

PLANNING APPLICATION NUMBER:P13/0150

Type of approval sought	Listed Building Consent
Ward	Norton
Applicant	Sally Orton, Dudley Metropolitan Borough Council
Location:	MARY STEVENS PARK, STOURBRIDGE, WEST MIDLANDS, DY8 2AA
Proposal	LISTED BUILDING CONSENT FOR THE DISMANTLING, REFURBISHMENT AND RE-INSTAEMENT OF PRINCIPAL PARK GATES AND LANTERNS
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

1. The application site relates to Mary Stevens Park, which is located to the south-west of Stourbridge town centre and extends to an area of 13.65 hectares. The park lies within a predominantly residential area bound along its eastern perimeter by the Love Lane Conservation Area. The park is bound by Stanley Road to the south, Love Lane to the east, Health Lane to the north and Norton Road to the west.
2. The Council offices (formerly Heath House), are situated within Mary Stevens Park to the north-western corner of the park. Parking is also located to the north-west of the park. These parking areas are accessed via the principal park entrance off Heath Lane.
3. To the south of the municipal offices and to the west of the main boulevard running through the park, north to south, and known as Queen's Drive, is a generally more formalised recreational park area which includes tennis and basketball courts, croquet and bowling lawns, outdoor gym, play area with paddling pool and multipurpose outdoor games space, as well as the former mill pond of Heath Pool. This area was principally laid out during in the interwar period. To the east of Queen's Drive, which divides the park in two, is located the bandstand and public toilets with changing rooms situated within the large open grassland setting. The wider park

setting is characterised by a number of mature trees, managed flower beds and pathways. The park also incorporates features of heritage interest including two listed structures, the principal decorated ornate wrought double and single park gates with four stone piers with and lanterns (recorded on the Council's Historic Buildings Sites and Monuments Record under HBSMR 1780), and the War memorial positioned off Queen's Drive within the northern aspect of the park (recorded on the Council's Historic Buildings Sites and Monuments Record under HBSMR 1781). Both of these heritage assets are Grade II listed and form prominent features within the park setting.

PROPOSAL

4. The application is for Listed Building Consent to allow for the dismantling, refurbishment and re-instatement of principal park gates and lanterns, a grade II listed structure.
5. The application is accompanied by the following surveys / reports:
 - Arboricultural Report
 - Conservation Management Plan
 - Consultation and Communication Plan
 - Design and Access Statement
 - Ecological Appraisal
 - Planning Statement
6. This application should also be considered with the accompanying Listed Building Consent application (reference P13/0151) for the alterations / amendments to the existing war memorial plinth and improvement to its settings and planning application (reference P13/0149) submitted in parallel to this application which relates to;
 - the change of use of the existing Print Room (associated with the main Council municipal offices to the north-western corner of the park) to a cafe with minor elevational changes;
 - the installation of an underground silt trap on the car park located towards the north east of Swinford Common;

- the dismantling, refurbishment and re-instatement of principal park gates and lanterns; and
 - the alterations / amendments to the existing war memorial plinth and improvements to its setting.
7. The works form part of a major regeneration proposal for the park to allow for the restoration to a number of its original features and general improvement works. The proposal is being delivered following consultation with the local community. The scheme, in part, is being delivered by grant funding from the Heritage Lottery Fund as part of the 'Parks for People' programme.

HISTORY

8. Application Site

APPLICATION	PROPOSAL	DECISION	DATE
LA/60/72	Full planning permission for an extension to the Council Offices	Approved	06/09/60
LA/61/7	Full planning permission for a block of three garages	Approved	22/02/61
LA/61/36	Full planning permission for an extension to the Council Offices	Approved	19/05/61
LA/61/61	Full planning permission for a sports pavilion and lavatories	Approved with Conditions	08/11/61
LA/65/78	Full planning permission for an extension to the Council Offices	Approved	06/08/65
LA/67/79	Full planning permission for the construction of offices with mess room and store	Approved with Conditions	15/06/67
SB/71/88/S	Advertisement consent for a public notice board	Approved with Conditions	10/12/71
86/50458	Full planning permission for a change of use from office accommodation to educational use including extensions	Approved with Conditions	03/04/86
86/50577	Full planning permission for a	Approved with	24/04/86

	change of use from offices to glass museum and community facilities	Conditions	
86/51774	Full planning permission for an extension to the car park	Approved with Conditions	13/11/86
90/50963	Full planning permission for the erection of a temporary mobile offices	Approved with Conditions	14/06/90
91/51307	Full planning permission for the erection of a single storey office extension	Approved with Conditions	12/09/91
93/50071	Advertisement consent for the positioning of two metal sign cases on entrance gates	Refused	18/03/93
93/50070	Listed building consent for the positioning of two notice boards	Refused	18/03/93
93/51060	Advertisement consent for the display of a metal and Perspex advertisement case on the wall near to the main entrance gates (non-illuminated)	Approved with Conditions	25/11/93
95/51442	Full planning permission for a temporary footpath crossover	Approved with Conditions	24/11/95
95/51442	Full planning permission for the erection of a timber bowling hut	Approved with Conditions	15/08/96
96/50917	Full planning permission for the erection of a timber bowling hut	Approved with Conditions	15/08/96
97/50282	Full planning permission for the construction of a new fire exit and other external / internal alterations	Approved with Conditions	25/03/97
97/51660	Full planning permission for the demolition of existing machinery shed and erection of a replacement machinery shed	Approved with Conditions	11/12/997
98/51796	Full planning permission for a car park extension	Approved with Conditions	27/01/99

