



Regulation 19 Addendum: Proposed Modifications to South Derbyshire Local Plan Part 1 Review Publication Version (2022-2041) – 178 Derby Road, Melbourne, DE73 8DE

Introduction

1. This submission has been prepared by Cerda Planning on behalf of Stanton Developments in response to South Derbyshire District Council's Regulation 19 Addendum Consultation on the Proposed Modifications to the Local Plan Part 1 Review (2022–2041). This consultation asks for feedback on the proposed modifications, and provides the opportunity to promote any deliverable site for allocation.
2. Stanton Developments currently has an interest in and are promoting a site at 178 Derby Road, Melbourne ('the site'). The site is currently occupied by a single residential dwelling and its associated garden space, measuring 0.45 hectares in size. Please see figure 1 below for a site location plan outlining the site, and a draft illustrative masterplan is attached at appendix 1.

Figure 1 – Site Location Plan



Source: Cerda Planning

3. Comments are made below in respect of the appropriateness of the site to contribute towards meeting the Local Housing Need over the emerging plan period. First, these representations will comment on the national planning policy context as well as the planning policy context within South Derbyshire.
4. Stanton Developments fully supports the Council's approach to addressing changes in planning policy and the subsequent increase to the overall housing need. Specifically, this representation responds to:
 - **PM2 & PM3 (Policy S1):** The extension of the plan period to 2042 and the corresponding increase in the housing requirement to at least 15,263 dwellings.
 - **PM4 (Policy S4):** The redistribution and expansion of housing delivery targets on allocated and unallocated sites.
 - **PM4 (Housing Trajectory):** The reliance on windfall developments to help achieve a target of 2,390 net dwellings over the emerging plan period.
5. While the strategy to increase housing delivery is strongly welcomed, it is argued that to make the Local Plan sound, specifically justified and effective in accordance with the National Planning Policy Framework (NPPF), the Council must allocate deliverable and sustainable sites. Land at 178 Derby Road, Melbourne represents a logical site that can strengthen the Council's housing land supply.
6. Stanton Developments acknowledges that the Council still intends to review the plan under the legacy plan-making system, and plans to submit the emerging Local Plan for examination during December 2026.
7. This consultation has been prepared whilst considering the new planning reforms including the December 2024 NPPF. Stanton Developments supports the Council's position as this aligns with paragraph 36 of the NPPF which states:

“Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the areas objectively assessed needs¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and is based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

¹ Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 62 of this Framework.

d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in Framework and other statements of national planning policy, where relevant.”

8. This main part of this representation is structured as follows:
- Section 1 – National Planning Policy Context
 - Section 2 – Support for PM2, PM3 & PM4 (Spatial Strategy and Housing Needs)
 - Section 3 – The rate of windfall development
 - Section 4 – 178 Derby Road, Melbourne

Section 1: National Planning Policy Context

9. The Government were seeking views on a revised NPPF and other changes to the planning system. The consultation closed on 10 March 2026.
10. The proposed changes underpin a number of further policy reforms that are designed to unlock additional housing supply.
11. A summary of several of the key changes set out within the draft NPPF (December 2025) is set out below:
- The NPPF has been restructured into policies rather than paragraph numbers, aligned more closely with Local Plan formats, with a clear split between plan-making and decision-making policies.
 - Strategic planning reintroduced, requiring new strategic planning authorities to prepare Spatial Development Strategies, supported by new national decision-making policies (S3–S6). Inconsistent local policies would carry very limited weight.
 - Presumption in favour of sustainable development redesigned. Paragraph 11 is removed and replaced mainly by Policy S3, with different decision routes depending on whether development is inside or outside settlements. The traditional “tilted balance” is now embedded within Policies S4 and S5.
 - Neighbourhood plan protection updated (Policy S6): recent neighbourhood plans can still disapply the presumption, but only if they include housing allocations meeting identified needs.
12. Importantly, key planning considerations such as the tilted balance and the presumption in favour of sustainable development remain within the draft NPPF, even if worded differently.
13. Regarding the plan-making system, the draft Framework makes clear that, in preparing development plans, local planning authorities should not “duplicate, substantially restate or modify” the content of the National Decision-Making Policies (NDMPs). This will necessarily influence both the scope and

drafting of local plan policies, requiring authorities to focus on locally specific matters rather than repeating national policy requirements.

