

SUPPLEMENTARY HIGHWAY AUTHORITY POSITION STATEMENT

Land West of Stapleford Lane, Toton West
Appeal Ref: 6006412

1. Introduction

1.1 This supplementary statement is submitted on behalf of Nottinghamshire County Council (“the Council”), in its capacity as Local Highway Authority, in response to the further transport evidence submitted during the course of the Inquiry. The principal additional documents are Technical Note TN005 dated 12 August 2026, Technical Note TN006 dated 21 August 2026 and Technical Note TN008 dated 2 September 2026, all prepared by Mode Transport Planning on behalf of the appellant. A further Technical Note, TN009, was provided on 11 September 2026. However, it relates primarily to a proposed mitigation scheme on the Strategic Road Network and has therefore not been considered in detail by the Council in its capacity as Local Highway Authority.

1.2 This statement should be read alongside the Proof of Evidence of Jan Witko on highway matters and the Proof of Evidence of Alyn Nicholls on planning matters submitted for the Inquiry. It does not replace those Proofs. Rather, it updates the Council’s position in light of the additional modelling, discussions between the parties and the emerging proposal to address the remaining cumulative transport matters through a planning obligation and associated delivery framework.

1.3 At the time the Council’s Proofs were prepared, the strategic modelling now reported in TN005, TN006 and TN008 had not been completed and reported. The concerns expressed in the earlier evidence must therefore be understood in that evidential context. In particular, the Council’s evidence identified the absence of direct cumulative assessment of the wider Strategic Growth Area (“SGA”), uncertainty regarding the role and delivery of the Toton Link Road and associated connections, and the need for development across the allocation to proceed in a coordinated manner.

1.4 The subsequent technical notes materially advance the evidence base. They enable a clearer distinction to be drawn between the direct effects of the appeal proposal and the infrastructure requirements associated with the wider SGA. This statement is confined principally to implications for the County Road Network. Operational matters relating to the M1 and A52 Strategic Road Network are for National Highways.

2. Review of Additional Transport Evidence

Technical Note 005 – EMGM Scenario 1 Assessment

2.1 TN005 assesses Toton West as a standalone development of up to 420 dwellings using Scenario 1 of the East Midlands Gateway Model (“EMGM”). It was prepared in direct response to criticism that the original Transport Assessment relied upon broad growth assumptions, historic travel patterns and manually assigned routes rather than direct strategic modelling of known development proposals.

2.2 The note defines an Area of Influence by reference to changes in traffic flow, changes in passenger car units and volume-to-capacity conditions. It compares 2026 and 2041 Reference Case and Do Something scenarios. EMGM flow differences are added to observed turning counts through an absolute-difference furnishing process agreed with the Highway Authority, and the resulting flows are assessed using Junctions 11 and LinSig.

2.3 The County Road Network junctions assessed are Nottingham Road / Barratt Lane, Nottingham Road / Bye Pass Road / Attenborough Lane and Chilwell Road / Imperial Road. Bardills Roundabout is also assessed, but it forms part of the Strategic Road Network and does not form part of the Council's assessment of impacts on the County Road Network.

2.4 At Nottingham Road / Barratt Lane the 2041 assessment records very low ratios of flow to capacity, short queues and limited delay. At Nottingham Road / Bye Pass Road / Attenborough Lane the signal model retains positive practical reserve capacity in both peaks, notwithstanding modest increases on some approaches. Chilwell Road / Imperial Road also retains substantial capacity and is subject only to very small changes following introduction of development traffic.

2.5 The Council accepts that TN005 provides substantive evidence that the appeal proposal, considered in isolation, can be accommodated at the local junctions selected through the Scenario 1 Area of Influence without severe residual impact on the County Road Network. TN005 does not, however, identify when subsequent development across the wider SGA requires the strategic links or how those links would be secured.

Technical Note 006 – Extended Scenario 1 Assessment

2.6 TN006 extends the Scenario 1 work across a broader set of junctions previously considered in the Transport Assessment. It applies the same broad strategic-model furnishing approach and includes both Strategic Road Network and County Road Network locations.

