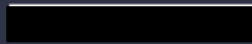


South Derbyshire Part 2 Local Plan Review

Issues and Options Consultation Representations

On behalf of Richborough

Date: January 2026 | Pegasus Ref: P20-2853





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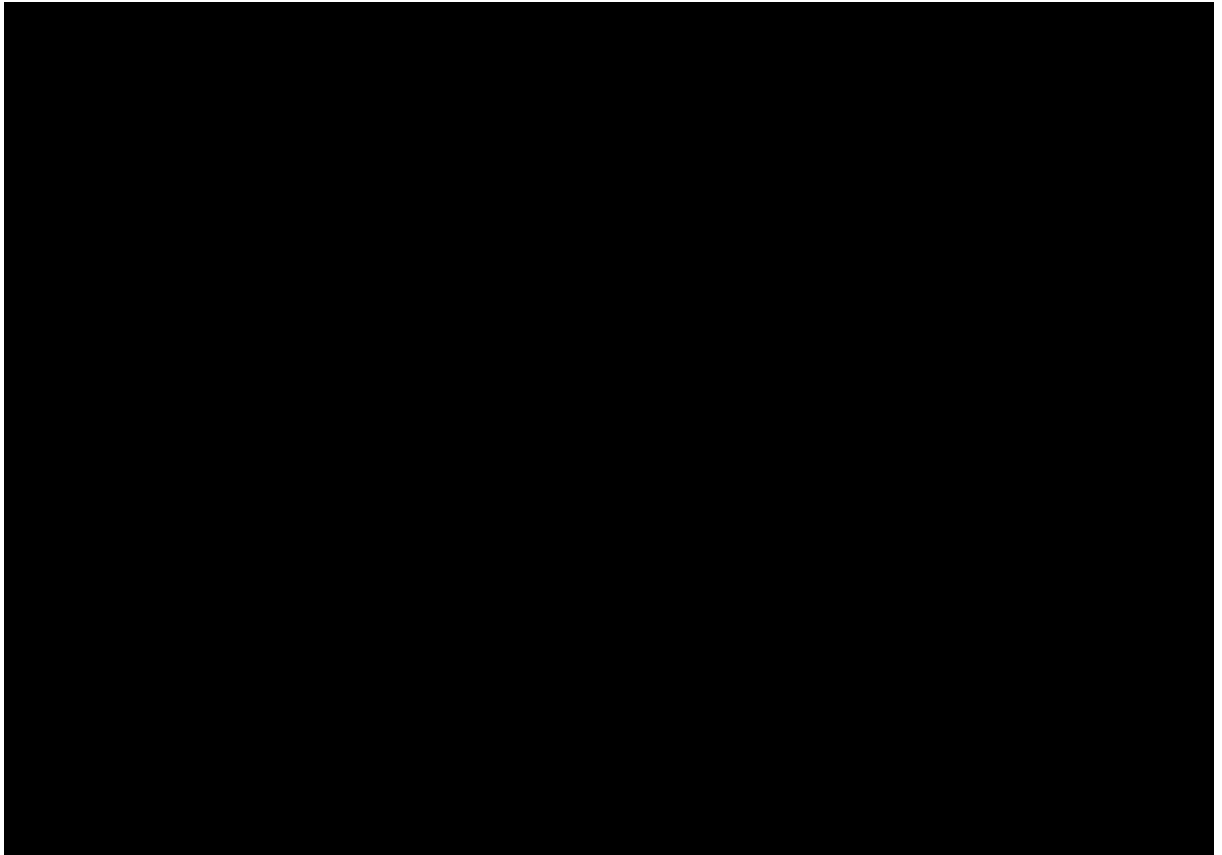
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1. Introduction

- 1.1. These representations are submitted by Pegasus Group on behalf of Richborough to the South Derbyshire Part 2 Local Plan Issues and Options Regulation 18 consultation published in November 2025.
- 1.2. We have previously engaged in the preparation of the emerging Local Plan in respect of Richborough's land interest south of Kings Newton Lane, Melbourne which has been promoted as an opportunity to deliver up to 135 new homes and was recently allowed at appeal in January 2026 (reference: APP/F1040/W/25/3368728).
- 1.3. We submitted representations to the Part 1 Local Plan Issues and Options Regulation 18 consultation in December 2022, Part 1 Draft Local Plan Regulation 18 consultation in December 2024 and Pre-Submission Local Plan Part 1 Regulation 19 consultation in April 2025. The comments made in response to these previous consultations will be relevant to certain matters discussed in these representations.

