

Planning Committee 20<sup>th</sup> December 2022  
Report of the Planning Manager (Development Management)

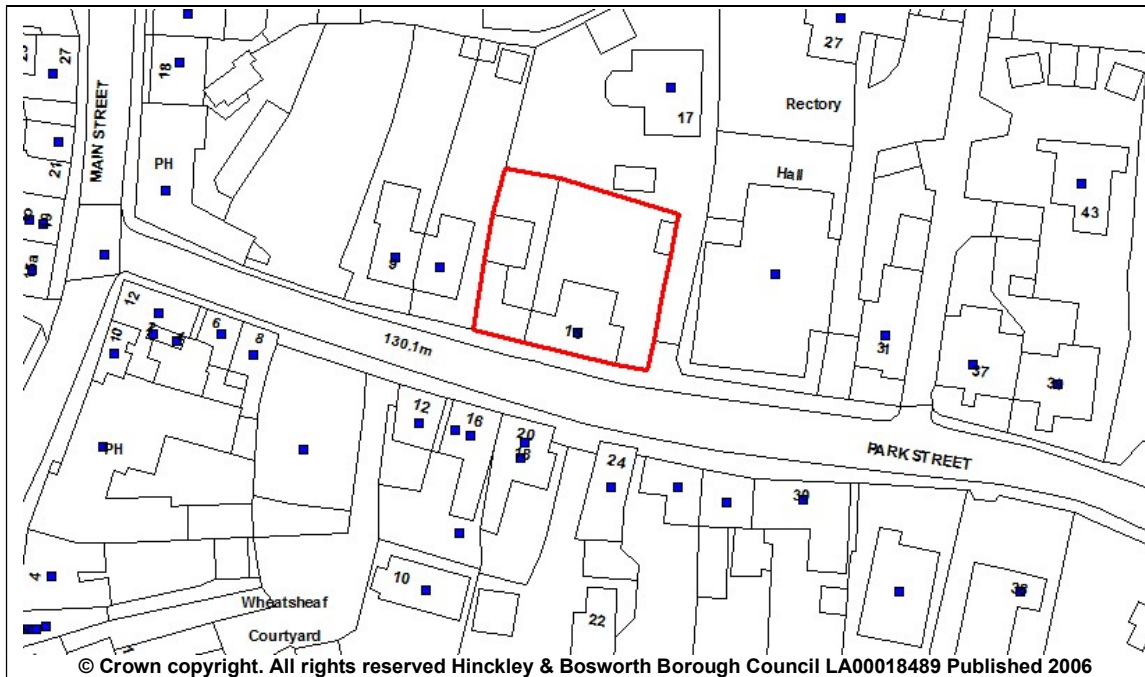


Hinckley & Bosworth  
Borough Council

Planning Ref: 22/00974/LBC  
Applicant: Ms Mary Jacques  
Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: The Old Forge 13 - 15 Park Street Market Bosworth

Proposal: Proposed extension and alteration to existing three storey dwelling (Use Class C3) and existing working Forge (Use Class B2) to form a five-bedroom hotel with parking and associated facilities



**1. Recommendations**

- 1.1. **Grant Listed Building Consent** subject to:
- Conditions outlined at the end of this report

**2. Planning application description**

2.1. This application seeks Listed Building Consent for the extension and alteration of The Old Forge, Park Street, Market Bosworth. The Old Forge is a Grade II Listed Building, and these alterations and extensions enable the heritage asset to convert the existing three-storey dwelling and functional forge (Use Class B2) into a five-bedroom hotel (Use Class C1).

2.2. To facilitate this conversion, the existing dwellinghouse is altered to form: an office, disabled WC, guest lounge, kitchen, and manager's lounge on the ground floor; three bedrooms with en-suites on the first floor; and two bedrooms with en-suites on the second floor. A stud wall in the modern rear wing of the property is removed to open up the proposed manager's lounge and kitchen and several stud walls are created or repositioned to partition off staircases, associate corridors and to create some of the proposed en-suites.

