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Dear Ms Gozra,

Planning Inspectorate Reference: APP/B3438/W/22/3299330

Members of the Blythe Park Development Working Group wish to extend their sincere thanks for your efforts in managing the appeal case and for judging the case on its merits as put forward by interested parties. It is hoped that this document will serve as essential background information and prove to be useful in your decision-making process.

Please find, within this document, sections addressing the points put forward by the appellant in their Statement of Case. Each section is introduced by a header, for example “[First Reason for Refusal](#)”, and indented to provide visual cues. Where appropriate, references to section numbers from the appellants document are provided in bold, for example **Section 4.20**. The same bold text is provided to identify key policies and figures

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Introduction

The Blythe Park Development Working Group has, on behalf of the residents in the Parish of Draycott-in-the-Moors, Cresswell and Totmonslow, assessed the Statement of Case that the appellant has provided with regards to the appeal, reference: APP/B3438/W/22/3299330, which in turn refers to the application, reference: SMD/2021/0829 which sought to establish a variation to the planning condition 4 of the outline permission granted in the decision notice for application SMD/2014/0576, later amended to condition 5 in the revised decision notice for application SMD/2018/0789.

The Staffordshire Moorlands District Council (SMDC) Planning Applications Committee (PAC) met on April 7th, 2022, to discuss, amongst other applications, the appellants intentions to alter the provision of highway infrastructure pursuant to the original outline permission, SMD/2014/0576, granted in 2016. After strong deliberation by committee members who enjoy the benefit, over the appellant, of a comprehensive understanding of the local area and specifically the nature and history of the routes which are the subject of the appeal; the debate was decided, unanimously, in favour of refusing the variation with, what have been described by the deputy leader of SMDC as, strong planning reasons. Namely, these reasons were on the basis of residential amenity, inclusive of access difficulties, increased noise and pollution, and highway safety, being considered to not achieve a safe and suitable access to the new development; these decisions were made in observation of the National Planning Policy Framework (**NPPF**) and local policies **DC1** and **T1** of the adopted Staffordshire Moorlands Local Plan.

The working group, and residents who have contributed to the ongoing dialogue surrounding this controversial and contentious issue, wholeheartedly support and endorse the democratic decision made by the SMDC PAC.

It has been noted from this study, and comments provided by residents with whom we are working closely, that the appeal as lodged is not supported by some factual evidence which is known to our group and the wider community.

Counter Arguments Against the Appellants Case

Addressing **Section 4** of the Statement of Case document, provided by the appellant, it is noted that they contend that their submission is in accordance with local policies and refer to the Committee Report (Appendix A attached to the Statement of Case) as evidence of compliance. It is with reference to this point that the group wishes to provide further clarification that was not made available within the aforementioned document and provide the factual evidence that contests the claims made by the appellant.

Conclusions provided in the Planning Balance section of the Committee Report omit context and data that was provided, to be attached to the case, by stakeholders including statutory consultees and residents. As such, the nature of the Planning Balance may alter when considered within the wider scope of information available; with the addition of the previously referenced data and context at the disposal of committee members, the PAC came to a unanimous decision contrary to that which was advised in the Planning Balance but supported by applicable policies.

It should be noted that the appellant references the opinion, presented in the Planning Balance, that residents' objections did not constitute evidence of any detriment to highway safety nor significant effect on congestion of the highway network, however this fails to encompass three quarters the grounds upon which the application was refused; three, specified, residential amenity elements were provided in the decision notice which were unaddressed by **Section 4.2.** of the appellant's case.

First Reason for Refusal

The Local Planning Authority (LPA) considered it necessary to refuse the application, firstly, as it was considered that the proposal was unable to achieve safe and satisfactory access to the site, thus being detrimental to highway safety. This decision was made in accordance with the policies **DC1** and **T1** of the Local Plan and the provisions of the **NPPF**.

Statutory Consultee: Network Rail

It is noted that the applicant refers to the consultation with Network Rail; this specifically is a point where the context of the comment was omitted from the Planning Balance and, until articulated by a speaker objecting to the application, not considered by the appellant nor author of the Planning Balance. In contrast to this, the PAC reflected upon the full circumstance provided by the statutory consultee when presenting their unanimous decision of refusal.

Network Rail keenly observed that safer operation of the level crossing would be achieved with the highway infrastructure required, namely roundabout access, by condition 4 in its extant state. As quoted, the consultee felt it necessary to include a recommendation that calls on their experience that the "roundabout would help break up the speed profile of vehicles approaching the crossing, which in turn may help in the safer operation of the level crossing".

Addendum to the Transport Assessment (ATA)

It is within this section that specific factual evidence that is known to our group does not support the conclusions made by the ATA document, and as a result the recommendations and opinions presented in the Planning Balance and consequently the Statement of Case submitted by the appellant.

Omitted from the Committee Report but made available to committee members and the Planning Officer responsible for the variation application, an independent report conducted by JMP Consulting Ltd (JMP) determined that the conclusions drawn in the original Traffic Assessment (TA), and further expounded by the ATA, were unsound.