2.7 For the Council's purposes, the material local assessments are the proposed B6003 / Toton West access, B6003 Stapleford Lane / Swiney Way / Banks Road, the future Toton Park and Ride crossroads and the wider Toton Lane / B6003 corridor.

2.8 The proposed signalised Toton West access is shown to operate with substantial reserve capacity. The assessment supports the conclusion that safe and suitable access can be provided and that the junction can accommodate traffic generated by the appeal proposal.

2.9 The 2041 Reference Case at Swiney Way / Banks Road is forecast to experience operational pressure, with parts of the junction operating at or above practical capacity. However, the Scenario 1 Do Something results indicate only limited change attributable to the appeal proposal, with the overall level of operation remaining largely consistent with the future baseline position. The evidence therefore suggests that any operational concerns at this location arise principally from wider background growth rather than the incremental impact of Toton West. In the Council's opinion, the modelling does not demonstrate that the appeal proposal gives rise to a severe impact at this junction or that site-specific mitigation is required solely as a consequence of the proposed development. Any future improvements at this location are more appropriately considered as part of the wider cumulative assessment of the Strategic Growth Area and any associated infrastructure delivery strategy.

2.10 The Park and Ride crossroads remains within capacity, although reserve is more limited in the 2041 PM peak. This is not evidence of a severe effect from Toton West, but it identifies a location that should remain within future cumulative assessment and monitoring. Taken as a whole, TN006 reinforces the conclusion that the appeal proposal can be accommodated on the County Road Network, while identifying parts of the B6003 / Toton Lane corridor that have less operational resilience as wider growth proceeds.

Technical Note 008 – EMGM Scenario 4 Cumulative Assessment

2.11 TN008 assesses Scenario 4, comprising Toton West, Toton East, Toton North, Chetwynd Barracks, the completed Toton Link Road and the connection enabling Chetwynd traffic to use that route. It is the note that most directly responds to the cumulative-assessment concerns in the Council's original evidence.

2.12 The County Road Network assessment includes Nottingham Road / Barratt Lane; Trowell Road / Wollaton Road / Russell Drive; Rivergreen Crescent / Thoresby Road / Bramcote Lane; Toton Park and Ride; B6003 development access junctions; Toton East and Toton West access arrangements; and the relationship between those routes, the Toton Link Road and the Chetwynd connection.

2.13 Nottingham Road / Barratt Lane and Trowell Road / Wollaton Road / Russell Drive remain broadly within capacity under the cumulative scenario. At Rivergreen Crescent / Thoresby Road / Bramcote Lane the cumulative AM assessment indicates reduced reserve, increased delay and operation close to the normal practical-capacity benchmark.

That result does not, by itself, establish a severe network-wide effect, but it should not be dismissed and should form part of the future monitoring and trigger framework.

2.14 The cumulative models place greater demand on the B6003 and proposed access arrangements. Certain approaches move closer to capacity and there is potential for queues at development accesses to interact with Stapleford Lane / B6003. Park and Ride and associated junctions generally remain within capacity, but reserve reduces as the wider development comes forward. These results differ materially from the high-reserve Scenario 1 position and demonstrate why later phases require a coordinated assessment.

2.15 The principal significance of TN008 is that Scenario 4 assumes the Toton Link Road and Chetwynd connection are in place and demonstrates substantial reassignment of traffic through those links. The modelling shows that the connections perform a function considerably greater than that of a conventional site access. They provide strategic connectivity between development parcels, facilitate internal movement across the Strategic Growth Area and materially alter the distribution of traffic across the County Road Network, particularly on the B6003 corridor and surrounding local routes. The evidence therefore demonstrates that the Toton Link Road forms an important component of the wider transport strategy and plays a significant role in enabling the wider allocation to operate acceptably from a highways perspective.

2.16 The Council considers that TN008 provides compelling evidence of the importance of the Toton Link Road and associated connections in facilitating cumulative growth across the Strategic Growth Area. The modelling demonstrates that the wider allocation has been assessed on the basis that this infrastructure is available and operating, and that network performance is influenced by the traffic redistribution benefits it provides.

