

**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](http://www.southderbyshire.gov.uk/privacy) where you can see a full copy of our privacy notice.

For further information, please visit our Privacy section of our website at [www.southderbyshire.gov.uk/privacy](http://www.southderbyshire.gov.uk/privacy) where you can see a full copy of our privacy notice. Alternatively, you can request a hard copy by emailing [local.plan@southderbyshire.gov.uk](mailto:local.plan@southderbyshire.gov.uk)

### 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*: Colin Coxon	Name*:
Organisation:	Organisation:
Address*: [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](mailto:local.plan@southderbyshire.gov.uk)

**On the following pages are 7 separate representations which each start on a separate page:**

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

**Part B – Representation 1**

**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.

<b>Comment being made against:</b>	<b>Please tick only one</b>		
PM1		PM23	
PM2		PM24	
PM3		PM25	
PM4		PM26	
PM5		PM27	
PM6		PM28	
PM7		PM29	
PM8		PM30	
PM9		PM31	
PM10		PM32	
PM11		PM33	
PM12		PM34	
PM13		PM35	
PM14		PM36	
PM15		PM37	
PM16	Tick	PM38	
PM17		PM39	
PM18		PM40	
PM19		PM41	
PM20		PM42	
PM21		Other (Please specify)	
PM22			

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

**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.

The evidence does not justify including an access from the 'north of the site – access to be off the A516' (PM16).

If the link road is to be used for construction vehicles, then this will mean the road is forming part of a development. The Heritage Impact Assessment for Land South of Mickleover (headed up as from South Derbyshire District Council') very clearly identifies areas in yellow stating that 'the areas shaded yellow (important open sites) on the plan below should be kept free from development to protect the setting of the existing site'.

Extracts from the Heritage Impact Assessment for Land South of Mickleover from the South Derbyshire District Council are included below for reference.

