

SOUTH DERBYSHIRE DISTRICT COUNCIL PART 2 LOCAL PLAN REVIEW



ISSUES AND OPTIONS CONSULTATION

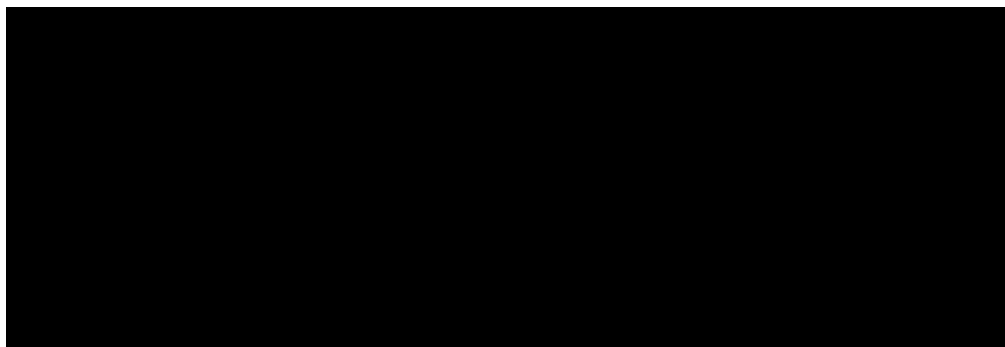
REPRESENTATIONS

January 2026

Project Name: South Derbyshire Local Plan Part 2 Review
Representations

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1. INTRODUCTION

1.1 OVERVIEW

1.1.1 Marrons is instructed by William Davis Homes 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.

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 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.

It also relies heavily on two large SUEs with long lead-in times and unproven delivery assumptions, meaning even minor delays would push completions beyond 2041. The overall supply in the Part 1 Review, at best, matches the minimum requirement, offers no flexibility, 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. While smaller and medium-sized sites across the District’s towns and villages could provide quicker and more flexible delivery, any such distribution must follow a coherent, District-wide strategy established through strategic policies.

- 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.
- 3.1.5 The Part 1 Plan review has therefore failed to consider locally-specific settlement-based needs, including the roles and functions of rural communities and market-accessible villages across the District. Evidence from the Council's Local Housing Needs Assessment clearly identifies housing pressures outside of Derby, including acute affordable housing needs, yet these have not been spatially planned for.
- 3.1.6 The Derby-centric focus of the Part 1 Plan Review has failed to meet housing need within the rest of the District which has not been properly understood or planned for. This clearly indicates that further housing should be directed to the District's towns and villages.

Flexibility & Contingency

- 3.1.7 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."
- 3.1.8 No such evidence was provided at any stage of the Part 1 Plan Review process and are not provided now. In any event, even minor delays to the delivery of these 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.
- 3.1.9 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.
- 3.1.10 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.

- 3.1.11 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.
- 3.1.12 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.
- 3.1.13 Smaller and medium-sized sites at the fringes of the District’s rural settlements and towns are particularly well-placed to provide this contingency. Consistent with paragraph 73 of the NPPF, such sites typically have shorter lead-in times and are built out more quickly, making them critical to maintaining delivery across the plan period. 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 north of Milton Road, Repton

- 3.1.14 Notwithstanding the above, should the Council see fit to make additional site allocations through the Part 2 Plan review, we would advocate that Land north of Milton Road, Repton represents a suitable and sustainable location to accommodate proportionate growth on the outer edge of Swadlincote.
- 3.1.15 William Davis Homes have been promoting this Site, known as Land to the North of Milton Road, for several years. This has involved representations to previous Local Plan consultations and SHELAA assessments.
- 3.1.16 Located on the east of the Key Service Village of Repton, the Site is well served by a range of local services and facilities.
- 3.1.17 Comprising a single agricultural field adjoining existing residential development to the east of the village. New homes have recently been built to the west and south on sites allocated in the Adopted Local Plan. Development of the Site would therefore represent a natural and logical extension to Repton, capable of delivering up to 40 homes.

3.1.18 The Site is largely unconstrained, benefiting from direct access to the public highway (Milton Road), permanent and defensible boundaries as well as accessibility to public transport and local services. The Site can be accessed via an existing field access located in the south west of the Site.

3.1.19 The Site is located around 850m from the nearest hourly bus services to Derby city centre (V3). Moreover it is within walking distance of a number of local services and facilities. A supermarket is located around 900m to the south west, Repton Primary School is around 400m to the south west of the Site whilst a range of village shops are located within the village centre around 950m to the south west. The multiuse village hall is located around 700m away. Repton Sports Centre is located 1200m away.

