

# Planning Committee



Application Address	1 Hurn Court Hurn Court Lane Christchurch BH23 6BH
Proposal	Listed Building Consent for internal alterations including modifying timber studwork to form cupboards and form new internal opening into Flat 3. Replace wooden floor boards with stone tiles and fit new boiler flue within southern elevation wall of Flat 1 and installation of a roof light.
Application Number	8/22/0832/LB
Applicant	Mrs F Cox
Agent	Mr Ryan Barnett
Ward and Ward Member(s)	Commons
Report status	Public
Meeting date	19 January 2023
<b>Summary of Recommendation</b>	<b>Grant in accordance with the details set out below</b>
Reason for Referral to Planning Committee	Councillor Cox is co-owner of both flats.
Case Officer	Melanie Smith

## Description of Proposal

1. Listed Building Consent for internal alterations including;
  - modifying timber studwork to form cupboards in flat 1
  - replace wooden floor boards within ground floor passageway with stone tiles
  - fit new boiler flue within southern elevation of wall of Flat 1
  - installation of a roof light on terrace on Flat 1.
  - form new internal opening at first floor into Flat 3.

## Description of Site and Surroundings

2. The application site relates to Hurn Court, a substantial 3-4 storey building of grade II\* listed status. Previously in use as a school, the main building was converted to 8 flats in the 1990's. The listed building description dates the earliest visible remains to the end of the 16<sup>th</sup> century. However it was significantly altered and extended in the 1840's including the addition of the current top storey. The building sits within substantial landscaped grounds and includes an historic Stable Block to the north of the main building which is grade II listed and converted to 6 dwellings. There are also two terraced groups of cottages which were built to the west and north-west of the main house in the 1990's around the same time the main house was converted to flats.

3. The listed building description states the following;

*A large house of irregular plan and varying dates. Occupies the site of a mediaeval grange of Christchurch Priory. Earliest visible work belongs to end of C16 and is an interesting example of early use of brickwork in this area. House altered 1806 by Garbett of Southampton and again circa 1840. Plastered walls and chimney stacks. Parapet and slate roofs. Main block, E shaped, of symmetrical design; coped gables with finials to outer wings. 3 storeys, of which top one added to the 2 storey Elizabethan house in 1840 when an extra west wing also added. Additional attic floor with dormers. String courses. Outer windows have dripstone moulds and mullions (transom also at 1st floor) casement windows. 2 storey centre porch with buttresses and gable. Cartouche in tympanum. Ribbed, Gothic arched, door. Interior: Ribbed plaster ceilings, some with heraldic devices. Doors with Gothic panels. Staircase with twisted balusters and carved handrail.*

### **Relevant Planning History**

4. There is a significant planning history relating to this site. The applications below are the most recent and relevant to the current applications.

8/20/0477/FUL – Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay – granted 02/11/2020.

8/20/0478/LB - Repair and replacement and three timber structures on Hurn Court (Oriel window, atrium and cupola), externa repairs and replacement of three chimneys due to decay – granted 02/11/2020.

8/21/0132/LB – Replacement of decayed coping brickwork with new coping stones above flat 6 and flat 1 (retrospective application) – granted 22/07/21.

### **Constraints**

5. In considering whether to grant listed building consent for any works to a listed building, special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses- section 16(2) - Planning (Listed Buildings and Conservation Areas) Act 1990.

- Listed building – grade II\*

### **Public Sector Equalities Duty**

6. In accordance with section 149 Equality Act 2010, in considering this proposal due regard has been had to the need to —
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **7. Consultations**

#### **Hurn Parish Council**

No objection.

#### **BCP Trees & Landscaping**

No objection - The proposed internal alterations will not impact on TPO trees on site and there is adequate hard surfacing around the building for the storing and/or mixing of materials away from these trees.

#### **BCP Conservation/Heritage**

No objection – The plans have been carefully designed and harm minimal areas of historic fabric, are functional improvements and provide energy savings for the building. The flat will be more accessible for the current and future owners though it could be reversed should the ownership revert back to the previous arrangement. The rooflight through the terrace roof will also save energy as it will avoid the use of lighting in the passageway below.

#### **Historic England**

We are content for you to determine the applications in line with National and local planning policy and guidance, and on the basis of your own specialist conservation advice.

### **Representations**

8. 2 letters of support have been received making the following comments;
- The internal alterations will reunite two parts of the house in the same way they were originally connected many years ago.
  - The proposals will restore some of the original character.

