

Planning Policy Team
Civic Offices,
Civic Way,
Swadlincote
DE11 0AH

CBRE

13th June 2026

Sent via email only to local.plan@southderbyshire.gov.uk

Dear Sir/Madam,

Representations to the Proposed Modifications to the South Derbyshire Local Plan Part 1 Review 2022–2042 (Main Modifications)

CBRE Planning has been instructed by our client, Land Project UK (hereafter 'LPUK'), to submit representations to the Proposed Modifications consultation on the South Derbyshire Local Plan Part 1 Review 2022–2042. This letter should be read alongside our previous representations submitted through the plan-making process, including those to the Regulation 18 consultation in January 2023, the Strategic Housing and Employment Land Availability Assessment in April 2024, and the Regulation 19 (Publication Version) consultation in April 2025.

LPUK continues to welcome engagement with Council Officers and would again welcome the opportunity to discuss its land interests at Land South of Uttoxeter Road, Foston (hereafter 'the site'), which is capable of helping to meet the demonstrable and currently unmet demand for modern warehouse space of sub-100,000 sq ft within South Derbyshire.

These representations relate to the Main Modifications, which the Council itself confirms are the modifications with 'the potential to affect the soundness of the Plan' and are therefore the proper focus of this consultation. LPUK objects to the Main Modifications on the grounds set out below, namely that they fail to address the unsoundness of the Plan's employment strategy that was raised at Regulation 19 and that, as a result, the Plan remains not positively prepared, not justified and not effective in respect of employment land.

Consultation Comments:

LPUK reiterates that its land interests within the District could deliver in the order of 250,000 sq ft (23,200 sq m) of employment floorspace within Use Classes E(g)(iii), B2 and B8, including a range of unit sizes in the sub-100,000 sq ft Grade A market for which there is a demonstrable shortage and which the emerging Plan does not plan for. LPUK's key points in respect of the Main Modifications are as follows:

- The Main Modifications make no change whatsoever to the Plan's employment land strategy. Despite the matters of soundness raised by LPUK and others at Regulation 19, not one of the Main Modifications (PM1–PM43) seeks to address the supply, distribution, range or quality of employment land. The only changes to the employment evidence and text, for example the updated Employment Land Review need figure and the revised oversupply position, have been relegated to the Additional Modifications (AM38, AM62 and AM93), which the Council expressly states are 'not considered to affect the soundness of the plan'. LPUK strongly disagrees: the adequacy of employment provision is a fundamental matter of soundness and should have been addressed through a Main Modification.



- The Main Modifications materially weaken the Council’s own quantitative justification for not allocating further employment land. PM2 and PM3 extend the plan period by a full year to 2041–2042. Consequentially, Additional Modification AM62 increases the Employment Land Review need from 35.86 ha to 39.12 ha, which reduces the claimed oversupply from 10.23 ha to around 5.34 ha. The buffer on which the entire ‘no further allocation required’ position rests has therefore been roughly halved by the Council’s own modifications, yet no corresponding review of employment allocations has been undertaken. This is neither justified nor effective.
- The Council continues to rely on a purely quantitative ‘oversupply’ balance and fails to engage with the qualitative gap in the market. As set out in our Regulation 19 representations (Appendix 1), there are only a handful of available buildings of sub-100,000 sq ft within South Derbyshire, the large majority of which are second-hand, with effectively only one small unit of circa 30,000 sq ft of Grade A space available at Dove Valley Park. The ability to occupy Grade A space is now a baseline requirement for occupiers and operators in this sector. A headline oversupply figure expressed in hectares does not, and cannot, demonstrate that the right type, size and quality of employment floorspace is available in the right locations. The Plan therefore fails to provide the ‘mixed and balanced’ portfolio of sites that national policy and a sound plan require.
- We have serious concerns regarding the deliverability of the three key Strategic Employment sites identified within the plan (STRA1 – Infinity Garden Village, STRA3 – Former Drakelow Power Station and INF3 – East Midlands Intermodal Park / Strategic Rail Freight Interchange & East Midlands Freeport at Egginton Common), all of which are heavily reliant upon significant infrastructure upgrades/improvements. The clearest example of this relates to the the East Midlands Freeport and, as reported recently, the serious concerns around the viability and delivery of upgrades to Junction 24 of the M1. In view of these deliverability concerns we would question why a more ambitious strategy has not been taken forward which allows for a much greater buffer of employment sites (ref <https://www.placemidlands.co.uk/east-midlands-leaders-call-for-urgent-action-on-freeport-access/>).
- The continued reliance on small sites carried forward from the 2016 Local Plan Part 1 as ‘strategic’ employment supply remains unsound. The Main Modifications do nothing to remedy the concern, raised at Regulation 19, that a number of these carried-forward allocations are very modest in scale (several below 5 ha, with individual sites of only 0.71 ha, 2 ha and 2.5 ha) and are of doubtful deliverability over the extended plan period. Sites of such small scale are often constrained in respect to layout and reliant on the identification of end occupiers and certainty of end user in order to justify the capital outlay to build on a modest scale. This is counter to larger more strategic sites (8ha plus) which can deliver a range of different sized units on a speculative basis to appeal to a wider proportion of the market. Counting such small sites towards a strategic employment requirement, and then concluding that no further allocations are needed, is not a robust or effective basis for the Plan as there are significant questions marks around deliverability .
- The Plan has not been updated to reflect the positive, growth-focused framework of the National Planning Policy Framework. The Plan was prepared under the transitional arrangements, but the Main Modifications were the Council’s opportunity to respond to the clear policy steer that significant weight should be given to supporting economic growth and to the conditions in which businesses can invest, expand and adapt. It is disappointing that the Main Modifications make no positive provision in this regard, particularly as devolution may make an immediate Local Plan review complicated (see below).
- The commitment to an immediate Local Plan review (PM1, Policy REV1) cannot be relied upon to defer addressing the qualitative employment shortfall now. PM1 confirms that plan-making for a comprehensive South Derbyshire District Local Plan will commence immediately upon adoption of the Part 1 Review Plan. LPUK supports an early and comprehensive review. However, the soundness