14. The proposed reforms also introduce a new 30-month timetable for plan preparation under the reformed plan-making system. Plans progressing under the current system (now described as the 'legacy' system) will be required to accord with the 2024 Framework and must be submitted for examination by the end of December 2026.

15. In decision-making terms, the new policies within the Framework will carry weight from the date of publication of the final version following consultation. The draft implementation provisions state:

“Development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework.”

16. The consequence of this approach is that any local plan prepared under the 2024 Framework could risk elements of its policy content becoming obsolete upon adoption if inconsistent with the NDMPs. It is therefore essential that emerging local plan policies are carefully reviewed to ensure full alignment with the national decision-making policies, thereby avoiding conflict and ensuring that the plan remains robust and legally compliant at examination and beyond.

17. Regarding the development of suitable sites, draft Policy PM2, paragraph 1(b) states that Local Plans *“should set out specific proposals for accommodating development needs and improving the environment at a local level. They should do this by:*

Setting out a spatial strategy, policies for the minimum amount of development to be provided, land allocations⁷ and broad locations for growth, and designations in accordance with policy S2, for a period of no less than 15 years from the point of adoption of the plan”

Section 2: Support for PM2, PM3 & PM4 (Spatial Strategy and Housing Needs)

18. The consultation document is broadly compliant with the NPPF and PPG in its statements. To remain fully compliant with paragraphs 61–62 of the NPPF, the Local Plan must demonstrate that the housing requirement will be met in full unless specific constraints justify otherwise. Given the scale of the identified need, the Council will need to consider the allocation of all the deliverable and sustainable sites identified throughout the review process to achieve the target. Additionally, the Council has stated that South Derbyshire will meet the local housing need (LHN) within the administrative boundary. It is therefore important to fully assess every option for increasing the housing land supply, and that each allocation is justified and based on evidence of its deliverability.

19. The approach to meet the LHN within the Council's administrative boundary is fully supported by Stanton Developments. The Council must comply with paragraph 11b of the NPPF that states:

“strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas², unless:

- *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

20. The above is further supported by NPPF paragraph 61 that states that *“it is important that a sufficient amount and variety of land can come forward **where it is needed**”* (emphasis added). Therefore, for a Local Plan to be assessed as legally compliant, the strategic policies must first assess all possible options for meeting the LHN within the administrative boundary before seeking assistance from neighbouring authorities. Additionally, the Council must also seek to accommodate a reasonable proportion of the unmet need within neighbouring authorities where this is practicable. South Derbyshire has confirmed that part of Derby City's unmet need will be accommodated within the upcoming plan period.

21. To ensure the Local Plan is sound and deliverable, the spatial strategy should allocate a balanced portfolio of sites, including small to medium sites capable of providing housing within the first five years, and focus on sustainable growth locations that align with infrastructure and employment opportunities.

22. The site at 178 Derby Road is ideally placed to contribute to these objectives. It is a sustainable, well-connected location, capable of delivering early housing and contributing to short-term supply.

23. To ensure the Local Plan is sound, justified, and deliverable, South Derbyshire Council should:

- Strengthen evidence on delivery and viability to ensure identified needs can realistically be met.
- Aim to meet the LHN within South Derbyshire and provide housing where it is needed.
- Accommodate part of Derby City's unmet housing need.
- Include sustainable and deliverable sites such as 178 Derby Road, Melbourne within the next iteration of the Local Plan.

24. The Council's decision to extend the Local Plan period to 2042 (to ensure a robust 15-year horizon from adoption) and consequently scale up the minimum housing requirement to 15,263 homes is supported as a legally compliant strategy. Accommodating South Derbyshire's localised needs

² As established through statements of common ground.

(10,140 homes) alongside an expanded commitment to reduce Derby City's unmet housing need directly relieves the pressure faced within the housing market area.

25. Furthermore, the amendment to Policy S4 (PM4) to increase housing delivery on allocated sites to 12,822 dwellings (and expanding strategic sites from two to three) proves a necessary response to the changing circumstances.
26. However, relying heavily on a minimum of 2,390 net dwellings via windfall and existing unallocated spaces raises slight concern. It is recommended that the Council should allocate additional small to medium-scale sites at edge of settlement locations, ensuring the delivery of an immediate housing supply. This is discussed in more detail within the following section.

