Marrons

SOUTH DERBYSHIRE DISTRICT COUNCIL PART 2 LOCAL PLAN REVIEW

ISSUES AND OPTIONS CONSULTATION

REPRESENTATIONS

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1. INTRODUCTION

1.1 OVERVIEW

1.1.1 Marrons is instructed by Richborough to prepare these representations to the South Derbyshire District Council Part 2 Local Plan Review. South Derbyshire District Council ("the Council") has started work on updating the adopted Local Plan Part 2, which sets out the non-strategic policies and site allocations used to guide future planning decisions.

1.1.2 The current issues and options consultation (Regulation 18) seeks views on what the new Local Plan should cover and how the district should develop up to 2041. The consultation invites views on the challenges facing the District, and the potential options for addressing them.

1.1.3 Review of the Part 1 Local Plan is ongoing and underwent its Regulation 19 consultation in March/April 2025. As explained by paragraph 1.42 of the Regulation 19 draft of the Part 1 Local Plan Review:

> *"The South Derbyshire District Council Part 1 Review is a* ***focussed update*** *to the adopted plan with the purpose of ensuring the district's plan reflects national planning policy* ***and allocates key strategic sites which will assist with meeting Derby's unmet housing need****."* [Emphasis Added]

1.1.4 Accordingly, the Part 1 review focuses on options for strategic sites on the edge of Derby, on the assumption that this, and this alone, is the most sustainable way to meet housing needs in the District to 2041.

1.1.5 The Part 1 Plan Review is progressing under the transitional provisions set out within paragraph 234 of the National Planning Policy Framework ("NPPF"), December 2024. Therefore, it will be examined against the provisions of the NPPF, December 2023. However, the potential review of the Part 2 Plan, to which this current consultation relates, will be undertaken against the NPPF 2024. All references to the NPPF below, therefore are references to the 2024 edition of the NPPF unless indicated otherwise.

1.1.6 The NPPF sets out tests of soundness at paragraph 36. These are:

- **Positively prepared** – based on a strategy that seeks to meet objectively assessed needs, including unmet needs from neighbouring authorities where it is reasonable to do so;
- **Justified** – founded on an appropriate strategy that is reasonable, realistic and based on proportionate evidence;

- **Effective** – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters; and

- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the NPPF.

1.1.7 Below we set out responses to selected questions within the consultation document. Where the responses are lengthy, a summary answer has been provided followed by further detail.

1.1.8 This representation also refers to Richborough's land interests within South Derbyshire, which includes an extension to allocation H16 Primula Way, Sunny Hill and e parcels to the South of Derby City. With regards to these interests, as will be explained further below, Richborough are actively working alongside the promotors of neighbouring land parcels in order to provide a cohesive approach to the sustainable urban extension.

2. APPROACH TO THE LOCAL PLAN

"Question 1: Should the Council produce a Local Plan Part 2 Review under the existing planning system, or should a single full Local Plan Review be undertaken under the new system?

Produce a Local Plan 2 Review under the existing system

Produce a single Full Local Plan under the new system

Other"

RESPONSE

Summary:

For the reasons set out below, Council should produce a full local plan.

The remit of the Part Plan 1 Review was expressly limited to meeting Derby's unmet need on the edge of Derby and contains no district-wide spatial strategy for housing whatsoever.

The Council's own clear commitment in the Regulation 19 Part 1 Plan Review confirms that a comprehensive plan review was to follow, not a freestanding Part 2 review.

Because Part 1 sets no pattern, scale or distribution of growth for the wider District outside of the Derby fringe, the local planning authority cannot now use a non-strategic Part 2 to bring one forward.

That would reverse the plan-making hierarchy set out in the NPPF and amount to introducing strategic policy through a non-strategic plan. A Part 2 review which would establish a spatial strategy for housing for the rest of the District would therefore be plainly inconsistent with national policy.

Relationship with the Part 1 Plan Review

2.1.1 The review of the Part 1 Local Plan is ongoing. It underwent its Regulation 19 consultation in March and April 2025. Paragraph 1.42 of the Regulation 19 draft explains that:

> *"The South Derbyshire District Council Part 1 Review is a **focused update** to the adopted plan, designed to ensure that the District's plan aligns with national planning policy and **allocates key strategic sites to assist in meeting Derby's unmet housing need**."* [Emphasis Added]

2.1.2 Accordingly, the Part 1 Plan Review concentrates on options for strategic sites on the edge of Derby, on the assumption that this is the most sustainable way to meet Derby's unmet housing needs to 2041. It therefore proposes several strategic site allocations on the edge of the city.

2.1.3 The Part 1 Plan Review also incorporates Policy REV1: Review of the Local Development Plan, which **confirms that plan-making for a comprehensive South Derbyshire District Local Plan will begin immediately upon adoption of the Part 1 Review**.

