

PLANNING APPLICATION NUMBER: P09/1644

Type of approval sought	Full Planning Permission
Ward	KINGSWINFORD NORTH & WALLHEATH
Applicant	Mr Mark Wild, Diocese of Worcester
Location:	THE RECTORY, 17, PENZER STREET, KINGSWINFORD, WEST MIDLANDS, DY6 7AA
Proposal	ERECTION OF ECO VICARAGE (RESUBMISSION OF WITHDRAWN APPLICATION P09/0843)
Recommendation Summary:	APPROVE SUBJECT TO A 106 AGREEMENT

SITE AND SURROUNDINGS

1. The site forms part of the side garden of the existing vicarage. It is situated within a well established residential area. There is pre-war housing to the north, east and south of the site. The western boundary abuts former 1950's police houses which are now used as offices in association with Kingswinford Police Station. The site is located just to the north of the boundary of Kingswinford District Shopping Centre.
2. The whole frontage to the site is marked by an established brick wall. There is one existing entrance to the site, via wrought iron gates, leading to a detached, pitched roof, pre-fabricated single garage. Immediately behind the wall there are a number of trees and overgrown vegetation. Beyond, the garden is generally made up of a lawn and shrub borders. The side gable of the adjacent dwelling No 11 Penzer Street, and a brick wall mark the southern boundary of the site. The western boundary comprises wooden fencing.

PROPOSAL

3. The application, made by the Diocese of Worcester, is for the development of a new detached dwelling referred to by the applicant as an "eco vicarage". It is understood that the existing vicarage on the site would become a separate, private dwelling.
4. The submitted Design and Access statement states that the building would be constructed using pioneering methods to a code for sustainable homes level 6, which would achieve a zero carbon standard.
5. The house would have a unique design which is required to facilitate the sustainable nature of the project. The main element of the dwelling would be 7.0m wide with a depth of 12.5m. The dwelling would be 2 1/2 storeys in height which would be the

same height as the existing adjacent vicarage. A 3.0m wide glazed sun room/porch would be constructed along most of the south side of the building. It would have a mono-pitch roof which would have a maximum height of 5.0m. Double doors in the ground floor kitchen/dining room and first floor living room would open into this sun room. A wooden pergola running from the parking area to the entrance porch is indicated. Vegetation would be grown over it to cast shade.

6. The layout of the building has been designed to function as a home and a vicarage. The northern part of the building would contain the services zone such as the stairwell and bathrooms. The central area would contain the main part of the living and sleeping accommodation with the sun space facing southwards.

HISTORY

7.

APPLICATION No.	PROPOSAL	DECISION	DATE
DB/69/5624	Conversion of garage into dining room and erection of detached replacement garage	Approved	19/08/69
P09/0843	Erection of eco-vicarage	Withdrawn	11/08/09

PUBLIC CONSULTATION

8. The application has been advertised by means of letters sent directly to neighbours. To date no letters of objection have been received.

OTHER CONSULTATION

9. Group Engineer - Development – no comments received at the time of writing the report.
10. Head of Environmental Health and Trading Standards – no adverse comments.

RELEVANT PLANNING POLICY

11. Adopted Dudley Unitary Development Plan
 - Policy DD1 Urban Design
 - Policy DD4 Development in Residential Areas
 - Policy DD6 Access and Transport Infrastructure
 - Policy DD7 Planning Obligations
 - Policy DD10 Nature Conservation and Development
 - Policy DD12 Sustainable Drainage Systems

Policy AM14	Parking
Policy H1	New Housing Development
Policy H3	Housing Assessment Criteria
Policy H6	Housing Density
Policy CS3	Community Services
Policy NC1	Biodiversity
Policy NC6	Wildlife Species
Policy NC9	Mature Trees
Policy NC10	The Urban Forest

12. Supplementary Planning Guidance
Planning Guidance Note No. 3 New Housing Development
13. Supplementary Planning Documents
New Housing Development – a guide to establishing the urban context
Planning Obligations
Parking standards and travel plans
14. National Planning Guidance
Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 3 – Housing
Code for Sustainable Homes

ASSESSMENT

Key Issues

- Principle
- Density
- Sustainability
- Scale, massing and appearance
- Impact of the development upon adjacent residents
- Trees
- Vehicular Access and Parking
- Planning Obligations

Principle

15. The new house would be constructed upon a large area of side garden land belonging to The Rectory, No. 17 Penzer Street. This brown field land is situated within an established residential area which, in principle, is acceptable for residential development.

