

Delegated Report

Planning Ref: 23/01043/LBC

Applicant: Ms Mary Jacques

Ward: Cadeby Carlton Market Bosworth & Shackerstone

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



Hinckley & Bosworth
Borough Council

Proposal: Internal alterations to listed building

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 internal alterations to a Grade II Listed Building to facilitate its continued use as a residential dwelling. These internal alterations are required in light of the development proposal to convert the attached existing forge into a one-bedroom dwellinghouse, which is currently being determined via full planning application 23/01045/FUL and Listed Building Consent application 23/01043/LBC.

2.2. These internal alterations include the removal of modern installations, such as small sections of stud walls, doors, and storage facilities. Further alterations are itemised within the submitted Schedule of Works V2 document, which includes:

- The retention and fire-treatment of internal plank doors to comply with Building Regulations (Means of Escape) or the reuse of such doors within the internal layout of the property. Any new doors are timber and plank style (with ironmongery) to match the existing doors.
- Ceiling joists and timbers are stripped back and left exposed.
- Timber floorboards are installed throughout (including in second floor bedroom replacing the failed cement screed floor).
- Walls and ceilings are plastered and painted (internal finishes are detailed within the submitted Proposed Internal Finishes Drawing).
- Secondary glazing to cast iron windows to be installed within external window reveals. Windows to be single panel of glazing within a metal or timber frame with positions of mullions and transoms to match those of the primary windows.
- New brick work to rear porch comprising of reclaimed brick work to match existing in colour, form, and texture.
- New brick boundary wall comprising of reclaimed brick work to match existing in colour, form, and texture.
- New window on the rear elevation of the property consisting of a painted soft wood window.

2.3. The development also rebuilds the side wall to the existing rear porch 'lean-to' extension with a solid brick wall to match those of the Listed Building.

2.4. Within the curtilage of the Listed Building, an enclosed courtyard is created to serve the adjacent new dwelling, which is separated from the off-street parking area and the amenity area for the existing house by a 1.8m high brick wall that is attached to the porch. The residential garden area and the new courtyard are then separated

from the additional rear amenity space for the new dwelling via a 1.8m high close boarded fence.

3. Description of the Site and the Surrounding Area

- 3.1. The 590sqm application site, The Old Forge, comprises an existing large three-storey dwellinghouse (Use Class C3) and a functional single storey working forge (Use Class B2). Both the forge and the dwelling are Grade II Listed and are located within the identified settlement boundary of Market Bosworth and its Conservation Area. Market Bosworth is classified as a Key Rural Centre Stand Alone within the adopted Core Strategy (2009).
- 3.2. Both buildings are constructed with a brick finish, clay tiled roofs, 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 a late C20 brick finish in stretcher bond on the right wing of the property. 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 of the forge, including the attached workshops, is fully rendered and devoid of openings. The eastern elevation of the front block of the dwellinghouse is also rendered.
- 3.3. The Listed Building Entry (National Heritage List England (NHLE) ref 1482523) identifies The Old Forge 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 C18. 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.
- 3.4. Blacksmiths' 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 adjoining house, with which it shares a chimney, is contemporary to 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 C20, with further additions in the early C21.
- 3.5. The operation of forge closed as a business following the retirement of the last blacksmith, Clem Phillips, who was the owner of the property from 1933 to 1973. The forge has remained unused until the very late C20, where it was in occasional use until the early 2020s.
- 3.6. The Old Forge is directly referred to within the Market Bosworth Conservation Area Appraisal and Management Plan (MBCAA), which identifies the forge as a building of particular interest and the side boundaries of the site and the highway in front of the site are acknowledged as views and vistas to be protected.
- 3.7. The MBCAA states that, "*The fine chimney stack at the Forge would be enhanced if it was capped with a clay chimney pot.*" Due to its special historic and architectural

interest and position within the historic core of the settlement, the Listed Building makes a positive contribution to the character and appearance, and thus significance, of the Market Bosworth Conservation Area.