99/50972	Full planning permission for an extension to public toilets and sports changing facilities	Approved with Conditions	27/09/99
P03/1172	Listed Building Consent to affix lettercut stone memorial plaque to 'frank foley' in front of low curved quadrant wall	Approved with Conditions	26/09/03
P04/0191	Full planning permission for the location of mobile offices	Approved with Conditions	18/06/04
P07/1259	Full planning permission for the provision of new ornate steel double gates for Stanley Road entrance / exit and an ornate steel fence for Norton Road	Approved with Conditions	15/08/07
P08/1852	Full planning permission temporary for the erection of an office building for five years	Approved with Conditions	11/02/09
P09/1380	Full planning permission for an extension to the football changing rooms to create a new healthy hub	Approved with Conditions	15/12/09
P13/0149	Full planning permission for a change of use of the existing Print Room to a cafe with minor elevational changes; The installation of an underground silt trap on the car park located towards the north east of Swinford Common; Dismantling, refurbishment and re-instatement of principal park gates and lanterns; and Alterations / amendments to the existing war memorial plinth and improvements to its setting.	Pending	
P13/0151	Listed building consent for the	Pending	

	alterations/amendments to the existing war memorial plinth and improvement to its settings		
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PUBLIC CONSULTATION

9. The application was advertised by the display of site notices at the following locations;
- The enclosed notice board at the park (near the principal entrance);
 - The Healthy Hub within park;
 - The secondary park entrance / exit off Stanley Road;
 - The entrance to the car park adjacent to Swinford Common (off Stanley Road); and
 - The notice board within Swinford Common.
10. The application was also advertised by the display of newspaper adverts. The final period for comment expired on 11 March 2013. No representations were received.

OTHER CONSULTATION

11. English Heritage: Welcomes the proposals to refurbish Mary Stevens Park, an important 20th Century public park and designed landscape. The proposals to restore the highly significant grade II listed decorative metal gates and railings at the main entrance to the park are particularly welcomed. English Heritage considers that the specification for these works is entirely appropriate and has no objection to them.
12. The Amenities Society: No objection raised.
13. Ancient Monuments Society: No objection raised.
14. Council for British Archaeology: No objection raised.
15. Garden History Society: No objection raised.
16. Society for the Protection of Ancient Buildings: No objection raised.

17. The Georgian Group: No objection raised.
18. The Victorian Society: Do not wish to comment on the proposals as the listed structures date from post 1915 and therefore are outside The Victorian Society's period of interest.
19. The Twentieth Century Society: No objection raised.
20. Friends of Mary Stevens Park: No objection raised.

RELEVANT PLANNING POLICY

21. National Planning Guidance (2012)
 - National Planning Policy Framework
 - Planning for the Historic Environment – Historic Environment Practice Guide
 - Circular 11/95 – The Use Conditions in Planning Conditions
22. Black Country Core Strategy (2011)
 - CSP4 Place Making
 - EMP6 Cultural Facilities and the Visitor Economy
 - ENV 2 Historic Character and Local Distinctiveness
 - ENV 3 Design Quality
23. Saved Unitary Development Plan Policies (2005)
 - DD1 Urban Design
 - HE6 Listed Buildings
 - HE8 Archaeology and Information
 - HE11 Archaeology and Preservation

24. Supplementary Planning Documents / Guidance

- Historic Environment

ASSESSMENT

25. The main issues for consideration in this application are;

- Principle
- Impact upon the character and special architectural or historic interest of the statutorily listed structure
- Trees

Principle

26. The proposed Mary Stevens Park restoration scheme is being delivered following consultation with the local community. The scheme in part is being delivered by grant funding from the Heritage Lottery Fund (HLF) as part of the 'Parks for People' programme. The submission for HLF assistance forms part of a wider 10 year vision for delivering improvements across the Park and ultimately meeting the requirements of achieving Green Flag award status on completion of the investment. A whole-park vision, aims and objectives have been agreed by the Council, user groups and stakeholders. This vision states;

'Mary Stevens Park will emerge as a treasured Borough Park, enjoyed by the community and all generations of Stourbridge and beyond, providing valuable wellbeing, recreational and sporting opportunities in a historic landscape setting.'

Dismantling, refurbishment and re-instatement of principal park gates and lanterns

27. The principal park gates are of circa 1929 and are a grade II listed structure which comprises of four Portland limestone piers with finely moulded plinths, panels and cornices which are topped by 4 No. elaborate metal lantern finials. In between is

ornate wrought iron double and single gates with elaborate standards and overthrows. The features at this principal entrance are of the Neo-Georgian style and are similar to the iron gates located at entrances on Love Lane and Norton Road, albeit these other entrances only require modest renovation.