2.1.4 Paragraph 1.44 of the Regulation 19 version reiterates this commitment, stating that, on adoption of the Part 1 Review, the process of a comprehensive plan review will commence, bringing together the current Part 1 and Part 2 plans and **considering issues such as retail provision, the future development of Swadlincote, and the planning of service villages and rural areas across the District.**

2.1.5 The approach of undertaking a review to the Part 2 plan rather than a comprehensive plan marks a substantial departure from the approach set out by the Council in the Part 1 Plan Review.

2.1.6 The Part 1 Plan Review is intended as a partial review to address unmet need from the Derby urban area. Policy REV1 of the Part 1 review was intended to "bridge the gap" between a plan that effectively only addresses only a single strategic issue – unmet need from Derby – and a comprehensive plan, which addresses housing need across the District of South Derbyshire.

2.1.7 Given the narrowly defined scope of the Part 1 Plan Review, it did not seek to address housing needs in other parts of the District, nor did it consider any sites or strategies for growth outside the Derby fringe. This was an inevitable consequence of its limited purpose: to address unmet housing need arising solely from Derby. As a result, the Plan contains no strategic housing policies for the remainder of South Derbyshire, neither in terms of overall numbers nor spatial distribution.

2.1.8 It is therefore concerning to us that these fundamental strategic issues, matters which should have been examined transparently and rigorously through the Part 1 Review, might be dealt with instead through the Part 2 Plan, which is non-strategic. This approach fragments the logical sequence of plan-making and creates a situation in which the relationship between the Part 1 and Part 2 reviews is incoherent.

Strategic and Non-Strategic Policies

2.1.9 There is nothing within the Part 1 Plan Review that provides any strategic direction for the rest of the District beyond the Derby fringe. It contains no spatial apportionment to the District's settlements, no district-wide distribution strategy, and no indication that such matters would be deferred to a separate Part 2 plan. In the absence of any strategic framework for the wider District

being set through the Part 1 Plan Review, it is deeply concerning that the Council could now seek to address these strategic issues through a non-strategic plan.

2.1.10 Paragraph 20 of the National Planning Policy Framework states that:

> "Strategic policies should set out an overall strategy for the pattern, scale and design quality of places…and make sufficient provision for: housing (including affordable housing), employment, retail, leisure and other commercial development."

2.1.11 By design, the Part 1 Plan does not set out an "overall strategy" for the District as a whole, but only for the Derby urban fringe in order to address the city's unmet need. Non-strategic policies cannot then be used to "fill in the gaps" to deliver that wider strategy. The National Planning Policy Framework distinguishes clearly between strategic and non-strategic policies and requires that strategic matters be dealt with through the strategic plan. In this case, the strategic plan is the Part 1 Plan Review.

2.1.12 However, because the Part 1 Review contains no strategy for housing growth beyond the proposed allocations on the Derby fringe, the non-strategic Part 2 Plan Review cannot legitimately introduce that missing strategy. To do so would invert the plan-making hierarchy set out in the NPPF, and would, in effect, use a non-strategic plan to retroactively establish strategic spatial policy.

NPPF Transitional Provisions

2.1.13 A further concern arises from the fact that the Council itself acknowledges that the Part 2 Review will be examined under the 2024 NPPF, whereas the Part 1 Review is being examined under the transitional arrangements and therefore against the 2023 NPPF.

2.1.14 This creates a situation in which two halves of what should be, in practice, a single Local Plan strategy will be tested against two different national policy frameworks. On its own, that divergence would already warrant caution. However, when read alongside the Issues and Options document, it appears that the Council is now considering using the non-strategic Part 2 Review to introduce or pre-empt matters that properly belong within the scope of the strategic Part 1 Review.

2.1.15 The approach of reviewing the Part 2 local plan to address gaps in the Part 1 Plan Review would also avoid addressing higher levels of housing need that would arise under the 2024 NPPF/standard method. By introducing strategic policies that do not deliver or respond to the level of objectively assessed housing need indicated by the 2024 standard method, the Part 2 Plan would not be positively prepared.

Conclusion

2.1.16 Overall, we consider that any using of a Part 2 Review to introduce, supplement or compensate for strategic policy would fail the soundness tests because:

- It avoids meeting housing needs (not positively prepared).
- It has not been tested through reasonable alternatives (not justified).
- It creates an internally incoherent strategy split across two Plans (not effective).
- It inverts the statutory hierarchy by introducing strategic matters in a non-strategic plan (not consistent with national policy).

3. HOUSING SUPPLY & NEED

"Question 2: Where should housing needs be met? Please provide site details including projected delivery timescales and the specific need being met."

RESPONSE

Summary:

The Part 2 Plan cannot legitimately determine where housing needs should be met because the Council has not set a district-wide spatial strategy through the Part 1 Review, as required by the NPPF.

The Part 1 Review considered only Derby-fringe options, failed to test reasonable alternatives for towns, service villages or rural settlements, and did not address locally specific housing needs identified in the LHNA.

