



Matter 7: Toton

Policy 3.2 – Land in the Vicinity of the HS2 Station at Toton (Strategic Location for Growth)

1. Introductory Statement on Matter 7 on behalf of Peveril Securities

1.1 The Inspector's questions in relation to Matter 7 relate to issues covered at various locations within the Part 2 Local Plan and most notably in the wording proposed in Policy 3.2. This statement contains our response to the wording and content of Policy 3.2 as it relates to the issues and questions identified by the Inspector. However, in preparing the response in the context of Policy 3.2 it is the view of Peveril (who for this purpose comprise Peveril Securities as landowner and Peveril Homes as house builder) and its consultants that the policy approach to the development and delivery of it within the Toton SLG in the Part 2 Plan should be re-considered. It is suggested a revised policy approach would provide the necessary clarity as to how the objectives of the Aligned Core Strategy and indeed the future development of the site should be delivered (and where). The approach, which Peveril considers should be included within the Part 2 Plan (as a substitute for Policy 3.2), should be on the following lines:

1. The provision of a concept masterplan for the SLG (which could also in due course be added to by a phasing plan). The potential content of that masterplan is shown in Appendix 1 to this statement which would adopt the following principles:
 - Maintains the principles of three broad areas of development within the SLG.
 - Recognises the extant planning consent 17/00131/ROC) and Reserved Matters Approval (17/00499/REM) – this is shown on the 'permitted schemes plan' in Appendix 1.
 - Identifies areas of housing east and west of Toton Lane.
 - Identifies areas for Employment, Hotels, University space, and associated uses to the west of and adjacent the HS2 station hub.
 - Shows highway infrastructure as indicated on the plan on page 36 of the East Midlands HS2 Growth Strategy (HS2/06). We understand that this forms the basis of the HIF bid.
 - Provides a local centre.

- Indicates green links through the site and east west to connect Chetwynd Barracks with the HS2 Station Hub.
 - Identifies land for a School/Leisure hub.
 - Sets out a development pattern that does not prejudice tram, road, cyclist and pedestrian access to the HS2 Station Hub and over the railway line to land to the west.
 - Does not prejudice the ability to provide an access to the Chetwynd Barracks site.
 - Indicates an increase in the area of the SLG to include land to the north encircled by the proposed road infrastructure (this is the subject of separate representations in relation to Green Belt release).
2. The wording of a new Policy 3.2 (or appropriate other number) would then relate to the proposals on the masterplan and could therefore cover the following principles.

That development within the SLG should seek to be in accordance with the masterplan and provide a development of:

- a. At least 500 dwellings either on specifically allocated land or part of a mixed use area. Other uses include a care home; day nursery and public house.
 - b. Employment uses (1,000,000 sqm) either on specifically allocated land or part of a mixed use area.
 - c. A local centre (380 sq m convenience store and 2 No 95 sq m retail outlets, A1, A3, A4 A5 and AA).
 - d. Suitable provision for education; health leisure and community facilities.
 - e. Suitable green infrastructure including a green corridor along the southern part of the site from the potential HS2 station to Chetwynd Barracks.
 - f. A “safeguarded route” for an extension to the tramway (the NET).
3. The wording of the policy would require further work so that it accords with the concept masterplan. Development that departed from the principles of the masterplan would only be permitted if justified.
4. Whilst we understand the Council and other authorities are promoting the wider site as an ‘innovation village’ this is not a recognised planning designation so we would suggest that any new policy simply deals with recognised descriptions of land use; their scale and location as per the masterplan.

- 1.2 The masterplan submitted in Appendix 1 reflect the grant of planning permission that Peveril and an adjacent landowner (Heart Church) already has on the area to the west of Toton Lane; the Council/East Midlands Councils (Document HS2/06) aspirations for potential development should HS2 go ahead; the more up to date information on likely infrastructure requirements (particularly road links) that may be required in the future and the need to deliver a minimum of 500 dwellings within the SLG during the Plan period.
- 1.3 The concept masterplan zonings can correlate with the three areas of the site currently referred to in Policy 3.2 – and as indicated in the ‘broad zone plan’ in Appendix 1. The zonings could include:
- a. West – employment and related development in the area in the area west of and immediately surrounding of the HS2 Station Hub.
 - b. Central - a mixed use area including housing and employment uses and a local centre shown. This takes full cognisance of the extant planning permission for 500 dwellings, 380 sqm convenience store, two 95 sqm retail outlets, education floor space (maximum 2,300 sqm), day nursery (maximum 450 sqm), pub/restaurant, an 80 bed residential care facility, open space, plot for medical surgery (0.04 hectares), plot for community use (0.08 hectares), highways, drainage, removal of electricity pylons and overhead cables, erection of terminal pylon, demolition of 316 Toton Lane and associated infrastructure.
 - c. East - a mixed housing development and leisure/education hub.
- 1.4 The designation of the SLG in the ACS was made in circumstances where the HS2 decision was yet to be formally made. Therefore development is required with or without HS2. It is recognised there is some uncertainty about the future development of the employment area closest to the station and the make-up of the area north of the tram route even though this already has planning permission for housing. Peveril therefore considers it is appropriate to allocate an area for housing immediately to the east of Toton Lane and also a leisure/education hub. Taken together with the area that already has planning permission to the south of the tram route, the combined area of housing when added to the east of Toton Lane will be some 450 dwellings. These two areas (ie east of Toton Lane and south of the tram way) can be developed in the short term and without prejudice to any future decisions on the land north of the tram route. Land to the east of Toton Lane can come forward immediately. This could boost the 5 year housing land supply position relatively quickly. It would be possible, therefore, to deliver the vast majority of the 500 minimum dwellings required in the Core Strategy on those two areas of the masterplan.
- 1.5 The new policy should also refer to the potential densities reflecting the existing planning permission and any future planning applications separately.

