



Appeal Decision

Site visit made on 9 September 2025

by Mr Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 17th December 2025

Appeal Ref: APP/Q0505/W/25/3361632

Anstey Hall, Maris Lane, Trumpington, Cambridge, CB2 9LG

- 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 Mr John de Bruyne, Trumpington Investments Ltd, against the decision of Cambridge City Council.
 - The application Ref is 24/01244/FUL.
 - The development proposed is the construction of two blocks of retirement accommodation (Class C2) comprising 87 two-bedroom apartments with associated hard and soft landscaping, bin storage, cycle, and car parking. Provision of new vehicular access onto Maris Lane and reconfiguration of wall with new entrance gates. New pedestrian access onto Old Mills Road.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Cambridge City Council against Trumpington Investments Ltd. This application will be the subject of a separate decision.

Preliminary Matters

2. Hall use: While documents in the appellant's statement of case refer to the change of use of Anstey Hall, this was not sought in the planning application. It was not a matter determined by the Council. The change of use would be a fundamental change to the development sought. It would result in a substantially different application. Accordingly¹, I have considered the case against the proposal in the planning application, i.e. with no change of use of the Hall.
3. Perspective image: The appellant submitted with the appeal, in the form of a perspective image, a suggestion of an alternative design for the bicycle stores. However, this is but one view of one store. The measured and detailed plans and elevations of the stores remain unaltered from those determined by the Council. In these circumstances, where the bicycle store drawings have not been amended to reflect the suggestion, there are no revised plans to consider.

¹ See tests in *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

Main Issues

4. The main issues are:

- 1) whether the development would preserve the setting and significance of the grade II* listed building Anstey Hall;
- 2) whether the development would preserve or enhance the character or appearance of the Trumpington Conservation Area (CA);
- 3) the effect of the development on open space;
- 4) whether the bicycle stores would be conveniently located; and,
- 5) the effect of the development on potential archaeological interest at the site.

Reasons

The significance of Anstey Hall

5. Anstey Hall is a country house, built in around 1685, extended in the 1860s, and remodelled in 1909. It is included in the list for the historic interest of its multi-phase development, which describes it as a country house of considerable architectural distinction. The symmetry and harmony in the architecture of its front reflects the architectural influences of the C17, and contrasts with the modelling at the back and are part of its architectural interest. The reasons for designation refer to the fine quality and craftsmanship of the 1909 remodelling, notably the joinery and plasterwork. It also has group value with the listed lodge and associated buildings, which form an important architectural and historic context for the Hall.

The setting and its contribution to the significance of Anstey Hall

6. The land around Anstey Hall has changed, particularly during the C20 and C21, and as a result of the expansion of the city. What were once the open fields to its south and west have been developed and are now housing. What appears to have once been part of its parkland setting to the east, is now a supermarket and carpark.

7. Notwithstanding these changes to the setting of the Hall, the appellant acknowledges that the remaining grounds provide an understanding of the building's historic character as a high-status country house, and that they contribute to its significance. The elements of the Hall's setting in so far as relevant to this appeal are the spatial setting of the Hall, or the space around it, particularly behind the Hall, which is relatively free of buildings, and which reinforces the high status of the Hall and suggests the extent of the land it once controlled.

8. Immediately behind the Hall is the pleasure garden, which would likely have had a managed, formal, or geometric appearance. Beyond this, is the parkland, the middle ground spatial setting for the Hall, of which only part remains. The parkland is the naturalistic, more bucolic setting of the Hall, and which would have led the eye towards the horizon and the surrounding fields and open countryside, borrowing the landscape character beyond it. The long axis from the middle of the Hall leading through the parkland and into the surrounding countryside, and shown as parallel planted trees on historical maps, was an important landscape device to connect the Hall visually, to the landscape beyond. Suggestions of this remain in the parkland today in some tree lines.
9. The recently built housing estate opposite the southern boundary of the present parkland area has incorporated a long, open square, including grass, with parallel planted trees aligned on the axis from the Hall. This generous landscape gesture retains something of the former parkland setting of the Hall. It also emphasises the importance of the long axis through the parkland and its termination at the middle of the Hall.
10. These features make a layered landscape setting to the Hall and reflect the landscape and architectural influences at the time the Hall was built, as well as revealing important changes through its history.