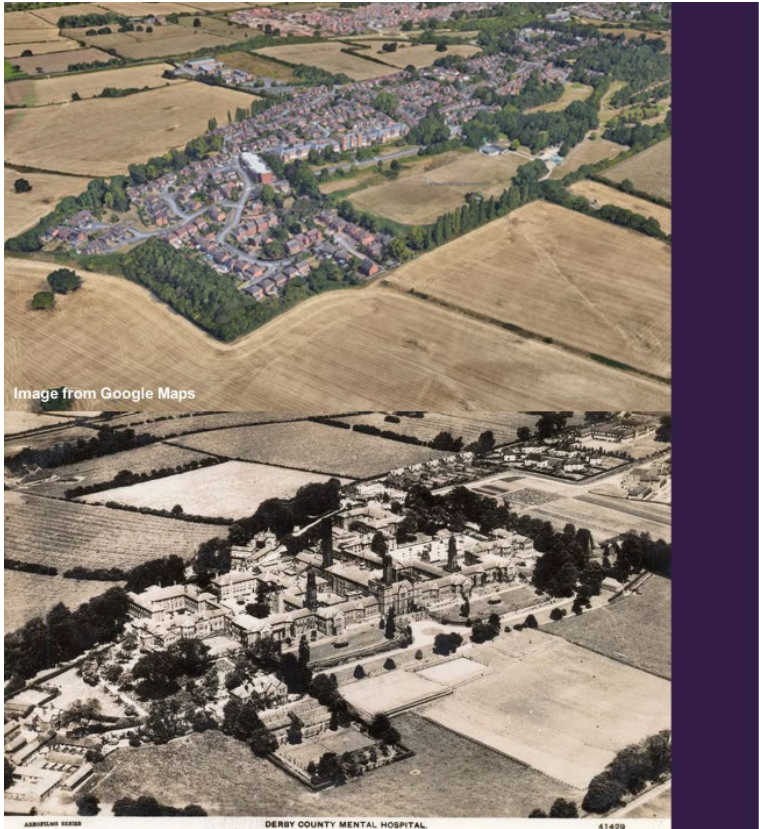


Image from Google Maps

# Heritage Impact Assessment For Land South of Mickleover

1  
South  
Derbyshire  
District Council

South  
Derbyshire  
District Council

## Landscape Analysis

Visual Landscape features of the setting of the heritage asset

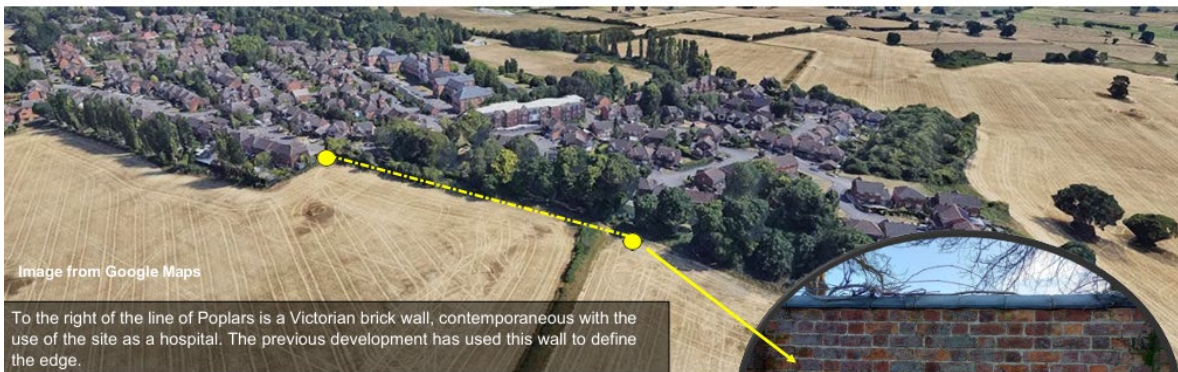


Image from Google Maps

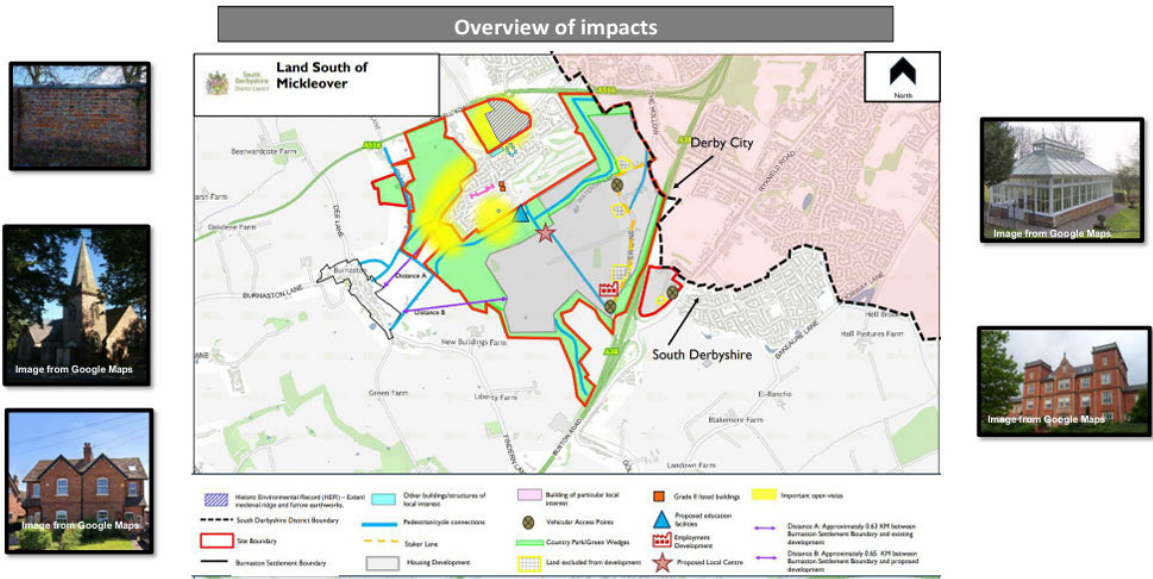
To the right of the line of Poplars is a Victorian brick wall, contemporaneous with the use of the site as a hospital. The previous development has used this wall to define the edge.



Historic Mapping from National Library of Scotland  
Surveyed in 1871 – 91. Revised in 1899 – 1900.

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Proposed avoidance or mitigation



Based on the analysis of the impact to the setting of the heritage assets, it is concluded that development adjacent to the heritage assets would result in less the substantial harm medium to high. Therefore, the areas shaded yellow (important open sites) on the plan below should be kept free from development to protect the setting of the existing site.

