



8 June 2015

Dear Sir/Madam

A meeting of the HS2/Toton Advisory Committee will be held on Tuesday 16 June 2015 in the New Council Chamber, Town Hall, Beeston at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To: S J Carr  
T A Cullen  
N E Harvey  
R I Jackson (Chair)  
M R Kee  
H G Khaled  
P Lally  
P J Owen (Vice Chair)  
A W G A Stockwell

Other members of the Council (for information)

## AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES

PAGES 1 - 2

The Advisory Committee is asked to confirm as a correct record the minutes of the meeting held on 10 February 2015.

4. CORE STRATEGY PROGRESS

PAGES 3 - 14

To update members on the progress of the Core Strategy.

5. UPDATE ON THE ACTIVITIES OF  
THE HS2 STATION DELIVERY BOARD  
AND THE BROXTOWE BOROUGH COUNCIL  
HS2/TOTON ADVISORY COMMITTEE

PAGES 15 - 21

To inform members of the recent activities of the HS2 Strategic Board, decisions, and deliberations of the HS2 Hub Station Delivery Board; and Broxtowe Borough Council's HS2/Toton Advisory Committee.

## HS2/TOTON ADVISORY COMMITTEE

10 FEBRUARY 2015

Present: D K Watts, Chair

Councillors:	S J Carr	P Lally
	R I Jackson	J W McGrath
	M R Kee	R S Robinson
	E Kerry	

Apologies for absence were received from Councillors H G Khaled and M Radulovic MBE.

### 10. DECLARATIONS OF INTEREST

There were no declarations of interests.

### 11. MINUTES

The minutes of the meeting held on 15 December 2014 were confirmed as a correct record.

### 12. VERBAL UPDATE FOLLOWING THE VISIT OF SIR DAVID HIGGINS ON 2 FEBRUARY 2015

The Committee received a verbal update regarding the recent visit of Sir David Higgins. It was reported that Toton remained the preferred location for the HS2 substation. The Committee was advised that the substation would not solely cater for high speed trains but would include a mix of compatible classic tracks while also improving on journey times of these classic tracks. Further to this report it was noted that there was potential for regenerating the area around the proposed substation.

It was noted by the Committee that Central Government and Erewash Borough Council support Toton as the preferred location of the substation. However, the Toton site needed further investigation as currently there was an issue with flooding and improving the connectivity to Derby City Centre. In addition to this discussion it was noted that Sir David Higgins was under obligation to explore other sites for the proposed station in the East Midlands. It was reported that the proposed date for the final announcement as to the location of the East Midlands HS2 substation would be made in 2016. Concern was raised as to the invitations to the meeting with Sir David Higgins, the Committee noted that in order to have shown better unity and support for the development of the HS2 substation in Toton all party leaders should have been invited. However, the Committee noted that the invitations to this meeting was not the responsibility of the Council but that of the Sir David Higgins.

13. CONSIDERATION OF THE MERITS OF TOTON TO ALTERNATIVE OPTIONS FOR A STATION LOCATION

The Committee discussed the Toton/Breaston/East Midlands Parkway Comparative Analysis Summary Matrix attached to the report as an appendix. The Committee noted that of the three proposed locations Toton was considered by the majority of East Midlands Councils and the HS2 Strategic Board as the preferred choice. Further to this discussion it was reported to the Committee that Toton performed better in terms of connectivity to the respective local area, with provisions for the substation to link with cycling, public transport and walking connectivity, however, an issue remains as to the connectivity from Toton to the motorway. It was noted that the Toton location would be set lower in the ground creating a greater risk of flooding. The Committee noted that the Environment Agency was to assess the flooding issue.

Concern was raised that the proposed development located around the HS2 substation was only housing. However the Committee noted that large areas of business development had been provisioned in these proposals and this was deemed satisfactory by the Core Strategy Inspector. It was noted that included in the next meeting would be an update of the employment need of the HS2 substation and that Nathaniel Lichfield and Partners were consulting the Council on this issue. An issue was raised regarding the proposed road access to Long Eaton and the location of this proposal, however it was noted that the land proposed was not in specific area but was merely a potential option to improve connectivity to the substation.

**RESOLVED that the Council endorse Toton as the primary location for the HS2 Sub Station and endorse the proposals set out in Toton/Breaston/East Midlands Parkway Comparative Analysis Summary Matrix.**

**Report of the Director of Legal and Planning Services****CORE STRATEGY PROGRESS**1. Purpose of the report

To update members on the progress of the Core Strategy.

2. Detail

Policy 2 of the Core Strategy sets out the spatial strategy and development requirements of Broxtowe. This includes a minimum of 6150 new homes between 2011 and 2028 to include:

- A strategic location for growth on land east and west of Toton Lane including Toton Sidings in the vicinity of the proposed HS2 station at Toton, in Broxtowe. This will include a minimum of 500 homes with the appropriate mix of this and other development to be recommended by the Broxtowe HS2 Working Group and determined in Broxtowe's part 2 Local Plan.

Significant new employment development will take place in the following areas:

- Land in the vicinity of the proposed HS2 station at Toton, in Broxtowe.

