



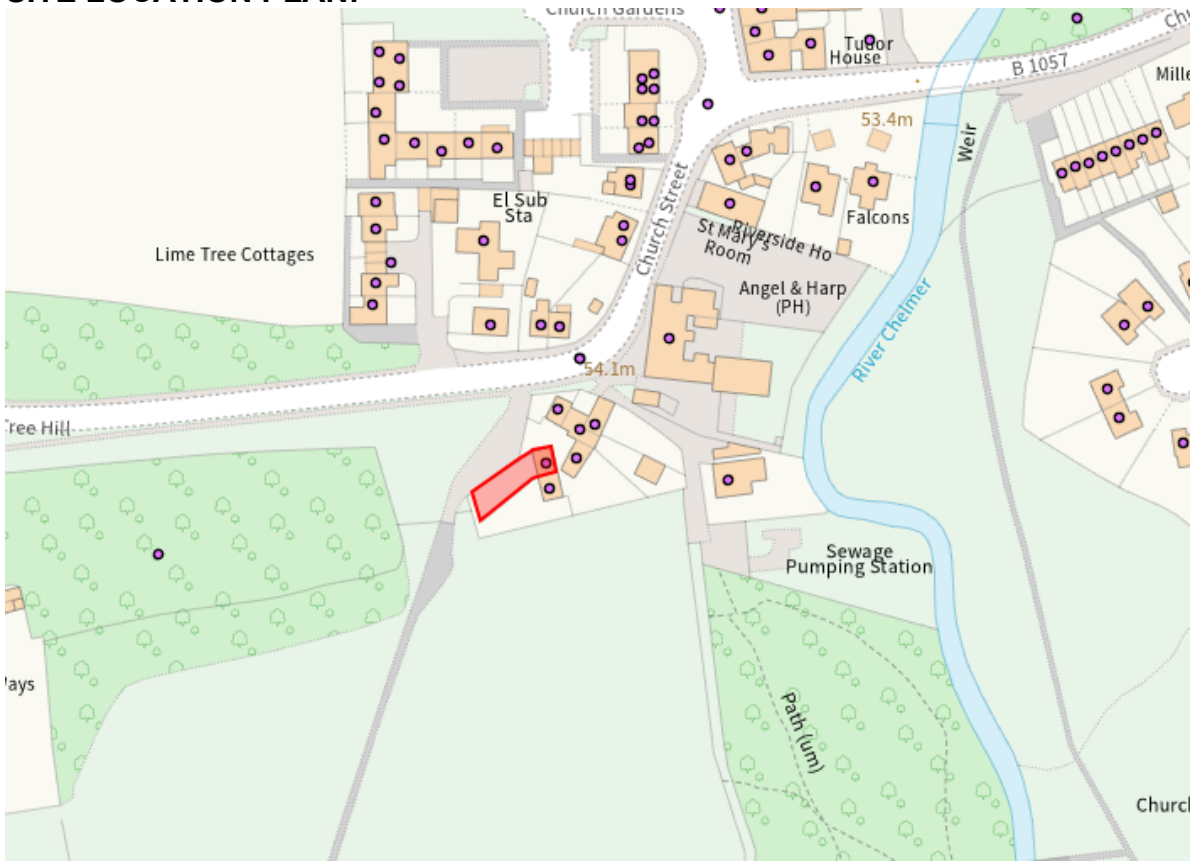
ITEM NUMBER: 7

PLANNING COMMITTEE DATE: 27 August 2025

REFERENCE NUMBER: UTT/25/0576/LB

LOCATION: 8 Church Street
Great Dunmow
CM6 2AD

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 29 July 2025

PROPOSAL: Removal of internal kitchen door and part of drywall

APPLICANT: Ms E Bayliss

AGENT: -

EXPIRY DATE: 3 September 2025

EOT EXPIRY DATE: -

CASE OFFICER: Miss Katherine Jennings

NOTATION: Within Development Limits.
Conservation Area – Great Dunmow.
Grade II Listed Building.

REASON THIS APPLICATION IS ON THE AGENDA: Dwelling is part of UDC tenancy housing stock

1. EXECUTIVE SUMMARY

1.1 The applicant seeks listed building consent to remove the internal kitchen door and part of the drywall.

1.2 The application has limited information regarding the proposal and its overall impact on the listed building. Due to this limited information, the Conservation Officer could not do a full assessment on the impact of the proposal and attributed less than substantial harm to the proposal. The proposal has no public benefits.

1.3 The proposal has been assessed against the relevant policies contained within the Development Plan and the National Planning Policy Framework. The Officer concludes that the proposal does not comply and is not in accordance with these policies and guidance, as the public benefits cannot outweigh the harm to the heritage asset. As the proposal is not acceptable, the proposal is recommended for refusal.

2. RECOMMENDATION

That the Strategic Director of Planning be authorised to REFUSE consent for the work for the reasons set out in section 17.
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3. SITE LOCATION AND DESCRIPTION:

3.1 The application site is located on Church Street in Great Dunmow. The application site is situated in the eastern part of Great Dunmow, just to the north of the Recreation Ground. The dwelling is a Grade II listed semi-detached 17th century timber framed cottage. The dwelling has two floors and is externally finished with render. The dwelling is owned and tenanted by Uttlesford District Council.

