

**Regulation 19 Addendum: Proposed Modifications to the South Derbyshire
Local Plan Part 1 Review 2022-2041**
THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING)
(ENGLAND) REGULATIONS 2012
Regulation 19 Addendum
REPRESENTATION FORM

The easiest way to **submit your comments is online** at <https://bit.ly/Part-1-Local-Plan-Review> or by scanning the QR code. We would encourage you to use the online form wherever possible. Where online is not possible, you can complete this form and return it to us using the postal address on the final page.



Submission form

This form has two parts

Part A – Personal Details: need only to be completed once.

We will not be able to accept responses where personal details are not provided.

Part B – Your representation(s): **Please fill in a separate sheet for each representation you wish to make relating to each individual policy.**

You will be asked to give details on whether you think the plan is legally compliant and why you consider the proposed modifications to the policies of the Local Plan to be sound or unsound, please be as precise as possible.

You will also be asked to set out the modification(s) you consider necessary to make the Local Plan legally compliant and the policies sound in respect of any matters you have identified. You will need to say why each modification will make the Local Plan legally compliant or policy sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Privacy Notice

Representations (including your name) will be made publicly available following the close of the consultation however personal details (personal address, signature and contact details) will NOT be made publicly available but will be kept in a secure database and used to notify you of the Plan's progress.

Who has access to your information?

Personal details will be protected although it may be necessary to disclose these to a Planning Inspector appointed by the Secretary of State at a later date. For further information, please visit our Privacy section of our website at www.southderbyshire.gov.uk/privacy where you can see a full copy of our privacy notice.

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Part A: Personal Details*

We will not be able to accept responses where personal details are not provided.

1. Please provide your contact details.

Respondent details	Agent details (where applicable)
Name*: Andrew Jordan	Name*:
Organisation: N/A	Organisation:
Address*: 2 [REDACTED] [REDACTED]	Address*:
Email: [REDACTED]	Email:

*indicates required field

Future notification

The District Council will retain your contact details to inform you of future consultations on the Local Plan. If you do not wish for your contact details to be added to the consultation database, please email local.plan@southderbyshire.gov.uk

Part B: Please use a separate sheet for each representation you wish to make
3. To which part of the Local Plan does this representation relate?

Please provide the reference of the policy, paragraph, policies map, evidence etc that your comment relates to. Please use a separate Part B form for each Proposed Modification that you wish to comment on.

Comment being made against:	Please tick only one		
PM1		PM23	
PM2		PM24	
PM3		PM25	
PM4		PM26	
PM5		PM27	
PM6		PM28	
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PM9		PM31	
PM10		PM32	
PM11		PM33	
PM12		PM34	
PM13		PM35	
PM14		PM36	
PM15		PM37	
PM16		PM38	
PM17		PM39	
PM18		PM40	
PM19		PM41	
PM20		PM42	
PM21	✓	Other (Please specify)	
PM22			

4. Do you consider the Local Plan is:		
	Please tick the relevant box	
	Yes	No
1) Legally compliant		✓
2) Sound		✓
(If you check 'No', please also confirm below which of the 'tests' it fails to meet)		
a) Positively prepared		✓
b) Justified		✓
c) Effective		✓
d) Consistent with national policy		✓

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.

Please be as precise as possible (e.g., if objecting on the basis of legal compliance, please quote the specific law that the Local Plan does not comply with). If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Point 1

The plan is not legally compliant as reasonable alternatives have not been considered, and this point has been confirmed within the councils SA Report.

The proposed link road runs through the previously identified 'Country Park' area and has been essentially 'agreed' without alternatives tested, it has limited benefits vs cost as shown in the transport modelling and has a high negative impact on green space, village boundaries, separation and green infrastructure.

The amended plan includes additional housing which are clearly proposed primarily to support the road proposal and not a coherent housing plan.

The additional proposal, within the amendment, is to close off access to Staker Lane, again a proposal that is made primarily to support the need for a link road.

These elements are presented as needed and necessary without alternatives being considered, analysed and shared.

The simplest alternative of improving the junction of Staker Lane to Haven Baulk lane along with direct access to the A38 island has in no way been considered or modelled.

Point 2

a.

The plan has not been positively prepared at any stage.

The amendment itself was poorly communicated and was only agreed to go through this Regulation 19 consultation process after local pressure.