The significance of the CA

11. As a village with two Norman manors in a farming area, Trumpington developed around the C13 church, Trumpington Hall, a Tudor mansion house altered in the C18 and C19, and the C17 Anstey Hall. The bearing of these Halls on the CA is historically and architecturally important. Anstey Hall the appellant says, makes a major contribution to the CA. Views along Grantchester Road and Maris Lane provide glimpses of the frontage and buildings of Anstey Hall as well as its walls and boundary features. Views of Anstey Hall from Old Mills Road are partially screened by the few trees planted on its boundary. Nonetheless, the spaciousness of the grounds behind the Hall is apparent, and suggestive of the high status of the Hall.
12. The CA's medieval pattern of development is distinctive and remains legible today. Its C17 and C18 buildings clustered along its lanes are balanced by the spacious and green settings of the grounds of the two Halls and the church.

Whether the development would preserve the setting and significance of Anstey Hall

13. There is no objection from the Council to the proposals to form a new approach drive to the front of the Hall. Nor to the gate in the southern boundary. Reinstating a direct formal approach to the front of the Hall would restore the status of the entrance, diverted in the C20 landscape alterations, as shown on historical maps. Subject to conditions on their materials and detailing these alterations would sustain and enhance the significance of the Hall.
14. Notwithstanding this, I find that there are three harmful effects on the setting of the listed building. First, its spatial setting, or the space around the listed building in which it is experienced. The footprint and volume of the proposed flat blocks, which would appear many times those of the Hall, would occupy a substantial part of the remaining parkland setting of the building. The eighty-seven flats and ancillary buildings to be sited on this remaining, undeveloped parkland, which is the middle ground setting of the Hall, would undermine the now precarious balance between the Hall and what is left of its spatial setting. The parkland setting would be reduced from a distinctive, historical device of the landscape architect to little more than the space left over between the two flat blocks; more pocket park than parkland, diminishing the status of the Hall in its spatial setting, and thereby its significance.
15. Second, its landscape setting. The formal arrangement of the siting of the flat blocks, set out broadly symmetrically around the axis perpendicular from the house and into the parkland, would introduce an element of formality quite different from the central axis. The two crescent forms would have an altogether more dominant geometric character on the site than the single axis in the more naturalistic, bucolic middle ground setting of the Hall. The clear distinction between the contrasting characters of the pleasure garden and the parkland would be lost. This would disrupt the historic, landscape hierarchy which sets off the Hall.
16. Moreover, the concave footprints of the flat blocks would focus their frontages on the space between them. Instead of the house being the focus of views towards it across its middle ground and foreground settings of parkland and pleasure garden, the focus would instead shift to the space between the flat blocks, enclosed by their front elevations, rather than the Hall. This would undermine the pre-eminent status of the Hall in the hierarchy of the landscape in its setting.