Density

16. The existing vicarage is set within a large plot of land compared to its surroundings. As such, by dividing the site almost in half would create a density similar to that of

existing dwellings in the immediate locality. For example, the construction of the new dwelling would lead to a density of 14.3 dwellings per hectare (dph) and the remaining vicarage would have a density of 16.6 dph. The existing detached house directly to the south of the site (No. 11 Penzer Street) would have a density of 14.3dph. The two former police houses to the rear of the site (Nos 4a and 4b Moss Grove) have a density of 18.18 dph and the houses on the opposite side of Penzer Street (Nos 6 – 14) have a density of 22.73dph. As such the density at which the building would be constructed would be very much in keeping with the density of its immediate surroundings.

Sustainability

17. On 13th December 2006 the Code for Sustainable Homes was launched by Central Government. This guidance set the new national standard for the design and construction of sustainable new homes. It incorporates a sustainable rating system ranging from one to six based upon levels of achievement in specific categories. Minimum standards must be met in such categories as energy and water efficiency, the impact and sourcing of materials, surface water run-off and waste disposal. Other, categories such as pollution (e.g. global warming potential), health and wellbeing (e.g. daylight, sound insulation, private space), management (e.g. construction site impacts, security) and ecology can influence an overall rating for a scheme but are not mandatory. The applicant states that the scheme is designed to achieve level six which is the highest level reflecting exemplar development in sustainability terms.
18. Although the rating system is a fundamental tool for building control, it is acknowledged that the concept of sustainability underpins Central Government policies. In particular Planning Policy Statement 1: Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. With specific reference to this application Planning Policy Statement 3: Housing (PPS 3) seeks to secure objectives for planning for housing within the context of sustainable development objectives.
19. Should this building be constructed to level 6 it is understood that it would be only one of a handful of buildings to do so in the country and the first to achieve it in Dudley. PPS3 states that Local Planning Authorities should encourage sustainable new housing development.

Scale, Massing and Appearance

20. The general philosophy behind the design of the building is to achieve a carbon neutral, sustainable dwelling. Obviously the use of pioneering building techniques and design requirements has led to the creation of a building of modern appearance. The architect has however taken full account of the immediate surroundings in which the building would be set and has formulated a design which would reflect certain aspects of its surroundings. These include:

- The height of the building would be no higher than the surrounding development;
- The façade would have similar proportions with surrounding dwellings;
- The window head and cills would align with the height of those at the adjacent vicarage;
- The roof would have a stepped appearance with one large south facing plane which would accommodate solar panels. The angle however has been adjusted so that it is not dissimilar to neighbouring properties;
- the choice of materials would include brick cladding and render with a grey slate roof which reflect building materials found within the locality.

Impact of the development on adjacent residents

21. The front of the building would follow a similar building line to the existing dwellings on either side. It would however have a greater depth. The dwellings however would be well spaced apart, there would be approximately 3.5m between the new building and the vicarage and 9.0m between the new dwelling and No 11 Penzer Street to the south. Following the orientation of the sun some shading would take place to the existing vicarage however the vicarage itself is set back in relation to the dwelling directly to the north (No 19 Penzer Street).
22. The northern elevation of the new building which would face the existing vicarage would have two tall panes of obscure glazing. One would provide light to a stairwell and the other would provide light to a utility area on the ground floor and bathrooms on the first and second floor. As such no overlooking would take place. It also has a set of high level roof lights which would maintain the privacy of neighbours. The existing vicarage has two ground floor side facing habitable room windows, however these are small secondary light sources to the rooms and therefore would not warrant a refusal of the application. New fencing along the boundary would prevent overlooking from the existing vicarage onto the new house.
23. The rear of the dwelling would face the side of two former police houses which are now used as offices in association with the adjacent Kingswinford Police Station. There would be 15m between the rear of the new dwelling and the side gable of No 4b Moss Grove and the rear garden length would be 13.0m. Both distances accord with the space around dwellings standard required within Planning Guidance Note No. 3 New Housing Development
24. The southern elevation would face the side gable and high brick wall of the adjacent dwelling No. 11 Penzer Street. This dwelling has one side facing window at first floor level which serves a bathroom. The ground floor and the side facing roof lights have no potential for overlooking. One area of concern with regard to the new dwelling is that there are large side facing living room windows indicated at first floor level. As the building would be set back with regard to No. 11 Penzer Street there is the potential for overlooking, albeit that the closest lounge window would open into the glass roof area of the sun room. The agent has agreed however to accept a

condition that the roof panels of the sun room be obscure glazed to overcome the difficulty.

Trees

25. There are a number of trees on the site particularly along the site frontage. A tree survey has been produced which retains, in the main, most of the trees on the site and introduces positive management towards them. This is considered to be acceptable.