Section 4.7. makes the claim that the approved roundabout designs do not comply with the Design Manual for Roads and Bridges (DMRB) guidelines; the document provided at the application stage for this variation was authored by consultants, IPaD, who stated that the outside radius is smaller than guidance issues however the consulted, senior, highway engineer from the Staffordshire County Council (SCC) Roads and Highways rebutted this with a comment that the design, whilst his preference would have been for a slightly larger road element, was both safe and necessary, and that it was expected that a responsible highway engineer would make judgements based on the desired, and required, minimums with regards to roundabout dimensions set out in the DMRB.

In consultation with the highway engineer there is no evidence that the, newly presented, issues of sideswipe type incidents were a considerable risk; this was not raised by the SCC Roads and Highways during their scrutiny of the proposal nor was it referenced in the IPaD ATA.

Section 4.8. addresses the capacity of the junction design, this relates to a point which was emphasised during the PAC hearing in April, where it was identified that the data upon which the TA and subsequent ATA were based, was flawed. The aforementioned JMP report condemned the junction assessments and inappropriate consideration of existing queue lengths; furthermore, it is suggested that the data, due to its age, was unable to predict the nature of traffic that would be brought to the area by the construction of a new residential estate in Draycott which is due to see an additional 200 dwellings constructed in the immediate future, and multiple additional industrial developments which are serviced by the commuter route to Stafford via Cresswell Lane/Sandon Road. The senior highway engineer, present at the PAC meeting, was noted to say in reference to the proposed T junctions, that “if you regathered the data, the junctions that were approved might have, also have severe issues with them in terms of the additional traffic”.

Residents and by extension, the Blythe Park Development Working Group, are aware that additional data has, since, been sought; having driven over and witnessed the installation of “Pneumatic Road Tube Counting” (Windmill, “Vehicle Sensing”) devices located on Sandon Road, between the flyover bridge for the A50 and the Draycott Racquet and Fitness Club, and on Uttoxeter Road, between the junction with Cresswell Lane and the junction with Draycott Old Road. It is both curious and of concern that no new data has been used in this appeal to better demonstrate any perceived merits that the appellant wishes to present with their proposed scheme, and one must question whether the absence of said data or any conclusions drawn from said data is due to it poorly fitting the narrative that they wish to construe or harming the stance which the appellant defends in their Statement of Case?

The working group was made aware, on the 19th of August 2022, that the appellant did not seek the permission of the Roads and Highways department of SCC to install the vehicle counting apparatus. The consulted senior highway engineer commented that the department retained the right to remove apparatus for which no consent was given, and that the appellant knew the procedure and failed to abide by it. A resident speculated, in conversation with said engineer, that the Roads and Highways department were not informed because the department may have had interest in viewing the results, and that the appellant may not have been confident that the findings would support their case; the engineer agreed that this may be the circumstance. Furthermore, it should be noted that the data was not provided to the Roads and Highways department after conclusion of the testing period.

Section 4.9. appears to demonstrate a misunderstanding, on the behalf of the appellant, of the nature of incidents and accidents that have occurred on the route that is the subject of their comment. The site access is located along Sandon Road, which has seen no less than five fatalities with a common factor being considered to be excessive speed, which members of the working group, anecdotally, have observed on almost every occasion that they have met to prepare this document. The Royal Society for the Prevention of Accidents (RoSPA) acknowledges a “strong relationship between speed and energy released when an object suddenly stops the movement” and elucidates further that injuries can be avoided or reduced by lowering speed.

The safe solution that was provided, originally, for access to the site saw the carriageway deviate from the current straight path, into the border of the proposed development, introducing a bend in the road eastwards, prior to drivers encountering the roundabout island. The comments from Network Rail align with the perspective that this would result in a reduced vehicle speed through the hamlet of Cresswell. The definition, given by the appellant, that there is greater forward visibility than required can be translated to the straight nature of the existing highway infrastructure; it is the nature of highway infrastructure that is considered by The Royal Society for the Prevention of Accidents to inform “drivers’ choice of speed” and they claim that the use of excessive speed, “is dependent on the characteristics of the road on which they are driving”, they further expatiate that the society supports, what they call, the “Safe System” approach which is conjointly advocated by the World Health Organisation (WHO). This approach recognises that people make mistakes and prescribes that highway infrastructure is designed so that mistakes are not likely to result in death or serious injury.

This, safety by design, methodology is not present in the appellants proposal. RoSPA claims that it is the role of policy makers, planners, engineers and others to eradicate “serious injuries and deaths” a position which, for the reasons above, cannot be achieved by the appellants proposal and would be contrary to the requirements of local policies **DC1** and **T1**, with **T1** promoting improvement of the highway network as part of a development; it is not clear whether, due to unsound conclusions drawn within the original TA, the appellants proposal could even achieve a nil detriment design as more vehicles, including aviation fuel tankers from the related SMD/2022/0275, saturate the highway system in the immediate vicinity to the site entrance.

It is also the concern of residents, that driver behaviour may be influenced by the sight of a Heavy Goods Vehicle (HGV) at the threshold of the T junction, preparing to manoeuvre into the main flow of traffic on the carriageway; as HGV’s are commonly associated with slow acceleration and reduced speed on inclines and through width restricted lanes, as found with the so-called “pinch point” on the hill beside the former Izaak Walton public house, it has been speculated that this may encourage other road users to increase their speed, as is demonstrated in the current state of the road layout where road users appear to take advantage of the straight course of the carriageway.

