

Report

Kind regards,



THIS DRAWING IS INDICATIVE OF DESIGN INTENT ONLY. ALL CONSTRUCTION DETAILS, FINISHES AND INTERFACES TO BE CONFIRMED & AGREED WITH THE ARCHITECT PRIOR TO CONSTRUCTION.



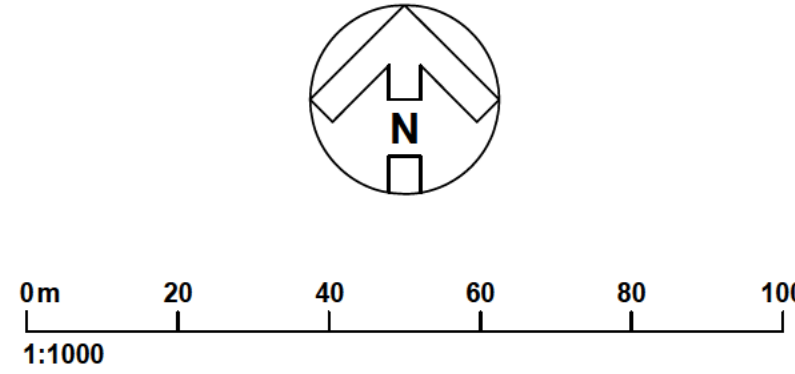
- KEY:
- Development boundary
 - Full extent of Trenport ownership
 - Food Retail: 1,949m² Gross Internal Area (GIA)
 - Commercial Space for SMEs: 2,909m² GIA
 - Drive Thru: 155m² GIA
 - Open space and landscaping
 - Part of the Hilton Gravel Pits SSSI
 - Green buffer to SSSI 6,768m²
 - Area for community use 400m²
 - Proposed attenuation basin 1,800m²
 - Proposed trees
 - Proposed indicative planting
 - Existing trees / hedgerow
 - Parking bays
 - Potential future access to adjacent development
 - Potential Hilton gateway

THIS DRAWING IS DERIVED FROM THE FOLLOWING INFORMATION:

Google Earth - Images © 2023 Google Earth

Arboricultural survey - AWA, Tree Impacts Plan, dated 10/01/24.

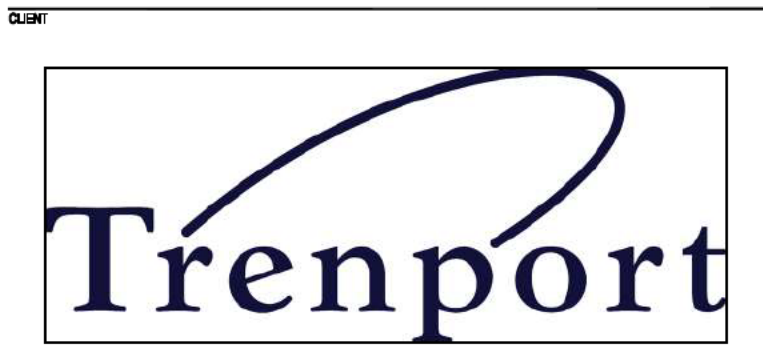
Proposed Access Junction - SLR, PROPOSED HIGHWAY ALIGNMENT ACCESS STRATEGY- OVERVIEW PLAN, 237295-PD07, dated 11/01/2024.



Note:
All details are shown approximately and the plan is not for approval.

SCHEME: P01 BY: BAP DESIGN: JSP DATE: 02.02.2024
Planning Issue

STATUS: S4a | FOR PLANNING



PROJECT: RETAIL DEVELOPMENT
DERBY ROAD, HILTON

TITLE: PROPOSED
ILLUSTRATIVE MASTERPLAN

Hadfield Cawkwell Davidson

Broomgrove Lodge, 13 Broomgrove Rd, Sheffield S10 2LZ 0114 266 6181 www.hcd.co.uk

HCD PROJECT NO: 2023-028	SCALE: 1:1000 @ A1	REV: P01
PROJECT NO: 23028	ORIGINATOR: HCD	VOLUME: ZZ
LEVEL: 00	TYPE: DR	ROLE - NUMBER: A-09-001

PROPOSED ILLUSTRATIVE MASTERPLAN
1:1000



South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
DE11 0AH

27 January 2026

Dear Sir or Madam,

REPRESENTATIONS TO SOUTH DERBYSHIRE DISTRICT COUNCIL PART 2 LOCAL PLAN REVIEW ISSUES AND OPTIONS

These representations are submitted on behalf of Trenport Investments Limited ('Trenport') to the Issues and Options Consultation on the South Derbyshire Local Plan Part 2 Review (LPP2R).

Trenport is the landowner and promoter of Land North of Derby Road, Hilton ('the site'), which is located on the edge of Hilton and benefits from outline planning permission (ref: DMPA/2024/0198) (herein 'the outline consent (associated with 'the application')') for a mixed-use development that includes employment, retail and community uses.

These representations demonstrate why the settlement boundary of Hilton should be amended to include the site. This is, in short, because the principle of providing a mixed-use development in this location has already been considered at length and in detail by the Council through the determination of the outline application, and the site is found to be appropriate for development.

Background and Context

Although the site has an extant planning consent, it is not allocated in the adopted or emerging Local Plan.

However, the site has been promoted for development through the Local Plan Review Process.

In 2020, the application site was assessed in the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) (ref: 032), albeit for residential development. The SHELAA concluded that the site is suitable for development, but that a number of suitability criteria would need to be overcome/require mitigation. These criteria have now been addressed through the outline application process with the submission and approval of technical evidence and agreed mitigation measures.