- 1.6 The approach of providing a concept masterplan and supporting policy would provide a sound basis on how the Development Plan should deal with the key principles of a large allocation such as Toton is a more robust and clear approach to how development within the SLG should take place. As the representations to the specific wording of Policy 3.2 demonstrate, the policy in its current form is unclear, in some places contradictory and does not provide a sound and clear basis as to how the future of this important area is going to be managed from a policy perspective. In this respect a more detailed but still conceptual masterplan to form the basis for the policy is seen as essential – particularly as there is no technical or background paper on Toton that contains or explains a masterplan approach to the site. Our suggested approach is common in many Local Plans that propose large areas for redevelopment.
- 1.7 It is not considered appropriate in this statement to provide detailed policy wording. However, it is recognised that if Broxtowe Council and the Inspector accept this approach, the Council will need to provide a policy wording with the masterplan and a fairly substantial Main Modification to the Part 2 Plan. It is recognised this will need to be the subject of full consultation considered in due course by the Inspector. Once a masterplan and related policy has been agreed it would then be possible to cover the issue of phasing in a more co-ordinated way. This is commented on in relation to the relevant Inspector's question later in this document.
- 1.8 Both WYG and Peveril consider that it is important to establish the right policy approach and hence have raised a more fundamental issue of the policy approach at this stage. However, should the Inspector wish to pursue with the existing policy structure (ie Policy 3.2) then we set out below more detailed comments in relation to her questions using the existing policy numbering.
- 1.9 We trust Broxtowe Borough Council will consider this submission in the spirit in which it is made and we are happy to discuss on behalf of Peveril with the Council (and with other affected bodies as required) the merits of such an approach.

2. **Inspector's Questions on Matter 7 and Response**

1. What evidence is there that the site will be available, sustainable, viable and deliverable within the Plan period?
- 2.1 As the Inspector will understand from the history of the Toton site our client, Peveril, supported the removal of the SLG from the Green Belt as part of the ACS. It was established from the Core Strategy Inspector's report that the sustainability credentials of the site were significant with or without the development of HS2 (see below quotations from Inspector Kingaby's report). The evidence of the sustainability of the site is therefore contained within the background documents to the ACS Examination and the Inspector's conclusions which are not

seen as being necessary to repeat at this point. It is though relevant to comment that the size of the SLG that Inspector Kingaby was considering at the time was about 73 ha and has now been increased in the Part 2 Plan to circa 150 ha due mainly to the addition of the Toton Sidings site immediately adjacent to the railway. Peveril remains strongly supportive to the principle of the SLG coming forward in the area identified in the Part 2 Plan which respects the conclusions of Inspector Kingaby.

- 2.2 As far as availability, viability and deliverability are concerned, Peveril has a detailed planning permission – an outline consent with a reserved matters approval on what is in effect the central area of the SLG shown on the concept masterplan. The whole site is owned by a combination of Peveril and Heart Church who are both committed to bringing the development forward. The implementation of the planning permission – which has an associated Section 106 Agreement – is considered to represent a viable development. Peveril is through its housing development company, Peveril, content to implement this planning permission and is currently (see below) going through the condition discharge process. Peveril is minded that proceeding in the short term with housing development to the north of the protected tram line extension route may be difficult given the current uncertainties about the future of HS2. Peveril would therefore prefer to start development of the housing in the area shown on the concept masterplan lying to the south of the tram route and east of Toton Lane - they would be willing and able to implement its planning permission in its entirety if circumstances allowed or if HS2 did not proceed.
- 2.3 Peveril is minded there are other landownership within the SLG (excluding them and the Church). Those landowners control land which is generally in the western part of the SLG and would require access as well as the tram route extension to reach their land. The existing Peveril planning permission and indeed the proposed concept masterplan allow for access into other landowners' land and does not prejudice the future development of that land. As stated above the concept masterplan proposed could be accompanied in due course by a phasing plan.
- 2.4 Peveril's view is that the housing elements shown on the proposed concept masterplan would be able to deliver the minimum 500 dwellings required in the ACS (see below). Further housing could be delivered in the mixed use area if circumstances required.
- 2.5 Thus Peveril is satisfied that the SLG site (having also considered representations from other landowners) is going to be available within the Plan period; is sustainable and as far as Peveril is concerned, the land on which it has planning permission (or an alternative allowing housing to be built on the eastern side of Toton Lane) is viable and deliverable within the Plan period.

Question 2. Having regard to MM3 are the Key Development Requirements appropriate and justified?

Question 3. Should the scale of development at Toton be outlined in the Policy?

- 2.6 The comments and response to the two above Inspector's questions have been compiled with regard to the existing wording of Policy 3.2.
- 2.7 Policy 3.2 is a list of 'Key Development Requirements' which is then divided into:
1. Those within the period 2018-23; and
 2. Those within the period 2023-28 and 'stretching significantly beyond the Part 2 Plan Period'.
- 2.8 For the period 2018-23 the 'policy' refers to 500 homes at a minimum density of 40/hectare and located 'towards the South of the SLG' and the local centre (Assumed to be A1, A3, A4, A5 and AA). There is no reference to the 80 bed care facility, school space and day nursery.
- 2.10 We have a number of concerns:

Quantum of Housing

- 2.11 The Core Strategy is clear that the SLG is allocated for a **minimum of 500 houses** (Policy 2). That policy related to a SLG at Toton covering approximately 73 ha. However, following further assessments (HS2/01 – HS2/09), post adoption of the ACS the Council has demonstrated its increased ambition for the SLG such that it now proposes an increased area to over 150 hectares. We support this approach, (subject to refinement). Unfortunately, despite the increased site area the Council is seeking to restrain the level of housing by the removal of the word minimum.
- 2.12 The Inspector to the Aligned Core Strategy in her letter to the Councils, dated 24 July 2014 stated at paragraph 70:
- " . . . However, the Toton location has good sustainability credentials for new development , whether or not HS2 goes ahead, being in the south of the Borough and adjoining the main built up area of Nottingham. It is within walking distance of the new tram terminus and park and ride facilities."*
- 2.13 In paragraph 71 she went on to state:
- "The submitted ACS referred to an "Appropriate mix of development" at Toton but did not indicate how much housing, employment or other uses would be sought. This was unsound, being vague, and inconsistent with positive planning."*
- 2.14 Inspector Kingaby was concerned about the vagueness of the intended uses in 2014. As stated above, there is the opportunity through the review of a concept masterplan to consider the overall scale of various forms of development, that recognising sustainability credentials of the

site there is potential to provide more housing as part of an overall mix of uses. Thus the Part 2 policy should not be seen as restricting housing numbers by removal of the word minimum.

