

South Derbyshire District Council Part 2 Local Plan Review

Issues and Options

P&DG on behalf of Wheeldon Brothers Limited

January 2026

Our Ref. 21.064 SDDC 29-01-2026

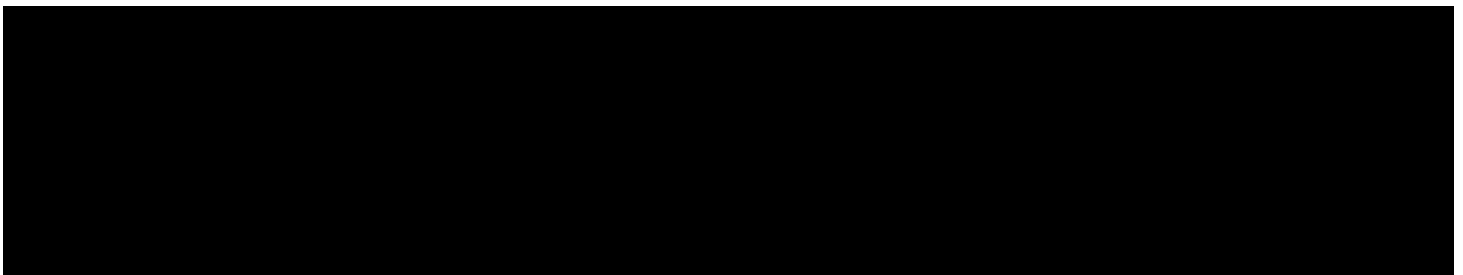
Introduction

These written representations have been prepared by Planning and Design Group (UK) Ltd ('P&DG') on behalf of Wheeldon Brothers Ltd in response to the South Derbyshire District Council Local Plan Part 2 (LPP2) Issues and Options consultation.

Wheeldon Brothers are actively engaged in the Local Plan Part 1 (LPP1) review process and welcome the opportunity to provide comments on the LPP2. Accordingly, these representations should be read alongside the previous representations made in response to the LPP1 (Publication Version) consultation.

Wheeldon Brothers are in control of Land off Weston Road, Aston-on-Trent that is a highly sustainable residential development opportunity capable of providing between 80-100 dwellings. The site is under option to Wheeldon Brothers and is available now with no economic viability issues that would preclude its development. The site should, therefore, be recognised as a residential allocation as part of the emerging Local Plan to address the identified shortfall and bolster the Council's housing land supply to provide greater flexibility and resilience.

These representations set out the views of Wheeldon Brothers in relation to the key issues raised within the consultation document including the overarching approach to the LPP2, the potential implications of the identified housing shortfall and measures to accelerate housing delivery.



Approach to 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?

It is recognised that the introduction of a new Local Plan system, updates to the NPPF, national decision-making policies, reforms to the Sustainability Appraisal process and proposed Spatial Development Strategy requirements create a degree of uncertainty within an already complex process. The proposed restructuring of councils in Derbyshire adds a further layer of complexity for the authority to navigate.

In that context, Wheeldon Brothers consider that the Council should take a step back and wait until there is greater certainty regarding plan-making before proceeding with a LPP2 Review. Accordingly, it is considered that *'Option 2 – Produce a single full local plan under the new Local Plan system'* would be the most sensible course of action.

Their justification and reasoning for that is as follows:

Option 1: Produce a LPP2 Review under the existing planning system

The Consultation Document outlines the Council's proposed Local Plan Review timeline if they were to proceed with a LPP2 review under the existing planning system. This sets out the substantial amount of work that would need to be completed by 31st December 2026:

- Local Plan Part 1 Submission
- Local Plan Part 1 Examination (Hearing Sessions)
- Local Plan Part 1 Adoption
- Local Plan Part 2 Issues and Options Consultation (ongoing)
- Local Plan Part 2 Publication Version Consultation
- Local Plan Part 2 Submission.

The Council must recognise that this is an entirely unrealistic and overly ambitious timeframe that is unlikely to be achieved. It places a significant risk of the Council falling short of the targets and being without an LPP1 or LPP2 by the end of 2026. This is within the context that the average time for a Local Plan to be produced and adopted under the existing system is 7-years, as set out in the Government's proposed plan-making reforms consultation from 27th February 2025.

While we have concerns regarding the realism of the timetable, we acknowledge the Council's stated rationale in its Local Development Scheme for continuing to progress the Local Plan Part 2 Review at this point. In particular, as the mechanism for dealing with non-strategic matters, including identifying additional deliverable sites, refining settlement

boundaries where necessary, and providing the locally specific policy context to support decision making alongside Part 1, with the clear intention of maintaining momentum.

