



Appeal Decision

Site visit made on 2 December 2025

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal Ref: APP/F3545/W/25/3372748

Cornhill Walk Shopping Centre, Bury St Edmunds, IP33 1BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Knightspur Homes against the decision of West Suffolk Council.
 - The application Ref is DC/22/2181/FUL.
 - The development proposed is described as - *Demolition and redevelopment of the Cornhill Walk Shopping Centre to provide mixed use development, comprising commercial use (Use Class E) on part of ground floor and 41 residential units (Use Class C3) with associated car and cycle parking, bin storage, access and other associated works (as amended)*
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since issuing its decision the Council adopted The West Suffolk Local Plan 2024-2041 (LP). The appeal was submitted after the adoption of the LP and therefore the appellant has had an opportunity to address the change in policy through their appeal submissions.

Main Issue

3. The appellant has submitted a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990 with their appeal. The Council are party to this and are satisfied it has addressed the second and third reasons for refusal, these being matters relating to the effect on infrastructure and transport. Accordingly, the main issue in this appeal is the effect of the proposed development on the significance of the Bury St Edmunds Town Centre Conservation Area (CA).

Reasons

4. The CA is focussed on the historic core of Bury St Edmunds. The town was probably established in the Anglo-Saxon era, but the subsequent Norman grid of streets and spaces is a very important aspect of local character. The street pattern of the historic core is focussed on the central marketplace at Cornhill and Butter Market and is a striking intact survival, which is still evident today and provides remarkable continuity. The tight enclosure of the streets around the historic core and the varied roof scape are other important elements of the townscape. Indeed, the sense of enclosure endures around Cornhill despite three narrow 'walks' linking through to St Andrew's Street South. Conversely, the Abbey Precinct to the east is much more open and verdant. It contains the Cathedral, other churches and the

remains of an abbey. To the south, water meadows provide some semblance of the town's original semi-rural setting.

5. Historically, the town grew in the medieval and early modern period out to the town gates. Consolidation then occurred, with a legible Georgian layer added to the built form, although some buildings have retained an earlier timber frame behind the façade. The 'Brackland' expansion then occurred to the north of the town centre, and this is referred to as the 'Victorian expansion' in the Conservation Area Appraisal (CAA). This comprises narrow streets flanked by terraces with the CAA specifically highlighting tall chimneys as a striking feature. This historic layering has resulted in a fine mix of period properties, many of which are listed. Over time, the town centre has retained a strong historic character despite some later infilling in more recent decades, which has been unsympathetic in both scale and style. Extensive on street parking is another detractor.
6. The combination of residential, commercial and religious uses in the town centre affords it a mixed vibrant character. The streets are tightly framed with buildings of different widths and heights, but few are very wide, and most are 2-3 storeys with a vertical emphasis. This, taken with the palette of materials, which largely comprises pastel coloured render and local bricks, provides both interest and harmony to the street scenes and roof scape. The predominant use of white painted timber sash windows on upper floors is a particularly unifying feature of the town scape.
7. Considering the foregoing, the CA is an exceptional repository of architectural styles and historic trends and developments. It tells us much about the evolution and morphology of an English town over the last 1000 years. The retained medieval street, the scale and form of buildings and the concentration of historic structures and townscapes combine to create a very attractive street scene. These points merge to afford the CA a high level of evidential, historic and aesthetic value and special interest – this being its significance.
8. Historic maps and photographs demonstrate that until quite recently, around the middle of the 20th Century, the appeal site, which is the site of a former chantry, was occupied by a collection of period buildings that broadly reflected the grain and form of the historic town centre. Indeed, they tended to be narrow, included sash windows, variable heights over 2-3 storeys and active edges which framed the street. By 1937 an Odeon cinema was constructed. Many of the smaller buildings in the 'perimeter block' were demolished to make way for this structure. That said, some frontage development was retained to Bentgoval Street and Short Brackland, including an old coaching inn, which appeared to soften the presence of what was a comparatively large building. Retaining these buildings also ensured some continuity with the urban grain of the historic townscape.
9. In the mid-1980s, the cinema and the remaining historic buildings around it (save for 12-13 Brentgoval Street) were demolished and replaced with the Cornhill Shopping Centre. This is a structure of its time with little architectural merit. Indeed, it lacks active frontages along Well Street and Short Brackland, and the clunky glazed atrium is prominent in views from Cornhill. That said, the building has a settled appearance and climbing plants provide some softening. Importantly, the height of the building is not excessive, and the massing is broken up, albeit with discordant steeped gables. It also reduces in scale along Well Street and Short Brackland in a way that respects the smaller size of buildings in the Brackland area of the CA. The tower element visible from Well Street is an eyesore though.