RECOMMENDATION: Policy 3.2 should be amended to refer to the development of the SLG will include a minimum of 500 houses.

Location

- 2.15 The extant planning permission for 500 houses relates to land to the north (282 houses) and south (212 houses) of the safeguarded tram route (see Plan 1 attached). Policy 3.2 seems to ignore the ability to implement the extant outline planning permission for 500 houses (17/00131/ROC) and Reserved Matters approval (17/00499/REM) which is capable of delivering 282 houses north of the tramway, west of Toton Lane. This area has been consented at a density of approximately 30 dph. There are also other uses consented including local centre etc etc.

Density

- 2.16 The land to the south of the tramway can accommodate the residue of 212 houses to achieve the outline consented figure of 500 homes. There is no condition in the planning permission that sets a precise density requirement. Informative 2 to 17/00131/ROC refers developers to the Design and Access Statement and states:

The details to be submitted as part of the reserved matters should adhere to the design concept and principles set out within the Design & Access Statement.

- 2.17 The Design & Access Statement submitted with the outline application indicated a density across the site of 30 ha. Hence, there is an inconsistency between the 40 dwellings per ha density requirement in Policy 3.2 and the ability to implement the outline planning permission at a density of circa 30 dwellings per hectare in accordance with the planning permission.

RECOMMENDATION: Policy 3.2 should be amended to fully recognise the extant planning consent (including uses north of the proposed tramway extension) and delete the 40 dwellings per hectare density requirement south of the tramway insofar as it relates to West of Toton Lane

East of Toton Lane

- 2.18 Development of part of this area for houses is neither specifically included or excluded within Policy 3.2. The land is not included within the extant planning permission that Peveril has on the western side of Toton Land. However, it does represent an opportunity to deliver further housing in the highly sustainable location. It is readily available and easy to deliver due to its distance from the HS2 Station Hub (and uncertainty about the implications of that); the fact

that no power lines cross it; the absence of the NET tramway and its smaller scale. This area should therefore be specifically referred to as having potential for housing (and possibly other uses) in the Policy. This area could deliver houses within the next 5 years and help alleviate concerns about the ability to sustain a suitable housing trajectory (see Q5 below). The area is proposed for housing and education/leisure purposes on the concept plan referred to at the start of these representations.

RECOMMENDATION: Policy 3.2 – insert reference to housing development being acceptable east of Toton Lane

Paragraph 3.12

- 2.19 Paragraphs 3.11 and 3.12 provide justification for the key development requirements set out in paragraph 3.10 under Policy 3.2 and also for the extent of land to be removed from the Green Belt, ie the plan at page 38.
- 2.20 The text of the justification within paragraph 3.12 refers to the Council's Cabinet meeting of December 2015 and the HS2 Advisory Committee meetings of June (HS2/01) and July 2015 (HS2/02). The Inspector should be aware that 'Indicative Master Plans' were produced in June/July and in December 2015.
- 2.21 These are reproduced as:
1. Plan 2 - June/July 2015 HS2 Advisory Committee
 2. Plan 3 - December 2015 - West of Toton Lane.
 3. Plan 4 - December 2015 Cabinet - East of Toton Lane
- 2.22 The June/July 2015 plan shows low density housing to the south of the tram line, high density to the north, a very wide buffer along the southern boundary, mixed use employment/leisure to the East of Toton Lane with low density housing further east.
- 2.23 The two December 2015 plans show housing (no density stipulation) to the north and south of the tramway, west of Toton Lane with Employment/ Leisure to the east of Toton Lane. Again, there is a very extensive green buffer along the sought boundary.
- 2.24 Whilst it is recognised that the area of land shown on the above plans provide justification for the extent of land being released from the Green Belt, in the absence of a definitive concept plan which the Council intends to regard as policy compliant for the purposes of Policy 3.2, there is a danger that these plans (being referred to in the text of the Development Plan policy) will have greater weight attached to them than should be appropriate. This situation would be avoided if there was a concept masterplan referred to in the introductory section of these

representations.

- 2.25 Therefore it is suggested that paragraph 3.12 in its current form is deleted or is significantly re-worded to confirm that the plans referred to relate to the definition of the area of the SLG to be removed from the Green Belt and are not to be regarded as the Council policy (in whole or in part) for how the SLG should be developed.

RECOMMENDATION: Paragraph 3.12 should be deleted

Uses

- 2.26 The Policies Map at page 38 allocates the entire SLG for "Mixed Use Allocations". In the absence of a Master Plan it would be helpful if a list of acceptable uses, with reference to the Use Classes Order, could be set out in the Policy and on the Policies Map. It may be helpful to set these out in terms of the East, Central and West areas within the SLG and to define those. To assist the Inspector we submit Plan 5 showing the broad areas. The uses should be consistent with the adopted Core Strategy and hence should refer to a minimum of 500 homes across the SLG and include all uses approved by way of the extant planning consent.
- 2.27 Regarding the second part of the policy there is reference to an "Innovation Village", relocated George Spencer Academy, leisure hub, community centre, health centre, retail centre. Some of these uses are already included within the outline planning consent (17/00131/ROC). In a planning sense the term "Innovation Village" is imprecise and more of a marketing tool than a planning designation. We have no fundamental objection to this term per se but consider it requires clarity. We suggest that the Plan should set out the uses that would be acceptable within each of the broad zones.

