



Appeal Decisions

Site visit made on 17 February 2026

by **T C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 July 2026

Appeal A Ref: APP/C1570/W/25/3375577

Yew Tree Cottage, Bardfield End Green, Thaxted, Dunmow CM6 3PX

- 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 & Mrs David Masters against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/2017/HHF.
 - The development proposed are a rear garden room extension and proposed extension to patio and patio wall at Yew Tree Cottage.
-

Appeal B Ref: APP/C1570/Y/25/3375580

Yew Tree Cottage, Bardfield End Green, Thaxted, Dunmow CM6 3PX

- 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 & Mrs David Masters against the decision of Uttlesford District Council.
 - The application Ref is UTT/25/2018/LB.
 - The works proposed are a rear garden room extension and proposed extension to patio and patio wall at Yew Tree Cottage.
-

Decision

1. Both appeals are dismissed.

Preliminary Matter

2. As the two appeals concern the same development, albeit under different, but comprehensive legislation, I shall deal with both appeals together in my reasoning. In reaching my decision I have had regard to the statutory duties under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. During the appeal process the Council's replacement development plan, the Uttlesford Local Plan (2021-2041), was adopted. Accordingly, I have had regard to the new policies in my assessment of Appeal A.

Main Issue

4. The main issue on both appeals is whether the proposal would preserve Yew Tree Cottage, a two-storey Grade II listed dwelling, and any of the features of special architectural or historic interest that it possesses.
5. Yew Tree Cottage is timber- framed, plaster-rendered building. Dating from the 17th century, it was originally two-bay in form, but during the 18th century an additional bay was added at the building's eastern end.

Reasons

Significance

6. The main part of the dwelling is thatched roofed, with a series of small dormers incorporated. The building is considerably set back from the highway and any public viewpoints, and it sits centrally within a generous curtilage of substantial depth and width.
7. A modern two-storey addition, approved in the late 1980s links in, to the rear of wall of the original cottage. It was built perpendicular to the cottage itself, and the building, as a whole, now appears in the form of a 'T' shape. The newly proposed single-storey extension would be added on to this, projecting this modern rear wing further.
8. The official list entry, apart from describing the original materials used, says little about the cottage's significance but, from my site visit's observations, I must agree with the Council that this derives primarily from the cottage's age, evidential and architectural interest as a modest rural vernacular dwelling of traditional materials and construction.
9. Sections 16 and 66 of the LBCAA require decision-makers to have special regard to the setting of a listed building. The special interest of a heritage asset derives not only from its physical presence and historic fabric but also from its setting which comprises the surroundings in which it is experienced. The setting itself, though, is not a heritage asset.
10. Although it might reasonably be expected that a building can adapt over time, which Yew Tree Cottage obviously has, conservation is about managing change to a building and its setting in ways that sustains, reveals or reinforces its cultural and heritage values. Whilst it could be argued that the previous development has eroded this somewhat, the building's significance is still an important consideration as intended works could still be harmful to its historic fabric. Indeed, the Framework is clear that they should be conserved in a manner appropriate to their significance.
11. That said, the purpose of listing is not to prevent changes to buildings, but to ensure that the special architectural or historic interest of a building is taken into account and preserved.

Effects of the proposal

12. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA) requires the decision maker 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.
13. Paragraph 212 of the National Planning Policy Framework (the Framework) states that, when considering the significance of a designated heritage asset, great weight should be given to that asset's conservation. Significance can be harmed or lost through alteration of the heritage asset and, in instances where harm is identified, the degree of such is a matter for the decision maker's assessment. Further, this must be given considerable weight, and requires convincing justification.

