

BROXTOWE BOROUGH COUNCIL

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

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

By

Broxtowe Borough Council for

“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

Proof of Evidence (04.08.2026)



1. Introduction

- 1.1 I am Darren Ottewell, Senior Planning Officer at Broxtowe Council. My professional qualifications include a BA Honours in Planning and Masters in Planning. I have been working for Broxtowe Borough Council for 8 years and previously served 10 years as a Planning Officer at Ashfield District Council. My involvement in this appeal is that I am the case officer for the planning application.
- 1.2 This Proof of Evidence has been prepared on behalf of Broxtowe Borough Council ("the Council") in relation to the appeal by Bloor Homes against the non-determination of an outline planning application. The statement explains the Council's planning position in relation to this non-determination appeal. It does not provide technical highways evidence. National Highways and Nottinghamshire County Council as the Highway Authority are rule 6 parties and will present their own evidence on highway matters.
- 1.3 The description of the development is:

"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".
- 1.4 The purpose of this statement is to assist the Inspector by setting out the Council's position in relation to the appeal and to identify those matters which remain in dispute between other parties to the inquiry. The Council's role at the inquiry is limited to explain its planning position, providing the Inspector with factual planning and plan-making context, and assisting as required on conditions and planning obligations.
- 1.5 It is not intended to duplicate the evidence of statutory consultees or other expert witnesses on highway matters.

2. The Appeal Site and Proposal

- 2.1 The Site (“the site”) is located to the west of the B6003 Stapleford Lane, which leads northwards, and southwards towards the suburbs of Stapleford and Toton. The majority of the northern extent of the Site is bound by hedgerow, beyond which are further field parcels in arable agricultural use. The north-eastern extent of the Site is bound by well-established trees and hedgerow, with an electricity transmission substation beyond. A series of electricity pylons and associated overhead lines are within the site in an approximate north-east to south-west direction from the electricity transmission substation. The east of the Site is adjoined by the B6003 Stapleford Lane and to the south, the Site is bound by sporadic hedgerow and tree line, beyond which are gardens and existing residential dwellings associated with the suburb of Toton. The south-western most extent of the Site is adjoined by Toton Fields Local Nature Reserve (LNR). The George Spencer Academy is located 500m to the north-west of the Site, within the suburb of Stapleford. The Bispham Drive Junior School is located 525m to the south-west of the Site.
- 2.2 The appeal seeks outline planning permission for the construction of a residential development of up to 420 residential dwellings and associated open space and infrastructure with all matters reserved except for access. The proposed development is classified as EIA development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 2.3 The illustrative masterplan submitted with the application shows a new junction created off Stapleford Lane with a central road leading through the site. Smaller secondary roads and private drives lead to dwellings off this primary route. Various pedestrian/cycle links are also shown through the site connecting to existing routes. Landscaped areas, public open space, surface water attenuation and a children’s play area are also indicated along with the retention of existing hedgerows and trees. Affordable Housing would be provided throughout the site at a proportion of 30% of the total number of dwellings proposed.

- 2.4 The development constitutes Environmental Impact Assessment (EIA) Development and therefore the application is accompanied by an Environmental Statement (ES).

3 The Council's Position

- 3.1 The appeal site forms part of land allocated in the Broxtowe Part 2 Local Plan 2019 under Policy 3.2 for the Toton Strategic Location for Growth. Residential-led development on this part of the allocation is acceptable in principle.
- 3.2 The proposal would deliver up to 420 dwellings, including 30% affordable housing. The Council does not advance any planning, design, landscape, ecology, heritage, drainage, residential amenity or planning policy reason for withholding permission.
- 3.3 The Council and the Appellant have signed a Statement of Common/Uncommon Ground dated 21 July 2026. I do not repeat that document in this Proof, but rely on it as setting out the matters agreed and not agreed between the Council and the Appellant.
- 3.3 On 1 July 2026, the Council's Planning Committee considered the application in order to establish the Council's position for the purposes of this appeal. The Committee resolved that outline planning permission would have been approved subject to the removal of objections from both National Highways and Nottinghamshire County Council as Highway Authority, the inclusion of appropriate conditions and the completion of a section 106 agreement.

4. Greater Nottingham Strategic Plan Examination

- 4.1 The Greater Nottingham Strategic Plan ("the Strategic Plan") was submitted for examination on 22nd December 2025. Hearing sessions took place from 14th July 2026 and closed on 23rd July 2026. Following the close of the hearings, the Inspectors advised that they would consider the matters discussed and issue a Post Hearings Letter setting out the next steps in the examination process. The examination therefore remains ongoing and no Inspector's report has yet been issued.

- 4.2 Matters relevant to this appeal, including the delivery of the Toton and Chetwynd Barracks allocation, strategic highways and transport infrastructure, implementation and phasing, were considered as part of the examination process.
- 4.3 The Toton and Chetwynd Barracks allocation (Policy 21) was considered during Hearing Day 5 (22 July 2026) as part of Matter 5: Strategic Allocations - Broxtowe. Participants to the Hearing Sessions comprised the Greater Nottingham Strategic Plan Authorities, the Defence Infrastructure Organisation (represented by Avison Young), Nottinghamshire County Council, the Chetwynd: Toton & Chilwell Neighbourhood Forum and Pegasus Group for Bloor Homes.
- 4.3 Transport and infrastructure were considered under Matter 3, Issue 4: Transport and Infrastructure on 16 July 2026, with participation from the Greater Nottingham Strategic Plan Authorities, Nottinghamshire County Council and East Midlands Freeport representatives. National Highways were not in attendance but did submit a [Written Statement](#) in relation to Matter 3, Issue 4. The Councils' [Written Statement](#) (pages 13 to 18 and Appendix Q63, Q66 - page 30) confirms how the relevant highway authorities, transport providers and operators have been involved in preparation of the Strategic Plan. The examination library also includes [a Memorandum of Understanding with National Highways \(GNC6\)](#),
- 4.4 The examination documents include a [Statement of Common Ground between Bloor Homes and Broxtowe Borough Council relating to Toton and Chetwynd Barracks \(GNC25\)](#), published on 10 July 2026. This includes an agreed updated housing trajectory and confirmed that the only area of uncommon ground relates to the need for additional Green Belt release to provide additional housing supply and to facilitate the delivery of the link road (page 25). The Defence Infrastructure Organisation also provided an updated timescale for delivery of development at Chetwynd Barracks within their [Written](#)

Statement. This confirmed works starting Q3 2031 with 1050 homes delivered by 2041.