In December 2022, representations were made to the 'Issues and Options' and 'Call for Sites' consultation, proposing the allocation of the site for residential, commercial and community use.

Subsequently, Trenport submitted an application for a mixed-use commercial scheme in February 2024. The outline consent was then supported by the Council's Planning Committee on 18 June 2024 for:

"Outline planning application for a foodstore, commercial space for Small to Medium Enterprises, a drive-thru coffee shop, and community spaces with

associated parking, servicing, drainage, landscaping and habitat areas as well as highway works (all matters reserved except for access)”.

Consent was granted on 3 October 2024 after the s106 Agreement was signed.

Later in October 2024, further representations were made to the Draft Local Plan Part 1 Review (LPP1R) consultation requesting that the site should be allocated for commercial, retail and community use in accordance with the outline consent. The representations explained that, whilst housing was previously considered appropriate on the site, the approved development will deliver a commercial scheme that will benefit local SMEs and provide retail and community space for local residents, together with on-site ecological improvements.

Most recently, representations were made to the LPP1R Publication Version consultation in April 2025, proposing the allocation of the site for commercial mixed-use development and requesting that it should also be included within the settlement boundary of Hilton.

The Site Location Plan and Illustrative Masterplan for the consented scheme are enclosed with these representations. Full details regarding the site and surrounding context are set out in the earlier representations noted above, as well as in the application documents associated with the outline consent. For ease, the earlier representations are appended to this letter.

Trenport are in active discussions with occupiers. They are currently preparing applications for reserved matters approval and would like to commence development of the site this year.

Planning Policy

National Planning Policy Framework (NPPF) (2024)

Paragraph 11 requires that plans promote a sustainable pattern of development that seeks to meet the development needs of their area and align growth and infrastructure.

Paragraph 34 requires policies in local plan reviews to take into account changing circumstances affecting the area, or any relevant changes in national policy.

Representations

These representations respond to Questions 1 and 10 of the consultation documents, as discussed below.

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?

On behalf of Trenport, our earlier representations (submitted in April 2025 to the LPP1R Publication Version consultation) explained that a two-part approach to reviewing the Local Plan risks being ineffective and unnecessarily costly. At that time, we noted that the LPP2R would begin to lose relevance upon adoption of the LPP1R, creating a disconnect and delaying a comprehensive review of housing, retail and commercial policies.

However, given that preparation of the LPP2R is now already underway, our view is that the Council should continue with the two-part review in its current form. This will avoid abortive work, prevent further delay, and support the timely adoption of the overall Local Plan Review.

Question 10: Do you agree with the principles for assessing the settlement boundaries, as set out in Appendix 1?

We broadly support the proposed Settlement Boundary Assessment Principles, including draft Principle 3, which states:

“Settlement boundaries will include...

...Existing housing and employment commitments, (i.e. unimplemented planning permissions and implemented planning permissions) which are physically/functionally related to the settlement...”

However, we request that Principle 3 is amended to explicitly include commercial development commitments to be included within settlement boundaries.

Employment Role and Settlement Function of Commercial Uses

While the draft text already proposes to include employment commitments, commercial developments (such as retail and leisure uses) perform the same employment-generating role and contribute directly to the character, function, and sustainability of settlements. For example, the Derby Road mixed-use scheme will create approximately 155 new jobs. For this reason, commercial commitments should be treated in the same way as employment commitments within the settlement boundary methodology.

Physical and Functional Relationship of the Site to Hilton

In relation to the mixed-use scheme, the site is physically connected to and well related to the settlement of Hilton, and it establishes a coherent and logical settlement edge. The Council has already accepted the suitability of the development through its approval of the outline planning application. In light of this, it is appropriate for the Local Plan Review to include this site, and others with similar characteristics, within the settlement boundary. Excluding the site would result in an illogical and fragmented boundary that does not accurately reflect the built form or functional extent of the settlement. It will create unnecessary complications if the site is outside of the settlement boundary as even minor applications related to the consent, for example a trolley bay related to the foodstore, will be treated as being development in the countryside.

Ensuring Consistency in Planning Policy Application

Including commercial commitments within settlement boundaries also ensures consistency in the application of planning policy. Infill development and redevelopment is typically supported in principle on land within a settlement boundary, whereas more restrictive countryside policies apply outside. Commercial sites that lie immediately adjacent to the built-up area and benefit from planning permission should not be subject to restrictive rural policies simply because they fall outside an illogically drawn boundary. Ensuring that such sites are included within settlement boundaries provides clarity for future decision-making and aligns with the overall purpose of the boundary review.

Risks of Excluding Commercial Commitments

Excluding commercial commitments from settlement boundaries would mean that the LPPR2 would fail to comply with Paragraph 34 of the NPPF, as it would not take into account changing circumstances affecting the area (ie recently committed developments). It also risks

inconsistencies between plan-making and past planning decisions and has the potential to hinder future investment due to the potential uncertainty associated with a site technically located in the open countryside.

Proposed Settlement Boundary Adjustment

Please see the enclosed plan at Appendix 1 demonstrating how the Hilton settlement boundary should be extended to include the mixed-use site.