The appendix 1 attached to this report sets out the progress of the Core Strategy in chronological order with an emphasis on Green Belt and housing issues.

Appendix 2 includes the minutes from the Council meeting held on the 13 January 2014 when the propose modifications to the Core Strategy in respect of Toton were approved.

3. Conclusion

This policy in the Core Strategy establishes the minimum development requirements including housing provision and it will not be possible to amend these minimum development requirements other than by undertaking a part or whole replacement Core Strategy. The detail in the appendix 1 indicates the extensive work required and any replacement Core Strategy would be subject to the need to comply with the duty to cooperate and would be tested through examination on its soundness and legal compliance. In the opinion of officers a reduction in development requirements would be unlikely to be found sound or legally compliant.

**Recommendation**

**The Advisory Committee is asked to NOTE this report.**

Background papers

Nil

## APPENDIX 1

**March 2005** - East Midlands Regional Spatial Strategy (RSS8) approved which required a strategic review of the Nottingham Derby Green Belt (Policy 14).

**August 2006** - A 'Nottingham Derby Green Belt Review' was published by Nottinghamshire and Derbyshire County Councils to inform the preparation of the East Midlands Regional Plan which ultimately replaced RSS8.

**September 2006** - Draft Regional Plan consultation.

**2006/07** - Nottingham Core Strategic Housing Market Assessment (SHMA) published. An 'old style' SHMA pre dating the National Planning Policy Framework (NPPF) and therefore not primarily aimed at determining future housing provision, but instead primarily focussing on the characteristics of the housing market and affordable housing need.

**May - July 2007** - Regional Plan Examination in Public hearing sessions held.

**November 2007** - Regional Plan Panel Report published which concluded that the 2006 Green Belt Review *'is manifestly thorough and sound according to the remit set, its methodology permits the identification of areas for excision from the Belt in terms of Green Belt criteria only. It does not, nor does it attempt to, identify areas for development on the basis of all recognised sustainability criteria, including, for example sustainable accessibility'*. The panel also recommended the requirement for further review work which should include the deletion of the majority of the Nottingham/Derby Green Belt apart from the section directly between Derby and Nottingham (in Erewash and Broxtowe).

**June 2008** - The Appraisal of Sustainable Urban Extensions (SUE Study 2008) assessed locations around Greater Nottingham against a number of sustainability criteria, accessibility, environmental constraints and Green Belt issues. The Study was focussed on the edge of the main built up area (the Principal Urban Area) as well as the edges of other urban areas (the Sub-Regional Centres of Hucknall and Ilkeston) as it was prepared in the context of the Regional Strategy which steered development to these locations.

**July 2008** - The Government's response to the Regional Plan Panel Report was published which rejected any Green Belt boundary change around Greater Nottingham in the Regional Plan but endorsed the approach to review.

**March 2009** - Final Revision to the East Midlands Regional Plan published. This set the housing provision for the Nottingham Core Housing Market Area (HMA) between 2006 and 2026 and for Broxtowe, the provision was as follows:

*340 Dwellings Per Annum (dpa), of which at least 180 dpa should be within or adjoining the Nottingham PUA including sustainable urban extensions as necessary. Development in the remainder of the District will be located mainly at Kimberley and Eastwood, including sustainable urban extensions as necessary*

**June 2009** - Issues and Options consultation on the Greater Nottingham Aligned Core Strategies including an Sustainability Appraisal (SA) scoping report. This included Ashfield District, Broxtowe Borough, Erewash Borough, Gedling Borough, Nottingham City and Rushcliffe Borough Councils.

**2009** - SHMA updated for affordable housing need.

**February 2010** - The Sustainable Locations for Growth Report (SLG Report 2010) assessed the appropriateness of development in and around key settlements across Greater Nottingham other than those addressed by the SUE Study. It used similar sustainability assessment criteria to the SUE Study and consideration of Green Belt policy.

**February 2010** - Option for Consultation Aligned Core Strategy (ACS) published. This included Broxtowe Borough, Erewash Borough, Gedling Borough, Nottingham City and Rushcliffe Borough Councils.

**May 2010** - Coalition Government elected, and stated intent to abolish Regional Plans.

**November 2010** - Government's 2008-based Household Projections published.

**February 2011** - As a result of the government's undertaking to abolish Regional Plans, Edge Analytics were commissioned to examine the implications of different housing provision figures across the Housing Market Area (HMA) using the government's published 2008-based Household Projections. The intention was to aid decision makers in understanding the population and economic implications of housing provision decisions.

**July - September 2011 (extended to October 2011 in Broxtowe)** - Broxtowe, Erewash, Gedling and Nottingham City Councils consulted on the results of this work in the Housing Provision Position Paper (as well as climate change and District specific matters) with a position that Regional Spatial Strategy numbers remained appropriate given that these figures allowed for continuing job growth, were similar to net nil migration and were considered the maximum deliverable, being significantly higher than housing delivery historically.

**October 2011** - Additional SA workshops held to assess reasonable alternatives including consideration of higher and lower housing figures across the HMA and within each Council's area, and the economic implications of different growth options.

