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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*: M. SINGH SEKHON	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

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.

PLEASE REFER TO ATTACHED SHEET

(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.

PLEASE REFER TO ATTACHED SHEET

PM21

Q5. 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.

PM21 is not justified and is not effective because the available transport evidence, including the Derby Housing Market Area transport modelling, does not clearly demonstrate that the proposed A516-A38 link road is necessary to facilitate the delivery of STRA2.

The necessity of the proposed road remains disputed. However, irrespective of the wider transport debate, the consultation material does not adequately explain the consequences of the proposal for Whitehaven or demonstrate how the road has been designed having regard to the property's setting, amenity, access arrangements and surrounding landscape.

Whitehaven is an established residential property located immediately adjacent to land affected by the proposed link road and associated infrastructure. The property occupies a transitional position between Burnaston village, the Pastures Estate and the surrounding countryside.

Whitehaven has previously been identified to South Derbyshire District Council as a sensitive residential receptor requiring individual assessment. During the Environmental Impact Assessment scoping process, the Council confirmed that a broad-brush generic assessment of Whitehaven would not be acceptable and that it would require specific consideration within the Environmental Statement. The consultation material does not explain how Whitehaven has been assessed within the supporting evidence or how the findings of that assessment have informed PM21.

The proposed link road would introduce a substantial new transport corridor into land which currently performs important Green Infrastructure, countryside-transition and settlement-separation functions. The owner is concerned that the consultation material does not adequately explain the implications of the proposal for the rural setting, outlook and amenity of Whitehaven, nor how those considerations have influenced the design and characteristics of the proposed road. In particular, the material does not explain how vehicle movements, lighting and headlight glare associated with the proposed link road may affect users of Whitehaven's principal access route, which approaches the proposed corridor from the private track leading off Grassy Lane.

The owner is also concerned that PM21 is not consistent with national planning policy. National policy requires development, including supporting infrastructure, to create places with a high standard of amenity for existing and future users and to respond positively to local character, landscape setting and the surrounding environment. The consultation material provides insufficient information regarding the function, scale, design, lighting and operation of the proposed road to enable a proper understanding of whether those objectives have been achieved.

The Council's Heritage Impact Assessment identifies areas of open land which contribute to important views and the setting of nearby heritage assets¹. The proposed road passes through land identified as performing those functions². However the consultation material does not clearly explain how effects upon those views and landscape characteristics have been assessed, nor how they have influenced the form of the proposal.

The consultation material does not adequately explain the relationship between the proposed link road and existing routes serving Whitehaven. Historic mapping reproduced within the Council's Heritage Impact Assessment identifies the existence of a route connecting the southern landholding occupied by Whitehaven with the former Asylum Hospital³. The proposed link road appears to intersect this historic route⁴. Land Registry documentation relating to adjoining land also refers to a 1962 Deed of Grant containing rights, reservations and other provisions associated with

¹ Appendix 1 Heritage Impact Assessment For Land South of Mickloever South Derbyshire District Council

² Appendix 2 Heritage Impact Assessment For Land South of Mickloever South Derbyshire District Council

³ Appendix 3 Heritage Impact Assessment For Land South of Mickloever South Derbyshire District Council

⁴ Appendix 4 Heritage Impact Assessment For Land South of Mickloever South Derbyshire District Council

the former hospital land. The effect of the proposal upon these historic routes and associated interests has not been clearly explained.

Whitehaven is served by an express private right of way providing the principal vehicular access to the property from Grassy Lane. This route is intersected by an existing Public Right of Way, Burnaston Public Footpath 8. Whitehaven also benefits from other established access arrangements in the vicinity, including vehicular rights associated with Millway Lane, which forms part of the existing Public Rights of Way network and is proposed to play a wider role within the STRA2 active travel framework. Given the scale of the proposed allocation, there is potential for substantially increased use of routes in the area. The consultation material does not explain how these changes may affect the operation of existing access arrangements serving Whitehaven.

Concerns regarding the presentation of Whitehaven, its relationship to proposed development, access arrangements, recreation uses and settlement separation have been raised with the Council and site promoters over an extended period, including through a site visit at Whitehaven attended by Council officers in 2026 and separately, representatives of the site promoters in 2025. The owner remains concerned that the consultation material does not demonstrate how those matters have informed the design of the proposal.

Accordingly, the owner of Whitehaven considers that PM21 has not been adequately justified, is not effective and is not consistent with national planning policy. Insufficient information has been provided to enable a proper understanding of the consequences of the proposal for Whitehaven, including access arrangements and the surrounding landscape.

Appendices:

Appendix 1 - Environmental Impact Assessment Land South of Mickloever South Derbyshire District Council relating to important vistas, the location of Whitehaven and south west separation land

Appendix 2 - Environmental Impact Assessment Land South of Mickloever South Derbyshire District Council relating to the possible alignment of the proposed link road in relation to Whitehaven

Appendix 3 - Environmental Impact Assessment Land South of Mickloever South Derbyshire District Council relating to historic physical routes identified in mapping from 1880

Appendix 4 - Environmental Impact Assessment Land South of Mickloever South Derbyshire District Council relating to primary access route to Whitehaven and the intersection of the historic route by the proposed link road

