

South Derbyshire Issues and Options Part 2 Local Plan Review Paper Response Form

Your reviews are being sought on the South Derbyshire Issues and Options Part 2 Local Plan Review and the Local Plan Part 2 Review Scoping Report.

The consultation documents can be viewed at
www.southderbyshire.gov.uk/issuesandoptionsPart2Review

This form can be used as an alternative to the online questionnaire. Responses should be submitted to the Planning Policy Team by email at local.plan@southderbyshire.gov.uk or via post to Planning Policy, Planning Services, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH

Comments must be received by 5pm on 30th January 2026, late comments will not be accepted.

Part A: Your Details

Respondent details

Name*: Tesni Properties Ltd

*indicates required field

Future notification

The District Council will retain your contact details to inform you of future consultations on the Local Plan. If you do not wish for your contact details to be added to the consultation database, please email local.plan@southderbyshire.gov.uk

Privacy Notice - How is your information used?

Representations will be made publicly available following the close of the consultation however personal details (personal address, signature and contact details) will NOT be made publicly available but will be kept in a secure database and used to notify you of the Plan's progress.

Who has access to your information?

South Derbyshire District Council Planning Services. Personal information is not shared with any other department or agency, will not be sold and will not be used for any other purpose.

For further information, please visit our Privacy section of our website at www.southderbyshire.gov.uk/privacy where you can see a full copy of our privacy notice. Alternatively, you can request a hard copy by emailing local.plan@southderbyshire.gov.uk

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? (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

(Please provide a reason for your answer)

Tesni support the continued progress with preparation of a Local Plan Part 2 Review under the existing system as this best aligns with the Government's desire for up to date Local Plans and therefore avoids any delay to the adoption process and ensures adopted housing and employment land targets can be met over the adopted Plan Period. There is also an expectation that the Council will need to begin progress on a new style Local Plan shortly after adoption of the Part 2 Review.

Tesni supports the proposed 19 year plan period of 2022-2041. This results in a plan period housing requirement of 14,500 dwellings and incorporates 182 dpa to help meet Derby Council's housing needs. The Council's current claimed plan period supply is 14,443 dwellings and is made up of: legacy allocations; allocations in the Local Plan Part 1; unallocated sites with planning permission; and a windfall allowance. Therefore, there is only a relatively small shortfall to be met over the plan period and the approach of progressing Local Plan Part 2 will ensure this shortfall is addressed in the most efficient way.

The continued progress with the Local Plan Part 2 Review supports the continuation of a strong residential market by identifying sites that will contribute to maintaining the Council's positive track record of passing the Housing Delivery Test.

Question 2: Where should the housing needs be met?

(Please provide site details including projected delivery timescales and the specific need being met).

Tesni would support the delivery of small scale growth around existing settlements and outside settlement boundaries. Tesni considers it appropriate for the small scale of growth to be focussed to settlements within the heart of South Derbyshire District Council. Having regard to the adopted Settlement Hierarchy (Policy H1), additional allocations at Local Service Villages would be an appropriate growth strategy that provides a sustainable form of development. This strategy would disperse growth across the local authority area and would avoid 'overloading' the settlements with expected growth from the allocations in the Part 1 Local Plan.

The suggested strategy of allocating additional sites at Local Service Villages will complement the adopted strategy of allocating a number of urban extensions and major allocations (for example the 8,639 dwellings allocated on the fringe of Derby and 2,060 homes in Drakelow Park).

Tesni are promoting a site in Rosliston (a Local Service Village) as a possible residential allocation. The greenfield site extends to 1.64ha and is located to the east of Burton Road. The estimated capacity of the site is 57 dwellings and a policy compliant level of affordable housing can be delivered. The Site has previously been promoted as a suitable residential allocation and is included in the SHELAA under reference: 092.

The site is immediately adjacent to the northern edge of Rosliston to the east of Burton Road. There is new housing development immediately to the south and to the northwest, on the opposite side of Burton Road. The Rosliston Forestry Centre is located to the north, whilst there is agricultural land to the east.

There are three public rights of way crossing the site as shown below in purple dash (Rosliston FP1, FP2 and FP3).

Rosliston is identified as a Local Service Village in the adopted Local Plan, which are defined as *“mid-size villages with some services and facilities”* and which *“could benefit from development of a local scale”*.

The settlement includes a primary school, pub, a convenience store, country store, village hall, playground, fish and chip shop, tea room, sports pitches as well other facilities. All of these facilities are within a short walking distance of the site. The Forestry Centre also includes a café and hosts Parkrun. The town of Swadlincote is located 6km northeast of the village and the town of Burton upon Trent is located 6km northwest of the village. Swadlincote is a first-tier market towns with a great variety of services, facilities and employment opportunities. Additionally, the village is located 3km from Linton, a second-tier Key Service Village, with more essential services and facilities.