4.5 The Inspectors have not invited any further information at this stage. The Inspectors will issue a Post Hearings Letter in due course setting out the next steps in the examination.

4.6 Documents Referred to:

Full list of written statements:
https://www.localplanservices.co.uk/files/ugd/017f5b_8d4d66ef71094cc59905cd7c871e9585.pdf

5 Highway and Transport

5.1 The only objections to the proposal was from both National Highways and Nottinghamshire County Council as the Highways Authority as statutory consultees. Both have not been in a position to support this application and have advised that a comprehensive transport assessment is required to consider the impact upon the wider highway network. It should be noted that further work has now been undertaken by the applicant and submitted to the Council and the statutory consultees, however the findings are still not acceptable to both National Highways and The Highway Authority and their objections still stand.

5.2 The Council has not commissioned separate highways evidence and does not propose to advance independent technical evidence on matters of highway capacity, traffic modelling, transport forecasting or highway safety. The Council therefore does not seek to challenge the conclusions reached by National Highways or Nottinghamshire County Council and relies upon the evidence that those authorities will place before the inquiry.

5.3 National Highways and Nottinghamshire County Council are Rule 6 parties and will present their own evidence on highway matters. I do not seek to summarise or supplement their evidence.

- 5.4 The Council has no technical highways evidence of its own and does not seek to go behind the professional judgment of the relevant highway authorities on matters within their expertise.
- 5.5 The Council does not advance any freestanding reason for dismissal of the appeal. Whether permission should be granted in light of the maintained highway objections is a matter for the Inspector, having heard the evidence of the Rule 6 parties.
- 5.6 If the highway objections are withdrawn or resolved to the satisfaction of the Inspector, the Council does not otherwise resist the grant of permission, subject to appropriate conditions and planning obligations.

6 Conditions and Obligations

- 6.1 The Council is satisfied, subject to final drafting, that the proposed planning conditions set out in the signed statement of common ground with the applicant are necessary, relevant, enforceable, precise and reasonable and meet the statutory and policy tests applicable to planning conditions.
- 6.2 A draft agreement pursuant to section 106 of the Town and Country Planning Act 1990 has been prepared. The Council supports the inclusion of obligations necessary to make the development acceptable in planning terms and considers that such obligations should satisfy the relevant statutory and policy tests.
- 6.3 It is understood the Appellant and Nottinghamshire County Council do not agree as to the cycling and community transport contributions. CIL compliance statements have been submitted, and it is anticipated that these matters will be resolved prior to the public inquiry and a revised version of the statement of common ground will be provided to confirm this. Nottinghamshire County Council have advised that should this not be the case they would be happy to discuss at a round table session.

- 6.4 Any outstanding matters between the Appellant and Nottinghamshire County Council in relation to transport contributions are addressed in the relevant statements and will be dealt with through the section 106 and conditions process.

7 Environmental Impact Assessment

- 7.1 The proposal constitutes EIA development and is accompanied by an Environmental Statement. The Council's assessment of the application has been undertaken having regard to the Environmental Statement and accompanying environmental information submitted by the Appellant.
- 7.2 The Council does not presently advance any separate environmental evidence opposing the proposal and does not contend that environmental impacts, other than matters falling within the scope of the highway objections maintained by the relevant statutory authorities, would justify withholding planning permission. This position remains subject to the Inspector's consideration of all evidence presented at the inquiry.

8 Statement of Common Ground

- 8.1 A Statement of Common Ground dated 21 July 2026 has been agreed between the Council and the Appellant. The Statement identifies the matters agreed between the parties and those matters which remain outstanding.
- 8.2 The Council respectfully invites the Inspector to take account of the agreed matters when identifying the principal issues requiring determination at the inquiry.

9 Conclusions

- 9.1 The Council's position may be summarised as follows:
1. The appeal site is allocated for residential development within the adopted development plan.
 2. The Council supports the principle of residential development on the site is acceptable with the site, being allocated in the Part 2 Local Plan 2019 (Policy 3.2) and other planning related matters being considered to be in

accordance with the development plan policies, the National Planning Policy Framework and the Toton and Chilwell Neighbourhood Plan 2024.

3. The outstanding matters are technical highway matters to be addressed by National Highways and Nottinghamshire County Council as Rule 6 parties. I do not give technical highway evidence and do not seek to duplicate their cases.
4. Subject to satisfactory resolution of transport impacts and appropriate mitigation, the proposal is capable of complying with the development plan and national planning policy.
5. The Council does not seek to oppose the appeal on any separate planning grounds.
6. The Council remains engaged in relation to the finalisation of planning conditions and planning obligations and will assist the Inspector as required during the inquiry.

10. Declaration

- 10.1 I believe that the facts stated in this Proof of Evidence are true and that the opinions expressed are my true and professional opinions.

Signed: Darren Ottewell

Dated: 04.08.2026