This includes leaving the area to the front of the main hospital site clear of built form, plus the edge of the former site, as detailed above, at the Burnaston side of the site, to enable the interpretation of a separate area, as per the previous redevelopment of the hospital site.

Please note that this is a very basic layer added to an existing map, and by no means is a measured assessment; but rather a suggestion of context areas to remain undeveloped.

South Derbyshire District Council

Proposed avoidance or mitigation

South Derbyshire District Council



	1: Historic Environmental Record (HER) – Extant medieval ridge and furrow earthworks.		Other buildings/structures of local interest		1: Grade II listed Church at the former Pastures Hospital		Important open vistas 1- 4
	Building of particular local interest		2: Grade II listed winter garden				

**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.

PM16 should be removed from the proposed modifications or the road location re-positioned so as not to be within the yellow highlighted areas which have been as identified as being 'kept free from development' within the Heritage Impact Assessment for Land South of Mickleover.

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

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To be available to answer questions on the point raised should the Inspector have any and to provide further clarity where appropriate.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Please return your completed representation form(s) by post to: Planning Policy Team, Council Offices, Civic Way, Swadlincote, DE11 0AH

Forms must be received by **5pm on Tuesday 16<sup>th</sup> June 2026.**

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

**Part B – Representation 2**

**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	
PM7		PM29	
PM8		PM30	
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	Tick	Other (Please specify)	
PM22			

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

**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.

The proposal for a link road (PM21) between the A516 and A38 has not been positively prepared or justified. In terms of positively prepared, there is a lack of evidence to conclude that this would meet the area's objectively assessed needs. There is a lack of evidence to demonstrate that justified alternatives have been reasonably assessed.

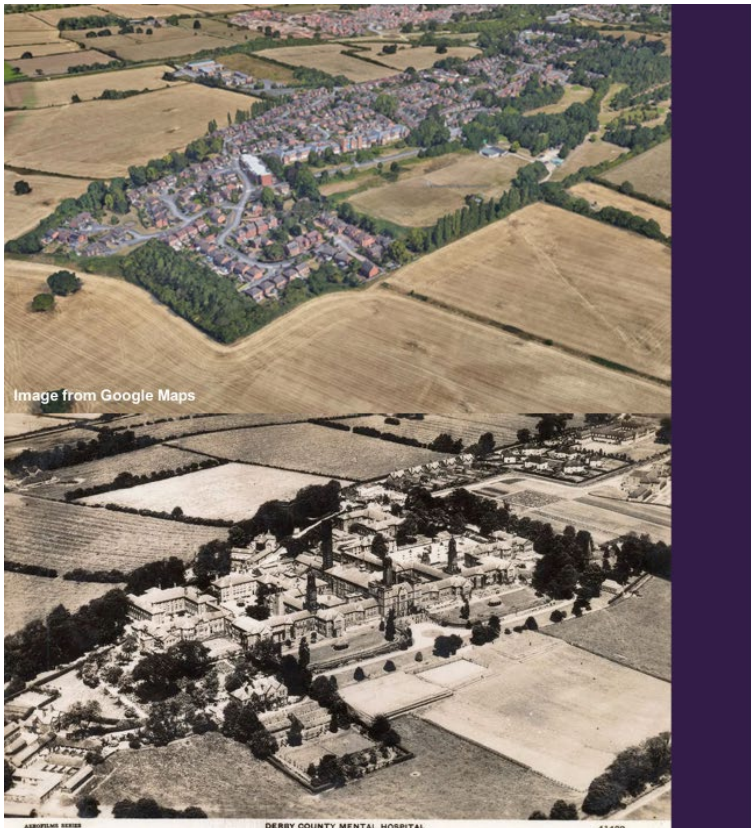
The creation of a new road around Pastures and joining the A516 would be a new development and would be contrary to the findings of the Heritage Impact Assessment for Land South of Mickleover which concluded that 'the areas shaded yellow (important open sites) on the plan below should be kept free from development to protect the setting of the existing site'.

Extracts from the Heritage Impact Assessment for Land South of Mickleover from the South Derbyshire District Council are included below for reference.