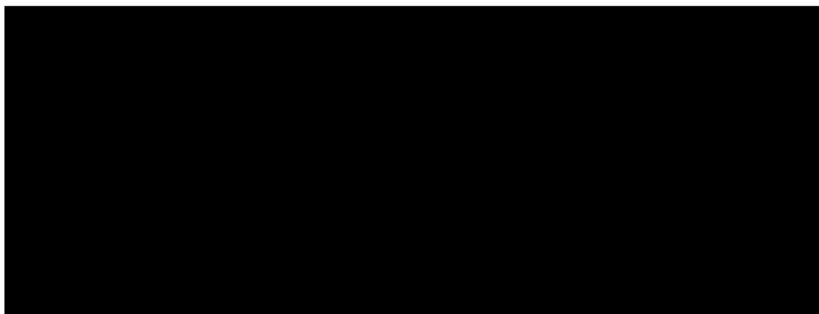
Conclusions

In summary, Trenport supports the continued preparation of the Local Plan Part 2 Review to ensure timely plan adoption and avoid unnecessary delay, while also welcoming the overall approach to defining settlement boundaries set out in Appendix 1 of the LPP2R.

However, an amendment to Principle 3 is necessary to ensure that commercial developments are treated consistently with employment commitments, reflecting their functional relationship with settlements and their accepted role in forming part of the built-up area. Including such commitments (particularly in cases like the Derby Road mixed-use scheme, which benefits from outline consent and a clear physical relationship with Hilton) will promote logical, clear settlement boundaries and ensure that appropriate policies are applied to land that operates as part of the settlement.

We look forward to receiving confirmation that these representations have been received and that they will be considered by the Council. However, please let me know if there are any queries, or if any further information is required.

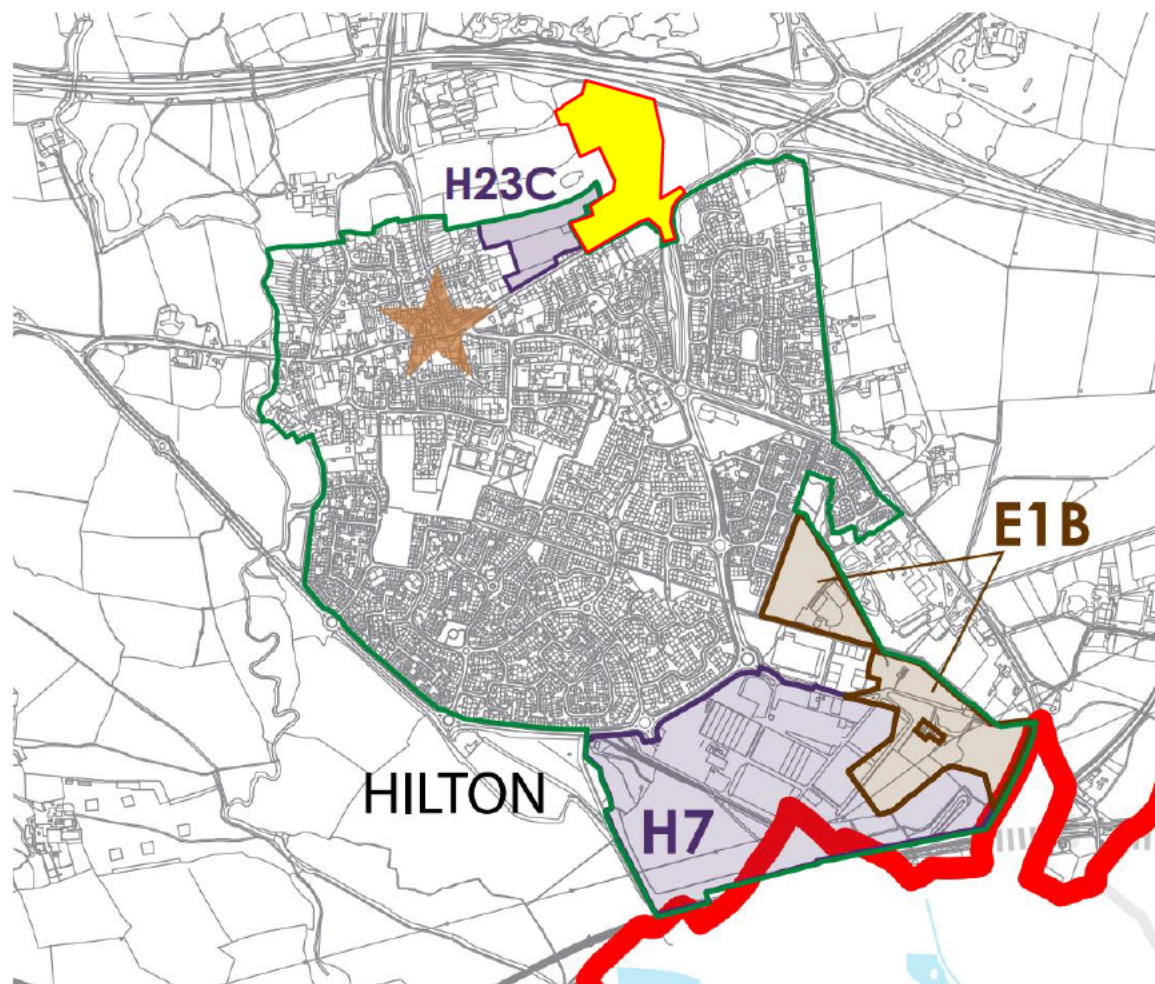
Yours faithfully



APPENDIX 1 – PROPOSED EXTENSION TO HILTON SETTLEMENT BOUNDARY

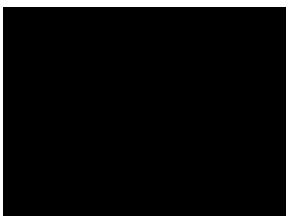
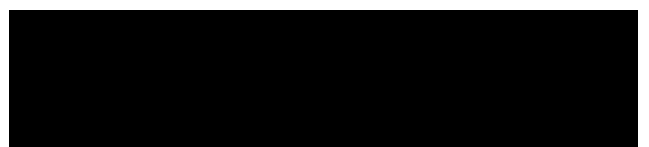
KEY

