



Appeal Decision

Site visit made on 2 June 2025

by **F Cullen BA(Hons) MSc DipTP MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2025

Appeal Ref: APP/C1570/Y/25/3363746

Bakers Cottage, Cage End, Hatfield Broad Oak CM22 7HL

- 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 Charlie Mann against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0138/LB.
 - The works proposed are described as 'Bakers Cottage is a small two storey home which is adjoined to a Grade II listed building in Hatfield Broad Oak and its Conservation Area. There are three timber windows single glazed at the front of the property that are letting in the cold causing a lot of condensation and damp. I would like to replace two of these with mechanical flush casement windows with external glazed bars so they look like timber. For the large window keep the timber just replace the glass with a sealed unit.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal relates to an application for listed building consent for works proposed to a listed building located within a conservation area. Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) are therefore relevant, and I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Main Issue

3. The main issue is whether the proposed works would i) preserve the Grade II listed building, 2 High Street, or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Hatfield Broad Oak Conservation Area.

Reasons

Special interest and significance

4. The appeal property forms part of the Grade II listed building, 2 High Street (No 2), and is included in the listed building description¹. The listed building is stated to date from the 18th century or earlier. The main property, located on the corner of the junction of High Street and Cage End, is constructed of red brick with a steep pitched slate roof. The adjoining appeal property extends from the main property's

¹ National Heritage List for England – List Entry Number 1122693.

return elevation fronting Cage End. It is a lower, two-storey, rendered block with a concrete tile roof.

5. From the evidence before me, the special interest and significance of the listed building are mainly derived from its architectural and historic interests in illustrating an 18th century domestic property. Important contributors in these respects are its use of traditional methods of construction and materials; surviving historic fabric; and pleasing architectural form and design, including key features and detailing.
6. Pertinent to the appeal, fenestration is a key feature of the building. Windows 1, 2 and 3², which are the subject of the appeal, were installed in the principal elevation of the appeal property around 2010 as part of its use at that time as an estate agent office.
7. The fabric of the windows is of negligible historic interest. Nonetheless, the form, design, materials and finish of the windows are in keeping with the age and character of this part of the listed building, and they provide a degree of authenticity to the fenestration of this elevation. As such, windows 1, 2 and 3 contribute in a positive way to the architectural integrity of the listed building and thus its special interest and significance.
8. The listed building occupies a prominent position within the Hatfield Broad Oak Conservation Area (the CA). The CA's character and appearance and thus its special interest and significance stem, in part, from the area's topography and its surviving historic street pattern, along with the layout, architectural quality and variety of its historic buildings that are a result of the village's evolution and which underpin its local distinctiveness. No 2 supports and sustains the positive qualities which contribute to the character and appearance of the CA as a whole and thus to its significance as a designated heritage asset.

Proposal and effects

9. The National Planning Policy Framework, 2024 (the Framework) sets out, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation³. It goes on to state that, significance can be harmed or lost through alteration or destruction of the heritage asset or from development within its setting and that this should have clear and convincing justification⁴.
10. The proposed works involve the reglazing of window 1 and the replacement of existing windows 2 and 3. I have considered these works separately below.

Reglazing of window 1

11. Window 1 is comprised of three large sections of single-pane glass within a substantial painted timber frame, which provided a shopfront window for the property's previous use.
12. The Council's reason for refusal as set out in its decision notice focuses on the 'proposed replacement timber framed windows with white pvc frame'. It does not reference the reglazing of window 1. Moreover, the officer report and consultee

² As referenced on submitted floor plan – Ground Floor and Top Floor.

³ Paragraph 212.

⁴ Paragraph 213.

comments⁵ set out that ‘the proposal to replace the glazing in the shopfront window (Window 1) is acceptable, provided that a slim profile glazing is used to avoid double reflection’.

13. Given the minimal historic interest of the existing timber frame and single-pane glass, I have no objections to the principle of this part of the proposal. However, only brief descriptions⁶ regarding the detail of these proposed works have been submitted. It is imperative that proposals are accompanied by drawings and specifications of sufficient detail to illustrate and/or describe the proposed works in order to avoid any uncertainty over what is proposed, and to allow a robust assessment of any consequent effects.
14. The appellant contends that window 1 would ‘not look any different’. However, the omission of a detailed description and basic section drawings to illustrate the existing and proposed glazing within the timber frame, mean that it is not possible to make any comparisons and meaningfully assess the proposed alteration and effects to this key element of the listed building. This is highly undesirable in general terms, but especially so given that the property is a Grade II listed building of national importance.
15. I acknowledge the appellant’s reasons for wanting to undertake these works. The potential exists for a scheme to be devised that would secure the appropriate reglazing of window 1. Nonetheless, given the very limited information before me, I am unable to reasonably assess this part of the proposal in relation to the special interest and significance of the listed building. For similar reasons, I cannot reasonably assess this part of the proposal in relation to the character or appearance and thus special interest and significance of the CA as a whole.
16. Given the ‘great weight’ that should be given to the conservation of designated heritage assets, I am not satisfied that it would be appropriate or acceptable to leave such fundamental matters to be dealt with by conditions.
17. Accordingly, I conclude that it has not been satisfactorily demonstrated that this part of the proposal would preserve the Grade II listed building, No 2, or any features of special architectural or historic interest which it possesses; or that it would preserve or enhance the character or appearance of the CA.
18. Thus, I cannot be certain that it would, meet the statutory presumptions set out in sections 16(2) or 72(1) of the Act; comply with the provisions within the Framework which seek to conserve and enhance the historic environment; or accord with Policies ENV1 and ENV2 of the Uttlesford Local Plan, 2005, (the Local Plan), which state that development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area and that development affecting a listed building should be in keeping with its scale, character and surroundings.

