

PLANNING APPLICATION NUMBER: P11/1400

Type of approval sought	Full Planning Permission
Ward	Castle & Priory
Applicant	Mr Duncan Lowndes, Dudley MBC -Leisure & Cultural Services
Location:	PRIORY PARK, PRIORY ROAD, DUDLEY, WEST MIDLANDS
Proposal	EXTENSION TO EXISTING PAVILION TO BE USED AS TOILET BLOCK AND EDUCATION CENTRE AND ERECTION OF FAMILY SHELTER (AMENDMENT TO PREVIOUSLY APPROVED APPLICATION P10/0338)
Recommendation Summary:	APPROVE SUBJECT TO CONDITIONS

SITE AND SURROUNDINGS

- 1 The application site consists of Priory Park which is located between The Broadway, Priory Road, Woodlands Avenue, and Pagnal Drive, to the north of Dudley Town Centre.

- 2 The site in part is subject to a number statutory designations which includes a Scheduled Ancient Monument (SAM) and a Registered Park and Garden (RPG). The site is also contains a two listed building, Priory Hall, which is used a registry office and training centre and the priory ruins which are Grade I listed.

- 3 The park falls into two distinctive character areas, which is divided by Priory Hall. To the south of this point the park consists of a less formalised parkland, which once served the hall and includes the priory ruins (a SAM). However, this area does include more formalised areas, including a rose garden and the remains of a sunken garden.

- 4 To the north of Priory Hall is a generally more formalised recreational park area which includes tennis courts, a bowling green, play area and multi purpose outdoor

games space. This area was principally laid out during in the interwar period which includes the park pavilion which terminates the footway and steps vista which divides this space in two.

PROPOSAL

- 5 The proposal for the park includes a new ‘family’ shelter and extensions to the existing pavilion, including ‘outdoor’ teaching space and public toilets. This will incorporate improved disabled access.
- 6 This application seeks to amend the design of the proposed extensions to the pavilion and family shelter with the use of green roofing, rather than metal as previously proposed by P10/0338.
- 7 The new ‘family’ shelter does not require formal planning permission due to the permitted development rights conferred to the Council by Schedule 2, Part 12 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), with the only element requiring permission is the extension to the pavilion, and its partial use as an ‘outdoor’ classroom.
- 8 The works form part of a major regeneration proposal for the park to make accessible to more people as well as restoring a number of its original interwar features. The proposal is being delivered following consultation with the local community and the ‘friends of the park’. The scheme in part is being delivered by grant funding from the Lottery Heritage Fund.
- 9 Documents submitted with the application include a Design and Access Statement, a Conservation Plan, an Ecological Survey and a Tree Survey.

HISTORY

APPLICATION No.	PROPOSAL	DECISION	DATE
DY/56/612	Erection of Propagating Nursery Glasshouses Boiler House Potting	Granted	06/12/56

	Shed And Mess Room.		
DB/70/7645	Change Of Use Of A Garage To Electricity Sub-Station.	Granted	11/12/70
82/51740	Alterations And Extensions To Listed Building To Provide Office Accommodation For Registrar.	Withdrawn	07/10/82
82/51785	Alterations To Listed Building To Provide Additional Offices.	Withdrawn	07/10/82
82/51783	Construction Of Prefabricated Building For Youth Club Purposes.	Granted	23/12/82
83/50355	Erection Of Boiler House And Silo	Refused	27/06/83
85/50777	Erection Of 8 Lighting Columns To Illuminate Tennis Courts.	Granted	20/06/85
90/50155	Listed Building Consent For Two-Storey Extension Fire Escape Conversion & Remodelling Of Stables/Workshop	Granted	27/07/90
90/50156	Appl. For Deemed Consent Under Reg. 4 For Two-Storey Extension Fire Escape Conversion & Remodelling Of Priory Hall	Granted	14/06/90
92/50224	Application For Deemed Consent Under Regulation 4 For The Construction Of A Car Park.	Granted	27/02/92
94/51499	Construction Of Childrens Play Area (Regulation 3).	Granted	17/11/94
P04/1830	Extension to play area to incorporate new space net	Granted	28/10/2004
P05/0858	Listed building consent for internal works to include small section of wall removed to form hatch to reception area and	Granted	03/08/2005
P05/2083	Erection of 2.4 m high boundary fencing and gates	Granted	02/11/2005
P06/1599	Extension to existing boxing club	Granted	20/03/2007

	with entrance ramps and new entrance lobby		
P10/0338	Restoration and development to include extension of existing pavillion to be used as a toilet block and education centre, erection of family shelter, mini soccer pitch with new disabled ramp/gates, new artwork, new lighting to abbey, new entrance and all other works.	Granted	30-Apr-2010

PUBLIC CONSULTATION

- 10 No representations received, following direct consultation with 89 neighbours, the display of a site notice and the publication of an advert within a local newspaper.

