

**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.

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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.**

<b>Respondent details</b>	<b>Agent details (where applicable)</b>
Name*: Caelan Atkins	Name*:
Organisation: Gladman Developments Ltd	Organisation:
[REDACTED]	[REDACTED]
[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)

**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.

<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) – AM53		
PM22			

<b>4. Do you consider the Local Plan is:</b>		
	<b>Please tick the relevant box</b>	
	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.

**PM3 (Policy S1: Sustainable Growth Strategy) & PM42 (Housing Trajectory)**

Gladman Developments Ltd (Gladman) welcomes the Council’s increase in the housing requirement from 14,500 dwellings to 15,263 dwellings over the plan period (2022–2042). Gladman also supports the extension of the plan period to ensure a full 15-year period from adoption, which is consistent with national policy and is necessary to maintain an up-to-date Local Plan.

However, notwithstanding this support in principle, Gladman has significant concerns regarding the soundness of the Plan in respect of its housing requirement and delivery strategy.

The identified need for 15,263 dwellings has been assessed against the housing trajectory set out in PM42, which projects a total delivery of 15,454 dwellings. Therefore, the plan only provides a minimal surplus of 191 dwellings over the entire plan period. This limited headroom is insufficient and is not a sound approach to plan making. Given the narrow margin between expected supply and the minimum housing requirement, there is a clear risk that the Plan will fail to deliver sufficient housing over the plan period. This is contrary to the requirement for Plans to be positively prepared and effective, as they would not ensure that housing needs are met in full.

The housing trajectory also represents the maximum anticipated delivery, it further reinforces the concern that the Plan has not allocated sufficient sites of varying size and location to ensure a robust and deliverable supply. The absence of

additional allocations or a meaningful buffer undermines confidence in the Plan's deliverability.

Whilst Gladman supports the increased housing requirement and extended plan period, the current level of planned supply does not provide sufficient flexibility or resilience. The margin of only 191 dwellings represents a very limited buffer and creates a clear risk that the Plan will under-deliver against its requirement.

Accordingly, Gladman considers that the Local Plan is unsound, as it is not positively prepared, justified, or effective. The Council should allocate additional smaller to medium sites across all tiers of the settlement hierarchy to provide a realistic and appropriate level of headroom and ensure the Plan can successfully deliver its housing requirement over the full plan period.

#### **PM4 (Policy S4) & Policy AM53 (Strategic Site Allocations Explanation)**

Gladman notes the amendments to Policy S4, including the increased provision of at least 12,822 dwellings on allocated sites and the inclusion of 250 dwellings which are now expected to be delivered at FLG1 Brun Lane, Mackworth, which was previously included only as a 'Long Term Strategic Housing Growth Area' in the Regulation 19 consultation.

However, Gladman has concerns regarding the deliverability of the allocation due to it being introduced without sufficient supporting evidence to demonstrate that the site is deliverable within the plan period. Without clear evidence of site suitability, viability, and timing, there is a risk that the anticipated 250 dwellings will not be delivered as assumed in the housing trajectory. The Council have not provided any further evidence to justify the inclusion of the site within their trajectory. Furthermore, the site was considered as part of the recent Amber Valley Local Plan examination and the Inspectors concluded that the allocation at Brun Lane should be removed and replaced with an 'Area for Future Growth'. The outcome of removing the site as an allocation was that no dwellings could be included within the trajectory for Amber Valley. As such, there is no sound justification for the inclusion of 250 dwellings from Brun Lane within the trajectory.

This uncertainty is especially concerning given the already limited overall headroom identified elsewhere in the Plan.

Whilst the Council's intention to increase housing provision is supported in principle, the inclusion of FLG1 (Brun Lane, Mackworth) for 250 dwellings is not sufficiently justified by robust evidence of deliverability. In the absence of such evidence, the allocation represents a potential point of failure within an already tightly balanced housing trajectory.

Accordingly, Gladman considers that Policy S4 is unsound, and the Council should either provide clear and robust evidence demonstrating the deliverability of this site or identify additional, deliverable allocations to ensure that housing needs can be met in full over the plan period.

(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.

**PM3 (Policy S1: Sustainable Growth Strategy) & PM42 (Housing Trajectory)**

To address the identified soundness concerns, Gladman considers that the Council should amend Policy S1 and the associated housing trajectory (PM42) to provide a meaningful level of headroom above the identified requirement of 15,263 dwellings. The Council should look to allocate additional deliverable and developable sites to increase overall housing supply and ensure that the Plan can respond to changing circumstances and risks to delivery. The Council should look to identify safeguarded or reserve sites of different sizes and scales that could be brought forward in the event that delivery falls below expectations. This would provide a clear mechanism to maintain housing supply over the plan period and reduce the risk of under-delivery.

Taken together, these modifications would ensure that the Plan is positively prepared, justified and effective by providing sufficient flexibility and confidence that identified housing needs will be met in full.

**PM4 (Policy S4) & Policy AM53 (Strategic Site Allocations Explanation)**

To address the concerns identified in relation to Policy S4 and the inclusion of the Brun Lane, Mackworth allocation (FLG1), Gladman considers that the Council must provide clear and proportionate evidence to demonstrate that the site is deliverable within the plan period. This should include evidence relating to site suitability, viability, and ownership. Without this information, there is insufficient justification for the site’s contribution of 250 dwellings to the overall housing supply. This is especially pertinent in the context of the conclusions of the Inspectors Report following the examination of the Amber Valley Local Plan.

In the event that robust evidence cannot be provided to demonstrate the deliverability of FLG1, the Council should remove the allocation from the Plan as a contributor to the housing requirement. In such circumstances, the Council would need to identify alternative deliverable sites to ensure that the housing requirement can still be met in full.

(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

✓

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:**

As explained in the above sections, Gladman Developments considers that flaws within the current drafting undermine the soundness of the Local Plan.

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.**