

NOTTINGHAMSHIRE COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

RULE 6 STATEMENT OF CASE

APPEAL REFERENCE:

6006412

LOCAL PLANNING AUTHORITY REFERENCE:

25/00371/OUT

SITE:

Land West of Stapleford Lane, Stapleford, Nottinghamshire

PROPOSAL:

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.

APPELLANT:

Bloor Homes Limited

RULE 6 PARTY:

Nottinghamshire County Council – Highway Authority

Statement prepared on behalf of NCC by :

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Date: 01-07-2026

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1. EXECUTIVE SUMMARY

1.1 This Statement of Case is submitted by Nottinghamshire County Council (“the Council”) in its capacity as Local Highway Authority and Rule 6 Party. The Council's case concerns whether the Appellant has demonstrated through robust evidence that the proposed development can be accommodated on the transport network without resulting in unacceptable impacts.

1.2 The Council's principal concern is that the Transport Assessment fails to adequately assess the cumulative impacts arising from the appeal proposal in combination with other committed and allocated development sites within the wider Toton and Chetwynd strategic allocation. Those sites include Toton East, Toton North and Chetwynd Barracks, all of which have clear transport interrelationships with the appeal proposal.

1.3 The Council considers that the absence of robust cumulative modelling creates significant uncertainty regarding:

- traffic distribution;
- route assignment;
- junction performance;
- network operation;
- infrastructure capacity;
- mitigation requirements;
- infrastructure delivery.

1.4 Whilst responsibility for the operation of the Strategic Road Network rests with National Highways, the Council considers that unresolved concerns regarding the A52 corridor are directly relevant to the operation of the County Road Network.

1.5 Accordingly, the Council considers that the proposal conflicts with Paragraph 116 of the NPPF and Policies 3.1 and 3.2 of the Broxtowe Borough Local Plan Part 2.

2. SUMMARY OF KEY CONCERNS

2.1 Lack of Robust Cumulative Assessment

The Transport Assessment does not adequately assess the appeal proposal in combination with Toton East, Toton North, Chetwynd Barracks and other planned growth within the strategic allocation.

Relevant Policy:

- NPPF Paragraph 116.
- Local Plan Policies 3.1 and 3.2.
- Toton and Chetwynd Barracks Strategic Masterplan SPD.

2.2 Lack of Agreed Strategic Modelling

The assessment has not been supported by agreed cumulative modelling capable of demonstrating how traffic associated with the wider allocation and adjacent Chetwynd allocation affects the transport network.

Whilst some allowance has been made within the Transport Assessment for traffic associated with the wider allocation, this traffic has been assigned as background growth distributed across a wider area. As such, its impact has been diluted

No specific consideration has been given to the adjacent Chetwynd allocation, despite its close proximity to the appeal site and the likelihood of a significant volume of traffic from that allocation using the proposed traffic signal junction serving the development once the wider allocation comes forward.

2.5 Infrastructure Delivery

The extent, timing and deliverability of required infrastructure has not been demonstrated through a robust evidence base. The Council's concern is that, without this evidence base, it is not possible to determine whether the supporting infrastructure is sufficient to ensure that the appeal site does not have a severe impact on the local highway network or compromise the delivery of future infrastructure required to support both the wider allocation and the adjacent Chetwynd allocation. Given that several links on the local highway network are already considered to be close to capacity. This could result in severe cumulative impacts on the highway network.

3. INTRODUCTION

3.1 Nottinghamshire County Council is the Local Highway Authority for the County Road Network and a statutory consultee on planning applications affecting the local highway network.

3.2 The Appeal relates to the non-determination of an outline application for up to 420 dwellings and associated infrastructure at land west of Stapleford Lane.

3.3 The Council's role in this Inquiry relates solely to transportation and highway matters.

4. MAIN ISSUES

4.1 The principal issues are:

- i. Whether the Appellant has demonstrated that the development would not result in severe residual cumulative impacts on the transport network.
- ii. Whether the Transport Assessment is sufficiently robust.
- iii. Whether the proposal has been assessed appropriately as part of the wider strategic allocation.
- iv. Whether the proposed mitigation is sufficient and deliverable.
- v. Whether the proposal accords with Policies 3.1 and 3.2 of the Development Plan.

5. POLICY FRAMEWORK

5.1 The Council considers the following Policies to be relevant in determination of the appeal;

5.2 National Planning Policy Framework (December 2024)

The Council will refer to:

- Paragraph 48 – the need to determine permission in accordance with the development plan.
- Paragraph 49 – local authorities may give weight to emerging plans.
- Paragraph 116 – the need to consider cumulative impacts on the road network
- Paragraph 118 – developments generating significant amounts of traffic should be supported by a travel plan.

5.3 Local Development Plan

Broxtowe Borough Local Plan Part 2;

- Policy 3.1.
- Policy 3.2.

These policies require development to come forward through a coordinated strategic framework supported by appropriate infrastructure.

5.4 Supplementary Planning Guidance

The adopted Toton and Chetwynd Barracks Strategic Masterplan Supplementary Planning Document (SPD) consistently requires a joined-up, collaborative and comprehensive approach to planning, infrastructure delivery and transport assessment.

The SPD specifically requires consideration of the combined needs of the two allocations, their interaction, the total quantum of development proposed and the impact on the highway network. It further states that the movement framework must be considered jointly across Toton and Chetwynd Barracks and that traffic impacts should be assessed with regard to development "as a whole".