Heritage Constraints

Appendix ②

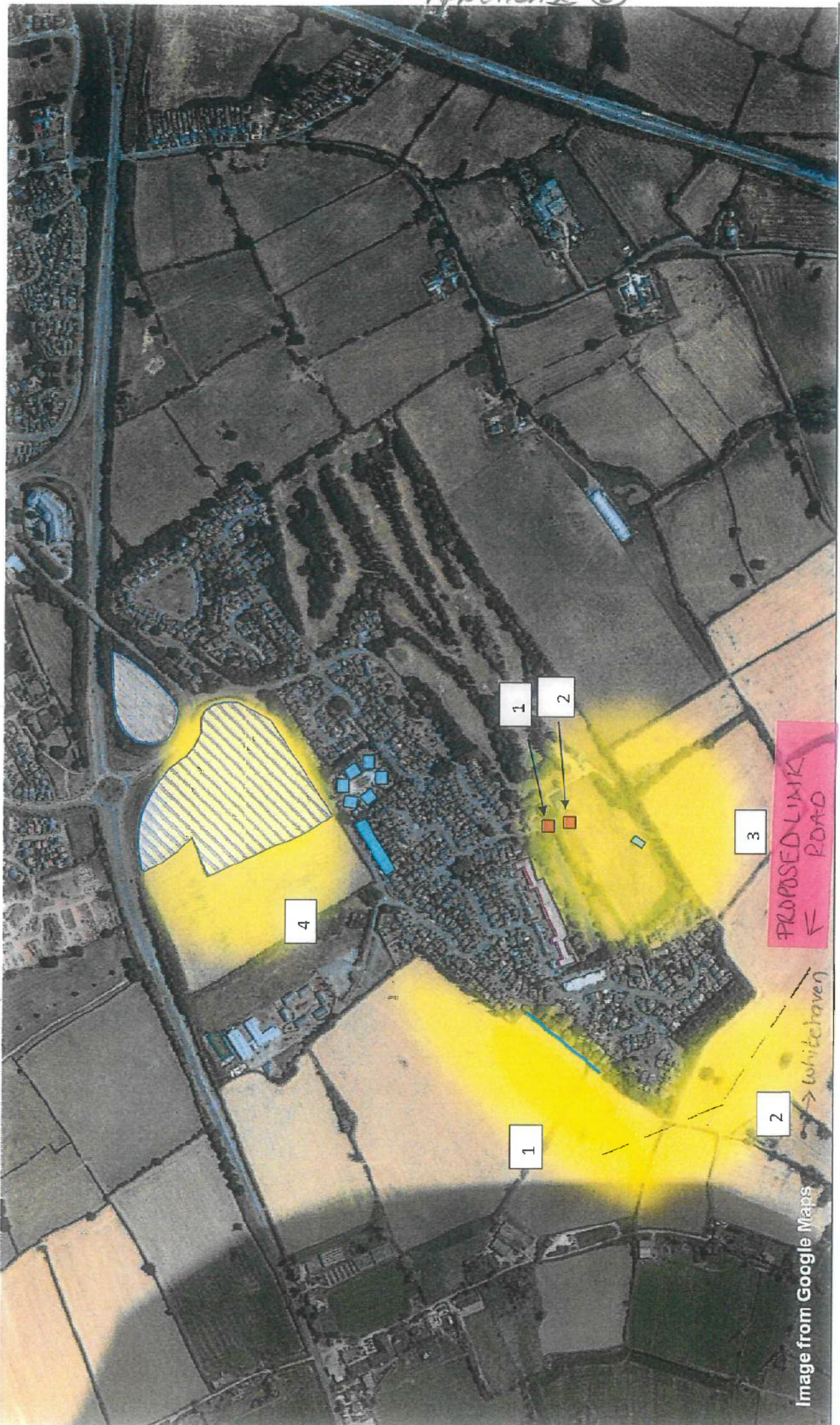
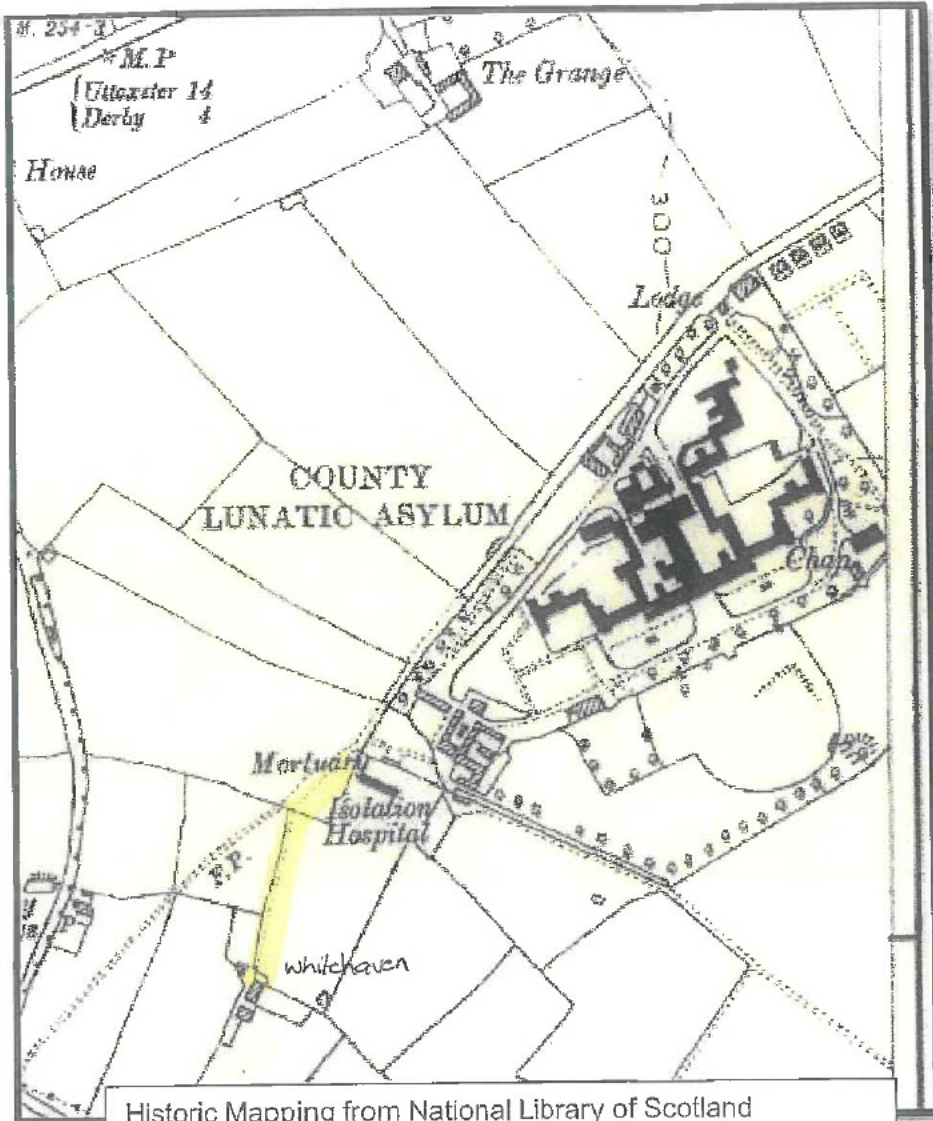