Section 3: The Rate of Windfall Development

27. The Council has stated that windfall development will help achieve the housing target of 2,390 net dwellings over the plan period. While the inclusion of a windfall allowance is consistent with national policy, the Council will need to demonstrate through robust evidence that this assumption remains realistic under current planning policy.
28. Paragraph 73 of the NPPF acknowledges the benefits windfall development sites can contribute toward meeting the housing requirement. However, the Council must ensure that there is sufficient evidence that windfall sites have consistently become available in the administrative area and will continue to provide a reliable source of supply. In this respect, the Council will need to justify the continued per annum windfall target by assessing historic delivery trends and assessing whether those trends are likely to remain over the plan period.
29. Furthermore, the historic windfall delivery rates may have been inflated by national planning policy changes and local plan circumstances. Historic delivery has likely been influenced by national planning policy reforms which supported the development of sites that would otherwise have been expected to come forward as allocations. This includes sites that would now be identified as Grey Belt parcels of land. These circumstances would have increased the number of planning permissions granted on sites that were recorded as windfalls, thereby influencing the historic data. Although, it is acknowledged that only a small area within the Council's administrative boundary is designated as Green Belt.
30. The historic data may also have been affected by the Council's adopted Local Plan Part 1 and Part 2 being effectively out-of-date, during which period the number of speculative applications may have increased. In consideration, the engagement of the presumption in favour of sustainable development would have resulted in a greater number of speculative planning applications being approved. This would have further increased the number of permissions recorded as windfall development.
31. Stanton Developments considers that the Council should be cautious when relying heavily on windfall delivery. A detailed assessment should be completed to confirm whether the target is a robust and justified figure.

Section 4: 178 Derby Road, Melbourne

32. the emerging spatial strategy seeks to focus growth in sustainable and accessible locations, including land adjacent to the settlements considered most suitable for supporting growth. This strategy is supported in principle and reflects the requirements of the NPPF (December 2024).
33. Stanton Developments supports a balanced spatial strategy to achieve growth in the places where it is needed. It aligns with paragraph 16 of the NPPF, which requires plans to contribute to sustainable development, and paragraph 124, which promotes the effective use of land in sustainable locations. Concentrating development adjacent to established urban areas and accessible settlements reduces reliance on the private car, supports existing services, and enhances deliverability.
34. In order to satisfy paragraph 36 (positively prepared and effective) and paragraph 72 (identifying sufficient deliverable sites), the Council should:
- Prioritise sites adjacent to sustainable urban areas; and
 - Identify a mix of site sizes, including medium-scale and SME-deliverable sites capable of contributing within the first five years after adoption and beyond.
35. Deliverable sites such as 178 Derby Road are well aligned with these principles. This site represents a logical urban extension, is closely related to existing infrastructure and services, and can deliver homes early in the plan period, thereby strengthening the delivery of housing and supporting a rolling five-year supply.
36. Importantly, the basis of this representation is formed on the Council's intention to include this site as a draft allocation within the emerging Local Plan. Based on the pre-application advice received from South Derbyshire District Council on 21st May 2026 (Ref: DMPP/2026/0435), the Council has expressed clear support for the inclusion of the site at 178 Derby Road, Melbourne, within the emerging Local Plan. While the site currently sits beyond the established settlement boundary of Melbourne, the local planning position has changed following the successful appeal (DMPA/2025/0438) for up to 135 dwellings on the adjacent parcel fronting Kings Newton Lane. Because this neighbouring site is now being promoted for allocation, the Council recognises that the allocation and development of 178 Derby Road would be received favourably to help provide a robust and defensible housing land supply buffer.
37. Although the Council can currently demonstrate a five-year housing land supply (as confirmed in the Housing Position Paper presented to the Environmental and Developmental Services committee on 28th April 2026), officers have identified a strategic opportunity to include 178 Derby Road as an addition to the proposed Kings Newton Lane Local Plan allocation. This representation is submitted in direct response to the Council's guidance to participate in the ongoing Regulation 19 consultation process before the 16th June deadline. Aligning with the Council's advised timeline, Stanton

Developments intends to submit a comprehensive planning application in September/October 2026 to precisely coincide with the submission of the Local Plan for examination, while preparing to make representations on the Part 2 Local Plan this autumn.

