

Statement of Common Ground (Planning Matters)

Between Bloor Homes Ltd, Broxtowe Borough Council, Nottinghamshire County Council and National Highways.

Outline Planning Application for the construction of a residential development of up to 420 residential dwellings and associated open space and infrastructure

Land West of Stapleford Lane, Stapleford, Nottinghamshire

Date: 2nd October 2026 | Pegasus Ref: P23-2379

Application Ref: 25/00371/OUT

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1. Parties Agreement

Signed: 	Signed: 
Name: Ryan Dawson	Name: James Hicks
On behalf of: Broxtowe Borough Council	On behalf of: Pegasus Group (acting on behalf of the appellant, Bloor Homes Ltd)
Date: 02.10.2026	Date: 02.10.2026
Signed: 	Signed: 
Name: Jan Whitko	Name: Catherine Townend
On behalf of: Nottinghamshire County Council	On behalf of: National Highways
Date: 02.10.2026	Date: 02.10.2026

2. Introduction

- 2.1. This Statement of Common Ground has been prepared between the following parties following the publication of the updated version of the National Planning Policy Framework (NPPF) on 17th August 2026:
- Bloor Homes Limited
 - Broxtowe Borough Council
 - Nottinghamshire County Council
 - National Highways
- 2.2. This Statement has been prepared in accordance with Annexe R of the Planning Inspectorate's Procedural Guide and Article 37, Paragraph (3)(b)(x) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 ("DMPO 2015").
- 2.3. Article 37(8) of the DMPO 2015 defines "draft statement of common ground" as a statement containing factual information about the proposal that the appellant reasonably considers will not be disputed by the local planning authority or consultees.
- 2.4. Accordingly, this Statement identifies areas of agreement, in relation to where there is agreement as to how the proposal accords with the Development Plan (specifically outstanding concerns of the Rule 6 parties), how the proposal accords with the revised NPPF policies and areas where there is no consensus.
- 2.5. This Statement should be read in conjunction with the previous prepared Statement of Common Ground between the LPA and the Appellant (Bloor Homes) and the Highways Statement of Common Ground between the Appellant (Bloor Homes), Nottinghamshire County Council and National Highways on highway matters (as amended)

3. Development Plan Compliance

- 3.1. It is agreed that Broxtowe Borough Council and the Appellant had reached agreement in their 4th August 2026 Statement of Common Ground at Paragraph 9.130 – 9.133 that the following was applicable

"9.130 It is agreed that the proposed development is in accordance with the Council's Development Plan consisting of the adopted Broxtowe, Gedling and Nottingham Aligned Core Strategies Part 1 Local Plan (2014), the adopted Broxtowe Part 2 Local Plan that was adopted in (2019) and the Toton and Chetwynd Neighbourhood Plan that was made in 2024, subject to the receipt of National Highways and Nottinghamshire County Council comments.

9.131. It is agreed that the outstanding area of question relates to highways, although the objection specifically relates to the Highways Consultees requiring the submission of a cumulative assessment across the whole allocation, ahead of any assessment related to the application is undertaken despite further evidence and data having been provided.

9.132. With respect of the Neighbourhood Plan,, the application broadly complies with most of the policies but not all of them (specifically on matters of detail). Planning Committee have resolved that there are not material planning considerations that outweigh non-compliance with the relevant policy."

- 3.2. It is agreed that the Highways consultees had opposed the development based on the following development plan policies. This was done so on the basis that the proposed development had not adequately considered the cumulative effects of the development on the allocation as a whole.

Broxtowe, Gedling and Nottingham Aligned Core Strategies Part 1 Local Plan (2014)

- Policy ACS 2 The Spatial Strategy
- Policy ACS 19 Developer Contributions

Broxtowe Part 2 Local Plan (2019)

- Policy 3.2: Land in the vicinity of the HS2 Station at Toton (Strategic Location for Growth)

Chetwynd: The Toton and Chilwell Neighbourhood Plan (2024)

- INFO1 Road Infrastructure

- 3.3. Parties agree that the available cumulative evidence indicates that a wider transport solution is highly likely to be achievable to accommodate all of the above development, subject to the agreement of the Toton link road by DfT. TNO08, prepared by mode, confirms that the Toton Link Road and Chetwynd connection perform an important traffic-distribution function for the wider Strategic Growth Area.