## **Key Issue(s)**

9. The key issue(s) involved with this proposal are:
  - The impact upon the significance of the listed building.
10. This issue will be considered below.

## **Policy Context**

### **11. Local Plan Policies**

The following policies are of particular relevance in this case:

#### **Christchurch and East Dorset Core Strategy (2014)**

KS1 –Presumption in favour of sustainable development

HE1-Valuing and conserving our historic environment

#### **Christchurch Borough Council Local Plan (2001) saved policies**

BE14: Alterations to listed buildings

### **12. National Planning Policy Framework (“NPPF”/”Framework”)**

#### **Section 2 – Achieving Sustainable Development**

Paragraph 11 –

“Plans and decisions should apply a presumption in favour of sustainable development.

.....

For **decision-taking** this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.”

#### **Section 16 – Conserving & enhancing the historic environment**

“194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

“195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”

“197. In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.”

“199. 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

“200. 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.

“202. 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.”

## **Planning Assessment**

### **Principle of development**

13. The application property is a grade II\* listed building and is therefore of particular special interest. Nonetheless, there is no in principle reason why a listed building cannot be altered provided the Local Planning Authority considers the impacts on the heritage assets to be acceptable within its assessment.

### **Impact on listed building**

14. The proposed alterations include the insertion of two new openings within the ground floor entrance hall, the replacement of the hallway timber flooring with flag stone tiles,

the insertion of a roof light over the ground floor hallway, the creation of a doorway through the first floor living room into the hallway of flat 3 which is also within ownership of the applicants, and the insertion of a new more energy efficient boiler and flue within the rear external wall at ground floor level. The proposed changes have been put forward in order to improve storage within flat 1, increase natural light within the ground floor hallway, improve energy efficiency and to improve access to flat 3 which is also within the ownership of the applicants. In improving access to flat 3 the proposals will provide an easier fire escape route to the occupants of flat 1.

15. The two new openings within the entrance hall are proposed to be created within a modern section of studwork thereby resulting in no loss of historic fabric. The external finish proposed of the two doors is to match the existing faux stonework finish in order that the doors will not be visible. These alterations will provide improved storage, will result in no loss of historic fabric and the external finish to match the plasterwork will ensure that the two doors will not be easily discernible within this room. As the applicant expressed a preference for a plain rendered finish to match the remaining walls a suitably worded condition can be imposed to agree this finish.
16. The timber flooring proposed for replacement within the hallway is modern and the proposed flagstones will tie-in with those currently in-situ in the kitchen. Likewise, through investigation of the building fabric, it is considered that the ceiling to the hallway is of modern date due to the presence of modern studwork, insulation and felt roofing. The insertion of the rooflight is therefore not considered to result in loss of historic fabric. The roof light design is proposed to be flush with the paving and etched to match the surrounding paving slabs. Due to its siting, size and design, it is considered to have minimal impact on the aesthetics of the listed building and will not be discernible from the grounds of Hurn Court. The rooflight will significantly increase natural light into the hallway resulting in an improvement in living conditions for the current occupants. There will be no loss of historic fabric and therefore it is not considered to result in harm to the significance of the listed building.
17. At ground floor level it is also proposed to re-locate and install a new more energy efficient boiler requiring a new flue to be installed within the rear elevation. The flue will be of a modest size and located in a discrete location. Whilst there will be the loss of some historic fabric, the level of loss is considered to be minimal. The design of the flue can be agreed by condition to ensure the external appearance of the building is not detrimentally impacted.
18. At first floor level a new single width doorway is proposed from the living room through to Flat 3 which is also within ownership of the applicants. Historic plans show this area had undergone extensive reconstruction works during the 1990s when the building was converted to flats, including the installation of a lift shaft and infilling of another doorway. An investigative core hole through the plasterwork has revealed plasterboard with concrete masonry behind. Based on this investigative work it is therefore considered that the creation of the doorway is unlikely to result in the loss of historic fabric. However, it is possible that there may be some historic fabric still present where the door opening is proposed. Should historic fabric be removed in the creation of the doorway, the loss is considered to be modest and the opening is not

considered to result in harm to the interpretation of the historic floor plan of the building.

