



Fradley and Streethay Parish Council

Marketing Suite Office, Wellington Crescent,
Fradley Park, Lichfield, Staffordshire WS13 8RZ
Telephone: 01543 444233

Website: www.fradleyandstreethayparishcouncil.gov.uk
Email: clerk@fandspc.org

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

Date: 16 May 2021

To: Anthony Foster
Lichfield District Council,
Development Control,
Lichfield District Council House,
Frog Lane,
Lichfield,
WS13 6YY

20/01178/FULM | 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 Lichfield Staffordshire

Dear Mr Foster

The Fradley and Streethay Parish Council confirms its unequivocal opposition to the proposed Horner Avenue development. The development falls outside the settlement boundary, is not part of LDC's current Local Plan or its emerging Local Plan. Furthermore the site is designated for employment use. The Parish Council urges LDC to maintain this designation so that further job opportunities are provided to increase the sustainability of our growing community.

We regret that the developers have been unable to convincingly answer our concerns. The latest submissions serve to amplify some of our previously stated objections as well as introducing additional elements which will be unwelcome for Fradley residents. This letter should be read in conjunction with our previous comments which are still pertinent.

In summary, after reviewing the new documents submitted, the following are our latest and most pressing objections:

- The Landscape Plans submitted are incorrect and show areas outside of the proposed site boundary.
- The landscaping details take little account of the impact on residents, wildlife and biodiversity.
- There is inadequate, unsafe and inappropriate POS provision.
- Horner Avenue is an unviable and unsafe access route for the new development and as a 'Minor Access Way' very significantly lacks the design capacity for the number of dwellings proposed.
- No safe nor practical access route for construction traffic has been identified.
- Noise assessments are invalid and mitigation insufficient.
- TPO's have been removed from certain trees to allow the developers access to the site.

A. Landscaping Proposals

1) Boundaries

The site boundary shown on Landscaping Plan 1 is incorrect. The Parish Council owns some of the land included within the red line. The Council has resolved not to lease, sell or swap this land or permit any access across the land except for those easements prescribed in the title. The developers are aware of the Parish Council's position.

The portion of land to the very extreme north west of the outlined site, adjacent to Common Lane, is a part of an S106 agreement between Bovis and LDC at the time of the construction of Shaw Drive and its inclusion in the site plan is surprising. Appendix 4 of Greenlight's original Planning Statement shows land ownership. Parish land is shown in yellow.

The extent of the proposed development is hard to gauge as its perimeter varies from plan to plan. The plans below compare the latest site boundary in Landscaping Plan 1 on the left with the original boundary layout on the right.



There are further examples of this boundary confusion on the northern side of the most easterly part of the development. In this instance there is a significant difference between the perimeter of the POS in the new Landscaping Plan 5 compared to that shown on the original Fradley external works plan. The plans below illustrate this with the latest plan on the left and the original 02-003 on the right.



These boundary discrepancies will have made it impossible for officers and consultees to verify calculations regarding the area of the POS and the impact of the development upon biodiversity. It is extremely important that this lack of clarity is addressed so that all can be certain that all obligations and guidelines are being followed.

2) Removal of mounds at Godfrey Drive

In the developer's latest submission letter on the 27th April they state that, *"It was agreed during our meeting of the 19th April 2021 that if we can demonstrate that the Public Open Space to the North-West is brought into suitable use, then it can be included within our Open Space calculations."*

The Parish Council assumes that this statement is a misinterpretation of what was said at the meeting as it is difficult to understand the legal basis for this decision. If Greenlight's statement is correct then does the officer concerned have the authority to make this offer to dissolve a previous S106 agreement? Surely the route for remedying poorly maintained public open space which is part of a S106 should be Enforcement Action. The previous S106 will have been negotiated to enable residents to enjoy the amenity and the original developers will have gained advantage in the planning application process by providing this POS. The Parish Council feels that a dangerous precedent is being set and that LDC should take advice to ensure a proper legal basis is in place for the offer.

We note that Greenlight have made no reference to why the mounds adjacent to Godfrey Drive need to be removed. The mounds provide an important amenity to Godfrey Drive residents by screening them from noise from the Hawkins Logistics site (previously Tile Giant) and also help mask the very large industrial shed.

We are aware of no public consultations regarding the need for additional LEAP or LAP and indeed a very well-equipped play park is within a three minute walk of the development site on Worthington Road. If after consultation the need for additional play facilities is identified, then they most certainly could be provided without the removal of these mounds. Trees would be conserved and wildlife undisturbed.

3) Bunds behind Horner Avenue

The summary statement says: *"The North-East land which separates the Development and the existing houses consists of an existing bund, which, with exception to the access points will remain in-situ to provide a natural deterrent for anti-social behaviour."*

The landscape drawings do not make it clear what paths will be provided to enable pedestrians to access the POS from Horner Avenue in order to reach the area adjacent to Godfrey Drive. It is impossible from the drawings to understand the contours and profile of the bunds which are to be left in place and their relationship to walking routes. If the bunds are to deter anti-social behaviour, does that mean that they are inaccessible, and if so, how is this useful public open space?