-  Housing Allocations
-  Employment Allocations
-  Hilton Area Boundary
-  Settlement Boundary (SDT1)
-  Proposed extension to Settlement Boundary
-  Other Centres in Key and Local Service Villages (RTL1)





APPENDIX 2 – PREVIOUS REPRESENTATIONS





9th December 2022

South Derbyshire District Council
Civic Offices,
Civic Way,
Swadlincote,
DE11 0AH

Dear Sir/ Madam

Covering Letter: Representation to South Derbyshire Regulation 18 'Issues and Options' and 'Call for Sites' - Land North of Derby Road, Hilton.

This Regulation 18 submission has been prepared on behalf of Trenport Investments Limited, who are the landowners and promoters of Land North of Derby Road, Hilton ('the site') which is proposed for a mixed-use site providing the opportunity for residential, commercial and community facilities along with supporting infrastructure.

This document provides a summary of the site and surrounding context; relevant planning policies; a response to relevant questions included within the Issues and Preferred Options Regulation 18 Local Plan, taking into consideration the evidence base; and the case for the proposed quantum of development at the site.

The representation submission consists of the following additional documents:

- Vision document,
- Location plan (Drawing Number: D3247_1001), and
- Title plan and register (DY335477).

It is hoped that this representation can provide the next step towards establishing a positive dialogue with the Local Planning Authority, including consultation with the local community so that the merits of the conceptual proposals can be discussed.

Site context

Presently, the site is an agricultural field adjacent to the defined settlement boundary of Hilton (see figure 1), a Key Service Village within the administrative boundary of South Derbyshire District Council (SDCC). It measures 4.2ha and is under Trenport Investment Limited Freehold (DY335477).

The site features no built form and is undeveloped, although, PRow footpath 11 passes through the site on a south-east to north-west trajectory. There is a hedgerow running through the centre of the site too along with trees on the boundary that can be worked into the masterplan of the site. It is free of other constraints by being outside of the Green Belt, strategic gap, is within floodzone 1 and there are no Listed Buildings within 100m.

Adjacent the northwest corner of the site is Hilton Gravel Pits SSSI, which includes a pond and surrounding broadleaf trees. Any development proposal will provide sensitive buffering and mitigation to ensure potential enhancements to the SSSI (please see vision document for further details).

Residential development has become increasingly prevalent north of Derby Road. Bellway Homes secured outline planning permission for up to 45 homes in December 2018 (9/2017/1293) which is currently being built out. This was also a site allocation (H23C) in the Local Plan (Part 2, 2017) and is approximately 50m west of the site boundary. Directly adjacent to the western site boundary is Talbot Farm, a landscaping company. Hilton Industrial Estate is northwest of the site which mostly consists of

use class B2 and E(g). Therefore, precedence for residential and commercial use is established by previous development north of Derby Road.

Access can come from Derby Road, on highways land, which leads into the settlement of Hilton and towards the A50. Additionally, there is a bus stop adjacent the sites southern boundary with multiple and frequent half hourly services to Derby (12km west as the crow flies). Within Hilton village centre there are multiple retail services including a Tesco express, Aldi and Domino's pizza. The village is also well served by public services including Hilton Primary School, a village hall, Wellbrook Medical Centre and Hilton Pharmacy. Therefore, the site is highly sustainable in terms of transport and services.



Figure 1 Site Location in redline

In terms of site-specific planning history, there have been no applications submitted in recent in relation to the site. However, the site has been promoted through a number of 'call for sites', which is discussed later in this letter.

In terms of the surrounding area, there are two planning applications of relevance:

1. **Land at SK2430 7995, Derby Road, Hilton (9/2017/1293)** – Outline application all matters reserved except for access for the residential development of up to 45 dwellings along with open space and landscaping. Before the grant of planning permission, the site was a vacant greenfield and included as site allocation H23C.
2. **Land south of the Mease, Hilton, Derby (9/2013/1044)** – Outline application all matters reserved except for access for a mixed-use development comprising 485 dwellings. Employment uses, general industrial, storage and distribution, primary school, community facilities, employment, and public open space. This was a large-scale strategic site promoted in the adopted Local Plan Part 1 under policy H7.

Existing policy position

Presently, the statutory Development Plan for South Derbyshire consists of the following documents:

- South Derbyshire Local Plan Part 1 (2016)
- South Derbyshire Local Plan Part 2 (2017)
- Local Green Spaces Plan (2020)
- Policies Map
- Neighbourhood development plans
 - Repton Parish (2020)

- Hilton, Marston-on-Dove and Hoon (2021)
- Saved policies of the minerals (2000) and waste local plan (2005)

The Main adopted Development Plan policies relevant to the site representation are:

Local Plan Part 1 2011 to 2028

- At least 12,618 dwellings are required over the plan period and through a mixture of brownfield and greenfield sites.
- Under policy H1 of the settlement hierarchy, Hilton is identified in tier 2 as a key service village.
- The site is outside of the settlement boundary and would be considered development in a rural area. Therefore, development proposals would be restricted to limited infill and conversions of existing buildings.
- Policy H20 requires housing mix to meet a range of needs based on the latest SHMA.
- Policy H21, 30% affordable housing is required for sites that provide 15 units +
- Policy E2 (Local Plan Part 1) states that development of land for uses B1 (b,c), B2 and B8 will be permitted where the site lies within or on the edge of Swadlincote urban area, Derby or Burton upon Trent , or a Key or Local Service Village – the site would be policy compliant

Local Plan Part 2 2017 - 2028

- Policy BNE5 guides development in rural areas, which requires the demonstration of development to be unavoidable outside settlement (i.e unmet need).
- Infill is now defined as infilling a small gap of two houses within a small group of housing. Additionally, development must not have an undue impact on landscape, biodiversity, BMV and heritage.

Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (2021)

- Policy H1 does not support development outside of the settlement boundary unless it meets national and local criteria for development in the countryside.
- Under policy H2, schemes of 5 or more units are required to be as follows: 25% 1 or 2 bedroom, 40% 3 bedroom and 35% 4 or 5 bedrooms; 25% of all developments to be bungalows.

Deliverability assessment

The NPPF requires new Local Plans to provide a five-year supply of deliverable land for housing. 'Deliverable' and 'developable' are defined within the NPPF as follows:

“Deliverable: *To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.*

Developable: *To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.”*

In identifying land for new homes, Para. 68 of the NPPF requires planning policies to “*identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability*”. Part (a) of Para. 68 explicitly references the importance of identifying a supply of “*specific and deliverable sites for years one to five of the plan period*”.

The NPPF stipulates that for sites for housing to be considered deliverable, “*they should be available now; offer a suitable location for development now; and be achievable with a realistic prospect that housing will be delivered on-site within five years*”. To be considered developable, “*sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged*”.

Below is a summary of previous SHELAA promotions which have consistently ranked the site as potential available, achievable, and suitable.

SHELAA 2019/20 - The site (032) is considered potentially available, achievable, and suitable. However, a number of suitability criteria would need to be overcome/require mitigation – Trenport look forward to responding to the previous restraints such as the SSSI by demonstrating enhancements and providing a NEAP within the scheme. Promoted proposed yield: 130 dwellings (gross to net development ratio: 90% & density applied: 31.47 dwellings per hectare). Yield as proposed by SHELAA methodology: 103 dwellings (gross to net development ratio: 90% & density applied: 25 dwellings per hectare).

SDDC's Core Strategy: Employment Site Assessment Summaries (2013) & SHELAA 2013 - The site forms part of a collection of sites (s/0300). The site is potentially suitable as it is currently restricted by local planning policy being in an area protected by Policy BNE5 Development in Rural Areas (this policy has now been replaced by the current local plan). There is also a SSSI on the site which will require further assessment, although the SSSI is likely to have been impacted on the delivery of the A50.

The site is considered achievable as it is a predominantly green field site and there is a reasonable prospect that the site will be financially viable for residential development in the future.

Below is our assessment in respect of the site's availability, suitability and achievability:

Available – The site continues to be a single land ownership (Trenport). There are no identified issues in bringing forward the site for development, and Trenport intend to engage the Council's policy team for further site promotion discussions along with currently engaging with the Development Management team via the pre-application process, in early 2023. There are no constraints or restrictions (particularly in terms of ownership) which mean the site cannot come forward in the first five years of the new Local Plan period.

Suitable – The site has been promoted either individually or collectively. The location is a sustainable one close to existing services and infrastructure and immediately adjoining the existing settlement boundary. This existing boundary would only require adjustment to the northern aspect in order to incorporate the site, which can be achieved through the forthcoming new Local Plan process.

Achievable – Development on the site is considered to be achievable. There are considered to be no insurmountable constraints to development, and Trenport propose to deliver part (and potentially all) of the optimised allocation via their housebuilding arm, further underlining the achievability of development at the site. Therefore, we do consider that development would be able to commence on-site within the first five years of the new Local Plan.

Potential allocation

To demonstrate the site's deliverability and potential capacity and indicate site layout is provided in the vision document along with a potential development schedule. These plans are subject to change as further detailed design and technical analysis is conducted. The plans demonstrate:

- 3.94 ha developable area
- 54 dwellings – full policy compliant affordable housing will be provided along with the potential for self and custom build units
- 0.35ha of commercial/ community use area
- Multifunctional open space dispersed across the site including:
 - SSSI Buffer – to provide enhancement and suitable alternative to detracted from further human impacts. SSSI is outside of the redline boundary.
 - LEAP – provided in response to the SHELAA 2019/2022
 - Existing vegetation buffers – to enable biodiversity net gain onsite

Overall, the site has the potential to accommodate a high-quality development and will ensure placemaking is at the heart of its proposals.

Site Assessment

In order to consider the development options for the site, a number of technical reports will be produced to support this promotion in due course. An overview of key technical constraints are as follows:

Technical consideration	Commentary
Access	Access can come from Derby Road, Masterplanning and previous highways analysis demonstrates that this can either be achieved through a slip road or a new arm on the existing roundabout south of the site. Derby Road runs along the southern boundary of the site and leads into the settlement of Hilton and towards the A50 which is a main arterial link in the district with connections to Derby. There is a public footpath running along the southern boundary of the site leading to a bus stop with half hourly or better bus services. The area is served by Trent Barton Villager with services towards Derby and Burton. A PRow also runs through the centre of the site.
Topography or ground conditions	The site is mostly flat and is managed due to agriculture. Therefore, topography will not be a constraint on site deliverability or suitability. The land is not contaminated and has never been subject to an industrial use which may otherwise pose such a concern.
Landscape and trees	Along the site boundaries, and in the centre of the site, are hedgerows and trees. The majority of trees and hedgerows can remain in place, whereas any impacts on these features for access will inform design to ensure suitable mitigation or replacement planting if necessary. There are no TPOs on site.
Flood risk and drainage	The site is wholly located within flood zone 1 and is not located in an area identified as being at future flood risk in the Council's SFRA. SUDS are provided as part of the Masterplanning process as seen in the vision document.
Environmental	The Northwest boundary of the site is adjacent to the Gravel Pits SSSI. A suitable boundary treatment along with mitigation could reduce development impacts upon the designation. There are no other local or national designations covering the site. Due to the agricultural land use and regular ploughing it is unlikely that the majority of the site will be species or habitat rich. However, there are several well-established hedgerows, which could have the potential for species and habitat rich features. The allocation will ensure their incorporations into the scheme to deliver a net biodiversity gain.
Heritage	The site is free of any national and local heritage designations. Furthermore, there are no listed buildings within a 500m radius of the site. The nearest listed building, the Grade II Listed the Old Talbot Inn which is c600m southwest and the Grade II Listed Hilton Lodge which is 800m east are sufficiently located away from the site that intervening built form is likely to ensure no harmful impacts to any Listed Buildings in the immediate vicinity
Surrounding uses	The A50 is to the north of the site and to the west is Hilton Industrial estate. Both features are significantly separated from the site boundaries by broadleaf woodlands which form a sufficient barrier. To the southwest is Talbot Nursery a sui-genris landscaping company. The accompanying vision document demonstrates how residential development can be sited to complement adjacent uses.

Utilities and infrastructure	Western Power have identified no electrical capacity issues. Severn Trent have identified a low impact on sewage infrastructure. Wastewater treatment is accommodated outside of the Mease further work is required to understand capacity or whether a non-mains drainage solution is viable
------------------------------	---

Case for development

SDCC are currently in the early stages of updating Local Plan Part 1. The current Issues and Options consultation considers a range of strategies for both commercial and residential development.

Employment need

The amount of employment land and types of sites required in the Emerging Local Plan has not yet been identified. Nevertheless, the Emerging Local Plan must allocate enough sites to meet South Derbyshire's employment need. The present Employment Land Distribution for the Derby HMA is set out below table1.

	Dwellings	Dwellings % of Housing Growth	Employment Land (ha)
Derby Urban Area	19730	55.8	154.2
Remainder of SD	6754	19.1	52.78
Remainder of Amber Valley	8870	25.1	69.3

Policy S5 of SDCC's Local Plan Part 1 requires range of sites, including allocations, will be made for the development of a minimum 53 ha net additional land for industrial and business development. Between April 2011 and 31 March 2021, 37.89ha had been completed.

As of 31 March 2021, a further 73.61ha had planning consent, 0.65ha were under construction and 18.71ha did not yet have planning consent but was allocated for industrial and business development in the Local Plan Part 1

Gross employment land provision within SDCC, therefore, measured 130.86ha. Since April 2011, 24.77ha of established industrial and business land had been lost to other uses. On the surface value it appears that SDCC exceeds the employment land requirements set out in the local plan. However, a lot of this land is tied up in planning consents, allocation of the site for 0.35ha would provide a reasonable contribution to meeting the local plan minimum of 53ha of business land.

At this stage broad options for the distribution of the district's employment need have been identified.

- Option 1: Focus on A50 corridor
- Option 2: Focus on sites in/or adjoining urban areas
- Option 3: Swadlincote focus
- Option 4: Drakelow focus

The site would contribute to from option being the preferred development approach for employment land. At present SDCC employment land distribution is 52.78ha, the site benefits from being adjacent south of the A50 and has excellent connectivity to this main road. Furthermore, the site is 2.8m west of the East Midlands Intermodal Park and Toyota plant, part of the East Midlands Freeport proposal, which will be a major employment area for SDCC. Development of this site could contribute to supply chain floorspace to complement growth along the A50 corridor (Use Class E).



Housing need

The standard method currently calculates South Derbyshire's minimum housing need to be 536 net additional homes per annum. SDCC have historically work with Amber Valley Borough Council and Derby City to assist the latter in accommodating its housing need. This results in 1,255 net additional homes per annum.

SDCC housing figures benefit from assisting Derby City in their overspill by:

- Five-Year Supply based on the Plan Period 2011 – 2028 is 6.15 years
- HDT (2021) is 192% therefore no presumption

The emerging Local Plan must allocate enough sites to meet South Derbyshire's housing need. At this stage four broad options for the distribution of housing growth have been identified.

- Option 1: Urban Extensions – focus development adjoining existing urban areas
- Option 2: Key Service Villages – focus development on these ten villages
- Option 3: Dispersed development – focusing on both Key and Local Service Villages
- Option 4: Create a new settlement or significant urban extension

Option 2 or 3 is the preferred approach for housing distribution which would focus development on Key Service Villages such as Hilton. Through successive call for sites process sites adjacent to the settlement boundary of Hilton are identified as potentially suitable for development. Development of these locations would reduce pressure on areas adjacent Derby whilst also supporting the growth of services within the Key Service Villages. The proposed 54 units would be a significant contribution to maintaining the housing supply of SDCC.

The site is adjacent to the settlement boundary of Hilton, which is a Key Service Village, development of this site should be considered as a sustainable extension by amending the settlement boundary through the local plan process.

Summary

Trenport support the preparation of a new Local Plan for South Derbyshire by proposing a new site allocation for residential, commercial and community use. This can also be achieved by amending the settlement boundary of Hilton to include the site.