2.17 Whilst TN008 demonstrates how the wider allocation may operate with the strategic infrastructure in place, it does not identify the point at which that infrastructure becomes necessary, the level of development that can be accommodated before its provision is required, or the mechanisms through which its delivery will be secured. The note therefore demonstrates both the likely need for the infrastructure and the benefits it provides, but leaves unresolved the critical questions of timing, funding and delivery

3. Relationship to the Council's Earlier Evidence

3.1 The original highway and planning Proofs sought direct strategic modelling of the wider SGA, an understanding of the cumulative effects of Toton West, Toton East, the northern land and Chetwynd Barracks, and a coordinated strategy for delivery of development and supporting infrastructure.

3.2 TN005, TN006 and TN008 substantially address the original absence of direct strategic modelling. The Council can now distinguish the direct effects of the appeal

proposal from the requirements of the wider SGA and accepts that up to 420 dwellings at Toton West are not shown to cause a severe residual impact on the County Road Network, subject to the agreed site-specific mitigation.

3.3 This updated highway conclusion does not depart from the wider planning proposition in the Proof of Evidence of Alyn Nicholls. That Proof recognises that individual applications and phased development are possible, provided that the allocation and its necessary infrastructure are delivered coherently and in a coordinated manner. The later evidence demonstrates that standalone delivery of Toton West is technically possible; it does not demonstrate that the remainder of the SGA can be delivered without the Link Road, the Chetwynd connection and an agreed cumulative mitigation and delivery framework.

4. Current Position of the Parties

4.1 The Council understands that the parties now broadly agree that Toton West in isolation will not result in a severe impact on the network, subject to the required mitigation, and that the mitigation for Toton West alone is limited and deliverable within the adopted highway.

4.2 The parties also agree that sufficient information exists to establish that a cumulative solution is likely to be achievable and that this solution will include delivery of the Toton Link Road and associated connections. For the purposes of the cumulative assessment, the SGA includes Toton West, Toton East, the northern land proposed for allocation, the northern land not currently proposed for allocation but subject to a planning application, and Chetwynd Barracks.

4.3 National Highways has identified concerns with certain inputs to SYSTRA Model Run 4 and seeks amendments followed by a further Model Run 5. The parties expect Model Run 5 to resolve the outstanding cumulative-assessment issues and to provide the basis for future work on the remainder of the allocation. There is insufficient time in the current appeal programme to complete that exercise, and a further postponement is not presently anticipated.

5. Remaining Area of Uncertainty

5.1 The remaining issue is no longer whether the appeal proposal itself causes severe impacts upon the County Road Network. The evidence identifies a standalone position for Toton West and a cumulative end state with the strategic infrastructure in place. It does not identify the transition between those positions.

5.2 In particular, the evidence does not yet establish the point at which the Toton Link Road or Chetwynd connection becomes necessary; the development quantum

supportable before each intervention; the local junction or corridor thresholds that should trigger action; the consequences of infrastructure delay; or the funding, land and delivery arrangements required to implement the cumulative mitigation.

5.3 Completion of Model Run 5 and any consequential assessment should therefore identify both an overarching mitigation scheme for the whole SGA and the cumulative mitigation properly attributable to Toton West. It should also establish an evidence-based phasing and delivery framework rather than merely identifying a preferred infrastructure scheme.

6. Potential Resolution Through Planning Obligation

6.1 The appellant has proposed that the remaining uncertainty be addressed through provisions in the section 106 agreement for Toton West. The proposal includes a memorandum of understanding or other protocol committing Bloor, the Council, Broxtowe Borough Council and National Highways to work together to complete Model Run 5 and any further agreed cumulative assessment work.

6.2 In principle, the Council considers that an enforceable restriction on development beyond 300 occupied dwellings can provide a proportionate means of allowing an initial phase to proceed while protecting the coordinated delivery of the wider SGA. The final obligation should therefore prevent occupation of more than 300 dwellings unless and until the requirements set out below have been satisfied.

6.3 For highway purposes, we consider the principal restriction should be linked to occupation rather than solely to the grant of reserved matters, because traffic effects arise from occupation. If a reserved-matters restriction is retained for wider planning-control reasons, it should operate alongside a clear occupation cap so that the transport safeguard is effective.