There would be a very significant visual impact upon the green space between the Pastures estate and the A516, which would be contrary to the findings of the 'Design Midlands in South Derbyshire Shaping Streets Design Review for Strategic Site, Land South of Mickleover, STRA 2'. Under section 4.1 of that review there is a 'need to ensure a coordinated approach with the Green wedges being integrated into and positively contributing to green infrastructure in the land south of Mickleover'. A link road through currently green open space will not positively contribute to green infrastructure.

It would lead to a lack of settlement separation and buffer zones between the Pastures estate and other areas.

In addition, having a link road running through green open space and across a frequently used public footpath between the Pastures Estate and Burnaston Village will not make that pedestrian route either attractive or safe as required by PM14.



## Heritage Impact Assessment For Land South of Mickleover

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South  
Derbyshire  
District Council

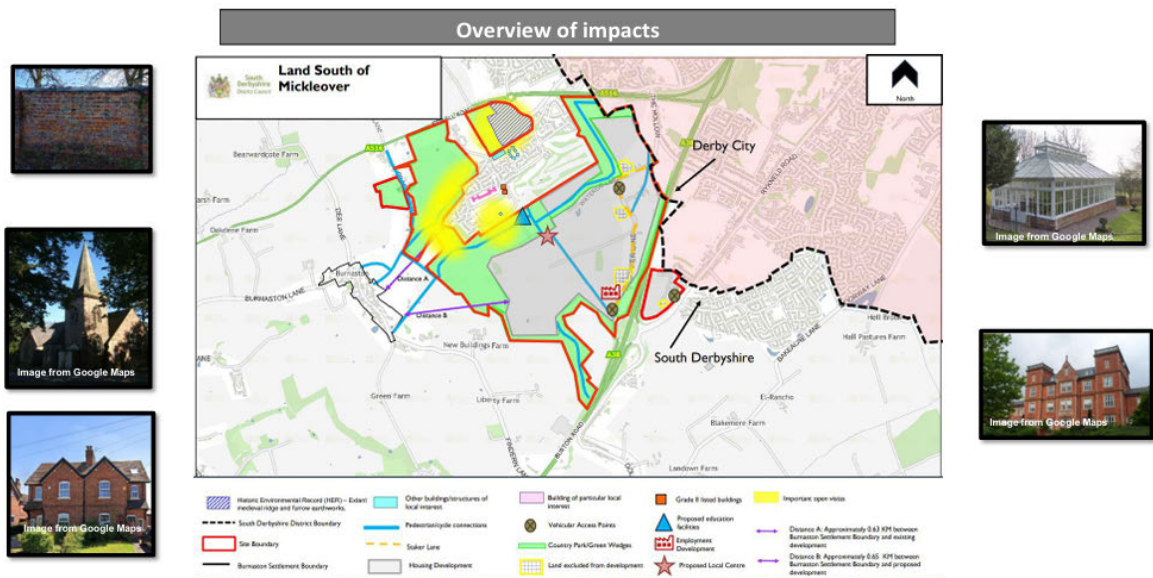
## Landscape Analysis

### Visual Landscape features of the setting of the heritage asset



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## Proposed avoidance or mitigation



Based on the analysis of the impact to the setting of the heritage assets, it is concluded that development adjacent to the heritage assets would result in less than the substantial harm medium to high. Therefore, the areas shaded yellow (important open sites) on the plan below should be kept free from development to protect the setting of the existing site.

This includes leaving the area to the front of the main hospital site clear of built form, plus the edge of the former site, as detailed above, at the Burnaston side of the site, to enable the interpretation of a separate area, as per the previous redevelopment of the hospital site.

Please note that this is a very basic layer added to an existing map, and by no means is a measured assessment; but rather a suggestion of context areas to remain undeveloped.



**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

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

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Please return your completed representation form(s) by post to: Planning Policy Team, Council Offices, Civic Way, Swadlincote, DE11 0AH

Forms must be received by **5pm on Tuesday 16<sup>th</sup> June 2026.**

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

**Part B – Representation 3**

**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	
PM7		PM29	
PM8		PM30	
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	Tick		

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

**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.

Within section 4.7 of agenda item 13 of the Environmental and Development Services meeting of 05 March 2026 there is a requirement for a 'minimum distance between new and existing housing at the Pastures Hospital estate being circa 170 metres'.