Vehicular Access and Parking

26. Access to the site would be via the existing access point. This is acceptable in highway terms. There is a brick wall along the site frontage which in visual terms should be retained provided that the required 2.4m by 33m visibility splay can be achieved.
27. A four bedroom dwelling would be expected to provide parking for 3 No. vehicles. There is an existing pre-fabricated detached garage and a short drive. Although the submitted plans indicate the retention of this garage, the driveway is of insufficient length to accommodate two cars. The agent has agreed to the demolition of the garage and a condition requiring the submission of a parking layout for three cars should the application be granted.

Planning Obligations

28. The proposed development has a requirement to provide planning obligations to mitigate against the consequential planning loss to the existing community. Should permission be granted a S106 Agreement would be required in respect of off site contributions.

The proposal attracts a requirement for a commuted sum to be paid towards the following infrastructure:

- Off site public open space/play improvements - £3,181.97
- Libraries - £184.92
- Transport Infrastructure Improvements - £401.31
- Public Realm - £462.35
- Nature Conservation - £348.50
- Management and Monitoring - £250

Total Offsite Contribution = £4,829.05

29. At the time of writing the report the applicant had not had an opportunity to consider these figures. The willingness of the applicant to comply with this requirement will be reported to the Committee in the pre-committee notes.

CONCLUSION

30. This eco vicarage is designed to achieve a carbon zero status and, as the first such building within the borough, could become a flagship building for promoting sustainable living. Although by nature it would be modern in appearance, attention to detail, reflecting the characteristics found within the current street scene, has led to a design which is considered to be in keeping with the character of the area. The density of the dwelling would accord with adjacent development. There would not be a lack of privacy for adjacent residents and sufficient parking would be provided. The impact on trees on the site would be acceptable. As such the application is compliant with Planning Policy Statement 1 – Delivering Sustainable Development, Planning Policy Statement 3 – Housing and Code for Sustainable Homes, Policies DD1, DD4, DD6, DD7, DD12, AM14, H1, H6, NC9 and NC10 of the adopted Dudley Unitary Development Plan, Planning Guidance Note No. 3 New Housing Development, New Housing Development – a guide to establishing the urban context, Planning Obligations and Parking Standards and Travel Plans SPDs.

RECOMMENDATION

31. It is recommended that the application is approved subject to:
- a) The development shall not be commenced until a scheme for the submission and approval of a planning obligation to guarantee the provision, maintenance and enhancement of off-site public open space sport and recreation improvements, libraries improvements, public realm, nature conservation and transport improvements and monitoring and management charge totalling £4,829.05 has been submitted to and agreed in writing by the Local Planning Authority.
 - b) The Scheme shall include the method, timing and arrangements including a means to guarantee a financial payment, increased through index linking from the first April each subsequent year, in accordance with the Council's planning obligations policies.
 - c) The following conditions, with delegated powers to the Director of the Urban Environment to make amendments where necessary.

Reason for Approval

This eco vicarage is designed to achieve a carbon zero status and, as the first such building within the borough, could become a flagship building for promoting sustainable living. Although by nature it would be modern in appearance, attention to detail, reflecting the characteristics found within the current street scene, has led to a design which is considered to be in keeping with the character of the area. The density of the dwelling would be accord with adjacent development. There would not be a lack of privacy for adjacent residents and sufficient parking would be provided. The impact on trees on the site would be acceptable. As such the application is compliant with Planning Policy Statement 1 – Delivering Sustainable Development, Planning Policy Statement 3 – Housing and Code for Sustainable Homes, Policies DD1, DD4, DD6, DD7, DD12, AM14, H1, H6, NC9 and NC10 of the adopted Dudley Unitary Development Plan, Planning Guidance Note No. 3 New Housing Development, New Housing Development – a guide to establishing the urban context.

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.

Note for Applicant

The development hereby permitted shall be built in accordance with the approved plans, numbered 3014 SK 001, 3014 SK 002, 3014 SK 004, 3014 SK 005, 3014 SK 006, 3014 AL(0) 010 B and 3014 AL(0) 013 unless otherwise agreed in writing by the Local Planning Authority.