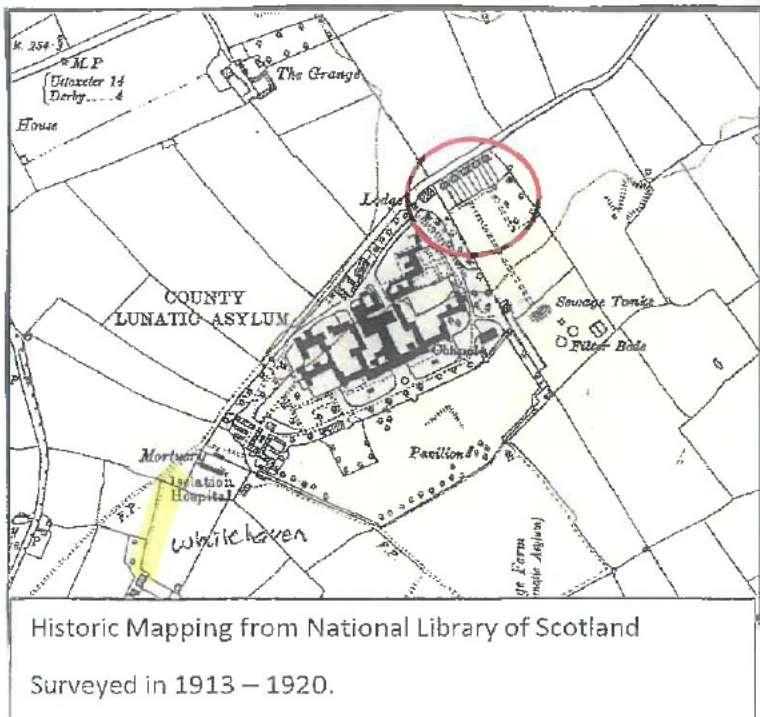
Image from Google Maps

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



Historic Mapping from National Library of Scotland
Surveyed: 1880 to 1881

Historical physical Routes from 1880



Historic Mapping from National Library of Scotland
Surveyed in 1913 – 1920.