OTHER CONSULTATION

- 11 Group Engineer (Development): No objection.
- 12 Head of Environmental Health and Trading Standards: None received at the date of agenda preparation.
- 13 English Heritage: No objection.
- 14 British Waterways: No objection, subject to a planning condition in respect of a suspected tunnel shaft.

RELEVANT PLANNING POLICY

- National Planning Guidance

PPS1 - Delivering Sustainable Development

PPS5 – Planning for the Historic Environment

- Black Country Joint Core Strategy

CSP4 Place Making

EMP6 Cultural Facilities and the Visitor Economy

ENV 1 Nature Conservation

ENV 2 Historic Character and Local Distinctiveness

ENV 3 Design Quality

ENV 4 Canals

- Unitary Development Plan

DD1 Urban Design

DD2 Mixed Use

DD4 Development in Residential Areas

DD10 Nature Conservation and Development

LR1 Open Space

LR4 Young Persons Informal Recreation

LR5 Playing Fields

LR6 Protection of Sport and Recreation Facilities

NC1 Biodiversity

NC6 Wildlife Species

NC9 Mature Trees

NC10 The Urban Forest

HE3 Castle Hill Special Landscape Heritage Area

HE4 Conservation Areas

HE5 Buildings of Local Historic Importance

HE6 Listed Buildings

HE7 Canals

HE10 Sites of Regional Importance (Ancient Monuments)

HE11 Archaeology and Preservation

SO2 Linear Open Space

SO6 Parks

Supplementary Planning Guidance/Documents

Supplementary Planning Document on Open Space, Sport and Recreation Provision

Nature Conservation Supplementary Planning Document
Historic Environment Supplementary Planning Document
Parking Standards and Travel Plans Supplementary Planning Document
Planning Obligations Supplementary Planning Document

ASSESSMENT

- 15 The main issues are
- Need for Planning Permission
 - Design Pavilion
 - Disabled Access – Pavilion
 - Setting of Priory Hall
 - Neighbour Amenity
 - Access and Parking
 - Trees
 - Nature Conservation
 - Planning Obligations
 - Other Issues

Need for Planning Permission

- 16 As stated above the Council has permitted development rights to construct the family shelter and therefore the only element that needs planning permission is the extension to the pavilion and its use as an 'outdoor' classroom.

Design – Pavilion Building

- 17 The existing pavilion building dates from the interwar period and follows a typical arts and craft/municipal design of the period and is constructed of brick with a hipped roof with a set of columns and wrought iron gates to the front elevation. The building is raised up on a plinth with a step up to the front entrance. The building is presently used as a base for gardeners at the site.

- 18 The proposed alterations to the building involve two new symmetrical wings to either side of the building which maintains the buildings symmetry. These wings will provide new public toilet facilities and replace the now closed facilities within the site. To the rear of the building an extension is proposed which will be used as an outdoor class room and community meeting room. There will also be an outside court yard associated with this as well.
- 19 The design of the extensions unlike the arts and crafts design of them main pavilion are of a more contemporary design with swept wing type roofs either side of the existing building which is also replicated on the rear extension.
- 20 Materials will also be different from the main building with the use of stone and timber with green roofing which are considered to be acceptable as they provide a contrast from the traditional materials of the original building, and help identify that these elements are latter additions. However, the supports to the symmetrical wings will be of wrought iron/steel which pays respect to the existing wrought iron/steel gates to the original building. The previous design envisaged the use of a copper roof, although on reflection this was not considered appropriate in an isolated location.
- 21 The Historic Environment Team has been consulted on the application and also gave pre application advice supporting the proposal subject to imposition of conditions
- 22 Whilst not part of the application as the proposal is considered to be permitted development is the close-by family shelter which follows through the same design concept with a winged green roof.

Disabled Access – Pavilion Building

- 23 A new disabled ramp to the rear of the extended pavilion is proposed. This leads to the existing car park to the adjoining Priory Hall training centre and registry office.

This will ensure the building can be accessed by all as the building presently has no disabled access.

- 24 However, to ensure the ramp can be provided and meets the required access arrangements there will be some encroachment into the existing car park resulting in the loss of two to three spaces.

Setting of Priory Hall

- 25 The site is located on the extreme edge of the curtilage to Priory Hall. However, the pavilion and its associated extensions are some distance away and located to the rear of the building and as such would have no adverse impact on the setting of the Hall.

Neighbour Amenity

- 26 The pavilion is more than 70m away from the nearest dwelling on Priory Road and therefore the likelihood of any conflict is slim.