17. The siting of the belvedere across the axis which runs from the Hall through the pleasure gardens and between the flat blocks would emphasise this new focus away from the Hall, and into the space between the flat blocks.
18. There are no measured drawings of the belvedere, but in imagery it appears of considerable size. Such a large structure would truncate that established visual axis. Its size and siting would degrade the importance of the Hall in the central view across the parkland which is empty of clutter and appears to have been so in many of the historical maps too. It would also foreshorten the axial view from the Hall towards the open square of the housing estate which, figuratively at least today, continues that axis beyond the present parkland. The Council suggests that the housing estate was designed to maximise opportunities for views of Anstey Hall and garden from the public realm. The open square has certainly achieved this. The belvedere would work against that intention by enclosing instead of opening or connecting the two landscapes.
19. I appreciate that trees have grown along the southern boundary of the site. However, there are gaps between the trees which allow glimpsed views to the Hall across the parkland. These are not so solid a screen as the structure proposed, despite its opening.
20. The third harm is architectural. Given the prominence of the hipped roofs at the back of the Hall, the continuous, flat-topped, mansard across the second floor of the flat blocks, differentiated in material and colour from the walls below it, would appear incongruous in form and a distracting, overly horizontal element, emphasising the great lengths of the blocks and the harm from their siting identified above. I appreciate that the new housing to the south would also form part of the context of the flat blocks. However, I can see little architectural compatibility or reference to those houses either.
21. Overall, the development proposed behind the Hall would undermine its spatial setting and diminish its status in the landscape. It would substantially diminish the middle ground setting and its important historic and landscape role which are intrinsic to the historic and architectural significance of the Hall.
22. I appreciate that the setting of the Hall has changed. However, the development is not comparable to a formal, garden square like Bloomsbury Square. Unlike in Bloomsbury, where the buildings on the four sides of the square today front directly onto it, it would be the back of Anstey Hall that faces the development rather than

its front, and at such a distance that the enclosing effect would be lost. Moreover, Anstey Hall was not built as a town or suburban house. It was a country house, and part of a village, rather than a metropolis.

23. I conclude on this issue that the proposed development would cause very considerable harm to the setting of the listed building, contrary to the Act which requires that special regard be had to the desirability of preserving the setting of a listed building. It would result in very considerable harm to the historic and architectural significance of the listed building, whereas the Framework requires that when considering the impact of a development on the significance of a designated heritage asset that great weight should be given to its conservation.
24. It would conflict with policies 8, 55 56, 57, and 61 of Cambridge City Council's Cambridge Local Plan October 2018 (LP). These require development to preserve or enhance the significance of the heritage assets of the city, and their setting, to have a positive impact on their setting in terms of location on the site, height, scale and form, materials and detailing, to be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality; to demonstrate that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places.
25. It would also conflict with the Framework, which in paragraph 213, identifies the potential for harm to the significance of a designated heritage asset including from development within its setting, and which in paragraph 219 encourages development within the setting of heritage assets to look for opportunities to better reveal their significance.

Whether it would preserve or enhance the character or appearance of the CA

26. Trumpington developed around its two Halls and the church. They are important to the historic and architectural significance of the CA. The harms I have identified to Anstey Hall, which the appellant recognises makes a major contribution to the CA, would also harm the historic and architectural significance of the CA.
27. The development of two blocks of flats on the parkland of the Hall which has an open and green character would diminish its contribution to the spatial and green character of the CA. The balance between the land under buildings and land which

is undeveloped is an important part of the CA's significance, which this proposal would disrupt.

28. The CA appraisal indicates panoramic viewpoints in which the development may feature. From my inspection, only the view from the southern boundary would be affected. Because of the trees planted on the boundary, direct views of the Hall from the public side of the boundary are limited to glimpses close to those trees. This is hardly panoramic, from the public side. However, the bearing of the undeveloped parkland forming the setting to the Hall and the sense of spaciousness it contributes to the CA is very much apparent between the trees, and from a greater distance from the boundary.
29. The change from the present condition where open parkland forms the setting of the Hall to the proposed buildings in front of it would diminish the green and spacious character of the CA and bring prominently into view the harms set out in the section above.
30. The development would significantly harm the landscape character of the CA and undermine its spatial, historic, and architectural significance, whereas the Framework requires that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. It would fail to satisfy the requirements of the Act which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a CA, and paragraph 210 of the Framework which indicates that account should be taken of the desirability of new development making a positive contribution to local character and distinctiveness.
31. It would conflict with LP policies 55, 56, 57, and 61 which seek high quality new buildings and development that responds positively to its context, is designed to be attractive, and proposals that preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas; retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;

32. The development would also be at odds with a fundamental objective of planning as described by the Framework; the creation of high quality, beautiful and sustainable buildings, and places.