- 3.4. Parties have agreed that a Strategic Highway Assessment and Mitigation Strategy (SHAMS) will be required to understand and secure the timings and delivery of highways infrastructure and mitigation across the wider allocation, in so far relevant to the proposed development.
- 3.5. It is agreed that the inclusion of an appropriately worded and enforceable condition/obligation requiring the submission and approval of a Strategic Highway Assessment and Mitigation Strategy (SHAMS), is capable of removing the Rule 6 parties previous objections on the basis of policies identified in Paragraph 3.2 above. The Strategic Highway Assessment and Mitigation Strategy (SHAMS) will set out a clear framework for the delivery of key highway infrastructure for the wider allocation beyond the impact of the proposed development. The provision identified is necessary to ensure the delivery of necessary infrastructure to accommodate the development of the Strategic Allocations, in so far relevant to the proposed development and overcome the objections to the development on the previous basis of the development not addressing the cumulative effects and the comprehensive requirement of the allocation. The Highways Statement of Common Ground provides further details.
- 3.6. On the basis of a condition/obligation to require a SHAMS , it is agreed that the outstanding highway concerns under the above policies are capable of being addressed and proposed development is considered to be in accordance with the Council's Development Plan consisting of the adopted Broxtowe, Gedling and Nottingham Aligned Core Strategies Part 1 Local Plan (2014), the adopted Broxtowe Part 2 Local Plan that was adopted in (2019) and the Toton and Chetwynd Neighbourhood Plan that was made in 2024

4. National Planning Policy Framework

- 4.1. It is agreed that the updated NPPF published on 17th August 2026 sets out the government's policies for plan-making and for making decisions on development proposals in England and how these are expected to be applied.
- 4.2. It is agreed that the August 2026 version replaces the previous NPPF published in March 2012, revised in July 2018, February 2019, July 2021, September 2023, December 2023 and December 2024.
- 4.3. With the new NPPF comes a complete update of national policy which sees policies replace paragraphs that were a feature of previous versions of the NPPF.
- 4.4. It is agreed that the following assessment contained in Table 1 identifies how the scheme is considered to accord with policies contained in the new NPPF.

Table 1 Appeal Proposal Compliance with August 2026 published National Planning Policy Framework (NPPF)

NPPF Policy	Compliance	Related to Previous NPPF Para.
DM1: Preparing development proposals	The proposal prior to submission undertook pre-submission consultation with the Local Community. A Statement of Community Engagement details the pre-submission consultation undertaken to date. The submission was supported by a Planning Statement that detailed the scheme's accordance with the policies of the Development Plan; what pre-submission consultation was undertaken; and the identification of potential S106 Heads of Terms likely to support the development.	40-44
DM2: Information requirements	The application was supported by relevant and proportionate supporting assessments (including the preparation of an Environmental Statement).	45
DM5: Development viability	As per the policy, where development proposals accord with relevant up-to-date plan policies and national decision-making policies, they should be assumed to be viable. The proposed development is considered to be viable.	59

DM6: Use of planning conditions and obligations	The conditions proposed by the Council are considered to meet the tests set out in Policy DM6 and are: a. Necessary to make the development acceptable in planning terms; b. Relevant to the development and to planning considerations generally; c. Sufficiently precise to make them capable of being complied with and enforced; and d. Reasonable in all other respects.	56-58
S3: Presumption in favour of sustainable development	On the basis of the requirements of Policy S3, a presumption in favour of sustainable development should be applied. In the case of the proposal, as per Policy S3(a), Policy S4 is applicable as the proposal is located within a settlement and allocated within the Local Plan Part 2. Further to this Policy S3(c) confirms that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.	11
S4: Principle of development within settlements	The policy states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. As stated in a previous Statement of Common Ground with Broxtowe Borough Council there are no adverse effects identified that would substantially outweigh the benefits of development, now that a mechanism (condition/obligation) has been agreed in principle. The proposals do not see adverse impacts linked to those identified at Policy S4(2) (ai-ii) which include: • Alternative allocation or safeguarding	11(c)

	- Existing recreational land and facilities (Policy HC7), - Local Green Space (HC8), - Areas of particular importance for biodiversity and geodiversity (N6), - Protected Landscapes (N4), and - Development within residential curtilages (L2(1)(d)). As per Policy S4(3) the proposals do not consist of the whole or partial loss of undeveloped land which is used for - A cemetery or burial ground; or - For water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); The agreement of a mechanism in principle to deliver a SHAMS ensures that the proposal is considered to be in accordance with Policy S4(3)(c) as it doesn't fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.	
S6: Neighbourhood plans and the presumption	Limited weight can only be attributed given that the neighbourhood plan doesn't contain allocations to meet its identified housing requirement.	14
CC2: Mitigation of climate change	In order to contribute to climate change mitigation and the transition to net zero, the proposal have: - prioritised sustainable transport patterns of movements in accordance with Policies TR3 and TR4 through the provision of improvements to walking, cycling routes and access to public transport on and off-site. - the proposed development supports good access to facilities in the nearby localities including Stapleford, Chilwell and Toton, through the improvement of catchment proposals and providing opportunities to	161-169