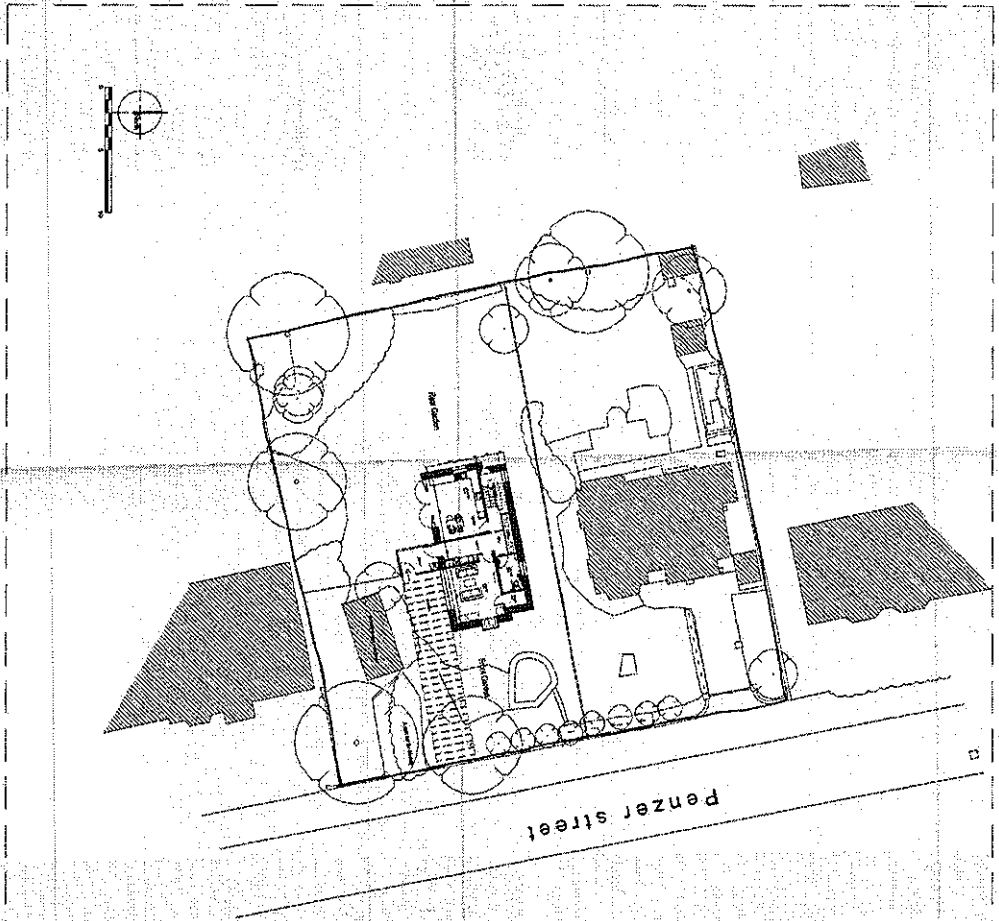
Conditions and/or reasons:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development not beginning until a scheme for the provision of:
 - Libraries improvements

- Open Space, Sport and Recreation improvements
- Transport Infrastructure Improvements
- Public Realm improvements
- Nature Conservation
- Management and monitoring charge

has been submitted to and approved in writing by the Local Planning Authority.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Part One Class A (or any order revoking or re-enacting that order with or without modification) no development referred of that order shall be carried out.
4. The vehicular access to the site shall utilise the existing gated access indicated on the approved plans. No new access points to the site shall be inserted and the front boundary wall shall be retained with the exception of providing a visibility splay measuring 2.4m x 33m at the site entrance which shall be provided prior to the occupation of the dwelling and thereafter retained for the life of the development.
5. Prior to the commencement of development, parking layout details shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details and all parking shall be provided on site prior to the occupation of the development hereby approved.
6. Prior to the commencement of development, details of the [boundary treatments /walls/fences] to be installed on the whole site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include location of boundary treatment. Elevation details shall also be supplied, or planting species/distances, as appropriate. The development shall proceed in accordance with the approved details, which shall be installed on site prior to occupation and thereafter maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
7. Prior to the occupation of the dwelling, the two long panes of glass in the northern elevation and the angled roof of the sun space on the southern elevation shall be fitted with obscure glazing and thereafter maintained in that condition for the life of the development.
8. Prior to the commencement of development, details of the types, colours and textures of the materials to be used on the external surfaces of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.



Associated Architects		Associated Architects	
Name	Address	Name	Address
3014 AL (0) 010 B LOCATION PLAN	DOUGLAS OF WORCESTER	3014 AL (0) 010 B LOCATION PLAN	DOUGLAS OF WORCESTER
3014 AL (0) 010 B LOCATION PLAN	DOUGLAS OF WORCESTER	3014 AL (0) 010 B LOCATION PLAN	DOUGLAS OF WORCESTER

This architectural drawing shows a side elevation of a building. The structure features a gabled roof and a small balcony or overhang on the right side. The facade is composed of several rectangular windows and a door. The drawing is oriented vertically, with the building's height increasing towards the top of the page.

