



Appeal Decisions

Site visit made on 13 February 2026

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2026

Appeal A Ref: APP/V0510/W/25/3372580

121 North Street, Burwell, Cambridge, CB25 0BB

- 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 and Mrs Andrew and Francis Bentinck against the decision of East Cambridgeshire District Council.
 - The application reference is 25/00369/FUL.
 - The development proposed is single storey rear extension to form new kitchen and family room.
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Appeal B Ref: APP/V0510/Y/25/3372578

121 North Street, Burwell, Cambridge, CB25 0BB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Andrew and Francis Bentinck against the decision of East Cambridgeshire District Council.
 - The application reference is 25/00370/LBC.
 - The works proposed are single storey rear extension to form new kitchen and family room.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals relate to the same site and the same scheme but are considered under separate legislative regimes. I have dealt with the appeals together in my reasoning to avoid unnecessary duplication.
4. The decision notice does not reference Policy ENV11 of the East Cambridgeshire Local Plan April 2015 (as amended 2023) (LP), which relates to conservation areas. However, the third reason for refusal cites harm to trees within the Burwell North Street Conservation Area (CA). Given my statutory duties under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, and to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Therefore, the effect of the proposal on the CA is a relevant consideration in these appeals. In considering such effects, I have had regard to the comments made by the parties in respect of the CA and the setting of the listed building, including in the Heritage Statement and the Heritage Statement of Case.

5. The Arboricultural Impact Assessment (AIA) submitted with the appeal was not before the Council when it determined the applications. The Council has commented on the AIA as part of the appeal process, and I am satisfied that no prejudice is caused in me taking it into account in my consideration of the appeals.

Main Issues

6. The main issues are:

- (a) whether the proposal would preserve the Grade II listed building known as 121 North Street¹ or its setting or any features of special architectural or historic interest that it possesses, and whether the character or appearance of the CA would be preserved or enhanced; and
- (b) the effect of the proposal on the living conditions of the occupants of 121A North Street, with particular regard to outlook.

Reasons

Heritage assets

Heritage assets, significance, and special interest

7. The CA encompasses the historic North Street area of Burwell which, according to the Burwell North Street Conservation Area Supplementary Planning Document (February 2008), developed in association with the waterways and waterborne trade to the wider Fens. It is partly for this reason that the western side of North Street has a characteristic historic settlement pattern, with long narrow plots that stretch to the waterways to the rear. The village now has a mix of older and newer buildings in and around North Street. However, the area nonetheless has a traditional character, owing in part to the retained 16th and 17th Century houses that have a distinctive form and plot layout, with gable ends facing the road and long ranges of buildings running from the road towards the river.
8. Insofar as it is relevant to these appeals, the significance of the CA is derived from its rich mix of historic buildings and the settlement layout, including the linear plots and ranges on the western side of North Street that provide direct access to the waterways. Some significance is also derived from the pockets of green space and the tree foliage, which add to the rural character of the CA and help to soften the appearance of the built form. Together, these aspects of the CA reveal information about the past development of the settlement and its evolution over time.
9. The appeal property is a Grade II listed timber framed and plastered house with duo pitch roof and stack, dating from the 17th Century. It shares many of the characteristics of other older properties on this side of North Street, including its long, narrow plot that extends towards a rear waterway, and its perpendicular orientation to the road. The historic core of the house has a simple, rectangular form, with a three-unit cellular interior comprising two main habitable rooms on each floor with an intervening large chimney breast, plus lobby areas and bath and shower rooms. Mapping evidence indicates there were limited alterations to the property until the 20th Century, when a two-storey side extension and a porch were added and the historic thatch was replaced with tiles.

¹ List entry number 1161706

10. The loss of the thatch and the existing extensions have altered the form, proportions, and appearance of this historic building thus there has been some degradation of its traditional character. However, the side extension is subservient to the main building due to the combined effect of its lower height, smaller footprint, and its setback from the front and rear elevations; and the external materials and gable form reflect the traditional design of the historic building in a sympathetic way. Taken together, these features of the side extension ensure that it does not significantly detract from the form, proportions, and appearance of the principal part of the house. The small-scale of the porch also ensures that the oldest part of the building retains its hierarchical importance.
11. Due to its proximity to the road, the historic core of the building and its distinctive street-facing gable end are prominent in close views from North Street and Grantchester Rise opposite. However, the newer property at 121A North Street largely obscures longer views along the rear elevation of the building from the street. Therefore, the listed building is best appreciated from near to its entrance and when approaching the site from the southeast, from where its full frontage and its deep garden can be appreciated across the front driveway area, thus enabling the building to be experienced from within its setting.
12. Insofar as it is relevant to these appeals, the special architectural and historic interest of No 121 lies in its age and the surviving historic fabric, which reveal its traditional simple form as a two-storey, three-unit cellular structure with a duo-pitched roof and plastered walls. The property also derives significance from its setting, including its long, narrow plot that stretches to the rear waterway, and its group association with other buildings of a similar age and layout that are characteristic within the CA. Taken together, these features of the building and its setting reveal information about 17th Century development in this area.

