

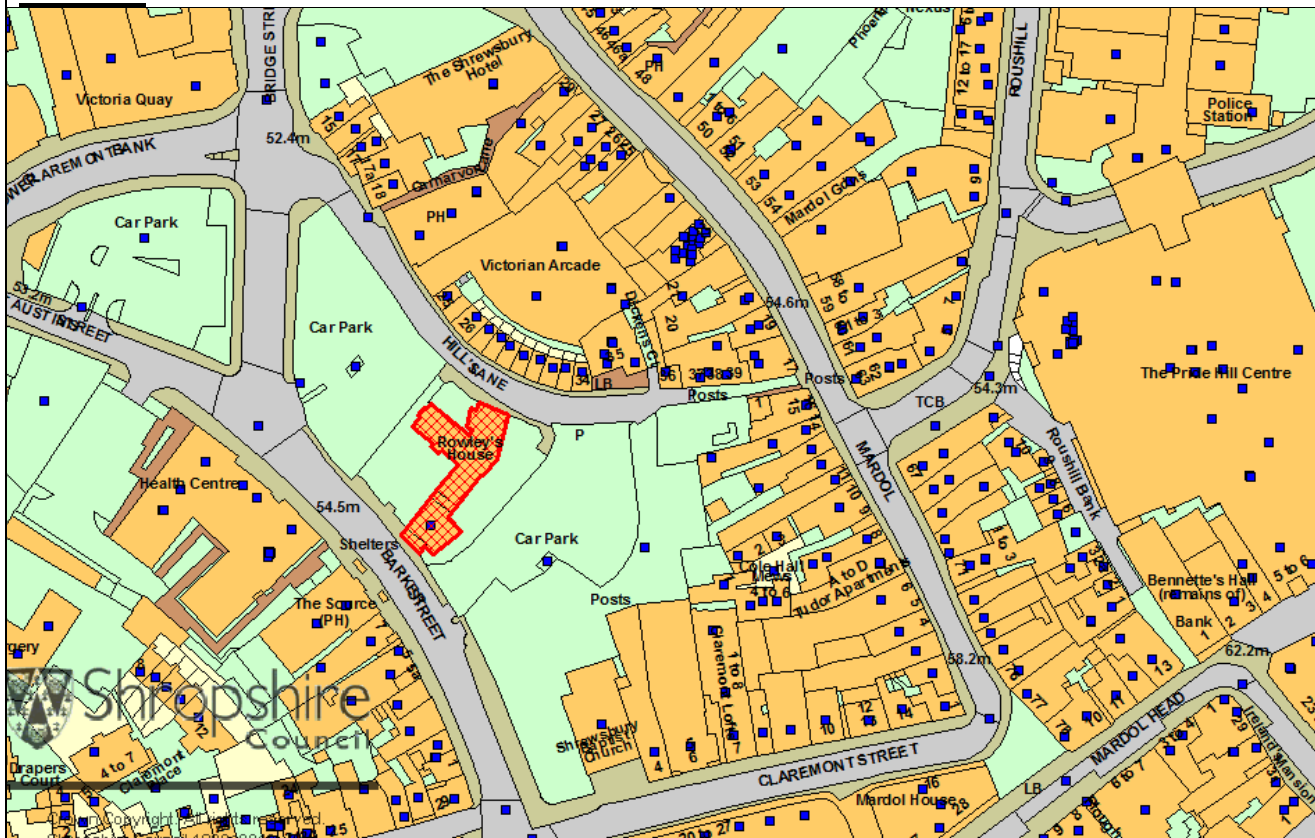
Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 22/00817/LBC	Parish:	Shrewsbury Town Council
Proposal: Internal and external alterations in association with replacement and repair of infill panels and repair of associated timber frame, affecting a Grade II * Listed Building		
Site Address: Rowleys House Barker Street Shrewsbury Shropshire SY1 1QH		
Applicant: Shropshire Council (Property and Development)		
Case Officer: Karen Rolfe	email: historic.environment@shropshire.gov.uk	

Grid Ref: 348940 - 312581



Recommendation: Grant Listed Building Consent subject to the conditions set out in Appendix 1.