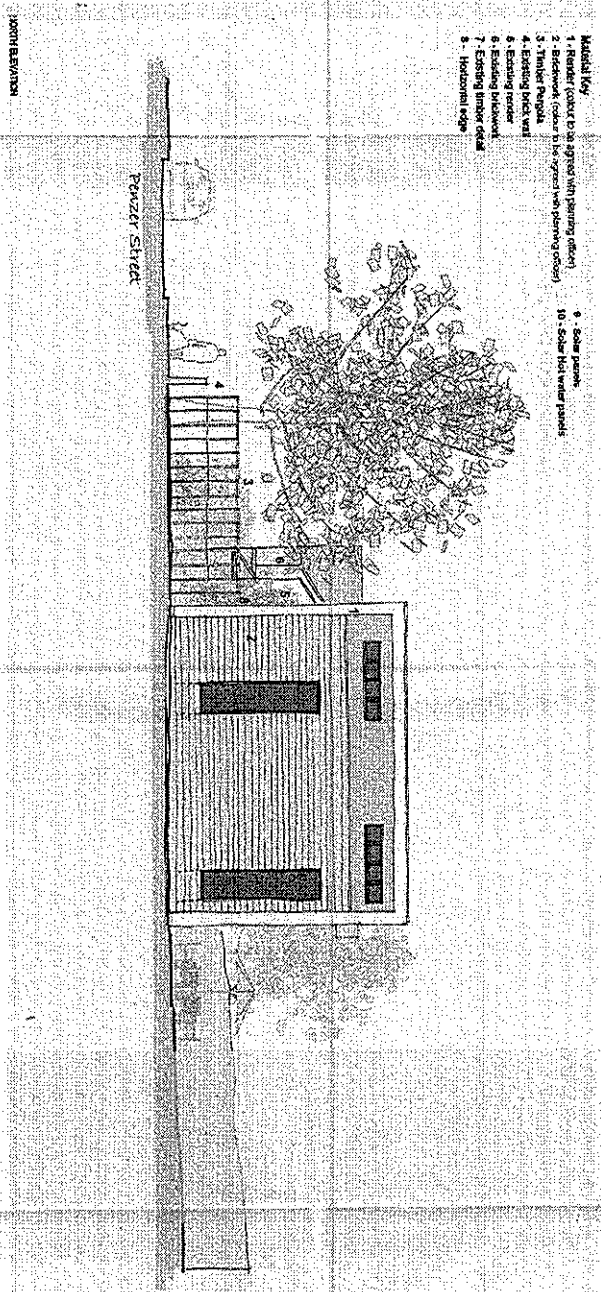
This architectural drawing shows a side elevation or cross-section of a building. The structure features a series of windows of varying sizes, some with shutters. A prominent chimney is visible on the right side of the facade. The drawing is oriented vertically, with the building's base at the top and its roofline at the bottom. A small, stylized tree is sketched at the bottom left corner.

This architectural drawing shows a side elevation or cross-section of a building. The structure features a series of windows of varying sizes, some with shutters. A prominent chimney is visible on the right side of the facade. The drawing is oriented vertically, with the building's base at the top and its roofline at the bottom. A small, stylized tree is sketched at the bottom left corner.

Client Name DIOCESE OF WORCESTER
CONRAD PEYZER STREET
DRAWDING THE EXISTING SOUTH AND WEST ELEVATIONS
Scale 1:100 @ A1
Drawing Number 3014 SK 002

RECEIVED
30 NOV 1954
12-19-54

Harwood North
Elevation - 8/11/14



- Model Key:**
- 1. Render (to be agreed with planning officer)
 - 2. Redwork (to be agreed with planning officer)
 - 3. Timber cladding
 - 4. Existing brick wall
 - 5. Existing render
 - 6. Existing brickwork
 - 7. Existing timber cladding
 - 8. Horizontal ridge
 - 9. Solar panels
 - 10. Solar hot water panels

