

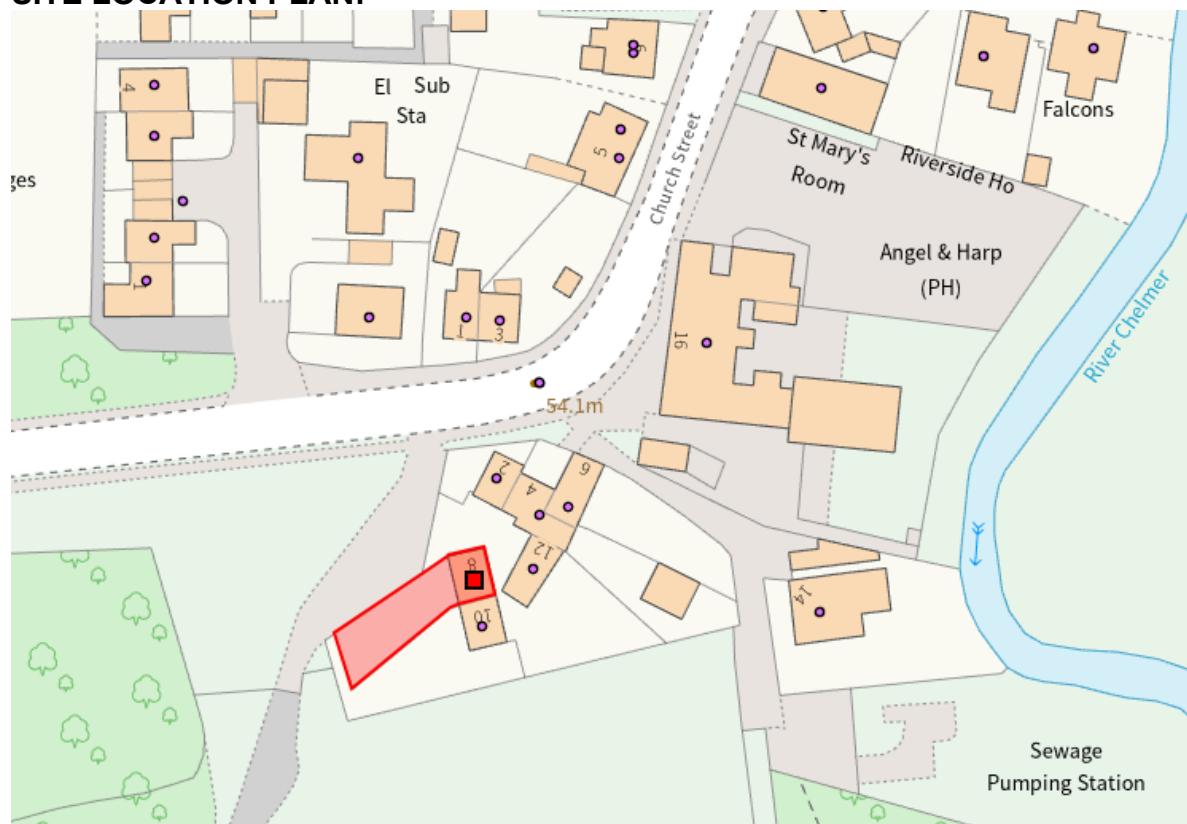
ITEM NUMBER: 8

PLANNING COMMITTEE DATE: 14 January 2026

REFERENCE NUMBER: UTT/25/3169/HHF

LOCATION:
8 Church Street
Great Dunmow
Essex
CM6 2AD

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 2 December 2025

PROPOSAL: S73A retrospective application for an outbuilding

APPLICANT: Ms Emma Bayliss

AGENT: Mr Domenico Padalino

EXPIRY 22 January 2026

DATE:

EOT EXPIRY -

DATE:

CASE Miss Katherine Jennings
OFFICER:

NOTATION: Within Development Limits.
Conservation Area – Great Dunmow (Church End).
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 retrospective planning permission for the construction of an outbuilding in the grounds of a listed building.
- 1.2 The proposal would not result in detrimental harm to the amenities enjoyed by residential dwellings, to parking, to flood risk or to ecology. The proposal would not be acceptable in terms of design and character as it causes 'less than substantial harm' to the significance of the listed building itself, nearby listed buildings and the Conservation Area. This harm could not be outweighed by public benefits.
- 1.3 The proposal has been assessed against the relevant policies contained within the Development Plan, relevant legislation 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 such, the proposal is recommended for refusal.

2. RECOMMENDATION

That the Strategic Director of Planning be authorised to REFUSE permission for the development for the reasons set out in section 17.

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. The dwelling has a garden, within which was an outbuilding. This was small in size and scale and had a dual pitched roof.

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 (Church End) Conservation Area.