Network Rail did not provide any comment to support the stance taken by the appellant in **Section 4.9.** instead offering that from their experience that they had a preference for a roundabout to serve as site access, it is noted that the railway crossing is clearly demarcated to discourage road users from blocking the intersection between rail and road. It is also worth noting that the data provided by the appellant (Appendix C of the BWB report “Environment”), with regards to projected traffic flow across Sandon Road, implies that the majority of vehicle traffic would be departing the proposed estate northbound and thus not likely to result in a situation where traffic originating from the south would have the opportunity to block southbound traffic from turning left into the combined estate entrance. Network Rail’s only listed concern was to ensure that restrictions were maintained on the use of the Blythe Park entrance closest to the railway level crossing through the inclusion of bollards.

The appellant considers that betterment would be offered by the provision of traffic lights at the junction between Uttoxeter Road and Cresswell Lane, due to the dedicated priority afforded by the signal system to minor roads, which is stated in **Section 4.10**. It should be noted that, under normal operation, of the present highway infrastructure, manoeuvres departing leftward from Cresswell Lane towards the A50 are generally unhindered by traffic originating from the east, the direction of Tean, and difficulties negotiating the current junction are most commonly encountered when a driver leaving Cresswell Lane wishes to turn right, where the movement is impeded by traffic originating from the west, the direction of the A50.

This would be solved in a satisfactory manner by the proposed roundabout system, due to the requirement for drivers to give way to the right. In the event that no vehicles are present at the junction, originating from Cresswell Lane, wishing to join the main carriageway of Uttoxeter Road, traffic may continue unconstrained not being required to wait at the signal, contributing to both noise and air pollution as a stationary vehicle.

Considering the layout of the highway infrastructure provided in **Fig 1.0**, there are no “Box Junction” marking defined, which would prevent traffic from fouling the junction in high demand traffic situations. These events have become a more common occurrence in Draycott due to frequent closures of the A50, with a closure occurring on the date of the hearing of the SMDC PAC which was noted by the deputy leader of SMDC during his vocal representation, and upcoming highway improvements on the major junctions as part of the “A50 Corridor” project are expected to worsen the residual impact on the local highway network.



Fig 1.0. Proposed Uttoxeter Road Junction with Cresswell Lane

The working group considers safety to be the utmost priority for all road users, conflicts may not only refer to vehicle incidents but also, non-motorised user safety. **Section 2** of the IPaD Highways and Transport Evidence Base document comments that the proposed junction is “considered in the industry” to be safer and does not cite a study nor data to confirm this.

Furthermore, data indicates (Transport for London) that 16% of cyclist’s “jump” red lights and found that the majority of pedestrians injured at traffic lights are a result of other road users disregarding the signal change.

JMP consider, in their review of the original TA, that the rural and narrow nature of the roads immediately surrounding the site would discourage all but the most hardened cyclists and that the nature of the roads are likely to attract vehicles travelling at high speed which is not conducive to safe road conditions for cyclists. Further in the technical review JMP refute the statement that “The site is accessible by public transport, walking and cycling” stating that it is neither demonstrated in the TA nor correct in reality as there is virtually no cycle infrastructure.

The Insurance Institute for Highway Safety (IIHS), an independent, non-profit scientific and educational organisation, references multiple studies which report significant improvements in traffic flow specifically identifying scenarios where junctions had been converted to roundabouts from traditional intersections, as is proposed at the intersection of Uttroter Road and Cresswell Lane, for which projection modelling has been provided, although grounded in data which has been contested by an independent assessment of the TA. The institute cites the following conclusions:

- Studies of intersections in Europe and Australia that were converted to roundabouts have reported 25-87 percent reductions in injury crashes and 36-61 percent reductions in all crashes (Rodegerdts et al., 2010).
- Studies in Europe indicate that, on average, converting conventional intersections to roundabouts can reduce pedestrian crashes by about 75 percent (Brilon et al., 1993; Schoon & van Minnen, 1994). Single-lane roundabouts, in particular, have been reported to involve substantially lower pedestrian crash rates than comparable intersections with traffic signals (Brude & Larsson, 2000).
- A study of three locations in New Hampshire, New York and Washington state where roundabouts replaced traffic signals or stop signs found an 89 percent average reduction in vehicle delays and a 56 percent average reduction in vehicle stops (Retting et al., 2006).
- A 2005 Institute study documented missed opportunities to improve traffic flow and safety at 10 urban intersections suitable for roundabouts where either traffic signals were installed or major modifications were made to 10 intersections with signals (Bergh et al., 2005). It was estimated that the use of roundabouts instead of traffic signals at these intersections would have reduced vehicle delays by 62-74 percent.