RECOMMENDATION: Policy 3.2 should identify the 3 broad development areas and set out the uses which will be allowed within the SLG by reference to the Use Classes Order as well as all uses approved by way of the extant planning consent. It should clarify the term 'Innovation Village'

Green Infrastructure

- 2.28 With regard to Green Infrastructure the policy promotes green linkages. Whilst we support the principle, the policy refers to a route of "sufficient width and quality to provide attractive and usable links" yet in relation to the green link on the southern boundary it requires the provision of a 'significant' corridor. "Significant" is ill defined and unhelpful. There is no justification why this link needs to be "significant". Potentially it contradicts with the need for the 500 homes to be built south of the tramway. Clarity is required and raises issues over the weight the Council is giving to the June/July 2015 and December 2015 'Indicative Master Plans'?

- 2.29 It is our view that pedestrian and cyclist movements and enhanced bio diversity objections can be achieved to a high quality within a variable width Green Corridor of no more than 10 metres in width. It does not need to be "significant". The December 2015 Indicative Master Plan shows this to be over 100 metres wide in places.

RECOMMENDATION: Policy 3.2 should provide greater clarity with regard the function and extent of the Green corridor along the southern boundary of the site. "Significant" should be deleted.

- 2.30 We note that reference to housing, post 2023, has been deleted from the Part 2 Plan (MM3). This should be reinstated. The SLG is a highly sustainable location being close to the NET terminus and park and ride and should HS2 come forward then the station will be within walking distance. Land to the east of Toton Lane is available for housing development and its development would not prejudice delivery of the wider vision. Additional housing may be possible in the mixed use area. Further housing post 2023 therefore should remain an option in policy terms.

Policy 3.2 should be amended to reintroduce reference to housing within the SLG post 2023

Minor amendment to boundary of SLG on Map 7

- 2.31 Peveril supports the extent of area to be excluded from the Green Belt as shown on map 7 of Policy 3.2. However, it is suggested that page 36 of the East Midlands HS2 Growth Strategy document (HS2/06) provides a reasonably reliable indication of future highway routes serving the SLG. These are also included within the HIF bid which has recently been submitted. The route of the roads themselves immediately north of the SLG would enclose an area of land occupied, inter alia, by Bardills Garden Centre, the Japanese Water Garden and other land. In Peveril's view it would make sense to exclude this land from the Green Belt at this point in the planning policy process and identify it as potentially developable for mixed use as part of the ongoing development of the SLG.
- 2.32 The road lines themselves – particularly that defining the eastern boundary of the area to be excluded from the Green Belt – would represent defensible long term Green Belt boundaries and the process itself would comply with paragraph 139 of the NPPF.
- 2.33 Overall, therefore, we consider that Policy 3.2 in its current form – particularly the highlighted text under paragraph 3.10 would need to be significantly amended and streamlined. The minimum amendments that should be made in relation to key elements of it are that it should:

1. refer to the development of the SLG needing to be a minimum of 500 houses in accordance with the ACS.

- 2. to fully recognise the extant planning consent which provides for a range of uses together with 282 houses north of the safeguarded tramway and delete the 40/ha density requirement south of the tramway insofar as it relates to West of Toton Lane.**
- 3. delete or significantly amend paragraph 3.12.**
- 4. identify the 3 broad development areas and set out the uses which will allowed within the SLG by reference to the Use Classes Order and include all uses approved by way of the extant planning consent.**
- 5. should provide greater clarity with regard the function and extent of the Green corridor along the southern boundary of the site. "Significant" should be deleted**
- 6. reintroduce reference to housing within the SLG post 2023.**
- 7. make a minor amendment to the Green Belt through extending the boundary of the SLG to the north as shown on the revised growth boundary plan in Appendix 1.**
- 8. Should identify the 3 broad development areas and set out the uses which will be allowed within the SLG by reference to the Use Classes Order as well as all uses approved by way of the extant planning consent. It should clarify the term 'Innovation Village'.**
- 9. As it extends over 4 pages with individual land use components detailed throughout it should, in a separate paragraph, succinctly set out the minimum amounts of development that are acceptable in the SLG. It is currently confusing.**

2.34 The Plan should also be mindful that the HS2 project may not arise. Whilst design work is advancing there is still no Act of Parliament to support it. The Council needs to have a contingency should HS2 not be pursued. It may well take the form of a review of the Core Strategy which we understand will commence in September 2019 and be adopted in December 2021. That is still likely to be ahead of the necessary Act of Parliament for HS2.

2.35 Peveril as one of the principal landowners in the SLG has been pursuing the exclusion of the area from the Green Belt and a deliverable scheme with or without HS2 for several years having participated actively within the ACS Examination Inquiry. It is supportive of Broxtowe Borough Council's intentions to exclude the area shown on the Council's Map 7 from the Green Belt – with one minor proposed addition which is discussed above. The changes that Peveril propose either in approach or to the policy wording at various points under Policy 3.2 are intended to be constructive and to facilitate development in a way that avoids confusion and promotes

delivery.

How would the comprehensive development of the site, appropriate phasing and design principles be ensured?

Is it sufficiently clear in the Policy how this would be achieved?

What mechanisms are in place or proposed to achieve this?

What work has been completed to date?

How would all stakeholders be involved?

- 2.36 As far as the Inspector's questions on these matters are concerned, WYG/Peveril's view is that the use of a concept masterplan – which could, once agreed, be augmented by an indicative phasing plan and policy wording – could ensure a comprehensive and managed development of the site over the Plan period and beyond. It is not sufficiently clear given the current wording in Policy 3.2 how this can be achieved. Without a concept plan and phasing plan it is difficult to see how it can be in the current format of the policy unless the policy is worded to require the future agreement of a phasing plan and concept plan in due course.
- 2.37 There are thus no policy based mechanisms in place that could achieve this hence our recommendation to proceed down the route of agreeing a concept plan as part of the policy and then a phasing plan could follow also as part of the policy.
- 2.38 The current situation is that there is a planning permission in place for Peveril which could be implemented straight away. There are no time restrictions on that or phasing conditions. There is a Section 106 Agreement that deals with 'normal' developer contributions. In essence this consent could be phase 1 of the development although Peveril considers that, as an alternative to the area north of the tram way extension, housing could be built in the first phase on land east of Toton Lane.
- 2.39 The later phases of the development would inevitably take place once access through Peveril land to the west of Toton Lane is in place as well as the tram way extension. Much work has taken place in the context of the now detailed planning permission for a significant part of the SLG – effectively the central area as described in Policy 3.2.
- 2.40 If the Inspector/Broxtowe Borough Council sees the merit in progressing with the suggested approach of concept masterplan through a major modification to the Part 2 Plan, this would be subject to consultation and input of all relevant stakeholders.
- 2.41 As a major landowner our client would expect to be involved in further discussions and the finalisation of a Concept Master Plan – similar to that in Appendix 1 for the SLG.

