

TWC/2020/0410

Site of Doseley Industrial Estate, Frame Lane, Doseley, Telford, Shropshire
Demolition of disused former industrial units and the erection of 48no. dwellings

Amended plans and description - reduction in units

APPLICANT

Phoenix Mason Investments Ltd

RECEIVED

21/05/2020

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

THIS APPLICATION HAS BEEN REFERRED TO PLANNING COMMITTEE AS A SECTION 106 IS REQUIRED TO SECURE FINANACIAL CONTRIBUTIONS AND ADFORDABLE HOUSING.

Online planning file: <https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?ApplicationNumber=TWC/2020/0410>

1.0 SUMMARY RECOMMENDATION

- 1.1 It is recommended that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to conditions, informatives and a Section 106 legal agreement to secure affordable housing and financial contributions.

2.0 SITE AND SURROUNDINGS

- 2.1 The site extends to 2.4 hectares and comprises Doseley Industrial Estate, an established commercial site within the Doseley area of Telford. The topography of the site is generally flat, however, surrounding land falls away to the east meaning that St Luke's Road is located several metres below ground level within the site and separated by a steep, tree-lined embankment. The eastern and southern boundaries are lined by mature trees and a bungalow is located to the north which is restricted to occupation by a worker at the industrial estate through a planning condition.
- 2.2 The existing industrial estate contains a number of industrial and commercial premises. Permitted uses currently include a motor repair garage and MOT bay, plastic palette storage, tyre fitting and breakdown garage, a wider general industrial permission and car sales. The industrial estate is currently accessed from Frame Lane in the north-west corner.
- 2.3 Whilst the application site is not located within a conservation area, a listed building and two locally listed buildings are located immediately to the south. The former St Luke's Church and graveyard are Grade II listed but are currently concealed from the site by the existing tree line. The two adjacent buildings, The Old Vicarage and The Old Schoolhouse are locally listed.
- 2.4 Further to the south and west of the site is the former FP McCann Pipeworks site which is currently being redeveloped by David Wilson Homes to provide

460 dwellings. A further residential development has recently been approved at the former Cheshire Cheese Inn public house to the east of the site.

3.0 PROPOSAL

3.1 This application seeks full planning permission for the erection of 48 dwellings on land at Doseley Industrial Estate, Doseley.

3.2 The application is accompanied by the following supporting documents:

- Noise Assessment
- Contaminated Land Assessment
- Transport Statement
- Flood Risk Assessment
- Heritage Impact Assessment
- Design & Access Statement
- Arboricultural Statement

4.0 RELEVANT PLANNING HISTORY

4.1 The site has been the subject of a number of planning applications related to industrial activity. In addition, two applications have been refused under W2008/0817 and TWC/2011/0961 for the erection of one and two dwellings respectively on the western part of the industrial estate. Application TWC/2019/0399 for 18no houses and 9no. apartments related to the eastern part of the site only and has been refused and dismissed at appeal.

4.2 Permission has recently been granted under TWC/2019/0462 for the erection of an extension to the adjacent motor repair garage, 'Marks Motor Repairs' to provide an MOT testing station.

4.3 The former F.P. McCann pipeworks site is currently being redeveloped to provide 460 dwellings having received outline planning permission in 2014 under TWC/2012/0650. Detailed reserved matters permissions were granted under TWC/2014/0237 and TWC/2016/0293, and the latter has recently been amended under TWC/2019/0441.

4.4 Under the outline consent for Doseley Pipeworks (TWC/2012/0650) financial contributions were secured via Section 106 agreement towards bus facilities within the vicinity and towards the cost of improvements to the two existing roundabouts at A5223/Bridge Rd and Jiggers Bank.

5.0 PLANNING POLICY CONTEXT

5.1 National Guidance
National Planning Policy Framework
Planning Practice Guidance

5.2 Telford & Wrekin Local Plan (2011-2031)
SP1: Telford

SP4: Presumption in Favour of Sustainable Development
HO4: Housing Mix
HO5: Affordable Housing Thresholds and Percentages
NE1: Biodiversity
NE2: Trees, Hedgerows and Woodlands
NE4: Provision of Public Open Space
NE6: Green Network
C3: Impact of development on Highways
C4: Design of Roads and Streets
C5: Design of parking
BE1: Design Criteria
BE4: Listed Buildings
BE6: Buildings of local interest
BE9: Land Stability
BE10: Land Contamination
ER12: Flood Risk Management