4. PROPOSAL

4.1 The proposal is for retrospective permission for an outbuilding with a flat roof and externally finished with black timber weatherboarding and UPVC doors.

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 Great Dunmow Town Council objects to the application and provided the following comments:

- Proposal is not in keeping with established streetscene and causes harm to designated heritage assets as a result.
- The proposal in its form, scale and appearance is visually intrusive and inconsistent with the character of the area (including the heritage assets).

- The development as built already has a negative impact on the area.
- The retrospective nature of the application does not mean that it does not need to fully comply with national and local policies.
- The proposal does not comply with the NPPF or local plan policies for design quality and heritage protection.

10. CONSULTEE RESPONSES

10.1 Place Services (Conservation and Heritage)

10.1.1 Place Services' Conservation Officer reported concerns regarding the design, roof form, location and materials of the outbuilding, which they state are not traditional in design and would be unsympathetic to the Conservation Area and architectural interest of the listed buildings concerned.

10.1.2 The Conservation Officer reports that the outbuilding would cause a low level 'less than substantial harm' to the significance to 8 and 10 Church Street and the Great Dunmow (Church End) Conservation Area and would cause the lowest level of 'less than substantial harm' to 12 Church Street and Porters Yard. As such, the proposal would fail to preserve the interest of the listed buildings identified above and would fail to preserve the character and appearance of the Conservation Area.

10.2 UDC Housing Officer

10.2.1 The UDC Housing Officer stated that they would not recommend the proposal is built based on the current plans, and that full details would need to be submitted as a tenant alteration request to make a fully informed decision.

11. REPRESENTATIONS

11.1 One site notice was displayed on site, and 4 notifications letters were sent to nearby properties.

11.2 Support

11.2.1 No comments were made in support of the application

11.3 Object

11.3.1

- The description of the proposal is not accurate
- The proposal would fail to preserve the character and appearance Conservation Area
- There would be harm to the setting of the listed building, 8 Church Street through materials, design, scale and location
- Loss of vegetation, including the removal of a nearby ash tree, has increased harm and visual impact of the outbuilding

- Inappropriate planting species for proposed landscaping
- Reduced lighting as result of the size and scale of the proposal
- Increase of flood risk

11.4 Comment

11.4.1 Regarding the first point of objection, the proposal description was changed to remove the “rear garden element”. All other points raised are discussed in section 14 below.

12. MATERIAL CONSIDERATIONS

12.1 Section 73A of the Town and Country Planning Act 1990 states that planning permission on an application made to a local planning authority may be granted with planning permission for development carried out before the date of the application.

12.2 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.

12.3 The Development Plan

12.3.1 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 (2024)

13.1.2 A new draft NPPF was published for consultation on 16 December. The draft NPPF is not adopted policy. The current adopted NPPF remains the primary national policy for decision-making under section 38(6) of the Planning and Compulsory Purchase Act 2004.

13.2 Uttlesford District Local Plan (2005)

13.2.1	S1	Development limits for the Main Urban Areas
	GEN2	Design
	GEN3	Flood Protection
	GEN4	Good Neighbourliness
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	ENV1	Design of Development within Conservation Area
	ENV2	Development affecting Listed Building
	ENV8	Other Landscape Elements of Importance for Nature Conservation

13.3 Great Dunmow Neighbourhood Plan (made December 2016)

13.3.1	LSC1	Landscape, Setting and Character
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13.4 Supplementary Planning Document or Guidance

Essex Design Guide
Uttlesford District-Wide Design Code (2024)
Essex County Council Parking Standards (2009)
Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Guidance – Part 1: Parking Standards (2024)

14. CONSIDERATIONS AND ASSESSMENT

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

- A) Principle of development (S1 and the NPPF)**
- B) Character, appearance and impact on heritage assets (GEN2, ENV1, ENV2, LSC1 and the NPPF)**
- C) Residential Amenity (GEN2, GEN4 and the NPPF)**
- D) Parking (GEN8, Parking Standards and the NPPF)**
- E) Ecology (GEN7, ENV8 and the NPPF)**
- F) Flood Risk (GEN3 and the NPPF)**

14.3 A) Principle of development (S1 and the NPPF)

14.3.1 The site is located within the built-up residential area of Great Dunmow whereby Policy S1 states that new development in these existing built-up areas is appropriate subject to other material considerations, which are discussed below.

14.4 B) Character, appearance and impact on heritage assets (GEN2, ENV1, ENV2, LSC1 and the NPPF)

14.4.1 In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. These criteria are reflected in policy GEN2 of the adopted Local Plan and policy LSC1 of the Great Dunmow Neighbourhood Plan (2016).