2. Respondent Details

2.1. Our respondent details are provided below:



3. Approach to the Local Plan

Question 1 – Part 2 or Full Local Plan

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? (please tick one)

- ☒ Produce a Local Plan Part 2 Review under the existing system
- ☐ Produce a single Full Local Plan under the new system
- ☐ Other

- 3.1. Representations were made to the Part 1 Local Plan Issues and Options consultation making the case for a single local plan rather than a Part 1 and 2 to avoid delaying key decisions about non-strategic sites and other key policies. In the context of a two part plan being prepared, it is now essential that the Council prepares the Part 2 Plan ahead of the December 2026 deadline. Leaving these key decisions to the production of a new single full Local Plan under the new system will lead to further delays.
- 3.2. Preparing a Local Plan Part 2 under the existing planning system is the quickest and most effective route to ensure the development needs of the District are met, addressing deficiencies in housing supply and supporting the wider government objective to significantly boost the supply of housing.
- 3.3. This approach will also provide full Local Plan coverage ahead of Local Government Reorganisation and the inevitable uncertainty and delays this will create for plan-making. This is a point highlighted in the consultation document, it is noted that this will ensure a robust long term housing supply and avoid the Council being vulnerable to speculative development.
- 3.4. Our representations to the Local Plan Part 1 consultation raised significant concerns that the approach to calculating Derby City's unmet need and the apportionment to South Derbyshire. The current approach leaves unmet needs not addressed. These issues will be reiterated in these representations and are the key reason a Part 2 Local Plan is needed.
- 3.5. The Part 2 Local Plan needs to include additional, specific, deliverable and developable allocations in ensure the development needs of the District are met in full.
- 3.6. Whilst the timescales are challenging, the introduction of National Decision Making Policies and imminent submission of the Part 1 Local Plan make it possible to publish Pre-Submission Draft Part 2 Local Plan under Regulation 19 in the summer ahead of Submission in December.

4. Housing Allocations

The Strategy – Housing Requirement

- 4.1. The Draft Local Plan Part 1 Policy S1 (Sustainable Growth Strategy) sets out that over the plan period (2022 – 2041) at least 14,500 dwellings will be built within South Derbyshire. This comprises 9633 homes to meet South Derbyshire's own needs and the remainder to help meet Derby City's unmet need to reflect the high level of housing delivery experienced in South Derbyshire in recent years; to provide flexibility in regard to site delivery and to help match affordable housing need with delivery as closely as possible.
- 4.2. This is based on the previous Local Housing Need for South Derbyshire before the standard method changes were introduced in December 2024. The emerging Local Plan is progressing under the transitional arrangements which allows for this.
- 4.3. The **emerging South Derbyshire housing requirement includes 4,867 homes for unmet need** (14,500–9633) and to assist with affordable housing delivery and to provide flexibility. In our representations to the Regulation 19 consultation on the Part 1 Local Plan we highlighted that this is insufficient to meet unmet needs when combined with what is being planned for in the well progressed Amber Valley Local Plan. We also highlighted that flexibility should be built into the supply not the housing requirement.
- 4.4. The Derby Housing Market Area (HMA) Statement of Common Ground sets out the approach to meeting unmet needs. This statement was published days before the new standard methodology was published to assist the Amber Valley Local Plan Examination. It sets out that Derby has capacity to meet 12,500 homes over a plan period of 2022–39 and at the time Derby had a housing need of 21,148 homes (1,244 a year) leaving an **unmet need of 8,648 homes to 2039** (two years less than the South Derbyshire Local Plan period).
- 4.5. Derby City unmet need could also be met within Amber Valley Borough; however, the Amber Valley Local Plan Main Modifications have been consulted on. The emerging Local Plan, also progressing under the NPPF transitional arrangements, makes provision for 1,320 homes to meet Derby's unmet needs. **This leaves 7,328 homes to be met by South Derbyshire District.**
- 4.6. The emerging Part 1 Local Plan is based on meeting the unmet need arising from the new standard method for Derby is 917 homes a year (taking account of the housing stock and affordability ratio updates in 2025). Based on the supply identified as available in the City in the Derby HMA Statement of Common Ground of 12,500 homes (2022–39), there is an unmet need of 3,089 homes between 2022–39 (917 homes x 17 years = 15,589 – 12,500). This is however not relevant to Local Plans being prepared under the transitional arrangements and based on the previous standard method.
- 4.7. As the table below shows, whilst Derby's unmet need has been reduced by the new standard method, there has been a corresponding significant increase in the local housing need for Amber Valley Borough and to a less extent South Derbyshire. Table 1 below provides a summary of the changes to the standard method for context and shows the overall housing need in the Housing Market Area did not change. Therefore, mixing the housing numbers from the old and new standard method creates a market housing area shortfall of 338 homes every year.

