

**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*: E Williams	Name*:
Organisation: N/A	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

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	
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			

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		✓
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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 council's own SA report confirms that failure to consider reasonable alternatives makes it not legally compliant.

The plan also includes additional housing (150 near the A516), which has only been proposed to support the new link road.

Mickleover primary routes are served well by the A38 & A50, whilst the modelling fails to show any justification for the link road.

From SDDC own modelling congestion increases by 111% without mitigation. However known Mitigation reduces this to 53%, and the package including the link road increases it by 59%. So this doesn't show that an all traffic corridor (A516 & A38) is either necessary, proportionate or justified as a requirement for STRA2.

(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.

A need for full transport modelling evaluation of alternatives as required by law and also in isolation of other changes.

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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

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 16th June 2026.**

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The Link road is not legally compliant because of the lack of reasonable alternatives, as confirmed by the Council's own reports.

We (members of the public) did not have modelling information at the appropriate time to enable contribution at the Council meetings consultation process. The Council have gone on record that the main route into the development will be via the A38 junction.

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

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The failure to do the full analysis of reasonable alternatives makes this legally non-compliant.

The addition of the 150 homes near the A516 is clearly being used unjustifiably to gain approval for the new link road.

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

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Any legal compliance failures should be rectified and modifications should be withdrawn so that future planning proposals can be developed with legal compliance.

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