- 2.3. Existing internal plank doors are retained and fire-treated to comply with Building Regulations (Means of Escape) or they are re-used within the internal layout. All new doors are constructed with timber and are a plank-style with ironmongery to match the existing doors. The ceiling joists and timbers are stripped back and left exposed throughout the dwellinghouse, and timber floorboards are installed throughout the property including in the second-floor bedroom, which replaces the failed cement screed floor. The walls and ceilings are plastered and painted. The windows are proposed with metal or timber framed with positions of mullions and transoms to match those of the primary windows.
- 2.4. In this development, the existing forge is converted into a bar/lounge to serve the hotel. Photomontage Sheets P-052A and P-053A (submitted: 12.10.2022) provide details of the proposed internal decorative finished throughout the forge. To support this conversion, the opening between the bar/lounge and the servery is widened and supported by exposed timber beams or a steel RSJ that is finished in black to match steelwork elsewhere in the forge. The planked stable doors that are currently located between the forge and the rear workshop are reused within the proposed servery area.
- 2.5. Some general repairs are also undertaken in accordance with the recommendations of the Structural Report (submitted 12.10.2022), which includes replacing the cement-based mortar pointing with lime-based mortars, replacing bricks, and strapping and tying together the walls of the forge. The cast iron windows are repaired within the forge and secondary glazing is installed within all existing window reveals of the heritage asset.
- 2.6. The steel column within the centre of the forge and its associated beams with attached equipment are retained but the stairs to the mezzanine floor are removed. The ceiling is extended over the former opening and an access hatch is created to replace the opening for the staircase. The drill press within the forge is relocated within the enclosed garden, or the servery/dining area and the anvil benches are removed.
- 2.7. Following discussion with the Agent, the Applicant and the Council's Conservation Officer, the proposals were amended to retain the two hearths and the bellows in situ within the forge.
- 2.8. The free-standing hearth is partially enclosed in a glazed casing following the removal of all nails and other metal protrusions including the railing on the front of the hearth that faces towards the front door. The existing metal canopy on the hearth is retained but the mortar remnants on the existing brickwork, the two small modern blink plinths to the rear of the hearth, the small water tank attached above the plinths and the mechanically driven air pump to the rear of the hearth are removed. However, all small items and equipment within the forge are retained and remain on display within the forge and the associated workshops.
- 2.9. The 19<sup>th</sup> century workshop attached to the forge is utilised in this proposal as a servery with a bar along the side wall and the attached mid-20<sup>th</sup> century workshop is converted into a dining area with a small storeroom in the corner. The existing large openings to the eastern elevation are fitted with glazing and French doors to open out into the exterior courtyard. A walled garden is created within the existing courtyard site to provide separation from the parking area and to contain any limited evening activity.

- 2.10. An 'L'-shaped single storey extension is produced to the north of the mid-20<sup>th</sup> century workshop, which measures 6m in width x 3.9m in depth to provide two downstairs public restrooms for the dining area. This single storey extension has a tiled pitched roof with a roof ridge height of 3.4m and an eaves height of 2.3m. This rear extension is constructed with matching brickwork to the existing building.
- 2.11. A covered walkway is also created within this application to provide a direct internal access between the bedroom accommodation and the proposed dining and bar area. The covered walkway has a roof ridge height of 2.5m and an eaves height of 2.1m and is constructed with a timber oak frame and glazing.
- 2.12. There are no significant alterations to the principal elevation of the heritage asset, but new chimney clay pots are created for all existing chimneys.
- 2.13. This Listed Building Consent is considered in tandem with the full planning application, 22/00473/FUL.

### **3. Description of the site and surrounding area**

- 3.1. The Old Forge, a 590sq.m application site, comprises an existing large three-storey dwellinghouse and a functional single storey working forge. The forge has a roof ridge height of 5.4m and an eaves height of 3.5m, whereas the dwelling has a ridge height of 9.3m and an eaves height of 6.7m. The site is accessed via Park Street, and it is bordered by 1.9m high timber fencing to the north and west of the site and a 1.8m high brick wall to the east. Within the site, there is parking to the rear of the dwelling and there is a cellar present below the ground floor with a water well. A second water well is present in the rear courtyard with a glass cover. The Old Forge became a Grade II Listed Building in August 2022.
- 3.2. The Listed Building Entry (National Heritage List England (NHLE) ref 1482523) identifies The Old Forge as a Listed Building due to its architectural and historical interest. Architecturally, the function of the forge can be determined from its plan, utilitarian design, and internal features such as the retaining hearths, bellows and other features relating to ironworking. The simplest of forge buildings would have just one hearth, whereas The Old Forge has two. The house is a vernacular take on the restrained townhouse of the late C-18. Historically, the forge illustrates how essential the commodity of ironwork was produced for local markets from the C18 to C20 and, together, the house and forge are an interesting survival illustrating aspects of domestic and commercial life in a market town.
- 3.3. Located on the periphery of the main District Centre of Market Bosworth, 13 - 15 Park Street is adjoined to the Market Bosworth Parish Hall to the east, and it is surrounded by existing residential properties. The application site is also within 30m of Ye Olde Red Lion Public House. The Old Forge is within the Market Bosworth Conservation Area and is directly referred to within the Market Bosworth Conservation Area Appraisal and Management Plan (MBCAA). The MBCAA highlights the forge as a building of particular interest and states that, "The fine chimney stack at the Forge would be enhanced if it was capped with a clay chimney pot."
- 3.4. Blacksmith's forges are rare survivals, particularly in town locations where the demands on land have meant that most have been demolished or converted to other uses. The forge was built in the late C-18 and was in continual use until 1973. Since then, the forge has been unused until the very late-20<sup>th</sup> century, from when it was been in occasional use until the early 2020s. The adjoining house, with which it shares a chimney, is contemporary with the forge and is thought by Historic

