



## **Fradley and Streethay Parish Council**

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**Chairman of the Council: Cllr Simon Roberts**  
**Clerk to the Council: Mrs Clare Orme**

Date: 21 January 2021

To: Vanessa Morgan  
Lichfield District Council,  
Development Control,  
Lichfield District Council House,  
Frog Lane, Lichfield,  
WS13 6YY

**APPLICATION REF: 20/01178/FULM REVISED - Full planning application for a residential development with associated works and public open space, and access from Horner Avenue and Ward Close, Land Off Horner Avenue, Fradley REPRESENTATIONS BY FRADLEY PARISH COUNCIL**

Dear Ms Morgan,

The Fradley and Streethay Parish Council is writing to comment on the latest amendments to the application and to respond to the points raised in the developer's rebuttal to the Council's previous comments. For the sake of brevity, we have limited our more general responses to just six specific themes which we see as most pertinent. We have commissioned a consultant to address the transport related issues which we include as **Appendix 1**.

### **1. Employment Land Development**

- a) In section 3 of Greenlight's rebuttal to our objections, they state that the full text of the email thread from Avison Young, which formed Appendix 7 in the original application, rules out access across L&G land. This is true, however now the full text has been provided it also shows the unwillingness of L&G to rule out expansion of their existing sites onto the proposed development site.

Question 3d part 1 in the email asks L&G about its expansion intentions. All Avison Young can answer in response is that:

*"...our client L&G have asked that we don't provide assistance on this plot of land which as you say, adjoins their ownership on the park."*

It now becomes apparent why this part of the email was originally omitted by the applicant, as it demonstrates clearly that far from being left behind, this land could very easily be developed by L&G.

- b) In order to gain clarifications regarding L&G's position, the Chairman of the Parish Council has contacted them. A representative has provided the following clarification by email:-

*“As discussed I understand that you have objections with regards to access to this plot of land. I also understand that this plot of land is zoned for employment use and the most obvious solution would be for an industrial use / extension of Fradley Park.*

*Whilst we did not want to purchase the plot of land in the past that was because the Fund was considering speculatively developing out Wellington Trilogy and wanted to concentrate its efforts on that scheme. We may be interested in purchasing this land in the future subject to agreeing price / legals.”*

The full email thread between the Parish Council and L&G is included in **appendix 2**. This email exchange has a very pertinent impact on some of the central assertions the developer has made regarding how the site currently can't be developed for employment use especially in respect of EMP1.

- There are no barriers to access for an employment development by L&G as they own the land across which all traffic would travel.
- They control the unadopted unnamed road access.
- They have a comprehensive marketing operation through which commercial opportunities could be publicised.
- They have ample capital.
- They have a significant existing investment in adjoining property and an interest in the overall success of Fradley Park.
- They have expressed an interest in the land.

L&G's now stated interest demonstrates that the land could be developed for employment use. It is not land that has been left behind, it is land that is **as yet** to be developed for employment use.

- c) L&G's submission on the LDC planning portal through Turley on 21<sup>st</sup> December, amplifies their commitment to developing the Fradley Park Employment Zone and their support for LDC objectives.

## **2. Construction Access to the Proposed Development Site**

- a) The Council wishes to clarify its position regarding granting access across its land. Section 5.3 of the latest Mode Traffic and Access report states: -

*“...the access via Common Lane and across Parish Council land is feasible but is dependent on the cooperation of the landowner which is the Parish Council.”*

The Council has objected strongly to this development and has not agreed to facilitate it for all of the reasons contained in its objection letter. Furthermore, the Council has had many representations from residents in Shaw Drive and Horner Avenue who are fully opposed to the construction track road behind their homes.

On Thursday 21<sup>st</sup> January the Parish Council formally resolved to rule out allowing access across its land for this development.

b) Section 5.1 of the latest Mode Traffic and Access report states:

“A number of temporary construction access points will be considered by the developer, however, a final location has yet to be agreed.”

Planners will no doubt be keen to hear from the developer what other accesses are being considered for construction access given that the following have already been ruled out:

- Construction access via the A38 is not possible for safety reasons as stated by Highways England.
- Construction access via land owned by L&G from Unnamed Road on Fradley Park is not possible because of the refusal from the landowners.
- Construction access via Parish Council land from Common Lane has been firmly denied.