**January 2012** - As part of a package of measures to support councils through Core Strategy preparation, the Planning Advisory Service (PAS) gave pre-publication advice to the four aligned Councils and identified what they saw as a mismatch between economic ambitions/job provision and the housing figures to meet these. They advised that for the plan to be found sound, clear evidence reconciling the housing provision and the economic/job aspirations of the Core Strategies would be required.

**February 2012** - Edge Analytics were again commissioned to examine the population and labour market implications of using 'rescaled' headship rates (based on local information on actual headship rates, as opposed to those assumed by the government's Household Projections) of the housing provision in all five HMA Councils' emerging Core Strategies. *The headship rate is the number of people within a given population who 'head' a household.* Rescaled rates in Broxtowe, City and Rushcliffe showed that even with Rushcliffe's reduced figure there was provision to allow a net in migration of 1,200 people per annum with sufficient labour force to match with the job ambitions of the Core strategies. The Councils consider this to be an objective assessment of need, because the housing provision accords with the jobs/economic policies of the Core Strategies, and although the Core Strategy housing provision allows for a lower level of in-migration than that used by the government's Household Projections, they consider that there are good reasons to conclude that the levels of in-migration assumed in the Household Projections will not continue into the future.

**March 2012** - National Planning Policy Framework published. This clarifies that SHMAs should be prepared to assess full housing needs of areas.

**June 2012** - ACS published covering Broxtowe Borough, Gedling Borough and Nottingham City Councils, alongside evidence in the various background papers and a Sustainability Appraisal. (Erewash Borough Council also published their Core Strategy later in June, as a separate document, but relying on the same Sustainability Appraisal).

**July 2012** - First round of data from the 2011 Census published. Further work by the aligned Councils concludes that the rescaling of headship rates is supported by the new evidence, but that the previous work had overstated somewhat the level of population supported by the housing provision, i.e. it overstates the implied level of in-migration to Greater Nottingham. The revised estimate concludes a level of in-migration of 850 per annum would be supported rather than 1,200. Further work on economic activity rates taking account of the 2011 Census can only be tentative, but it demonstrates that the labour force resulting from this level of housing provision is likely to still broadly support the economic and job aspirations of the Core Strategies. A major reason for this conclusion is that the former work took insufficient account of economically active people aged over 65.

**November 2012** - SHMA updated for affordable housing need.

**January 2013** - Government announcement confirming Toton as the Government's preferred location for a hub station to serve the East Midlands.

**February 2013** - Amendments to the ACS published to provide for inclusion of the land in the vicinity of the proposed High Speed 2 Station as a strategic location for growth together with amended SA on this specific matter.



**8 April 2013** – Communities and Local Government Interim 2011-based household projections published. Strongly support the Councils' approach to rescaling of headship rates for the 2008-based Household Projections.

**12 April 2013** – East Midlands Regional Plan revoked.

**7 June 2013** – ACS submitted for Examination.

**19 September 2013** – Councils and other interested parties submit statements on the Inspector's Main Matters, Issues and Questions.

**15-17 October 2013** – First week of Hearing Sessions dealing with Sustainability Appraisal, Duty to Cooperate, Objectively Assessed Housing Need, housing distribution in general terms (not site specific), Green Belt, and economic development (ACS policies 2 to 4 inclusive).

**5-7 and 12 and 13 November 2014** – Further Hearing Sessions dealing with the Environment, Transport, Infrastructure and delivery and site specific matters in relation to Broxtowe (on 7 November 2014 all day) and Gedling (on 12 November 2014 all day) together with proposed modifications to the plan.

**22 November 2013** – Inspector issues a note confirming additional work she wants the Councils to do.

In respect of Broxtowe she suggested that depending on the number of homes, which the Plan promotes at the Toton strategic location for growth, it will be necessary to consider the likely impact on other planned sites and locations including Brinsley, Kimberly, Eastwood and Field Farm.

**January 2014** – Broxtowe complete their work and report their proposed modifications to Full Council who endorse the approach and Broxtowe then send to the Inspector. These modifications were to increase the housing provision in the main built up area of Nottingham (effectively the urban south of Broxtowe) from 3600 to 3800 new homes over the Core Strategy period and reduce the housing provision from 1400 to 1250 for Eastwood and reduce the housing provision from 200 to 150 for Brinsley. The overall housing figures were to remain the same. In respect of development in the vicinity of the proposed HS2 Station the following minimum development requirements were specified in different parts of the Core Strategy:

- 500 homes
- 18000 square metres of employment development
- 16 hectares of green infrastructure
- Not prejudicing not the road access to the HS2 Station
- Not prejudicing not the tram access to the HS2 Station.

**January 2014** – The Home Builders Federation submit a legal opinion asserting that the ACS policy in relation to housing provision is unlawful with regard to the Hunston Court of Appeal judgment. They assert that once the OAHN has been set the only lawful policy approach is to meet it in full (with no lower delivery

early in the plan period) unless constrained by NPPF compliant factors (not the economy).

**January 2014** – In response to the HBF opinion the Councils commission advice from Leading Counsel. This rebutted the HBF legal opinion and was circulated to the examination.