Access and parking

- 27 The park and its upgraded facilities are principally designed to meet the needs of the local community and therefore the majority of visitors will be coming to the site on foot.
- 28 The proposed 'outdoor' class room which is to be incorporated into the extended pavilion building is again primarily for local school children and as such will mostly arrive on foot.
- 29 In addition there is parking within marked bays on Priory Road which are located close to the recreational facilities within the northern part of the park. Parking which serves Priory Hall will also be available to the rear of the extended pavilion building which is the intended disabled access to the building.

- 30 There will be a loss of a couple of spaces to Priory Hall as discussed above. Whilst their retention would be preferred this needs to be balanced against the need to secure satisfactory disabled access and ensure a key regeneration scheme is delivered which provides significant benefits to the local community.

Trees

- 31 There are two trees which are affected by the extension to the pavilion. One is located to the rear (south) and the other to the side (east).
- 32 In the respect of the one to the east of the building the tree condition survey submitted with the previous application recommends the removal of this tree. However, the survey recommends the retention of the other one. However, the tree would prevent the pavilion extension from being constructed and therefore its removal is unavoidable. However, the applicant is showing the provision of a replacement tree which is to be conditioned.
- 33 Trees are to be removed and replanted elsewhere on the site as part of the ongoing management of the site. In particular its proposed as part of the previous application to strengthen the arboretum element near to Priory Road. However, these matters are beyond the scope of this planning application.

Nature Conservation

- 34 An ecological survey was submitted with the previous application due to the proximity of Castle Hill and due the application site being a large area of open space where bats or other protected species may be present. The submitted survey falls into two parts. An initial Phase I habitat survey and a more detailed nocturnal emergent bat survey.
- 35 The report concludes that a small number of bats were present on site, however, there was no evidence that they roosting.

- 36 A significant amount of the recommendations relate to the proposed lighting of the ruins. In that the proposed lighting units are comparatively compact and fit into the ground they are considered to *de minimus* and therefore do not need planning permission. Therefore notes will be attached to the decision notice, if permission is granted advising the applicant of the recommendations within the ecologist report and survey.

Planning Obligations

- 37 The proposed works are part funded by the Council, but are also subject of grant aid subject of a bid to the Heritage Lottery Fund which is the only means of making the proposal viable. For this reason contributions towards the above requirements would be unreasonable.

CONCLUSION

- 38 The proposed development is considered to be acceptable in principle, provides and important local community facility and enhances the appearance of the park. . Consideration has been given to policies CSP4 Place Making EMP6 Cultural Facilities and the Visitor Economy ENV 1 Nature Conservation ENV 2 Historic Character and Local Distinctiveness ENV 3 Design Quality ENV 4 Canals of the Black Country Core Strategy and saved policies DD1 Urban Design DD2 Mixed Use DD4 Development in Residential Areas DD10 Nature Conservation and Development LR1 Open Space LR6 Protection of Sport and Recreation Facilities NC1 Biodiversity NC6 Wildlife Species NC9 Mature Trees NC10 The Urban Forest HE3 Castle Hill Special Landscape Heritage Area HE4 Conservation Areas HE5 Buildings of Local Historic Importance HE6 Listed Buildings HE7 Canals HE10 Sites of Regional Importance (Ancient Monuments) HE11 Archaeology and Preservation SO2 Linear Open Space and SO6 Parks of the Dudley Unitary Development Plan.

RECOMMENDATION

It is recommended that the application be approved subject to the following conditions:

Reason for approval

The proposed development is considered to be acceptable in principle, provides an important local community facility and enhances the appearance of the park. .

Consideration has been given to policies CSP4 Place Making EMP6 Cultural Facilities and the Visitor Economy ENV 1 Nature Conservation ENV 2 Historic Character and Local Distinctiveness ENV 3 Design Quality ENV 4 Canals of the Black Country Core Strategy and saved policies DD1 Urban Design DD2 Mixed Use DD4 Development in Residential Areas DD10 Nature Conservation and Development LR1 Open Space LR6 Protection of Sport and Recreation Facilities NC1 Biodiversity NC6 Wildlife Species NC9 Mature Trees NC10 The Urban Forest HE3 Castle Hill Special Landscape Heritage Area HE4 Conservation Areas HE5 Buildings of Local Historic Importance HE6 Listed Buildings HE7 Canals HE10 Sites of Regional Importance (Ancient Monuments) HE11 Archaeology and Preservation SO2 Linear Open Space and SO6 Parks of the Dudley Unitary Development Plan.

The decision to grant planning permission has been taken with regard to the policies and proposals in the adopted Dudley UDP (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.