Appendix ④

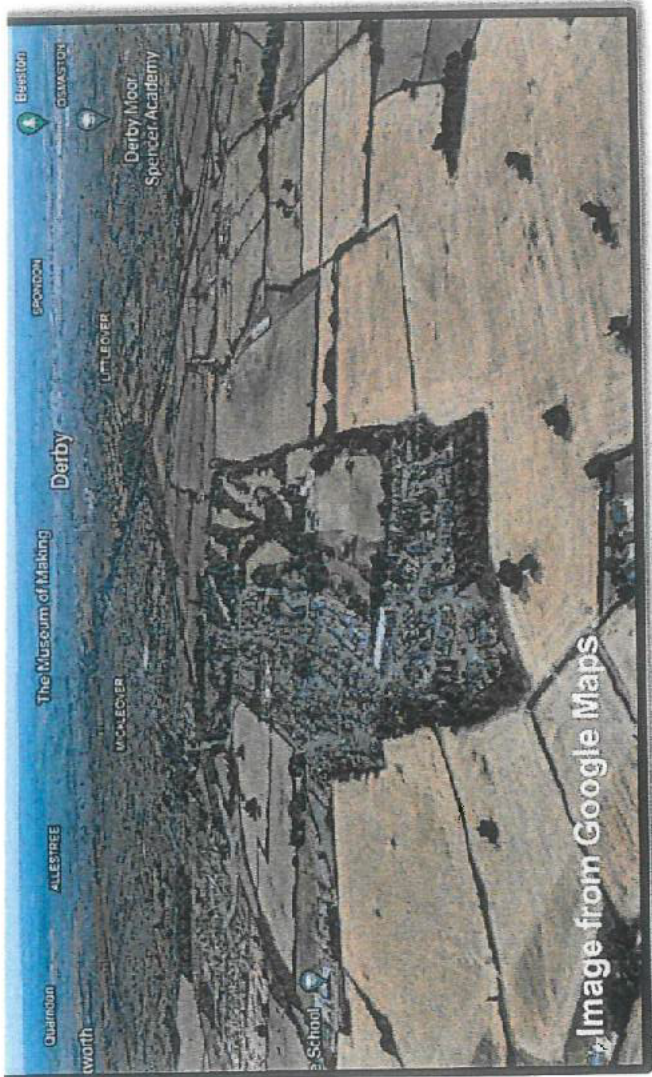


Image from Google Maps

Views - Views towards the site from Burnaston; Historic and Current



Inkleson public footpath

PM21

Q6. 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 unsoundness matters you have identified at 5 above.

- PM21 is deleted

The available evidence does not clearly demonstrate that the proposed A516-A38 link road is necessary to facilitate the delivery of STRA2. The owner is also concerned that insufficient information has been provided regarding the implications of the proposal for Whitehaven, its access arrangements, the surrounding landscape and historic routes.

If the Inspector is not minded to recommend deletion of PM21, the owner requests that further work be undertaken to:

- explain how Whitehaven has been assessed within the evidence base;
- explain how the alignment, function and design characteristics of the proposed road have been influenced by considerations of residential amenity, landscape character and heritage setting;
- identify the relationship between the proposed link road and historic routes including any associated rights of interests;
- explain the implications of the proposal for the operation of existing access arrangements serving Whitehaven; and
- provide sufficient information regarding the intended function, scale, design, lighting and operation of the proposed road to enable a proper understanding of its consequences for Whitehaven and the surrounding landscape.

These steps are necessary to demonstrate that the modification is justified, effective and consistent with national policy.

(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:

PLEASE SEE ATTACHED SHEET.

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 16th June 2026.**

Q8. PM21

The owner of Whitehaven wishes to participate in any Examination hearing sessions relating to PM21 and associated STRA 2 modifications.

This representation raises issues regarding the proposed A516-A38 link road, the proposed access arrangements associated with PM16 and the relationship of the proposed infrastructure to Whitehaven as an existing residential property and recognised sensitive receptor.

The owner considers that these matters would benefit from oral examination and discussion, particularly given the proximity of the proposed infrastructure to Whitehaven and the need to understand how those site specific considerations have informed the proposed modifications.

Participation in the hearing sessions would assist the Inspector in understanding the concerns raised regarding the justification, effectiveness and consistency with national planning policy of the proposed modifications.

Given the site-specific nature of the issues raised, including the relationship between Whitehaven, the proposed link road corridor, existing access routes and Burnaston Footpath 8, historic routes, open vistas and the surrounding landscape including the south-west separation land, the owner would welcome the opportunity for these matters to be considered during any site visit undertaken by the Inspector.

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.

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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
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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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PLEASE CONSIDER SHEET OVERLEAF.

PM22

Q5. 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.

PM22 is not justified and is not effective because the amended indicative layout map¹ does not provide sufficient clarity regarding the relationship between Whitehaven, the proposed infrastructure, retained land and surrounding land uses.

Policy 5.17 states that the indicative map is included to guide the development of the strategic allocation and identify the general proposed location of key features. Although described as indicative, the map performs an important function in helping consultees understand the spatial implications of the proposed modification and the intended relationship between the various components of STRA2.

Whitehaven is an established residential property surrounded by the STRA2 allocation. However, Whitehaven and its associated residential curtilage are not identified on the amended map. As presented, the mapping gives the impression that the property and its curtilage form part of the surrounding Country Park, Green Infrastructure or open countryside. This makes it difficult to understand the relationship between Whitehaven and the proposed link road, formal recreation provision, pedestrian routes and other proposed land uses.

The owner is also concerned regarding the removal of the original Distance A and Distance B annotations from the Regulation 19 mapping². Those annotations assisted consultees in understanding the purpose and function of the retained south-western land location between Burnaston village, the Pastures Estate (Swan Hill side) and the wider STRA2 allocation. Whitehaven is situated within this transitional area and is directly affected by the manner in which the land is presented and intended to function.

It was understood that this retained land performed important settlement-separation, countryside-transition and anti-coalescence functions. However, following the removal of the Distance A and Distance B annotations, and the increasing overlap between Country Park land, Green Infrastructure and formal recreation provision, the intended role of the land is no longer clearly communicated. This creates uncertainty regarding the long-term purpose of the retained south-western land and the degree of protection intended to be afforded to it.

Whitehaven is omitted from a number of strategic plans, illustrative layouts and design documents prepared in relation to STRA2. This raises concerns not only that the property has not been presented in key plans and diagrams, but also whether it has been properly taken into account in the preparation of the supporting evidence base, masterplanning work and design studies which have informed the proposed modifications. Concerns regarding the presentation of Whitehaven and its relationship to the proposed development have been raised with the Council and site promoters over an extended period of time, including through a site visit at Whitehaven, attended by Council officers in 2026 and, separately representatives of the site promoters in 2025. Despite those discussions, Whitehaven remains omitted from the PM22 mapping.