Table 1 – Derby Housing Market Area Standard Method Changes

Derby Housing Market Area	Pre-NPPF 2024 Standard Method	New Standard Method in Dec 2024	Latest Standard Method
Derby City Council	1,244	906	917
Amber Valley Borough	351	615	643
South Derbyshire Borough	507	581	592
Total HMA	2,102	2,102	2,152

- 4.8. The Part 1 Local Plan does not make sufficient provision for unmet need and therefore the Issues and Options consultation document for the Part 2 Local Plan significantly underestimates the scale of shortfall in housing supply.

Question 2 – Location of New Homes

Where should the housing needs be met?

- 4.9. Whilst the proposed approach is to focus strategic development close to the edge of Derby, it is important that other sustainable parts of the District are also supported to grow and meet housing needs. The Council should prioritise sites that are in sustainable locations including Key Service Villages (for example Melbourne), in the second tier of the hierarchy.
- 4.10. The location of new homes section of the consultation document focuses on where homes within the current supply are located, however the role of the Part 2 Local Plan is to direct new development over the plan period in order to meet the full housing needs (see comments above highlighting this means identifying land for significantly more than 59 homes) and direct windfall development that may occur during the plan period.
- 4.11. The Key Service Village of Melbourne provides genuine transport choices with a regular bus service and an excellent range of services and facilities within walking distance of residents to meet day to day needs. The Settlement Hierarchy Assessment identifies the settlement as have all the identified key services and facilities with the exception of a rail service.
- 4.12. Our client's site, Land South of Kings Newton Lane in Melbourne, is an example of the sustainable opportunities for development beyond the edge of Derby. The site provides a logical extension to the settlement of Melbourne in a highly sustainable and accessible location that will make a significant contribution to the district's housing needs. The Inspector concluded that *'The proposed development would bring a range of benefits, most notably the delivery of significant amounts of market and affordable housing in an accessible location with reasonable access to a range of services and facilities'*. This site is now a commitment and should be counted in the housing supply for the plan period.

5. Housing Supply and Need

Housing Supply

- 5.1. The housing supply set out in the consultation document relies on a large number of homes being delivered on existing old allocations and a significant windfall allowance of 1,273 homes.
- 5.2. A windfall allowance does not provide a positive approach to housing provision as it is not identifying specific deliverable or developable sites and therefore there is uncertainty about the delivery and continued availability of these sites.
- 5.3. There is also no account taken of the need for contingency to be built into the housing supply. This is a significant issue in the context of the Part 1 Local Plan only allocating two strategic sites and relying on existing undelivered allocations and windfalls. Any delay or non-delivery of a site will result in the Council not meeting its housing requirement.
- 5.4. It is suggested that at least 10–20% flexibility is planned for to achieve the necessary resilience. This should be in addition to specific deliverable and developable sites that meet the housing requirement for the district and the unmet needs from Derby City. The Local Plans Expert Group Report (2016), set out recommendations for a 20% allowance of developable reserve sites to provide extra flexibility to respond to change.
- 5.5. In addition to reviewing the housing requirement to fully take account of unmet needs, the Council also need to ensure there is sufficient supply to meet the housing requirement.

Question 3 – Other Housing Delivery Mechanisms

Are there 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)?

- 5.6. There are other mechanisms, but the Council's focus should be to identify specific deliverable and developable allocations in the Part 2 Local Plan to ensure the housing requirement is met over the plan period. Whilst there is a role for identifying broad locations or future growth areas or extending settlement boundaries, this will not prove as effective mechanism to ensure housing delivery.
- 5.7. The Council should prioritise sites that are in sustainable locations including non-strategic sites in locations beyond the edge of Derby. Distributing growth across the district and through a variety of strategic and non-strategic sites will assist deliverability.

6. Accelerating Housing Delivery

Question 6 – Strategic Allocation Delivery

What could the Council do to speed up delivery on strategic allocations? (Please provide details).