28. The principal park gates are set within a semicircular space formed by a low perimeter wall of limestone with railings on top, with planting areas to either side. The lower level limestone walls are terminated by additional limestone posts.
29. The submitted Conservation Management Plan accompanying the application identifies that a considerable amount of copper / bronze staining has occurred to the limestone as a consequence of the displayed plaques and erected lanterns over the pillars. The general quality of the masonry appears to be good, although there has been some surface loss and localised spalling. The mortar joints are all of lime and are open in localised areas.
30. The Conservation Management Plan identifies that generally, the gate panels are heavily corroded with a loss of detail whilst the gates no longer operate and the main central gates have suffered from substantial impact damage. Therefore, the gates require removal, and refurbishment off site to enable them to be restored to their original condition. The tipping of all elements embedded into the masonry posts is also required to ensure that further corrosion and spalling of masonry does not occur in the future. The gates would then be re-instated. The bronze lanterns would also be removed, refurbished and then re-instated.
31. Saved Policy HE6 (Listed Buildings) of Dudley Unitary Development Plan commits the Council to resisting proposals that would have an adverse impact upon Statutorily Listed Structures or their settings whilst the Policy ENV2 (Historic Character and Local Distinctiveness) of the Black Country Core Strategy states *'all development should aim to protect and promote the special qualities, historic character and local distinctiveness of the Black Country'*. Also, Policy ENV2 states *'development proposals will be required to preserve and, where appropriate, enhance local character and those aspects of the historic environment together with*

their settings which are recognised as being of special historic, archaeological, architectural, landscape or townscape quality'. The Council will therefore resist the inappropriate alteration of, or addition to, listed structures.

32. This stance is reflected within Paragraph 132 of the National Planning Policy Framework which confirms that 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.
33. Paragraph 134 of the National Planning Policy Framework goes on to state that 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 securing its optimum viable use.
34. The Planning for the Historic Environment – Historic Environment Practice Guide (English Heritage) states that *'there are a number of potential heritage benefits that could weigh in favour of a proposed scheme:*
 - *It sustains or enhances the significance of a heritage asset and the contribution of its setting.*
 - *It reduces or removes risks to a heritage asset.*
 - *It secures the optimum viable use of a heritage asset in support of its long term conservation.*
 - *It makes a positive contribution to economic vitality and sustainable communities.*
 - *It is an appropriate design for its context and makes a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment.*
 - *It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place.*
35. Local Authorities have a statutory duty under the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to, when exercising any of their planning powers to have special regard to certain matters

including the desirability of preserving the setting of listed structures. It is therefore appropriate to consider how the development affects the listed structure.

36. The Historic Environment Team has been consulted on the scheme and also gave advice at the pre-application stage. The Historic Environment Team supports the proposal subject to imposition of conditions. English Heritage also welcome the proposals to restore the highly significant grade II listed decorative metal gates and railings at the main entrance to the park. English Heritage also considers that the specifications for these works is entirely appropriate and raise no objection to the works put forward. No other objections have been received by key stakeholders and the works as proposed are deemed wholly appropriate and satisfactory and most welcome to safeguard and enhance this grade II listed heritage asset.

Trees

37. There are some mature trees in close proximity to the principal gates; however, there is minimal potential for any tree conflicts. Furthermore, following consultation with the Arboricultural Officer, no objection is raised.

CONCLUSION

38. The granting of Listed Building consent is justified in that the proposals would have no adverse impact upon the statutorily listed heritage asset but would by contrast contribute to sustaining its ongoing beneficial use. The scheme as proposed therefore accords with the relevant Policy criteria.

RECOMMENDATION

39. It is recommended that the application be **approved subject to conditions**.

Reason for approval

The granting of Listed Building consent is justified in that the proposals would have no adverse impact upon the statutorily listed heritage asset but would by contrast

contribute to sustaining its ongoing beneficial use. The scheme as proposed therefore accords with the relevant Policy criteria

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Black Country Core Strategy (2011), the Saved Dudley Unitary Development Plan (2005) and to all other relevant material considerations.

The above is intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report.

Informative

This approval is granted in consideration of submitted proposals in respect of the Planning (Listed Buildings and Conservation Areas) Act 1990 only. This approval does not in any way confer compliance with Health and Safety Legislation in respect of materials and working practices. The applicant is advised to be acquainted with the Health and Safety at Work Etc, Act 1974, The Construction (Design and Management) Regulations 1994, and the Manual Handling Operations Regulation 1992, and to ensure that the handling, storage and use of materials together with all building operations is carried out in total compliance with the requirements of this legislation.

Approval Statement

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Conditions and/or reasons:

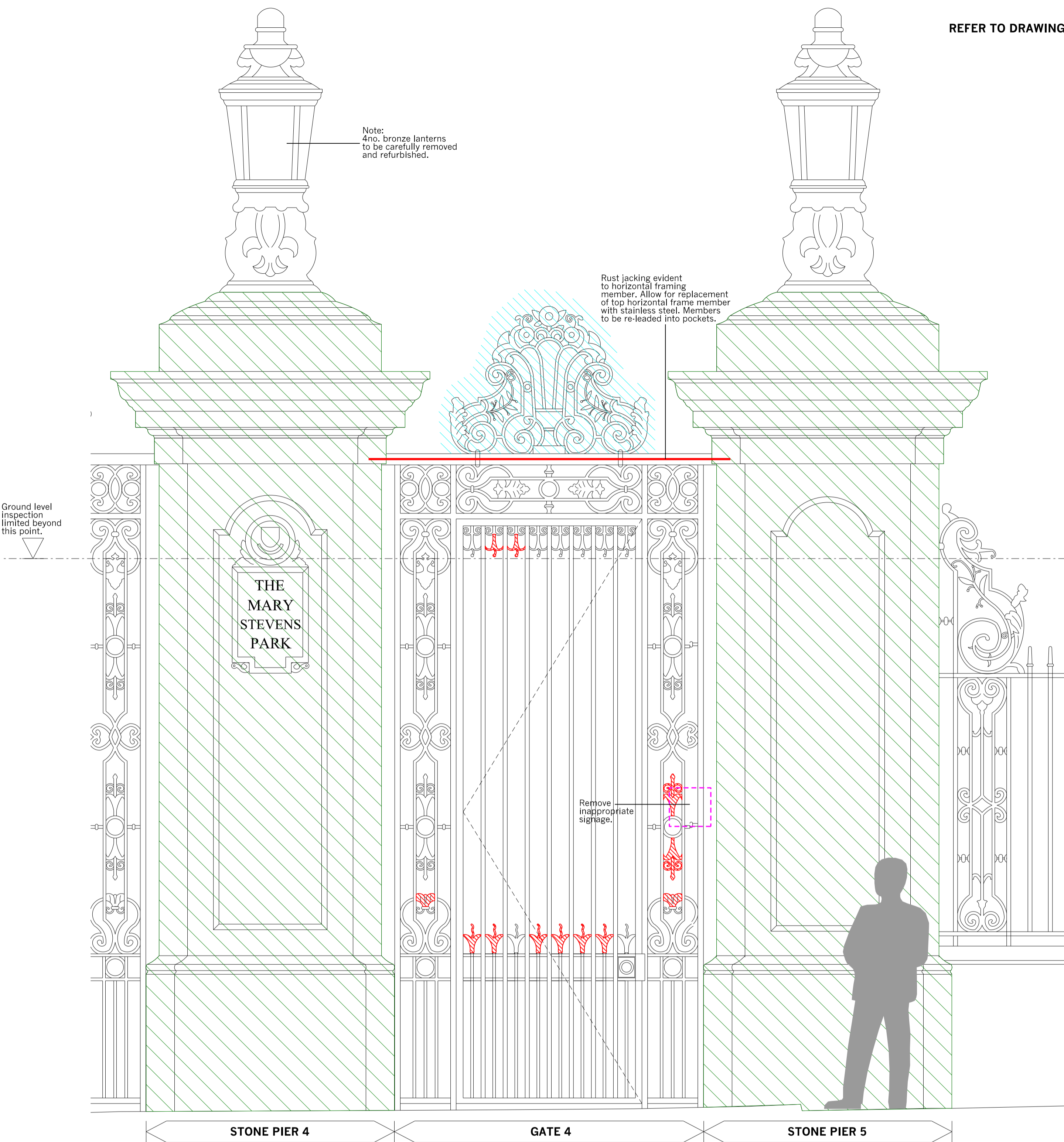
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'Ordnance Survey 100019566 (Site Location Plan)', '7340 (39) 001', '7340 (39) 002', '7340 (39) 003', '7340 (39) 004', '7340 (39) 005', '7340 (39) 006' and '7340 (39) 007'.
3. No materials other than those indicated on the approved plans shall be used without the approval in writing of the local planning authority.
4. Any damage caused to the listed structure in performance of the works permitted by this approval shall be made good to the satisfaction of the local planning authority.
5. Detailed specifications of all operations, fabrications, components and materials to be used, including the submission of samples for approval by the local planning authority. Prior to the commencement of works to stone walls or gate piers sample pieces of work shall be carried out and offered for approval to demonstrate the visual compatibility of repairs to or replacement of stone work in respect of colour, texture, and tooling alongside original fabric and to agree the quality of interface that is acceptable between new and existing fabric.

Replacement Stone:

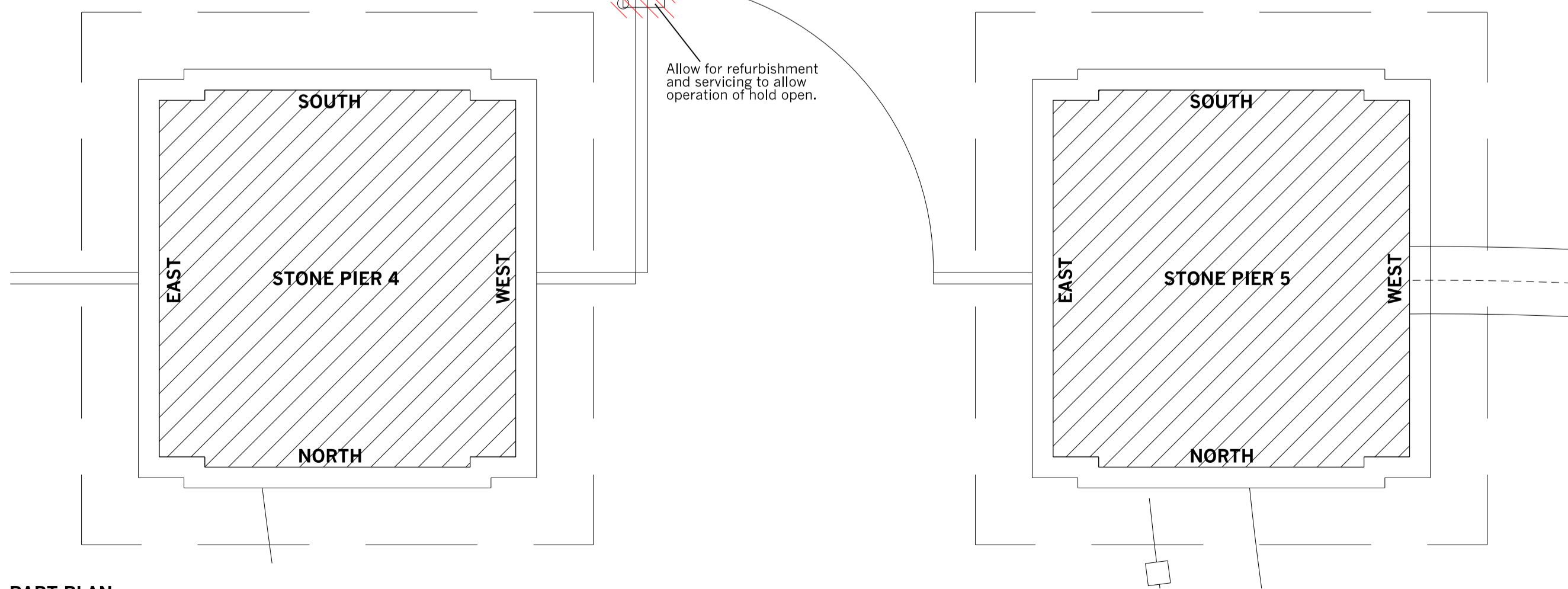
The type, of stone to be used for areas of repair and replacement, their size, colour and texture, the source and mix of the lime mortar which shall be used to bed and point the stone, the method of repointing masonry including the use of sample panels.