SUEs in general can be a sustainable way to meet housing need, but should be balanced with delivery across the wider District too, to aid in shorter term delivery and balanced dispersal. Given that the overall supply in the Part 1 Review, at best, matches the minimum requirement, relying solely on two large SUEs on the edge of Derby offers little flexibility in the event of delivery slippage, and in fact there is a 57-dwelling supply shortfall against the minimum housing requirement.

In order to provide the appropriate flexibility and contingency, a 20% supply buffer is required.

3.1.1 As per our response to question one, the Part 2 Plan cannot properly answer the question of where housing needs should be met because the Council has not set a district-wide spatial strategy through the Part 1 Review.

3.1.2 The NPPF is clear that decisions about the pattern and distribution of growth are strategic matters that must be established in the strategic plan, not through a non-strategic Part 2 document. In the absence of a district-wide strategy for meeting housing growth outside of the Derby fringe tested against the reasonable alternatives through Sustainability Appraisal, any attempt by the Part 2 Plan to identify where housing needs should be met would be unsound.

3.1.3 However, recognising that the Council has nonetheless asked the question, the following points can be made:

Balanced Growth / Distribution

3.1.4 Part 1 Review did not consider the full spatial pattern of need across South Derbyshire. The Sustainability Appraisal work only evaluated scenarios focused on Derby's unmet need and did not test genuine alternatives involving the District's towns, key service villages, or rural settlements. The Sustainability Appraisal underpinning the Part 1 review confirms that options were "narrowly framed" around Derby's fringes and that no reasonable alternatives were developed for growth beyond the fringe.

Flexibility & Contingency

3.1.5 The Part 1 Plan Review relies heavily on two very large Sustainable Urban Extensions on the edge of Derby. These emerging allocations have inherently long lead-in times, and we strongly disagree with the statement on page 10 of the issues and options consultation document that the delivery profiles for these sites have been informed by "realistic assessments." As noted in our representations to the Part 1 Plan Review, we find that no objective assessment of the deliverability of these sites has been produced, and also find that the assessment of the rejected sites, including South of Littleover, to have been vague and incomplete.

3.1.6 In particular, we have concerns with the allocation South of Mickleover, which within the SHELAA is stated as having a constrained access. Vehicular access is shown to be taken from Staker Lane. Staker Lane is currently a rural lane, which is suitable for two-way traffic but is unlit and does not have any dedicated pedestrian and cycle facilities. The width of Staker Lane is also unlikely to be suitable for use by public transport. Whilst Staker Lane can probably accommodate an increase in traffic, it is unlikely to be suitable for the full scale of development proposals. Staker Lane is therefore unlikely to be suitable to serve the full development proposals, and significant improvements or entirely new infrastructure will be required.

3.1.7 Staker Lane connects to the A38 to provide access to the Strategic Road Network. Staker Lane also connects to Haven Baulk Lane and The Hollow, which provide access to the local highway network and onward connections into the centre of Derby. Haven Baulk Lane is an existing residential road and connects to Rykneld Road at a simple priority T-junction. Haven Baulk Lane is not suitable to accommodate a significant increase in traffic flows, and the Rykneld Road junction will likely require capacity improvements, which may not be practical given the constrained nature of the junction. Noise and amenity issues may also be created by the potential increases in traffic flows. The Hollow also serves a number of existing residential properties. The Hollow terminates at the Brierfield Way/Hedingham Way junction, where The Hollow is the minor arm of a simple priority T-junction. The Brookfield Primary School is located opposite the junction. The Hollow is not suitable to accommodate a significant increase in traffic flows, and the Brierfield Way/Hedingham Way junction will likely require capacity improvements, which may not be practical given the constrained nature of the junction and may lead to conflicts with the existing primary school.

3.1.8 The site is located to the south and west of two high speed dual carriageways. Pedestrian and cycle connectivity across these two roads is required to provide access to the facilities in the local area. The nature of the roads means the opportunities to cross are limited to the existing underpasses at Haven Baulk Lane and The Hollow. There is an existing public right of way just south of the A516 that crosses the A38, but this isn't suitable for use by all. Haven Baulk Lane and The Hollow are also designated as National Cycle Route 66. There are no dedicated cycle facilities along Haven Baulk Lane or The Hollow, and therefore cyclists are going to be on the carriageway. The increase in traffic on these roads is going to materially worsen the conditions for cyclists and dedicated cycle facilities will need to be provided, which are unlikely to be deliverable along the entirety of the route.

3.1.9 In any event, even minor delays to the delivery of these allocated SUEs would push a substantial proportion of their anticipated completions beyond 2041, with the result that the Plan's minimum housing requirement could not be delivered within the plan period.