Effects of the proposal

13. Due to its attachment to the existing side extension, there would be no loss of historic fabric arising from the proposed addition, and the historic form of the building and its internal layout would remain intact. The proposed siting of the extension would also respond positively to the historic pattern of built form on this side of North Street and in the CA, by elongating the linear form of the building along its narrow plot. In this regard, the proposal would also reflect the modern-day layout of some other nearby historic properties, which, from my observations from the road and from within the site appeared to comprise buildings that extend relatively deeply within their grounds.
14. However, whilst the low height and lateral massing of the extension would ensure a progressive tapering in height from the main building and the existing two-storey addition, it would nonetheless be of a large scale due to its length and footprint. Moreover, the extension would not exist in isolation. Rather, the large open plan ground floor area that would be created by the existing and proposed side extensions together, would lead to a significant enlargement of the newer parts of the building such that they would fail to adopt a deferential scale to the historic ground floor. The proposal would therefore detract from the traditional cellular plan form of the old house. This failure to respond to the form and proportions of the original dwelling runs contrary to the guidance set out in the Design Guide Supplementary Planning Document (March 2012).

15. Whilst the flat roof and the contrasting materials would ensure the extension would be articulated as a modern phase in the evolution of the building, its overtly contemporary appearance, with a flat roof and extensive glazing, would fail to integrate sympathetically with the traditional design of the existing side extension, which better reflects the historic house through its materials, solid to void ratio, and its duo-pitched roof. Moreover, whilst the cedar cladding may be indicative of the wooden exterior of a typical domestic outbuilding, I have not been directed to any outbuildings in the area that are comparable to the appeal scheme by way of their size, shape, and relationship with the dwelling. Overall, due to its uncharacteristic form, materials, the large areas of glazing, and the contemporary appearance, the extension would lack cohesion with the established composition of the existing extended building, such that it would appear as a discordant addition.
16. Views of the extension would be screened from public views from the north and from Grantchester Rise by intervening built form. However, notwithstanding its low profile and setback, the extension would be harmfully conspicuous in close views from North Street and when approaching the site from the southeast due to the combined effect of its discordant appearance, length, and orientation. It would, therefore, have a presence and prominence that would visually compete with the historic part of the house, diverting attention away from it and eroding the ability of passers-by to appreciate its special interest and significance from within its setting.
17. I note that the appellant refers to the proposal as 'reversible'. However, in all reasonable likelihood, the extension would endure in the longer term if consent was granted and the scheme was implemented. It follows that the harm I have identified would be long-lasting, which adds further to my concerns about the acceptability of the appeal scheme on this site.
18. The evidence includes a series of images of other listed buildings with contemporary extensions. I do not have sufficient details before me to understand the relevant considerations and circumstances that led to those extensions becoming established. Moreover, none of the extensions shown in the images are directly comparable to the appeal scheme in terms of their siting, orientation, form, proportions, and the overall composition of the buildings. Therefore, I do not find those examples to be determinative to the outcome of these appeals.
19. Most of the trees on the site would be safeguarded during the construction process through appropriate arboricultural methods and tree protection measures, which could be secured through conditions if the appeals were to be allowed. However, in addition to some shrubs and immature trees, the AIA explains that the proposal would lead to the loss of an on-site Hazel tree. Whilst there is reference to stem proliferation and the atypical form of the coppiced Hazel, the condition of the tree is nonetheless described in the AIA as fair, and it is said to have over 20 years of estimated remaining contribution. The photographs included also show that the tree has a height and foliage spread that allows it to contribute positively to the leafy character of the site and its surroundings.
20. From my own observations, and whilst the Hazel is set back well within the site, it adds to the visual amenity on North Street and the CA by contributing to the leafy green space between buildings. Its loss would therefore erode the verdant quality of the site and surroundings, contrary to the principles laid out in Policy SPD:NE8 of the Natural Environment Supplementary Planning Document (Adopted 24 September 2020), and it would lead to greater visual exposure of the proposed

extension. Consequently, and notwithstanding the formal categorisation of the tree in the AIA and the opportunity for replacement planting, the loss of the tree would add to my concerns about the appropriateness of the appeal scheme on this site and it would fail to preserve the character and appearance of the CA.