- 3.8. The application site is accessed via Park Street, which is an adopted and classified 'C' road that is subject to a 30mph speed limit and runs in a one-way direction from west to east. Along Park Street on the side of the development are yellow lines in the carriageway. The existing access appears to be approximately 3m wide with gates that abut the public footway. Within the MBCAA, Park Street is identified as having:

"An eclectic mix of styles and ages of properties from early C18 to late C20 and a number of Listed Buildings. The majority of the buildings at the west end of Park Street are two-storey and open directly onto the pavement. Boundary walls and railings are important in maintain a strong building line which softens the Park. Materials include red and tallow brickwork painted brickwork and render. Roofs are slate, tiles or shingle punctuated by a range of interesting chimney stacks."

- 3.9 In 2022, The Old Forge site received planning permission for the conversion of both the dwelling and the existing vacant working forge into a five-bedroom hotel (Use Class C1) via planning permissions 22/00473/FUL and 22/00974/LBC.

4. Relevant Planning History

4.1 23/01045/FUL

- Proposed alteration to existing three-storey dwelling (Use Class C3) and existing working forge (Use Class B2) and convert the existing forge buildings to provide an additional two-bedroom dwellinghouse at The Old Forge, Park Street, Market Bosworth
- Awaiting Decision
- TBD

4.2 23/01043/LBC

- Alterations for the conversion of the forge building (B2) to dwellinghouse (C3).
- Awaiting Decision
- TBD

4.3 23/00225/DISCON

- Application to discharge condition 5 (Archaeology) attached to planning permission 22/00974/LBC.
- Partial Discharge of Conditions
- 20.04.2023

4.4 23/00182/DISCON

- Application to discharge conditions 4 (Cycle Provision), 5 (Waste and Recycling), 6 (Ventilation) attached to planning permission 22/00473/FUL.
- Discharged
- 18.04.2023

4.5 22/00974/LBC

- 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.
- Listed Building Consent
- 22.12.2022

4.6 **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 five-bedroom hotel with parking and associated facilities.
- Permitted
- 22.12.2022

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 no objections as a result of the neighbour notification.

6. Consultation

6.1 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer (subject to conditions)

6.2 Historic England have not commented on this application.

6.3 The Historic Buildings Panel did not respond to the planning application.

Archaeology

6.4 Leicestershire County Council's Archaeology Department repeated their comments from the previous application, 22/00974/LBC, and recommended that the Applicant completes an appropriate level of building recording to the Listed Building prior to alteration to record and advance the understanding of the significance of the heritage asset. Whilst LCC Archaeology welcomed the submission of a photographic document, they advised that this should be incorporated into the final Historic Building Survey Report.

6.5 The proposal involves various works to the Grade II Listed Building, The Old Forge. Given the scope of the works proposed to the existing dwelling within the Listed Building, LCC Archaeology did not consider the impact upon the historic fabric to be of such significance that a Level 2 Historic Building Survey would be necessary. Therefore, LCC Archaeology have requested a photographic survey of the building, followed by a watching Brief to monitor the works that may expose historic fabric through removal and opening up processes.

6.6 Following this, the Applicant provided a Historic Building Report for the existing dwelling within the heritage asset and confirmed that they are boarding over the exposed flooring and preserving it in situ.

6.7 The County Council's Archaeological Department then confirmed that the report was satisfactory in addressing the photographic survey of the house and that the commencement on work to the house was acceptable from an archaeological perspective. Furthermore, the Archaeological Department are satisfied that, as no further stripping out works are likely to expose the historic fabric, the previously recommended watching brief is no longer required.

6.8 Notwithstanding this, a Level 2 to 3 Historic Building Survey of the forge is still required alongside archaeological attendance on any intrusive works within the

development and post-excavation requirements such as archive deposition and publication.

The Planning Officer notes that these archaeological works are secured via planning condition within full planning application 23/01045/FUL.

Market Bosworth

6.9 Market Bosworth Parish Council raised concerns regarding the following:

- Inadequate off-street parking provision.
- The ceiling height of the first floor is very low and may not meet the requirements of Building Regulations.
- The scheme needs to retain both furnaces within the forge.
- Structural integrity of the heritage asset.

