
Appeal Decisions

Site visit made on 8 July 2025

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th August 2025

Appeal A: APP/C1570/W/25/3359527

6 King Street Dental Practice, King Street, Saffron Walden, Essex CB10 1ES

- 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 Beacondart Properties Limited against the decision of Uttlesford District Council.
 - The application reference is UTT/24/1262/FUL.
 - The development is proposed change of use of upper floors to form two residential units with associated works.
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Appeal B: APP/C1570/Y/25/3359524

6 King Street Dental Practice, King Street, Saffron Walden, Essex CB10 1ES

- 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 Beacondart Properties Limited against the decision of Uttlesford District Council.
 - The application reference is UTT/24/1263/LB.
 - The works relate to the proposed conversion of upper floors to form two residential units with associated works.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As the appeal site lies within a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is whether the proposal would preserve a Grade II listed building, known as '6, King Street' (Ref: 1206328), and any features of special architectural or historic interest that it possesses.

Reasons

5. The appeal property is a Grade II listed building, which dates back to the mid-19th century. It is three storeys high and constructed of brick. The front elevation has been rendered. There is a clear hierarchy of floors, which is denoted by the large, double casement windows on the first floor which have enriched splay reveals and

fluted architraves. There is a retail unit on the ground floor, which has 19th century pilasters. The shop windows and central recessed doorway date back to the early-20th century. There is a historic staircase between the first and second floors, which has stick balusters and applied console brackets. The building was extended to the rear around the mid to late-19th century.

6. Based on my site visit and the evidence before me, I find that the listed building's special interest insofar as is relevant to these appeals is derived from its historic and architectural interest, as an illustration of mid-19th century architecture. The building's surviving historic fabric, use of traditional materials, the legibility of its historic plan form and its pleasing architectural style and design make important contributions in these regards.
7. The proposal seeks to convert the upper two floors of the building, which were last in use as a dental surgery into two duplex flats. A new staircase is proposed to link the first and second floors of Flat 2. The appellant states that the Historic Building Recording and Analysis report suggests that there was originally a servant's stairwell in this area and that the proposed staircase would revive the original function of these rooms. However, there is no compelling evidence before me that there was previously a staircase in this location. Even if there were, there are also no details of its layout or design.
8. The appellant's Heritage Statement Supplementary Report suggests that the flooring in the area where the new staircase is proposed dates back to the early to mid-20th century. However, the Council argues that the date of this fabric is inconclusive. Based on the evidence before me, the date of this fabric is unclear. However, even if it were to date back to the early 20th century, it would still be of some age. Nevertheless, only a sample area has been assessed as opposed to the whole area that would be impacted. Accordingly, the proposal is likely to result in the loss of historic fabric to facilitate the new staircase.
9. The scheme proposes new openings within the walls to create two new doorways. The trial holes, which I viewed on site indicate that these walls are historic. The appellant's heritage consultant states that the trial holes show that these walls had a lime plastered finish and contained mass produced Victorian machine bricks heavily used in the mid-19th century. Nevertheless, the new openings would result in harmful and irreversible loss of surviving historic fabric. The provision of two new openings would also erode the legibility of the historic plan form.
10. A fire door is proposed on the first floor landing to separate the units. While the appellant advises that this is a reversible intervention, the provision of a door in this location would impact the historic plan form and how the historic stair and landing are experienced.
11. I appreciate that the proposal would bring the upper floors of the building back into active use. The proposal would also remove the modern partitions and raised flooring, which would better reveal the historic plan form, particularly in the principal room on the first floor. The proposal also seeks to repair existing cracks within the fabric and address the damp problem that the property is currently experiencing, which would have a beneficial effect.
12. The proposal seeks to route all new pipework internally and remove the external pipework and escape ladder from the side of the building. While removal of the exterior pipework and ladder would be beneficial to the listed building, there is no

compelling evidence before me why such benefits cannot be achieved by a different scheme, which would not result in the harm that I have identified. I am also not convinced that the proposed use is the only feasible option for addressing the issues relating to the change in floor levels.

13. The appellant advises that the existing fabric would be upgraded to meet the requirements of Building Regulations in relation to heat loss and sound proofing. However, there is limited information before me on such works and the impact that this would have on the historic fabric and special interest of the listed building.
14. While I have found that some aspects of the works would be beneficial, overall, I find that the proposal would fail to preserve the special interest of the Grade II listed building. In finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the nature and extent of the development proposed, I find the harm to the significance of the listed building to be 'less than substantial' and at the lower end of the scale. However, this should not be equated with a less than substantial planning objection and is of considerable importance and weight. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
15. The proposal would align with the objectives of the Framework, which seek to significantly boost housing supply and promote the effective use of land. The proposal would provide two new dwellings, within an accessible, town centre location; thus, reducing the pressure on green field sites. The proposal would make a small contribution to the supply of housing within the District, which I afford limited positive weight.
16. The proposal would bring the upper floors of the building back into active use. It also seeks to address the existing damp problem and repair existing cracks. The proposed works would help to prevent further deterioration of the historic fabric. The removal of the modern partitions and raised flooring would also better reveal the historic plan form and sense of spaciousness, particularly for the principal room on the first floor. I give these works modest weight in my decision as a public benefit.
17. The removal of some of the exterior pipework and ladder would help to tidy up the side elevation of the building, which would be beneficial to the listed building. However, as set out above, there is no compelling evidence before me why such benefits cannot be achieved by a different scheme, which would not result in the harm that I have identified.
18. There would be a small economic benefit from the proposal during the construction of the development, which I give limited weight as an economic benefit. There is also no substantive evidence that the proposal is necessary in order to secure the optimum viable use of the asset. Collectively, the proposed public benefits carry modest weight in favour of the development and are insufficient to outweigh the great weight afforded to the preservation of heritage assets.
19. For the reasons given above, I conclude that the proposal would fail to preserve the special interest of the Grade II listed building. The proposal would fail to accord with the requirements of the Act and the historic environment policies of the Framework. The proposal would conflict with Policy ENV2 of the Uttlesford Local

Plan January 2005 (the Local Plan), which requires that proposals preserve the architectural and historic characteristics of a listed building.

Other Matters

20. The appeal site lies within the Saffron Walden Conservation Area (CA). The CA covers a large part of the town centre, including its historic core. The CA features a range of historic buildings of various dates and ages. The significance of the CA insofar as is relevant to these appeals is derived from the concentration of high quality historic buildings, which depicts the town's evolution as a historic market town. Given the limited external works proposed, I find that the appeal scheme would preserve the character and appearance of the CA, as a whole. Given that an active use remains on the ground floor of the building and that alternative schemes could be explored for the upper floors, I do not find that dismissing this appeal would affect the vibrancy of the CA.

Planning Balance

21. The Council is unable to demonstrate a 5 year supply of deliverable housing sites. In such circumstances, paragraph 11 d) of the Framework advises that planning permission should be granted, unless policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
22. The Council confirms that their latest housing land supply figure is 3.46 years. This figure is not disputed by the appellant. As a result, it is evident that there is a pressing need for housing when considering this shortfall. The construction of two new dwellings would make a small contribution towards the Council's housing supply, which I give limited weight in my decision.
23. Nevertheless, the proposal would fail to preserve the special interest of the listed building. Consequently, the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development. As a result, the presumption in favour of sustainable development does not apply in this case.

Conclusion

24. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no other material considerations, including the Framework, that would outweigh that conflict. Therefore, I conclude that both appeals should be dismissed.

A James

INSPECTOR