The appellant attempts to justify their proposal through the claim that the solution represents a “less engineered” solution, in **Section 4.11**. The case put forward by the appellant suggests that the design would have less impact on the surroundings and, albeit in the briefest possible way, mentions the reduced impact on residents. It is perhaps curious that there is an overwhelming mandate in the community, and supported by the SMDC PAC, for the decision to refuse the appellants proposal to be upheld; unless it is not the case that residents are troubled by any perceived impact reflected by not a single comment of approval being submitted at the application stage, as the proposal is part of a far wider and far more disruptive concern, and rather that this promotes a solution that requires less expenditure both in terms of cost and labour. The avoidance of realignment, that is considered appropriate to satisfy policy **DC1** to provide safe and satisfactory access and to additionally satisfy point 1. of policy **T1** to improve the highway network as part of the development, is not a decision made with regard to the public interest.

The “less engineered” aesthetic is not considered to be more appropriate for the area than a landscaped roundabout island, with grass being a common feature in the rural setting of both junction proposals; the landscaping better suits the requirements of policy **DC1** to add value to the area and be of a material appropriate for the area, additionally satisfying the second point of the same policy to respect the site and its surroundings.

Within **Section 4.12**, the appellant appears to have mistakenly claimed that properties facing the proposed Uttoxeter Road/Cresswell Lane junction will continue to enjoy “the same level of access”; this appears to be a comment on amenity, if the definition of the service road provision later employed by the appellant is to be considered absolute, however it should be noted that this claim is not reflective of what is shown in the appellants technical drawings. It is clearly demonstrated on **Fig. 1.0** that the appellant intends to install a one way service road which delivers a material change to the access to properties on Uttoxeter Road.

Ultimately the argument put forward appears to align with the previous statement which one may interpret as mitigation efforts contrary to the promoted practice, in policy **T1**, to improve the highway network with development.

Furthermore, the appellant claims, within their own documents, that the current junction (Uttoxeter Road/Cresswell Lane) is “no longer fit for purpose”, **Section 3.7**, of the S73 Application in Appendix H. This is a conclusion drawn from review of traffic flows, presumably flows from the original study in 2014, but does not illuminate the reader as to why this is the case. Given the conclusion that the junction is not fit for purpose, and the recommendation is for an appropriate form of junction such as a roundabout, one might question why the appellant has opted for a solution which they keenly promote as “minimal changes”?

The referenced audit, provided by the appellant, provides a very clear caveat that it “should not be construed as implying that a technical audit has been undertaken in any respect.”, and that it “has not been examined or verified for compliance with any other standards or criteria”, **Section 1.5.** of “Stage 2 Road Safety Audit” as presented in appendix E. As a result of this fact, it is unclear how the conclusions can be considered to be of any significance nor carry any weight in the argument presented; the appellant considers the design to be safe despite the total absence of any data to prove compliance with standards.

And, alarmingly, **Section 4.13.** of the Statement of Case proposes modifications to the highway infrastructure provision, again, without any data to prove compliance with standards; the suggested amendments to the highway layout are made in the absence of any recorded injury accident history and without traffic flow data to inform auditors decision making, **Section 3.1.** and **Section 6.1.** of “Stage 2 Road Safety Audit” respectively.

Without the proper data being made available to the auditors, the recommendations and subsequent action cannot, reasonably, be expected to fulfil the criteria of point 7 of policy **DC1** which requires “safe and satisfactory access”.

Section 4.14. concedes that traffic calming is, indeed, necessary on Sandon Road.

In justifying the chosen junction type, the appellant attempts to claim that the provision of a T-Junction is superior to the roundabout that is required by extant permission. In a curious comment, the author of the “Statement of Case” states that “statistically the rate of road traffic incidents is greater at roundabout junctions than at T-junctions”, a conclusion that is the anthesis of that demonstrated in **Fig. 2.0**.