Notes

Attention is drawn to the conclusions of the ecological reports submitted with planning application P10/0338 and the need to provide appropriate mitigation measures and carefully position the lighting in and around the priory ruins.

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. Notwithstanding the submitted drawings, full details of the following matters shall be submitted to and approved by the local planning authority prior to development commencing:

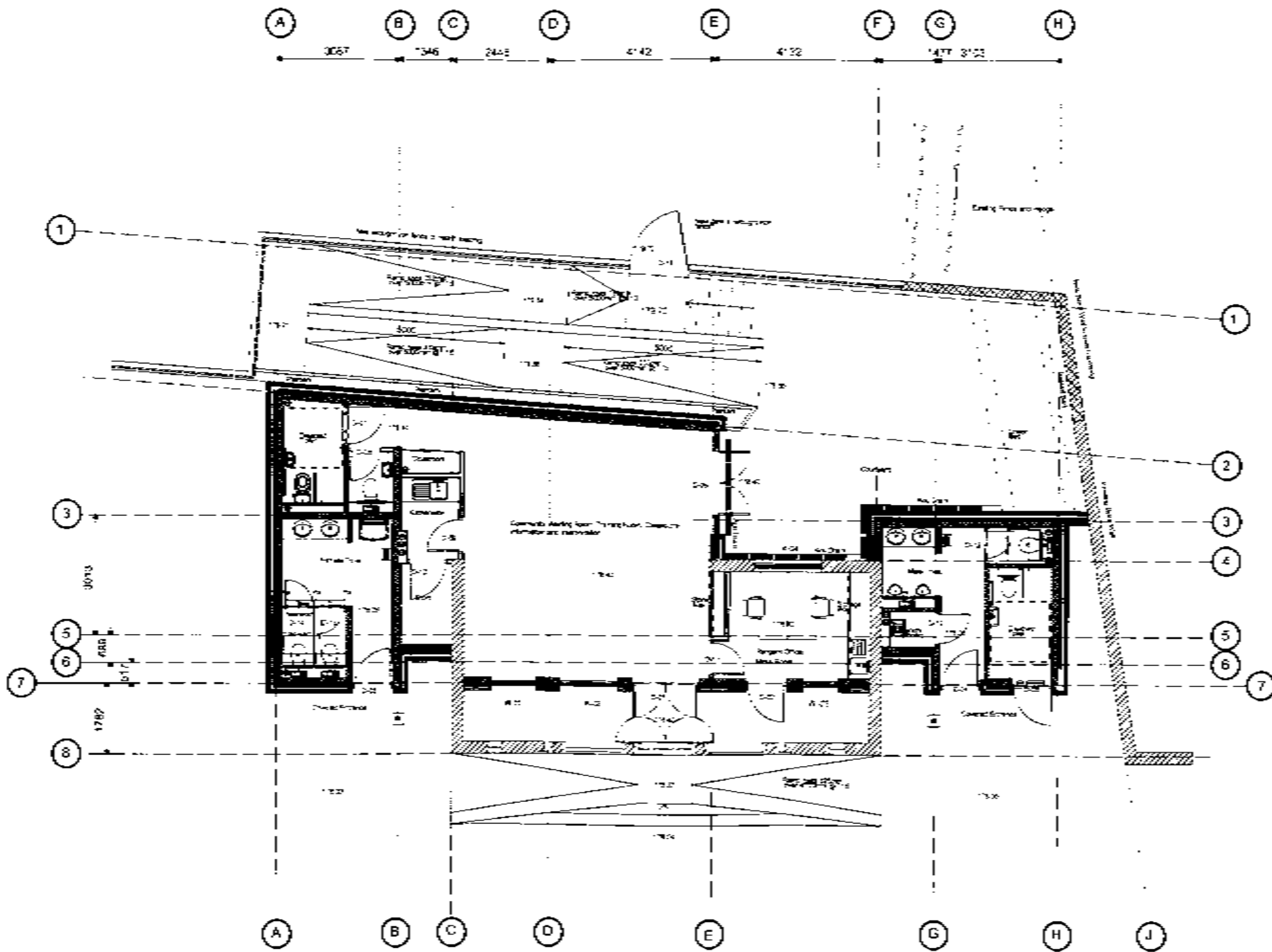
Cladding: The type, size, colour and texture of sandstone facing blocks and timber boarding to be used as cladding to the toilet block and classroom extensions of the Park Pavilion, the method of jointing the masonry and boarding and the means of providing a water-tight transition between the two materials.

Roofing: The means of construction of the roof of the toilet block and classroom extensions of the Park Pavilion including the form of jointing between the walls and the means of fixing to the roof substrate.

Rainwater goods: The type, size, colour and detailing of rainwater goods to be used on the toilet block and classroom extensions of the Park Pavilion.