The Diamond bus service serves the village with a stop adjacent to the site, which is available during peak school times, to facilitate travel to and from secondary school for residents of the village. This bus travels to Swadlincote (via Linton) and Burton (via Walton on Trent).

It is clear that the settlement is sustainable and a suitable location for future growth.

The SHELAA proforma for the site confirms that the site is suitable, available and achievable with the final assessment concluding a future scheme would need to overcome or mitigate some suitability criteria. Tesni considers this to be achievable and addresses many of the amber scoring suitability criteria below with a focus on what mitigation measures can be secured on the site. It is worth noting that the site achieves a green SHELAA score against Highway Safety, Education Provision, Protected Sites, Green Belt and Flooding.

Trees and Hedgerows

The SHELAA suggests that hedgerow loss along Burton Road is likely in order to accommodate the vehicular access from Burton Road and highlights that the ability to mitigate this criterion is considered high. The submitted Concept Plan shows that the Site can be developed as part of a landscape-led scheme. Whilst loss of hedgerow is required on this western edge, the partial loss can be mitigated for by including replacement tree and hedgerow planting elsewhere onsite.

The incidental loss of hedgerow is common/expected for greenfield sites and there is no expectation that the hedgerow on the site boundary is of high value. Whilst the SHELAA Methodology may have been applied correctly on this topic, Tesni questions whether the scope of the assessment methodology is logical in this regard. A greater indication of impact, and therefore scope for mitigation, would be to apply the methodology as drafted with the exclusion of any hedgerow losses required to facilitate access. This would ensure all/the majority of greenfield sites are not automatically lower scoring.

This consideration should be noted when the Council review the SHELAA sites to identify emerging residential allocations.

Retail Provision

The SHELAA confirms the site is within 800m of a convenience store and suggests “the ability to mitigate this criterion is considered low”.

The Site is approximately 320m from the Co-op convenience store on Main Street if accessed on foot via the PRow to the east of the church. Similarly, if accessed via a car or bike from Burton Road, the convenience store is approximately 400m away.

The SHELAA Methodology confirms that “*sites within 800m of an existing supermarket over 3,000sqft are to be considered unconstrained*”. The Methodology also includes the following clarification in respect of store size: “*3000 sqft is the typical minimum size of a ‘Co-op type’ store*”.

This demonstrates that the Site is accessible to retail opportunities and there is no requirement to mitigate against this criterion. The Site should achieve a green/unconstrained score in respect of ‘Retail Provision’.

In any event, Tesni is of the view that failing to allocate any form of growth to small settlements has a negative impact on their sustainability. Tesni considers residents of Rosliston to have a good level of sustainable access to facilities (including retail, services, education, and social spaces), and are of the view that new development is essential to preserving the existing services which are present within these communities.

Neighbourhood Equipped Area for Plan (NEAP)

The SHELAA confirms that the site is more than 1000m from the nearest NEAP and the ability to mitigate this criterion is considered low.

The site capacity exceeds the 50+ unit threshold for requiring a LEAP, therefore the provision of formal play space onsite will be secured for the benefit to new and existing residents of Rosliston, including those using the onsite PRow’s and accessing the adjacent Rosliston Forestry Centre. This level of mitigation should be considered when reviewing the SHELAA sites and identifying sites for residential allocation.

Employment Provision

The SHELAA confirms that the site is within 5km of an established employment site at Former Drakelow Power Station but concludes that the Site is partially constrained in respect of employment provision.

The Site is also within 5km of Graycar Business Park and Barton Business Park to the east of the A38. It is noted that this does not alter the SHELAA conclusion on constraints as there is no employment area within 1,200m of the Site. However, the additional employment opportunities within 5km of the Site should be noted when assessing the sites suitability for residential development.

Pedestrian and Cycle Links

The SHELAA suggests the lack of unmetalled public rights of way crossing the Site and no existing cycle routes results in an amber score with a medium chance of being mitigated. The SHELAA Methodology is clear that a Site is not constrained if the “*Site will connect to a metalled footway/pavement and a PRow/Cycle path.*”

The PRow routes crossing the Site connect to Burton Road in the west and Main Street to the south. The surfacing of the PRow's crossing the Site can be enhanced as part of the proposals and will be provided to new or existing footpaths on Burton Road. The PRow's are currently shown on Derbyshire County Council's mapping database and therefore should be considered completed PRow's for the purpose of the site assessment.