The transport modelling, which was at the heart of the issue, was released days before the council meeting and voting to pass the amended plans. This did not allow any analysis of the report or time to forward questions to the council meeting prior to the vote. It was clear at the meeting that many members had also not seen the report and voting had little to do with any information or data.

I also made an EIR request for information on the 11th March, this related to documents shared on transport modelling findings, any modelling scenarios run with details, and copies of change control instructions in relation to report GB01T25E05.

It was then necessary for me send a reminder of this request on the 16th April, pointing out that the 20 day deadline had past with no response. I then received a response on the 5th May. The response did not include the transport modelling information requested, nor did it explain whether that information is not held, outside scope, or being withheld under a specific EIR exception. I responded and again requested the information without delay as this was within the period of consultation, I also requested an internal review.

I received a response on the 5th June which essentially agreed with my complaint but again did not fully provide the information requested. The outcome in the letter was that 'the relevant service area to provide that further substantive response within 10 working days of the date of this internal review outcome'.

I again responded that this was not an acceptable timescale as the council was essentially being allowed to provide information required to formulate an appropriate response as part of the consultation.

I have as yet not received the information requested or a reply to my email. I am now considering a complaint to the Information Commissioners Office.

b.

Neither the modelling itself, nor any common sense, shows any justification for the link road.

The primary routes and access to the A38, the A50 and the centre of Mickleover are well established and used.

The addition 2500 homes have a clear access point to all of the above. Whilst these homes will indeed increase local traffic, the addition of a link road to the A516 will not solve this.

Firstly as travel from this development remains easiest directly into Mickleover via the hollow, i.e. to Tesco's, and directly to the A38 and the A50 via the A38 roundabout and the A50 Toyota island.

Secondly the modelling itself is flawed, showing at best a 4-5% reduction due to the link road, which includes the increase of traffic from the plan itself, i.e. closing access to Staker Lane. It is not necessary to be a transport specialist to see that presenting a solution to self-made problem is not good planning and does not justify the link road.

The process of consultation and the action of the developer over the past few years make it clear to all, that the proposed link road is a precursor to further significant development, as shown in the developer long term plans. The additional housing at the A516, the lack of significant data improvements and a clear long term developer plan clearly show that the link road is not currently justified.

c.

The proposed link road is a significant addition and unnecessary cost to the taxpayer. The original plan of 2500 houses was presented with no requirement for a link road, the amendment tries to present this as now necessary due to the addition of 150 homes near the A516. This is not effective either in planning process or in value for money.

The area now planned for the link road was previously presented as Country Park, this supported the array of very well used footpaths, green space, separation between villages and the variety of wildlife, deer, bats, hares, red kites etc. etc.

The environmental analysis do not seem to include issues around flooding in this area which has been extensive over many years. Although it was not possible to identify any flooding during the consultation, I did find some photos taken in 2024 that show this.



(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Resolving legal compliance could only be made by a full re-evaluation of transport modelling to include a full evaluation of alternatives, as required by law, and an improved analysis of the link road impact in isolation of other changes.

The communication and availability of information requested would need to be fully complied with in order for residents to be fully consulted with.

However, in order to be legally compliant and sound in all matters, the amendment of the link road and 150 houses, PM21, should not be accepted as part of STRA2.

The original proposal for 2500 houses was to some extent accepted, even though this additional development should have been part of Derby City plans, and would again add to the extensive level of development in Mickleover over the past 20-30 years, often without the supporting facilities, amenities etc.

Should there be a future need to propose additional housing, infrastructure, roads etc. that could be legally compliant and sound in all aspects, then this should be done as a separate plan, not a poorly prepared, unjustified or effective add on.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation, you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues identified during the examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

Please check the relevant box

No, I do not wish to participate in hearing sessions

✓

Yes, I wish to participate in hearing sessions

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Forms must be received by **5pm on Tuesday 16th June 2026.**

Part B: Please use a separate sheet for each representation you wish to make
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PM22			

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1) Legally compliant		✓
2) Sound		✓
(If you check 'No', please also confirm below which of the 'tests' it fails to meet)		
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c) Effective		✓
d) Consistent with national policy		✓

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1.

This plan is not legally compliant, it is only justified on the basis of a link road which in itself is not legally compliant due to the lack of reasonable alternatives. This is again confirmed within the councils own reports.

2.

This has not been positively prepared given the dreadful lack of information sharing, even when requested specifically under legal requirements. Again, the modelling information relied upon was not available to members in good time, and certainly not to the public at appropriate times to contribute at Council Meetings or during the consultation process.