Ornamental/structural ironwork: The type, size, colour, texture and form of the ornamental iron supports to the roof of the toilet block extensions to the park pavilion.

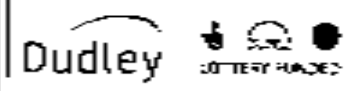
3. None of the development hereby approved until precise details of the replacement tree adjoining the pavilion building has been submitted to and approved in writing by the Local Planning Authority. The tree shall thereafter be provided within the first planting season following first occupation of the extensions to the pavilion.
4. Notwithstanding the plans submitted prior to the commencement of development, details of the investigations undertaken to identify the location of tunnel shafts shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed details and mitigation measures unless otherwise agreed in writing.
5. The development hereby permitted shall be carried out in accordance with the following approved plans: The A3 landscape plan book dated 5 November 2011

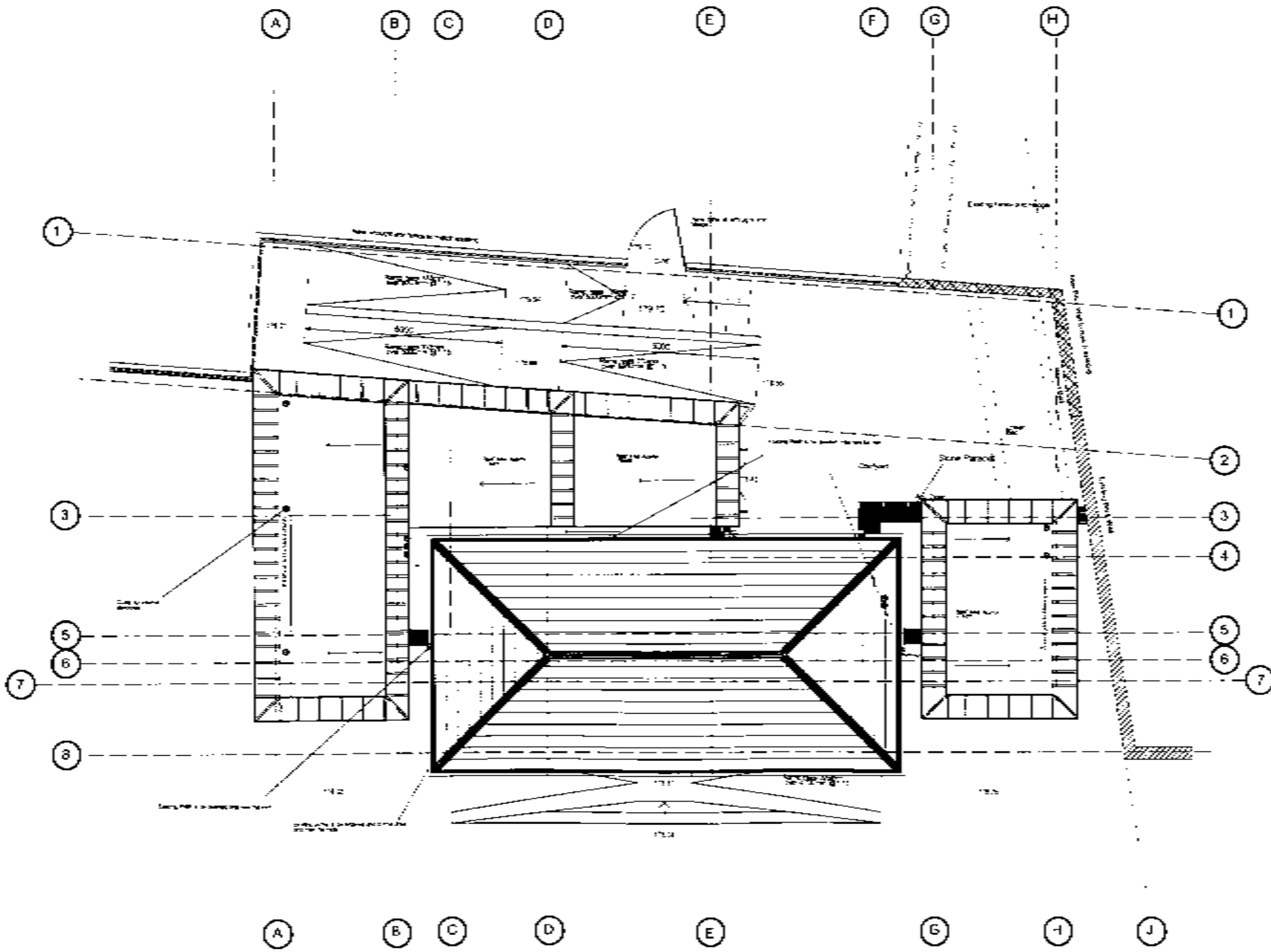


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Item	Description	Quantity	Unit	Price	Total
1	Site Preparation	1	Sq. Ft.	1.00	1.00
2	Foundation	1	Sq. Ft.	2.00	2.00
3	Structure	1	Sq. Ft.	3.00	3.00
4	Interior Finishes	1	Sq. Ft.	4.00	4.00
5	MEP	1	Sq. Ft.	5.00	5.00
6	Exterior Finishes	1	Sq. Ft.	6.00	6.00
7	Site Work	1	Sq. Ft.	7.00	7.00
8	Construction Management	1	Sq. Ft.	8.00	8.00
Total					37.00