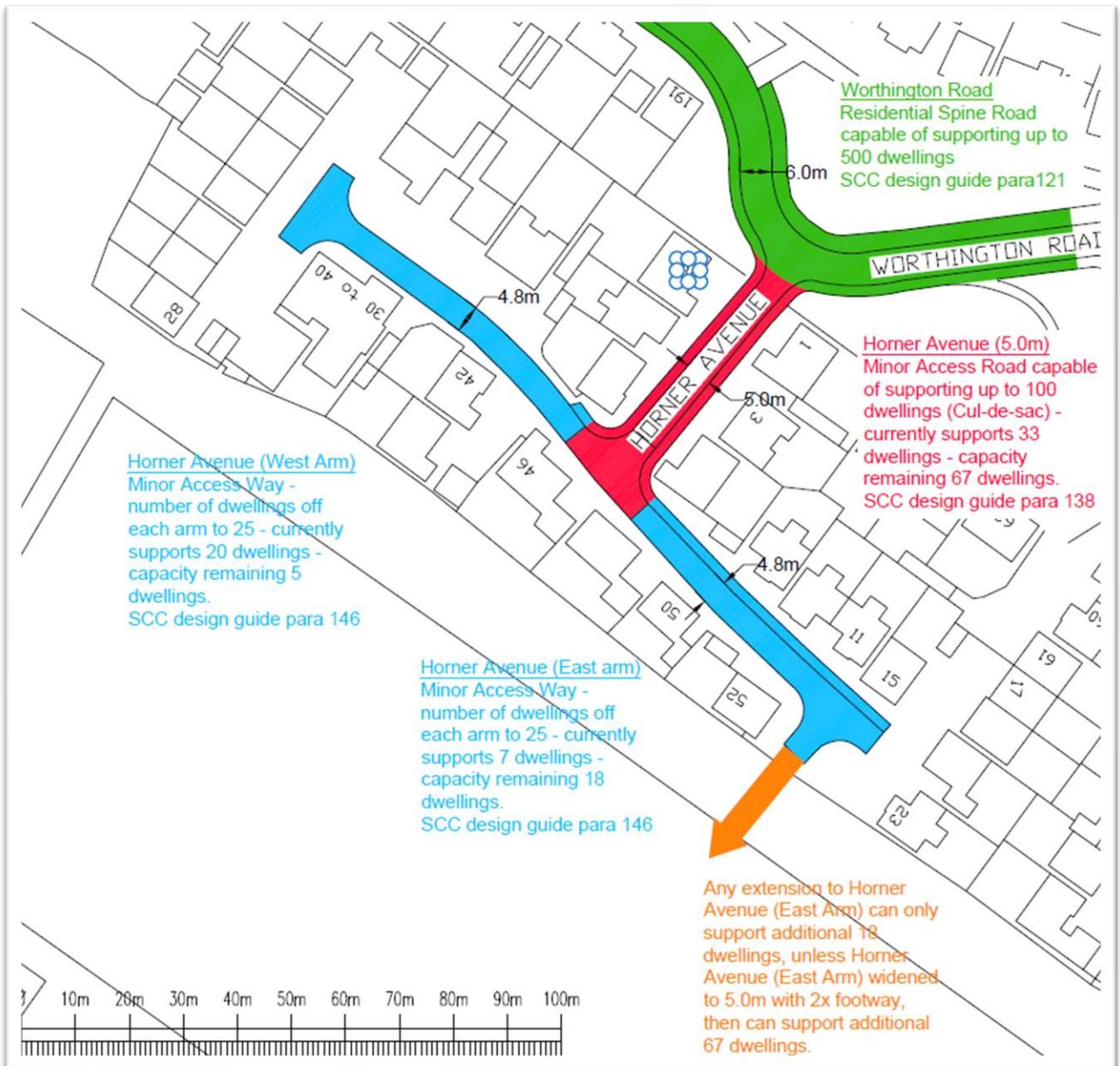
B. Road Capacity

The Parish Council's Traffic Consultant has compiled some powerful arguments in the Council's previous objections. It is still our contention that Horner Avenue is not capable of sustaining the level of additional traffic that the development will generate.

The diagram below demonstrates in clear and simple terms how the proposal contravenes the standards set out in the Staffordshire County Council Design Guide. You will see that

the first section of Horner Avenue is a 'minor access road' and has a design capacity which would allow it to serve only another 67 additional dwellings. Horner Avenue then reduces into a 'minor access way' which will then lead onto the new development. This 'minor access way' has capacity for only 18 more houses, not the 120 proposed.

Significant and impractical road widening and the provision for footpaths would be needed to meet the County's Highway Standards.



C. Construction Traffic

The developers have still offered no clarification regarding how construction traffic will access the site. We appreciate that a detailed Construction Management Plan would be forthcoming should the planning permission be granted. We contend however that the developers must be able to prove that construction can be conducted safely and in a way that takes into account the needs of existing residents before planning permission is

granted. There are no available routes for the developers to enter the site except by using Horner Avenue itself.