6.0 SUMMARY OF CONSULTATION RESPONSES

6.1 Local Member/Parish Council Responses

6.1.1 Cllr Jayne Greenaway: Object

The application refers to a former industrial site. This statement is incorrect as it forms part of a working Industrial Estate. This site is not an allocated site but can offer alternative business uses for small to medium companies which is not available in other parts of the Borough according to the T & W Business Support Team. This site has existed for many years in harmony with residents and is currently an employment site offering the opportunity for small businesses to expand. The applicant has not provided evidence of alternative employment options and is not supporting employment for benefit of the local economy. Also concerns regarding impact upon adjacent listed buildings and pedestrian safety given that the access is on the inside of a bend where it will be difficult for pedestrians to cross Frame Lane.

6.1.2 Dawley Hamlets Parish Council: Object

Concerns over loss of employment land, proposed access has poor visibility and the increase in traffic, and detrimental impact upon adjacent list buildings.

6.2 Standard consultation responses

6.2.1 Highways: Support subject to conditions

Following a number of objections, the scheme is now considered acceptable in respect of access provision, layout and parking provision.

6.2.2 Trees: Support subject to conditions

Request conditions for protective fencing to trees along the eastern boundary to Frame Lane and any tree works to meet BS5837 and B3998.

6.2.3 Drainage: Support subject to conditions

Request pre-commencement conditions requesting details of foul and surface water drainage.

6.2.4 Housing: (Original comments addressed through submission of amended plans) Comment:

Following amendment and receipt of additional information the scheme has improved but there is still scope for the following further improvements:

- There are no affordable bungalows
- 3no. affordable homes are still served by courtyard parking
- The applicant has confirmed 80% social rent and 20% low cost home ownership but has not provided a dwelling schedule so the Council cannot discern which of the 2no. affordable units will be shared ownership
- How will the resident of Plot 6 access the rear of their house/garden?
- Plot 10 and 11 represent a pair of semi-detached dwellings, however one is shown as affordable and the other is open market, which is an unusual arrangement and could be improved upon.
- The NDSS pro forma implies that 3bed units will be a mix of 3bed 4 person and 3bed 5 person but only the 3bed 4person units are allocated for affordable housing and there should be a mix. Registered Providers will expect some 3bed 5person affordable units.

6.2.5 Ecology: Support subject to conditions

Request conditions securing ecological mitigation and enhancements.

6.2.6 Built Heritage and Conservation: Comment

Heritage objections were previously raised due to the impact on the setting of the group of heritage assets to the south of the site: a local interest building, The Old Vicarage, the grade II listed St Luke's Church and the associated early 20th century Old School House, which together with the graveyard to the church form an integrated group of high architectural quality and historic character. Historically these buildings enjoyed an isolated setting, set apart from the linear development of Doseley along St Luke's Road.

It is welcomed that the area immediately adjacent to these buildings is now designated as public open space with the existing dense tree boundary to the southeast being retained. Concerns about the proximity of plot 20, which was on a relatively elevated location and particularly in winter months would be visible as a backdrop to the Old Vicarage have been overcome following omission and the incorporation of the plot into the public open space.

6.2.7 Education: No objection

Request contributions of £217,328 towards primary education and £99,234 towards secondary education (Total £316,562)

6.2.8 Healthy Spaces: Comment

Requests a contribution of £650 per property towards the upgrade of nearby play facilities and suitable conditions regarding landscape management.

6.2.9 Planning Policy – Whilst the planning background to this site is appreciated, the Policy Team have concerns about the net loss of employment from this site. There is a finite amount of employment land available in the borough and this site is a well-established industrial estate which serves a local market. From the information submitted it is not clear what would happen to existing businesses on the site; it is noted at least one business on the site has objected to the application and commented about the site condition. Are the applicants proposing to support business relocation? The Policy Team would support job retention which will help with economic recovery. There are few large employment site opportunities or Strategic Employment Areas, in the local area to this site; instead, the area is characterised by smaller sites providing localised opportunities. An arbitrary loss of employment – jobs, not just land – without any explanation from the applicant is concerning.

6.2.10 The Coal Authority: No objection

Raise no objection subject to a pre-commencement condition requiring intrusive site investigations to be carried out to understand ground conditions to enable appropriate remedial measures to be identified and carried out.