10. In a recent appeal (APP/F3545/W/19/3243763) relating to the redevelopment of the Cornhill Shopping Centre, the then Inspector came to an on balance finding that the building makes a neutral contribution to the CA. This is on account of the transition between the commercial core and surrounding residential streets and its varied roof design. The appellant, perhaps understandably, considers this a generous conclusion. However, I have adopted it as there is a strong public interest in consistency.
11. The appeal scheme would see the shopping centre replaced with a new structure that would be taller than the existing. The Council are especially concerned by the western wing of the building that would front onto Short Brackland. This part of the building would be arranged over four floors with the fourth floor stepped back. Although not a traditional building form, this would soften the massing. The proposal would also bring active edges to Short Brackland. Furthermore, Photo Viewpoint 2 (VP) in the appellant's Townscape Appraisal demonstrates that the existing stair tower would be removed from the background in views of the nearby primary school.
12. However, the structure would still appear very large even with the upper floor stepped back because of the consistent eaves height. Indeed, this wing of the building would not provide a variable roof height and thus respond to a key feature of the CA. Instead, the wing would appear incongruously large and bulky with a horizontal emphasis. Furthermore, due to the consistent height and lack of sufficient articulation/modulation to the elevation, it would appear as one large, wide and monolithic block at odds with the grain of the townscape, which is otherwise broadly characterised and enclosed by buildings with narrow frontages. The three-dimensional plans in the daylight assessment give a sense of the incongruous massing the western wing would have.
13. In addition, the highest part of the wing would be the northern end where a stair tower is proposed and would be exposed to view. Even when accounting for the recessed position of this feature, the building would not provide an acceptable transition between the commercial core and the smaller scale and residential character of Short Breckland, especially Nos 18-20. Neither a boundary wall nor landscaping, which could be secured through a condition, would mitigate for the lack of modulation, the height and overall massing of this part of the proposal.
14. Moreover, the elevational treatment of this wing would be very poor. There appears to be some attempt to replicate a Georgian terrace of town houses, but the lack of symmetry and balance to the window and door positions would result in a weak and unconvincing appearance. Indeed, the placement of windows and doors would be incoherent and interrupted by discordant balconies. The Short Breckland elevation would be a poor imitation of the stronger southern elevation proposed, which would include frontage sections which are symmetrical and better detailed. The western wing of the building would result in a high level of net harm to the townscape of Short Brackland and the significance of the CA as a whole.
15. The appellant correctly submits that the effect of the entire building on the significance of the CA needs to be considered rather than just the one detracting element. In this respect, it is suggested that the building would result in enhancements to the CA which would outweigh the harm caused by the west wing.

