

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 78 (as amended)**

**Appeal by Bloor Homes against the non-determination of a planning application**

**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 Planning (Environmental Impact Assessment) Regulations 2017 at Land West of Stapleford Lane, Stapleford, Nottinghamshire**

**Planning Inspectorate Reference: 6006412**

**Council Reference: 25/00371/OUT**

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**OPENING SUBMISSIONS ON BEHALF OF BROXTOWE BOROUGH COUNCIL**

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1. The appeal is made against the non-determination of the application by Broxtowe Borough Council. The Borough Council has not refused planning permission, and no reasons for refusal have been issued.
2. The Borough Council's Planning Committee considered the application on 1 July 2026. The purpose of that consideration was to establish the position which the Borough Council would take at the Inquiry. The Committee resolved that outline planning permission would have been approved, subject to the removal of the objections from National Highways and Nottinghamshire County Council as Highway Authority, the inclusion of appropriate conditions, and the completion of a section 106 agreement. That remains the Borough Council's position.
3. The Borough Council supports the principle of residential development on the appeal site. The site forms part of the Toton Strategic Location for Growth in the adopted Broxtowe Part 2 Local Plan. The proposal would deliver up to 420 dwellings, including affordable housing, together with associated open space and infrastructure.

4. The Borough Council does not advance any freestanding planning, design, landscape, ecology, heritage, drainage, residential amenity or planning policy reason for withholding permission.
5. A Statement of Common Ground has been agreed between the Borough Council and the Appellant. The matters agreed and not agreed between those parties are set out in that document and are not repeated in these Opening Submissions.
6. The outstanding issues, as the Borough Council understands them, relate principally to technical highways matters. Those matters are for National Highways and Nottinghamshire County Council. Both are Rule 6 parties and are represented, and they will present their own cases, in accordance with the timetable that has been set out.
7. The Borough Council does not give technical highways evidence. It does not seek to supplement or duplicate the evidence of either highway authority. As the local planning authority it has no technical highways evidence of its own. It would not seek to go behind the professional judgment of the relevant highway authorities on matters falling within their expertise. The question whether planning permission should be granted in light of any maintained highway objections is a matter for the Inspector, having heard the evidence.
8. The Borough Council's position will necessarily be kept under review in light of any further modelling work and any changed position taken by National Highways or Nottinghamshire County Council. If the highway objections are withdrawn, or are resolved to the Inspector's satisfaction, the Borough Council does not otherwise resist the grant of planning permission, subject to appropriate conditions and planning obligations. If the objections are maintained, the Borough Council will continue to leave those matters to the highway authorities and to the Inspector.
9. Mr Darren Ottewell, Senior Planning Officer, has provided a short Proof of Evidence on behalf of the Borough Council. His Proof explains the Borough Council's position, records the Committee resolution of 1 July 2026, and provides a short factual update on the Greater Nottingham Strategic Plan Examination. Nothing in Mr Ottewell's Proof is anticipated to be controversial. It is not anticipated that he will be examined in chief or cross-examined. He will, however, be available to assist the Inspector if required, including on conditions, planning obligations, or factual planning matters arising from his Proof.

10. The Borough Council's participation in the Inquiry is therefore expected to be limited. It is not intended that witnesses will be cross-examined on behalf of the Borough Council. The Borough Council will assist the Inspector on conditions and planning obligations, and on any factual planning matters on which assistance is sought. It does not otherwise intend to take up Inquiry time.

**Sarah Clover**

**Kings Chambers**

**Birmingham**

**24 August 2026**