With no scale on the layout diagram in PM22, it is very difficult to judge whether the minimum distance of 170 metres between new and existing housing as per agenda item 13 of the Environmental and Development Services meeting of 05 March 2026 has been applied. To the right of the layout diagram, it does appear the minimum distance has been breached.

**Extract from agenda item 13 of the Environmental and Development Services meeting of 05 March 2026:**

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<b>REPORT TO:</b>	<b>ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE</b>	<b>AGENDA ITEM: 13</b>
<b>DATE OF MEETING:</b>	<b>05 MARCH 2026</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>EXECUTIVE DIRECTOR - PLACE AND PROSPERITY</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>STEFFAN SAUNDERS, HEAD OF PLANNING, 07971 604326</b> <a href="mailto:steffan.saunders@southderbyshire.gov.uk">steffan.saunders@southderbyshire.gov.uk</a>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>LOCAL PLAN PART 1 UPDATE</b>	
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	<b>TERMS OF REFERENCE: EDS03</b>

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**Extract from section 4.7 of the above agenda**

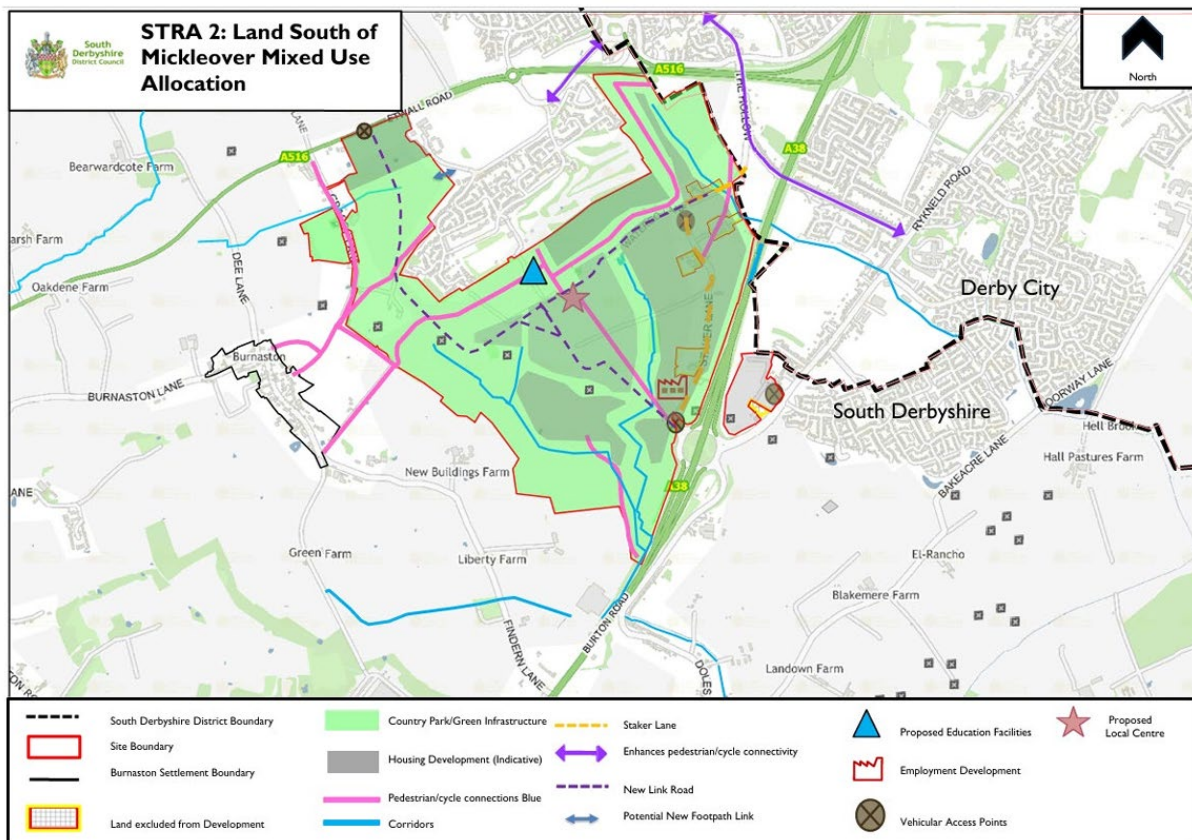
- STRA2
  - Inclusion of a road linking the A516 to the A38
  - The provision of a small quantum of housing at the northern part of this link road (approximately 150 dwellings) which maintains the principle of significant open space

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between new and existing communities with the minimum distance between new and existing housing at the Pastures Hospital estate being circa 170 metres

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## Extract of proposed layout



**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.

Scale to be included on the layout diagram to increase transparency.