14.4.2 Policy ENV1 of the adopted Local Plan relates to development proposals and their effect on Conservation Areas. Policy ENV2 of the adopted Local Plan states that development affecting a listed building should be in keeping with its scale, character and surroundings. Development proposals that adversely affect the setting of a listed building and alterations that impair the special characteristics or interest of a listed building will not be permitted.

14.4.3 Where any development may have a direct or indirect effect on designated or non-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.

14.4.4 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”.

14.4.5 Heritage Impact:

14.4.5.1 The designated heritage assets which could be impacted by the development are Grade II listed 8 and 10 Church Street (List entry 1142473), the adjacent Grade II listed 12 Church Street (List entry 1328236), the nearby Grade II* listed Porters Yard (List entry ref 1121539) and the Great Dunmow (Church End) Conservation Area.

14.4.6 The significance of the listed buildings derives primarily from their age, archaeological and architectural interest as rural vernacular dwellings of traditional form, materials and construction. Each of the listed buildings and their visual inter-relationship contributes to the significance of the others as part of their setting. The listed buildings are considered by the Conservation Officer to make a positive contribution to the Conservation Area.

14.4.7 The Conservation Officer reports that the proposed outbuilding occupies a prominent position in the street scene and within the Conservation Area. Due to this location, it is viewed in concert with the listed buildings in the

views towards them. A third-party representation notes the recent removal of vegetation which may enhance the prominence of the outbuilding.

14.4.8 The Conservation Officer reports that while the flat roof form of the outbuilding means that the outbuilding is of a subservient scale and the proposed black painted timber weatherboarding is a traditional external finish, there are other significant issues with the design of the proposal. The Conservation Officer reports that the building is of a poor-quality design for its heritage setting (such as the extent of its flat roof and being predominantly an open fronted shelter) and by having other poor-quality materials such as a set of white uPVC doors (visible from the outside of the outbuilding). These are not traditional features which are typical of a Conservation Area and are not sympathetic, even if the flat roof does deliver some benefits in terms of subservience. These features would be distinctly visible within the Conservation Area and would not be sympathetic to the architectural interest of the listed buildings, nor to the character and appearance of the Conservation Area.

14.4.9 Notwithstanding concerns from third party representations about the species of the proposed vegetation to be planted, the Conservation Officer verbally confirmed that while a native species would be preferred, the proposed vegetation species would not be considered to be harmful to the significance of the heritage assets.

14.4.10 In conclusion, the Conservation Officer reports that, compared to the baseline (which was a subservient in size and scale, dual pitched roof outbuilding finished in timber), the proposal fails to preserve the special interest of the listed buildings stated in 14.4.5 and fails to preserve or enhance the character and appearance of the Conservation Area. This causes a low level 'less than substantial harm' to the significance to 8 and 10 Church Street and the Great Dunmow (Church End) Conservation Area and causes the lowest level of 'less than substantial harm' to 12 Church Street and Porters Yard.

14.4.11 Officers agree with the comments made by the Conservation Officer. It is also necessary, however, to discuss comments made within the application's Planning and Heritage Statement regarding the heritage impact of the proposal.

14.4.12 Within the Planning and Heritage Statement, reference is made to an outbuilding which was given approval (UTT/24/1466/HHF) and built out within the curtilage of an adjacent listed building (12 Church Street). This cannot be seen from the street but can be seen from within the Great Dunmow Recreation Ground, where its pitched roof rises above the fence line of the site. There can be harm to the significance to a Conservation Area regardless to what extent development can be viewed publicly. The outbuilding subject to this application, however, as noted by the Conservation Officer, has particular prominence in the street scene and in terms of the views of the group of listed buildings from the street. Therefore, although the outbuilding at 12 Church Street has prominence

in scale and can be partially viewed from public view, for the reasons above the location of the outbuilding at 8 Church Street has a greater unsympathetic impact in terms of its relationship to the Conservation Area and other listed buildings.

14.4.13 Additionally, while the outbuilding at 8 Church Street would be smaller in size and scale than the other outbuilding, it is noted that the outbuilding at 12 Church Street is traditional in design and roof forms (in particular its pitched roof), and has traditional external finishes (slate roof, timber fenestration). As noted in 14.4.8, design features of the outbuilding such as the flat roof, the open fronted shelter design and uPVC windows and doors would be unsympathetic and harmful to the significance of the Conservation Area and nearby listed buildings. In summary, despite there being a recently approved outbuilding in the curtilage of a nearby listed building and which affected the Conservation Area, the outbuilding subject to this application has differing considerations in terms of design, materials and roof type which are harmful to the significance of the heritage assets.

14.4.14 Heritage Balance:

14.4.14.1 Paragraph 215 of the NPPF states 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. The heritage balancing exercise would require the above 'less than substantial harm' to be weighed against the public benefits of the scheme.

14.4.15 No public or heritage benefits of the scheme are given within the heritage statement or any other documents submitted with the application.