14. The appellants say that the proposal would make better use of the main kitchen space with the addition of a family room, and with consequential easier access to the patio by way of what appears, from the proposed ground floor plan, bi-fold doors thereto. The existing patio would be raised with its retaining wall significantly heightened. As such, there would be two distinct elements to the scheme.
15. First, the proposed addition would comprise an add-on to the existing two-storey extension granted in 1984. This two-storey feature was a substantial addition, and the now proposed single-storey rear projection would, by its very form, depth and flat-roofed design, represent an additional significant development. That said, I consider that it would represent the extension of what appears as a markedly uncharacteristic, and sizeable two-storey extension to the thatched cottage.
16. The existing extension's form and design does not sit easily with the cottage's frontage but when approved it would have been prior to the LBCAA of 1990 and the first iteration of the National Planning Policy Framework (the Framework) in 2012. The latter provides particular advice as to how heritage proposals should best be approached.
17. The appellants mention that, as the extension would be to the rear of the building, it would not be readily visible. However, harm to the historic environment or heritage assets cannot be concealed or limited to visibility from the public realm. Nonetheless, given the degree of the existing additional built form and the context I have described, the proposal's impact would be lessened in that there would not be such a stark contrast with the actual cottage; the existing extension effectively acting as a transitional buffer. Indeed, the general feel now is one of two distinct buildings, the thatched cottage and the 1980's two-storey extension, albeit they are inter-linked.
18. The appellants say that the proposed extension would be subservient to both the existing extension and the thatched part of the building but, in terms of national policy, this holds little relevance.
19. As regards impact on the building's setting, considering the intention to significantly expand the existing area of the rear patio and heighten the retaining wall by some 0.45m, I would have expected that both the elevational and floor plans would have been to a much larger scale than the 1:100 type submitted so as to depict this. Although I note that the Council's representations are largely silent on the alterations to the patio and retaining wall I consider that it is not possible to properly assess the impact on the building's setting, such as taking into account views from the original cottage. These should be considered irrespective of ownership, as listed buildings are an irreplaceable resource.
20. In light of the above I must agree with the Council that, for the purposes of the Framework, the proposed works would give rise to less than substantial harm. Accordingly, I shall attribute considerable importance to this in weighing up the planning balance.

Public Benefits and Planning Balance

21. The advice within the Framework is that firstly, it needs to be identified whether there would be harm, and the second stage is whether public benefits weigh against this harm. As I have found that the proposed development would fail to

preserve the special architectural and historic interest of this Grade II listed building, it would harm its significance as a designated heritage asset.

22. Paragraph 212 of the Framework says that, when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to their conservation. The more important the asset, the greater the weight should be. This is irrespective of the considered level of harm that would arise.
23. Turning to public benefits, these should flow from the development and could be anything that delivers economic, social or environmental objectives. They should also be of a nature or scale to be of benefit to the public at large and not just be a private benefit. Examples of such may include sustaining or enhancing the significance of a heritage asset and securing the asset's optimum viable use in support of its long term conservation.
24. Regarding securing the building's optimum use, the building is already a family-sized dwelling and the additional floorspace provided by the extension, and the proposed internal reconfiguration, would represent a private aspiration, being for reasons of conviviality and the private enjoyment of its occupiers. Neither is the building at risk, and externally, at least, it appears in reasonable condition. The considered visual improvements are subjective and do not justify the proposal having regard to the various criteria involved in its assessment which I have highlighted. Accordingly, I have not identified any actual public benefits arising from the proposed works.
25. As such, clear and convincing justification has not been provided for the development and works which would compromise the listed building's conservation. Further, I have concluded that the proposal would not conserve the building in a manner appropriate to its significance.

Other Matters

26. The appellants indicate that, upon being consulted on the listed building application (the subject of Appeal B), the Council's Conservation Officer said that the revised location of the current proposed extension to the rear of the two-storey range is more favourable in respecting the primacy of the historic range. However, it appears that this was in response to a previous pre-application discussion whereby the single-storey extension was proposed in a different position, and this would have protruded beyond the two-storey addition.
27. The Council's Written Statement explains the above, but also mentions that the footprint of the modern additions to the original cottage would be significantly increased. My concerns reflect this, in that adding to the modern built form to such an extent, extra to the two-storey addition would, on the face of it, bring about an imbalance in the two distinct elements of Yew Tree Cottage.
28. This is not to say that any further development, if sympathetically designed, should be automatically precluded but I must agree with the Council that the extent of the proposed development here would further detract from the building's historic interest.

Conclusion

29. I conclude that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building, Yew Cottage. As such, the proposal would be contrary to the requirements of sections 16(2) and 66(1) of the said Act and paragraphs 207, 208, 212 and 215 of the Framework.
30. It would also be in conflict with the aims and requirements of core policies 61 and 62 of the Uttlesford Local Plan (2021-2041), which are concerned respectively with the historic environment and listed buildings. In addition, core policy 52 requires that new development should respond positively to its context, in accordance with national policy and relevant guidance.
31. Accordingly, I find that it conflicts with the development plan as a whole, and there are no material considerations which indicate that the decision for Appeal A should be made other than in accordance with the Plan.
32. For the reasons given, I have concluded that both Appeals A and B should be dismissed.

T C King

INSPECTOR