



Committee and Date

Northern Planning Committee

7th July 2021

Item

7

Public

Development Management Report

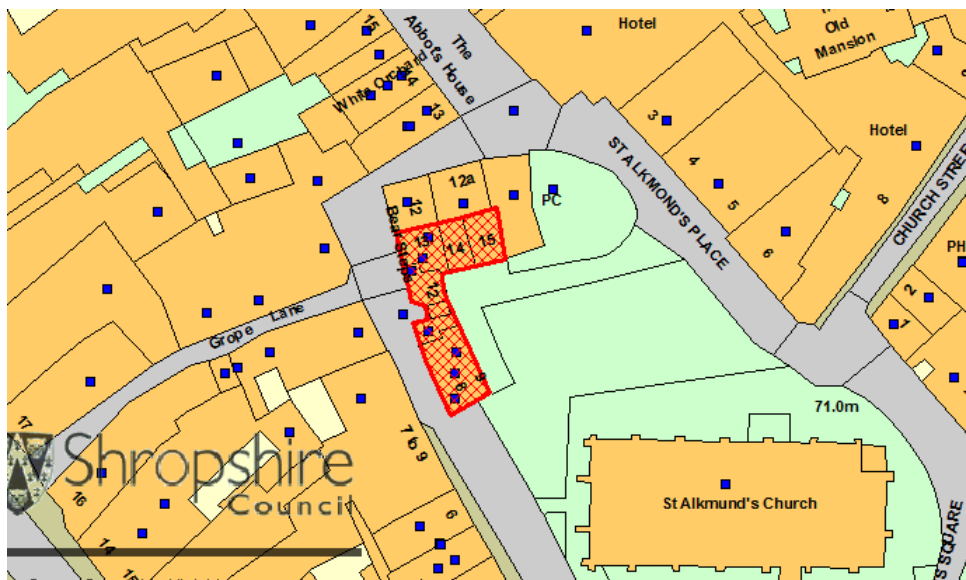
Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 21/02234/LBC	Parish:	Shrewsbury Town Council
Proposal: Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies		
Site Address: Bear Steps Shrewsbury Shropshire		
Applicant: Shropshire Council		
Case Officer: Karen Rolfe	email :	historic.environment@shropshire.gov.uk

Grid Ref: 349231 - 312506



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

Recommended Reason for Approval

The repair scheme including some alteration and limited replacement works are acceptable on heritage grounds in order to facilitate repairs to the Grade II* listed building where these 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), Planning Practice 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 has been submitted to progress repairs with some replacement of fabric at the Grade II* listed Bear Steps building complex with ranges on Fish Street and off Butcher Row adjacent to St Alkmund's Square in the Shrewsbury Town Centre. This is an important historic range of buildings featuring decorative timber framing and jetty with the earliest phase incorporating a crown-post roof, with later but still early phases resulting in the interesting but complex group of buildings found today ranging in date from circa 1400 to the 16th Century and beyond. The Bear Steps is owned by Shropshire Council and is rented out to several long-term users including the Shrewsbury Civic Society and a cafe.
- 1.2 This application more specifically considers repairs and some alteration of the jetty to the 'Orell' elevation along Fish Street where as noted in the extensive Design and Access Statement prepared by the specialist heritage architects there are considered to be inherent defects in the historic design of the jetty. The jetty was repaired around 1970 as part of major restoration works to the building. More recently this elevation suffered a vehicular collision which exacerbated historic issues where the bressumer has dropped and rotated outwards away from the building. It is now necessary to repair and strengthen the jetty where this will involve stabilizing the position of the bressumer in situ to reduce stress on the overall framing, joints and infill panels to the building.
- 1.3 As noted in the specialist architect's report, the existing bressumer will be removed, repaired and then reinstated with a new laminated oak beam attached with the intention that its structural integrity will be increased and thus provide greater strength in support and stability to the building's façade. The damaged joist tenons will be trimmed back and the new bressumer arrangement will be attached to the joist ends using metal brackets.
- 1.4 It was agreed with our Historic England specialist architect and building inspector that new oak brackets would be introduced on the line of the truss positions in order to provide further support where the design proposed reflects a typical late 16th

Century detail found on many timber framed buildings in Shrewsbury; the new brackets also afford the opportunity to introduce contemporary carvings to them which highlights that these are modern interventions. As this will result in a visual change to this section of the building along Fish Street it was agreed that rather than simply agree these works as a repair, technically a formal listed building consent should be submitted to cover these new works.

- 1.5 Other works include replacement of the infill panels immediately above the bressumer where these date to the 1970s and where a more traditional lime hemp infill panel is considered an improvement to the existing panels which are prone to leaks. Additionally existing upvc rainwater goods on this elevation will be replaced with more appropriate cast metal suitable for this historic building and which are more durable. Additionally the opportunity will be taken to address improved water run-off with a new grating system and a new rainwater down pipe to improve rainwater collection off the roofs.
- 1.6 These works to this important Council-owned historic building are beneficial in that they address inherent historic building defects and more modern interventions and will allow the building to be put back into fuller use and prolong the life of this designated heritage asset which contributes so positively to the Shrewsbury town centre.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 This complex of buildings commonly known as The Bear Steps comprises a range of timber frame building phases built around an early hall dating to the 1400s with 16th Century additional phases. The building is described under list entry 1270615 and is Grade II* listed where the building is in a sensitive and prominent town centre location along Fish Street, Butcher Row and St Alkmond's Place. The site is also within the Shrewsbury Conservation Area and more particularly the 'Town Centre Special Character Area'.
- 2.2 The works proposed are more particularly described above and within the supporting documents submitted with this application prepared by the specialist heritage architect including the detailed existing and proposed elevational and section drawings.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

- 3.1 The application is presented to Committee as it does not comply with the Council's scheme of delegation as the development as proposed is not in consideration of a statutory function.