In principle this reinforces the importance of using Part 2 to strengthen the deliverable supply pipeline while larger strategic sites work through infrastructure and lead in requirements. However, to ensure the Council's effort is proportionate and future proofed, Part 2 should be tightly focused on genuinely local, plan specific matters, particularly allocations and boundaries, and should avoid unnecessary duplication of policy areas likely to be covered through emerging national decision-making policy. A targeted Part 2 which brings forward a small number of deliverable, sustainable non-strategic allocations would best achieve the Council's LDS objectives while also reducing the risk of wasted effort.

The current NPPF (December 2025) consultation document indicates under PM6: General Principles for Plan-Making that all plan-makers should, in preparing plans: *'not duplicate, substantively restate or modify the content of national decision-making policies unless directed by other policies in this framework.'* This is also reflected in Annex A of the NPPF (December 2025) consultation document which states: *'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.'*

On the basis of the above, there is very little point in the Council spending time and resource in the preparation, consultation and examination of the LPP2 review under the existing planning system. There is a substantial risk that the work undertaken in the preparation of the review could become immediately superseded by NDMPs either prior to or immediately following the adoption of the LPP2.

This does not seem a logical approach when at the same time the Council is seeking to progress and finalise the LPP1 to adoption before 31st December as well. As such, it is considered that Option 1 would give the Council an impossible task that would place an unnecessary burden on the Council's resources.

Option 2 – Produce a single full Local Plan under the new Local Plan system

On the basis of the above, it is considered that Option 2 is the most sensible option for the Council, which will relieve the pressure on the Council and give more realistic timescales for plan preparation. Indeed, it is recognised that a substantial amount of work has gone into the preparation of the LPP1 review and Option 2 would give the Council time to focus their efforts on finalising and progressing this to examination prior to 31st December 2026.

The submission made by Wheeldon Brothers to the Council's LPP1 Review consultation outlined a number of fundamental concerns, which should be addressed as a matter of urgency before proceeding to examination. Their main concern relates to the overreliance

on large-strategic sites and the failure to recognise smaller medium sites to help bolster the housing land supply.

This is within the context that the Council is currently unable to demonstrate a five-year land supply of housing, as has been established through the Land South of Kings Newton Lane, Melbourne appeal (ref: APP/F1040/W/25/3368728). This demonstrates that whilst the adopted Local Plan was efficient in the delivery of housing, the spatial strategy needs to be reconsidered moving forward, which should be addressed and considered through the LPP1 Review.

Option 2 would give the Council the opportunity to focus on finalising the LPP1 review and address the above issues before they are scrutinised by the Planning Inspector at examination.

Other Option

Wheeldon Brothers consider that there is another potential option, which would align with emerging national policy and give the Council a safety net in the event that the Council is unable to proceed to examination with the LPP1 Review before 31st December.

Indeed, it is recognised that the Council would not be subject to the transitional arrangement set out in Annex 1 of the NPPF under Paragraph 234a. That is because the Council's draft housing requirement (507 dpa) would meet at least 80% of the Local Housing Need calculated using the revised Standard Method. This equates to 591 dpa, of which 473 dpa would constitute 80%.

As such, to meet the revised Standard Method figure, the Council would only need to add an additional 84 dwellings per annum onto the overall housing requirement. In comparison to other local authorities this is a relatively small number and would simply require additional housing sites to be identified.

This approach would ensure that the Council's Local Plan preparation is future proofed and that in the worst-case scenario the Council could quickly revert to the preparation of a new Local Plan under the new system.

Housing Supply and Need

The LPP2 consultation document highlights that the LPP1 review sets a requirement to deliver at least 14,500 dwellings over the plan period (2022-2041). This includes 9,633 dwellings to meet the needs of the Council itself and the remainder to meet Derby City's unmet need. The Council propose that this requirement will be met through:

- proposed LPP1 Review strategic allocations (3450 homes by 2041);
- sites which were previously allocated in the adopted LPP1 which are being carried forward (9020 homes);

- remaining homes to be built on allocation in the adopted LPP2 (242 homes);
- homes on unallocated sites within planning permission (458 homes); and
- an allowance of 1273 homes over the plan period for sites that are currently not identified but will come forward during the plan period (known as windfall sites).

