Street from the site, there is a car parking area for adjacent dwellings. Any rear garden areas for those dwellings are at their immediate rear and enclosed by the buildings. The rear windows of those dwellings do not face the site and the outlook of their occupiers would not be harmed by the development.
16. There is a dwelling on Stores Street which adjoins the street frontage and faces the yard area between the hotel and the bowling centre building. The proposal would increase the sense of enclosure of the street in quite close proximity to that dwelling. The proposed footbridge between the development and the hotel would be within the yard and some distance away from the dwelling. The footbridge would have balustrades of 1.2m in height, permitting views of its users towards the dwelling.
17. Because of its distance away from the dwelling, it is unlikely that it would result in unacceptable overlooking. Nonetheless I have concern that the combined effect of the first-floor extension and the footbridge would be quite oppressive when seen from the front windows of the dwelling and that this would unacceptably harm the living conditions of the occupiers of that dwelling in terms of their outlook.
18. For these reasons, the proposal would not accord with Policy DM2 of the DMP which requires that development does not adversely affect residential amenity. I conclude on this issue that the living conditions of adjacent occupiers would be unacceptably affected by the proposal.

Biodiversity

19. Policy CS2 of the CS requires a project level Habitats Regulations Assessment for new development within 1,500m of components of the Breckland Special Protection Area (SPA) designated for Stone Curlew, and within 400m of components of the SPA designated for Woodlark or Nightjar. The Council advises that the site is within those identified areas.
20. No information has been provided to enable such an assessment to be carried out, and it cannot therefore be demonstrated that the development would not have an adverse effect on the integrity of the SPA.
21. Policy DM11 of the DMP resists development that would adversely affect protected species. In the absence of the relevant information, it has not been demonstrated that the proposal would be in accordance with that policy.

Highway Safety

22. The proposal does not make any provision for car parking. I noted on my visit that there is a limited number of parking spaces alongside the Bowling Centre building on Stores Street. There is also a rear yard area, but it is likely that

this would be required mainly for servicing and that any scope for parking within the yard would be limited.

23. Policy DM46 of the DMP requires appropriately designed and sited car and cycle parking in accordance with current adopted standards, however the policy states that in town centres a reduced level of car parking may be sought.
24. The development would provide 13 rooms which, under the Suffolk Parking Guidance would require 13 car parking spaces. While the policy allows for reduced provision in town centres, it seems likely that the development could lead to increased pressure on available parking space on surrounding streets with potential implications for highway safety.
25. It has not been demonstrated that there would be any unacceptable impact on highway safety, however.

Other Matters

26. I have taken into account all other matters raised, including the problems with the leaking roof over the bowling centre, but those matters do not alter my conclusions.

Conclusion

27. For the reasons given, I conclude that the appeal should be dismissed.

Nick Palmer

INSPECTOR