The owner raised these matters regarding clarity and interpretation of the mapping directly with Council officers early during the consultation period³ and towards the close of the consultation it was proposed that additional explanation and updated information may be provided at

¹ PM22 Map

² Original Regulation 19 Publication map

³ Email from owner of Whitehaven to Council Officer dated 13th May 2026

Examination⁴. Whilst this is welcomed, it reinforces the concern that the consultation material itself does not provide sufficient clarity regarding the operation of the allocation, the relationship between Green Infrastructure, Country Park land, recreation provision and development land, and the implications of the proposed modifications for Whitehaven.

Accordingly, the owner considers that PM22 has not been adequately justified and is not effective because it does not provide sufficient clarity to enable an informed understanding of the relationship between Whitehaven, the proposed infrastructure, retained separation land and surrounding land uses.

⁴ Email from Council Officer to owner dated 15th June 2026

Appendices:

Appendix 1 - PM22 Map

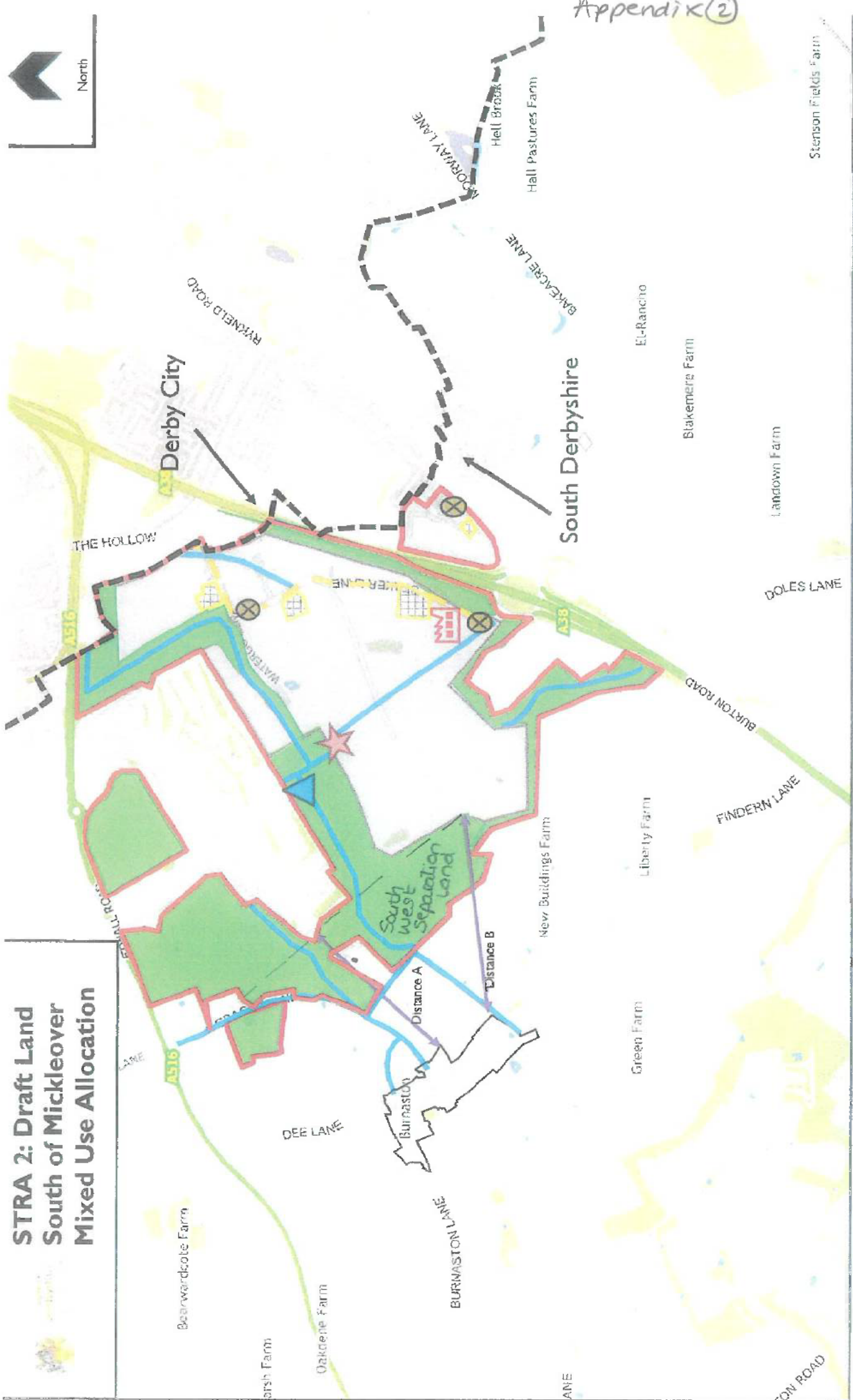
Appendix 2 - Publication version of Regulation 19 STRA 2 Map

Appendix 3 - Email from owner of [REDACTED] to Council Officer dated 13th May 2026

Appendix 4 - Email from Council Officer to owner dated 15th June 2026

STRA 2: Draft Land South of Mickleover Mixed Use Allocation

Appendix (2)