3.1.10 As set out in our representations to the Part 1 Plan Review, the components of supply identified within the Part 1 Plan Review equate to exactly the minimum housing requirement and no allowance for flexibility or contingency has been made to account for delayed delivery. It has now emerged, as set out in page 8 of the Issues and Options consultation document, that there is in fact a shortfall of 57 dwellings against the **minimum housing requirement** within the Part 1 Plan Review.

3.1.11 Whilst we agree with the statement on page 8 of the consultation document that the plan review should allocate enough sites to ensure flexibility in the supply, that opportunity has been lost because the strategic policies of the Part 1 Plan Review focus on meeting Derby's unmet need on the edge of Derby and do not consider the amount or distribution of housing need elsewhere within the District or the need to provide a supply buffer for flexibility and contingency. A non-strategic Part 2 plan cannot now rectify that deficiency for the reasons explained in our response to Question 1.

3.1.12 There is no clarity within the Issues and Options consultation document as to what is meant by "housing needs" in this context, nor whether it refers to the shortfall of 57 dwellings identified on page 8 or to some other figure.

3.1.13 In any case, the 57-dwelling figure simply represents the additional supply required to achieve parity with the minimum housing requirement; it does not reflect the true extent of the shortfall if the Council's desire is to provide contingency and flexibility to ensure an effective strategy for the Plan period. As set out in our representations to the Part 1 Review, the overall supply more or less sits at the minimum requirement, meaning that substantial additional allocations are required to provide the necessary flexibility. We recommended a 20% buffer to ensure a resilient and deliverable supply.

3.1.14 However, any apportionment of growth must still form part of a coherent district-wide spatial strategy, tested through a legally compliant Sustainability Appraisal that considers all reasonable alternatives. This can only be undertaken through a coherent review of the District's strategic policies, not through making non-strategic allocations in isolation.

Land south of Derby

3.1.15 Notwithstanding the above, should the Council see fit to make additional site allocations through the Part 2 Plan review, we would advocate that Land south of Derby offers a sustainable location to accommodate an urban extension to the edge of Derby City to meet South Derbyshire's own housing need and to meet any unmet need arising from within Derby City. The Site has also been known as Land off Primula Way, which is the name used in the most recent SHELAA, where it was assessed under reference 143, as shown at Figure 1 below. Part of the Site was allocated as H16 in the adopted Local Plan, as shown below:

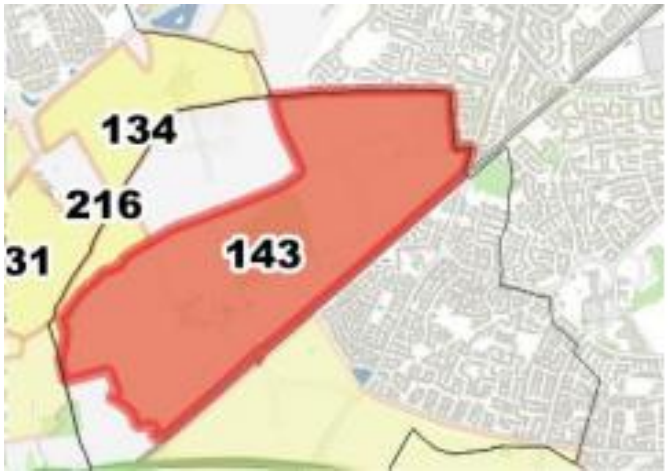

Figure 1 SHELAA Extract

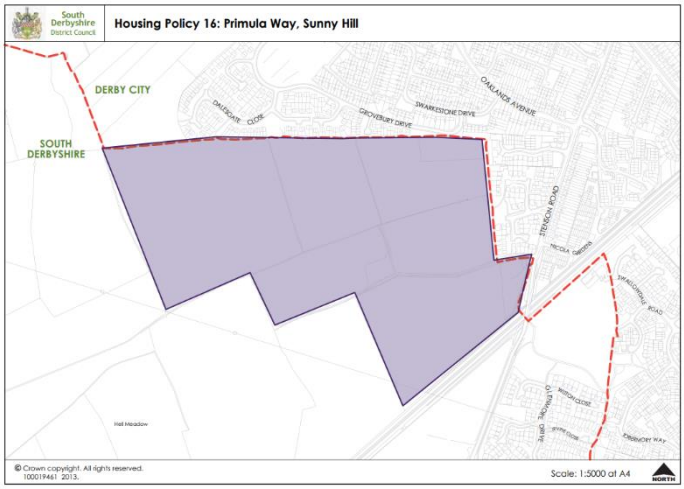

Figure 2 H16 Allocation

3.1.16 In December 2022, outline planning application DMPA/2022/1617 was submitted in relation to the H16 allocation, which sought planning permission for up to 600 dwellings and associated infrastructure, to be accessed via Primula Way. The scheme was heard at Planning Committee on 25th November 2025 where Members made a resolution to Grant permission, subject to s106 agreement being completed. The Framework Masterplan is shown below:

Figure 3 DMPA/2022/1617 Framework Masterplan

3.1.17 The remainder of SHELAA Site 143 remains suitable and available for development.

3.1.18 For a more immediate option, there is capacity for a modest extension to the Primula Way development within land included within the 'blue line' of the planning application. This is shown on the extract below:

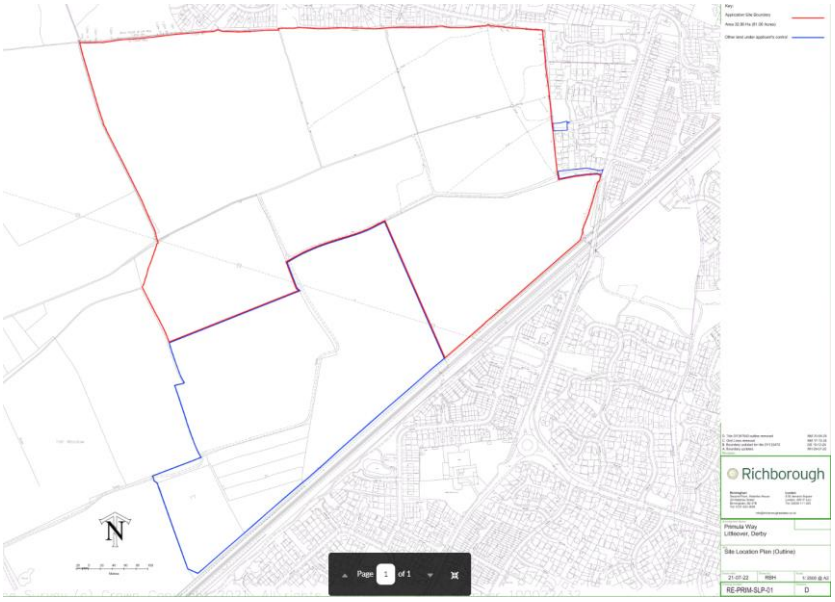

Figure 4 DMPA/2022/1617 Location Plan

3.1.19 Utilising the existing access from Primula Way, the site would be capable of accommodating up to 200 dwellings in this c.15ha parcel, without requiring another point of access. This is therefore considered to be available and suitable for a short term allocation.

3.1.20 As to the wider development parcel, delivery of housing will help deliver phase 2 of the proposed South Derbyshire Integrated Transport Link (SDITL) which is identified as a key piece of strategic highways infrastructure in the adopted Local Plan Part 1 (Policy INF4) and the accompanying policies maps.

3.1.21 In particular we note that the Council's Part 1 Local Plan states "the Council will work in partnership with Derbyshire County Council, Derby City Council developers and other organisations to deliver these schemes", before further stating that "the South Derby Integrated Transport Link Phase 2 would connect the A38 Junction at Ryknеld Road with Phase 1. Together phases 1 and 2 would provide a complete highway connection between the A38 and A50, Although Transport modelling indicates Phase 2 will not be required to mitigate traffic Impacts of the proposed new development within the Plan Period, the indicative alignment is protected to serve any future growth in travel demand which cannot be satisfactorily mitigated by other means".

3.1.22 Richborough consider that the delivery of a sustainable urban extension south of Derby provides an opportunity for developers and public bodies to work collaboratively to deliver this key piece of strategic highways infrastructure.

3.1.23 Presently we expect the strategic route to comprise a 7.3m wide carriageway road, at least one 5m wide footway/cycleway (aligned with LTN 1/20) and at least one 7m wide swale to address surface water runoff. We also expect that any new highway will need to provide a strong boundary to contain development to the north and act to restrict the further sprawl of development contiguous with Derby City to the south. We therefore expect any new built development delivered as part of a new Sustainable Urban extension to be contained within land north of the new link road.

3.1.24 It is also worth emphasising that the delivery of a new link road south of Derby City could open up additional land in the City itself which could help Derby City meet a greater proportion of its own housing need by providing an alternative access route into land to the east of Moorways Lane and sustainability improvements to the surrounding area through new and improved services and facility. Put simply the SDITL could help Derby City to maximise its own housing delivery within its boundary in this location.

3.1.25 The scale of development at the site which will facilitate the strategic link road is also expected to deliver new facilities including education, health and sports provision as required, or in collaboration with adjoining landowners, and will look to ensure and improve connectivity to existing facilities where achievable.

3.1.26 The current South Derbyshire Local Plan, adopted in 2016 and 2017, directed 8,000 homes to the southern edge of Derby City in South Derbyshire and recognised the potential for a further 3,000 or so at Infinity Garden Village south of Chellaston. This growth reflects the status of Derby City as the main driver of growth in the Derby HMA. Sites on the southern edge of Derby, including Highfields Farm to the north and Stenson Fields to the west have typically delivered around 200-250 homes each year, indicating the strong market demand for new homes in this area and have made a significant contribution towards meeting local housing needs.