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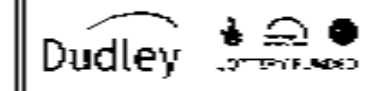




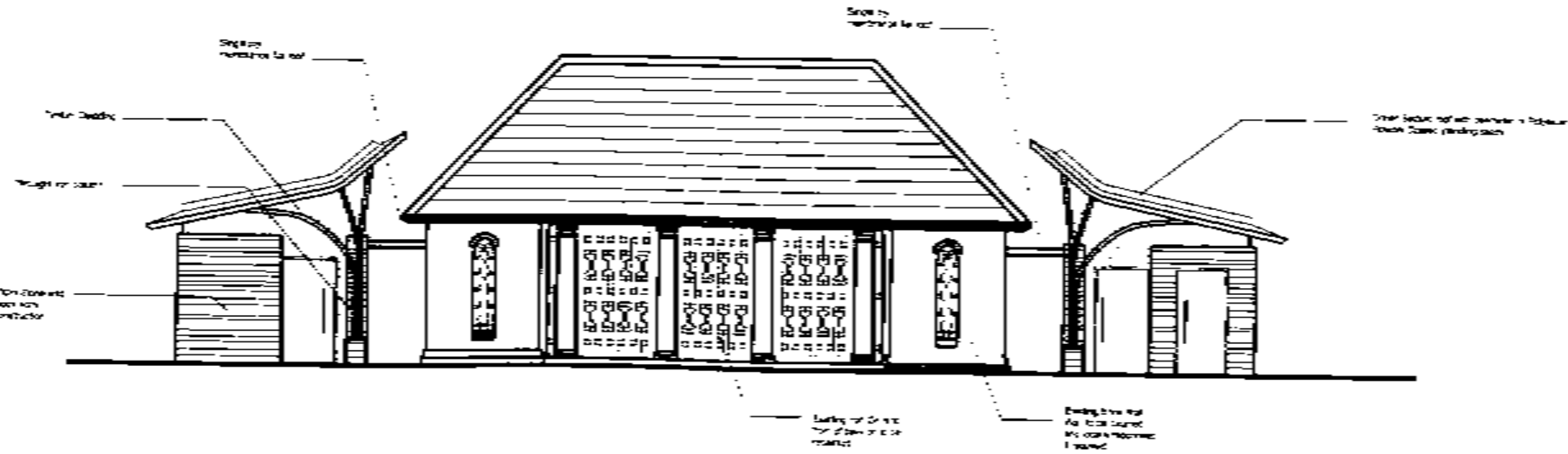
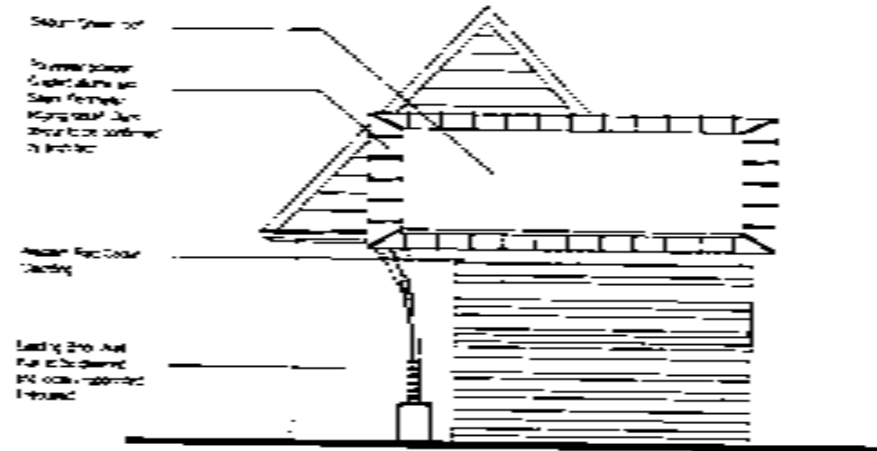
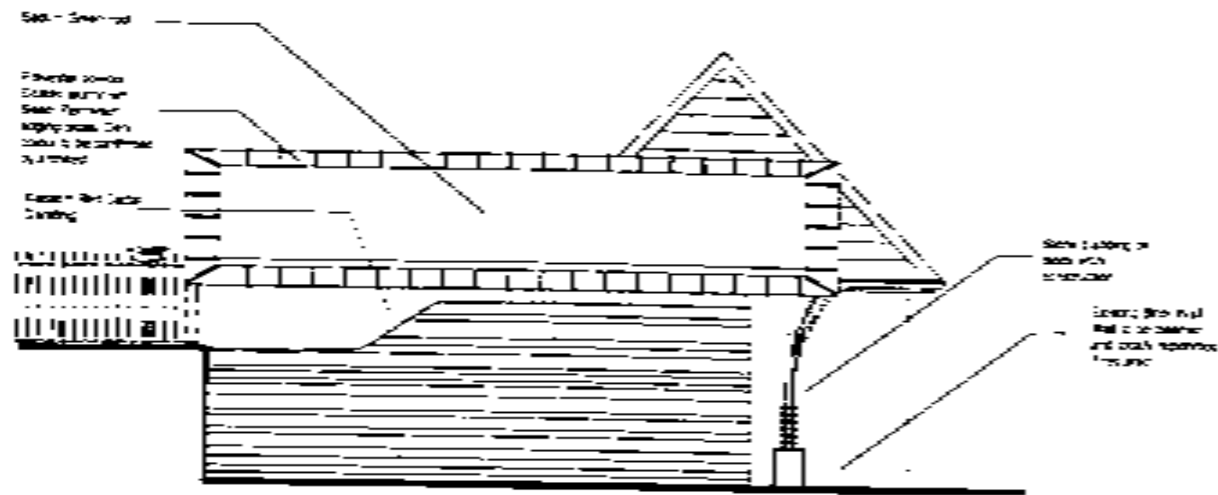
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5. 1/32" = 1'-0" Scale	6. 1/64" = 1'-0" Scale
7. 1/128" = 1'-0" Scale	8. 1/256" = 1'-0" Scale

