

SCHEDULE 8
STRATEGIC HIGHWAY ASSESSMENT AND MITIGATION STRATEGY (SHAMS)

The Owner covenants with the Borough Council and the County Council as follows:

1. INTERPRETATION

- 1.1 **"AOI" or "Area of Influence"** means the geographic area identified within Section 2.2 of the Toton Development Strategic Assessment Technical Note - Area of Influence Calibration & Validation Assessment (dated 23rd October 2025) (Ref: TN01 V1.3) prepared by SYSTRA, and agreed between the Owner, the Borough Council and the County Council (in consultation with National Highways) within which the SHAMS assessment shall be carried out unless otherwise agreed in writing with the Borough Council in consultation with the Highway Authority;
- 1.2 **"County Road Network"** means the highway network maintained by and within the administrative boundaries of the County Council in its capacity as the Highway Authority as it exists at the date of this Deed;
- 1.3 **"EMGM"** means East Midlands Gateway Model;
- 1.4 **"Highway Authority"** means the County Council as it exists at the date of this Deed in its capacity as local highway authority for the purposes of the Highways Act 1980;
- 1.6 **"National Highways"** means National Highways Limited (company number 09346363) or any successor body responsible for the operation, maintenance and improvement of the Strategic Road Network in England;
- 1.7 **"SHAMS"** means the Strategic Highway Assessment and Mitigation Strategy to be prepared, submitted and approved in accordance with this Schedule;
- 1.8 **"SHAMS Approval Date"** means the date on which the SHAMS is approved in writing by the Borough Council and the County Council (or is deemed to have been approved pursuant to paragraph 4 of this Schedule);
- 1.9 **"SHAMS Review Period"** means 30 Working Days from the date of receipt by the Borough Council and the Highway Authority of the SHAMS;
- 1.10 **"Strategic Growth Area"** means the area of land which identified with a purple dashed line on the plan which is attached to this Agreement at Schedule 9 unless otherwise agreed in writing with the Borough Council in consultation with the Highway Authority;
- 1.11 **"Strategic Road Network" or "SRN"** means the network of motorways and major A roads in England managed by National Highways;
- 1.12 **"Toton and Chetwynd Allocation"** means the allocation of land at Toton and Chetwynd for development as identified in the relevant development plan (under Broxtowe Local Plan Part 2 Policies 3.1 and 3.2);
- 1.13 **"Toton Link Road"** means the proposed link road connecting the proposed B6003 / Toton West Site Access / Toton East Site Access (Signalised Junction) and the proposed A52 / Toton north Site Access (Signalised Junction);
- 1.14 Unless the context otherwise requires, terms defined in clause 1.1 of this Agreement shall have the same meaning when used in this Schedule.

2. OCCUPATION TRIGGER (SUBMISSION AND APPROVAL OF THE SHAMS)

- 2.1 Not to submit any reserved matters applications in respect of the Development until the SHAMS has been submitted by the Owner to the Borough Council
- 2.2 The Owner shall not Occupy or cause or permit Occupation of more than 300 (three hundred) Dwellings until the SHAMS has been approved in writing by the Borough Council in consultation with the Highway Authority and National Highways in accordance with this Schedule.

3. METHODOLOGY

- 3.1 The methodology for the SHAMS shall be developed by the Owner in consultation with the Borough Council, the Highway Authority and National Highways prior to the submission of the SHAMS to the Borough Council in accordance with paragraph 2.1 of this Schedule above.
- 3.2 The methodology shall be based on the EMGM and specifically the following scenarios as identified within the Toton Development Strategic Assessment Technical Note (2nd Revision) – Toton Strategic Modelling Report – Scenarios 1, 3 and 4 (15th July 2026) prepared by SYSTRA:
- (a) Scenario 1 (Toton West):
- ref: Post-Submission Technical Note – EMGM Scenario One – Junction Capacity Assessments, produced by mode transport planning (Ref: 260812_328827_TN005) Dated: 12/08/2026); and
 - ref: Post-Submission Technical Note – EMGM Scenario One – Junction Capacity Assessments to Align With TA, produced by mode transport planning (Ref: 260821_328827_TN006) Dated: 21/08/2026); and
- (b) Scenario 3 (Toton West, North & East) (with link road):
- Ref: Post-Submission Technical Note - Highways Response to Additional Consultee Comments, produced by mode transport planning (Ref: 260624_328827_TN004) Dated: 24/06/2026; and
- (c) Scenario 4 (Toton West, North, East (with link road) & Chetwynd Barracks):
- ref: Post-Submission Technical Note – EMGM Scenario Four – Junction Capacity Assessments, produced by mode transport planning (Ref: 260902_328827_TN008) Dated: 02/09/2026; and,
 - ref: Post-Submission Technical Note – EMGM Scenario Four – Bramcote Roundabout, produced by mode transport planning (Ref: 260911_328827_TN009) Dated: 11/09/2026.
- 3.3 The methodology shall be limited to the agreed geographic Area of Influence as agreed between the Owner, the Borough Council and the County Council (in consultation with National Highways).
- 3.4 The assessment shall be limited to the operation and performance of the junctions identified in paragraph 5.1(c) of this Schedule.