**January 2014** – Inspector calls further hearing sessions to debate the Gedling and Broxtowe changes, an additional session to accommodate Toton residents, and the implications of Hunston for the ACS.

**11-13 February 2014** – Final week of hearing sessions to debate the Gedling changes (all day on 11 February 2014) the Toton development and Broxtowe changes (most of the day on 12 February 2014) and the implications of Hunston for the ACS.

**March – April 2014** – Councils consult on Main Modifications (including SA) to make the plan sound and then send to the Inspector.

**24 July 2014** – Inspector issues final fact checked report to bring the Examination to a close. The inspector concluded that, subject to the Main Modifications being made (including those regarding Toton), the plan would be ‘sound’. With regard to Toton, the inspector concluded that “the potential for land at Toton to help meet the requirements for housing and mixed use development in Broxtowe Borough constitutes the exceptional circumstances needed to remove the land from the Green Belt”. She also concluded that “the Toton location has good sustainability credentials for new development, whether or not HS2 goes ahead”.

**2 September 2014** – Ken Mafham Associates submits a letter identifying flaws in the ACS and requests that the Councils do not adopt the plan (later confirming it should be treated as a letter before claim).

**17 September 2014** – Broxtowe adopt the ACS.

**20 October 2014** – Legal challenge submitted to the High Court on behalf of Calverton Parish Council.

**24 March 2015** – Hearing of the legal challenge in the High Court.

**21 April 2015** – High Court ‘Approved Judgement’ issued. The challenge was dismissed. With regard to Toton, the judgement concluded that the inspector and the councils had “a logically coherent reason for holding that exceptional circumstances existed” to justify development and that they had “paid regard to the purposes of the Green Belt, the nature and quality of the proposed impingement, and the issue of sustainability”.

**BROXTOWE BOROUGH COUNCIL**

**COUNCIL MEETING**

**13 JANUARY 2014**

Councillor I White, Mayor.

Councillors:	E H Atherton	E Kerry
	L A Ball BEM	H G Khaled
	S D Barber	L A Lally
	J S Briggs	P Lally
	T P Brindley	G Marshall
	M Brown	J W McGrath
	D A Burnett	A J Oates
	S J Carr	J M Owen
	R A Charlesworth	J C Patrick
	A Cooper	F Prince
	R H Darby	M Radulovic MBE
	A F M Ford	K E Rigby
	N Green	R S Robinson
	D Grindell	J S Rowland
	M Handley	P D Simpson
	G Harvey	I L Tyler
	M Y Hegyi	D K Watts
	S Heptinstall MBE	J Williams
	R I Jackson	B Wombwell

Apologies for absence were received from Councillors D Bagshaw, S A Bagshaw, J L Booth, M E McGuckin, C E Robb and H Kinoucha, Youth Mayor.

86. **DECLARATIONS OF INTEREST**

Councillor T P Brindley declared a disclosable pecuniary interest in item 4 as his employer owns green belt land in the borough, minute 88 refers. Councillor K E Rigby declared a non-disclosable non-pecuniary interest in item 4 due to his daughter's employment, minute 88 refers.

87. **MINUTES**

The minutes of the meeting held on 18 December 2013 were confirmed and signed.

88. **CORE STRATEGY**

Broxtowe Borough Council along with Gedling Borough Council and Nottingham City Council had been jointly preparing Aligned Core Strategies which covered their combined administrative areas and which set out a spatial strategy and key planning policies for sustainable development.

The Aligned Core Strategy was approved for submission at the Council meeting on 20 May 2013 and included the resolution that Council: 'Requests the Inspector to recommend any modifications which are necessary to make the Aligned Core Strategy sound under section 20 (c) of the Planning and Compulsory Purchase Act 2004 (as amended).'

The Core Strategy was submitted for examination on 7 June 2013 and hearing sessions were held in October and November 2013. Subsequently, the Inspector issued a note clarifying some additional work she wanted the councils to undertake.

The Inspector's note made recommendations to make the Core Strategy sound. The note did not form part of a report making such recommendations, but without suggested modifications from Broxtowe there was a risk that the Inspector would make recommendations in any event or issue a report finding the Broxtowe Core Strategy unsound.

Councillor M Radulovic MBE proposed a motion, which was seconded by Councillor D K Watts, that standing orders 7(i) d, e and f be suspended to allow members of the public to address the meeting. On being put to the vote the motion was carried.

Following an adjournment three members of the public came forward to address the full Council. J Page's statement included the following comments:

- throughout the consultation the evidence had been incorrect although detailed information had been submitted
- facilities in Brinsley would not be reduced if houses were not built there, except for perhaps the library
- arguments that had previously been heard did not seem to represent the true position

S Bakewell's statement included the following comments:

- previous Council decisions had stated that there would be no building in Toton due to the potential loss of green belt land, the drain on infrastructure and coalescence with other areas. None of these aspects had changed and objections were still valid
- proposed developments at Toton seemed to be based on the arrival of HS2
- development plans at Toton should not represent damage limitation to the rest of the borough. The plans would not represent an equitable division

M Patel's statement included the following comments:

- the timing of the Council meeting was wrong. Any Council decision should wait until a decision on the site of HS2 had been determined.
- local demands should be considered rather than the demands of the wider community.