6. Only alterations detailed and specified in this application will be permitted. All other existing fabric of the listed structure shall be afforded adequate protection against damage or unauthorised removal at all times throughout the works.

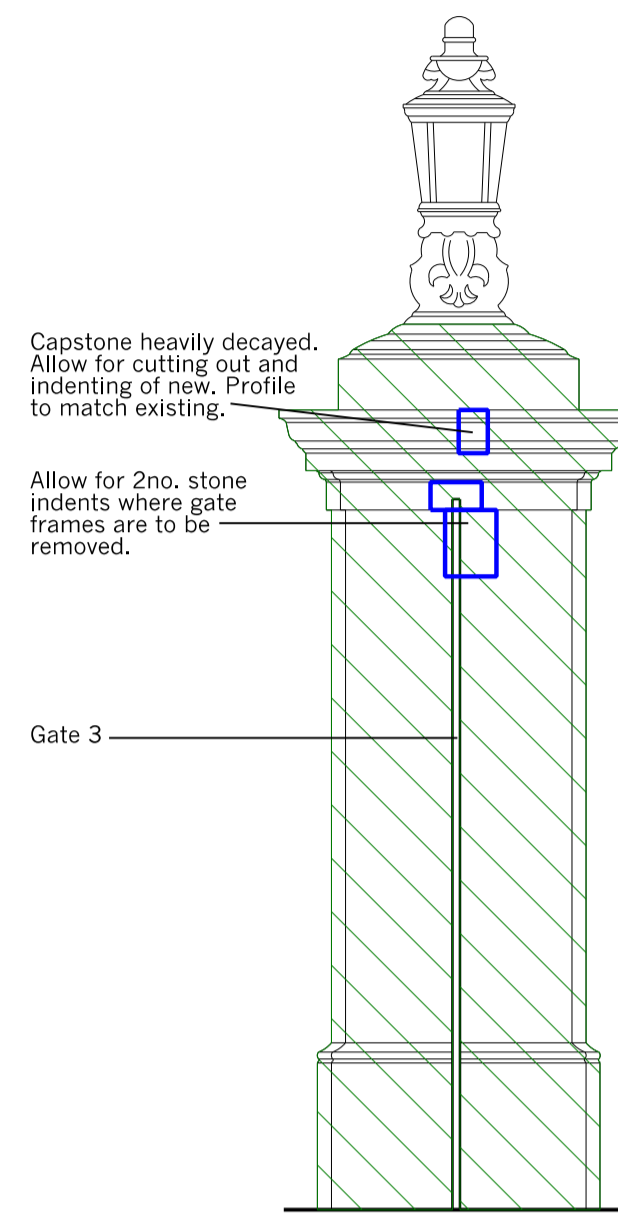




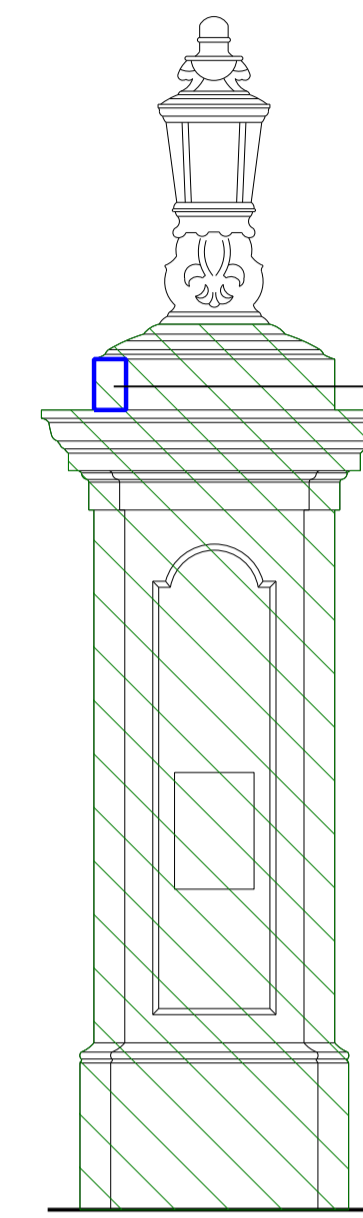
PART ELEVATION OF GATE



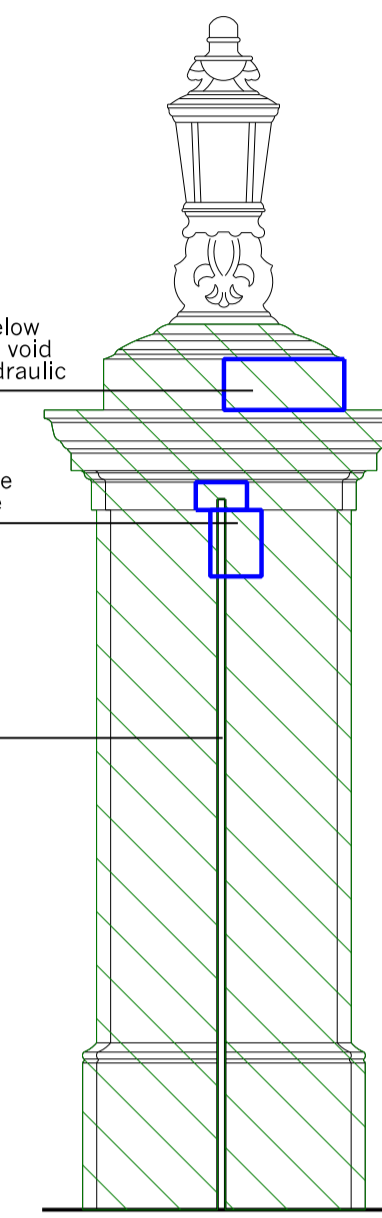
PART PLAN



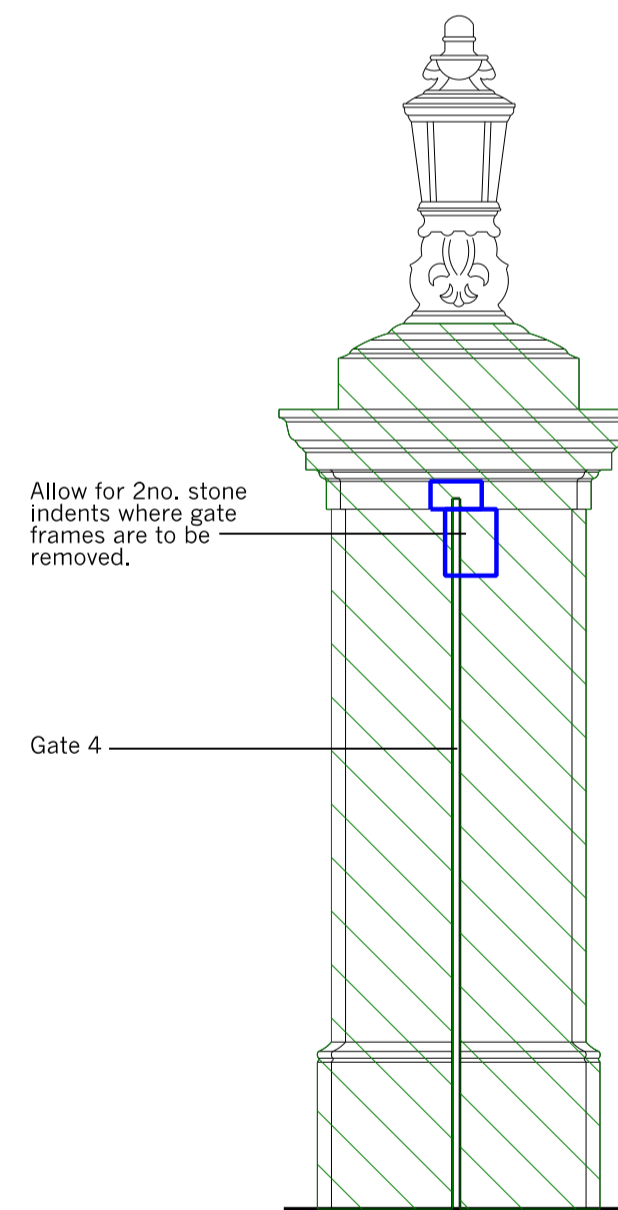
EAST
STONE PIER 4



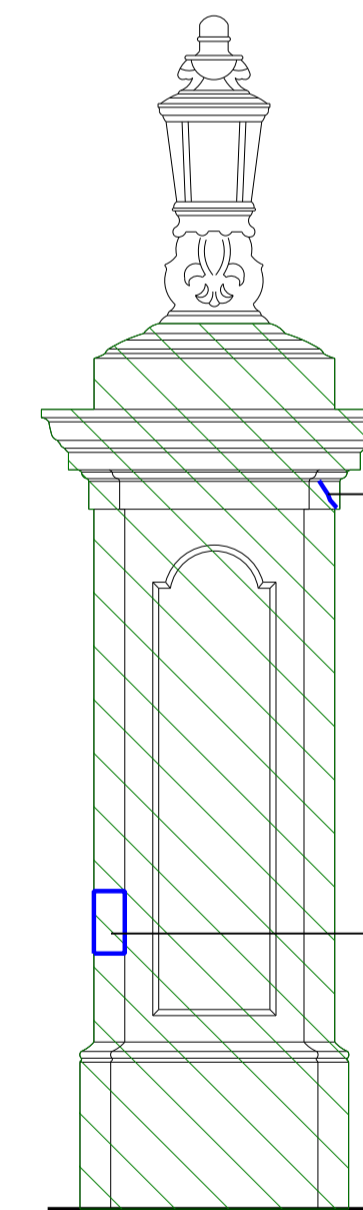
SOUTH



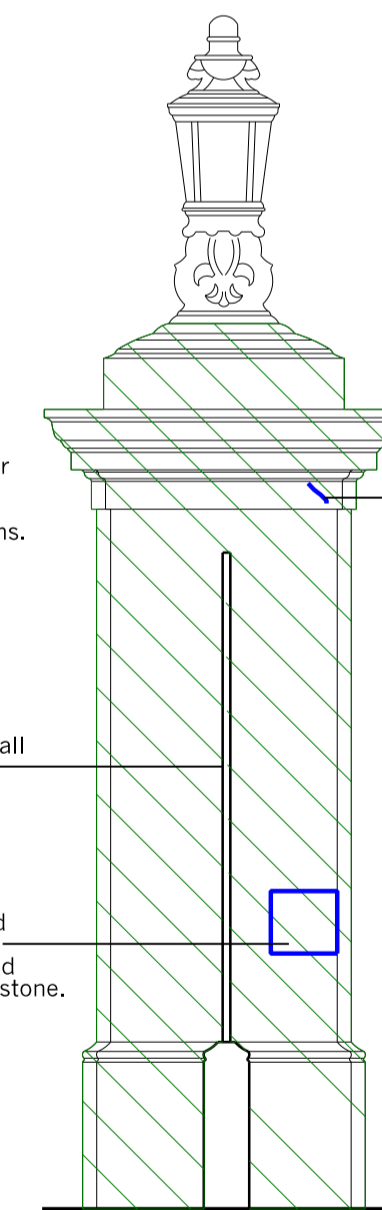
WEST



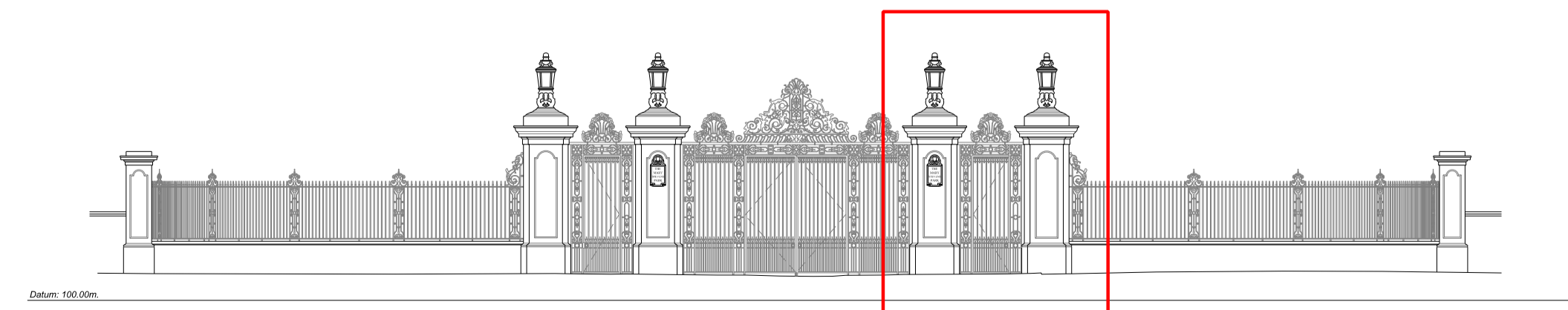
EAST
STONE PIER 5



SOUTH



WEST



KEY ELEVATION

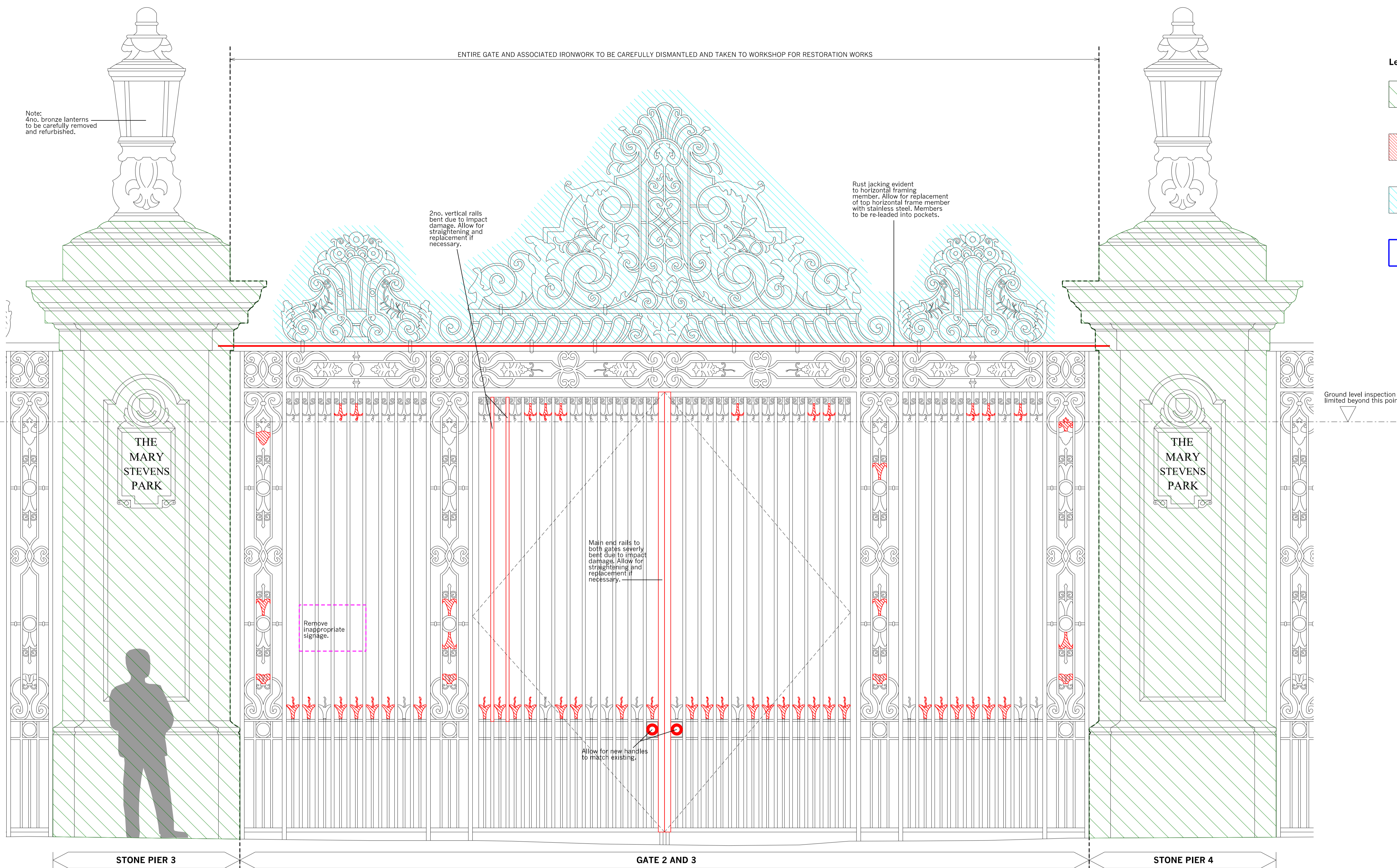
Legend:





- Allow for brushing down of stone to remove any friable/loose masonry. Apply a flood coat of biocide to kill any moss/algae growth. Repoint any open joints with hydraulic lime mortar.