In light of the off-street parking concerns, the Parish Council have requested that the garden and courtyard areas for the two dwellings should be reduced to a provide a minimum of two further designated parking spaces within the site.

The Planning Officer notes that both hearths are retained and secured by planning condition.

6.10 Market Bosworth Society objects in the strongest possible terms to the proposal on the following grounds:

- The ability to convert a single storey single room can be converted into a dwelling with anvils machinery, two furnaces and bellows.
- The development is contrary to, and in conflict with Policies DM10, DM11, and DM12 of the Site Allocations and Development Management Policies Development Plan Document (SADMP).
- The development is contrary to, and in conflict with the National Planning Policy Framework (NPPF).
- The difficulty in repairing the fabric of the Forge without altering it beyond recognition for example via repairing the anchor plates and tie rods.
- Drainage issues.
- Harm to a heritage asset.
- Harm to the Market Bosworth Conservation Area.
- Harm to the residential amenity of neighbours as a result of inadequate off-street parking provision.
- Inadequate off-street parking provision.
- The Old Forge does not have the structural integrity to be converted.
- Loss of a functional forge as a community asset.

7. Policy

7.1 Core Strategy (2009):

- N/A

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

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

7.3 Market Bosworth Neighbourhood Plan (MBNP) (2015)

- Policy CE1: Character and Environment

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- Market Bosworth Conservation Area Appraisal (2014)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- 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 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places 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 or its setting or any special features of special architectural and historic interest which it possesses.
- 8.3 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.4 Therefore, Paragraph 205 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be. Paragraph 206 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. The need for clear and convincing justification is re-iterated in Policy DM12 of the SADMP.
- 8.5 Nevertheless, Paragraph 212 of the NPPF confirms that local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 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 SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

- 8.8 Policy CE1 of the MBNP states that all new development should be in keeping with its Character Area with regards to scale, layout and materials.
- 8.9 None of the features that are altered or removed within the house are considered to be of historic or architectural interest. Moreover, following the minor alterations, the historic plan form is likely to remain clearly discernible.
- 8.10 The proposed internal works to the forge and workshops to facilitate the change of use are considered to ensure that the majority of significant historic fabric is retained in-situ and that all other interventions are sympathetic to the character and history of the Listed Building and its built form. Proposed exterior works, including the creation of an enclosed garden and courtyard, are regarded to be appropriately designed and sited and are likely to maintain the immediate setting of the heritage asset.
- 8.11 For the reasons above, it is therefore considered that the proposal is compatible with the significance of the Listed Building, The Old Forge, at 13 – 15 Park Street, Market Bosworth, and its setting, and as a result, the proposal is considered to comply with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF, and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. Equality Implications

- 9.1 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.
- 9.2 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.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 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).

10. Conclusion

- 10.1 It is considered that the proposal is compatible with the significance of the Listed Building, The Old Forge, Market Bosworth at 13 – 15 Park Street, and its setting, and as a result, the proposal is considered to comply with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF, and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. 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:

- Existing Elevations 1 to 4 (submitted: 06.12.2023).
- Existing Elevations 5 to 7 (submitted: 06.12.2023).
- Measured Building Survey First and Second Floor (submitted: 06.12.2023).
- Measured Building Survey Ground Floor and Basement (submitted: 06.12.2023).
- Proposed Elevations and Sections Rev I (submitted: 06.12.2023).
- Proposed Floor Plans Rev K (submitted: 06.12.2023).
- Proposed Internal Finish -P-060_A (submitted: 02.11.2023)
- Proposed Window Details (submitted: 11.12.2023).
- Retained Hearth Detail (submitted: 11.12.2023).
- Site Location Plan (submitted: 02.11.2023).
- Topographical Survey (submitted: 06.12.2023).

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).

a. Notes to Applicant:

1. Please refer to the additional planning conditions within planning application 23/01043/LBC and 23/01045/FUL that the development must comply with.