3.1.27 Recent housing growth on the southern edge of Derby is being supported by significant investment in local infrastructure. Development south of Sinfin on the Wragley Way site will be supported by the delivery of the Phase 1 South Derbyshire Integrated Transport Link (SDITL), which itself will connect into a new £50m Junction to the A50 and the recently completed T12 link (Millennium Way).

3.1.28 There are also proposals to deliver a new secondary school within the Infinity Garden Village site south of Chellaston as well as proposals to deliver a new Freeport Site just 3km to the south which will contribute to the creation of 61,000 jobs locally with over 10,000 being located on the new Freeport Site. Further residential development in this location could therefore help contribute towards the delivery of balanced communities.

3.1.29 Within the most recent SHELAA Assessment, the Site was referenced as Site 143. Therein, the Site was considered to be achievable and available, and suitable for development. It was however noted that a number of criteria would need to be overcome or require mitigation- those which were rated red or amber on the "RAG" rating system of red, orange and green.

3.1.30 With reference to the SHELAA "RAG" ratings, the Site scored a green rating for the following areas; not containing protected sites; not being within the Green Belt; access to public transport; pedestrian and cycle links; not being located within a minerals safeguarding area; not being considered to have an impact on Air Quality Management Areas; less than 5% of the Site being at risk from surface water flooding; and having been partially defined as potentially suitable in the Growth Options Study. Richborough would agree with these ratings and report that the situation remains unchanged in those respects in the intervening period since the assessment was made.

3.1.31 There were some areas which the assessment scored amber, indicating that there may be some factors of slight concern but that mitigation should be possible. On the whole we agree with these assessments.

3.1.32 However, we would assert that the ability to discuss the need for, and provision of, additional services within the scheme offers the opportunity for 'Green' scores for Retail, Education, Employment and Sports Pitch provision, as well as in relation to Health Facilities and availability of Local Park and play areas. The SHELAA recognises the ability of the Site to mitigate the existing position albeit this is caveated with the need for further discussions with statutory bodies. In this

regard, we would welcome further dialogue with both the District and the City Council to understand how best to address wider infrastructure needs in this area.

3.1.33 We agree that there are very few environmental constraints in this area. There are no landscape designations or environmental designations in the vicinity of our client's Site that would restrict deliverability. The SHELAA identifies a number of Tree Preservation Orders (TPOs) within the Site boundary but our work at this stage proves that development should be able to proceed without removal or threat to the vast majority, if not all, of the protected trees. Richborough are committed to ensuring that these will be retained and integrated into the site design wherever possible. Similarly, the existing hedgerows would also be retained wherever practicable in order to help assimilate any proposed development into the wider environment and reduce the environmental/ecological impact of development.

3.1.34 Key local amenities within 2km from the development site include;

- Derby Hospital
- Hollybrook Medical Centre
- Aldi & Co-op supermarkets
- Derby Grammar School
- Littleover Community School
- Derby Moor Academy
- Griffe Field Primary School
- Heatherton District Centre
- Dobbies Garden Centre
- Tutbury Avenue retail units

3.1.35 There are existing Active Travel facilities local to the site and opportunities to connect to and enhance the local pedestrian and cycle infrastructure network in the local area. Green travel corridors throughout the site can also be incorporated to link in with existing nearby infrastructure, primarily to the north-east of the site. This will enhance the permeability of the site to sustainable modes of travel in the direction of Derby and local facilities located within Stenson Fields and Littleover.

3.1.36 Moving on, the necessary water and electricity infrastructure to support strategic development is capable of being delivered alongside development and providers network operators with the certainty to plan for the further reinforcement of local infrastructure. We do not consider that the lack of current provision to be a major issue.

3.1.37 Whilst we acknowledge that development would lead to the loss of greenfield land, South Derbyshire, as a rural district, does not have significant areas of previously developed land available to accommodate new growth. For context, it is noted that just 28% of housing was delivered on previously developed land in 2023-2024. However a review of the strategic level agricultural land quality maps indicate that agricultural land quality in the vicinity of the Site is likely to comprise of grade 3 land rather than higher quality grade 1 or 2 land. Moreover, the development of land on the edge of a large urban area such as Derby City will allow site density to be maximised in line with government policy and could therefore help reduce the need for greater losses elsewhere in the District including in locations with higher quality agricultural land.

3.1.38 Finally, as well as our client's site being located in an otherwise sustainable location on the edge of Derby City it is also well located to address future housing needs related to large scale economic growth proposed in the District. The site is located less than 4km from the East Midland Intermodal Park (EMIP) which is part of the East Midlands Freeport. The EMIP site is located off the A38/A50 (Burnaston Interchange) and the SDITL and A38 will provide a direct route to this very large scale site which once built will provide a strategic rail freight interchange serving 5.2million square feet of state-of-the-art manufacturing and distribution space.