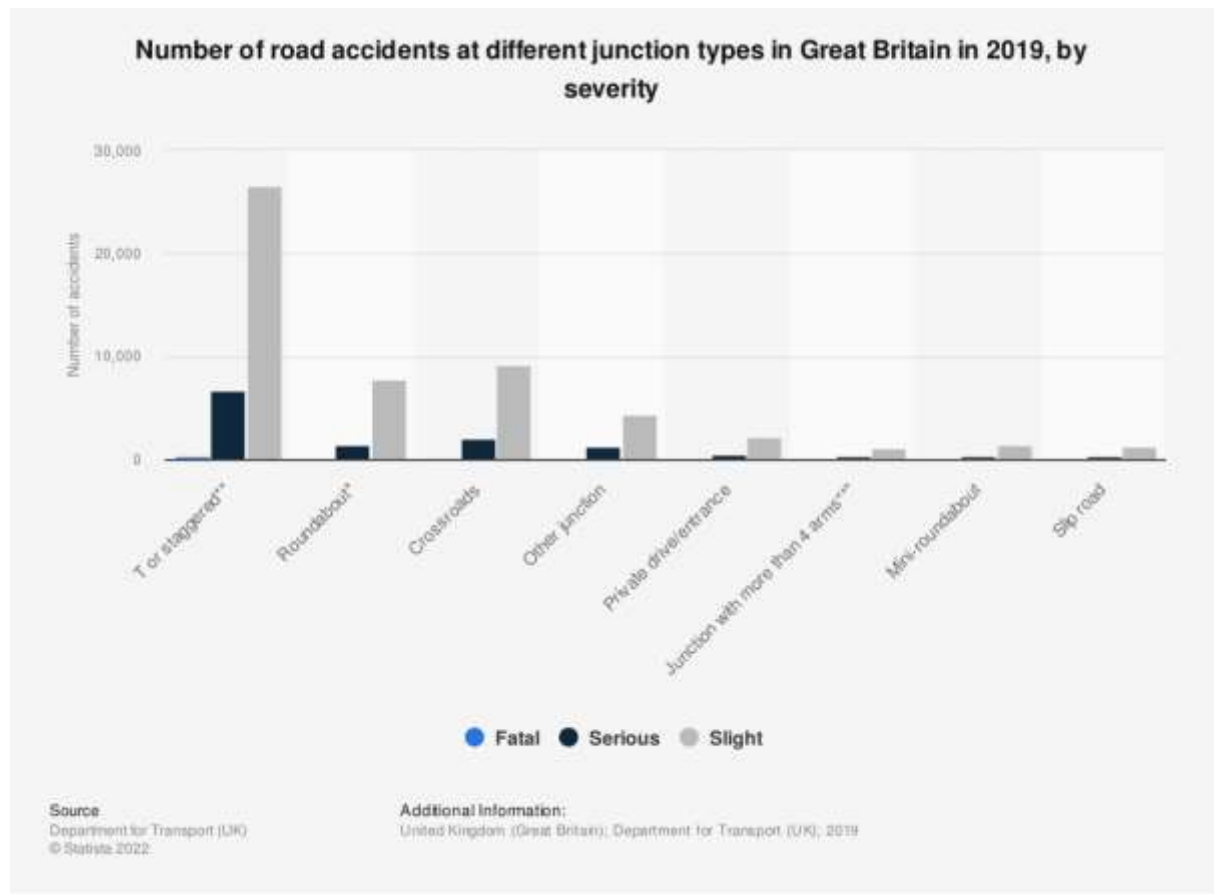


Fig. 2.0. “Number of road accidents at different junction types in Great Britain in 2019, by severity”
(<https://www.statista.com/statistics/325327/road-accidents-at-junctions-great-britain-uk/>)

The above data, provided by Statista and sourced from the Department of Transport, plainly demonstrates that, in all categories of road accident, the T junction is the worst performing junction type.

The appellant comments, in **Section 3.3.** of Appendix H, that a signalised junction is proposed for Uttoxeter Road/Cresswell Lane as it is “a much safer form of arrangement” than the existing T Junction, a design which the appellant wishes to install on Sandon Road.

On its own merits, and given the tragic history of the stretch of road in question, the T junction cannot be considered to satisfy policy **DC1**’s requirement for “safe and suitable access” and perhaps, in the eyes of residents who have first hand experience of the horrors that have occurred on Sandon Road, does not remotely satisfy policy **T1**’s promoted improvement of the highway.

The appellant, in their comment about the design of the roundabouts which has been addressed by the Senior Highway Engineers rebuttal, acknowledges that it is highway design with which accidents are typically associated; a welcome remark which is broadly in agreement with the information provided by RoSPA who explain that “In a Safe System, human behaviour is informed and guided by the design, layout and operation of the road network. Road designs that provide feedback to road users or that are self-explaining can help to create an environment that promotes safe road use.”.

The design of the system, which the appellant seeks to replace, features an eastward bend into the border of the wider development prior to encountering the roundabout island; this design language informs drivers to slow their vehicles. In “20’s the limit: How to encourage speed reductions” by the Wales Centre for Public Policy it is identified that speeding is found on roads “which have visual cues that encourage faster speeds (e.g. long, straight or wide roads with few obstructions such as trees or parked cars)”. There is an obvious difference in design approach between the two proposals, which the appellant has sought to compare in their address of **Section 4.14**.

It is apparent that the appellant has identified the need for traffic calming on this stretch of road, by the fact that they address the requirement with a “number of traffic calming features”.

Conflicting with policy **DC1**, the appellants proposal includes comments that the highway safety solution will consist of “signing, speed roundels and coloured surfacing”. There is no example of coloured road surfacing within the hamlet, and this appears to be an intrusive solution which is not appropriate to the character of the area. Nor is any statistical efficacy provided for this proposed implementation, failing to illustrate compliance with the practice promoted in policy **T1** to improve the highway as part of the development.

Conclusion to First Reason for Refusal

Contrary to the summary provided by the appellant in **Section 4.15**, the proposal does not comply with the local policies for the reasons provided above; namely not providing safe and satisfactory access to the wider development site and not providing value to the local area, which would greatly benefit from a statistically proven implementation of traffic calming (**DC1**), and in a similar vein does not improve the local highway network as part of the development (**T1**).

The appellant notes in their documentation, **Section 2.3**, of Appendix H, that no valid comparison can be made with regards to the access on Sandon Road; that being the case, modelling does not yield appropriate results and it is evident from the statistical proof in **Fig 2.0** that the proposed junction type does not offer satisfactory mitigation from fatal accidents, being the only junction type to register a visible number of fatalities.

Key context is overlooked in the information presented by the appellant, in reference to the comments made by statutory consultees. In the broader scope of the information available and addressed in this representation, the reason for refusal is justified.

The curious omission of newly acquired data is worrisome, might it be that the conclusions that could be drawn from any new data would not support the appellant in the process of this appeal.