Recommended Reason for Approval

The approved works are acceptable on heritage grounds and will not have an adverse impact on the special architectural and historic character or the setting of the listed building and are considered to be in accordance with local and national policies with respect to the historic environment including Core Strategy Policies CS6 and CS17, MD2 and MD13: The Historic Environment (SAMDev Adopted Plan), Historic England Guidance and the National Planning Policy Framework (NPPF), as well as in accordance with the requirements of Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

REPORT**1.0 THE PROPOSAL**

- 1.1 This listed building consent application proposes limited works to replace several existing infill panels at upper floor level to Rowley's House and Mansion, which are prominent interconnected former houses of late 1500 and early 1600 construction situated prominently in the Shrewsbury town centre off Barker Street and within the core of the Shrewsbury Conservation Area. The buildings are listed at Grade II* level due to their considerable historic and architectural significance.
- 1.2 Scaffolding has been erected for some time within the buildings' curtilage to protect areas within the public realm where there is a desire to undertake particularly urgent repairs with the aim of both allowing for deteriorating areas of the buildings to be rectified and to work towards getting at least some of the scaffolding removed.
- 1.3 As outlined in the Schedule of Works prepared by the Senior Conservation Officer and Technical Specialist, the proposal would allow for localised timber frame repairs as well as removal and replacement of 20th Century blockwork infill panelling where these would be replaced with lightweight insulated panels comprised of vapour permeable materials. With the removal of the existing blockwork panels the timber frame will be inspected with appropriate repair work undertaken prior to the new lightweight panels being inserted.
- 1.4 Given the Grade II* listed status of the buildings, the works were discussed at an early stage with Historic England representatives and Historic England have been consulted and have provided formal comments in support of the localised works proposed, highlighting the important nature of Rowley's House and Mansion and emphasizing the high standard of specialist craftsmanship required to implement these works. Due to the change of material to the panels and the intrusive nature of the works albeit where these are limited in extent and quite localised, it was agreed that a formal listed building consent application would be requested to cover these works and allow for formal consultation advice to be provided from Historic England.

- 1.5 A section detail of the new infill panels has been provided and PSG have prepared a supporting Statement further explaining the works proposed under this application.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 Rowley's House and Rowley's Mansion are prominent adjacent and inter-connected late 16th Century and early 17th Century historic and architecturally significant buildings within the Shrewsbury town centre closely fronting both Barker Street and Hill's Lane and located within the Town Centre Special Character Area of the larger Shrewsbury Conservation Area. The buildings are listed at Grade II* under list entry number 1254524. Significant works to the buildings were undertaken in 1932 where archival photographs available indicate the extent of works at that time.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

- 3.1 The proposal does not comply with the Council's scheme of delegation as set out in Part 8 of the Shropshire Council Constitution as the application is made by Shropshire Council in relation to land owned by the Council for development that is not in line with statutory functions.

4.0 Community Representations

4.1 Consultee Comment

- 4.1.1 **Historic England:** *Built in the late 1500s by Roger Rowley a successful wool merchant, the imposing timber framed Rowley's House, and elegant brick Mansion built by his son in 1618 are located within the core of the Shrewsbury Conservation Area. These interconnected former houses are listed Grade II* in recognition of their considerable historic, and architectural significance. The Mansion is also believed to be the earliest brick building in Shrewsbury*

Given their importance we would draw your attention to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 regarding the preservation of listed buildings and their settings, and the preservation or enhancement of the character or appearance of conservation areas. We would also highlight Section 16 of the National Planning Policy Framework, which states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

As you will be aware, we were contacted by your Authority at the end of last year regarding the deterioration of some of the timber frame infill panels, related to repairs carried out as part of the 1932 renovation works.

Having considered the current application, the Schedule of Works would appear to be the same one we considered in December last year, with further clarification provided by the infill section detail plan. We therefore have no additional comments to make, but in the interests of consistency we have repeated our previous observations for your records.

Based on the information provided we understand that the majority of infill panels are formed of lightweight blockwork covered in a cement-based render. This being the case the proposal to cut out a perimeter strip, caulk the interface with oakum and make good the render seems straightforward and measured.