An amendment was moved by Councillor D K Watts and seconded by Councillor I L Tyler that the following further modifications be added to the previously proposed modifications:

#### **“Main Policy**

A *strategic* location for growth on land east and west of Toton Lane including Toton Sidings in the vicinity of the proposed HS2 station in Broxtowe. This will include a minimum of 500 homes with the *appropriate* mix of this and other development to be *recommended by the Broxtowe HS2 working group* and determined in the Broxtowe Part 2 Allocations Local Plan.

#### **Policy 4**

##### **Supporting text**

Add to the end of paragraph 3.4.6:

Development in the vicinity of the proposed HS2 station at Toton will include a minimum provision of 18,000 square metres of B class employment floor space. There is evidence that this employment element of development in this location will prove more attractive to the market in the later years of the Core Strategy period and quite possibly beyond 2028 when the station is operational (<http://volterra.co.uk/wp-content/uploads/2013/09/High-Speed-Rail-Transport-Investment-and-Economic-Impact.pdf>). It is necessary to ensure that the land is available within the proposed strategic location as part of a comprehensive mixed-use development. *The precise details of the allocation will be recommended by the HS2 Working Group and determined in the Broxtowe Allocations Part 2 Local Plan.*

#### **Policy 15**

##### **Main Policy**

Add new supporting text at 3.15.2 as follows:

*3.15.2 The work to assess and mitigate the full highways implications of development will be coordinated by the Broxtowe HS2 Working Group when the final quantum and distribution of development within the strategic location for growth at Toton is determined. In the unlikely event of the government not proceeding with the HS2 station at Toton, then the*

development specified under policy 15.6 will not be required but the extension to the tram route into Erewash Borough will remain an ambition of the councils.”

Members considered the proposed modifications to the Broxtowe Aligned Core Strategy. Comments included:

- it was understandable that members of the public were concerned about development, however Broxtowe needed to be clear about its vision during the housing crisis
- the added text would make improvements to the Core Strategy and working groups would be able to liaise with concerned groups and individuals
- if Broxtowe does not have a workable plan, the borough would be overrun by developers rather than have the Council decide which land is built on
- there is not enough brownfield land to satisfy the number of houses that are required
- a minimum of 500 houses could leave Broxtowe open to having to build many more properties
- the Council should wait until decisions have been made on the location of HS2
- the residents of Toton have been treated with contempt and have been deceived
- Borough Councillors have to represent the borough and it was a myth that central government policy could be denied. The Council had little option and now had to take a decision.
- Toton had become a large traffic jam which affected the quality of life for residents. The Council should work with residents to seek improvements to the transport infrastructure.
- the Council had failed and the people of Toton had suffered. Councillors did not have to accept the comments of the Inspector.
- if the Council stipulated a ceiling, the Inspector would ask for the figure to be justified. If there was no Local Plan, the Council would be vulnerable and at the mercy of developers.
- the Inspector had not instructed the Council to build in Toton and had not accepted the figure of 6,150 properties. Broxtowe is in a unique position. A minimum of 500 houses would result in many more houses being built and the amendment did not improve the proposals.
- a long-term vision would see the borough benefit from the growth provided by HS2. It would be a tragedy to be hamstrung should there be a lack of available land around the HS2 station. The final route for HS2 has not been set and building houses in Toton would jeopardise this.
- there had been countless objections from the residents of Toton and the strength of public feeling should not be underestimated
- Toton Environment Protection Society, along with some other pressure groups had acted well, however councillors were not in control of this situation. The Core Strategy was necessary for the wellbeing of the borough.

- the Council had given a unanimous decision to the people of Toton but the Council now wanted to renege on the agreement
- if the Inspector declares the Core Strategy unsound the Council will have lost control. Councillors had a wider responsibility to address the desperate housing shortage.
- new housing is necessary as people are living longer. Officers had looked into the subject in great detail and alternative sites to Toton had not been suggested.
- Broxtowe had failed to deliver a five year plan for many years. This is just the first stage of destroying the green belt. The Council has not fought against these figures. The numbers should be changed because of HS2.
- councillors have a responsibility to listen to the views of the people. If the housing crisis is so desperate then land that already has planning permission should be built on.
- the houses have to go somewhere and they should go into a conurbation of the city. There are benefits to putting them in Toton.
- there is a defeatist attitude amongst councillors. We should fight developers for the people of Broxtowe.
- the site could not be defended by rejecting these proposals. Alternative sites had not been put forward. It was accepted that there will be major traffic implications which needed to be reviewed. This is a great opportunity for growth and business development and the only chance to protect the green belt is to accept the HS2 agenda.