The site is able to deliver high-quality residential development within the first 5 years of the Local Plan in a well-connected, sustainable location that would align with some of the overarching principles and objections of national and (emerging) local planning policy.

We would be grateful for grateful for confirmation that this representation statement has been received and confirm that we like to be involved in future stages of the Local Plan process. We would welcome updates on when the Local Plan is likely to progress to Regulation 19 consultation.

We are also very happy to discuss these representations with the Council in further detail should that be considered necessary and undertake additional work to demonstrate how the indicative scheme is appropriate and feasible.

Yours faithfully,

[Redacted signature block]



South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
DE11 0AH

25 April 2025

Dear Sir or Madam,

**REPRESENTATIONS TO SOUTH DERBYSHIRE LOCAL PLAN PART 1 REVIEW 2022-2041
(PUBLICATION VERSION) [PARA 34 AND CHANGING CIRCUMSTANCES]**

These representations are submitted on behalf of Trenport Investments Limited ('Trenport') to the consultation on the Publication Version of the South Derbyshire Local Plan Part 1 Review 2022 – 2041.

Trenport is the landowner and promoter of Land North of Derby Road, Hilton ('the site'), which is located on the edge of Hilton and benefits from outline planning permission (ref: DMPA/2024/0198) (herein 'the outline consent (associated with 'the application')) for a mixed-use development that includes employment, retail and community uses.

These representations demonstrate why the site should be allocated as a mixed-use, commercial development site in Part 1 of the Local Plan Review (herein 'P1LPR') and, consequently, the development boundary of Hilton should be amended to include the site. This is, in short, because the principle of providing a mixed-use development in this location has already been considered at length and in detail by the Council through the determination of the outline application, and the site is found to be appropriate.

Without allocating the site, or including it within the settlement boundary of Hilton, the P1LPR cannot be considered to be positively prepared, justified, effective, or consistent with national policy. Therefore, it fails to meet the requirements of NPPF paragraph 15, 16, 34, 36 and 37 and it is unsound.

The following documents are submitted in support of these representations:

- Site Location Plan (ref: A-01-001 P01);
- Illustrative Masterplan (ref. A-09-001 P01);
- Decision Notice and Committee Report for Outline Planning Permission ref: DMPA/2024/0198;
- Socio-Economic Benefits Infographic prepared by WSP.

Background and Context

Although the site has an extant planning consent, it is not allocated in the adopted or emerging Local Plan.

However, the site has been promoted for development through the Local Plan Review Process.

[REDACTED]

[REDACTED]

In 2020, the application site was assessed in the Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) (ref: 032), albeit for residential development. The SHELAA concluded that the site is suitable for development, but that a number of suitability criteria would need to be overcome/require mitigation. However, these criteria have subsequently been addressed through the outline application process with the submission and approval of technical evidence and agreed mitigation measures.

In December 2022, representations were made to the 'Issues and Options' and 'Call for Sites' consultation, proposing the allocation of the site for residential, commercial and community use.

Subsequently, Trenport submitted an application for a mixed-use commercial scheme in February 2024.

The outline consent was then supported by the Council's Planning Committee on 18 June 2024 for:

"Outline planning application for a foodstore, commercial space for Small to Medium Enterprises, a drive-thru coffee shop, and community spaces with associated parking, servicing, drainage, landscaping and habitat areas as well as highway works (all matters reserved except for access)".

Consent was granted on 3 October 2024 after the s106 Agreement was signed.

Later in October 2024, further representations were made to the Draft Local Plan Part 1 Review consultation requesting that the site should be allocated for commercial, retail and community use. The representations explained that, whilst housing was previously considered appropriate on the site, the approved development will deliver a commercial scheme that will benefit local SMEs and provide retail and community space for local residents, together with on-site ecological improvements.

The Site Location Plan and Illustrative Masterplan for the consented scheme are enclosed with these representations. Full details regarding the site and surrounding context are set out in the earlier representations noted above, as well as in the application documents associated with the outline consent.

Trenport are in active discussions with occupiers. They are currently preparing applications for reserved matters approval and would like to commence development of the site later this year.

Planning Policy

National Planning Policy Framework (NPPF) (2024)

Paragraph 15 of the NPPF requires succinct and up-to-date plans to provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

Paragraph 16 states that plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development
- b) be prepared positively, in a way that is aspirational but deliverable;
- c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;

- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)

Paragraph 34 requires policies in local plan reviews to take into account changing circumstances affecting the area, or any relevant changes in national policy.

Paragraph 36 states that Local Plans are ‘sound’ if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Representations

As currently prepared, P1LPR is unsound because it fails to demonstrate that it is positively prepared, justified, effective, or consistent with national policy. Granting the outline consent has changed the circumstances affecting Hilton and this must be recognised in the emerging plan.

Positively Prepared

The NPPF requires plans to provide a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs, and to be consistent with achieving sustainable development. The following demonstrates that, at present, P1LPR fails to satisfy these criteria.

Objectively Assessed Needs

The application documents associated with the outline consent demonstrate that there is a need for both retail and employment development in Hilton.

This position is supported by the Committee Report, which explains that:

“Opportunities for small and medium sized businesses to expand and operate within Hilton is a need identified by the Councils Economic Development Manager”.

The retail development will also provide choice and competition for local people, and help to claw back trade leaking to stores elsewhere.

Furthermore, the Hilton, Marston on Dove and Hoon Neighbourhood Development Plan (herein ‘the Neighbourhood Plan’) identifies a need for an additional café, and a shortage and need for small commercial units in the area.