6.2.11 West Mercia Police (Crime Prevention Design Officer): Comment

Does not wish to formally object to the proposal, but there are opportunities to design out crime and/or the fear of crime and to promote community safety. Requests that Secure by Design (SBD) standards are achieved.

6.2.12 Environment Agency: Support subject to conditions

Raise no objection subject to a pre-commencement condition requiring further details regarding appropriation mitigation of risks to controlled water posed by contamination at this site.

6.3 Neighbour consultation responses

6.3.1 In response to the public consultation, 42 comments have been received comprising 22 in support, 19 objections and 1 comment. Comments are available in full on the planning file but have been summarised as follows:

6.3.2 Support:

- site is an eyesore and development will improve the appearance of the area
- already sits in the middle of housing area
- site is secluded and will keep most vegetation
- industrial estate looks tired, messy and disused
- new homes needed in the area
- new design is sympathetic to the surrounding area
- would remove many large commercial vehicles from the area
- desire to see affordable homes included in the proposals

6.3.3 Objections:

- access is in a dangerous position with limited visibility
- on-street parking on Frame Lane and lack of pavement a further hazard
- limited to, no infrastructure to support all residential development taking place
- area already has enough housing and narrow roads cannot cope and have no safe crossing places or traffic calming
- application states estate is disused but this is not the case. There are several operating business which have been there for more than 30 years. Approving this application would result in local job losses.
- ground is bound to be very contaminated
- number of houses proposed should be reduced

7.0 PLANNING CONSIDERATIONS

7.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Layout and Design
- Highways and Access
- Heritage and Conservation
- Trees and Ecology
- Drainage
- Planning Obligations
- Other Matters

7.2 Principle of Development

7.2.1 The application site is located within the Telford urban area and is shown as white land within the Local Plan with no specific policy designation. Doseley Industrial Estate is not an allocated employment site nor does it form part of the Borough's Strategic Employment Area and as such, is not a protected employment site within the Local Plan. It has, however, operated as a working industrial and commercial site as far as the 19th century and has acted as a local source of employment and served as an important part of the local economy. Historically the site has been occupied by the Doseley Brick Co. Ltd. and later Doseley Pipe Company but is now occupied by a number of small and medium sized industrial units.

7.2.2 Whilst local and national planning policy encourages the re-use of brownfield or previously developed land for residential use, this needs to be balanced against the suitability of the site for such a use, taking into account existing

surrounding uses and the need to overcome any technical constraints the development may present.

- 7.2.3 There are some concerns about the loss of these industrial units as part of the overall employment stock across the borough. It does appear that the site hasn't been maintained or improved over time, leading to its deterioration and gives the impression of an underused estate which could be released for housing. The Design & Access Statement advises that current circumstances mean it is neither viable as a landlord to operate the units, and for tenants the buildings are not suitable to meet their modern requirements for occupation either. As a result of these points despite efforts over a period of more than a year the empty units have not been able to be let.
- 7.2.4 The Council's Policy Team have expressed concern about the loss of jobs from the site, not just the land, and have enquired whether the applicant could support job relocation. Whilst the applicant has been asked for their view on this, this is something that the Council's Business Engagement & Investment Team would be more than willing to assist with. It is acknowledged that a business operating from the industrial estate has objected to the application stating that any claims made by the applicant that the industrial estate is disused are incorrect. In terms of the Local Plan this is a difficult matter to balance as whilst approving the application would result in the loss of employment land, and could possibly lead to job losses if the businesses in operation could not find alternative premises locally, although the Council would make every effort to assist the occupants in sourcing alternative sites, the industrial estate is not classed as a Strategic Employment Area and therefore is not a formally allocated employment site with due protection.
- 7.2.5 The application is accompanied by a Noise Assessment which advises the site is only exposed to relatively low noise levels of noise from Frame Lane and minimal noise mitigation is required for internal noise levels with no mitigation measures required for outdoor living areas to the proposed housing. The introduction of more residential development would be commensurate with the nature and type of uses already surrounding the site.
- 7.2.6 In considering the question of whether the principle of development can be accepted for this site, the Local Planning Authority needs to weigh up the location of the site within the urban boundary of Telford and that it is not an allocated employment site against its role within the context of the borough and the overall employment stock offer. It is considered that the question of planning judgement is a finely balanced one in this case. On balance, taking into account the above discussion points, it is considered that the reasons to accept the principle of development outweigh the reasons against.