England to have been continually in use as a dwelling since its construction. The workshop to the rear of the forge dates from around the late-19th century and a smaller outbuilding attached to the rear of the workshop has been replaced by the present larger building by the 1950s. The rear wing of the house appears to have been re-built and extended in the late C-20, with further additions in the early C-21.

- 3.5. Both buildings are constructed with a brick finish, clay tiled roof, and timber doors and windows. The forge utilises a brick finish with a Flemish Garden wall bond, a dentil course at eaves level and a corbelled kneeler to the west end of the south elevation. On the other hand, the dwellinghouse incorporates a brick finish that has a Flemish bond, a dentil course at eaves level on the front elevation and late C-20 brick finish in stretcher bond on the right wing of the property.
- 3.6. However, the front elevation of the forge is rendered from the ground to the base of the chamfered blue brick window cills, and the west elevation, including the attached workshops, are fully rendered and devoid of openings. The eastern elevation of the front block of the dwellinghouse is also rendered.
- 3.7. Internally, the forge is one room with a stair up to a mezzanine floor, whereas the earlier adjoined workshop is open to its mono-pitch roof. The later, northern most workshop has a mezzanine to the south end and the north end is open to its steel truss roof. There is a smaller free-standing brick hearth to west, and a larger brick hearth against the east party wall with the house; the chimney to this larger hearth shares the stack at the west end of the house.
- 3.8. Within the dwellinghouse, there are exposed ceiling joists and beams present in most rooms, and the purlins are visible on the attic floor. Much of the rear wing of the property appears to have been rebuilt re-using old materials. There is also a large open brick fireplace on the east wall of the eastern front reception room.

#### **4. Relevant planning history** **22/00473/FUL**

- Proposed extension and alteration to existing three storey dwelling (Use Class C3) and existing working Forge (Use Class B2) to form a six-bedroom hotel with parking and associated facilities
- Awaiting Decision
- TBD

#### **5. Publicity**

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2 There have been five objections to the application on the grounds that the development:
  - 1) Creates overlooking and loss of privacy concerns to neighbouring properties
  - 2) Exacerbates noise pollution within the local area
  - 3) Has a significant adverse impact on highway safety
  - 4) Increase in light pollution
  - 5) Increases waste disposal concerns
  - 6) Involves internal works that are undesirable and outside of the terms of the property's Grade II Listed status
  - 7) Is detrimental to the existing hotel businesses within the local area
  - 8) Results in the loss of a heritage asset

- 9) Results in the loss of an existing hearth
- 10) Results in the loss of an operational traditional forge

5.3 However, it is noted that Market Bosworth Society supported some of the buildings works identified within the Structural Report (submitted: 12.10.2022), which preserves the buildings.

5.4 It is acknowledged by the Planning Officer that the impact of a new hotel on existing businesses within the local area is not a planning concern, nor a concern for a Listed Building Consent application. Moreover, concerns regarding highway safety, impacts to neighbouring amenity including overlooking, loss of privacy, light pollution and noise pollution, and issues regarding waste are not matters assessed via Listed Building Consent application. The heritage asset is privately owned and therefore the property's use as an operational forge is reliant upon the discretion of the owner of the site and therefore the loss of this use is not a planning consideration.

5.5 As a result, the main concerns that have arisen from public consultation are:  
1.) Loss of a heritage asset  
2.) Damage to the character and architectural and historical significance of the internal layout of the heritage asset

5.6 Following discussion with Agent, the Applicant, and the Conservation Officer, the proposal was amended to retain both existing hearths and the bellows in situ within this application.