	reach facilities via sustainable transport. The nearby tram station provides further access to the nearby towns of Beeston and Nottingham that provide leisure, services and employment opportunities. The proposal is in outline form, however future reserved matters submissions will utilise design approaches which conserve energy and other resources in accordance with policy DP3(2)(b).	
CC3: Adaptation to climate change	Policy CC3 requires the proposals to minimise vulnerability to impacts of climate change. The proposal has been located to ensure that the risk of flooding is minimised by being located with Flood Zone 1 and being of low surface water flood risk. The proposed development will incorporate sustainable drainage systems to manage surface water flow rates and reduce volumes of runoff. A proposed condition has been agreed with the LLFA to facilitate the future design of the drainage network. A design approach which minimise risks from overheating in accordance with policy DP3(2)(b), will be considered at detailed design stage, the future landscaping scheme does however and include green infrastructure and suitable tree planting in accordance with policies DP3(2)(c) and N3; Potential measures to mitigate against wildfires, will be considered as part of any detailed design of the site at reserved matters,	161-169
HO7: Meeting the need for homes	Substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through needs assessments prepared for the area of the local planning authority and other relevant evidence. By delivering 420 homes the proposal would contribute and assist the Council towards having a deliverable 5 year housing land supply position. The proposed development will also deliver a policy compliant 30% on-site affordable housing.	61-65

	These factors should be given substantial weight.	
HO8: Providing affordable homes	In accordance with policy HO8 the proposals meet the up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location. An agreed affordable housing position is set out within the SIO6 agreement.	61-65
HO13: Build out of residential and strategic sites	The Appellant is ready to begin delivery on this strategic site and boost the supply of homes. A Reserved Matters scheme is being developed for the whole site in the case that the appeal is allowed. Delivery is expected to be made on site within the next 12 months. The agreed evidence indicates that the Appellant's proposal is capable of coming forward without prejudicing the delivery of the wider allocation and infrastructure required for later phases of the Local Plan allocation. A mechanism is proposed in the form of a condition or obligation to secure a SHAMS that will identify the timing and extent of highways infrastructure required for the delivery of the allocation, in so far as relevant to the proposed development subject to this appeal..	81
L3: Achieving appropriate densities	The application is for up to 420 dwellings. To achieve this an average density of 35 dwellings per hectare (dph) is required across The Site. The Illustrative Masterplan [CD 3.03] allows for differing densities across the development, which is shown on the illustrative Density Plan contained within the Design and Access Statement [CD 3.06, pg 72]. The drawing shows one way in which density could be distributed across The Site, however during detailed design this may evolve in-line with the housing typologies that are selected, the housing mix and the tenure type of the housing. Certain area of the site are limited as higher densities would not be supported or suitable due to the character of the neighbouring area residential area.	130

	The proposed 35 dph accords with the requirements of Policy L3(2). The requirement for 45 dph contained in Policy L3 wouldn't be engaged as the frequency of tram only crosses the threshold for a couple of peak periods during the day. The tram service does not engage the 'throughout the daytime' threshold.	
DP3: Key principles for well-designed places	The proposal is considered to respond to its context. Design principles for the development are set out in the submitted Design and Access Statement [CD 3.06, Para 4.2]. Although the NPPF has been updated, the proposed design principles reflect the fundamental requirements set out in Policy DP3. The detailed design as part of future reserved matters submission will demonstrate how these principles are carried forward.	135
TR3: Locating development in sustainable locations	The proposal is considered to be located in a sustainable location as per the requirements of Policy TR3. The proposal is located to provide a genuine choice of transport modes for residents. Further to the use of car, there are opportunities for walking and cycling which will be secured through the new provision and enhancement of existing routes, connecting to nearby settlements, facilities and transport options. The Illustrative Masterplan has been prepared on the basis that public transport can access the site and be utilised as a route in the future. The site is also located closely to the Toton Lane Tram Station that provides a connection to Beeston and Nottingham that have further facilities, services and employment opportunities. The tram route also passes major employers such as Nottingham University and the Queens Medical Centre and can provide connections to Nottingham Railway Station. A Transport Assessment has been prepared and submitted that details the likely impacts of the development on the transport network and identifies the delivery of mitigation schemes at Swiney Way.	110

