Rushden Park and Lakes, Rushden, Northamptonshire

Key Issues

This case study explains how changes in delivery timescales can influence the design of a project.

Key issues include;

- Undertaking a proposed development in an area of sensitive ecological value and changing designation;
- The impacts of changing baseline conditions; and;
- The influence that a change in one characteristic can have on the rest of the EIA process and the proposed development scheme (domino effect).

Purpose of the project

Campbell Reith Hill LLP were instructed by Rushden Park and Lakes Development Ltd to undertake an application to extend the lifetime of a previous planning permission. This project aims to redevelop a key brownfield site within the Rushden area whilst providing direct funding to protect and maintain its sensitive ecological surroundings. The project comprised commercial properties including a hotel, retail units, car parking, access roads and ancillary structures.

Description of the project

The site is located on the outskirts of Rushden approximately 2km north west of the town centre just off the A45, and covers approximately 11.5 hectares.

The northern area of the site comprises Skew Bridge Ski Lake and Delta Pit Lake which are part of the Nene Valley County Wildlife Sites, SSSI, SPA and Ramsar sites. The statutory and non-statutory designations are primarily to protect the wintering bird assemblages. Otters and a large heronry are present within the area.
### Lessons learnt
Planning permission was originally granted for development on this site in 2002. A further permission was granted in 2005 and an alternative layout, and documentation to discharge conditions were approved in 2008. The application for a Replacement Planning Permission to extend the life of the extant permission was made in April 2010.

By 2010 the baseline conditions had changed significantly from those which existed in 2005 and new surveys and assessments of impacts were required by Natural England and the Highways Agency. Also when the original planning applications were submitted in 2002 and 2005 Skew Bridge Ski Lake was designated a County Wildlife Site. In 2008, the site was designated a SSSI and in 2010, a SPA and RAMSAR site. This has led to additional restrictions being imposed on the timing and forms of leisure usage of the Skew Bridge Ski Lake.

In 2002, the water levels of the Skew Bridge Ski Lake were permitted to be reduced to provide compensatory flood water storage. However, after the lake was designated a SSSI, SPA and Ramsar site this was no longer an acceptable option and additional storage within the development area had to be provided. Legislation, policy and guidance had also changed within this time period, thus, influencing the previously agreed scheme with key stakeholders. For example, a lock was previously permitted between the lake and the River Nene but to prevent water losses and consequential habitat impacts, and to address potential impacts on the river a full assessment under the Water Framework Directive will now be required before the lock can be implemented.

In summary, it is important to consider changing baseline conditions and regulatory frameworks when assessing the effect of changes in project durations.

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