Multiple arguments presented by the appellant, to justify the reduced scale of highway improvement works proposed, have been disproved or cannot be properly addressed due to the absence of sound data. The appellant has based their fundamental arguments on conclusions which were condemned as “unsound” by the JMP Consulting Limited report, which is more damning when it is understood that JMP Consulting Limited facilitated the data acquisition from which those “unsound” conclusions were drawn by another party.

Given these points, the appellant is unable to prove that the content of this appeal complies with **NPPF** paragraph 111; the appellant acknowledges that road design informs road users behaviour but opts to propose a localised road network which does little to mitigate road users use of speed and introduces additional pressures, with the wider picture of the development site including transportation of aviation fuel from related application SMD/2022/0275, through what is demonstrably the least safe junction type in proximity to other highway infrastructure which carries considerable risk factors such as the Network Rail level crossing.

Second Reason for Refusal

In addition to the reasoning that the appellant is unable to achieve satisfactory highway safety, the LPA also considered it necessary to refuse the application for variation of condition 4 on the grounds of detrimental effects to the amenity enjoyed by residents. This reason, in turn, consists of three arguments. Namely, “Access to Properties”, “Noise” and “Pollution”.

Access to Properties

The appellant, as mentioned in the rebuttal to **Section 4.12.**, considers the provision of service roads for access to properties on both Uttoxeter Road and Sandon Road to be a matter of amenity; this is made apparent by the evidence that is referenced in **Section 4.19.** which points readers to **Section 2** of the document provided in Appendix H of the “Statement of Case”.

With regards to Sandon Road, **Section 2.21** of the evidence provided states that “Residents consider that the proposed service road associated with the roundabout scheme is inherently safer than the proposals under the revised junction as it prevents vehicles having to reverse manoeuvre onto a live carriageway. However, this assumption misconstrues the reason as to why the service road was included within the original proposal.”, but notably makes no attempt to refute the point of highway safety. The point presented, at the application stage, that reversing a vehicle into a driveway on a live carriageway versus on a reserved service road remains untenable.

The appellant states that the service road was required to maintain access to the properties which are sited opposite the proposed junction, in **Section 2.22** of Appendix H, and that this was due to the deflection of the carriageway under the currently approved design. The appellant seeks to remove the service road on Sandon Road, in turn negatively impacting the amenity enjoyed by residents and, in fact, replicating the scenario which is currently the case for the dwellings which are opposite the Uttoxeter Road/Cresswell Lane junction, which the appellant has described as “no longer fit for purpose” only without the benefit of the substantial off-road area in front of each property on Uttoxeter Road, where it is common to observe residents pull up to before making a manoeuvre into their driveway due to the complexities associated with reverse parking next to the mouth of a busy junction.

Quite evidently, it is a detrimental change to the residents of properties on Sandon Road to be expected to negotiate three directions of traffic when reversing onto their driveway; the service road would maintain the current situation of only two directions of traffic to be observed, without residents having to concern themselves with traffic emerging from what promises to be a busy junction; by all accounts, from the figures in **Table C1** that the appellant provided in Appendix J, adding an additional 428 southbound vehicles and 1683 northbound vehicle in a 24 hour period to Sandon Road.

The working group does not contest consideration, by the Highway Code, that a reverse manoeuvre onto a driveway is considered safe.

Unfortunately, the claim that the appellant makes, that no incidents have taken place, on this stretch of road is incorrect. As referenced by the deputy leader of SMDC, during his vocal objection to the variation, in 2004 a child fatality occurred less than 180m south of the proposed site access junction.

The appellant speculates, in **Section 2.24** of Appendix H, that the arrangement of the service road would cause vehicles to emerge as “awkward” points and may result in driver “confusion”. This is not reflected by residents’ comments, who overwhelmingly prefer a service road in this location, and is not based on any factual evidence.

The provision of a service road, on Sandon Road, may be seen to remove the risk of vehicular conflict in the event that a vehicle parks outside of a property sited opposite the proposed junction; in this event a driver expecting to perform a left turn, leaving the proposed junction, may not see a vehicle travelling from the opposite direction having to move into the opposing lane of traffic to pass the stationary vehicle and could result in a head on collision with the vehicle leaving the junction that had observed that no traffic was coming from their right before starting the manoeuvre.

In summarising, the appellant claims that the proposal does not harm residential amenity; this is a point which the population of the hamlet of Cresswell and village of Draycott passionately disagree with and are backed by the unanimous weight of the SMDC PAC.

The introduction of a T-junction opposite dwellings on Sandon Road introduces a third direction of traffic; the appellant acknowledges that no valid comparison can be made on Sandon Road for access due to the absence of any current site access junction, therefore by the same logic, their inaccurate statement regarding road traffic accidents on that stretch of road could not be considered to be valid as the nature of the road would be incomparable through the introduction of a third direction variable in vehicle movements.

The removal of the service road in Cresswell directly conflicts with the requirements of policy **DC1**, point 7, which requires both safe and satisfactory access, and to make a contribution to meeting the parking requirement arising from necessary car use. As a rural hamlet with no public transport links and no cycle infrastructure, cars are a necessary part of life in Cresswell; the service road was a positive contribution to aiding the parking of vehicles on driveways and by extension the safe access to the properties sited opposite the proposed junction.

