

**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:	Name: Gary Stephens
Organisation: Rainier Developments Limited	Organisation: Marrons
Address: C/O Agent	Address: [REDACTED]
[REDACTED]	[REDACTED]

*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	X		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		X
2) Sound (If you check 'No', please also confirm below which of the 'tests' it fails to meet)		X
a) Positively prepared		X
b) Justified		X
c) Effective		X

d) Consistent with national policy		X
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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 following representations are made in response to the proposed modifications to the South Derbyshire Local Plan Part 1 Review 2022 – 2041 (Publication Version March 2025) on behalf of Rainier Developments Limited in respect of their land interests at land at Elm Tree Farm, Hilton (SHLAA Site 187).

Policy S1: Sustainable Growth Strategy

The proposed modifications to Policy S1 i), and the policy as drafted, are not positively prepared, justified, or consistent with national planning policy and are therefore not sound. The modifications fail to address the concerns raised by Rainier Developments Limited in its Regulation 19 representations (April 2025), which sought amendments to Policy S1 i) to reflect a Plan period of 2024–2042 and to set a housing requirement based on the current standard method, an evidenced contribution towards unmet needs arising from Derby City, levels of affordability, and evidence on past rates of delivery.

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.

(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

X

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:

Rainier Developments Limited Reserve the right to speak in the hearing sessions, to respond to the Inspectors' questions, elaborate on the points raised and respond to any further information the Council submits.

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.**

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PM20		PM42	
PM21		Other (Please specify)	
PM22			

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	Yes	No
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2) Sound		X
(If you check 'No', please also confirm below which of the 'tests' it fails to meet)		
a) Positively prepared		X
b) Justified		X
c) Effective		X

d) Consistent with national policy		X
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Policy S4: Housing Strategy

The proposed modifications to Policy S4, and the policy as drafted, are not justified, effective, or consistent with national planning policy and are therefore not sound. The modifications fail to address the concerns raised by Rainier Developments Limited in its Regulation 19 representations (April 2025), which sought amendments to increase provision for additional dwellings to provide contingency should the two strategic allocations and other historic allocations fail to deliver as anticipated by the Council. Furthermore, evidence is required to substantiate the delivery trajectories of existing and proposed allocations within Appendix 5, both over the plan period and within the first five years post-adoption, as well as to justify the windfall allowance. Notwithstanding the above, the housing requirement will not be met, and the Council should identify additional specific deliverable sites, such as land at Elm Tree Farm, Hilton (SHLAA Site 187), to bolster supply.

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.

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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

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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		X
2) Sound (If you check 'No', please also confirm below which of the 'tests' it fails to meet)		X
a) Positively prepared		X
b) Justified		X
c) Effective		X

d) Consistent with national policy		X
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Policy H20: Housing Balance & Custom/Self-Build

The proposed modifications to Policy H20E ii), and the policy as drafted, are not consistent with national planning policy and are therefore unsound. The modifications fail to address the concerns raised by Rainier Developments Limited in its Regulation 19 representations (April 2025), which sought an increase in the threshold for requiring 10% of housing to be provided as serviced self/custom build plots. Specifically, it was requested that the threshold be raised from 30 to 100 dwellings to reduce the burden on SME housebuilders.

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.

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