16. The southern, Bentgoval Street elevation would also be arranged over four floors with the upper floor set back. It is difficult to gauge the impact of the upper floor as VP5 has been taken from a location where the building is obscured by a tree in full leaf, rather than a winter view or a position a little to the east. Again, the three-dimensional massing plans in the daylight assessment gives a sense of the extensive massing of this part of the building. Indeed, the long unbroken ridge/eaves of the top floor would be uncharacteristic of the varied roof scape of the area. That said, existing buildings would largely obscure the extent of the massing in views from Cornhill and the elevation would have modulation. Another less successful element of the proposal would be the glazed entrance because its visual permeability would visually weaken the enclosure of the townscape.
17. Nevertheless, below the fourth floor, the elevation would exhibit a traditional Georgian aesthetic with polite symmetry, sash windows set behind reveals, centrally placed doors and stone cills and parapets. The massing would be skilfully broken up, especially when viewed in the vicinity of VP3.
18. The Suffolk Preservation Society have raised concerns about imitating historic architectural styles, but there is nothing wrong with this approach provided it is done with integrity and quality. In this respect, it would be possible to impose conditions requiring details of materials (including the use of timber windows and doors), brick bonds and mortar mixes. Aluminium glazing is proposed to the shop fronts, as opposed to the more traditional design used elsewhere in the CA, but the details could be secured by condition. Overall, a polite Georgian style to the southern elevation would allow the building to sit comfortably in a street scene largely characterised by this type of architecture. As such, the proposal would moderately enhance the townscape when viewed from Cornhill, Butter Market and Brentgoval Street. There would also be a modest enhancement to the view when looking east along Brentgoval Street as the inelegant atrium would be removed.
19. The Well Street wing of the building seeks to blend a two-storey 19th Century terrace with a modern three storey block. This would result in a contrived form, but VP3, 7 and 9 suggest the recessed modern block would not be visible from these vantage points and the Council has not disputed this. The 'terrace' would be finished in a buff brick to respond to the listed buildings opposite and would include other appropriate detailing such as timber sash windows, brick lintels and a slate roof. Again, conditions could be imposed to ensure an appropriate brick bond and mortar mix. The terrace would therefore reinforce the late 18th and early 19th Century character of the Brackland area.
20. However, it is unfortunate that the terrace would not include chimneys to break up the very long ridge and respond to the 'striking' examples elsewhere in the road referred to in the CAA. The long unbroken ridge would therefore result in a bland roof scape. Furthermore, the regular pattern to the fenestration of the terrace would be disrupted by the property proposed at the southern end, and the northern elevation would be exposed to public view, displaying the bulky wide span and contrived form at the site entrance. These points diminish the townscape benefits.
21. Moreover, the western wing would also be visible from Well Street through the site entrance between the proposed 'terrace' and 8 Well Street. From this location the considerable bulk and massing of this part of the building would be very apparent. It is telling that there is no viewpoint showing this. It would be a narrow view and softened by some landscaping in the central car park, but the bulk and massing

- would appear discordant, especially so given the height and long unbroken ridge and eaves. This would be a negative feature in the street scene of Well Street. The proposed stair tower would also be visible, but this needs to be balanced against the removal of the existing incongruous tower.
22. Drawing this together. The west wing of the building would have a seriously negative impact on the local townscape. It would harm the grain and aesthetic quality of the CA. Although not a main road, Short Brackland appears well used and is an important gateway between the commercial centre and the Brackland area. There would be significant harm. On the flip side, the Brentgoval Street elevation would be moderately enhanced, and the Well Street elevation modestly improved. Overall, the appeal scheme would result in a net adverse effect on the CA taken as a whole. The residual harm would be 'less than substantial' and sit in the moderate range along this 'spectrum'. It follows that the CA's character and appearance would not be preserved.
 23. Policy LP37 of the LP states that where a proposal would result in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In calibrating this 'heritage balance', the National Planning Policy Framework (the 'Framework') states that designated heritage assets are an irreplaceable resource that should be conserved for existing and future generations. Accordingly, it states that great weight should be given to an asset's conservation. Conservation in this context means sustaining, and thus not harming, an asset's significance. This is not an instruction to dismiss a proposal that would harm the significance of a designated heritage asset, but it establishes a strong presumption in favour of preservation, which is to do no harm. This is synonymous with the considerable importance and weight that must be given to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area¹.
 24. The applicant submits that, as public benefits, the proposal would enhance the setting of several nearby listed buildings, chief amongst these being Moyses Hall, which is Grade I listed, and St John the Evangelist Church which is Grade II* listed.
 25. *Moyes Hall* - Moyses Hall is a rare example of a medieval merchant's house and is one of the oldest stone residences in the country. It was remodelled at various points in the 19th Century and therefore much of its architectural value lies in its authentically medieval interior. Nevertheless, it also has external architectural and aesthetic value, and this can be experienced in the pleasing and very old view of the front of the building from Cornhill and Butter Market. The existing atrium at the shopping centre is an unfortunate feature in the background given its scale and appearance. The appeal scheme would be a larger building but would be of a more sensitive architectural style, albeit with an imposing and discordant glazed entrance that would draw the eye. The bulk of the western wing would also be visible in views of the belfry from Short Brackland. On balance, and despite the earlier comments of the Council's Conservation Officer, I find that the proposal would have a neutral effect on the setting and significance of Moyses Hall.
 26. *St John the Evangelist Church* – The building is a fine example of a commissioner's church dating from the northern expansion of the town. It is a prominent local landmark on account of the tower. Indeed, the building is visible along Well Street