Contrary to the appellants comments, no part of policy **T1** is satisfied by this section.

Noise

The appellant summarises the results of a Noise Statement in **Section 4.22.** of their “Statement of Case”. Residents claim that one of the sound level meters was located behind a hedge, behind the layby on Sandon Road. It should be noted that the graphical representation of the permitted roundabout layout omits the service road, and it is not clear whether the results of the test may differ should this be included as is required by the extant permission; nor is it clear whether this constitutes a valid test with this omission.

The specified test type, referred to as “Calculation of Road Traffic Noise” (CRTN) does not account for traffic flow variances. The agent, acting on behalf of the appellant, also utilised a “Common Noise Assessment Methods in Europe” (CNOSSOS) methodology in order to generate noise mapping, which they confirm is not endorsed by nor adopted by UK Government guidance; this method also does not account for vehicle flow variances, or the acceleration and deceleration of vehicles.

In explaining the modelling software, in **Section 6.2.** of the Noise Statement, the author states that the model “takes account of all local features and buildings (existing and proposed) and of local topography and ground conditions” and that the noise propagation is determined through the CNOSSOS algorithms. As noted earlier in this section, the model is incomplete and does not identify all proposed local features.

Traffic flow modelling is derived from the 2014 report, which remains contested by the independent review conducted by JMP Consulting Ltd.

Despite this, a measurable change is presented by the data and displayed on the visual models provided.

The scale, provided by the agent and present in **Figure B11** of the Noise Statement, demonstrates banding where dark green is a less than, or equal to -3.00 dB with shades increasing towards red, in the colour spectrum, with yellow/orange colour ranging from less than 1.00 dB to less than, or equal to 3.00 and finally a red/orange colour for what it shows as less than 3.00. The map, **B11**, of Sandon Road demonstrates the difference changing from roundabouts to signalised junctions, where the increase as a result of that change is demonstrated by colour band. The scale does not appear to make sense, as the start of the red/orange range is considered to be less than 3.00 dB but the band below it has a top value of less than, or equal to 3.00 dB. As would be expected, and in accordance with the decision made by the SMDC PAC, the result of the roundabout being within the wider development border would produce a quieter and therefore better scenario with regards to residential amenity.

The **DC1** policy requires development design protects “the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution”.

Despite the incomplete model provided for the roundabout scenario, there is a measurable difference in the noise pollution provided, no value is assigned to the policy **DC1** as a test to be passed. In this case, the agent comments that the sound difference, imposed by the signalised junction, could be “noticeable”.

Pollution

The appellant addresses both noise and light pollution in **Section 4.25. – Section 4.29.** of the “Statement of Case”.

The methodology by which the Air Quality Assessment (AQA), which is referenced in **Section 4.26.** and can be found in **Section 3.** of Appendix J, was not approved by the SMDC Environmental Health department. Furthermore, the report concedes that the assessment is derived from the same traffic data, provided by consultants IPaD (originating from the 2014 TA) and that any assumptions made by the transport consultants will influence the AQA.

Section 4.27. and **4.28.** of the “Statement of Case” purports that there would be negligible impact on air pollution in comparison to the existing highway layout, roundabouts for which there is permission and the appellants proposal. These results contradict a 2019 study conducted by Lancaster University, in collaboration with the Birmingham Institute for Forest Research found a correlation between the prevalence of roundabouts and a reduction in air pollution; comparisons were drawn between conurbations of similar sizes and assessed by the volume of roundabouts versus other junction infrastructure. Road Data Services Limited surmised that this could be due to “the central purpose of roundabouts, which is to ease traffic congestion at key junctions, results in smoother traffic flow, with fewer vehicles at a standstill with their engines running.”.

Furthermore, the Insurance Institute for Highway Safety (IIHS) has conducted several studies which report significant improvements in traffic flow with comparisons where junctions had been converted to roundabouts from traditional intersections. It is also noted by this organisation that because roundabouts improve the efficiency of traffic flow they also reduce vehicle emissions and fuel consumption. These studies are particularly valuable as they demonstrate a conversion scenario, which applies to the junction which is proposed at the intersection of Uttoxeter Road and Cresswell Lane, for which projection modelling has been provided, although grounded in data which has been contested by an independent assessment of the TA. The same institute reports that “installing roundabouts in place of traffic signals or stop signs has been found to reduce carbon monoxide emissions by 15-45 percent, nitrous oxide emissions by 21-44 percent, carbon dioxide emissions by 23-34 percent and hydrocarbon emissions by 0-40 percent (Hu et al., 2014; Várhelyi, 2002).”.

Real world scenarios disprove the conclusion provided by the appellant, as due consideration is given to the nature of traffic flow through a roundabout.

In **Section 4.29**, the appellant incorrectly alludes to residents' concerns about light pollution emanating from lighting placed as street furniture or to illuminate junction elements; this is not the case, and in fact, the vertical downward nature of street lighting did not appear in the objections from residents.

Specifically, residents expressed concern that headlights from vehicles leaving the junction would shine directly into the properties on Sandon Road sited opposite the site access junction.