7.4 Layout and Design

- 7.4.1 The development proposal comprises 48no. residential dwellings of which there are 3 x 2 bed dwellings (both of which are affordable), 18 x 3 bed dwellings (10 of which are affordable), 10 x 4 bed dwellings, 10 x 5 bed dwellings, 6 x 6 bed dwellings and 1 x 4 bed dormer dwelling.

- 7.4.2 Following concerns raised in respect of the siting of Plot 20 at the southern end of the site, this plot has now been omitted and the land used incorporated as Public Open Space. A number of trees will be retained along the eastern and southern boundaries which will screen and contain the site.
- 7.4.3 The design of the proposed dwellings and garages are generally considered to be high quality and will incorporate features which will reflect the character and appearance of the surrounding area. The layout of the site works with its distinctive features such as topography and tree planting.
- 7.4.4 The applicant has submitted a completed pro forma containing details of the proposed dwellings and their floor areas. The pro forma advises that all the dwellings exceed the NDSS standards, as required by policy HO4 of the Local Plan.
- 7.4.5 The application proposes 25% affordable housing comprising a total of 13no. 2bed and 3bed properties across the site. No 4bed, 5bed, or 6bed properties are proposed for affordable housing, which would improve the housing mix of the development. The applicant has confirmed the mix of affordable housing would be 80% social rent and 20% low cost home ownership in line with Council requirements. The applicant has confirmed which of the units would be social rent and which would be shared ownership. A dwelling schedule has not been provided, however, and this has been requested from the applicant.
- 7.4.6 There is 1no. bungalow (4 bed) on site and this is proposed for open market housing. The Council's Housing Officer notes that the NDSS pro forma submitted with the application implies that 3bed units will be a mix of 3bed 4 person and 3bed 5 person but only the 3bed 4person units are allocated for affordable housing and there should be a mix. In response to this the applicant has amended the scheme and confirmed that five of the 3bed properties will be 4person and five will be 5person. Officers consider that on balance the 1no. bungalow can be accepted as open market given the amendments to the scheme to make 3bed 5person units available for affordable housing.
- 7.4.7 With regards to the courtyard parking proposed for Plots 2, 3 and 4 (all affordable) whilst this is not ideal, given the location of the 3no. dwellings fronting onto Frame Lane this is considered to be the safest arrangement for parking provision for these particular plots. The dwellings would be served by 7no. parking spaces in total and would all have access to rear gardens from this space. Furthermore, active surveillance would be provided by Plot 1 whose front elevation overlooks this courtyard area. The applicant has amended the access to the rear of Plot 6 to enable access to the rear garden and officers are satisfied that this issue has been addressed.
- 7.4.8 Taking the above points into account and subject to receiving the amendments from the applicant, on balance it is considered that the merits of the scheme outweigh the drawbacks and the proposals can be considered compliant with the Development Plan.

7.5 Highways and Access

- 7.5.1 Access: The position of the vehicular access has been the subject of much discussion with the applicant prior to submitting this application. The applicant has worked to address concerns raised and as a result, the access design has now been agreed with Highways Officers.
- 7.5.2 Network Impact: The application site sits within an area of great sensitivity where traffic movements are concerned. The site is located to the north of the Doseley Pipeworks site where David Wilson Homes are currently building up to 460 homes, with access for up to 75% of that development obtained from St Lukes Road and Frame Lane. Further residential development is also either approved or taking place on a number of sites along Doseley Road. Roads in the area are not particularly wide or in good condition and contain on-street parking in many areas. Frame Lane is also a bus route where conflict can arise due to the on-street parking and narrow roads. As a result, there is significant opposition to further development within the area from local residents and Members which would place further strain on the road network.
- 7.5.3 Notwithstanding the above, the proposal includes a Transport Statement which considers the potential impact upon the local highway network. The Transport Statement found that the proposal would generate minimal additional trips onto the local network but would also result in a reduction in the number of HGV movements to and from the site. Accordingly, any impact of the development would not be severe, in accordance with NPPF requirements and the proposal is therefore considered to meet the requirements of local plan Policy C3 in terms of the impact on highways.
- 7.5.4 Furthermore, as noted in paragraph 4.4 above, under the outline consent for Doseley Pipeworks (TWC/2012/0650) financial contributions were secured via Section 106 agreement towards bus facilities within the vicinity and towards the cost of improvements to the two existing roundabouts at A5223/Bridge Rd and Jiggers Bank.
- 7.5.5 In addition, there is a wider traffic calming scheme planned for the immediate area and the highways contribution detailed below will facilitate part of this as a betterment for the locality.
- 7.5.6 Parking Provision: The applicant has also provided parking which is commensurate with the Local Plan. In this respect, the proposal complies with local plan Policy C5.
- 7.5.7 The Council's Highways Officers have reviewed the proposal and raise no objection in respect of the above considerations.