The effect of the development on open space

33. The land under the proposal is protected open space. The Council has referred to LP policies 8 and 67. LP policy 8 supports development on open spaces only where it responds to, conserves and enhances the setting, and special character of the city, in accordance with the Cambridge Landscape Character Assessment 2003, Cambridgeshire Green Infrastructure Strategy and their successor documents. There is no substantive evidence from the Council about the proposal in relation to the assessment and the strategy referred to in the policy, and its effect on the setting and special character of the city. On this basis I am unable to find any conflict from the development with LP policy 8.
34. The appellant claims that LP policy 67 is inconsistent with the Framework, specifically paragraph 104. Whereas both LP policy 67 and Framework paragraph 104 resist the loss of open space, LP policy 67 in addition, resists development that would harm the character of the open space. LP67 also requires the quality of the open space to be of environmental and/or recreational importance. Both policies provide an exception for replacement of equivalent or better open space in terms of quality and quantity so long as it is in a suitable location, albeit LP policy 67 requires that to be within 400m. The Framework, which defines open space as land of public value which offers important opportunities for sport and recreation and can act as a visual amenity, also provides exceptions if the open space is shown to be surplus to requirements and where the proposal is for sports and recreation. There is clearly inconsistency between LP policy 67 and Framework paragraph 104. This limits the weight I give to LP67.
35. The development of two blocks of 87 flats, together with associated storage buildings, on land that is presently open and designated as open space would very substantially reduce its open area. There is no assessment to show that the open space is surplus to requirements, nor is the development for sports and recreation, whereas for the reasons already given, the space certainly does act as visual amenity.

36. The appellant has suggested that the loss of open space from the development would be replaced by equivalent or better provision in terms of quantity and quality, in a suitable location. The replacement space would be close-by. However, its area would be less than the area of the footprint of the flat blocks and ancillary buildings. It would not make up for the loss of the whole of the present area of space.
37. Even taking account of the areas which would not be developed, much of these would be between the backs of the flat blocks and the boundaries of the site; locations which would be truncated, enclosed, and closely overlooked. This arrangement would diminish the open nature of these spaces and their value in determining whether, taking the replacement space and the remaining space on-site together, the total space would be sufficient.
38. I take into account that the land of the development would provide access to the public, which would be a betterment in terms of access to space which is presently not accessible to the public, although the precise limitations and extents between public access and private and semi-private areas have not been set out. However, the proposed open space and the public access to the open space that would remain would not be equivalent in terms of quantity or quality compared to the present open space.
39. In any event, while the appellant has indicated they will provide a planning obligation to secure the replacement land for open space, there is no such mechanism before me. Therefore, the development would not replace the existing open space by equivalent or better provision in terms of quantity and quality. The development would diminish the contribution of the present open space to visual amenity. This places the development in conflict with paragraph 104 of the Framework, and LP policy 67 where it is consistent with the Framework.

Whether the bicycle stores would be conveniently located

40. The cycle stores for the flats would not be incorporated into each individual flat, nor into the access cores. Instead, because of the fire risk from battery charging of mobility scooters, they would be incorporated into combined bicycle and scooter stores, clustered behind each of the two wings of the development.

41. I acknowledge that some residents would have to walk 50m to collect or return their bicycle; this may reduce the convenience of using a bicycle, for some. However, this is not a city centre scheme where access with a bicycle directly onto a street would be important. The flats here would be reached by meandering footways winding their way from the street to the access cores. So too the routes to the cycle stores, albeit the stores would be slightly displaced from the flats, and their routes would run behind the wings rather than in front.
42. Areas for cars to park as well as visitor cycle parking would be located behind the wings. The cycle stores would be about as convenient as the car park. The location behind the wings therefore follows the logic of a hierarchical zoning of public/private/semi-private spaces which, given the sensitivity of the setting of the listed building, and the location of mature trees, is an appropriate design approach here.
43. Notwithstanding my comments above on other issues, I conclude that the bicycle stores would be conveniently located. I see no conflict with LP policies 55, 57 and 82 which require development to be well connected to the locality and the wider city, to successfully integrate bicycles and parking, and to follow the Council's parking standards. Nor would there be any conflict with paragraphs 115 and 117 of the Framework which promote sustainable transport.

