

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/B3438/W/22/3299330

DETAILS OF THE CASE

Appeal Reference APP/B3438/W/22/3299330

Appeal By ELAN HOMES (MIDLANDS) AND SCENTAREA LTD

Site Address
Land at Blythe Park
Sandon Road
Cresswell
Staffordshire

SENDER DETAILS

Name MRS DEBORAH BUSHELL

Address
The Shippons Cresswell Road
Cresswell
STOKE-ON-TRENT
ST11 9QY

ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- ☐ Appellant
- ☐ Agent
- ☒ Interested Party / Person
- ☐ Land Owner
- ☐ Rule 6 (6)

What kind of representation are you making?

- ☐ Final Comments
- ☐ Proof of Evidence
- ☐ Statement
- ☐ Statement of Common Ground
- ☒ Interested Party/Person Correspondence
- ☐ Other

YOUR COMMENTS ON THE CASE

APP/B3438/W/22/3299330

Application for Variation of condition 4 in regards to outline application SMD/2014/0576

Traffic speeds on Sandon Road/Cresswell Road and Road safety

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 the BPDWG 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.

The Blythe Park Development working Group in consultation with the highways engineer concluded that 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.

More recent Traffic Data collection 2021/2022

Residents 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.

I myself drove over these along several points on Sandon Road when leaving and returning to my Property 'The Shippons' ST11 9QY. Whilst I cannot give an exact date I drove over them I can say with complete confidence that it was within the last 12 Months having moved here from outside of the area in June 2021.

The developers 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 a 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"?

Alarming, 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 4.27. 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 summary I must strongly object to the proposed changes from a roundabout at the entrance to the site along with a service road for safe entry and egress from residents properties to a simple T Junction ignores any requirement to ensure safety for road, cycle and pedestrian users of the said junction. It also fails to take account of amenity for existing residents on Sandon Road to access to their own properties. The roundabout and service road option is surely lightyears ahead in ensuring safety and accessibility.

The removal of the service road 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.

There also seems to be a discrepancy in the thinking behind the need for service roads and how they work, with the inclusion of one on the Uttoxeter Road revised traffic light scheme but not at the site entrance. The proposed one way service road will surely create a dangerous situation for residents on Uttoxeter Road and visitors to The Church and Hall on Church Road when wishing to turn across the traffic westwards onto Uttoxeter Road and also residents blocking Uttoxeter Road when wishing to enter the service road from the east. The road could be blocked to them when the lights are on Red for the westbound traffic and dangerous once traffic is free flowing on Green light.

In conclusion, I 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.

Deborah Bushell

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