of this Plan must be demonstrated on its own terms and at the point of adoption, and a known, demonstrable and immediate need for sub-100,000 sq ft Grade A employment floorspace, capable of being met on a deliverable site, should be planned for through this Plan rather than deferred to a future review that will not be adopted for several years. Deferring an identified current need to the next review is neither positively prepared nor effective, particularly where the Council's own Main Modifications have materially reduced the oversupply buffer relied upon and where occupier demand is current. The existence of a review mechanism is not a substitute for a sound employment strategy in the Plan as submitted.

- LPUK's site at Land South of Uttoxeter Road, Foston is a deliverable, sustainable and logical strategically located opportunity to address this gap. The site is vacant, with no built form, and is situated directly on the A50 dual carriageway linking the M1 (J24A) at Derby with the M6 (J15) at Stoke-on-Trent, a strategic east–west trunk road connecting the East and West Midlands. Critically, Dove Valley Park lies immediately adjacent to the site, offering the opportunity to extend an established and successful employment cluster. The site is therefore ideally placed to deliver the range of sub-100,000 sq ft Grade A units that the District currently lacks. LPUK requests that a Main Modification be made to allocate the site, or otherwise to amend the employment strategy (Policy S4 and the supporting employment policies) to provide for additional employment land of this type and scale (circa 15–20 acres/6-8 ha).

Summary:

The NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The Main Modifications were the Council's opportunity to put right the unsoundness of the Plan's employment strategy. They do not do so. The employment changes that have been made have been treated as matters that do not affect soundness, while the Council's own extension of the plan period to 2042 has eroded the quantitative oversupply on which its position depends. The Plan continues to rely on sites that are unlikely to be delivered in the plan period and on an oversupply argument that overlooks a clear qualitative gap in the sub-100,000 sq ft Grade A market, and continues to count small, carried-forward sites of questionable deliverability as strategic supply. The commitment to an immediate review (PM1) does not cure these deficiencies; an identified and deliverable current need must be planned for now rather than deferred.

For these reasons LPUK maintains its objection that the Plan, as proposed to be modified, remains unsound in respect of employment land because it is not positively prepared, not justified and not effective. LPUK respectfully requests that a Main Modification be made to provide additional employment land in the sub-100,000 sq ft Grade A market, and that the deliverable opportunity at Land South of Uttoxeter Road, Foston, adjacent to Dove Valley Park, be allocated to help meet that need.

We trust that these representations are clear and will be fully considered by the South Derbyshire Local Plan Team and the appointed Inspector. We would welcome confirmation of receipt. LPUK wishes to participate in the relevant matter and would request to be heard at the Examination in Public, and would welcome continued engagement with Council Officers in the meantime.

If there are any points of clarification, please do not hesitate to contact me using the details above.

Yours sincerely,

Jon Stoddart MRTPI



www.cbre.co.uk
Registered in England No 3536032 Registered office St. Martin's Court 10 Paternoster Row London EC4M 7HP
CBRE Ltd is regulated by RICS



Executive Director
CBRE Ltd – UK Development – Planning



www.cbre.co.uk
Registered in England No 3536032 Registered office St. Martin's Court 10 Paternoster Row London EC4M 7HP
CBRE Ltd is regulated by RICS





www.cbre.co.uk
Registered in England No 3536032 Registered office St. Martin's Court 10 Paternoster Row London EC4M 7HP
CBRE Ltd is regulated by RICS