A section on the layout diagram around the Pastures estate to be included in a different colour and pattern to very clearly show the maintenance of significant open space and a minimum distance of 170 metres between new and existing housing as required by agenda item 13 of the Environmental and Development Services meeting of 05 March 2026.

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

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

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

**Part B – Representation 4**

**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.

<b>Comment being made against:</b>	<b>Please tick only one</b>		
PM1		PM23	
PM2		PM24	
PM3		PM25	
PM4		PM26	
PM5		PM27	
PM6		PM28	
PM7		PM29	
PM8		PM30	
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	Tick	Other (Please specify)	
PM22			

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

**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.

PM21 has been changed from a conditional requirement that 'in the event of the transport modelling or other evidence showing the necessity of a vehicular road between the A516 and A38' to now being a non-conditional requirement, but without appropriate evidence to support it.

The evidence in the 'Derby HMA: Transport Modelling' shows (on page 7 of that report) that with the local plan, congestion increases by 111%. With known mitigations the impact of the local plan is mitigated by 53%, but this mitigation only increases by 6 basis point to 59% with the additional highway mitigation.

In addition, part of the assessment involves changes to Staker Lane and 'stopping up existing route', and therefore the report does not demonstrate the impact of an A516 / A38 link road in isolation

An increase by 6 basis points (which would be lower if the changes to Staker Lane were separated) is not sufficient to justify unnecessarily cutting up green space, damaging the country park's green flag status and increasing air, noise and light pollution throughout both the construction phase of the road and once in operation.

There is no evidence to demonstrate that alternatives to the A516 / A38 link road being proposed have been considered.

**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.

The Derby HMA: Transport Modelling should very clearly show the impacts of individual changes, rather than combining, for example separating out the impacts of Staker Lane changes so the impact of an A516 / A38 link road in isolation can be identified.

Even without the impacts of Staker Lane changes being separated, PM16 and PM21 should be updated to remove the A38 / A516 link road requirement as the transport modelling does not provide sufficient evidence to support it and there is a lack of evidence to demonstrate that reasonable alternatives to both the A38 / A516 link road around the Pastures estate and also the 'stopping up existing route' at Staker Lane have been considered.

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.

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**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

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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Please return your completed representation form(s) by post to: Planning Policy Team, Council Offices, Civic Way, Swadlincote, DE11 0AH

Forms must be received by **5pm on Tuesday 16<sup>th</sup> June 2026.**

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

**Part B – Representation 5**

**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.

<b>Comment being made against:</b>	<b>Please tick only one</b>		
PM1		PM23	
PM2		PM24	
PM3		PM25	
PM4		PM26	
PM5		PM27	
PM6		PM28	
PM7		PM29	
PM8		PM30	
PM9		PM31	
PM10		PM32	
PM11		PM33	
PM12		PM34	
PM13		PM35	
PM14		PM36	
PM15		PM37	
PM16	Tick	PM38	
PM17		PM39	
PM18		PM40	
PM19		PM41	
PM20		PM42	
PM21		Other (Please specify)	
PM22			

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

**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.

The housing requirement for the area is already covered by the original plan. The addendum is suggesting an additional 150 houses which are therefore not required. The A516 / A38 link road under PM16 and PM21 is therefore not required to support this.

**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.

Remove PM16 and update PM21 to remove the requirement for a link road between A516 / A38.

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.

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**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

Yes

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To be available to answer questions on the point raised should the Inspector have any and to provide further clarity where appropriate.

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

**Part B – Representation 6**

**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.

<b>Comment being made against:</b>	<b>Please tick only one</b>		
PM1		PM23	
PM2		PM24	
PM3		PM25	
PM4		PM26	
PM5		PM27	
PM6		PM28	
PM7		PM29	
PM8		PM30	
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	Tick		

PM22 (layout) selected here, as only one PM can be selected, although the comments included below are also closely linked to PM17.