6.4 The first trigger should prevent occupation beyond 300 occupied dwellings until Model Run 5 and any further agreed assessment have been completed and a Strategic Transport Infrastructure Delivery Strategy has been submitted to and approved by the Local Planning Authority, following consultation with the Council as Local Highway Authority and National Highways.

6.5 The Strategy should define the development assumptions for all SGA parcels; identify the overarching and Toton West mitigation packages; identify the role, phasing and design assumptions for the Toton Link Road, Chetwynd connection, internal links, public transport, walking and cycling infrastructure and any local junction works; and test realistic staged development scenarios both with and without the strategic links.

6.6 The Strategy should establish objective monitoring and trigger criteria for agreed County Road Network locations. These should include junction capacity, queue lengths, risk of blocking adjacent junctions or accesses, corridor journey time, delay, traffic on sensitive local routes, bus reliability, road safety and relevant walking and cycling effects. No single numerical threshold should be determinative without consideration of the combined corridor and network effects and appropriate sensitivity testing.

6.7 The Strategy should identify the maximum occupation permissible before each intervention; which development parcels count towards any cumulative cap; what happens if delivery occurs in a sequence different from that modelled; the responsible delivery parties; funding and contribution arrangements; land assembly and statutory-process dependencies; the programme for delivery; monitoring and review arrangements; and fallback provisions if infrastructure is delayed.

6.8 The Strategy should also identify appropriate mechanisms for funding and delivering the infrastructure required to support the wider Strategic Growth Area. This should include a proportionate approach to contributions from the various development parcels and phases which generate demand for, or derive benefit from, the identified infrastructure, together with any necessary arrangements for funding, equalisation or reimbursement. The Council considers that this is necessary to demonstrate the viability and deliverability of the agreed infrastructure package and to ensure that development can proceed in a coordinated manner.

6.9 second trigger should prevent occupation beyond the agreed subsequent threshold until the mechanism for delivery and funding of the identified cumulative mitigation has been secured. Completion of modelling, or identification of a preferred mitigation package, should not by itself release the restriction. The obligation must secure the necessary funding, delivery responsibilities and implementation mechanisms required to facilitate the agreed infrastructure package.

6.10 The memorandum of understanding or protocol may provide the practical governance arrangements for engagement, data sharing, technical review, decision-making and dispute escalation. It should not, however, substitute for enforceable obligations securing the assessment, approval process and infrastructure delivery outcomes.

6.11 The final drafting must satisfy the applicable statutory, policy tests and secure only those requirements that are necessary, directly related to the development and fairly and reasonably related in scale and kind. The exact form should be agreed by the parties' legal advisers and presented to the Inspector.

7. Conclusions

7.1 The additional EMGM technical work materially advances the evidence base and substantially addresses the Council's original concern that the known developments within the wider SGA had not been directly represented through strategic modelling.

7.2 The Council accepts that the appeal proposal of up to 420 dwellings can be accommodated on the County Road Network without severe residual cumulative impact, subject to the agreed site-specific mitigation, and that those works are limited and deliverable within the adopted highway.

7.3 The Council also accepts that the available cumulative evidence indicates that a wider transport solution is likely to be achievable. TN008 confirms that the Toton Link Road and Chetwynd connection perform an important traffic-distribution function for the wider SGA. The remaining deficiency is the absence of completed Model Run 5 and an agreed, phased and secured mechanism for delivering the cumulative mitigation.

7.4 The proposed planning obligation is capable in principle of reconciling the standalone delivery of Toton West with the coordinated development approach sought in the Council's highway and planning evidence. To do so, it must prevent occupation beyond 300 occupied dwellings until the cumulative assessment and Strategic Transport Infrastructure Delivery Strategy are approved, and must prevent further occupation until the required mitigation and its delivery mechanism are secured.

7.5 Subject to a suitably drafted and legally compliant obligation achieving those outcomes, the Council considers that the remaining transport and coordinated-delivery concerns identified during the Inquiry are capable of being satisfactorily resolved.

Jan Witko

For and on behalf of Nottinghamshire County Council

25-09-2026