



Appeal Decisions

Site visit made on 9 September 2025

by **R E Jones BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 October 2025

Appeal A Ref: APP/C1570/W/25/3368439

2 Cressages Close, Felsted, Dunmow CM6 3NW

- 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 R Kumar against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0649/HHF.
 - The development proposed is to extend existing kitchen (previously old Bake - Wash house) with chimney to remain.
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Appeal B Ref: APP/C1570/Y/25/3368400

2 Cressages Close, Felsted, Dunmow CM6 3NW

- 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 R Kumar against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/0650/LB.
 - The works proposed are to extend existing kitchen (previously old Bake - Wash house) with chimney to remain.
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Decision

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building, I have had regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). This requires me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
5. The development description in the banner heading has been revised to omit personal information that does not relate to an act of development. I will nevertheless address matters relating to the purpose and need for the proposed extension in my assessment of this appeal.

Main Issue

6. The main issue in both appeals is the effect of the proposal on the special interest and significance of the Grade II listed building, Cressages.

Reasons

7. Cressages, is a grade II listed cottage, dating from at least the 16th century. The dwelling is single storey with domestic accommodation in the roof space facilitated by three gabled dormers at the front and two at the rear. Incorporating a thatched roof, timber frame, plastered walls and brick chimney stacks, the listed cottage is typical of vernacular architecture found locally. When approaching the appeal site along Rayne Road, the thatched roof and plastered walls of the cottage are clearly visible amongst the modern residential dwellings that line the street.
8. There are several later additions and alterations at the rear of the cottage. These relate to modest single storey extensions/buildings that largely reveal and retain the original envelope and prominence of the cottage. One of those additions, a single storey brick outhouse, dates from the 19th century according to OS mapping. Although now forming the dwelling's kitchen, it was likely a former bake or wash house on account of its modest scale, functional form and the external chimney breast and stack attached to the outer wall. The latter elements would have provided a heat source for those likely functions. The 19th century mapping that accompanies the appeal shows that the outhouse was once a detached building, before a more recent flat roof extension linked it to the cottage.
9. From the evidence before me, the building's special interest and significance are largely derived from its historical and architectural interest. Its historic interest primarily derives from its age and illustration as a largely unaltered vernacular cottage. Significance also stems from the historical and evidential value of the former bake/wash house. Although its appearance contrasts with the much older cottage, the structure symbolises how the domestic functions of homes evolved over time and the requirement for buildings to meet those needs. The architectural interest of both the cottage and the bake/wash house mainly arise from their attractive form and the legibility of their historic fabric.
10. The proposed extension would align with the existing roof and outer side walls and extend the length of the former bake/wash house towards the dwelling's rear boundary. In doing so it would remove the existing rear wall and the visible outline of the chimney breast. The corresponding internal profile of the breast would also be removed as part of the works. The extension would be built using reclaimed bricks and roof tiles to match the existing structure and constructed using lime mortar. The chimney stack would remain and protrude above the pitch of the structure in its extended form.
11. The introduction of the proposed extension would elongate the former bake/wash house such that it would significantly diminish the historic legibility and original proportions of the structure. The important chimney breast, which adds to the understanding of the structure's former use, both internally and externally, would be lost and the subsequent erosion of historic fabric would unacceptably impair this phase of the listed building's narrative. Moreover, when viewed from the garden area, the disproportionate uplift in the length of the former bake/wash house would be comparable to the depth and plan form of the original cottage and would dominate the rear of the plot. This effect would appreciably undermine the importance of the cottage as the older, more historic element of the listed asset.
12. The use of reclaimed materials and lime mortar bonding for the proposed development and works would be in keeping with the existing structure and would contribute to its consistent appearance. However, despite the sympathetic use of traditional finishes these would not overcome the harm caused by the extension's

scale and the loss of historic interpretation. Similarly, preserving the existing chimney stack, whilst positive, insofar as maintaining an older part of the structure, does not compensate for the removal of the associated chimney breast, as the historical understanding of the whole feature would be lost.