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

**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.

The plan / layout (in PM22) as revised, does not show where the proposed local retail centre is proposed to be. Without this information on location, it is very difficult to assess whether the amendment PM17 (Provision of a local retail centre) has been positively prepared as it is not possible to assess whether needs will be met. Without information on location, it is not possible to state whether this is justified as there is no information on whether reasonable alternatives, including location, have been considered.

**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.

Include details of the assessment of needs and update the plan / layout (in PM22) to show precisely where the local retail centre is proposed to be. Include further details of location within PM17.

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.

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**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

Yes

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

**Part B – Representation 7**

**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	
PM7		PM29	
PM8		PM30	
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	Tick		

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

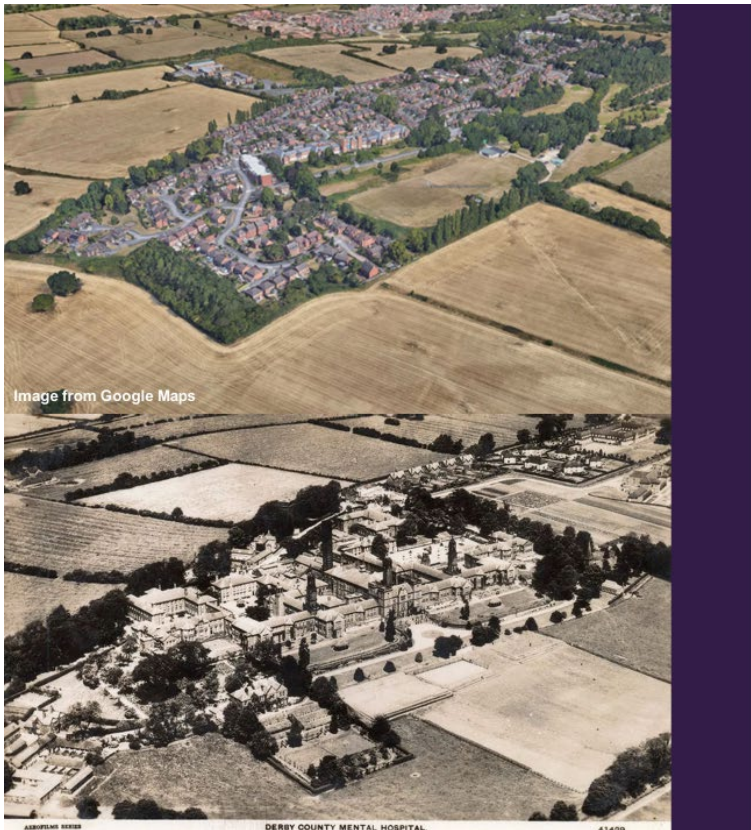
**5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate.**

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.

There are significant shortcomings with the indicative layout under PM22 which as a consequence make it impossible to conclude whether the overall plan is justified. These shortcomings are noted below.

- a) The layout does not clearly reflect the outcomes of the Heritage Impact Assessment for Land South of Mickleover (from South Derbyshire District Council) which concluded that there should be no development within certain areas around the Pastures Estate which they highlighted in yellow in their diagrams (extracts from document included below).
- b) The layout key shows housing development in grey, yet on the layout these are shown as a dark shade of green. This colour coding is confusing and at best does not help with transparency and at worst could be argued to be misleading.
- c) The layout is not clear on what constitutes 'Country Park / Green Infrastructure'. I understand that this is not just for green open space but includes sports areas / hub (potentially with floodlights and a tarmacked area) and also shows areas that are for residents' own properties / land. Presented as it is, may be interpreted as meaning that the level of green open space proposed is significantly higher as a proportion of the overall plan, than may reasonably be interpreted and may lead to people being more accepting of the proposals than would otherwise be the case.

- d) The layout references education facilities but should be clearer on what these are and where they are to be.
- e) The layout includes a pink line which is noted as being for Pedestrians/cycle connection Blue. Presumably the word Blue should have been alongside the blue line to refer to Blue Corridors rather than Corridors.
- f) The layout does not currently make it clear on which area is to be protected in a horseshoe shape around the Pastures Estate. This does not currently help with transparency of messaging.