¹ See Sections 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990.

with the appeal site in the foreground. It is therefore possible to experience its landmark status and architectural quality from this vantage point. Views from Well Street are amongst many similar views of the Church where it is glimpsed amongst a built-up street scene. The existing building obscures views of the tower in VP3, but the appeal scheme would to the same extent. The degree to which the tower is visible in VP9 would remain as it is now. The most striking view² of the Church from Well Street would also remain unaffected. Accordingly, the proposal would not harmfully obscure views of the listed building and therefore the appeal scheme would not have any harmful effect on the ability to experience its architectural and townscape value. There would be a neutral effect, with its setting preserved.

27. *The Cornhill Group (Grade II listed buildings at Nos 42 east and west, 43A and 43B Cornhill)* – These buildings have evidential, architectural and aesthetic value on account of their age, architectural quality and group value with other similar buildings. They are positioned near to the appeal site and are experienced within the context of the shopping centre in views from Cornhill and Brentgoval Street. That said, the appeal site is not visible in the main view of Nos 43A and B from directly outside Moyses Hall and therefore the appeal scheme would have a neutral effect on its significance. Nevertheless, the bulky atrium of the existing shopping centre is an imposing feature which jars in close range views with the subtle quality of 42 Cornhill east in westerly views along Brentgoval Street. The same can be said of No 42 west. Removing the existing atrium as part of the appeal scheme would enhance the setting and significance of these listed buildings.
28. *The Butter Market Group (Grade II Listed Buildings at Nos 14, 15, 16, 16A and 17, 20 and 21A, 25 and 26)* - Like with the above group of listed buildings, these structures also have evidential, architectural and aesthetic value. They frame an important public space in the town centre (Butter Market) and this is principally from where their significance is experienced. The existing shopping centre is a peripheral feature in the background and therefore replacing it as proposed would not enhance the way the significance of these buildings is experienced.
29. *The Well Street Group (Nos 10 and 11, 12 and 13, 28, 29 and 30, 31-34, No 36, 38 and 39, 40, 41, 42 and 43 and 44 and 45 Well Street)* - Other than the timber framed Nos.12-13, the other listed buildings in this group are elegant, terraced properties probably dating from the early 19th Century. The detailing reflects this era with sash windows, columns, ornate chimneys, smart doorcases and a pediment being preeminent features. The listed buildings were probably designed to respond to one another and have a group value. The scale and form of the existing building jars with the group value of the terraces and thus diminishes the way their significance is experienced. The appeal scheme would incorporate a ‘terrace’ along Well Street that would better respond to the scale and style of the listed buildings than the existing shopping centre. However, I have already explained that there would be some compromises with its detailing and form. Thus, there would only be a modest enhancement to the way the significance of these listed buildings is experienced.
30. *Brentgoval Street Group (Nos 5, 14, 15-17 Brentgoval Street and 90 St John’s Street)* – The architectural and historic significance of 90 St John’s Street is experienced from this road with no meaningful intervisibility or spatial connection with the appeal site. There would be a neutral effect on its significance. The same can be said of No 5, which derives much of its significance from its evidential value