Whilst we have no objection in principle to a hybrid hot-mixed lime mortar being used we did previously highlight that it was necessary to confirm whether this would be compatible with the strength and density of the existing mortar. We noted that since the repair is only 25 mm wide there is the potential that it could crack and de-bond. In December we recommended that this be discussed further with you and your team. We also noted that the Schedule indicates that there is a degree of uncertainty until scaffolding access is available and the full extent of the repairs can be confirmed. Whilst this is understandable, we emphasised that it is essential that the contractor works closely with you as the works progress.

With regard to the replacement infill panels we highlighted that seasonal movement is a particular consideration with timber framed buildings, and advised that traditional wattle and daub or hemp lime infill panels are excellent at dealing with this. Whilst we would not object to the approach identified and the use of more modern interventions, we did highlight that their success would rely on a high standard of craftsmanship to ensure the materials are precisely cut and scribed to the surrounding timber frame components. We therefore again noted that the ongoing close involvement of your specialist conservation team is essential.

We hope our advice is of assistance, and your authority should take these representations into account in determining the application. If there are any material changes to the proposals do please contact us. Please advise us of the decision in due course.

4.2 Public Comments

- 4.2.1 **Shrewsbury Town Council:** *The Town Council raises no objection to this application.*
- 4.2.2 **Shrewsbury Civic Society:** *Shrewsbury Civic Society is pleased to see progress being made on the restoration and repair of one of Shrewsbury's most iconic buildings. We are also pleased to note that it is the intention to remove at least two of the scaffolding towers as soon as possible.*

5.0 THE MAIN ISSUES

Principle of development
Detail of works
Visual impact

6.0 OFFICER APPRAISAL

- 6.1 Principle of development
6.1.1 These localised works are supported to address degradation and failure of specific

areas of the timber frame of this important and historic town centre building and facilitate improvements to the associated infill panels with removal of poor quality and inappropriate panels and replacement with panels of lighter weight and more permeable materials as recommended by our senior conservation technical specialist.

6.2 Detail of works

6.2.1 The new infill panel section details are included in this proposal. It is the intention that relevant timber framing will be fully inspected by specialist contractors and appropriate and localised timber frame repairs be undertaken at that time, where we would emphasize the recommendations from Historic England on the continued involvement of our specialist Historic Environment Team officers and the need for specialist contractors to carefully undertake and implement these works.

6.3 Visual impact

6.3.1 There is anticipated to be a positive visual impact with the future removal of associated scaffolding around the building as well as improvements in the appearance of the building with the repair of degraded areas of the timber frame.

7.0 CONCLUSION

With works based fully on the schedule of works and the infill panel section details prepared and submitted with this listed building consent application and emphasising the recommendations from Historic England in terms of the Historic Environment Team and PSG together working closely with the specialist contractors to ensure these localised repair works are implemented carefully and to a very high standard, it is considered that the application for these repair works to Rowley's House and Mansion meet the requirements of the National Planning Policy Framework (NPPF) as well as the legislative requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policies CS6 and CS17 of the Core Strategy as well as Policies MD2 and MD13 of the SAMDev and there is no objection on heritage grounds to the works proposed.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b)

in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance: NPPF

Core Strategy and SAMDev Policies: CS6, CS17, MD2 and MD13

RELEVANT PLANNING HISTORY:

15/00066/FUL Change of use from current D1 (Museum) to D1 (Education and Administration)
GRANT 12th March 2015

11. Additional Information

List of Background Papers

22/00817/LBC - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R7I2EZTD07U00>

Cabinet Member (Portfolio Holder): Councillor Ed Potter

Local Member: Cllr Nat Green

Appendices

APPENDIX 1 – Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (As amended)

2. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

3. All works shall be carried out in complete accordance with the terms of the application and approved plans.

Reason: To ensure the satisfactory preservation of the Heritage Asset.

4. If hitherto unknown architectural evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record, together with recommendations for dealing with it in the context of the scheme, shall be submitted for written approval by the Local Planning Authority.

Reason: To ensure architectural features are recorded during development.