3.1.39 Clearly economic development at this scale will need to be balanced by significant housing growth close to the EMIP site to provide the local labour force needed. The Freeport site is surrounded by a number of mostly small-scale key service villages that are relatively sustainable although it is unlikely that these could grow to the extent required to address local labour force needs without their character being adversely affected. The Hall Pastures Farm site and the wider land south of Highfields area provide opportunities to deliver a new large scale community to address local labour force needs close to the EMIP Site whilst protecting the rural character of surrounding settlements.

4. ACCELERATING HOUSING DELIVERY

Question 7: "What could the Council do to speed up the delivery on strategic allocations? Please provide details?"

4.1.1 In response to this question, it is important to state at the outset that the premise is fundamentally flawed. The Council cannot "speed up" the delivery of strategic allocations in any meaningful sense. Delivery timetables for large, complex strategic sites are driven by factors outside the Council's control, including land assembly, major infrastructure requirements,

market absorption rates, resourcing and the willingness and capacity of developers to bring schemes forward.

4.1.2 What the Council *can* do is ensure that its strategic plan makes available a sufficient range and choice of sites, in the right places and at the right time, to provide the flexibility necessary to maintain delivery across the plan period to meet objectively assessed needs. This requires a proper contingency allowance and a robust understanding of deliverability, neither of which is adequately reflected in the Part 1 Plan Review.

4.1.3 As we explained in our earlier responses, the Part 1 Plan Review relies heavily on a small number of large, complex Sustainable Urban Extensions on the edge of Derby, on sites which have uncertainties regarding their delivery trajectories. Whilst SUEs should be a component of an overall housing strategy, the deliverability issues of those that have been identified within the Part 1 Plan Review, along with the lack of a buffer to ensure the Plan's minimum housing requirement will be met, are of significant concern. Indeed, the Issues and Options document for the Part 2 Review now reveals that the Part 1 Review contains a shortfall even against the minimum housing requirement, confirming that the absence of any contingency allowance was a serious and consequential omission and one that cannot now be rectified through the Part 2 Plan.

4.1.4 If South Derbyshire wishes to improve the timeliness and certainty of delivery on its strategic allocations, it must ensure that the strategic plan sets out a clear spatial strategy supported by a sufficient range of deliverable and developable sites to maintain momentum across the plan period. That includes providing an appropriate level of contingency and responding to the full objectively assessed housing need through a distribution strategy that is justified and deliverable. The Part 1 Review does not do this, and the Part 2 Review cannot remedy it.

Question 7: "Should the Council allocate Land South of Mackworth for development within the plan period? Yes/No Please provide a reason for your answer."

4.1.5 In response to the question of whether Land South of Mackworth should be allocated for development within the plan period, we do not consider that the Council has provided sufficient evidence to justify such an allocation at this stage. The Part 1 Local Plan Review identified this land only as a potential area for up to 250 homes **beyond** the plan period to 2041. The Issues and Options document for the Part 2 Review now implies, without any accompanying explanation or evidence, that these homes could instead come forward within the plan period. No information or context is provided about what has changed, why the delivery assumptions have been brought forward, or whether any of the previously identified constraints have been resolved.

4.1.6 The site at land South of Mackworth would be delivered in conjunction with land off Brun Lane that Amber Valley Borough Council has identified for future residential development in their Local Plan. In viewing the site as such, it should be noted that the Brun Lane site was initially

proposed within Amber Valley's draft Local Plan as a strategic allocation of 2,000 homes. However, through the course of the Plan's examination it was made clear that the landowner is presently unwilling to release all of the land for development. This meant that the site could not be relied upon and was removed as an allocation and instead identified as an "Area for Future Housing Growth".

4.1.7 Given that the site forms part of a wider strategic development within Amber Valley, there is a real possibility that infrastructure dependencies, cross-boundary coordination, phasing requirements and long lead-in times will restrict its timely delivery. These are precisely the kinds of constraints that prevented the site being considered deliverable within the plan period during the Part 1 Review. Nothing in the Part 2 consultation demonstrates that these constraints have been reassessed, addressed or evidenced, and we therefore have no confidence that the site could contribute reliably to housing supply within the timescales suggested.

4.1.8 In addition, the allocation of this site has not been subject to any robust Sustainability Appraisal testing against reasonable alternatives, either around Derby or across the wider district. The Part 1 SA (the Council's own admission) only assessed narrowly framed Derby-fringe options and did not consider reasonable alternatives in towns, service villages or rural settlements. The Part 2 Review provides no updated SA, no comparative assessment and no districtwide evaluation of options. Allocating Land South of Mackworth without this assessment would be unsound.

4.1.9 Even if the site were deliverable within the plan period, the supply of 250 dwellings would be wholly inadequate to meet the flexibility and contingency required for an effective housing strategy. While it would address the recently identified shortfall of 57 dwellings and provide a small buffer, it would still fall significantly short of providing the headroom necessary to maintain delivery and respond to delay, particularly given the heavy reliance on large and complex strategic allocations in the Part 1 Review. A 250-unit site does not provide the level of contingency required when the strategic plan itself contains no districtwide spatial strategy and no broader distribution of supply across different settlements.