A recorded vote was requested and the voting was as follows:

<u>For</u>	<u>Against</u>	<u>Abstention</u>
S D Barber	E H Atherton	
S J Carr	L A Ball BEM	
R A Charlesworth	J S Briggs	
A Cooper	M Brown	
R H Darby	D A Burnett	
D Grindell	N Green	
S Heptinstall MBE	M Handley	
L A Lally	G Harvey	
P Lally	M Y Hegyi	
G Marshall	R I Jackson	
J W McGrath	E Kerry	
A J Oates	H G Khaled	
J C Patrick	J M Owen	
F Prince	J S Rowland	
M Radulovic MBE	P D Simpson	
R S Robinson		
I L Tyler		
D K Watts		
I White		
J Williams		
B Wombwell		

The amendment on being put to the meeting was carried.

**RESOLVED that the Council:**

- 1. Approve the modification to the Core Strategy as shown in appendix 2 to the report with amendments as above, to be submitted to the Inspector along with all the supporting information contained in the appendices to this report and the Sustainability Appraisal.**
- 2. The Chief Executive, in consultation with the Leader and Portfolio Holder for the Economy and Regeneration, be given delegated authority to approve minor editing changes.**

(Having declared a disclosable pecuniary interest in the item Councillor T P Brindley left the meeting before discussion and voting thereon. Having declared a non-disclosable non-pecuniary interest Councillor K E Rigby remained in the chamber but did not take part in the discussion or vote thereon. Councillor A F M Ford left the meeting before voting thereon.)

89. COMMON SEAL

**RESOLVED that the Common Seal be affixed to or the Proper Officer do sign on behalf of the Council, where appropriate, any orders, deeds or documents necessary to give effect to any resolutions of the Council or Cabinet or committee.**



## Report of the Director of Legal and Planning Services

**UPDATE ON THE ACTIVITIES OF THE HS2 STATION DELIVERY BOARD AND THE BROXTOWE BOROUGH COUNCIL HS2/TOTON ADVISORY COMMITTEE.**1. Purpose of the report

This report aims to inform members of the Advisory Committee of the recent activities, decisions, and deliberations of the HS2 Hub Station Delivery Board; and Broxtowe Borough Council's HS2 Toton Advisory Committee before the local elections, which makes recommendations to Broxtowe's Cabinet.

2. Detail

An update of the activities of the HS2 Hub Board and the Broxtowe Borough Council HS2/Toton Advisory Committee are attached at appendix 1. Appendix 2 provides a summary of previous HS2/Toton Advisory Committee meetings prior to 15 February 2015. The minutes of the 15 February 2015 meeting are included separately in this agenda. Appendix 3 contains the most recent draft of the masterplan which was subject to public consultation between February and March 2015. A summary of responses to this will be reported to the next meeting of the Advisory Committee together with any suggested changes.

**Recommendation**

**The Advisory Committee is asked to NOTE this report.**

Background papers

Nil

## APPENDIX 1

1. HS2 Hub Board meetings1.1. **Meeting on 23-9-14**

Members of the board were introduced to the local planning context at Toton. In particular the Aligned Core Strategy's spatial objectives and the fact that in the strategy a strategic location for growth is identified. The site is listed as having potential for inward investment, job creation and appropriate mixed uses. At least 500 homes should be developed in the area and at least 18,000 square metres of employment provision, along with significant enhancements to Green infrastructure and not prejudicing either the tram extension or road access to the new HS2 station. Members of the advisory board were told of a meeting of the HS2/Toton Advisory Committee, which had engaged in stakeholder consultations with developers, local residents, rail companies, the local school and local groups such as South Broxtowe 2020 and Friend of Toton Fields. The various comments raised by these groups would form the backdrop against which a local masterplan could be developed.

1.2. **Meeting on 2-12-14**

Members of the board were presented with the implications of Sir David Higgins' report 'rebalancing Britain' and implications for the delivery board. A presentation and discussion followed on the local planning context at Breaston and issues in connection with Breaston as a potential East Midlands Hub site. The issue of connectivity was raised as being fundamental and, in particular, to ensure that wherever the final station choice was, that classic compatibility (trains going straight onto the classic line) was a key issue. It was noted that Toton could provide this and Breaston could not.

1.3 **Meeting on 1-6-15**

Members of the board were presented with emerging thinking from Erewash Borough Council regarding maximising the benefits of the station for their communities. A similar present will be given to this Advisory Committee.

2. Broxtowe Borough Council's HS2/Toton Advisory Committee2.1. **Meeting on 11-11-14**

The Advisory Committee considered the implications of the Higgins Report with particular reference to the suggestions of alternative sites for the East Midlands Hub station for High Speed 2 (HS2). Although the report did not name alternative sites and did not change the status of Toton as the preferred site for the East Midlands Hub, it was acknowledged that an element of uncertainty had been introduced into the planning process. Members agreed that work to create an evidence base to promote strong arguments for the station to be at Toton would be appropriate whilst noting their disappointment at the lack of detail regarding the East Midlands Hub in the Higgins Report.

The consensus of the meeting was that further work, or indeed development, in the area should not proceed in the light of the uncertainty and certainly if the station were not to be located at Toton.

A presentation was given on the potential appropriate amount and distribution of development in the vicinity of the station but detailed consideration of this was deferred to the next meeting.

## **2.2. Meeting on 15-12-14**

### **3. Proposed new development within the Strategic Location for growth**

A presentation was given at the meeting to illustrate how the amount of development shown on the attached plan would relate to the wider area. The proposed development figures given below are rounded to the nearest 0.5 Hectare.