² Illustrated in Figure 33 of the appellant’s Heritage Statement of Case

at its historic core rather than the exterior. Like the listed buildings in Well Street, Nos 15-17 have a similar polite architectural style and value. The appeal site is some distance to the west and does not have any meaningful effect on the ability to experience the architectural significance of these buildings. No 14 is a prominent corner building also with a polite architectural appearance. The existing shopping centre is a background feature in a variable street scene when looking west. However, the main view of the listed building is from High Baxter Street or looking east along Brentgoval Street. From here, the shopping centre is not a detracting feature. The proposal would therefore have a neutral effect on its significance.

31. In addition to modest enhancements to the setting and significance of No 42 Cornhill (east and west) and the terraces in Well Street - which are important benefits given the provisions of the Framework and s66(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 - the proposal would also deliver additional homes in a town centre location in the way that reuses a vacant building and in a location where sustainable transport options can be easily pursued. This would accrue notable environmental and health benefits and support some of the aims of the Bury St Edmunds Town Centre Masterplan.
32. Social benefits would also occur as there would be a boost in the housing land supply. However, this is tempered because the Council is currently able to demonstrate a healthy housing land supply of around 6.13 years with a Housing Delivery Test measure of 129%. As such, the increase in housing supply would be a middling benefit when considered in the round. Constructing the building and its subsequent occupation would also result in moderate economic benefits, including the provision of two modern commercial units. The financial contributions secured through the planning obligation may also have some modest wider benefits beyond mitigating the effects of the proposal.
33. Whether the public benefits of a scheme are of sufficient force to outweigh the considerable importance placed on the harm will be a case specific matter having regard to factors such as the importance of the asset, the degree of the harm and the extent of the benefits.
34. The CA has substantial significance although Short Brackland is less sensitive to change than other areas such as the Abbey Gardens or Cornhill. The harm would be localised to this area of lesser significance and needs to be balanced against some positive aspects of the scheme. Overall, I have found that there would be moderate residual harm. This is an important matter. The cumulative benefits, including some modest enhancements to the setting of some listed buildings, would also collectively be important matters.
35. It is also material³ to my assessment whether the identified harm can be avoided altogether or further minimised beyond that proposed. In this instance, there is nothing of substance before me to explain why the western wing of the proposed building needs to be of the harmful scale, design and massing proposed. Nor is it made out that the proposal's overall harmful effect would be the minimum amount of heritage harm needed for a residential led redevelopment of the shopping centre in a way that delivers public benefits along the lines outlined above. The appellant engaged in pre application discussions and has made amendments. However,

³ Planning Practice Guide - Paragraph: 008 Reference ID: 18a-008-20190723 and Step 3 of Historic Environment Good Practice Advice in Planning Note 2 (Historic England)

interested parties have also explained that they pointed out some of the failings I have identified at an earlier stage in the design process.

36. Ultimately, the public benefits of the scheme would not be of sufficient force to outweigh the less than substantial harm that would occur to the significance of the CA, including its townscape. It follows that the proposal would not be well designed and the harm without clear and convincing justification. The proposal would therefore be at odds with Policies LP9, LP37 and SP4 of the LP. There would be some enhancement of some townscape views, and therefore the proposal gleans support from Policy LP40. However, there would be a conflict with the development plan taken as a whole given the greater importance I place on the conflict with Policies LP9, LP37 and SP4.

Other Matters

37. The Council has raised an additional concern that has come to light following the adoption of the LP and thus after the decision was issued. This relates to the impact of the proposal on nationally designated nature conservation sites. However, given my findings on the main issue it has not been necessary to consider this matter further. For similar reasons it has not been necessary to address the other concerns raised by interested parties, such as traffic.

Conclusion

38. The proposal would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has failed.

Graham Chamberlain
INSPECTOR