21. Overall, the scheme would fail to preserve the special interest of the Grade II listed building known as 121 North Street, its setting, and its features of special architectural and historic interest. There would also be harm caused to the character and appearance of the CA. Consequently, and with regard to my duties under the Act, the proposal would cause harm to the significance of these designated heritage assets. It follows that there would be conflict with Policies ENV2 and ENV7 of the LP, which together expect development to preserve, enhance or enrich the character, appearance and quality of an area and to minimise the loss of trees. There would also be conflict with Policy ENV12 of the LP, which seeks to preserve or enhance the significance of listed buildings and to be compatible with their character, architectural integrity, and setting.
22. In coming to this judgement, I have necessarily only considered the harm that would arise from the appeal scheme in accordance with established case law², without regard to hypothetical other ways in which the site could be developed.

Living Conditions

23. Although the proposed extension would elongate the host property close to the boundary with No 121A, its single storey height and flat roof would ensure that upwards views towards the sky and nearby tall trees from the neighbouring garden would be retained over the new structure. Moreover, whilst the highest parts of the new rear wall would be visible from the neighbouring property, a large part of the extension would be concealed behind the existing boundary fencing which it is stated would be retained; and some, albeit not all, of the rainwater goods would be hidden within the proposed parapet. This would ensure that the proposal would not be unduly prominent when observed from the neighbouring property.
24. Furthermore, given that the neighbouring garden is flat and deep, there would be large areas of useable amenity space at some distance from the proposed extension, albeit that those areas would not be immediately adjacent to the dwelling. Westward views towards the trees and the waterway at the rear of the property would also be unaffected by the proposal, ensuring that the occupants of No 121A would retain a good quality outlook from the garden area.
25. Overall, I find that the proposal would safeguard the living conditions of the occupants of No 121A, with particular regard to outlook. It follows that, in respect of this main issue, there would be no conflict with Policy ENV2 of the LP insofar as it seeks to ensure development does not have detrimental effects on the residential amenity of nearby occupiers.

Heritage balance

26. The harm that would be caused to the listed building and the CA would be less than substantial in the terms of the National Planning Policy Framework (the Framework) and to a low degree. However, the less than substantial harm should not be equated with a less than substantial planning objection, and I ascribe great

² East Quayside 12 LLP v The Council of City of Newcastle Upon Tyne [2023] EWCA Civ 359

weight to the conservation of the listed house and the CA, as I am required to do by the Framework. The Framework states that any harm to the significance of a designated heritage asset requires clear and convincing justification; and that the less than substantial harm should be weighed against the public benefits of the proposal.

27. The scheme would support the local economy during the construction process through the creation of jobs and the purchase of construction materials; and it would make use of an under-utilised part of the site. It would also provide level access to the dwelling, improving its accessibility for individuals with mobility difficulties both in the near term and for future occupants of the building. These social, economic, and environmental benefits carry support from the Framework, and they are public benefits that weigh in favour of the scheme.
28. The proposal would modernise and enlarge the internal space whilst also improving its connectivity to the garden in accordance with the appellants' preferences. However, there is no evidence to indicate that the use of the property as a dwelling would be under threat in the short or the longer term without the appeal scheme in place. Therefore, this is not a case where the works and the development would secure the optimum viable use of the building. For this reason, I find these improvements would amount to private benefits rather than benefits for the public good. Whilst the appellants' wishes to improve and enlarge the living space are understandable, the development and the works would not conserve the heritage assets in a manner that would be appropriate to their significance.
29. The appellant has stated that the appeal proposal would be less harmful than other potential schemes because the proposed flat roof would negate the need to remove the existing first floor side window. However, I am not convinced that the appeal scheme is the least harmful way in which the building could be extended whilst also safeguarding the living environment on the top floor. Consequently, this is a neutral matter that weighs neither for nor against the proposal.
30. Taking all of the above into account, the public benefits in this case would not be sufficient to outweigh the considerable weight and importance that I ascribe to the heritage harm. It follows that the harm that would be caused to the significance of the listed building and the CA brings the proposal into conflict with the historic environment provisions of the Framework.

Conclusion

31. Although I have not found harm in respect of the living conditions of the occupants of No 121A, the heritage harm I have identified, which would not be outweighed by public benefits, brings the proposal into conflict with the development plan when read as a whole. The material considerations do not indicate that decisions should be made other than in accordance with the development plan. Therefore, for the reasons given above, Appeal A is dismissed and Appeal B is dismissed.

E Catchside
INSPECTOR