#### **3.1 West of Toton/Stapleford Lane**

24.5 Hectares mixed use employment/ commercial development on the site of the station and to the north and east.

9 Hectares publicly accessible open space through the south and centre of the site.

6.5 Hectares low density residential development between the areas of green space towards the south of the site to link with existing public rights of way.

10 Hectares high density residential development to the north of this.

2.5 Hectares local centre to the east of the site opposite the tram Park-and-Ride site.

Additional Land included with the location but not proposed to be developed (other than to allow road access to the station)

17.5 Hectares buffer at the north of the site comprising school land, open space and the existing sewage treatment site.

2 Hectares west of Toton/Stapleford Lane comprising mainly of the electricity substation.

#### **3.2 East of Toton/Stapleford Lane (south of the tram line)**

2 Hectares mixed use employment/leisure development to the south and east of the park and ride.

8 Hectares publicly accessible open space through the south centre and west of the site linking with the green space to the west via improved connections across the road and to existing public rights of way to the north.

6 Hectares low density housing to the east of the site and south of the tram line.

Additional land included within the location but not proposed to be developed (other than with an extension to the tram)

4.8 hectare tram park and ride site.

Members considered this and resolved the following key principles:

- a) A north-south wildlife corridor be included in the consultation.
- b) Existing rights of way be included on the plans for consultation.
- c) No strategic retail development be created, only that necessary to support residential development.
- d) Assurance received that the school had available land for expansion purposes if required.

### **3.3 10-02-15**

The details of the meeting held on the 10 February 2015 are included in the minutes of this agenda.

## **4. Relevant Broxtowe Borough Council Cabinet Meetings**

### **4.1. Meeting on 16-12-14**

Cabinet considered recommendations from the HS2/Toton Advisory Committee from the meeting which was held the previous evening to discuss the draft proposals for the development of the proposed HS2/Toton Strategic Location site. It was

**RESOLVED that:**

- 1. The consultation on proposals for the Strategic Location for Growth to include (but not limited to) consultation with HS2 Ltd to ensure that the proposals remain in alignment with their plans and vision for the area, be approved.**
- 2. The recommendations from the HS2/Toton Advisory Committee be accepted as follows:**
  - a) A north-south wildlife corridor be included in the consultation.**
  - b) Existing rights of way be included on the plans for consultation.**
  - c) No strategic retail development be created, only that necessary to support residential development.**
  - d) Assurance received that the school had available land for expansion purposes if required.**

**4.2. Meeting on 27-1-15**

Cabinet will meet to consider the potential Green Belt boundary changes at Toton (and elsewhere in Broxtowe Borough) to expedite sustainable economic development in the vicinity of the HS2 station.

Contacts:

Ruth Hyde: Chief Executive Broxtowe Borough Council: [ceo@broxtowe.gov.uk](mailto:ceo@broxtowe.gov.uk)  
01159177777

Steffan Saunders: Head of Neighbourhoods and Prosperity Broxtowe Borough  
Council: [pbcb@broxtowe.gov.uk](mailto:pbcb@broxtowe.gov.uk) 01159177777

**APPENDIX 2**Earlier meetings of the HS2/Toton Working Group

In addition to the two meetings of the HS2/Toton Advisory Committee that are referred to in the Strategic Board report of 2 February 2015, five meetings of the HS2/Toton Working Group took place between November 2013 and April 2014. At the meetings of March and April 2014 developers, local interest groups and local residents presented their views and discussed the options.