- 6.1. It is essential that whilst the strategic allocations are supported to effectively deliver through the plan period, the Council also needs to ensure the development strategy supports sustainable development elsewhere in the District. The inclusion of a variety of sites of a variety of sizes and in a variety of locations alongside the strategic sites is important. This will ensure the strategy to meet the housing requirement over the plan period is more resilient and effective.
- 6.2. It is also important that evidence on infrastructure requirements, especially highways infrastructure is published in support of the Local Plan.

Question 7 – Land South of Mackworth

Should the Council allocate land South of Mackworth for development within the plan period?

- 6.3. The site would need to be assessed as part of a comprehensive and consistent site assessment process to consider the relative sustainability. This would be a further site on the edge of the urban area of Derby and would therefore further restrict the opportunities for sustainable development elsewhere in the District and this would need to be considered as part of the site selection process. The Amber Valley Examination also highlighted deliverability issues with the land outside the District, related to land availability, that would need to be overcome.

Question 8 – Accelerating Housing Delivery

Are there other steps that the Council could take to accelerate housing delivery on other sites?

- 6.4. The Council can accelerate the delivery of housing by planning for an appropriate level of contingency and flexibility in the supply of homes, through the provision for and allocation of non-strategic sustainable sites within the Part 2 Local Plan.
- 6.5. The current reliance on large sites, old housing allocations and windfall sites will constrain housing delivery in the District. There should be sites of a range sizes and locations to ensure flexibility, supporting delivery of the Local Plan, particularly the first five years.
- 6.6. It is suggested that at least 10-20% flexibility is planned for to achieve the necessary resilience. The Local Plans Expert Group Report (2016), set out recommendations for a 20% allowance of developable reserve sites to provide extra flexibility to respond to change.
- 6.7. These allocations in the Part 2 Plan should include small and medium scale developments, alongside the strategic allocations within the Part 1 Plan.

Question 10 – Principles for Assessing Limits

Do you agree with the principles for assessing the settlement boundaries, as set out in Appendix 1?

- 6.8. Appendix A proposes to include existing housing and employment commitments, (i.e. unimplemented planning permissions and implemented planning permissions) which are physically/functionally related to the settlement. The inclusion of commitments, including our client's site at Kings Newton Lane, Melbourne, is supported. This will ensure the settlement boundaries do not become out of date as soon as commitments come forward and ensures there is transparency on the existing extent of settlements.

Question 11 – Settlement Limits

What issues regarding the settlement boundaries should the Council consider?

- 6.9. It is important to consider the importance of settlement limits for the emerging National Decision Making Policy on the presumption in favour of sustainable development. Understanding what falls without and outside a settlement will be important for understanding which part of the presumption applies.

7. Development Management Policies

Question 21 – Additional Policies

Are there any additional policies/other issues that the Local Plan should address?

- 7.1. In the context of the timescales available to submit the Part 2 Local Plan, it is important that the Council prepares a streamlined document focused on meeting development needs, particularly in light of the emerging National Decision Making Policies.

Question 22 – Amendments to Existing Policies

Are there any amendments required to the existing policies to reflect implemented changes to national planning policy, policy guidance or Regulations?

- 7.2. The emerging National Decision Making Policies need to be taken into account in deciding whether many of the policies in the current Local Plan Part 2 are necessary. Whilst the Local Plan Part 2 will be assessed against the 2024 version of the National Planning Policy Framework (NPPF), the national policies are expected to be introduced in 2026 and the draft NPPF is clear that Development Plan policies which are in any way inconsistent with the national decision making policies in the Framework should be given very limited weight.

Question 23 – Securing Infrastructure

Are there better/alternative mechanisms that the Council should use to secure the required infrastructure?

- 7.3. It is important that there is a clear guidance and transparency relating to planning obligations sought. The current Supplementary Planning Document will be superseded by the new Local Plan and cannot be replaced following the changes to national policy. It is therefore important that the Part 2 Local Plan sets out any required standards, for example open space standards and other infrastructure required, clearly underpinned by evidence to justify them or an indication of how this will be calculated to ensure transparency and certainty. This will require engagement with infrastructure providers including Derbyshire County Council and Derby City Council.

Question 24 – Adoption of Infrastructure

Where there is the potential need for long-term management / maintenance of open space, SUDS or other infrastructure, should the Council introduce a policy requiring these to be adopted by a public authority unless there is clear evidence that this is not feasible.

- 7.4. Public adoption of open spaces, SUDs and other infrastructure would be welcomed.

Question 25 – Any other comments

Do you have any further/additional comments?



- 7.5. Additional comments on the housing requirement, shortfall and supply have been provided in the relevant section above.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