NORTH ELEVATION



AssociatedArchitects

Client Name: DIOCESE OF WORCESTER

Contract: PENNY STREET

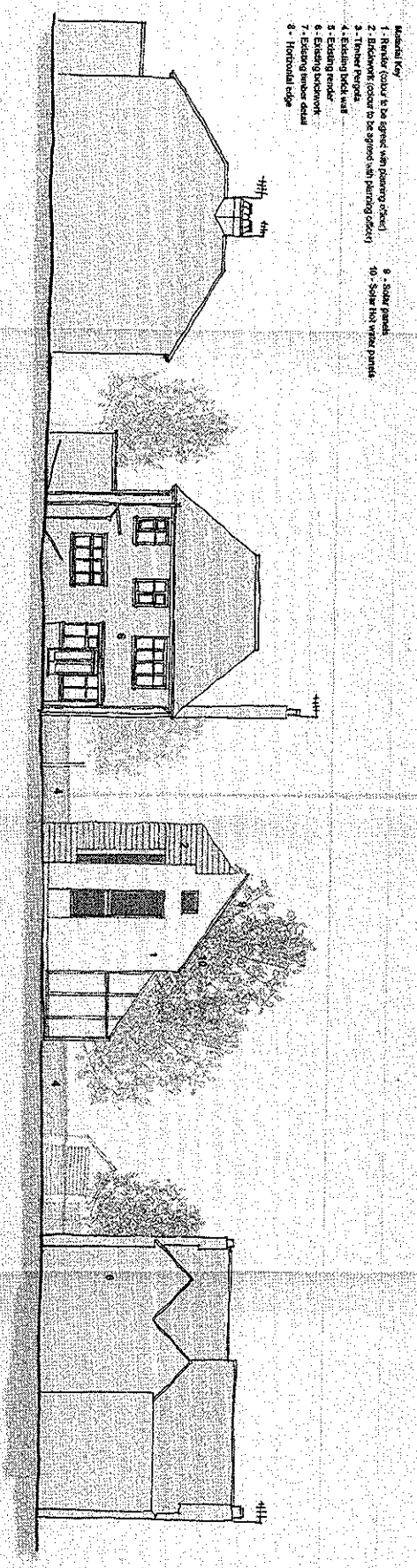
Drawing Title: PROPOSED NORTH ELEVATION

Scale: 1:1000

Drawing Number: 2014 SK 006

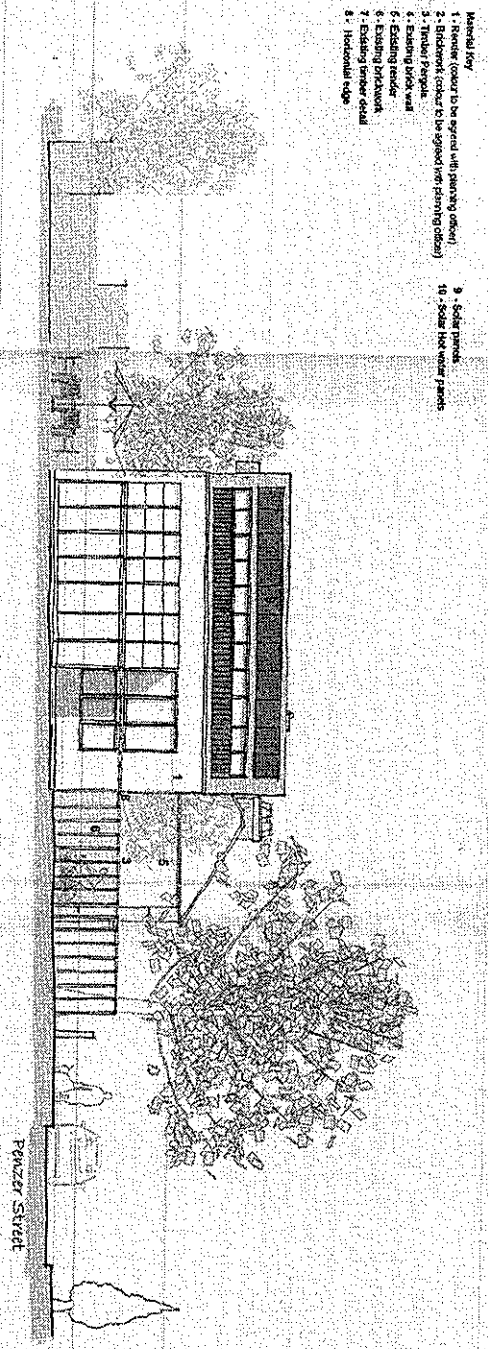
1. Associated Architects Ltd, 2nd Floor, Birmingham B1 1SE
 2. Tel: 0121 231 0000, Fax: 0121 231 0001
 3. Email: info@associatedarchitects.co.uk
 4. Associated Architects Limited is a company registered in England and Wales.