4.1.10 By way of conclusion, Richborough consider that the preferred course of action would be for a full local plan review, rather than pursuance of a Part 2 Plan Review. This is owing to the limited scope of the Part 1 review which focussed on one specific issue and did not include a district-wide spatial strategy. It is also considered that the allocations made in the Part 1 Plan Review leave a shortfall against housing need which is not able to be addressed through the Part 2 Plan. Should a two-part Plan be pursued, with the two parts assessed under different versions of the NPPF, the outcome would be a short-sighted Plan. However, should that route be chosen, Richborough would advocate the site at Primula Way and the wider SHELAA 143 site as an available and suitable location for development, which would aid in the delivery of crucial infrastructure.

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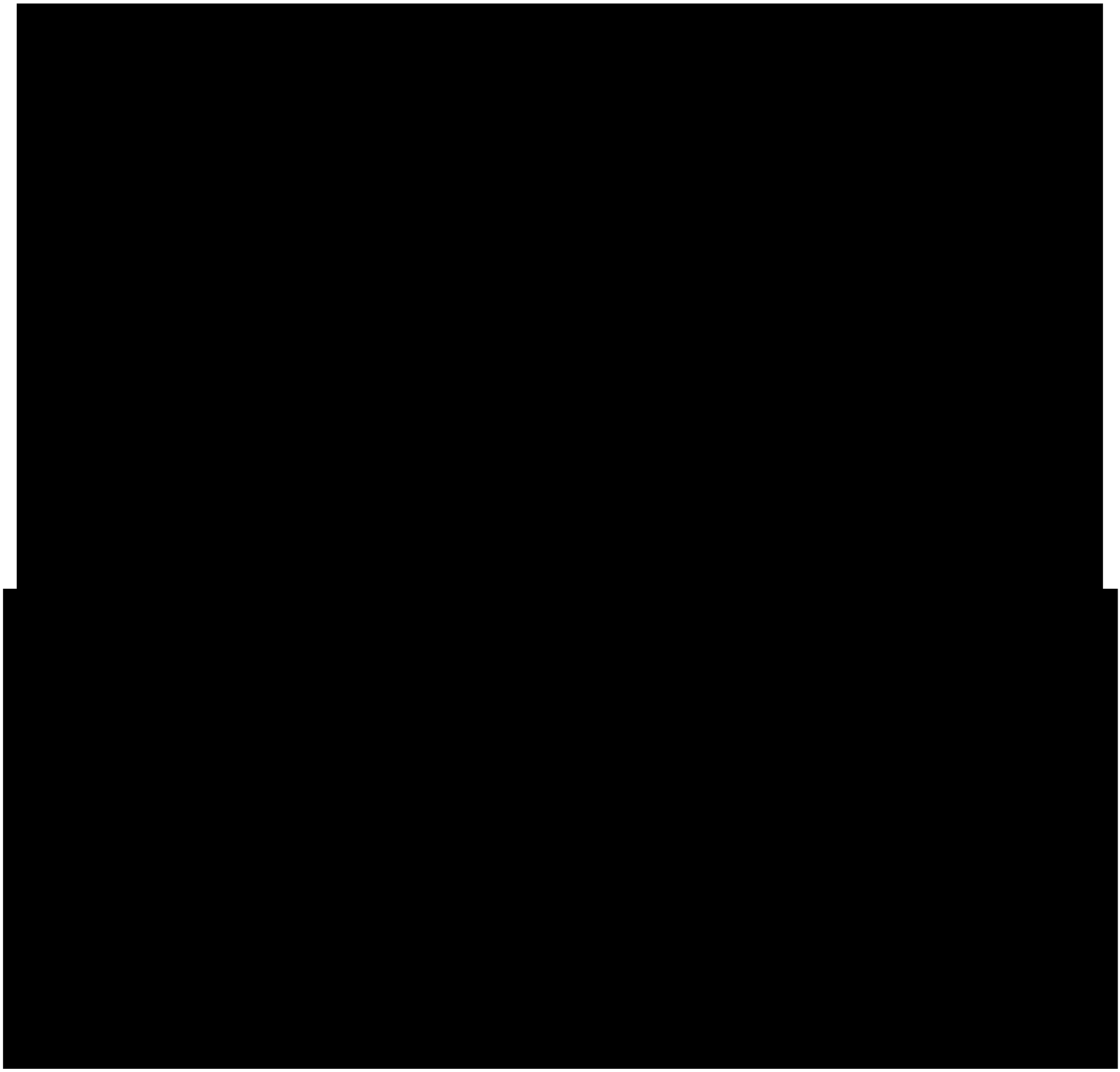
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