4.0 Community Representations

Consultee Comment

Historic England -

Historic England in their formal comments note as follows: We have been involved in pre-application discussions with Council officers regarding their concerns over the stability of this important Grade II* listed building at the heart of the Shrewsbury Conservation Area. As part of those discussions we highlighted the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and section 16 of the NPPF. In particular we drew attention to the need to thoroughly understand the existing building, especially in light of previous repairs that have taken place and any inherent defects. The current application is in line with the previous discussions between your officers, our conservation architect and myself, and we consider this a sensible way forward. We therefore have no additional comments to make, other than to commend your authority for taking a timely and proactive approach to resolving the current issues, especially in light of the difficulties of the last 12 months.

Shrewsbury Town Council - The Town Council raise no objection to this application.

SC Archaeology - We have no comments to make on this application with respect to archaeological matters.

Public Comments - None received

5.0 THE MAIN ISSUES

Principle of development
Repair scheme proposed
Visual impact and landscaping

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The Bear Steps is a highly important historic building and designated heritage asset owned by Shropshire Council that contributes greatly to the historic character and appearance of the Shrewsbury town centre and particularly the Fish Street/St Alkmund's Place neighbourhood. The building is in much need of repair to address historic defects and modern interventions which were exacerbated by a recent vehicular strike. The repair scheme is supported fully by Historic England where they are confident the existing building issues have been thoroughly examined by a heritage specialist structural engineer and a repair solution designed by a heritage specialist architect.

6.2 Repair scheme proposed

6.2.1 This scheme of repair retains extant fabric in terms of the bressumer in its current position but allows for much needed stabilization and strengthening of it and the jetty along Fish Street where a new oak beam, metal brackets and decorative oak brackets are introduced to provide further support. The replacement of several infill panels above along with replacement rainwater goods both with more traditional materials suitable for this historic building and improvements to water run-off issues round out the repairs scheme which overall will prolong the life of this important

heritage asset and return it to its full use.

6.3 Visual impact

- 6.3.1 There will be a minor visual alteration to the building with the introduction of the new brackets but the alterations are relatively minor where these address historic defects to the jetty arrangement along Fish Street.

7.0 CONCLUSION

These repairs with some alteration to the current and historic jetty arrangement to The Bear Steps are much needed and well considered in terms of addressing current and historic defects where the building will be better supported and strengthened with little visual change required. Additional repairs such as replacement of defective infill panels, removal of upvc rainwater goods and improved surface drainage arrangements are all considered to be beneficial to the integrity of the building as a Grade II* listed heritage asset. The extent of works are indicated clearly on the drawings submitted and the works supported by Historic England specialists. It is considered that the application meets 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.

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:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS17 - Environmental Networks

MD13 - Historic Environment

RELEVANT PLANNING HISTORY:

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/86/0230 Erect and display a non-illuminated hanging sign and one number poster

showcase. PERCON 3rd July 1986

SA/91/0496 Erect and display 2 no. hanging signs and 1 no. external showcase. For Shrewsbury Civic Society Trust Ltd. PERCON 28th August 1991

SA/93/0838 Listed building consent for the erection and display of two signs. NOOBJC 17th January 1994

10/04605/LBC Erection of netting to enclose timber framed balcony affecting a Grade II star listed building GRLBC 3rd December 2010

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/91/0496 Erect and display 2 no. hanging signs and 1 no. external showcase. For Shrewsbury Civic Society Trust Ltd. PERCON 28th August 1991

SA/93/0838 Listed building consent for the erection and display of two signs. NOOBJC 17th January 1994

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

HEPRE/21/00099 Internal changes to porch, shop and first floor office LBCNRQ 10th June 2021

SA/86/0230 Erect and display a non-illuminated hanging sign and one number poster showcase. PERCON 3rd July 1986

SA/85/0662 Change the use from residential into office accommodation on 2nd and 3rd floors. PERCON 5th September 1985

SA/93/0838 Listed building consent for the erection and display of two signs. NOOBJC 17th January 1994

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/86/0230 Erect and display a non-illuminated hanging sign and one number poster showcase. PERCON 3rd July 1986

SA/91/0496 Erect and display 2 no. hanging signs and 1 no. external showcase. For Shrewsbury Civic Society Trust Ltd. PERCON 28th August 1991

SA/93/0838 Listed building consent for the erection and display of two signs. NOOBJC 17th January 1994

HEPRE/20/00139 Dangerous structure following vehicle impact PCO

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/00/0911 Internal alterations to entrance lobby. PERCON 9th October 1900

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/86/0230 Erect and display a non-illuminated hanging sign and one number poster showcase. PERCON 3rd July 1986

SA/85/0662 Change the use from residential into office accommodation on 2nd and 3rd floors. PERCON 5th September 1985

SA/93/0838 Listed building consent for the erection and display of two signs. NOOBJC 17th January 1994

10/00774/LBC Alterations in association with erection of security screens affecting a Grade II* Listed Building GRLBC 15th July 2010

PREAPP/10/00620 Erection of security screens REC

21/02234/LBC Listed Building Consent to carry out repairs to timber frame and infill panels, replace sections of RWG, repair rain water gullies PDE

SA/00/0911 Internal alterations to entrance lobby. PERCON 9th October 1900

SA/07/1481/F Installation of solar panels to south roof elevation PERCON 26th November 2007

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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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.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