Revised South West
Elevation - Revision 1



- Material Key
- 1 - Timber (color to be agreed with planning officer)
 - 2 - Timber (color to be agreed with planning officer)
 - 3 - Timber (color to be agreed with planning officer)
 - 4 - Existing brick wall
 - 5 - Existing render
 - 6 - Existing brickwork
 - 7 - Existing timber detail
 - 8 - Horizontal edge
 - 9 - Solid panel
 - 10 - Solid flat white panels

WEST ELEVATION



- Material Key
- 1 - Timber (color to be agreed with planning officer)
 - 2 - Timber (color to be agreed with planning officer)
 - 3 - Timber (color to be agreed with planning officer)
 - 4 - Existing brick wall
 - 5 - Existing render
 - 6 - Existing brickwork
 - 7 - Existing timber detail
 - 8 - Horizontal edge
 - 9 - Solid panel
 - 10 - Solid flat white panels

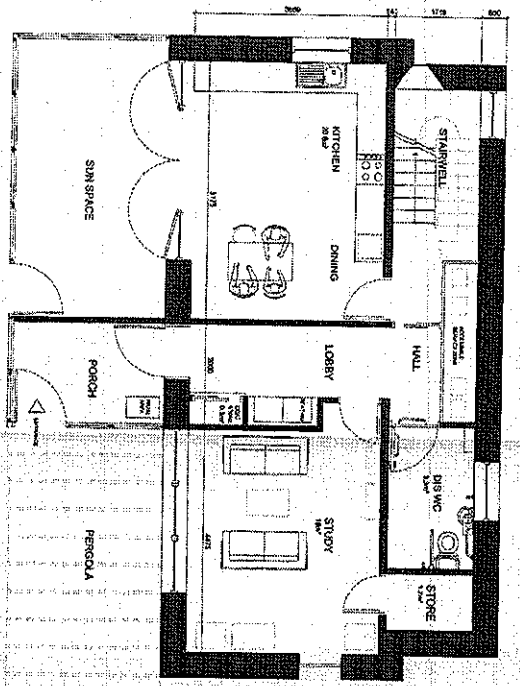
SOUTH ELEVATION

30 MAY 2015

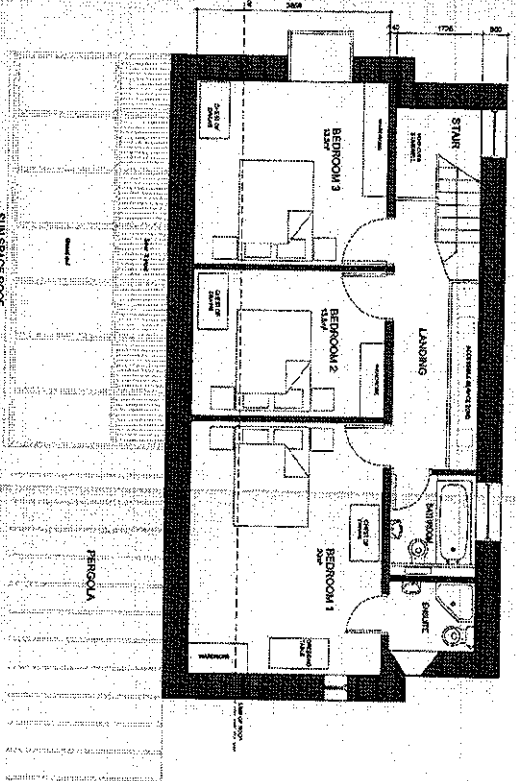
AssociatedArchitects

Client Name: DORCE OF WORCESTER
 Location: PENZANCE STREET
 Drawing Title: PROPOSED SOUTH AND WEST ELEVATIONS
 Scale: 1:100 @ A1
 Drawing Number: 3014 SK 005

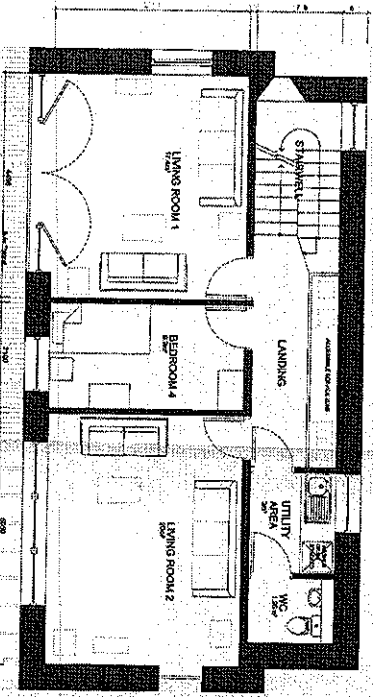
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 2. Drawing Title: PROPOSED SOUTH AND WEST ELEVATIONS
 3. Drawing Number: 3014 SK 005
 4. Drawing Scale: 1:100 @ A1
 5. Drawing Date: 30 MAY 2015
 6. Drawing Author: Associated Architects
 7. Drawing Checker: Associated Architects
 8. Drawing Approver: Associated Architects
 9. Drawing Status: Final
 10. Drawing Notes: Associated Architects