3.1.20 The site is not covered by any landscape designation that would suggest an increased value or sensitivity to change with mitigation and there are no statutory or non-statutory designations that would prohibit its development for residential purposes. The development would help to create a stronger defensible eastern boundary to Repton and due to the more westerly location of the settlement boundary south of Milton Road would not lead to further coalescence between Repton and Milton, an issue which is considered in the Repton Neighbourhood Plan. In fact, the location of development and creation of a stronger and more uniform edge on the western side of the village would further protect the land between Milton and Repton.

3.1.21 Reviewing the Council Strategic Housing and Employment Land Availability Assessment (SHELAA) form for our client's Site (reference SD174) it is noted that this indicates that a red 'RAG' (Red Amber Green) rating is assigned only a limited number of issues in respect of:

- Retail Provision
- Sports Pitch Provision
- Local Park/ Neighbourhood Equipped Area for Play (NEAP)
- Health Facilities
- Public Transport
- Brownfield/Contaminated Land
- Soil Quality

3.1.22 Dealing with these issues in turn we note that the Site scores a red RAG rating in respect of retail provision. There are a number of shops in Repton partly justifying its designation as a Key Service Village in the adopted Local Plan. These services include a SPAR food-store, a butchers, Repton

School Business Centre, Post Office, and a number of pubs and cafes which are within walking distance of the Site.

3.1.23 We also note that the sports pitch provision for the site scores a red RAG rating. Having reviewed the location of the nearest provision we would point out that Broomhills Recreation Ground is within 1,200m of the Site and so should be assigned an 'amber score'.

3.1.24 The site scored red for local parks/Neighbourhood Equipped Area for Play (NEAP). The site masterplan shows public open space will be provided on site, although the scale of the Site it is unlikely that it will contribute to the provision of new play equipment. However, there will be further opportunities for local play provision within the village given the scale of growth required. It is therefore possible for this Site to contribute to the delivery of offsite provision locally.

3.1.25 The nearest GP surgery from the site, Willington Surgery, is located around 2.3km to the north within the settlement of Willington and is served by the V3 bus service from Willington Road. However we would also emphasise that since 2020, according to figures published by NHS digital, around a third of GP appointments are now online or over the phone. We therefore consider that there remains reasonable access to some local health care services without the need to travel.

3.1.26 Public transport is another area which scored red on the RAG rating. However, there is easily accessible public transport near the site. This includes bus stops on Willington Road providing services to Burton upon Trent and Derby as well as Willington Train Station 3km to the north. And although we note that this bus stop slightly exceeds the 800m threshold identified by the Council through its SHELAA methodology (being 850m from the Site) we would highlight that the need to walk an extra 50m or 30 seconds to access this service does not, in our view render the site unsustainable.

3.1.27 It is accepted that the Site is greenfield. Any allocation in the village, which will be necessary in consideration of its status as a Key Service Village, will require a small loss of greenfield land. It should be noted favourably that this Site comprises mainly of poorer quality agricultural land. Given that the Site is located on the edge of the settlement and is well served by public transport and local services, there may be potential for densities to be maximised in line with government policy and this could therefore help reduce the need for greater greenfield losses elsewhere in the District including in locations with higher quality agricultural land.

3.1.28 Further in the SHELAA, the Site scored an amber rating for the following elements, meaning that while there may be relevant factors, any negative impacts are wither slight or capable of mitigation through the course of a planning application. The 'amber' elements were considered to be:

- Trees and hedgerows

- Employment provision
- Pedestrian and cycle links
- Bad neighbour uses
- Water quality
- Heritage assets
- Landscape/townscape
- Topography

3.1.29 To highlight trees and hedgerows, The matrix outlines that there are a number of protected trees on the western boundary of the site. It is confirmed that development would be unlikely to affect any of the mature trees and the TPO located just outside the Site's western boundary. The Site layout could be designed in a way to conserve existing hedgerows and hedgerow trees, as required by Policy OS3 of the Repton Neighbourhood Plan and to enhance existing hedgerows through further planting although very limited losses could be required to accommodate the access to Milton Road.

3.1.30 Regarding the amber scored employment provision theme, there are many opportunities in South Derbyshire, as well as new opportunities with the designation of land around the A38/A50 Burnaston Interchange as a Freeport. The V3 bus service which is located close to the Site provides direct access to jobs in Burton on Trent and Derby City.

