

SUMMARY STATEMENT OF CASE OF NOTTINGHAMSHIRE COUNTY COUNCIL

Land to the West of Stapleford Lane, Stapleford Nottinghamshire

Appeal against non-determination of an Outline Planning Application for the construction of a residential development of up to 420 residential dwellings and associated open space and infrastructure (with some matters reserved). The proposed development is classified as EIA development under the Town and Country (Environmental Impact Assessment) Regulations 2017

Appeal by Bloor Homes Limited

LPA Ref: 25/00371/OUT

Appeal Ref: 6006412

1. Introduction

- 1.1. This summary statement of case is submitted on behalf of Nottinghamshire County Council (“the Council”) as Highway Authority who are a statutory consultee for the Local Road Network (LRN). It summarises the transport and highways matters arising from the proposed development.
- 1.2. The Appeal has been made against the non-determination of the application by Broxtowe Borough Council.
- 1.3. The Council has been granted Rule 6 status in the Appeal.

2. Main Issues

- 2.1. The main issues in respect of the highways and transport impacts of the development are considered to be:
 - 2.1.1. Whether the appellant has demonstrated that the development would not result in severe residual cumulative impacts on the highway network;
 - 2.1.2. Whether the submitted Transport Assessment provides a robust and reliable basis for decision-making;
 - 2.1.3. Whether the proposal accords with the requirement for comprehensive, plan-led delivery of the wider allocation.

3. Summary of the Council’s Case

- 3.1. The Council considers that the appellant has failed to demonstrate, through robust and proportionate evidence, that the proposed development would not result in severe residual cumulative impacts on the highway network.
- 3.2. In particular:
 - 3.2.1. No adequate strategic or cumulative transport modelling has been provided;
 - 3.2.2. The submitted Transport Assessment (TA) is not sufficiently robust to support decision-making;
 - 3.2.3. The development has not been assessed as part of the wider allocation strategy, contrary to development plan policy.
 - 3.2.4. Without a robust assessment to determine the cumulative impacts it is not possible to determine whether further works other than those

currently proposed through the application will be required on the local highway network to facilitate the wider allocation and plan delivery. Whether such works are feasible, deliverable or indeed viable for later stages of the allocation to deliver.

- 3.3. A review of the submitted Transport Assessment (TA) identifies a fundamental methodological concern, namely the failure to robustly assess the cumulative impact of development traffic on the wider highway network, contrary to paragraph 116 of the National Planning Policy Framework (NPPF).
- 3.4. The purpose of cumulative assessment is to ensure that the combined effects of the proposed development alongside other committed and allocated sites are properly understood, particularly where those developments influence the same routes and junctions.
- 3.5. This is of direct relevance in the present case given the presence of nearby strategic sites, including:
 - 3.5.1. Toton East (155 dwellings – ref. 25/00255/FUL);
 - 3.5.2. Toton North (880 dwellings – ref. 25/00306/OUT); and
 - 3.5.3. Chetwynd Barracks (Policy 3.1), which assumes approximately 500 dwellings within the plan period and up to 1,500 dwellings overall.
- 3.6. These sites form part of a wider allocation under Policies 3.1 and 3.2 of the Broxtowe Borough Local Plan Part 2 and are physically connected, including via the proposed strategic link road between the A52 and Chetwynd Road. Development is expected to come forward in a coordinated and master planned manner, supported by appropriate infrastructure.
- 3.7. Notwithstanding their clear interrelationship, the submitted TA does not assess these developments within a combined cumulative scenario.
- 3.8. The reliance on TEMPro-derived growth, in place of explicit modelling of committed and allocated development, results in a material underassessment of potential impacts and is not considered to provide a reliable basis for assessing whether residual cumulative impacts would be severe.
- 3.9. This limitation is critical, as it affects:
 - 3.9.1. traffic distribution and assignment;
 - 3.9.2. junction performance; and
 - 3.9.3. the identification and testing of mitigation measures.

- 3.10. It is considered that the outline Travel Plan is deficient as it has not been informed by a robust TA. It relies on behavioural assumptions and does not provide quantified mitigation, as such the Travel Plan cannot be relied upon to define baseline impacts or to substantively mitigate network effects.
- 3.11. The Council strongly refutes that there has been a lack of engagement in respect of the highways and transport impacts of the development proposal. The Council has engaged with the applicant throughout the pre-application and application process and has provided consistent advice. At all stages, the Council has maintained that the existing Strategic Masterplan SPD is no longer up to date following the withdrawal of HS2 and therefore does not provide a sound or reliable basis for coordinating development across the wider allocation. Further, the Council has consistently requested additional information to be submitted for assessment, which remains outstanding at the time of submission of this summary statement.
- 3.12. It is understood that the Appellant has prepared additional modelling information in order to address the concerns raised by the Council. As yet this additional information has not been received, although we understand that it will be provided imminently. The Council therefore reserves the right, following assessment of the additional information, to make further submissions in respect of that additional information and will work with the Appellant to agree common ground updating both the Local Planning Authority and the Planning Inspectorate of any discussions or correspondence undertaken in this regard.

4. Applicable Planning Policy

- 4.1. Paragraph 116 of the NPPF (December 2024) states that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 4.2. The Broxtowe Borough Council Local Plan Part 2 Policies 3.1 and 3.2 require development to be brought forward through a Strategic Masterplan, ensuring development proposals are well planned in “a joined-up collaborative, cohesive and proactive approach” rather than in isolation. This Policy is supported in the Toton and Chetwynd Barracks Strategic Masterplan SPD, where paragraph

1.13 is intended “to ensure timely delivery of development and associated infrastructure”.

5. Conclusions

- 5.1. In this case, it has not been possible to reach a reasoned conclusion on this matter, as the necessary cumulative and strategic modelling evidence has not been provided. In the absence of this information, the assessment does not demonstrate whether the impact of the development would be acceptable or severe and therefore fails to satisfy the requirements of the NPPF. Accordingly, is considered that the proposal conflicts with paragraph 116 of the NPPF (December 2024) and Broxtowe Borough Council Local Plan Part 2 Policies 3.1 and 3.2.
- 5.2. The Council reserves the right to provide further evidence in response to the receipt of any additional information and evidence which may be submitted by the Appellant in the period ahead of the Inquiry.