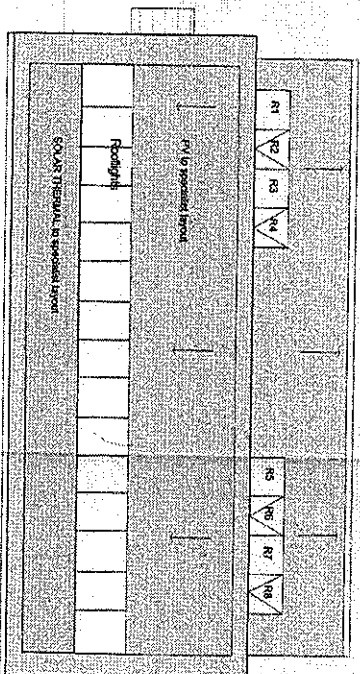
Ground Floor Plan
Scale 1:50 @ A1



Second Floor Plan
Scale 1:50 @ A1



First Floor Plan
Scale 1:50 @ A1



Roof Plan
Scale 1:50 @ A1

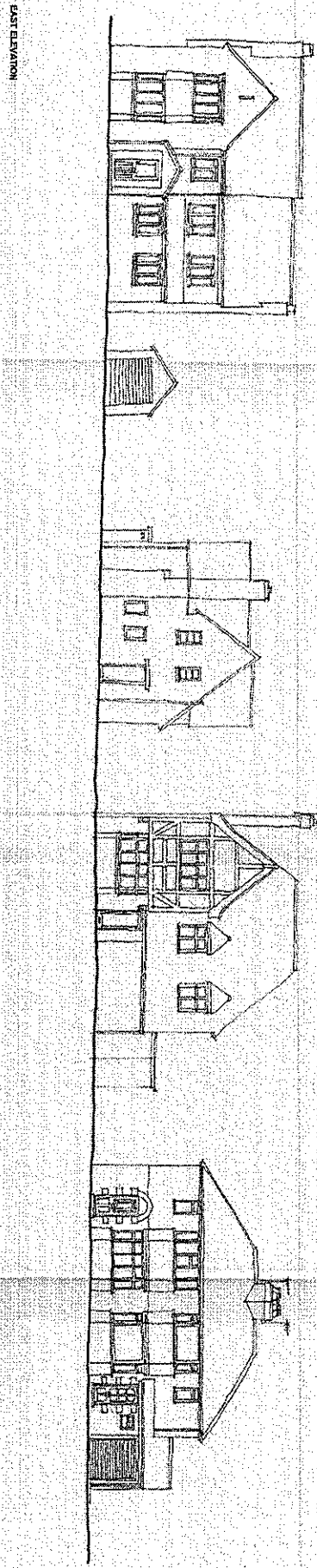
Associated Architects

3014 AL (0) 013 - PROPOSED FLOOR PLANS

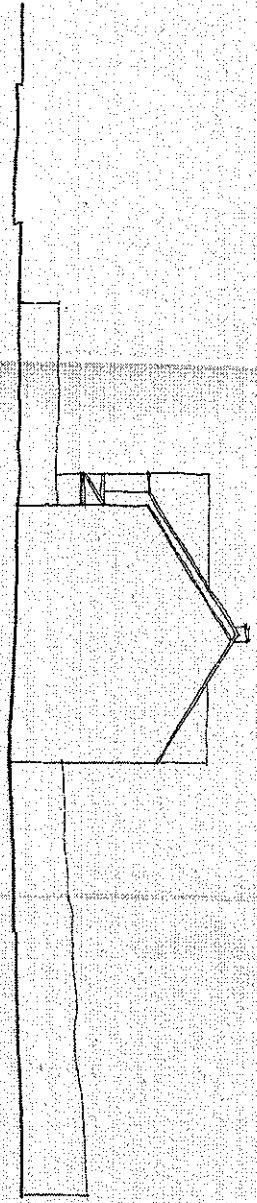
800 VESPAIGE PENZER STREET, KANSAS CITY, MO 64111
DIOCESE OF WORCESTER

1201 Q (A)
Landed 1/20/14 - Planning Committee

30 MAY 2014
10:00 AM



EAST ELEVATION



NORTH ELEVATION



Associated Architects

Client Name: DIOCESE OF WORCESTER
Contract: PENZER STREET
Drawing Title: EXISTING NORTH AND EAST ELEVATIONS
Scale: 1:100 @ A1
Drawing Number: 30/14 SK 001

1. Drawn: David Phipps, The Abbey, Birmingham B1 1UE
2. Checked: David Phipps, The Abbey, Birmingham B1 1UE
3. Approved: David Phipps, The Abbey, Birmingham B1 1UE
4. Date: 30/05/2023
5. Project: Penzer Street, Worcester, Gloucestershire
6. Drawing: Existing North and East Elevations