- Missing/eroded iron elements to be renewed.
- Allow for repair/replacement of 50% of decorative elements to overthrows. Frame to be refurbished and retained in its entirety.
- Stone repairs / indent

Mary Stevens Park, Stourbridge

Main Entrance Gates
Restoration of Ironwork and Masonry
Stone Pier 4-5 and Gate 4

Drawn: 7340 (39)005 Rev: _
Date: Jan 2013 Scale: 1:20/ @A1 Checked by: mdp
1:50



- Legend:**
-  Allow for brushing down of stone to remove any friable/loose masonry. Apply a flood coat of biocide to kill any moss/algae growth. Repoint any open joints with hydraulic lime mortar.
 -  Missing/eroded iron elements to be renewed.
 -  Allow for repair/replacement of 50% of decorative elements to overthrows. Frame to be refurbished and retained in its entirety.
 -  Stone repairs / indent

Note:
4no. bronze lanterns
to be carefully removed
and refurbished.

2no. vertical rails
bent due to impact
damage. Allow for
straightening and
replacement if
necessary.

Rust lacking evident
to horizontal framing
member. Allow for replacement
of top horizontal frame member
with stainless steel. Members
to be re-lead into pockets.

Main end rails to
both gates severely
bent due to impact
damage. Allow for
straightening and
replacement if
necessary.

Remove
inappropriate
signage.

Allow for new handles
to match existing.

Ground level inspection
limited beyond this point.

STONE PIER 3

GATE 2 AND 3

STONE PIER 4

Please refer to drawing
(39)003 for identified
defects and remedial
works to stone pier.

Allow for refurbishment
and servicing to drop
bolts.

Allow for refurbishment
and servicing to allow
operation of hold open.
Cast iron sphere missing.
Allow for new to match
existing seen elsewhere.

2no.
backstays

GATE 2

Allow for refurbishment
and servicing to drop
bolts.

Allow for refurbishment
and servicing to allow
operation of hold open.

2no.
backstays

GATE 3

Please refer to drawing
(39)005 for identified
defects and remedial
works to stone pier.

STONE PIER 3

Decorative
side panel

Please refer to drawing
(39)003 for identified
stone repairs to stone
pier.

STONE PIER 4

Decorative
side panel

Please refer to drawing
(39)005 for identified
stone repairs to stone
pier.

REFER TO DRAWING 7340(39)001 FOR METHODOLOGY AND SCHEDULE OF WORKS FOR RESTORATION OF IRONWORK AND MASONRY FABRIC REPAIRS



Mary Stevens Park, Stourbridge

**Main Entrance Gates
Restoration of Ironwork and Masonry
Stone Piers 3-4 and Gates 2-3**

Drwg. No: **7340 (39)004** Rev: _
Date: Jan 2013 Scale: 1:20 @A1 Checked by: mdp