In the 'Supplementary transport response (April 21)' MODE say, *"2.1.8 Discussions are still ongoing in terms of the construction access arrangements. Following confirmation of an appropriate construction access point the developer will produce the construction access proposals and submit to SCC for approval."*

The Parish Council is at a loss to understand with whom the developers are still having "ongoing discussions" and looks forward to clarification on this matter before the application comes in front of the planning committee.

D. Noise

There has been no further investigation regarding how the level of noise generated on the south west side of the site has changed due to the increased HGV traffic to both UPN (formally Great Bear) and the change of use of the Tile Giant site to a full logistics hub run by Hawkins. Lorries now queue for several hundred yards to enter the depots throughout the night. This is a significantly different scenario to that foreseen in the original modelling. The sound mitigation measures suggested should be professionally reassessed to ensure sufficient protection.

Excessive noise adjacent to the A38 at the south eastern end of the site has still not been addressed with no acoustic protection for those using the POS. Considering the noise generated from the A38, it seems bizarre that no bund or acoustic fencing has been introduced along this boundary. Without such mitigation this area will be exceptionally unpleasant to use.

The developer's responses to all comments regarding acoustic issues are unsatisfactory and rely upon the demonstrably flawed appraisals in the initial application.

E. Trees and vegetation and biodiversity

The developers plan to "strip" the landscape on the Godfrey Drive mounds and the existing bunds which line the north eastern side of the site. These areas currently provide habitat for many species. The mounds and bunds most definitely require maintenance to bring the landscape back to a usable condition. They have been neglected by Greenlight's partners for several years. There is no justification however for the removal of well-established plants, trees and wildlife habitat. The Parish Council objects strongly to the unnecessary destruction of habitat and established vegetation.

Of particular concern to the Parish Council is removal of tree preservation orders only days after they had been granted. How can the status and condition of a tree so quickly change? We strongly oppose the proposed removal of a mature oak tree from a continuous row in the Tree Plan - this tree (no 23) would otherwise have prevented access to the development site. Furthermore tree removal on the mounds overlooking Godfrey Drive is a consequence of the proposed unnecessary removal of those mounds. The Parish Council is yet to hear a convincing argument for this. The Arboricultural Officer should be asked to reassess the decision to rescind the TPOs.

Now that the full extent of the developer's intention regarding the destruction of habitat has become clear, we urge officers to consult again and commission a new assessment of the impact on biodiversity.

F. Public Open Space

The Parish Council maintains that the public open space provided by this application is inadequate for the following reasons:-

- Previously allocated open space is included in the application.
- The area containing the bunds across the northern perimeter of the site is unusable as POS, as the developers state their aim is to form a barrier – no paths are indicated.
- The POS at the southern end of the development will suffer from excessive noise, air pollution and safety issues and thus be unusable. No secure fencing is provided along the south eastern end of the site adjacent to the A38. This will make the area dangerous for children.
- The remaining open space which is included in the developer's calculations is composed of two attenuation basins.

This aspect of the proposal requires a significant rethink in order to bring real value to residents.

G. Public Engagement

The Horner Avenue proposal has become a cause celebre. There is widespread public interest with large numbers of objections both on the LDC portal and directly to the Parish Council. Residents feel that this proposal goes against the Neighbourhood Plan they voted for only 2 years ago.

Whilst recognising the importance of providing new housing, many feel that Fradley has already met its obligations in providing new residential opportunities.

We urge the District Council to carefully consider this matter and to support the people of Fradley by rejecting this application.

Yours sincerely

CM Orme

Clerk/RFO to Fradley and Streethay Parish Council.

Appendix 1

This Appendix provides a list of other observations which should also be taken into consideration.

A. Garages, Parking and Charging Points

The lack of an adequate number of garages and the abundance of tandem parking driveways is likely to lead to residents parking on the pavements and on the road. This will result in road safety issues for both pedestrians and road users.

1. Tandem parking does not concur with the character of the village as specified in the Fradley Neighbourhood Plan. It is noted that LDC asked for less tandem driveways to be placed on this site. The latest drawings still show 61 of the 115 houses on this site have tandem driveways.
2. Only 33/115 houses on the site have garages. 71% of the properties will not have a garage and instead will have only a cycle shed provided. These omissions have enabled the developer to produce a high density housing configuration which will lead to a reduction in privacy, a lack of suitable storage and more on-road parking.
3. The site offers no additional parking spaces or visitor spaces and only allocates 1 space for each of the 12 two bedroom flats. This will again lead to dangerous parking and road safety issues.
4. Only 70 EV charging points are being provided, which will serve just 60% of the development. How will the remaining residents charge their cars?

B. Safety

The Council has a number of safety concerns as outlined in our previous submissions regarding increased traffic, inadequate road capacity, general road safety, noise and air pollution. In addition to these, three further aspects should be addressed.

1. There are 2 proposed attenuation ponds sited prominently on the development. Details are required as to how safety is to be maintained for residents and especially children.
2. There is a wooded area adjacent to the proposed POS at the south eastern end of the development adjacent to the A38. What fencing will be provided to ensure children do not stray onto the carriageway?
3. The Emergency Access Road from Ward Close leads onto a road in front of private dwellings not onto a public highway. This does not seem a safe access for emergency vehicles. How will a clear route be ensured in front of these houses?