13. The appellant has indicated that the proposed extension would only be seen by the occupiers of the building. Following my site visit, I am not convinced that perspectives of the extension would be limited to within the curtilage of the appeal property, given the views I obtained through gaps between buildings along Cressages Close. Notwithstanding this, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
14. It is acknowledged that the chimney is no longer in use given that the internal fireplace has been blocked up. Yet this does not lessen its importance as a special feature of the building and the requirement of the Act, to consider its preservation. Moreover, the fact it is rendered and not finished in brick like the rest of the structure, does not in my view diminish its historic function. Indeed, the contrasting finishes between the chimney and the rest of the structure, draws attention to its presence and significance.
15. The appellant indicates that the chimney may have been a later addition that adds no heritage value to the building. However, I have limited evidence to substantiate this. Based on my assessment of the evidence and the way the structure incorporates the chimney into the built fabric, it is likely to have formed part of the building's construction and earlier use.
16. Drawing all the above together, the proposed extension would fail to preserve the special architectural and historic interest and significance of the Grade II listed building, Cressages. This would be contrary to the requirements of sections 16(2), and 66(1) of the Act.

Planning Balance and Conclusion

17. Paragraph 212 of the National Planning Policy Framework, (the Framework) advises that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have clear and convincing justification.
18. With reference to Paragraphs 214 and 215 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. The extent of the development and works, where I have found harm, would be relatively localised and at the rear, less public elevation, of the building. Therefore, I find the harm to the heritage assets to be 'less than substantial' and at the lower end of that spectrum in this instance but, nevertheless, of considerable importance and weight. Under such circumstances, Paragraph 215 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
19. Many of the benefits cited by the appellant would be of a private nature, including those concerning the enlargement of the kitchen and the adaptations made to make it a more accessible space. Nonetheless, I acknowledge that those internal arrangements result in improvements to the housing stock within the area; and investment into the property and regional economy would amount to benefits that would flow to the public at large. Moreover, adapting the kitchen such that it is made

more accessible for those with disabilities, would have a positive impact on the availability of such properties in the future. These benefits carry moderate weight in favour of the appeal, but of themselves, are not sufficient to outweigh the considerable importance and weight I attach to the harm to the significance of the designated heritage assets.

20. The Appellant has provided information in support of the appeal relating to the personal circumstances of an elderly relative. I have had due regard to the Equality Act 2010 (the Equality Act) and the Public Sector Equality Duty (PSED). Section 149 (7) of the Equality Act sets out the relevant protected characteristics which include a person's age and disability. Since there is the potential for my decision to affect a person with those protected characteristics, I have had due regard to the three equality principles set out in Section 149 (1) of the Equality Act. I am sympathetic to the circumstances described and can appreciate the personal benefits of the proposed extension in providing a more accessible and functional kitchen area.
21. The negative impact of dismissing the appeal on the appellant arises from being unable to extend and adapt the home for the elderly relative, thus limiting the functionality of the kitchen to meet their specific living arrangements.
22. However, the proposed extension may not be the only way in which the kitchen could be enlarged to suit their needs. Moreover, I have limited evidence of any alternative internal adaptations considered that would provide an equally functional configuration, through a more sympathetic proposal which would preserve the special architectural and historic interest of the heritage asset.
23. Having due regard to this, and to the need to eliminate discrimination, in my view the adverse impacts of dismissing the scheme on the occupier's protected characteristics would be proportionate having regard to the legitimate and well-established planning policy aims and the intentions of the Act to preserve the special interest and significance of designated heritage assets.
24. Additionally, while I respect the intentions of the appellant to adapt and enlarge the existing kitchen, no substantive evidence has been submitted which confirms that the property would not be useable or viable as a dwelling or that its future as a heritage asset would be at risk if the development and works, as proposed, were not implemented.
25. Taken alongside the other considerations forwarded by the appellant, including the public benefits, the PSED considerations would not outweigh the harm I have identified.
26. Therefore, there would be insufficient public benefit to offset the identified harm and the development and works indicated do not accord with the Framework. I therefore conclude that the proposal fails to preserve the special architectural and historic interest of the grade II listed building, Cressages, which I am required to have special regard and pay special attention to by the Act. The proposal would also conflict with Policies ENV2, H8 and GEN2 of the Uttlesford District Local Plan 2005 which collectively require, amongst other things, to be compatible with the scale and character of surrounding buildings, conserve the significance of heritage assets and acknowledge features of importance.
27. For the reasons given above, both appeals should be dismissed.

RE Jones INSPECTOR