## **6. Consultation**

6.1 Market Bosworth Parish Council objected to the planning application on the following grounds:

- The schedule of works for this application is insufficient for a Listed Building Consent Application
- The conversion is inappropriate within a residential area
- Highway safety concerns
- Insufficient parking
- Loss of a heritage asset
- Noise pollution
- Significant adverse impacts to neighbouring residential amenity
- There is no business case for another hotel within Market Bosworth

6.2 The schedule of works was amended on 28.11.2022 and approved by the Council's Conservation Officer.

6.3 As identified within Paragraph 5.3 of this report, the business case for another hotel within Market Bosworth and the effects on highway safety, off-street parking provision, noise pollution and residential amenity are not planning considerations for a Listed Building Consent application.

6.4 There have been no objections from the following consultees:  
• Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer (subject to conditions)  
• Historic England  
• Leicestershire County Council (LCC)'s Archaeologist Unit (subject to conditions)

6.5 Following discussion with LCC's Archaeologist Unit and HBBC's Conservation Officer, LCC's Archaeologist Unit revised their initial comments and requested a Level 3 Historic Building Recording as a pre-commencement planning condition rather than a targeted historic building assessment prior to determination.

## **7. Policy**

7.1 Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets

7.2 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.3 Other relevant guidance

- Good Design Guide (2020)
- Market Bosworth Conservation Area Appraisal (MBCAA) (2014)
- National Design Guide (2019)

## **8. Appraisal**

8.1. The key issues in respect of this application are therefore:

- Impact upon the Listed Building and Conservation Area

Impact upon the Listed Building and Conservation Area

8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

8.2. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a duty on the Local Planning Authority when considering whether to grant Listed Building Consent to have special regard to the desirability of preserving the building, its setting, and any special features of special architectural and historic interest which it possesses.

8.3. Section 16 of the Nation Planning Policy Framework provides the National Policy on conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated historic asset, great weight should be given to the asset's conservation. Paragraph 197 states that, 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 into viable uses consistent with their conservation
- b) the positive contribution that conservation of heritage asses can make tot sustainable communities including their economic viability
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

8.4. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.5. Public benefits from developments can be anything that delivers economic, social or environmental progress as described in the NPPF (Paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and Enhancing the Historic Environment – Paragraph 20), such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
  - Reducing or removing risks to a heritage asset
  - Securing the optimum viable use of a heritage asset in support of its long-term conservation
- 8.6. The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.7. Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. All proposals that have the potential to affect a heritage asset or its setting will be required to demonstrate:
- a) an understanding of the significance of the heritage asset and its setting, and
  - b) the impact of the proposal on the significance of the asset and its setting
  - c) how the benefits of the proposal will outweigh any harm caused
  - d) any impact on archaeology in line with Policy DM13
- 8.8. Specifically, DM12 refers to Heritage Assets and development proposals affecting heritage assets and their settings. For Listed Buildings, development will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting, and the development ensures the significance of a conservation area is preserved and enhanced.
- 8.9. It is considered that the alterations to the use of the rooms and the creation of stud walls within the existing dwellinghouse element of The Old Forge are limited in extent and number, which ensures that the historic plan form of the house remains clearly discernible. The proposed internal works to the property ensure any significant historic fabric is retained in situ and the other interventions are sympathetic to the character of the building and its built form. Overall, it is regarded that the change of use of the dwellinghouse and the associated alterations required to facilitate the change of use and operation of the property as a hotel are compatible with the significance of the Listed Building.
- 8.10. The forge is capable of being worked and was occasionally in use up until the early 2020s when the house and forge were subsequently sold. As a consequence of this, it is considered that the proposal for the conversion of The Old Forge into a commercial use as a hotel is likely to represent the optimum viable use of the heritage asset. This is because the conversion is likely to lead to the investment in its maintenance that is necessary for The Old Forge's long-term conversion, which is as advised by the PPG. The general repairs assist the structural stability of the forge and improve the condition of its historic fabric. As advised by the Conservation Officer, these repairs are secured via a planning condition and are implemented prior to the occupation of the hotel and bar/lounge area.
- 8.11. The new use of the forge as a bar/lounge maintains the architectural interest of the Listed Building, such as its open plan and utilitarian design. The exterior walls and the volume of the room are largely unaffected. The revised proposal retains the two

hearth and the bellows, which are the key surviving features relating to ironworking and the former function of the forge. A glazed casing to partially enclose the free-standing hearth protects this feature and allows a functional use of the casing as part of the bar. As identified within the Retained Hearth Enclosure (P-070) (submitted: 28.11.2022), the casing is appropriately specified, and it is a reversible intervention if required.