3.1.31 The existing footpath and cycle links leading from the site, including the footpath along Milton Road and the public right of way to the north of the site will be retained and enhanced. This means the site will be well connected to the centre of Repton and the RAG rating should be amended to Green to reflect this commitment.

3.1.32 Turning to the amber scored themes of bad neighbour uses, landscape/ townscape, and topography, the site will be sensitively designed to ensure integration into the surrounding context. The Site is well-related to the existing urban form. The public right of way leading to Askew Hill (viewpoint) will be retained and an appropriate buffer located to the south of this. The scheme design will reflect local landform and townscape character.

3.1.33 We agree that there are very few environmental constraints in this area. There are no landscape designations, no significant areas of historical or archaeological sensitivity, and no significant flood risk or environmental designations in the close vicinity of our client's Site. Hedgerows and trees will be retained (although limited loss of hedgerow will be required due to access requirements). Existing landscape elements will be reinforced in order to help assimilate the

proposed development into the wider environment and reduce the environmental/ecological impact of development.

- 3.1.34 In respect of Site delivery, given that the Site is small scale unconstrained we would expect delivery of the entire Site within 5 years.

Question 3: “Are there any other mechanisms that the plan should consider to securing housing delivery in addition to allocating specific sites (e.g. identifying indicative broad locations/areas for future growth adjacent to existing settlements, extending settlement boundaries, supporting certain changes of use)? Yes/No Please provide a reason for your answer.”

- 3.1.35 The Part 2 Plan cannot properly consider mechanisms for securing housing delivery such as identifying broad locations, extending settlement boundaries, or supporting other forms of growth because all of these mechanisms are strategic in nature. As set out in our earlier responses, the Council has not established a district-wide spatial strategy through the Part 1 Review, which only addressed Derby’s unmet need and did not determine how housing growth should be distributed across South Derbyshire. Strategic decisions about the pattern, scale and distribution of development must be set in the strategic plan and tested through Sustainability Appraisal against reasonable alternatives, not introduced through a non-strategic Part 2 document.

- 3.1.36 Without a district-wide strategy, any additional mechanisms to secure delivery would be devoid of strategic context and the appropriate sustainability appraisal testing, risk predetermining spatial outcomes in isolation, and would therefore be unsound. This includes identifying broad growth areas, altering settlement boundaries, or facilitating changes of use that imply a settlement-level or District-wide distribution of housing. These choices can only be made through a coherent review of strategic policies.

Question 4: “Are there any other issues that the Council should consider when ensuring the timely delivery of the right homes in the right places (e.g. policy criteria for looked after children, re-allocating implemented employment allocations)? Yes/No Please provide reasons for your answer.”

- 3.1.37 In responding to this question, it is important to recognise that while the Part 2 Local Plan cannot set new strategic policies or determine the distribution of housing where there is no corresponding strategic policy, there are nevertheless certain non-strategic mechanisms that could legitimately support the timely delivery of appropriate homes.

- 3.1.38 One such mechanism would be the inclusion of a policy similar to that used in the Settlements and Countryside Local Plan (Part 2) for Daventry District (Policies RA1 and RA2), which allow development outside settlement confines where it is clearly demonstrated that the proposal

meets an identified local need that cannot reasonably be met within the defined settlement boundary.

3.1.39 In the former Daventry District, this is supported through evidence in the form of a Housing Needs Survey or a Housing Needs Assessment, ensuring that the exception operates only where there is a robust and up-to-date demonstration of need. A comparable approach in South Derbyshire would enable the most sustainable rural settlements to address genuine, evidenced local housing requirements in a proportionate manner, while maintaining overall control over the scale and form of development.

3.1.40 Although the Part 2 Local Plan will ultimately be examined under the 2024 NPPF, it is also relevant that the draft 2025 NPPF, currently subject to consultation, signals an emerging direction of travel that supports development outside settlements where it would address an evidenced unmet need.

3.1.41 Policy S5 of the draft NPPF 2025 proposes that certain forms of development should be approved unless the adverse impacts would significantly and demonstrably outweigh the benefits, including proposals that help meet unmet housing need. While the emerging Framework is not yet in force, this direction of travel reinforces the value of a local needs-based policy that allows sustainable rural settlements to grow in response to evidenced circumstances rather than being constrained solely by settlement boundaries which may not adequately reflect the scale or nature of housing need.

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. These sites have inherently long lead-in times, significant infrastructure requirements and, as we set out in our representations to the Part 1 Review, considerable uncertainties regarding their delivery trajectories. Those concerns have never been satisfactorily addressed. 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.

III Marrons