- South Derbyshire District Boundary
- Site Boundary
- Burmaston Settlement Boundary
- Pedestrian/cycle connections
- Staker Lane
- Housing Development
- Country Park/Green Wedges
- Land excluded from development
- Vehicular Access Points
- Proposed education facilities
- Employment Development
- Proposed Local Centre
- Distance A: Approximately 0.63 KM between Burmaston Settlement Boundary and existing development
- Distance B: Approximately 0.65 KM between Burmaston Settlement Boundary and proposed development

From: Narinder Sekhon [REDACTED]
Sent: 13 May 2026 10:38
To: Sarah Beeby <Sarah.Beeby@southderbyshire.gov.uk>; Steffan Saunders <Steffan.Saunders@southderbyshire.gov.uk>
Cc: Narinder Sekhon [REDACTED]
Subject: Concerns Regarding Accuracy and Clarity of Addendum Map PM22

Dear Sarah/Mario

Hope you are well. It was great to see you both alongside Steffan and the team yesterday at the consultation event held by SDDC at the Mickleover Court Hotel.

As raised during our discussion, I remain concerned that the Addendum Map (PM22) relating to the proposed modifications to the South Derbyshire Local Plan Part 1 Review is unclear, misleading in its current form, and inaccurate in several important respects.

Of particular concern is the fact that this document has already been issued to statutory consultees, statutory bodies, stakeholders, residents and the wider public as part of the Regulation 19 consultation process. Consultees are therefore being asked to make representations on a document that is not clearly presented and, in several areas, does not accurately convey the proposals. This is a matter of serious concern to both residents and the Parish Council (Chair).

The principal issues identified are as follows:

Unclear Symbols and Annotations

Several symbols and annotations on the plan remain difficult to interpret, particularly for an ordinary reader attempting to understand the proposals.

In particular:

- the small black/grey diamond or square symbols scattered across the site are not readily intelligible; and
- the wording "Pedestrian/Cycle Connection Blue" is unclear and confusing in its drafting.

Ambiguity of the Blue "Corridor" Lines

The blue lines identified as "Corridors" are insufficiently defined. The map does not explain whether these relate to:

- drainage corridors;
- ecological or wildlife corridors;
- public access routes;

- green infrastructure corridors;
- utilities infrastructure; or
- multi-functional corridors.

For a Regulation 19 consultation document, this lack of clarity is significant. Consultees must be able to properly understand the nature, purpose and implications of the proposals in order to provide informed and meaningful comments.

Presentation of Whitehaven and Residential Curtilage

The depiction of Whitehaven as an existing sensitive residential receptor, together with its associated residential curtilage, is also concerning.

The dwelling and its associated residential landholding, amounting to approximately four acres, no longer appear to be clearly identified or distinguished as residential curtilage, as they were within the earlier STRA2 indicative layout material. Instead, the area now appears to have been subsumed within the wider “Country Park” designation, with public footpath corridors shown on either side.

This represents a significant departure from the earlier presentation of the site, where the relationship between the existing residential property and the surrounding proposed land uses was shown much more clearly.

Whilst most existing residential clusters remain visually distinguishable on the amended plan, the southern area surrounding Whitehaven visually merges into the wider green “Country Park/Green Infrastructure” shading. The residential curtilage is no longer readily identifiable and the public corridors shown adjacent to the property further add to the confusion.

To an ordinary reader, the plan gives the impression that the land forms part of a publicly accessible Country Park rather than a private residential holding. As a consequence, a number of important spatial relationships cannot be properly understood or assessed, including:

- actual separation distances;
- proximity to the proposed link road;
- boundaries between public and private land; and
- the relationship between proposed recreational uses and existing residential properties.

Given the seriousness of these issues, I would respectfully request that all statutory consultees, stakeholders and any other interested parties intending to submit Regulation 19 representations be informed immediately that the current map and associated plan are inaccurate and potentially misleading in their present form, and that corrected and properly annotated versions will be issued in due course.

In light of this, consideration should also be given to extending the Regulation 19 consultation period. Any delay arising from the need to correct and republish the plans is clearly through no fault of those seeking to engage properly with the consultation process and submit informed representations. It is therefore important that consultees are afforded adequate time to review any corrected documentation before the consultation period concludes.

Given the importance of these plans within the Regulation 19 consultation process, I would be grateful if clarification could be provided and urgent consideration given to issuing a corrected and more clearly annotated version of the map.

Wishing you a pleasant week ahead.