Question 4. In the event of uncertainty or delay with the HS2 Project what would be the implications for bringing this site forward, in particular with regard to the delivery of housing in the Plan Period?

- 2.42 Whilst much work is being undertaken with regard to HS2, there is still uncertainty about its delivery.
- 2.43 There is an extant planning permission for 500 houses on the site; and the ACS provides for a minimum of 500 houses to be built. Subject to the discharge of planning condition submissions and the agreement to further condition submissions housing delivery will commence. The Reserved Matters approval has taken full cognisance of the need to provide access to the HS2 station hub such that there is no conflict with the delivery of the station and necessary infrastructure.
- 2.44 Hence, if HS2 does not progress then house building together with the local centre and other consented uses will continue.
- 2.45 This is a highly sustainable location for housing irrespective of HS2; a point made by Inspector Kingaby at the Aligned Core Strategy in 2014. With or without HS2 the housing will be delivered. In fact, if HS2 did not proceed then increased levels of housing could be allocated at Toton reflecting its proximity to the NET. The Aligned Core Strategy set 500 as the minimum number of houses whilst the Part 2 Plan has removed reference to "minimum".
- 2.46 The Part 2 Plan, as currently written, does not plan for a no HS2 scenario and it does not recognise the potential for housing on the eastern side of Toton Lane. Reference to a minimum of 500 houses in the SLG needs to be clearly set out in the Part 2 Plan for it to be consistent with the ACS.
- 2.47 In the event that HS2 does not proceed then the Council could – if it accepts our concept masterplan approach – state in any revised policy that a revised masterplan will need to be agreed or indeed they may decide to review the policy completely.

Question 5. What progress has been made in securing and delivering the Infrastructure requirements for the site summarised in Appendix A of the ACS?

Are there any unresolved issues?

How would these be addressed?

What would be the impact of any delay in the delivery of this necessary infrastructure?

- 2.48 Appendix A of the ACS at pages 143 -149 sets out the infrastructure requirements with regard to delivery of the Strategic Location for Growth as shown on the Plan on page 149. This site at

73 hectares is approximately half the area now covered by the revised SLG site as shown at Plan 5 of the Part 2 Plan. The Infrastructure requirements of the enlarged SLG are far more extensive. So a review of any additional infrastructure requirements relating to the larger area would be advisable.

- 2.49 With regard to the planning permission obtained by Peveril for the 'central' area of the SLG this is the subject of a Section 106 Agreement and the infrastructure requirements relating to this development are capable of being provided as part of this scheme. Whilst Peveril has not done any detailed studies relating to the land to the east of Toton Lane it is not thought there are any insurmountable infrastructure constraints preventing the release of that land for housing and related development. The presence of the power lines in the southern part of the central area was taken into account as part of the application process, although subsequently the cost of grounding these lines is known to be included in the Council's HIF bid.
- 2.50 Therefore as part of the central area or potentially first phase of development (that may include land east of Toton Lane) there are no insuperable issues in terms of infrastructure delivery given Peveril's experience of how these matters were addressed in the planning application process. As far as any wider infrastructure issues are concerned on the entire area of SLG – mainly land to the west – or new roads shown as indicated on Council document HS2/06, Peveril has not seen any analysis of the thresholds of additional development that will require additional infrastructure investment.
- 2.52 On matters of education the requirements for both primary and secondary provision in the planning permission for 500 dwellings etc are set out in the Section 106 Agreement and are sufficient to meet educational need generated by that scale of development. Any additional residential development will have to address further educational needs either on site or through appropriate contributions.

Are there any cross-boundary issues and how would these be resolved?

- 2.53 None as far as we are aware.

Question 6. In light of the above, is the delivery of dwellings on the site from 2019/20 as shown on the Housing Trajectory realistic?

- 2.54 Our comments essentially relate to housing development at the SLG at Toton in the context of the extant planning permission (17/00131/ROC) for 500 dwellings. In addition Policy 2 of the SCS identifies the SLG at Toton for "**a minimum of 500 homes**". That if course was at a time when the SLG was just 74 ha; it is now 154 ha.
- 2.55 The consented land (17/00131/ROC) is controlled by two landowners. Our client, Peveril, owns the northern section, the land to the south is owned by another party (Church). Land to the

East of Toton Lane, owned by both parties, is also suitable for housing but outside of the outline planning consent.

- 2.56 The housing delivery trajectory is set out in Table 5. This anticipates delivery of 50 houses from the SLG in 2019/20. Thereafter 100 per annum.
- 2.57 Peveril is in the process of submitting condition discharge and compliance applications so that there is no procedural impediment to development commencing on the application site. The latest condition which remains with the Council for a decision relating to its discharge is condition 12 relating to the safeguarded tram route. Peveril awaits confirmation of that condition being discharged so that it can then proceed to discharge all other outstanding conditions.
- 2.58 Once all conditions are discharged there is a lead-in time to commence development and to provide the on-site infrastructure to support housing development. In Peveril's view the earliest that housing could therefore be delivered given the pace in which the Council is determining the condition discharges is 2020. This will therefore adversely impact the Trajectory in Table 5.
- 2.59 Peveril has held discussions over financial matters with Heart Church (the second landowner). These remain ongoing and both parties are collaborating in relation to the future development of the site they control. If the Council's HIF bid to fund the removal of the power lines is not successful the financial matters relevant to this process will be agreed between landowner and developer. Discussions with Western Power suggests there is an approximate lead-in period of two years to ground the power lines. This would suggest the earliest housing could be delivered on the Church land would be 2021.
- 2.60 For these reasons we believe the current Table 5 Housing Trajectory with regard to the SLG is optimistic. The following Table, showing the delivery trajectory for the two areas of the planning consent Toton North (our client Peveril) and Toton South (Church), is more realistic though is reliant on the Council dealing with condition discharged expeditiously.