Residents noted that, by virtue of being a landscaped element of some considerable size and being located further from dwellings within the wider development border, the roundabout island would occlude vehicle headlights and prevent a direct source of light pollution from entering their homes and negatively impacting the levels of amenity currently enjoyed.

No alternative solution is presented by the appellant to prevent this from occurring and the result would certainly constitute a conflict with the requirements of the Local Plan policy **DC1** which requires designers to protect, "the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution".

Conclusion to Second Reason for Refusal

The appellant remains unable to fully satisfy the requirements of Local Plan policies **T1** and **DC1** by not mitigating against the detrimental impact on residential amenity.

Conclusions drawn for air pollution do not align with those identified in key studies, which are particularly applicable in the consideration of the Uttoxeter Road/Cresswell Lane junction which faces a similar conversion scenario to those presented in the rebuttal to **Section 4.27.** and **Section 4.28.**

Comments from the appellant that their proposals satisfy policy **DC1** are contradicted by the presence of urban features, including traffic lights, in the heart of the village of Draycott; features like this are not considered to add value to the local area or be appropriate to the character of the area and do not respect the site and its surroundings.

There is minimal justification given to the reasoning as to why the appellant believes that there is a lack of harm to residential amenity in terms of access.

The agent, acting on behalf of the appellant, identifies that noise changes on Sandon Road may be “noticeable” with a change of the highway infrastructure provision. By the wording of the policy **DC1**, there is a negative effect to the amenity endured by this proposal.

No argument is provided by the appellant with reference to the light pollution from vehicles at the mouth of the proposed junction with the protections afforded by the current scheme of roundabouts, being removed entirely and the carriageway remaining in close proximity to dwellings.

Ancillary Points

This section provides some information about ancillary points that were addressed by the appellant but were not necessarily reflective of the section within which they were raised.

The appellant makes reference to the Local Enterprise Partnership (LEP) grant in **Section 4.16.** of their “Statement of Case”. It is understood that a grant was approved for partial funding, in excess of one million pounds, for the roundabout scheme. The comment that the final assessment of the scheme did not provide good value for public money does not seem to make sense as the grant was of a fixed value, it would be the responsibility of the appellant to provide the remainder of the funds for the project to be completed.

As a result, it appears that the appellant did not believe that the scheme was viable for their business needs, not for the best interest of public funds. A subsequent new business case has been approved for the appeal scheme, which evidently reflects that the motivation for the appeal is to budget engineer a highway infrastructure scheme. This raises questions for the desire to provide “less engineered” approaches which are referenced throughout the appellants “Statement of Case”, and whether the definition of “less engineered” is simply “at less cost”. Unfortunately, there is a cost to everything and while it may not be incurred financially, the cost of this solution would be at the expense of the community and parish of Draycott-in-the-Moors, Cresswell and Totmonslow.

The appellant also mentions the comments of the statutory consultee from SCC Roads and Highways, a point which has been omitted is that said consultee considers that the “Local Highway Widening” (120314-06 Rev A) is “still required and should not be removed as part of this proposal”.

There is no discussion of the maintenance provision of the proposed signalised junction provided by the appellant, in 2020 there were 98 vehicle related accidents which were a result of defective traffic lights (Nimblefins), a scenario which would not be possible with the lower maintenance requirements of a roundabout scheme; will this simply defer maintenance costs to ultimately be incurred by public bodies and by extension public funds?

The nature of this proposal has been met with fierce opposition by residents and councillors from all levels, parish, district and county; the county councillor for the area made an impassioned speech during a long overdue public consultation with the appellant and referred to the proposal as a “Poundland scheme” and urged the appellant to not take the community for fools.

A majority of committee members who debated the variation at application stage referred to the changes in the situation affecting the hamlet of Cresswell and village of Draycott, with additional housing and developments becoming operational at commuter end points for those who use the route through Cresswell and on routes through Draycott. They discussed the age of the data, and that it would not have reasonably been expected to predict the new developments, and that it would be valuable to observe the proposal through the lens of up-to-date data with horizons expanding beyond 2024.

Conclusion

By its very nature, a variation, the appellants case could not be the first choice to provide the safety and levels of amenity currently enjoyed in Cresswell, Draycott and Totmonslow.

The working group, residents and local councillors support the unanimous decision made by SMDC PAC to refuse the variation on the grounds of highway safety and residential amenity.

There is insufficient evidence to satisfy the requirements of Local Plan policies **DC1** and **T1** and the **NPPF**, which informs the aforementioned policies, provided by the appellant.

Please understand that the communities of Cresswell, Draycott and Totmonslow have demonstrably welcomed development and have welcomed progress into the area when it is well designed and a considerate proposal. Do not be lulled into misattributing the real and valid concerns of residents to NIMBY-ism. This ongoing application has not enjoyed the support of residents and now, one of few attributes that offered tangible benefits and was well received is under threat.

We respectfully request that the decision of refusal, by Staffordshire Moorlands District Council is upheld on the basis that the proposal, by its own merits, cannot achieve safe and suitable access to the proposed site and is harmful to the amenity that is enjoyed by residents.

Yours sincerely,

The Blythe Park Development Working Group