4. REVIEW MECHANISM

- 4.1 The Borough Council shall, in consultation with the Highway Authority and National Highways, review the submitted SHAMS and provide written confirmation of its approval or written details of any amendments or further information reasonably required within the SHAMS Review Period.

- 4.2 Where the Borough Council requires amendments or further information pursuant to paragraph 4.1 of this Schedule, the Owner shall make such amendments or provide such further information within a reasonable period, and upon re-submission the Borough Council shall, in consultation with the Highway Authority and National Highways, respond within 20 Working Days.
- 4.3 Where the Borough Council has not given written notice of its decision to approve or refuse the SHAMS (or to request amendments or further information pursuant to paragraph 4.1 of this Schedule) within the SHAMS Review Period (or such longer period as may be agreed in writing between the Owner and the Borough Council), the SHAMS shall be deemed to have been approved by the Borough Council.
- 4.4 For the avoidance of doubt, the Borough Council and the Highway Authority shall not unreasonably withhold or delay approval of the SHAMS.
- 4.5 Any dispute regarding the SHAMS (including in respect of any refusal to approve the SHAMS or any requirement for amendments or further information) shall, if it cannot first be resolved between the parties acting reasonably, be resolved in accordance with clause 12 of this Agreement.

5. REQUIRED CONTENT OF THE SHAMS

- 5.1 The SHAMS shall include the following:
- (a) an assessment of cumulative transport impacts within the AOI from development traffic associated with the existing or emerging Toton and Chetwynd Allocation and any planning applications which include land within that allocation and any land which is adjacent to the existing or emerging Toton and Chetwynd Allocation to which the Owner has submitted a planning application;
 - (b) an assessment of the interaction between the County Road Network, the Strategic Road Network and the proposed Toton Link Road;
 - (c) an assessment of the operation and performance of the following junctions for the modelling scenarios identified in paragraph 3 of this Schedule:
 - (i) A6002 Coventry Lane / A6007 Ilkeston Road;
 - (ii) Swiney Way and its interaction with Stapleford Lane;
 - (iii) Bardills Roundabout;
 - (iv) Bramcote Roundabout; and
 - (v) the proposed Toton Link Road terminal junctions;
 - (d) identify any highway infrastructure, highway improvement works, traffic management measures or other mitigation demonstrated by the assessment required by paragraph 5.1(c) of this Schedule to mitigate the cumulative highway impacts arising across the Strategic Growth Area, including:
 - i. the timing, phasing and trigger points for delivery to inform future planning determinations on other parts of the Strategic Growth Area;
 - ii. the proposed mechanisms for apportioning, securing and delivering those measures across the Strategic Growth Area; and
 - iii. identify the future apportionment of responsibility for funding or delivery across the Strategic Growth Area using the mechanisms defined under paragraph 5.1(d)(ii) of this Schedule above;

The SHAMS shall use the baseline evidence identified in paragraph 3.2 of this Schedule to inform the assessment required by this condition and shall not require the acceptability of the Development in isolation to be reassessed

6. GENERAL

- 6.1 For the avoidance of doubt, nothing in this Schedule shall oblige the Owner to fund or deliver highway infrastructure, traffic management measures or other mitigation required to address cumulative highway impacts beyond those arising from the development authorised by the Planning Permission (i.e. those which meet the test within regulation 122(2) of the CIL Regulations).
- 6.2 Any dispute arising out of or in connection with this Schedule shall, if it cannot first be resolved between the parties acting reasonably, be resolved in accordance with clause 12 of this Agreement.