	Significant highways modelling has also been undertaken that demonstrates the level of infrastructure required to support the wider allocation beyond the requirement of the appeal site. The proposals were supported by noise and air quality assessments which confirmed that proposal wouldn't lead to significant environmental impacts as a result of proposals.	
TR4: Street design, access and parking	The proposals are in outline form with the exception of means of access. This access has been carefully considered and provide footways and cycle facilities. There is limited scope for conflict between pedestrians, cyclists and vehicles. Detailed design considerations in relation to the internal layout and car parking in the future will form part of the potential discharge of conditions and/or reserved matters submissions.	115
TR6: Assessing transport impacts	Policy TR6 is a National Decision making policy. TR6(3) states that in assessing movement patterns, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account, <i>inter alia</i>, potential cumulative impacts, Policy TR6(4) is a decision making policy which states that development should be refused if it would have a severe impact on the transport network taking accounts of matters including potential cumulative impacts. The proposals were supported by both a transport assessment and travel plan. The transport assessment and travel have been prepared on the basis of a 'vision-led' approach to development. The transport assessment identifies.... <i>"a new sustainable community with a real focus on realising a low carbon transport agenda at its very core. The intention is to promote sustainable forms of transport to residents and visitors at the site; to reduce the overall number of vehicle movements and increase sustainable travel to and from the site."</i> The travel plan is a key component of the vision by helping ensure residents are fully informed of the	116

	opportunities to travel by means of travel other than single occupancy vehicle trips. Significant assessment has been undertaken which has considered movement patterns and potential impacts on the highways network. It is agreed that the proposed development can come forward on a solus basis without having a severe impact on the network. This is confirmed by both National Highways and Nottinghamshire County Council in their Position Statements of 25th September 2026. Further modelling has been undertaken to also demonstrate the impact of the proposed development on the wider allocation. The modelling demonstrates that a wider transport solution is likely to be achievable, but further work is required to establish the timing, phasing and funding for delivery of the strategic infrastructure required to support the wider allocation, in so far as relevant to the proposed development subject to this appeal., To ensure that all parties are satisfied the Policy TR6(4) is addressed, the parties have agreed the principle of a condition/obligation requiring the submission and approval of a Strategic Highway Assessment and Mitigation Strategy, the final wording and triggers of which remain to be agreed.	
TR8: Public rights of way	The proposals seek to protect and enhance the network of public rights of way on and off site. As stated the proposal will enhance and improve the quality of existing routes. This would facilitate the provision of good accessible, safe and convenient links to services and facilities and improve connections with public transport stops.	105
HC3: Community facilities and public service infrastructure serving new development	The proposed development as part of the proposal's Section 106 agreement will be delivering on-site provision of affordable housing and open space and will provide financial contributions toward primary and secondary education, libraries, public transport, community transport, and cycling and walking route. The proposal delivers an above policy compliant amount of open space.	96, 98, 100, 101

	Appropriate triggers are identified in conditions and obligation to ensure that on-site provision and contributions are provided when they are required.	
P2: Ground conditions	The proposals are supported by a Desk Top Assessment by a 'competent person'. The Council's Environmental Health has endorsed the findings and has recommended an appropriately worded condition. Therefore, based on the evidence of the findings of the Phase I Desk Study enquiries and following the implementation of any necessary remedial measures, the site is considered likely to be suitable for the proposed end-use from a geotechnical and environmental perspective.	196-197
P3: Living conditions and pollution	The proposals will provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light and/or other sources of pollution. Assessments considering noise, air quality and lighting demonstrate that there are not likely to be significant effects. The Council's Environmental Health Officer has agreed appropriately worded conditions to manage the development.	135,198,201
P4: Impact of development on existing activities	The proposals have considered neighbouring operations. The noise assessment undertaken has carefully assessed neighbouring uses and have informed the level of mitigation required in the future. These mitigation measures are proposed to be conditioned.	200
P5: Maintaining public safety and security	As part of future reserved matters, the proposals will need to demonstrate how it will be secured by design against the threat of crime. This is a requirement of a potential condition.	102, 135
F4: Assessing flood risk for decision-making	As the proposal is located within Flood Zone 1 but is above 1 hectare in area, a site-specific flood risk assessment was undertaken in support of the submission. The submission confirmed that neither the sequential test and or exception test were required to be undertaken in support of the development. Policies F5 and F6 are not therefore engaged.	170, 181