There is no clear evidence for the need for an access as the link road itself is not justified. Even the council have recorded that the main route into the new development will be via the A38 junction.

There is no clear evidence that the bus route would be effective in reducing local traffic, it seems more than unlikely that even with the road, a bus route would be in any way viable.

(Continue on a separate sheet /expand box if necessary)

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As with PM21, the legal and appropriate action would be to remove PM16 and defer this to a future plan, if needed, where all elements can be presented as a coherent plan, legally developed and sound in all matters, not least the cost.

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PM17		PM39	
PM18		PM40	
PM19		PM41	
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PM21		Other (Please specify)	
PM22	✓		

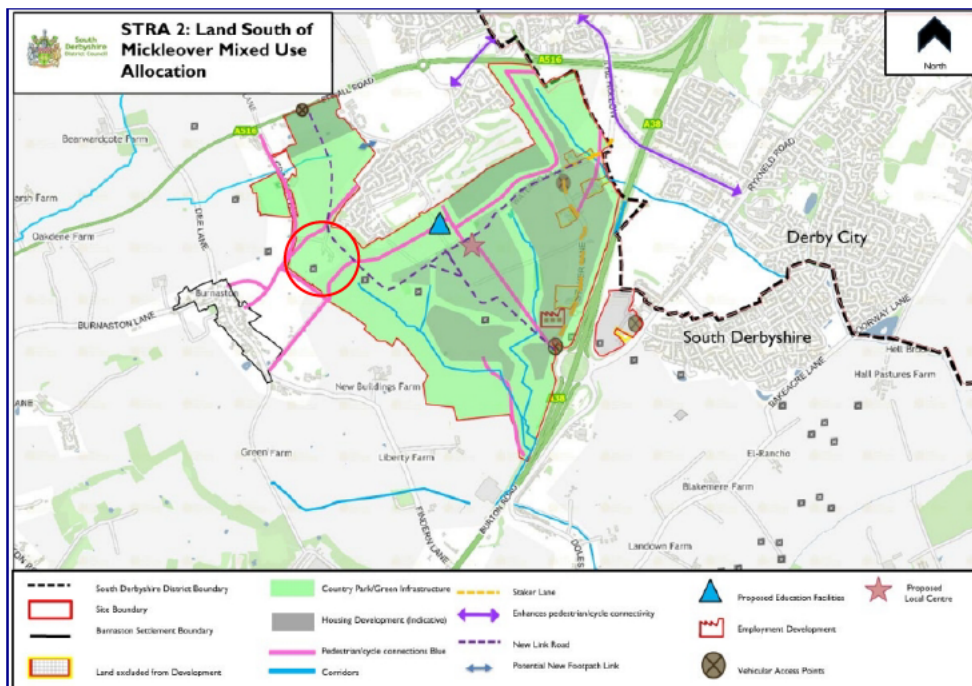
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1.

This new layout has not passed the test of legal compliance in that it cannot exist without the full analysis of reasonable alternatives.



2.

The additional plans PM16 and PM21 are not sound and have not been positively prepared and this therefore does not also stand the same test.

Additionally the area circled in red shows the gap between the end of the pastures estate and the site boundary, along with the proposed road through it. However the drawing does not show a large property which faces the Pastures estate, photo below. This infers an open space where in fact there is a large dwelling, we have pointed this out several times to the council yet this diagram remains. It is misleading to say the least and is not positively prepared as a planning document.



There is no reasoned justification for producing this updated plan when the elements that it includes are themselves unjustified. The addition on the 150 homes is so transparently an attempt to justify the road and transport access, but has no justification within STRA2 whatsoever.

Effectiveness of the plan should meet a need and improve the area for residents new and established, this does neither. The proposed road delivers next to no benefit, at a significant cost, cuts through the previously established Country Park and green space.

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The appropriate modification, as mentioned previously is clear.

The modification to STRA2 under PM16, 21 and 22 are not legally compliant and pass no test of being sound in relation to being positively prepared, justified or effective, in these respects they cannot be considered as consistent with national policy.

Not being a planning expert I would find it impossible to suggest modifications that would make the Local Plan compliant in all aspects, particularly as this would in itself require that the council had provided all the information requested, the process would seem far past fixing.

The modifications should be deleted at this stage, and that any future planning proposal on these elements should be developed in compliance as required.

(Continue on a separate sheet /expand box if necessary)

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