Replacement of windows 2 and 3

19. Window 2 is a single-glazed, painted timber, fixed window with glazing bars.
Window 3 is a single-glazed, painted timber, side-hinged casement window with

⁵ Historic Buildings and Conservation Advice.

⁶ Keep the timber just replace the glass with a sealed unit (Application Form); Replacement of a single glazed to double glazed glass in a timber frame window - that I am not proposing to change the timber (Appeal Form); and I am not proposing to change the frame I would just like to remove the single glazed glass and have a double-glazed glass unit fitted (Statement of Case).

- glazing bars. This part of the proposal involves their replacement with double-glazed, uPVC, mechanical flush casements with external glazing bars and trickle vents.
20. These works would not involve the loss of historic fabric, and I have no objections to the principle of this part of the proposal. There are similar issues to those raised above relating to the deficiency of information regarding the detail of the proposed replacement windows. Nonetheless, from the image and description submitted, along with my observations on site, it is clear that there are aspects of the replacement windows which would cause them to be highly discordant with the traditional character of the listed building. These include the smooth and shiny appearance of the uPVC base material, which would not satisfactorily capture the character of painted natural wood; and the incorporation of mock glazing bars and overtly modern trickle vents. The incongruity of the replacement units and their harmful effects would be readily perceived when viewed from the public route of Cage End.
21. Even though the replacement windows are asserted by the appellant to be from the heritage range and would look very similar to what is currently there, no substantive and/or corroborative evidence has been provided in this regard.
22. I am aware of the appellant's reasons for wanting to undertake these works. The potential exists for a scheme to be devised that would secure the appropriate replacement of windows 2 and 3. However, in all of the above respects, the replacement windows as proposed would undermine the authenticity and integrity of the listed building. Furthermore, given the positive contribution that this listed building makes to the key qualities of the CA, it is reasonable to conclude that these identified harmful effects would also weaken the character and appearance of the CA as a whole, albeit modestly.
23. Drawing the above together, I find that this part of the proposal would not preserve the Grade II listed building, No 2, or any features of special architectural or historic interest which it possesses. Nor would it preserve or enhance the character or appearance of the CA. As such, there would be harm to the significance of these designated heritage assets.
24. In finding harm to the significance of a designated heritage asset, the Framework requires the category of harm to be identified⁷, and the Planning Practice Guidance (PPG) requires the extent of harm within that category to be 'clearly articulated'⁸.
25. Given the nature and extent of the proposed works, I find the harm to the significance of the listed building and the CA would be, individually and cumulatively, at the lower end of 'less than substantial'. Nevertheless, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. The Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use⁹.
26. It is reasonable to conclude that this part of the proposal would generate economic, social and environmental benefits. These would be in the respective manufacture and installation of the windows; improvement to the local housing stock; and

⁷ Paragraphs 214 and 215.

⁸ Paragraph: 018 Reference ID: 18a-018-20190723.

⁹ Paragraph 215.

enhanced energy efficiency of the building. Whilst some of these benefits would be private to any occupier of the property, they would also be of a nature to be of benefit to the public at large¹⁰. The scale of these public benefits is moderated by the modest extent of the proposed works but, nonetheless, weigh in favour of the appeal.

27. However, from the limited information before me, I am not persuaded that the only way of securing such public benefits is by means of the replacement windows as proposed. Moreover, there is no substantive evidence before me which demonstrates that they are necessary to secure the ongoing residential use of this part of the listed building within the CA. In these respects, clear and convincing justification for the harm to the assets' significance arising from the proposal has not been provided.
28. On balance, in giving considerable importance and weight to the harm to the significance of these designated heritage assets, I find that this would not be outweighed by the public benefits that the proposed works would generate.
29. Accordingly, I conclude that this part of the proposal would not preserve the Grade II listed building, No 2, or any features of special architectural or historic interest which it possesses; and would not preserve or enhance the character or appearance of the CA. As such, it would harm the significance of these designated heritage assets, and this would not be outweighed by the public benefits generated by the proposal.
30. Consequently, there would be conflict with the statutory presumptions set out in sections 16(2) and 72(1) of the Act; the provisions within the Framework which seek to conserve and enhance the historic environment; and Policies ENV1 and ENV2 of the Local Plan referred to above.

Other Matters

31. The appellant submits that the proposed replacement windows have been used in similar properties. However, no information has been provided in this regard to allow further comment.
32. In the written representations appeal procedure, the appeal is determined based on written material provided by all parties. It is not within the scope of this process to provide advice on how the scheme could be amended in its favour.

Conclusion

33. For the reasons given above the appeal should be dismissed.

F Cullen

INSPECTOR

¹⁰ PPG Paragraph: 020 Reference ID: 18a-020-20190723.