Accordingly, an assessment limited to the appeal site alone is inconsistent with the adopted SPD and does not provide the comprehensive evidence base envisaged by the development plan framework.

5.5 Other Material Considerations

Emerging Greater Nottingham Strategic Plan Policy 21.

This document combines both the Toton and Chetwynd allocations into a single allocation. The document acknowledges the need for transport mitigation and further discussions as detailed proposal emerge.

6. NOTTINGHAMSHIRE COUNTY COUNCIL'S CASE

6.1 Failure to Assess Cumulative Impacts

The Council's principal concern is that the proposal has not been robustly assessed alongside the other principal components of the wider strategic allocation.

The assessment fails to properly consider:

- Toton East (155 dwellings);
- Toton North (880 dwellings);
- Chetwynd Barracks (up to 1,500 dwellings overall).

6.2 Inadequacy of the Transport Assessment

The Council considers that the submitted Transport Assessment contains fundamental methodological deficiencies. The absence of agreed cumulative modelling affects:

- traffic assignment;
- traffic routes;
- junction operation;
- capacity assessment;
- mitigation identification.

In particular the Council considers that the reliance on TEMPro-derived assumptions whereby the remainder of the allocation and adjacent Chetwynd Barracks allocation are assigned as background traffic, materially understates likely cumulative impacts on the local highway network in the near vicinity of the appeal site.

National Highways has similarly identified the need for agreed modelling methodologies, cumulative assessment scenarios and model verification processes.

6.3 Strategic Road Network and A52 Corridor

The Council does not seek to duplicate National Highways' evidence but notes that congestion, delay or capacity constraints on the Strategic Road Network may influence route choice and traffic movements on roads under the Council's control.

- interactions between the link road and A52 have not been adequately modelled;
- impacts on local roads remain uncertain;
- future mitigation requirements remain unknown.
- until cumulative modelling has been completed and independently verified, the Council cannot be satisfied that the infrastructure strategy supporting the allocation is sufficient.

6.4 Infrastructure Delivery

The Council is concerned not only with identifying mitigation but also with determining whether mitigation can be delivered.

Without a comprehensive cumulative assessment it remains unclear:

- what mitigation is required to serve the wider allocation;
- where mitigation is required;
- when mitigation would be required;
- what proportion of the mitigation (if any) should be delivered by the appeal site.
- whether mitigation is feasible, deliverable and does not compromise delivery of the wider allocation.

6.5 Strategic Master planning and Plan-Led Delivery

Both the Broxtowe Local Plan and the Toton Chetwynd SPD require development to come forward through a coordinated strategic framework.

The Council considers that the proposal has not been assessed appropriately as part of the wider allocation strategy and therefore risks prejudicing the delivery of infrastructure required to support the strategic allocation as a whole.

6.6 Travel Plan

The submitted Travel Plan carries limited weight because it has not been informed by a robust cumulative assessment and relies upon behavioural assumptions that have not been demonstrated through an agreed evidence base.

Detailed travel planning comments have been provided to the appellants agent highlighting issues with the Travel Plan which need to be addressed. At the date of writing this statement, a response is yet to be provided.

6.7 Engagement

The Council rejects any suggestion that it has failed to engage throughout the application process.

The Council has:

- engaged at pre-application stage;
- reviewed planning submissions;
- provided technical responses;
- requested further information;
- identified outstanding concerns consistently throughout the determination period.

7. CONCLUSIONS

7.1 The Council's case is not that severe impacts have been conclusively demonstrated. Rather, the Council's position is that insufficient evidence has been provided to demonstrate that severe impacts would not arise.

7.2 The submitted Transport Assessment fails to provide a robust cumulative assessment. Such an assessment should consider the appeal site, the wider allocation within which it is located, and the adjacent Chetwynd Barracks allocation

7.3 The absence of agreed strategic modelling means that it has not been demonstrated that:

- cumulative impacts are acceptable;
- traffic distribution is understood;
- mitigation has been fully identified;
- infrastructure can be delivered.

7.4 Unresolved concerns regarding the impact on the A52 corridor, Bardills Junction and the interaction between the Strategic Road Network, and County Road Network create further uncertainty regarding the wider transport impacts of the proposal.

7.5 The Council therefore considers that the proposal conflicts with:

- NPPF Paragraph 116;
- NPPF Paragraph 118;
- Broxtowe Borough Local Plan Part 2 Policy 3.1;
- Broxtowe Borough Local Plan Part 2 Policy 3.2;
- Toton and Chetwynd Barracks Strategic Masterplan SPD.

7.6 Accordingly, Nottinghamshire County Council maintains that planning permission should not be granted unless and until sufficient evidence is provided to demonstrate that:

- cumulative impacts have been robustly assessed;
- impacts on both the Strategic Road Network and County Road Network are fully understood;
- all required mitigation has been identified;
- mitigation is deliverable;
- the relationship between the A52 corridor, Bardills Junction, the Toton Link Road and the County Road Network has been satisfactorily resolved; and
- the development can proceed in a manner consistent with the coordinated and infrastructure-led delivery of the wider Toton and Chetwynd strategic allocation.

8. SCHEDULE OF POLICIES AND DOCUMENTS

The Council intends to refer to the following documents:

National Planning Policy Framework (December 2024).

Broxtowe Borough Local Plan Part 2 (2019).

Toton and Chetwynd Barracks Strategic Masterplan SPD (2023).

Emerging Greater Nottingham Strategic Plan.

Appellant's Transport Assessment and supporting documents.

National Highways Statement of Case.

Nottinghamshire County Council Summary Statement of Case.