Area	19/ 20	20/ 21	21/ 22	22/ 23	23/ 24	24/ 25	25/ 26	26/ 27	27/ 28	Total
Toton N	0	50	50	50	50	50	32	0	0	282
Toton S	0	0	25	50	50	50	43	0	0	218
Total	0	50	75	100	100	100	75	0	0	500
Cum	0	50	125	225	325	425	500	500	500	500

Appendix 1:

WYG Concept Masterplan

Legend

- Strategic Growth Area Boundary
- Strategic Roads
- Proposed Residential Parcels
- Public Right Of Way
- Net Line
- Pedestrian Cycle Connections
- Chetwynd Route/Corridor
- Approved Local Centre
- Proposed Employment Area
- Proposed Mixed Use
- Proposed School
- Existing Tree Group/Tree
- Existing Land Use
- H&S Station
- H&S Station Concourse

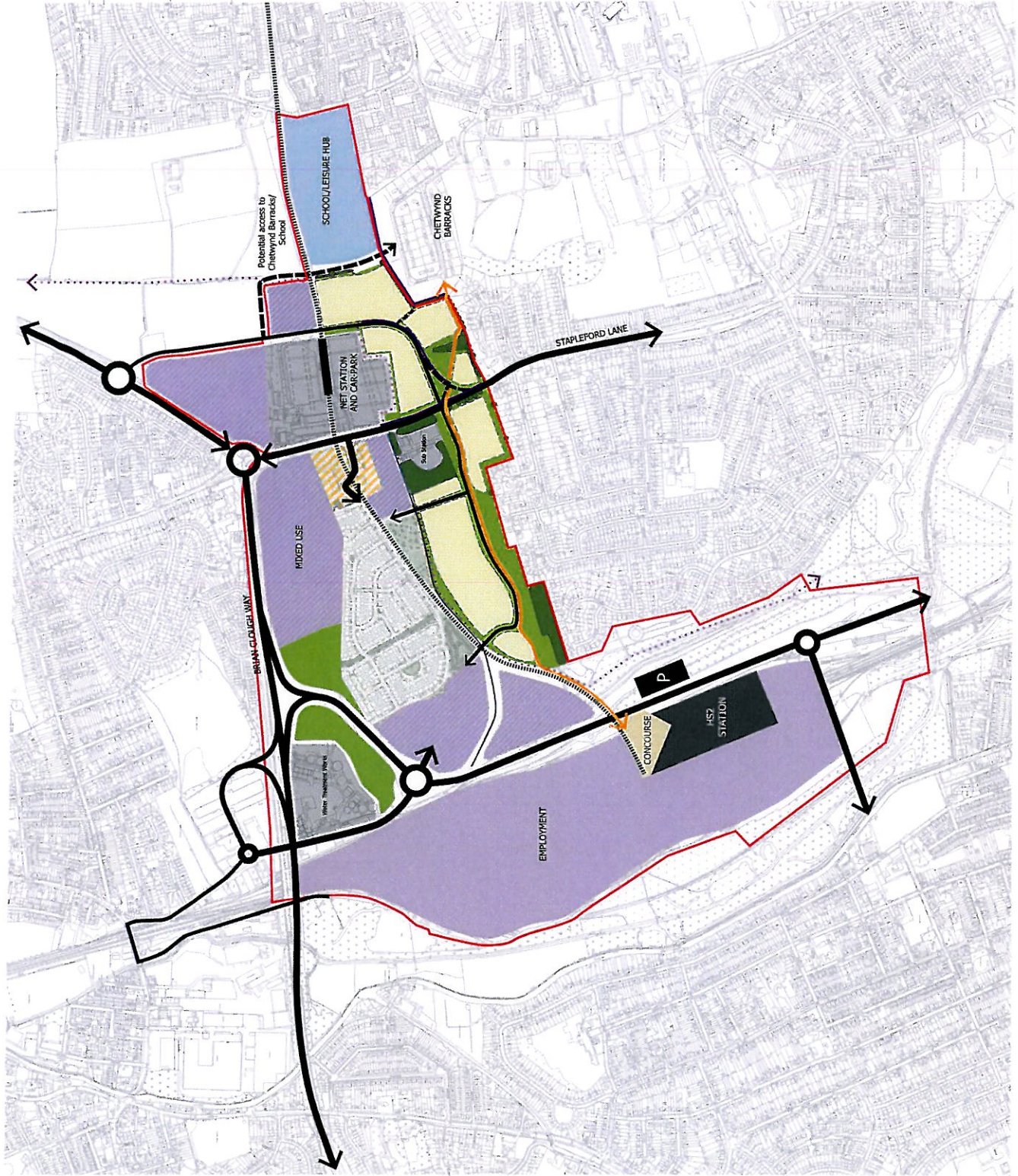


Project Title:
Toton East, Peveril Homes

Concept Masterplan

Dwg No: A099277_02 Rev: C
Drawn: HH Checked: AC
Date: 15/11/18

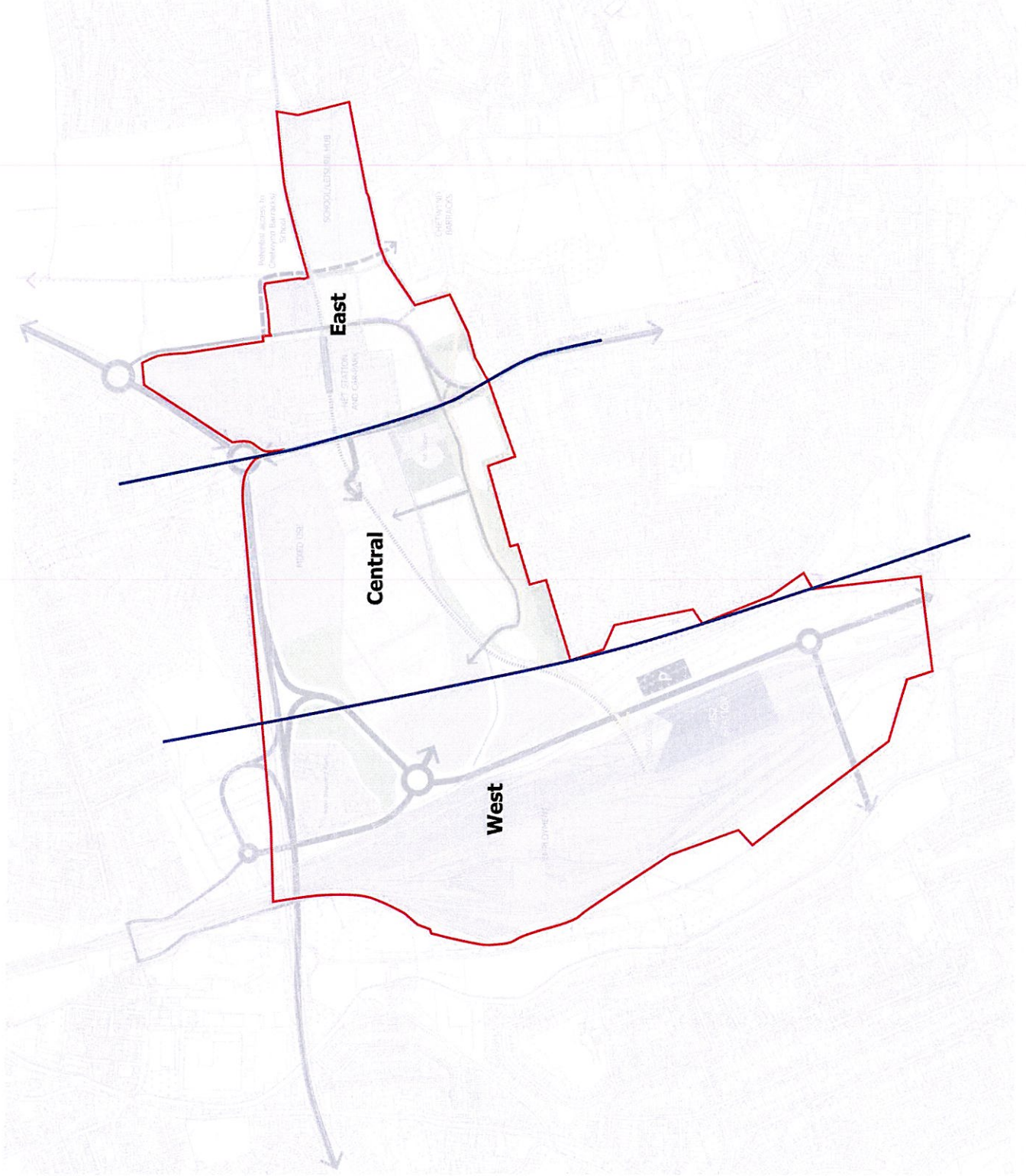
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Broad Zone Boundary Plan

Legend

Strategic Growth Area Boundary



Urban &
Landscape
Design

Project Use:

Toton East, Peveril Homes

Drawing title:

Broad Zone Plan

Dwg No: A099277_04

Rev: A

Drawn: RR Checked: AC



Date: 15/11/18

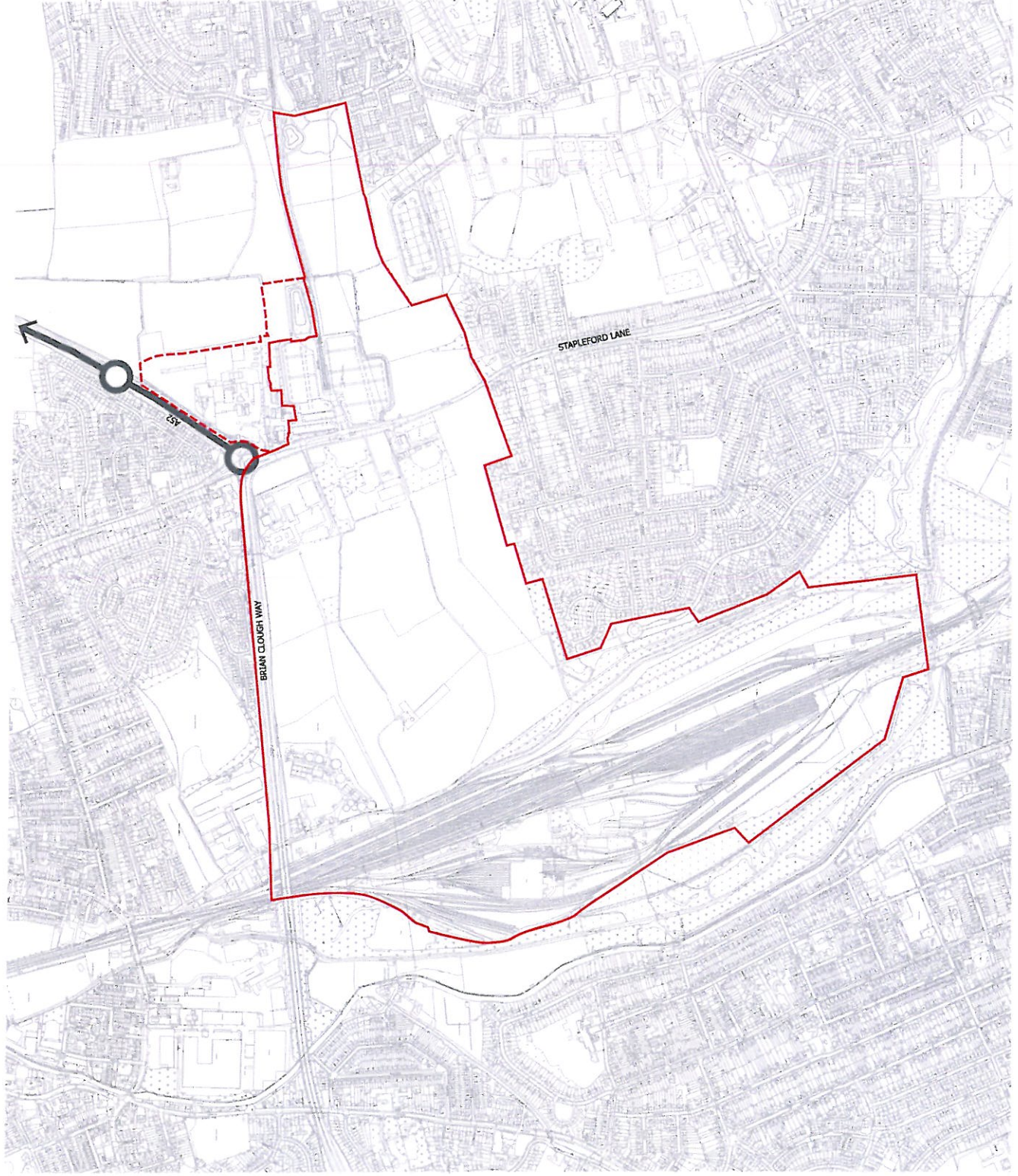
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Revised Boundary Plan