On the basis of the above, the consultation document recognises that there is currently a shortfall of 57 homes and seeks views on ways in which this could be addressed through non-strategic policies in the LPP2 review. It must be noted, however, that the housing requirement figure proposed by the Council does not explicitly include a buffer to ensure flexibility in the event that there is any unanticipated delays in housing delivery. The Council state:

“The requirement figure is a minimum amount and so the Local Plan should allocate enough sites to ensure flexibility in the supply so that if some sites don’t deliver at the time expected or there are unforeseen reasons why a site cannot be delivered as expected the overall requirement will still be met.”

Indeed, it is common practice for authorities to include a buffer of between 10-20% to their planned housing supply to provide flexibility and resilience to the Council’s housing supply over the plan period. This is particularly pertinent given the emerging LPP1 review’s reliance on large strategic sites and the risk associated with their delivery.

Overall, it is considered that the shortfall issue is a matter that must be addressed as part of the LPP1 review rather than through the LPP2. The Council must consider applying a buffer and allocate additional housing sites to ensure that the housing land supply is resilient and robust through the Local Plan period.

This would include identifying a broader mix of residential housing allocations including medium and smaller sites, such as Land off Weston Road, Aston-on-Trent, which will help to bolster the supply of housing in the District.

Land off Weston Road, Aston-on-Trent is supported by a clear evidence base on availability, achievability and suitability. The Council’s SHELAA assessment (Site Ref 082, Land east of Weston Road) identifies the site as potentially available, achievable and suitable, with an estimated capacity of around 85 dwellings and indicative delivery within the first five years, subject to mitigation. The site extends to approximately 4.12 hectares of agricultural land adjoining the built-up edge of Aston-on-Trent, and it is capable of providing a well-contained, logical extension that relates to the settlement, and connects to the village via the existing footway on Weston Road, with key day to day facilities within reasonable walking distance.

The principal constraints are readily understood and capable of being addressed through the allocation and subsequent masterplanning process, including retention and buffering to the adjacent Local Wildlife Site, safeguarding of TPO trees along the eastern boundary, appropriate structural landscaping to reinforce the settlement edge, and delivery of a safe access arrangement from Weston Road in consultation with the Highway Authority. Flood risk constraints are limited, utilities impacts are not identified as abnormal, the land is in single control and under option, with developer interest and no known viability impediments, all of which supports delivery within the required timescales. Importantly,

allocation would help the Council diversify supply beyond a small number of large strategic sites, build in resilience through an additional deliverable allocation, and reduce the risk of under delivery across the plan period.

Accelerating Housing Delivery

Question 6: What could the Council do to speed up delivery on strategic allocations?

As set out in their response to LPP1 and above, Wheeldon Brothers consider that a fundamental flaw with the LPP1 review is the Council's disproportionate reliance on a small number of large strategic residential allocations, namely Infinity Garden Village and Land South of Mickleover. Whilst it is recognised that the delivery of a large quantum of new homes can, in principle, be achieved through planning for larger-scale development this approach carries inherent risks.

Large strategic sites are, by their nature, complex and often subject to lengthy lead-in times, significant infrastructure requirements, land assembly issues and viability challenges. These factors commonly result in slippage against anticipated delivery trajectories. Experience nationally demonstrates that such delays are frequently outside the direct control of local planning authorities and cannot simply be resolved by seeking to speed up delivery through policy or process.

In progressing Part 2, the Council's objective of maintaining momentum and using the Part 2 plan to bring forward additional deliverable non-strategic sites is understood, and a tightly focused approach centred on allocations and boundaries provides the most proportionate way of achieving that aim.

In this context, the Council should place greater emphasis on ensuring flexibility and resilience within its housing land supply. This can be most effectively achieved through the identification and allocation of a broader range of sites, including smaller and medium-sized sites such as Land West of Aston-on-Trent (SHELAA Ref 082), which are typically capable of coming forward more quickly, with fewer infrastructure requirements, and which can make a meaningful contribution to short and medium-term supply.

Accordingly, the Council's focus should shift away from attempting to speed up delivery on a limited number of large strategic allocations and instead towards building in a deliberate buffer to its housing land supply. Applying a buffer of 10–20% above the minimum housing requirement would provide essential flexibility and ensure that any delays on strategic sites do not risk leading to housing shortfalls.

This approach would represent a more realistic, robust and effective means of maintaining a deliverable housing land supply, consistent with the NPPF's emphasis on choice, competition, and a responsive planning system, rather than seeking to 'speed-up' delivery on large strategic allocations.