Warmest regards
Narinder Sekhon



Narinder Sekhon
Barrister



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0191 406 7800

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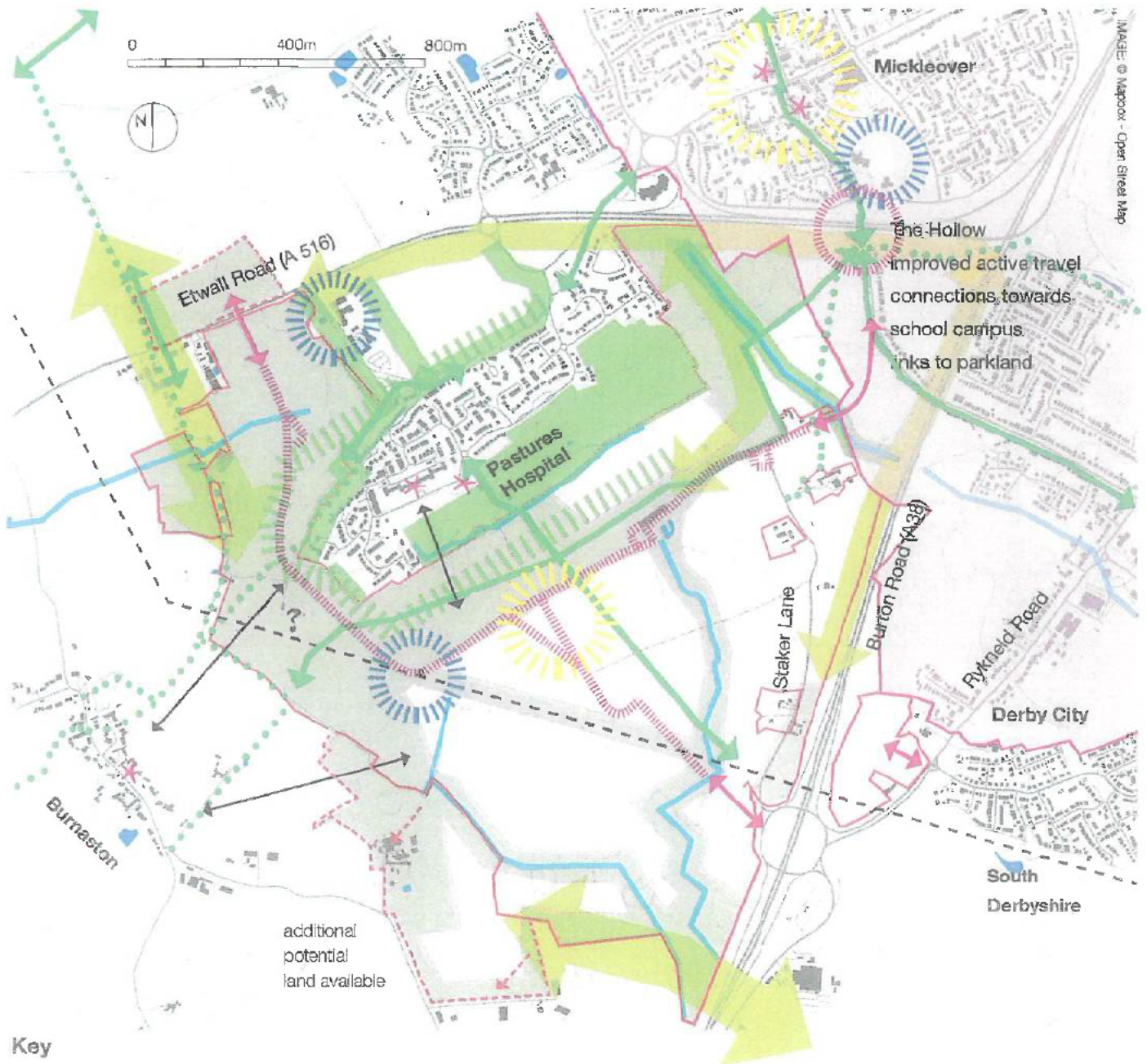
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* White have not identified in the Shaping streets Design Review either.

STRA 2: Draft Land South of Mickleover, Mixed Use Allocation

Illustration broadly locating site features discussed in the Shaping Streets Design Review.



Key

- | | | | | | |
|--|-------------------------------------------------|--|-------------------------------------------|--|-------------------------------------------------------|
| | Derby City | | Potential Parkland & Green Infrastructure | | Site Boundary |
| | Extending green wedges and reframing city edges | | Existing Parkland and GI | | Landmarks, listed buildings and distinctive landforms |
| | Potential access points | | Blue infrastructure | | Key Views |
| | Potential main streets | | Local centres and mobility hubs | | Improved active travel connectivity |
| | Improved active travel links | | Learning & recreation and School streets | | Power Cable |
| | Existing footpaths | | | | |

From: Steffan Saunders <Steffan.Saunders@southderbyshire.gov.uk>
Sent: 15 June 2026 18:12
To: Narinder Sekhon; Sarah Beeby
Cc: [REDACTED]
Subject: RE: Concerns Regarding Accuracy and Clarity of Addendum Map PM22

Hi Narinder,

Apologies for the delay in getting back to you and I've discussed these points with Sarah and Amanda.

The points below are reasonable ones which we'll consider as part of the Regulation 19 Addendum consultation. It's not possible to amend a plan during a formal addendum consultation but we will ensure we provide the examination with an update showing accurate details.

The plan remains an illustrative one and in this regard the amendments can be included in the Examination in Public without disadvantaging anyone. We'll include this in the Council's Statement of Consultation which is one of the submission documents we'll submit with the local plan and also include in the Strategy Topic Paper, which is not a required submission document, but this will explain the thinking behind the allocation and how the illustrative plan expresses the policy aspirations and requirements for the site.

With regard to the timescales, we do need to stick to the original consultation dates, as we need to report the plan to the 2 July Council meeting and this leaves very little lead in time. I would be very happy to meet with you and others prior to the submission of the plan to expand on what was a very useful discussion when we held a workshop with the Parish Council on 29th April. We discussed how the points around Green Infrastructure in general terms, the Country Park and sports provision and the road design have evolved to secure a high-quality allocation with good quality provision for formal and informal space for recreation. The Council would look to ensure that these benefits are delivered in the right location that minimises any harmful impact on neighbours.

