

Land at Blythe Park, Sandon Road, Cresswell, Staffordshire – EIA Supplementary Statement

**SUBJECT: S73 Application to vary condition(s) of Planning Permission
SMD/2014/0576 – EIA Compliance**

DATE: December 2021

1.0 INTRODUCTION

- 1.1 This Supplementary Statement supports a Section 73 (S73) application for minor amendments to the existing planning permission on land at Blythe Park, Sandon Road, Cresswell, Staffordshire. The original application was submitted to Staffordshire Moorland District Council (SMD/2014/0576) and received planning permission, subject to a number of conditions on 24th May 2016.
- 1.2 Following the grant of this planning permission and a subsequent reserved matters consent for part of the employment element of the site (SMD/2017/0722) the consent has been reviewed by both the employment and residential developers. In particular, the proposed access arrangements have been reviewed to establish if a better solution can be achieved which would be a less 'engineered' solution but still maintain the required capacity benefits. On review, and through discussions with both the Local Planning Authority (LPA) and Local Highway Authority (LHA) a different access arrangement has been

proposed resulting in the need to vary Condition 4 which is being sought under this S73 Application.

- 1.3 As SMDC will be aware, the original application was subject to an Environmental Impact Assessment (EIA) and therefore it has been necessary to consider the implications of the S73 Application in the context of the Town and Country Planning EIA Regulations 2011 (the Regulations in force at the time of the host application and referred to as the 'EIA Regulations' throughout this Statement).
- 1.4 With respect to the requirement of EIA information to support the S73 Application, Schedule 2 paragraph 13b) of the EIA Regulations is of relevance, which considers *"any change to or extension of development of a description listed in para 1 to 12 of column 1 of this table, where that development is already authorised, executed or in the process of being executed"*.
- 1.5 The associated thresholds to paragraph 13b) where EIA may be required are *"either i) the development as changed or extended may have significant adverse effects on the environment or ii) in relation to development of a description mentioned in column 1 of this table, the thresholds and criteria in the corresponding part of column 2 of this table applied to the change or extension are met or exceeded"*.
- 1.6 Given the original Proposed Development was considered to be EIA development, it is reasonable to assume that the changes to the development, when considered with the originally permitted development as a whole (i.e. as intended by the EIA Regulations and not the change proposed by the S73 in isolation), may also result in significant environmental effects, and therefore should be considered in the context of the EIA Regulations.
- 1.7 However, it is considered that the Proposed Development, with the changes proposed within the S73 Application, does not give rise to any additional significant effects than those already identified and explained within the Environmental Statement (ES) information submitted to date in relation to the original application. This supplementary statement has therefore been prepared to demonstrate this compliance and confirm that no further ES information is required to be submitted with the S73 Application.

2.0 BACKGROUND

- 2.1 An ES relating to a planning application on land at Blythe Park, Sandon Road, Cresswell, Staffordshire was submitted to SMDC in October 2014 (application number SMD/2014/0576). The application sought outline planning consent with all matters reserved (save access) for creation of up to 168 residential dwellings (Use Class C3), up to 33,480 square meters of Use Class B1, B2 and B8 floorspace, ancillary uses to include community centre and a shop (Use Class A1), together with highway works, landscaping, public realm, car parking and other associated works.
- 2.2 The submitted ES assessed and identified the likely significant effects of the Proposed Development as set out in Chapter 4 of the ES.
- 2.3 The application was heard at Committee on the 13th August 2015, where it gained resolution to grant subject to a number of conditions and a signed S106 agreement. The planning permission was issued on the 24th May 2016.
- 2.4 As set out above, following receipt of the consent, the residential and employment developers have engaged with the LPA and LHA in order to review the proposed access arrangements and determine if there is a better access solution for this site. This proposal requires an amendment to Condition 4 which is being sought under a S73 Application and which this Statement supports. The proposed amendments are considered in the following section.

3.0 AMENDMENTS TO THE PROPOSED DEVELOPMENT AS SOUGHT UNDER THE S73 APPLICATION

- 3.1 The proposed amendments to the scheme are as follows:
- Amendment to the site access from a three-arm roundabout to a three-armed priority 't' junction arrangement with a ghost island right-turn facility.
 - Amendment to off-site junction improvements at Cresswell

Lane/Utttoxeter Road from a roundabout to a signalised junction with right turn lane waiting provision in advance of the stop line on the Utttoxeter Road eastbound approach.

- Amendment to the residential land use parcel to include additional land formerly required to accommodate the access roundabout.

3.2 The above amendments have therefore led to the need to seek a minor amendment to Condition 4 to vary the approved drawings.

3.3 In the context of ES matters, the above amendments have resulted in minor alterations to the Land Use Parameter Drawing and Access & Movement Parameter Drawing. Updated versions of these plans are included as part of the application submission.