## Heritage Impact Assessment For Land South of Mickleover

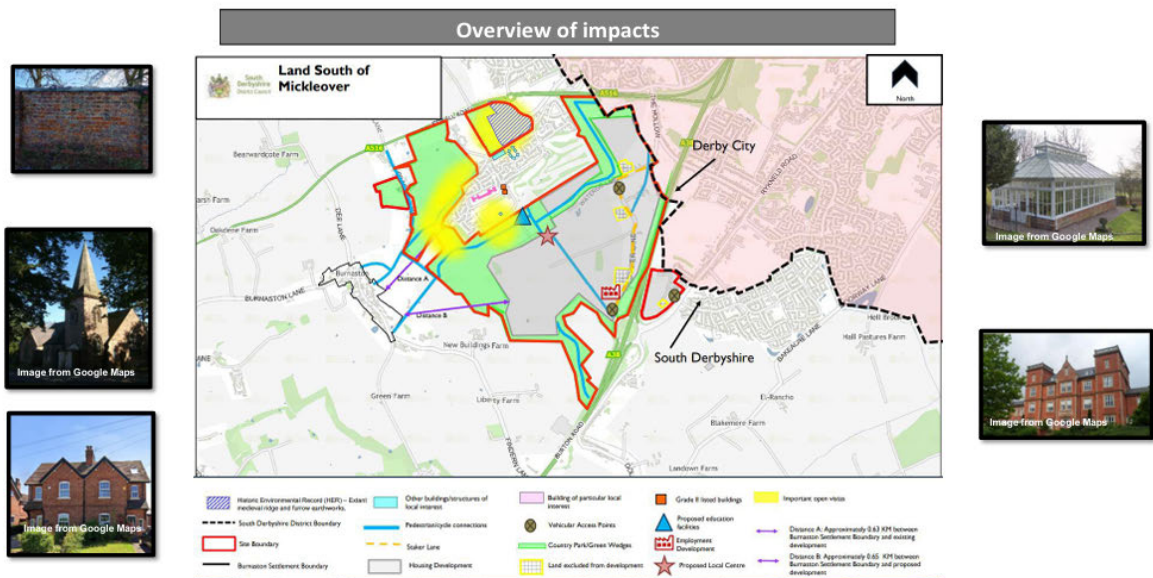
## Landscape Analysis

### Visual Landscape features of the setting of the heritage asset



30

## Proposed avoidance or mitigation



Based on the analysis of the impact to the setting of the heritage assets, it is concluded that development adjacent to the heritage assets would result in less the substantial harm medium to high. Therefore, the areas shaded yellow (important open sites) on the plan below should be kept free from development to protect the setting of the existing site.

This includes leaving the area to the front of the main hospital site clear of built form, plus the edge of the former site, as detailed above, at the Burnaston side of the site, to enable the interpretation of a separate area, as per the previous redevelopment of the hospital site.

Please note that this is a very basic layer added to an existing map, and by no means is a measured assessment; but rather a suggestion of context areas to remain undeveloped.

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The modifications required (with alphabetical referencing to match with the points raised in section 5 above) include the following:

- a) Layout to be clearer on where there is to be no development, reflecting the findings of the Heritage Impact Assessment for Land South of Mickleover (from South Derbyshire District Council)
- b) Layout to be updated to reflect housing development in grey so it is clearer to distinguish from the current section of 'Country Park / Green Infrastructure'. Worth including patterns on the layout as well as colours to assist those who are colour blind.
- c) Layout to be updated to split 'Country Park / Green Infrastructure' into separate sections in the layout with their own separate key references, including having separate sections as a minimum for i) green open space, ii) residents own properties / land, and iii) sports areas / hub
- d) Layout to be clearer on where and what education facilities are to be provided
- e) Layout to be updated to be clear on what 'Corridors' are for.
- f) Layout to be updated to show areas which are to be protected in a horseshoe shape around the Pastures Estate.

In addition, it would be very useful to include a glossary of terms below the diagram to supplement the key which currently only has very brief titles.

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Yes, I wish to participate in hearing sessions

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