Kind regards

Steffan

Steffan Saunders
Head of Planning
steffan.saunders@southderbyshire.gov.uk

M: 07971 604326



www.southderbyshire.gov.uk

PM22

Q6. 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 unsoundness matters you have identified at 5 above.

- PM22 be amended to provide greater clarity regarding the relationship between Whitehaven, the proposed infrastructure, retained separation land and surrounding land uses.

In particular, the amended mapping and supporting material should:

- clearly identify Whitehaven and its associated residential curtilage;
- clearly distinguish between development land, Country Park land, Green Infrastructure, formal recreation provision and retained separation land;
- explain the intended purpose and function of the retained south-western land located between Burnaston village, the Pastures Estate and the wider STRA2 allocation;
- explain how the settlement-separation countryside transition and anti-coalescence functions previously illustrated through Distance A and Distance B are intended to be maintained;
- provide greater clarity regarding the scale, extent and purpose of the proposed development fronting the A516; and
- explain how Whitehaven and its surrounding land have been taken into account in the preparation of the supporting evidence base, masterplanning work and design studies which have informed the proposed modifications.

These amendments are necessary to ensure that consultees are able to properly understand the operation of the allocation and the relationship between Whitehaven, the proposed infrastructure, retained separation land and surrounding land uses.

(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.

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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.

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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.**

Q8. PM22

The owner of Whitehaven wishes to participate in any Examination hearing sessions relating to PM22.

This representation raises issues regarding the presentation of Whitehaven within the amended indicative layout map, the removal of the Distance A and Distance B annotations, the intended function of the retained south-western land and the relationship between Whitehaven, the proposed infrastructure and surrounding land uses.

The owner considers that these matters would benefit from oral examination and discussion, particularly given the concerns regarding the extent to which Whitehaven has been reflected within the mapping, supporting evidence base, masterplanning work and design studies which have informed the proposed modifications.

Participation in the hearing sessions would assist the Inspector in understanding the site specific circumstances of Whitehaven and the concerns raised regarding justification and effectiveness of PM22.

Given the spatial nature of the issues raised, including the relationship between Whitehaven, the retained separation land, the proposed link road corridor and surrounding land uses, the owner would welcome the opportunity for these matters to be considered during any site visit undertaken by the Inspector.

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) AM73	
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.

PLEASE REFER OVERLEAF

(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.

PLEASE REFER OVERLEAF

AM73

Q5. 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.

The owner of Whitehaven supports the principle of providing formal sports facilities within a clearly defined and appropriately located sports hub. However, the policy does not clearly define the extent of that hub or provide sufficient safeguards to ensure that formal recreation provision and associated infrastructure remain contained within it.

Whitehaven is situated within the south-western part of the allocation where land has historically been presented as performing settlement-separation, countryside-transition, and anti-coalescence functions. The owner is concerned that the policy does not clearly distinguish between sports hub land, recreation land, Green Infrastructure (GI), Country Park land and retained separation land.

The owner further notes that the explanatory text accompanying AM73 anticipates some more limited development fronting the A516. This reinforces concerns regarding the changing role of Country Park/GI land and the lack of clarity regarding the intended relationship between development land, formal recreation provision, Green Infrastructure and retained separation land.

The policy does not provide sufficient certainty regarding the scale, extent and operational limits of formal recreation provision, nor does it adequately explain how the proposed arrangements would safeguard the openness, landscape character and separation functions of the retained south-western land.

The owner further notes that, during the Environmental Impact Assessment scoping process, South Derbyshire District Council's Environmental Health officer raised concerns regarding the assessment of noise from proposed sports facilities where these are located adjacent to existing residential receptors. Whitehaven has previously been identified by the Council as a sensitive receptor requiring individual assessment. The owner considers that this reinforces the need for clarity regarding the location, extent and containment of formal recreation provision and associated infrastructure. Concerns regarding the potential extent of recreation provision are not theoretical; illustrative material previously presented by the site promoters has shown recreation uses extending beyond the central sports hub location and into retained south-western land. Without clearly defined limits, it would be difficult to understand how the effects of noise, lighting, activity and associated infrastructure upon existing residential properties would be assessed and controlled.

Accordingly, the owner considers AM73 is not justified and is not effective.

AM73

Q6. 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 unsoundness matters you have identified at 5 above.

The owner of Whitehaven requests that AM73 be amended to:

- clearly define the extent of the sports hub;
- clearly distinguish between formal recreation and other land uses such as Country Park, GI and retained separation land;
- provide safeguards to retain the formal recreation and associated infrastructure within the defined sports hub; and
- recognise and safeguard the settlement-separation, countryside transition and landscape functions of the retained south western-land surrounding Whitehaven.

These amendments are necessary to provide certainty regarding the long-term role and protection of the retained land and to demonstrate that the modification is justified and effective.

(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:

PLEASE REFER OVERLEAF

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 16th June 2026.

Q8. AM73

The owner of Whitehaven wishes to participate in any Examination hearing sessions relating to AM73.

This representation raises issues regarding the extent of the proposed sports hub, the role of the retained south-western land and the relationship between formal recreation provision, Green Infrastructure, Country Park land and settlement separation. The owner considers that these matters would benefit from oral examination and discussion, particularly given the proximity of the proposed modification and the concerns regarding the future use and function of that land.

Participation in the hearing sessions would assist the Inspector in understanding the site specific circumstances of Whitehaven and the concerns raised regarding the justification and effectiveness of AM73.