It would appear therefore that the **only** available access is through Rogerson Road, Horner Avenue and Ward Close.

c) Section 7.3 of the Mode Traffic and Access report states:-

*“It is expected that a Construction Traffic Management Plan will be in place or conditioned as part of any planning permission for the scheme. This will ensure that an agreed strategy will be implemented during the construction phase in order to reduce any temporary traffic impacts associated with construction vehicles.”*

The danger to pedestrians, along with the impact of the dust and noise associated with routing construction traffic along all or any of Rogerson Road, Horner Avenue and Ward Close will be acute. Therefore, the question of construction traffic access to the development remains central to this application and yet Greenlight offer no solution.

d) Section 7.14 again amplifies the desirability of access from Common Lane as a way of mitigating the impact of “large construction vehicles.” This mitigation is **not** available to the developers. They say:

*“As mentioned above, the location of a construction access is currently undecided. However, there is potential for an access to be taken temporarily from Common Lane, in order to reach the development site. This will eliminate the need for any large construction traffic to route along Worthington Road, Rogerson Road, Horner Avenue or Ward Close.”*

The Council urges Officers to take all of this into account when making their recommendations and to consult once more with Staffordshire Highways on the desirability and practicality of construction traffic access through these narrow residential streets.

The Council would suggest that the problems are almost insurmountable. Compliance with suitably stringent conditions might make construction so onerous, that despite planning

permission construction becomes impractical and uneconomical. This would of course leave land which could be valuably used for employment purposes undeveloped in the long term.

### **3. Public Open Space**

- a) The Parish Council is disappointed that the area of open space referred to in point 11 of the developer's rebuttal statement has been neglected for so long. It is owned by the development partnership (see Land Registry title SF474720) and has been deliberately neglected since they purchased it for £3,435,000 in 2016.
- b) There is an existing S106 agreement relating to this POS which had previously been the subject of enforcement by LDC. (01/01256/OUT). The developers are seeking to include existing open space in their calculations for this new development rather than fulfilling their existing legal obligations outlined in 01/01256/OUT and maintaining this space for the community. **Appendix 3** is a drawing from the original planning application clearly showing designated POS in 2003.

The Parish Council therefore urges planners to ensure that the existing S106 is observed and that it is not counted towards POS provision in this application. This may mean that the current application does not provide the appropriate level of POS and, if so, it should be refused.

- c) The standard open space provision for a development such as this is 1.01 hectares. The developer's calculations in point 11 of their rebuttal do not compute and are misleading, further explanation is required.
- d) The proposed POS to the North East of the development will be blighted by road noise, traffic pollution and safety fears because of the fast-moving A38. It therefore provides very little amenity. Even with two drainage basins the total amount of POS falls below the required level.

### **4. Noise and Acoustic Reports**

- a) The Council wishes to draw the planner's attention to the Acoustic Engineer's report commissioned by L&G and provided by Turley which supports the assertions the Parish Council made in its original submission.

### **5. Removal of Bunds from existing Open Space**

- a) We are pleased to see the two drawings referred to have been redrafted as stated in points 27 and 28 of the rebuttal. The new drawings make it clearer that the mounds fronting Godfrey Drive at the extreme north western part of the POS are to be removed. There is no reference to why these are to be removed in the planning statement. They are a deliberate feature of the POS when it was originally conceived and provide visual and acoustic separation from nearby industrial units.

- b) Developers told the Parish Council that the removal of the bunds was originally intended to facilitate the route of the construction traffic track which was to cross the POS from Parish land. This route is not available, therefore the removal of the bunds and consequently the trees which top them is unnecessary and the disturbance of established natural habitats can be avoided. The bunds simply need to be cared for by the owners.
- c) The bunds provide a good level of screening for residents of Godfrey Drive so that the view from their ground floor rooms is not dominated by the Tile Giant Industrial Unit. These bunds also provide some acoustic protection for the residents. No reasonable explanation has been given as to why the removal is necessary nor as to what mitigation is proposed to ameliorate the loss of visual amenity and acoustic protection for the dwellings on Godfrey Drive.



Current view of Tile Giant from Godfrey Drive



Artist's impression showing view of Tile Giant from Godfrey Drive with bunds removed

## 6. Tree Removal

- a) The Council wishes to reiterate that we object to any loss of trees and habitat within Fradley, especially trees with Protection Orders.
- b) We also note the completely unnecessary loss of trees on the bunds at Godfrey Drive to facilitate the removal of the bunds. In the view of the Parish Council the bunds and the trees should be left undisturbed.

Should you have any questions or require any further clarifications or information then please contact the Clerk.

Yours sincerely

*CMOrme*

Clare Orme Clerk/RFO to Fradley and Streethay Parish Council