7.6 Built Heritage and Conservation

- 7.6.1 The application site is situated to the north of a group of three heritage assets, comprising the Grade II listed St Luke's House and two locally listed properties, The Old Vicarage and Old School House. St Luke's House was

formerly St Luke's Church and the group of buildings are historically connected and include the churchyard and graveyard. Further to the east of the site is the Doseley Road Railway Bridge which is also Grade II listed.

7.6.2 The application includes a Heritage Impact Assessment which considers the significance of the identified assets, their setting and the likely impact the development will have upon them. The report confirms that all four assets are significant but for differing reasons. In terms of the potential impact, the applicant's report concludes that although there would be an impact upon the assets setting, this impact would be positive as the development would improve the appearance of an unsightly industrial estate.

7.6.3 The Council's Conservation Officer has assessed the proposal and requested the removal of the southernmost dwelling (former Plot 20) due to its impact upon views across the churchyard and grounds of The Old Vicarage. In response to the above observations, the applicant has omitted Plot 20 from the application and the Conservation Officer raises no further objection.

7.7 Trees and Ecology

7.7.1 The existing site possess a significant swathe of trees along the eastern boundary and these are being retained as part of the development. Local Plan Policy NE2 advises that existing trees with biodiversity, visual amenity and landscape value should be retained. The Council's Arboricultural Officer raises no objection to the scheme subject to conditions.

7.7.2 Ecology: The application has been accompanied by several Ecological Impact Assessments which found no issues in relation to reptiles, bats, breeding birds or badgers. The Council's Planning Ecologist has considered the proposal and raises no objection subject to conditions and informatives.

7.8 Drainage

7.8.1 No objections in principle, subject to conditions requiring the submission of foul and surface water details prior to commencement.

7.9 Planning Obligations

7.9.1 Affordable Housing:

The applicant has agreed to meet the affordable housing requirement of 25% as a specified in local plan Policy HO5.

7.9.2 Education:

The applicant proposes a contribution of £316,562 which complies with the requested sum by the Council's Education team.

7.9.3 Play and Recreation:

The applicant proposes £31,850 towards local play provision within the local area. This meets the requested by the Council's Healthy Spaces Officer.

7.9.4 Highways

The applicant has agreed to pay £25,000 towards a Traffic Management Scheme and any other associated engineering works along Frame Lane as requested by the Council's Highways Engineer.

8.0 CONCLUSIONS

- 8.1 As discussed above, on balance, it is considered that the principle of residential on this site can be accepted, albeit this is a finely balanced judgement. With the exception of the Council's Policy Team, all consultees support the application subject to conditions and/or financial contributions. The applicant has agreed to all contributions in full.
- 8.2 The Council's Policy Team have expressed concern that the development would lead to loss of employment land as well as jobs although the Council would make every effort to find suitable alternative accommodation. As discussed above, the site is not a designated employment site under the Local Plan despite its important role locally in providing small and medium-sized industrial units.
- 8.3 There is a wider traffic calming scheme planned for the immediate area and the highways contribution detailed below will facilitate part of this as a betterment for the locality.
- 8.4 As such, it is considered that the proposal accords with the requirements of the local plan or national planning policy framework and can be recommended for approval.

8.0 RECOMMENDATION

- 8.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that DELEGATED AUTHORITY be granted to the Development Management Service Delivery Manager to GRANT FULL PLANNING PERMISSION subject to the following:
- A) The applicant/landowners entering into a Section 106 with the Local Planning Authority (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager) relating to:
- i) Highways contribution of £25,000
 - ii) Playspace and public open space contribution of £31,850
 - iii) Education contribution of £316,562
 - iv) Provision of 25% affordable housing
- B) The following conditions (with authority to finalise conditions and reasons to be delegated to Development Management Service Delivery Manager): Full list of conditions to be confirmed.