<i>F7: Ensuring development is safe from flooding</i>	The submitted Flood Risk Assessment demonstrates that the proposed development doesn't present a risk from flooding to either potential occupiers, users or visitors and will not increase flood risk elsewhere. Both the LLFA and the Environment Agency offer no objections to the proposals.	170, 181
<i>F8: Sustainable drainage systems and watercourse</i>	The LLFA offer no objection to the proposal subject to the detailed design of the drainage scheme. This final scheme will be delivered in accordance with their conditioned requirements.	181
<i>N2: Improving the natural environment</i>	The proposal is supported by assessments that have considered the environmental qualities of the site through the submission of Ecological Assessments, Arboricultural Assessment, Landscape and Visual Impact Assessment. These assessments have guided the design of the development. In terms of the proposals the site is located on a greenfield site. The site is located on agricultural land the Council have chosen to allocate for development. In its potential development the proposal has demonstrated that lower quality agricultural land is being utilised alongside the better quality land. To facilitate access into the site there would be a need for the loss of a number of trees, however, the Council are in agreement that the proposals are considered to meet the aims and objectives national policy through careful consideration of the design and retention of a high proportion of the existing tree cover. The retention of, coupled with targeted future management and enhancement of the existing and future tree cover will meet many of the individual aspirations set out in the policy. Significant areas of green infrastructure are proposed as part of the development that will contribute toward biodiversity, surface water, climate change mitigation and recreation. The proposed development seeks to minimise adverse impacts on biodiversity. A biodiversity net gain will be delivered on-site as part of proposals through habitat creation and management.	192, 193

	The long-term management of landscaping and biodiversity measure will be all secured under management plans that form part of proposed conditions and obligations.	
<i>N3: Trees in new development</i>	The proposals including the indicative landscape masterplan include proposals for planting of new trees on streets and in other locations of the development. These proposals will be subject to detailed design at reserved matters. These trees will form part of the adoption of the highway or come under a separate management regime alongside the rest of the open space proposed.	136, 187
<i>HE5: Assessing the effects of heritage assets</i>	A supporting heritage assessment was undertaken supporting the proposal. It identified that there are no designated heritage assets located within the Site, while eleven Grade II Listed Buildings and one Conservation Area are located within the 1km study area. However, by virtue of spatial and visual separation, including large-scale infrastructure associated with the intervening railway, intervisibility between the Proposed Development and all assets within the 1km study area would be wholly screened. Taken alongside the lack of any known historic or functional relationship with the Site, beyond forming part of the wider agricultural landscape to the east, it is considered that the Proposed Development would not alter any aspect of the setting of any of the assets that contribute towards their overall significance. No harm would therefore be anticipated to result via a change in setting. No designated heritage assets beyond the 1km study area were identified as potentially sensitive to the Proposed Development. Further archaeological investigations will be required to establish the presence, extent, character, significance and level of development impact of the potential buried archaeological resource within the Site and to formulate specific mitigation strategies, as appropriate. It is agreed, as per the consultation response from the Nottinghamshire County Council Archaeologist, any further evaluation and any subsequent archaeological mitigation work could be secured as	207, 210, 212, 218

	a condition of consent. Note: the Appellant has commenced undertaking the archaeological investigation as agreed with the Archaeologist.	
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- 4.5. It is agreed that Policy S4 is applicable to the proposal and states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.
- 4.6. It is agreed in this document, and as stated in a previous Statement of Common Ground with Broxtowe Borough Council, that, there are no adverse effects identified that would substantially outweigh the benefits of development
- 4.7. Parties have agreed that a Strategic Highway Assessment and Mitigation Strategy (SHAMS) will be required to understand and secure the timings and delivery of highways infrastructure and mitigation across the wider allocation and will be secured via a condition or obligation.
- 4.8. It is agreed that the proposed development by committing to a future mechanism to ensure that the proposed development sets out an appropriate strategy for the wider allocation has satisfied the requirements of NPPF Policy TR6(4)
- 4.9. It is agreed that the proposal, with a necessary condition or obligation relating to highway matters and the provision of a SHAMS, is in accordance with Policy S4(3)(c) as it does not fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.
- 4.10. It is agreed that on the basis of the above assessment the new policies for decision making do not substantially alter the national policies in the previous NPPF and therefore doesn't prejudice or change the previous position of any of the parties (further to the agreement of a mechanism to secure a SHAMS).
- 4.11. All parties are agreed that through the inclusion of an appropriate mechanism (condition/obligation) to secure a SHAMS, that planning permission should be issued.



Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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