19. Planning Policy HE1 of the Core Strategy states that '*heritage assets are an irreplaceable resource and will be conserved and where appropriate enhanced for their historic significance and importance locally to the wider social, cultural and economic environment.*'
20. Saved planning policy BE14 of the Core Strategy states that '*the Council will not permit development involving alterations or extensions to listed building which would adversely affect their architectural character or historic interest.*'
21. Whilst the proposed alterations will result in the loss of some historic fabric, the loss is considered to be modest and external changes are minor in relation to the visual impact on the building. The proposed alterations are therefore considered to comply with the above policies.
22. 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 assets conservation (and the more important the asset, the greater the weight should be)* (para 199). *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* (para 200). *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*' (para 202).
23. Both the creation of the new boiler flue and new first floor doorway, due to the small but potential loss of historic fabric, are considered to result in harm to the listed building, but the level of harm is considered to be minimal and on the lower end of less than substantial. As stated above, the new more energy efficient boiler will replace an older boiler and therefore will provide some energy saving opportunities. The creation of the doorway through to flat 3, whilst improving accessibility through to flat 3 also improves the existing fire escape arrangements for occupants of flat 1 whereby the first floor terrace can be utilised directly from flat 3, rather than the stairs which are accessed via the 3<sup>rd</sup> floor.
24. The Council's Conservation Officer has not objected to the proposals on the basis that they 'provide functional improvements, energy saving opportunities, improved accessibility and could be reversed'.
25. In accordance with paragraphs 200 and 202 of the NPPF it is considered that the harm to the listed building has been justified and that there are public benefits in securing the optimum and ongoing use of the property as self-contained flats.

### **Planning Balance/Conclusion**

26. The proposed alterations to the listed building are considered to result in less than substantial harm to the listed building (heritage asset). Applying the guidance in paragraph 202 of the National Planning Policy Framework (2021), this impact must be weighed against the public benefits of the proposal including, where appropriate,

securing its optimum viable use. The scheme will facilitate the ongoing use of the property as a self-contained flat. The scheme is considered to strike an acceptable balance between adapting this listed building to meet modern day living standards and preserving the special architectural and historic interest of the listed building.

27. Therefore it is considered that the public benefits in securing the ongoing optimal ongoing use are considered to outweigh any harm to the heritage asset and the proposals are considered to comply with Policies KS1, HE1 and BE14 of the Local Plan (2014).
28. It is considered the proposal complies with the Development Plan as a whole and is in accordance with the relevant up to date Development Plan policies and is sustainable development which as per para 11c) of the NPPF 2021 means it should be approved without delay.
29. In reaching this decision the Council has had due regard to the statutory duty in Section 16(2) - Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Recommendation**

Grant, subject to the following:

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

location and site plan – 01 dated 18/8/22  
proposed floor plans - 03b dated 18/8/22  
existing and proposed lounge cupboards – 04 dated 22/9/22  
existing and proposed living room door opening – 05 dated 22/9/22  
existing floor plans - 02b dated 18/8/22

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to its installation, details to include the size, material, finish and design of the roof light shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In order to preserve the significance of the heritage asset in accordance with Policies BE14 and HE1 of the Local Plan (2014).



4. Prior to installation, details of the boiler flue to include size, material and finish, shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In order to preserve the significance of the heritage asset in accordance with Policies BE14 and HE1 of the Local Plan (2014).

5. Prior to installation, the detailed design of the new door to the first floor living room shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In order to preserve the significance of the heritage asset in accordance with Policies BE14 and HE1 of the Local Plan (2014).

6. Prior to installation of the new stone flooring, samples of the stone shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In order to preserve the significance of the heritage asset in accordance with Policies BE14 and HE1 of the Local Plan (2014).

7. Notwithstanding the submitted details, the external finish of the new cupboard doors within the ground floor entrance hall shall be submitted to and agreed in writing with the Local Planning Authority prior to their installation. Development shall be carried out in accordance with the agreed details.

Reason: In order to preserve the significance of the heritage asset in accordance with Policies BE14 and HE1 of the Local Plan (2014).

**Background Documents:** planning application no. 8/22/0832/LB

Documents uploaded to that part of the Council's website that is publicly accessible and specifically relates to the application the subject of this report including all formal consultation response and representations submitted by the applicant in respect of the application. Notes: This excludes all documents which are considered to contain exempt information for the purposes of Schedule 12A Local Government Act 1972.

Case Officer Report Completed:

Officer: Melanie Smith

Date: 29/11/22