Walsh Associates LLP
 10000 New York Ave., Suite 200
 New York, NY 10019
 Tel: 212 512 2200
 Fax: 212 512 2201

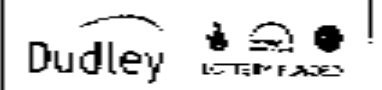


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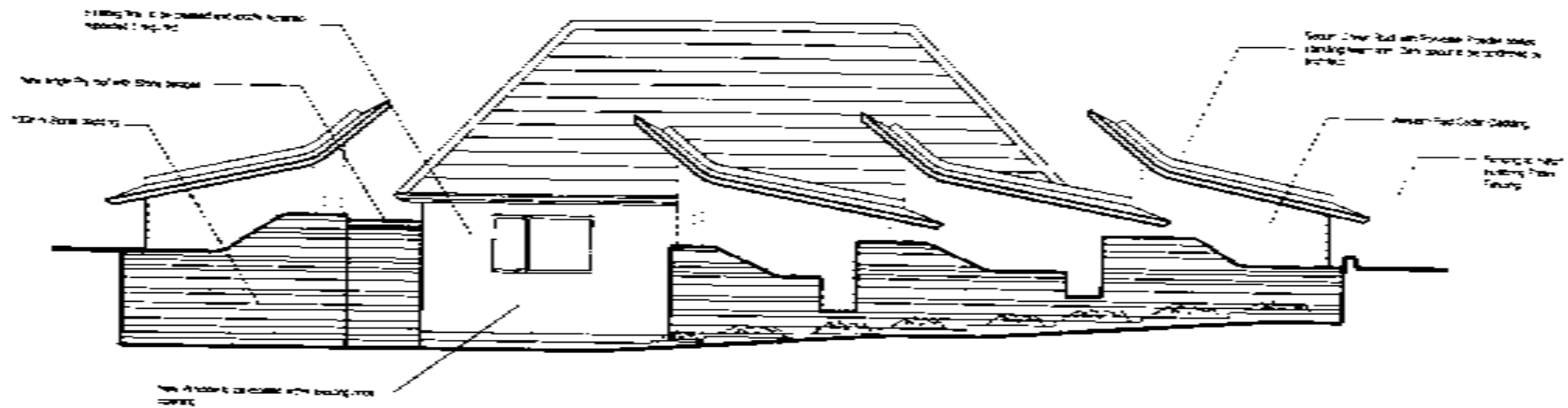


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Walsh Associates LLP
 1500 West 10th Street, Suite 100
 Vancouver, BC V6H 2E6
 Tel: 604-681-1111
 Fax: 604-681-1112