As referenced elsewhere, the SHELAA proforma for this site has also been updated to reflect proposed cycle links which are present within Rosliston (Key and Local Cycle Links).

The Site should be considered unconstrained in respect of pedestrian and cycle links as mitigation can be provided onsite to ensure metalled links are available to offsite routes and paths.

Heritage Assets

The SHELAA scores the site as amber against Heritage Assets and states that the ability to mitigate impacts on heritage assets, notably the grade II* listed Church of St Marys, is medium. Medium is defined as follows:

“Measures are available to significantly mitigate the harmful landscape effects of the proposed development having regard to the scale, nature and location of development the site characteristics and the surrounding landform and townscape character.”

Tesni agree with this assessment and have instructed a Heritage Impact Assessment (HIA). The HIA has previously been submitted to the Council, but it is also appended to this representation for ease of reference. The HIA concludes that the significance of the heritage asset can be retained, and the effects of the development mitigated through sensitive placement of built development, respecting existing field boundaries and landscaping and protecting key views in and out of the Site.

The submitted Concept Plan addresses the following recommendations provided at paragraph 5.4 of the HIA:

“It is considered that the western part of the site could be developed in a manner which was respectful of the setting of heritage assets and the character and appearance of the settlement. The area is seen in the context of other recent development, furthest from the church and set against the treeline behind. Frontage development facing Burton Road but set behind the existing verge/hedge could provide an attractive street scene at the entrance to the village. Smaller scale development to the side and rear (facing the two footpaths) would frame and address those routes and provide for an appropriate hierarchy of built form (noting that historically principal buildings fronted Burton Road through the village). The central parts of the site should be kept open to provide viewing corridors.”

It should be noted in respect of the non-designated heritage assets that whilst the Site contributes to the setting of these assets, the setting and character of the assets can influence the layout and scale of development on the Site. Nevertheless, it should be noted that dwellings have recently been constructed to the north west of the Site on the opposite side of Burton Road which have had an effect on the setting of these assets.

The HIA and Concept Plan demonstrate that the site can be developed for 57 dwellings without significantly impacting nearby heritage assets and where impacts to the setting of heritage assets may be identified, this can be mitigated against onsite through layout, design and landscaping.

In summary, this representation has demonstrated that the site is sustainably located and a suitable settlement for future growth. Whilst there are some site constraints, these can be addressed and mitigated as part of the layout and design.

With regards to deliverability, Tesni have an option on the site and consider it to be economically viable for residential development. The site could be developed within the next five years, subject to securing planning permission, with the construction period estimated to take 2 years.

Question 3: 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)?

☐ Yes

☐ No

(Please provide a reason for your answer)

Tesni supports the suggestion of identifying areas for future growth adjacent to existing settlements and extending settlement boundaries. Amending settlement boundaries will ensure additional land can come forward for development within the plan period and contribute to meeting the housing needs of the Borough. This approach would also result in sustainable and well connected developments that contribute to the placemaking of existing settlements through reliance on existing services and amenities such as shops, restaurants and public transport facilities.

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 unimplemented employment allocations)?

☒ Yes

☐ No

(Please provide a reason for your answer)

The section of the consultation document titled "The Shortfall" (page 8) confirms that there is a shortfall of 57 homes. This section continues: *"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. The shortfall will need to be addressed through new allocations and/or other policies."*

Tesni supports the inclusion of a supply buffer to provide flexibility and considers a 10% supply buffer to be imperative for South Derbyshire Council as the current housing supply relies on the delivery of significant urban extensions including Drakelow Park (Policy H6), Wragley Way (Policy H15) and Boulton Moor (Policy H3). Developments of a significant scale can be slow, or even fail, to deliver homes at the rate projected due to infrastructure timings and costs, rationalising various landowner interests and viability issues.

A supply buffer of 10% would ensure there is flexibility within the supply to allow for instances where sites are not delivered, or not delivered within the expected timeframe, without risking a shortfall against the annual housing requirement.

Question 18: Should the Council undertake a Green Belt review with a specific objective of identifying what, if any, Grey Belt exists within the district?

☐ Yes

☒ No

(Please provide a reason for your answer)

Tesni does not consider it necessary for the Council to undertake a Green Belt review with a specific objective of identifying whether grey belt exists within the district as there is sufficient sustainable land available outside of the Green Belt to accommodate the housing shortfall and the 10% supply buffer.

As referenced elsewhere in these representations, the Council will need to progress the preparation of a new-style Local Plan shortly after adoption of a Local Plan Part 2 Review; Tesni considers this to be an appropriate timescale for commencing a Green Belt review as there will be a need to identify a significant number of additional allocations and there will be more achievable preparation timescales associated with the new-style Local Plans.