38. Under Policy H1, Melbourne is designated as a Key Service Village, establishing it as a sustainable area for rural growth.
39. The soundness of the plan relies on it being justified, meaning it must be based on a proportionate evidence base that responds to real-world context changes. As acknowledged directly by the Council in recent pre-application correspondence, local planning dynamics have fundamentally shifted via appeal decision DMPA/2025/0438, which permitted up to 135 dwellings on the parcel immediately adjoining the site to the north and north-east (fronting Kings Newton Lane).
40. The housing trajectory update under PM42 explicitly budgets for the delivery of this Kings Newton Lane site across the mid-to-late plan period (projecting completions through 2031/32). Because this development fundamentally shifts the physical settlement boundary of Melbourne outward, the adjacent site at 178 Derby Road can no longer be viewed as isolated; it is now well related to the emerging built-up settlement boundary.
41. 178 Derby Road is available, achievable and deliverable within the first five years of the plan period. Development would integrate effectively with the surrounding built form and provide opportunities to enhance green infrastructure and connectivity.
42. Standon Developments believes that the site should be assessed positively and identified as an allocation within the emerging Local Plan. This edge-of-settlement location ensures good access to local services, schools, public transport routes and employment opportunities.
43. Given the site's relationship to the existing settlement pattern, it represents a logical and sustainable opportunity to assist in meeting the District's Housing Need.
44. There are no known technical or legal constraints that would prevent development. Access can be achieved directly from Derby Road, connecting into the highway network serving the surrounding area. Small-scale sites such as 178 Derby Road are particularly important in ensuring flexibility and resilience in housing delivery and reducing reliance on a limited number of large strategic sites.
45. It is important that the Council allocates a range of deliverable sites capable of contributing within the first five years following plan adoption, particularly in the context of maintaining a robust five-year housing land supply.
46. The site is deliverable in the short term and are capable of making an early contribution to South Derbyshire's housing land supply. Key deliverability indicators include:
 - The site is under the control of Stanton Developments and is available for immediate progression through the planning process;

- Preliminary technical work indicates that there are no constraints that could not be appropriately mitigated through the design phase, and the implementation of planning conditions;
- Suitable vehicular and pedestrian access can be achieved from Derby Road, with opportunities to enhance connectivity to surrounding residential areas and nearby facilities;
- The scale of development is such that construction could commence promptly following the grant of planning permission, supporting early delivery within the plan period.
- The site of interest has already received pre-application advice that confirmed the Council's intention to allocate this site.

47. Stanton Developments supports the Council's intention to include this site as a draft allocation within the next iteration of the emerging Local Plan. Doing so would assist in meeting the Housing Need while supporting early and reliable delivery within the plan period.

Conclusion

48. These representations have been prepared in response to the Regulation 19 Addendum Consultation on the Proposed Modifications to the Local Plan Part 1 Review (2022–2042). Stanton Developments promotes 178 Derby Road, Melbourne as a sustainable and deliverable housing site.

49. Taken together, the representations are intended to support the preparation of a sound, justified, and deliverable Local Plan that meets South Derbyshire's identified housing needs in full, in accordance with the NPPF and the PPG.

50. The key points of this submission are summarised below:

- The extension of the plan period to 2042 and the corresponding increase in the housing requirement to at least 15,263 dwellings is supported.
- The redistribution and expansion of housing delivery targets on allocated and unallocated sites is supported.
- The reliance on windfall developments to help achieve a target of 2,390 net dwellings over the emerging plan period raises slight concern.
- The Council must ensure the Local Plan allocates a sufficient range of deliverable and developable sites such as 178 Derby Road, to achieve this housing target.
- The Council's approach to achieving the Local housing need within the administrative boundary is strongly supported, in addition to accommodating Derby City's unmet need.
- The site discussed represents a logical and suitable development opportunity capable of contributing to early housing delivery in the plan period.
- This representation has been prepared based on the advice provided by the Council during the pre-application enquiry for 178 Derby Road (Ref: DMPP/2026/0435). The Council has stated that there is a clear intention to allocate this site within the emerging Local Plan Part 1 review.

Appendix 1 – Draft Illustrative Masterplan