4.0 CONSIDERATION OF PROPOSED AMENDMENTS ON ES SUBMISSIONS TO DATE

4.1 On review, the proposed changes constitute a minor material amendment and relate specifically to the access arrangements. The amendments are unlikely to affect the assessments undertaken in the ES. Nevertheless, the transport consultant team have reviewed the changes in the context of the environmental assessments submitted within the ES.

4.2 The minor amendments do not alter the description of development assessed previously, however the proposed amendments do require updates to the Access & Movement and Land Use Parameter Plans to reflect the new access proposals. The Land Use Parameter Plan requires an update as there is a minor increase in the coverage of the residential land use to absorb the land which was formerly required for delivery of the roundabout. The amended access proposal has less land-take and therefore the surplus land is to be included in the residential land use parcel. The overall amount of residential dwellings to be delivered remains unchanged at 168 dwellings. The proposed amendments may potentially affect the previous assessments of traffic and transportation and therefore have been reviewed. This is discussed in more detail below, with the remaining ES disciplines also considered, in Table 1.

- 4.3 The S73 application is accompanied by a Transport Assessment (TA) Addendum. The junction modelling and flows have been extracted from the original Motion Transport Assessment. The modelling has been updated to reflect the amended access proposals and uses the same assessment year of 2024.
- 4.4 The modelling demonstrates that the priority junction option for the site access shows a similar level of operational performance as compared to the original Motion roundabout option with all junction approaches being well within operational capacity. The TA Addendum also demonstrates that the priority junction option offers less disruption to mainline flows as the northbound traffic can pass through unrestricted.
- 4.5 The modelling also demonstrates that the off-site highways junction improvement will operate at levels well within capacity. The TA Addendum demonstrates that in some cases the proposed junction outperforms the original roundabout as all approaches for the junction are shown to be within effective capacity for the flow year scenario whereas one of the approaches to the original roundabout option showed a returned RFC value that exceeded the capacity threshold.
- 4.6 The TA Addendum confirms that the proposed access amendments conform fully with the relevant design standards.
- 4.7 In summary, the outcomes will be no worse than those set out in the original ES and in some instances, the alterations to the scheme will provide betterment. The previous ES concluded that the residual effects of the proposed development would be either negligible or moderate beneficial in terms of their significance of effect. This Statement has demonstrated that this remains the same, or better where amended junction arrangement outperform the previous design.

Table 1: Consideration of Proposed Amendments subject to S73 Application on ES Disciplines

Technical Discipline	Consideration of Proposed Amendment	Conclusion
Landscape & Visual	The proposed amendments to the scheme do not alter the proposed quantum, layout or height of built development and therefore are not considered to impact the landscape and visual assessment which concluded no significant effects predicted on local landscape character or landscape designations.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.
Socio Economic	The proposed amendments to the scheme do not alter the quantum of development or other indicators which may have an influence on the socio-economic assessment which concluded the impact of the development would be of negligible or beneficial significance.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.
Flood Risk & Drainage	The proposed amendments to the scheme will reduce the hardstanding associated with the access however this will become part of the residential land use parcel. The proposed amendments have no implications for the SuDS scheme and therefore the amendments will not impact the drainage of flood risk assessment in the original ES.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.
Ground Conditions	The proposed amendments relate to the design of the access but sit within the same development footprint and have no implications on the ground conditions of the site assessed as part of the original ES which concluded residual impacts would be expected to be negligible or minor-negligible.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.
Dust & Air Quality	The above transport work demonstrates that the modelling is not materially different and the proposed junctions will continue to operate within capacity at the 2024 assessment year. In some cases a betterment is achieved in terms of traffic flows. Therefore the dust and air quality effects will not increase compared to the previous ES assessment which concluded the significance of the impact on air	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.

	quality would be described as negligible.	
Noise & Vibration	The proposed changes will not materially impact the noise arising from road traffic. These minor amendments therefore are not considered to impact the conclusions reached in the original ES chapter which concluded that the significance of residual effects would be minor/negligible.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.
Ecology	The proposed amendments are located within the existing built development footprint of the consented development and do not have any implications on the areas of green infrastructure or ecological mitigation which concluded that residual impacts are considered to be negligible or minor adverse at worst.	The proposed amendments are not considered to materially alter the conclusions set out within the originally submitted ES.

5.0 CONCLUSIONS

- 5.1 Given the above discussions, it can therefore be concluded that the minor nature of the amendments to the permitted development, which are being sought under a S73 Application and as set out above and within the accompanying TA Addendum, do not give rise to any additional significant effects, nor significantly alter the conclusions reached within the ES submitted with Planning Application SMD/2014/0576. As such no further ES information is therefore considered necessary to accompany this Section 73 application.