- 8.12. The relocation of the drill press and the removal of the anvil benches reduces the ability to understand the historic function of the building. In spite of this, these features are not considered as crucial as those being retained in situ to allow for such understanding. The drill press is retained as a physical feature within the courtyard and is still capable of interpretation. As recommended by the Conservation Officer and LCC's Archaeologists, a planning condition for a programme of historic building recording is implemented to record the existing character and features within the forge. To summarise, it is considered that the works required to facilitate the change of use of the forge to a bar are compatible with the significance of the Listed Building.
- 8.13. The proposed works and conversion of the workshops associated to The Old Forge maintain the open plan form of these buildings and has no adverse impact upon any historic or significant fabric and therefore these alterations are compatible with the significance of the Listed Building.
- 8.14. The small L-shaped single storey extension to the northern end of the mid-20<sup>th</sup> century workshop is constructed with brick and clay tiles to match the external appearance of the existing workshops in form, colour and texture. A single door is required to provide access into the existing workshop; however, this is considered to result in a negligible loss of historic fabric. Therefore, this extension is considered to be compatible with the significance of the Listed Building and maintains the immediate setting to the north of the workshops.
- 8.15. The enclosed garden and the covered walkway are considered features of an appropriate scale and form that are constructed with traditional or sympathetic materials that respects the architectural interest of the rear elevation of the house and the forge and the side elevations of the workshops. The scheme also enhances the significance of the property by improving the existing chimney stacks, as identified, and requested within the MBCAA. As a result, these features are considered appropriate in character and appearance and are compatible with the significance of the Listed Building and maintain its immediate setting.
- 8.16. In conclusion, the proposed change of use of The Old Forge to an hotel is considered to represent its optimum viable use and is likely to lead to the investment in the heritage asset's maintenance that is necessary for its long-term conversion. The proposed internal works to the house, forge, and workshops to facilitate the change of use ensure that the majority of the significant historic fabric is retained in situ and that other interventions are sympathetic to the character and the history of the Listed Building and its built form. The extension to the north of the workshops and the creation of an enclosed garden are appropriately designed and sited to maintain the immediate setting of the Listed Building.
- 8.17. By virtue of these factors, it is considered that the proposal is compatible with the significance of the dwelling, the forge and the workshops that comprise the Listed Building known as The Old Forge at 13 – 15 Park Street, Market Bosworth. Therefore, the application is in accordance with: Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990; Section 16 of the NPPF;



Policies DM10, DM11 and DM12 of the SADMP; and National Planning Practise Guidance.

### **Equality implications**

- 8.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 8.3 There are no known equality implications arising directly from this development.
- 8.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### **9. Conclusion**

- 9.1 The proposal is compatible with the significance of the Listed Building known as The Old Forge at 13 – 15 Park Street, Market Bosworth and therefore the proposal complies with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

### **10. Recommendation**

- 10.1 **Grant Listed Building Consent** subject to:

- Conditions outlined at the end of this report

### **10.2 Conditions and Reasons**

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

**Reason:** To conform with Section 18(1) 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 not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
  - Application Form (submitted: 12.10.2022)
  - Proposed Elevations (P-051\_E) (submitted: 28.11.2022)
  - Proposed Floor Plans (P-050\_E) (submitted: 28.11.2022)

- Retained Hearth Enclosure (P-070) (submitted: 28.11.2022)
- Site Location Plan, Drg No. TQRQM22136104625331 (submitted: 12.10.2022)
- Structural Report (submitted: 12.10.2022)
- Updated Agreed Schedule of Works (submitted: 28.11.2022)

**Reason:** To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing work adjacent in respect of materials, methods, detailed execution and finished appearance.

**Reason:** To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. There shall be no occupation of the bar/lounge area to be created pursuant to the planning permission 22/00473/FUL unless and until the repairs to the forge have been completed in accordance with the details approved in the Schedule of Works of this listed building consent.

**Reason:** To secure the enhancement of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For the land and structures that are included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

**Reason:** To ensure satisfactory archaeological investigation and recording in accordance with Policies DM11, 12 and 13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

## 11. Notes to applicant

1. A separate consent may be required under the Town and Country Planning (Control of Advertisement) Regulations 2007 in respect of the display of advertisements on these premises. Advice may be sought from the Local Planning Authority.