3.2 In the locality, there are directly adjoining listed buildings, as well as other listed buildings nearby. The application site is also situated within the Great Dunmow Conservation Area.

4. PROPOSAL

4.1 The proposal is to remove the internal kitchen door and part of the drywall.

5. ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. RELEVANT SITE HISTORY

6.1 There is no site history relevant to this application.

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 No pre-application discussions were undertaken between the Applicant and the Council prior to the submission of the Application.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 There was no statutory requirement to consult any statutory consultees as part of the assessment of this proposal.

9. TOWN COUNCIL COMMENTS

9.1 At the time of writing this report, no comments were received from Great Dunmow Town Council.

10. CONSULTEE RESPONSES

10.1 UDC Housing

10.1.1 The UDC Housing Officer reported that the applicant was advised to fill out an application with planning, rather than a tenant alteration form, as the dwelling is listed.

10.2 UDC Conservation Officer

10.2.1 The Conservation Officer reports that the principle to change an internal door within a modern partition is acceptable. The Conservation Officer also reports, however, that the limited information submitted within the application is insufficient to allow full review and assessment of the proposed works. For example, there is no floor plan to show the wider context of the ground floor, including justification of the proposed measurements, nor is there information about the proposed materials, design or interface with the listed fabric.

10.2.2 The Conservation Officer raised further concerns that there is no information to verify the structural safety of increasing the width of the opening from 76cm to 162cm.

10.2.3 The Conservation Officer reports that the application lacks detail about the existing building and the context of the proposed changes and therefore they would be unable to support this application. As such, the proposal in its current form would result in a low level of less than substantial harm to the significance of the listed building. The character, appearance or significance of the Conservation Area would not be affected.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 4 notification letters were sent to nearby properties. The application was advertised in the press. At the time of writing this report, no representations have been received.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, 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 or, fails to preserve or enhance the character and appearance of the Conservation Area.

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Uttlesford Design Code (adopted July 2024)
Felsted Neighbourhood Plan (made February 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made July 2022)
Saffron Walden Neighbourhood Plan (made October 2022)
Ashdon Neighbourhood Plan (made December 2022)
Great & Little Chesterford Neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Local Plan 2005

13.2.1 ENV2 Development affecting Listed Building

13.3 Great Dunmow Neighbourhood Plan 2016

13.3.1 There are no policies relevant to this application.

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document – Accessible homes and playspace
Supplementary Planning Document – Developer’s contributions
Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

14.1 The issues to consider in the determination of this application are:

14.2 A) Impact on the listed building (ENV2 and the NPPF)

14.2.1 Where any development may have a direct or indirect effect on designated heritage assets, there is a legislative framework to ensure the proposals are considered with due regard for their impact on the historic environment. Section 16 of the NPPF relates to the historic environment, and developments which may have an effect upon it. Paragraph 213 of the NPPF states that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.

14.2.2 The Conservation Officer reported that they were unable to support the application due to the limited information submitted within the application – this ranges from details such as floor plans, materials and how the proposal would interface with the listed fabric, to details about structural safety. Without this information, the Conservation Officer was unable to assess the impact of the application on the listed building.

14.2.3 Given the above, the Conservation Officer states that the proposal in its current form would result in a low level of less than substantial harm to the significance of the listed building, with paragraphs 213 and 215 of the NPPF being relevant.

14.2.4 Paragraph 215 of the NPPF addresses the balancing of harm against public benefits. Paragraph 215 emphasises that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

14.2.5 The submitted documents within the application do not indicate that there are any public benefits of the proposal. The Conservation Officer does not state that there are any public or heritage benefits of the proposal. As such, the public benefits are given **no** weight.

14.2.6 Paragraph 212 of the NPPF states that 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 conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less

than substantial harm to its significance. Therefore, the harm to the significance of the listed building identified above would be afforded **great** weight.

14.2.7 As the public benefits have no weight, they **cannot outweigh** the great weight given to the 'less than substantial harm' to the significance of the listed building, meaning that the heritage balancing exercise would not favour the proposal. The proposal would be contrary to paragraphs 213 and 215 of the NPPF, section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and policy ENV2 of the Local Plan. The application of paragraph 215 of the NPPF would provide a strong reason for refusing the development, as per paragraph 11(d)(i) of the NPPF.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

16. CONCLUSION

16.1 The proposal would fail to accord with paragraphs 213 and 215 of the NPPF, section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy ENV2 of the Local Plan. The application of

paragraph 215 of the NPPF would provide a strong reason for refusing the development, as per paragraph 11(d)(i) of the NPPF. As such, it is recommended that listed building consent be refused.

17. REASONS FOR REFUSAL

17.1 The impact of the proposal on the Grade II listed building, by reason of the limited information submitted as part of the application, cannot be fully assessed. Therefore, the proposal in its current form would cause 'less than substantial harm' to the significance of the listed building. There are no public benefits associated with the proposal which would outweigh this harm, as per paragraph 215 of the National Planning Policy Framework. Accordingly, the proposal would be contrary to policy ENV2 of the adopted Uttlesford Local Plan (2005) and paragraphs 213 and 215 of the National Planning Policy Framework (2024).