Legend

-  Council's Proposed Growth Boundary
-  Additional land to be excluded from Green Belt



Urban &
Landscape
Design

Project title:

Toton East, Peveril Homes

Drawing title:

Revised Growth Boundary

Dwg No: A099277_03

Rev: C

Drawn: RR

Checked: AC

Date: 16/11/18

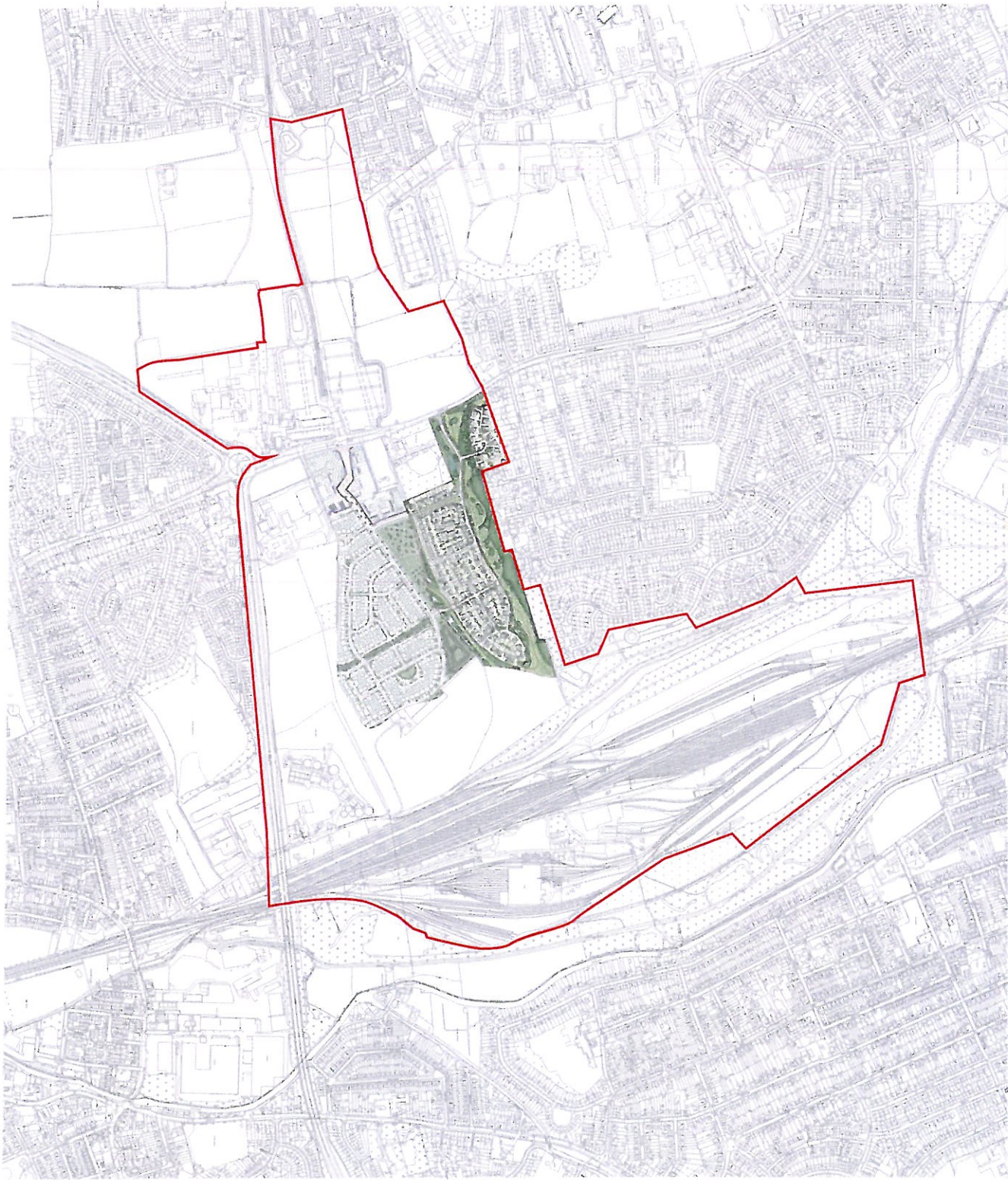
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Permitted Schemes Plan

Legend

 Strategic Growth Area Boundary



**Urban &
Landscape
Design**

Project title:

Toton East, Peveril Homes

Drawing title:

Permitted Schemes Plan

Dwg No: A099277_05

Rev: A

Drawn: RR Checked: AC

Date: 15/11/18

Scale: 1:10,000 @ A3