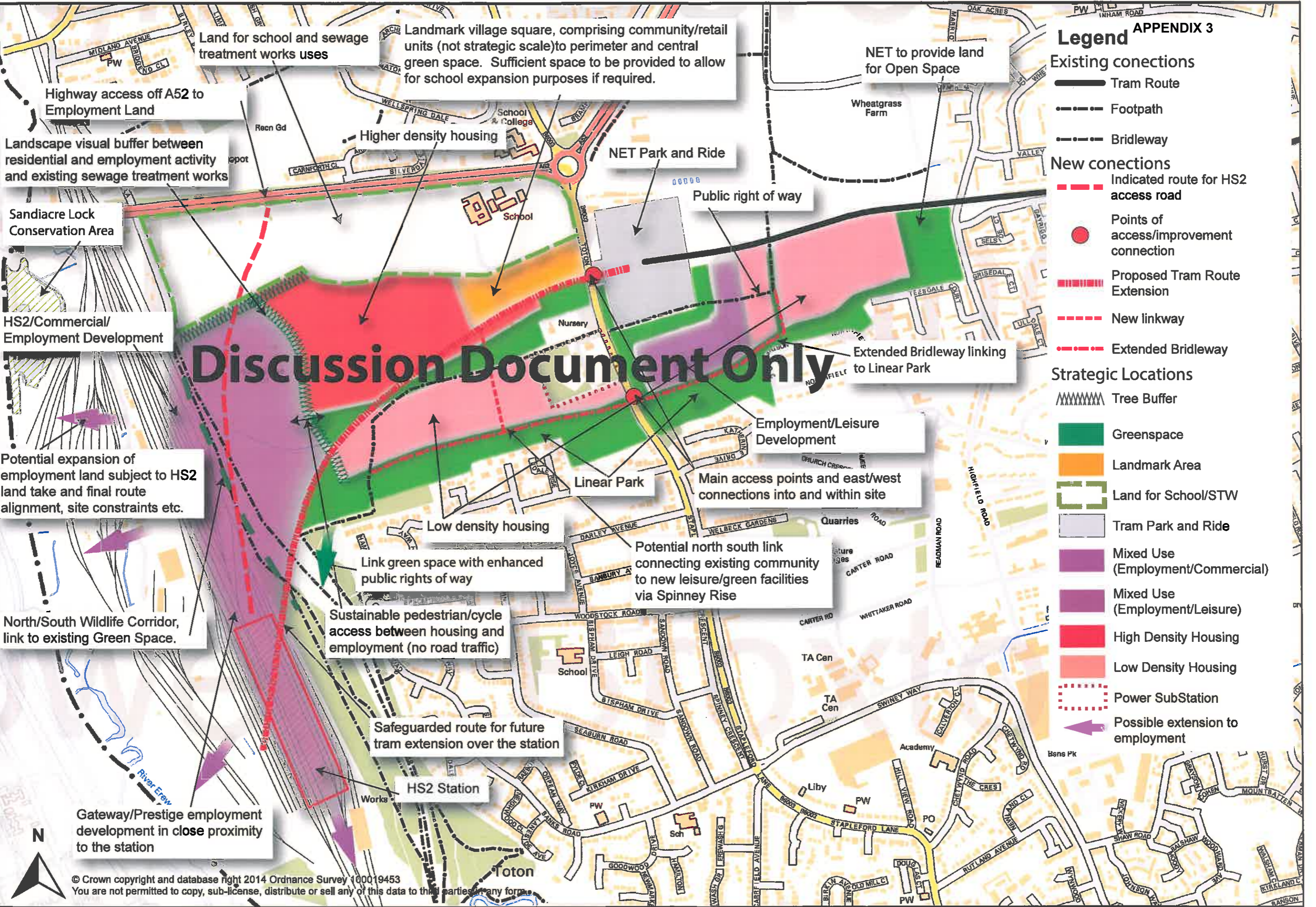
The March 2014 meeting involved presentations from Oxalis and Signet Planning, and representations were also made by DB Schenker, George Spencer Academy and members of the public. Oxalis and Signet presented options for housing and employment development on land to the west and east of Toton Lane, together with associated transport development and a community centre. DB Schenker indicated their long-term interest in intermodal freight development. The Academy expressed concern about the potential positioning of the school. Local residents expressed concern about traffic impact, loss of Green Belt, pressure on local amenities and the character of Toton.

The April 2014 meeting involved representations from Toton Environmental Protection Society (TEPS), South Broxtowe 20/20 and members of the public. TEPS expressed concern about loss of Green Belt and they produced a plan of their “least worst option”. South Broxtowe 20/20 expressed concern that development should not inhibit the arrival of HS2 or preclude business opportunities later on. Friends of Toton Fields expressed concern about the effects on the ecology and history of the area. There was discussion about issues including the possibility of a neighbourhood plan, the appropriate mix of housing and employment development, the need or otherwise for connecting roads to the A52 and/or M1, the purpose and membership of the working group and potential conventional rail connections to Derby and Nottingham.

# Legend

- Existing connections**
  - Tram Route
  - Footpath
  - Bridleway
- New connections**
  - Indicated route for HS2 access road
  - Points of access/improvement connection
  - Proposed Tram Route Extension
  - New linkway
  - Extended Bridleway
- Strategic Locations**
  - Tree Buffer
  - Greenspace
  - Landmark Area
  - Land for School/STW
  - Tram Park and Ride
  - Mixed Use (Employment/Commercial)
  - Mixed Use (Employment/Leisure)
  - High Density Housing
  - Low Density Housing
  - Power SubStation
  - Possible extension to employment

# Discussion Document Only



Land for school and sewage treatment works uses

Landmark village square, comprising community/retail units (not strategic scale) to perimeter and central green space. Sufficient space to be provided to allow for school expansion purposes if required.

NET to provide land for Open Space

Highway access off A52 to Employment Land

Landscape visual buffer between residential and employment activity and existing sewage treatment works

Sandiacre Lock Conservation Area

HS2/Commercial/Employment Development

Potential expansion of employment land subject to HS2 land take and final route alignment, site constraints etc.

North/South Wildlife Corridor, link to existing Green Space.

Gateway/Prestige employment development in close proximity to the station

Higher density housing

NET Park and Ride

Public right of way

Wheatgrass Farm

School

Nursery

Extended Bridleway linking to Linear Park

Employment/Leisure Development

Linear Park

Main access points and east/west connections into and within site

Low density housing

Link green space with enhanced public rights of way

Potential north south link connecting existing community to new leisure/green facilities via Spinney Rise

Sustainable pedestrian/cycle access between housing and employment (no road traffic)

Safeguarded route for future tram extension over the station

HS2 Station