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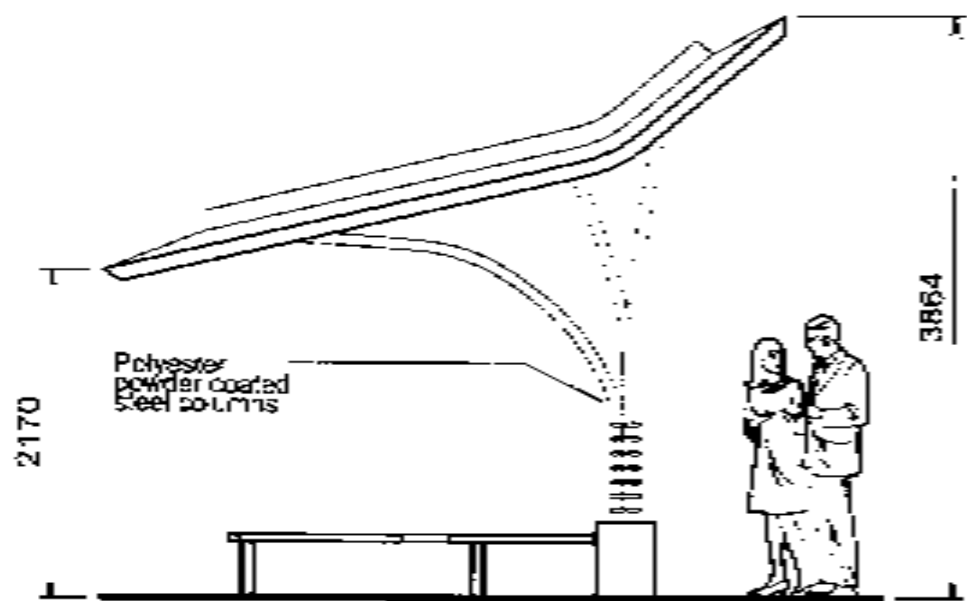
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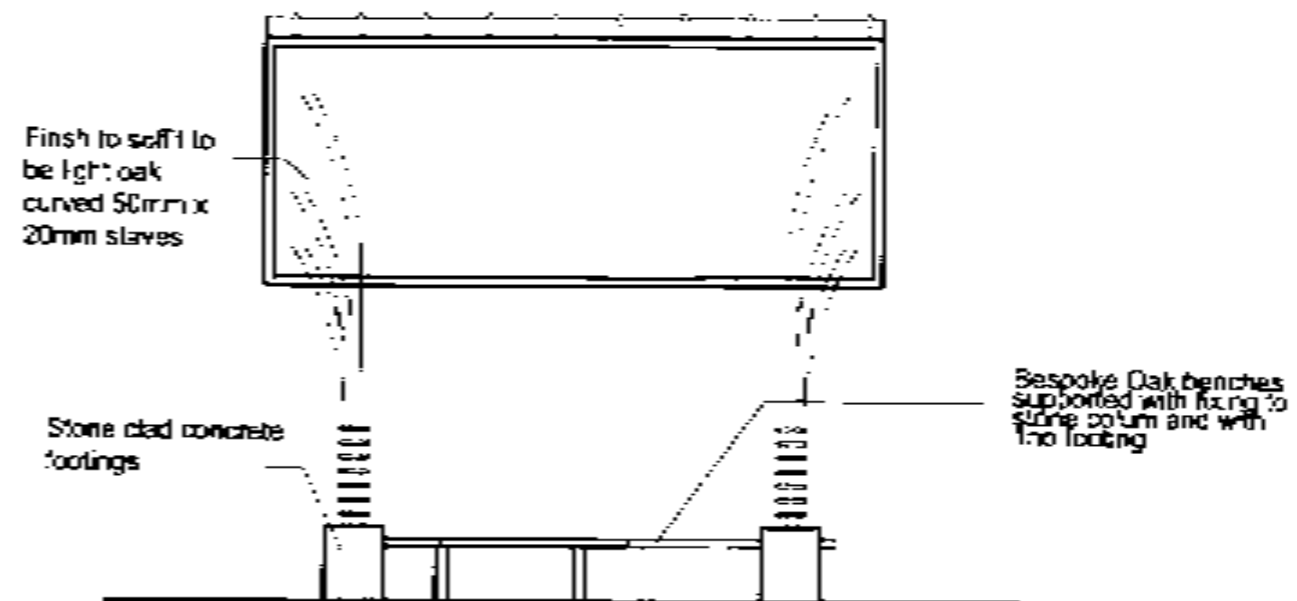
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North Elevation



West Elevation

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Dudley **CONSTRUCTION**

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 Project: [Name]
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