The effect of the development on potential archaeological interest at the site

44. The County's archaeological officer advised that the development lies in an area of very high archaeological potential, within the core of an Anglo-Saxon to medieval settlement. They refer to numerous archaeological finds in land adjacent west of the appeal site, including neolithic burial monuments housing central burial chambers containing human remains; and an Anglo-Saxon cemetery which featured grave goods and the remains of a highly significant bed burial. Excavation before development of the site to the east of the proposal also revealed Anglo-Saxon activity including burials. Land to the adjacent north also revealed Anglo-Saxon activity. The archaeological officer also reports that spot finds of Roman remains have been made in the grounds of Anstey Hall.

45. The appellant's research² concluded that Anstey Hall is in a sensitive archaeological location, with extensive prehistoric, Roman, and Saxon finds in the immediate area surrounding it. Given all these findings, the site of the development has the potential to include heritage assets with archaeological interest.
46. In these circumstances paragraph 207 of the Framework indicates that developers should be required to submit an appropriate, desk-based assessment and, where necessary, a field evaluation. The Council recommended that the site be subject to an archaeological evaluation before any grant of planning permission, and it issued a brief for this. The geophysical part of its brief has been completed. However, the Council insist that further archaeological evaluation, in the form of trial trenching, should be undertaken, before any grant of planning permission, which the appellant resists.
47. I recognise that some archaeological features are not visible magnetically, and the absence of magnetic anomalies does not always correspond to an absence of archaeology. This tempers the conclusion in the appellant's geophysical survey that the survey identified few anomalies, all of which are believed to be modern or related to the Hall's historical garden.
48. However, while I acknowledge the potential of the site to include heritage assets with archaeological interest, and the finds in the surrounding area, I do not have the evidence necessary to explain why I should reject precautionary archaeological conditions for investigation and preservation instead of insisting on trial trenching before determination.
49. On the evidence before me, I conclude that, subject to precautionary conditions, the development would not have an adverse effect on potential archaeological interest at the site. It would not conflict with LP policy 61 which seeks the conservation and enhancement of Cambridge's historic environment. Nor would it conflict with the Framework.

Other considerations

50. A planning obligation has been provided by the appellant, to which the Council has raised no objection, in respect of ambulance service and health care provision as well as a monitoring fee. I consider the obligations to be necessary to make the

² Geophysical Survey, January 2024, by Messrs Archaeological Project Services

development acceptable in planning terms; directly related to it; and fairly and reasonably related in scale and kind to it. In arriving at this view, I am mindful that no evidence has been supplied which queries either the necessity or the viability of these obligations or the undertaking as a whole. Accordingly, I consider that these obligations meet the relevant statutory and national policy tests and are therefore material considerations in my assessment of the appeal.

51. There is no dispute that the development would meet a specialist need for retirement housing. It would meet some of the shortfall of 397 dwellings with care within a 5-mile catchment, a shortfall which is predicted to increase. It would help to free up family sized housing, offer a good quality of life and independence for the occupiers who might otherwise under occupy homes or have to move to care homes. It would reduce the occupiers' reliance on the National Health Service.
52. The appellant claims that the Council failed to meet its housing delivery target. However, there is no evidence to support this. I note that in its latest assessment the Council can demonstrate a combined total of 5.5-year's supply of deliverable housing sites. Notwithstanding this, an objective of the Government is to boost significantly the supply of homes. The public, social benefit of additional homes and their meeting this specialist need attracts significant weight.
53. Notwithstanding my conclusion on the consistency of an open space Local Plan policy with the Framework, the application of policies in the Framework which relate to designated heritage assets provide a strong reason for refusing the development. Paragraph 11d)ii of the Framework is not therefore engaged.
54. Reinstating a formal approach to the front of the Hall would restore the status of the entrance, lost in the C20 landscape alterations shown on historic map. This would help to preserve the building long-term, though the lack of pressing need for the realignment means the weight I can give this public benefit is limited.
55. Providing a landscaped area with public access where there is presently none, alongside connections to the rest of the area, and the gains in biodiversity, would be social and environmental benefits of less than moderate weight. So too the landscape improvements in the close setting of the Hall and around its periphery; these would help secure the conservation of the heritage asset, a public benefit, which because of their scale and impact, would be of less than moderate weight.