14.4.16 As such, overall, there is **no** weight given to the public benefits of the scheme.

14.4.17 Paragraph 212 of the NPPF states that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the assets' 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 heritage assets identified above would be afforded **great** weight.

14.4.18 The weight given to the 'less than substantial harm' to the significance of the heritage assets cannot be outweighed by public benefits as there is **no** weight given to them, meaning that the heritage balancing exercise would **not** favour the proposal. The proposal is contrary to paragraphs 213 and 215 of the NPPF and Policies ENV1 and ENV2 of the adopted 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.

14.5 C) Residential Amenity (GEN2, GEN4 and the NPPF)

14.5.1 Policies GEN2 and GEN4 of the adopted Local Plan state that development will not be permitted unless its design meets a variety of given criteria, including that it minimises the environmental impact on and enjoyment of neighbouring properties.

14.5.2 Given the location of the development and its relationship to the neighbouring garden to the south, there would not be a detrimental impact in terms of overbearing and loss of light. Although a third party representation raised concerns about loss of light at night due to the size and scale of the proposal, requiring that external lighting be secured through redesigned plans or condition would not be relevant to an application of this nature and scale. Finally, the proposed doors would also not cause overlooking and therefore no loss of privacy.

14.5.3 Therefore, the development complies with policies GEN2 and GEN4 of the adopted Local Plan (2005) and the NPPF.

14.6 D) Parking (GEN8, Parking Standards and the NPPF)

14.6.1 Policy GEN8 of the adopted Local Plan and the Parking Guidance documents state that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location.

14.6.2 There are no additional bedrooms proposed, and it would not affect existing parking provision. Therefore, the development complies with Policy GEN8 on the Uttlesford Local Plan (2025), the Uttlesford Residential Parking Standards (2013), the Essex County Council Parking Standards (2009), and the Parking Guidance – Part 1: Parking Standards Design and Good Practice (September 2024) and the NPPF.

14.7 E) Ecology (GEN7, ENV8 and the NPPF)

14.7.1 The application site itself is not the subject of any statutory nature conservation designation. There are no concerns raised from the submitted biodiversity checklist. Therefore, the development should not result in detrimental harm to protected species or their habitats and it would comply with policies GEN7 and ENV8 of the adopted Local Plan (2005) and the NPPF.

14.8 F) Flood Risk (GEN3 and the NPPF)

14.8.1 Policy GEN3 of the adopted Local Plan relates to the mitigation of flood risk and the impact of development proposals on flood risk.

14.8.2 Notwithstanding concerns raised by third parties, the application site itself does not fall within flood zone 2 or 3, nor is it within an area which has

concerns regarding surface water. As such, no further information is required and (given that there was an outbuilding in the same location prior to the outbuilding subject to this application) the increase in built form would not be enough to detrimentally increase the risk of flooding onsite or elsewhere. As such, the development would comply with policy GEN3 of the adopted Local Plan (2005) and 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 In light of the above assessment, there would be no detrimental harm to residential amenities, parking, flood risk, or ecology as a result of the proposal.

16.2 The proposal does cause, however, 'less than substantial harm' to the significance of the heritage assets stated within 14.4.5. The proposal fails to preserve the special interest of the listed buildings stated within 14.4.5 and fails to preserve the character and appearance of the Great Dunmow (Church End) Conservation Area. As there are no public benefits of the

proposal, the heritage balancing exercise (conducted in accordance with paragraph 215 of the NPPF) would not be in favour of the proposal.

16.3 Therefore, the proposal does not comply with the policies of the Uttlesford Local Plan (2005), sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and the National Planning Policy Framework (2024). As such, it is recommended that planning permission is refused.

17. REASONS FOR REFUSAL

1 The outbuilding (by reason of its design, roof form, materials and location) fails to preserve the special interest of 8 and 10 Church Street, 12 Church Street and Porters Yard and fails to preserve the character and appearance of the Great Dunmow (Church End) Conservation Area. This causes a low level 'less than substantial harm' to the significance to 8 and 10 Church Street and the Great Dunmow (Church End) Conservation Area and causes the lowest level of 'less than substantial harm' to 12 Church Street and Porters Yard. Having regard to the guidance in paragraph 215 of the National Planning Policy Framework, the Local Planning Authority has considered the public and heritage benefits associated with the works but concludes that these would not outweigh the harm caused to the designated heritage assets.

Accordingly, the proposal is contrary to Policies ENV1 and ENV2 of the adopted Uttlesford Local Plan (2005), paragraphs 213 and 215 of the National Planning Policy Framework (2024), and Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The application of paragraph 215 of the NPPF provides a strong reason for refusing the development, as per paragraph 11(d)(i) of the National Planning Policy Framework (2024).