56. The construction works would generate short-term employment. Future occupiers' commissioning of services, spending and council tax contributions would sustain jobs in the long-term and benefit the local and national economy. The development would improve the present flood risk exposure by its surface water strategy. These are public benefits. Given the scale of development, the weight they attract is less than moderate.
57. The appellant intends that funds from the development would secure the conservation of the Hall and estate. However, there is no detailed assessment before me of the condition of the designated heritage, no indication of the amount of funding required, nor any detailed rather than indicative costings, nor any effective legal mechanism, including the suggested planning condition, to secure this. The appellant does not advance a case for enabling development. This limits the weight I can give this factor.
58. The appellant also claims benefits from the change of use of the Hall, which would secure its optimum viable use. However, for the reasons already set out, the change of use of the Hall is not part of this appeal. Instead, a condition is suggested requiring the submission and approval of a planning application to change the use of the Hall. However, on the information before me, it would not meet the tests in the Framework for necessity and precision. The change of use of the Hall therefore attracts no weight in the balance.

Other Matters

59. The buildings indicated as being removed or replaced and advanced as benefits in the Supplementary Heritage Impact Assessment appear not to be part of this appeal. Nor do many of the images in the assessment represent the proposal in this appeal.
60. Indeed, both the Supplementary Heritage Impact Assessment and the Landscape and Visual Impact Assessment appear to relate to a previous application on the site. Whilst I understand the general points and context within them, this limits the weight I can give to the accuracy of the conclusions they contain.

Planning Balance

61. I have found that the bicycle stores in the development would be conveniently located. I have also found no adverse effect on potential archaeological interest at

the site. These policy compliant aspects of the development are neutral in the planning balance.

62. The development would not replace the existing open space by equivalent or better provision in terms of quantity and quality. Given the scale of the space and its contribution to visual amenity, I give this harm moderate weight.
63. Nonetheless, the development would cause very considerable harm to the significance of the listed building, and it would significantly harm the landscape character of the CA and undermine its spatial, historic, and architectural significance. I give these harms considerable importance and weight in the planning balance of this appeal.
64. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation (and the more important the asset, the greater the weight should be). The appellant indicates that buildings listed as grade II* are particularly important buildings of more than special interest, and that only 5.8% of listed buildings are grade II*.
65. The Framework goes on to advise that significance can be harmed or lost through the alteration or destruction of the asset or from development within its setting, and that any harm to the significance of a designated heritage asset should require clear and convincing justification.
66. Like the appellant, the degree of harm I have identified would, in the terms of the Framework, be less than substantial. Whereas the appellant considers the degree of harm to the significance of the listed building to be moderate, in my judgement the harm to the listed building and to the CA would be towards the upper end of any measure of less than substantial. It is nevertheless of considerable importance and weight and does not equate to a less than substantial planning objection, especially where the statutory tests are not met. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal. These I have set out above. They would not outweigh the less than substantial harm to the significance of the listed building, and the significance of the CA. Indeed, there are no benefits from this development which taken together would outweigh its harm.

Conclusion

67. The development would not be in accordance with the development plan, when read as a whole, and there are no other material considerations, including the Framework, which indicate that a decision should be made other than in accordance with it. For the reasons given above, the appeal is dismissed.

Mr Patrick Whelan
INSPECTOR