Despite the Council accepting that these identified retail and employment needs exist, the P1LPR fails to acknowledge this. Also, by not allocating the site for development, the P1LPR fails to recognise the outline consent as an opportunity to contribute towards meeting those needs.

Achieving Sustainable Development

In order to demonstrate that it has been positively prepared, the P1LPR must also provide a strategy that is consistent with achieving sustainable development.

In support of the Plan, the Council instructed SLR to prepare a Sustainability Appraisal (SA) which demonstrates that the Plan promotes sustainable development.

The SA did not consider the consented site, which is an omission. However, to assist the Council, we have prepared a Site Sustainability Appraisal Matrix (herein 'the SSAM') to demonstrate that the allocation of the site, and the approved development subject to the outline consent, represent sustainable development. The Matrix has been prepared using the objectives set out in the South Derbyshire Local Plan SA.

The SSAM concludes, in line with the Key to Sustainability Significance Scores, that the development of the site will have a significant positive sustainability effect, and no negative sustainability effects. The most significant positive effects are those relating to biodiversity, quality of life, inequalities, the economy, employment, infrastructure, and adaptation to climate change.

Given the positive conclusions of the SSAM, the inclusion of the site as a commercial, mixed-use allocation in the P1LPR would represent sustainable development.

Justified

P1LPR is not justified as it fails to consider a consented scheme that has been approved by the Council. It is, therefore, already out of date, in conflict with paragraph 15 of the NPPF, and it does not present an appropriate strategy for the area.

P1LPR should be updated to include the site as a commercial mixed-use allocation, as that is representative of development that has already been considered acceptable by the Council following engagement with key stakeholders. Paragraph 34 of the NPPF requires local plan reviews to take into account changing circumstances affecting the area.

Effective

The P1LPR states that: *"a refresh of the settlement hierarchy and settlement boundaries will be undertaken in the next phase of plan making"* and it clarifies that: *"where in this document 'the next phase of plan making' is discussed, this means a full review of the Local Plan under the new system."*

This approach to reviewing the Local Plan is flawed. It creates an immediate disconnect within the development plan because the Local Plan Part 2 will be out of date when P1LPR is adopted, and it fails to acknowledge the links between housing and commercial development. There is then also likely to be a significant delay before the Local Plan (including retail and commercial elements of the plan) is reviewed as a whole, given that P1LPR will be only recently adopted.

This 'split plan' approach is also considerably more lengthy and costly than undertaking a single review for both elements together, which goes against the public interest.

To be effective, the Local Plan should be reviewed as a whole, and there should be a single document created. Therefore, housing and commercial sites and developments would be recognised at the same time in the same document as housing and other elements. Given that P1LPR proposes the allocation of additional strategic housing sites, other types of allocations,

such as this mixed-use commercial site that benefits from consent, should also be allocated through this review.

The Levelling-up and Regeneration Act 2023 supports the position that single, comprehensive plans will ensure a more strategic and unified approach to planning, streamlining processes and promoting better outcomes.

Consistent With National Policy

In summary, to be consistent with national policy, a Local Plan review should address changing circumstances, such as consented schemes. P1LPR fails to support the delivery of sustainable development (as required by the NPPF) as it does not allocate the site to reflect the consent. The enclosed SSAM demonstrates that the allocation and development of the site is sustainable.

Benefits of Allocating the Site and Extending the Settlement Boundary

Notwithstanding that the site should be allocated for the P1LPR to be sound, the delivery of the approved mixed-use scheme at the site would also result in significant benefits, including:

- Meeting an identified local need for retail, café, and employment development on a site that forms a natural extension and boundary to the settlement;
- Providing a 10% biodiversity net gain and protection to the nearby SSSIs;
- Creating 155 jobs for local people, as well as a range of other economic benefits associated with the construction and operational phases of the development;
- Providing increased accessible greenspace and community play space for the local community, and opening up a PROW on an otherwise underused and inaccessible agricultural site.

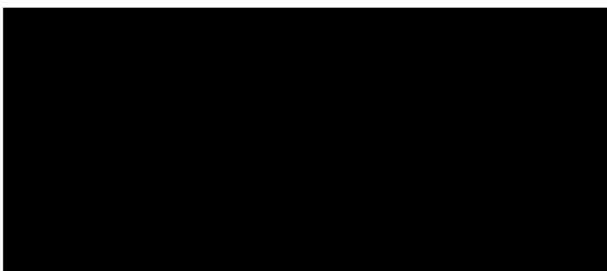
Conclusions

These representations propose the allocation of a site with consent for commercial mixed-use development in the P1LPR. The site should also be included within the settlement boundary of Hilton. The site benefits from outline consent and has been considered suitable for mixed use development by the Council and key stakeholders previously.

More broadly, a comprehensive Local Plan Review should be undertaken addressing the P2LPR and P1LPR, because the current approach lacks consistency and cohesion.

We look forward to receiving confirmation that these representations have been received and that they will be considered by the Council. However, please let me know if there are any queries, or if any further information is required.

Yours faithfully



APPENDIX 1 – SITE SUSTAINABILITY APPRAISAL MATRIX

Key

Potential Sustainability Effect	Symbol
Significant Positive	++
Minor Positive	+
Neutral	0
Uncertain	?
Minor Negative	-
Significant Negative	--

Sustainability Objective	Potential Sustainability Effect	Assessment
S01 Biodiversity: To safeguard and enhance biodiversity (including BAP habitats and species) and geodiversity through biodiversity net gain and improve connectivity between, and access to, green spaces and functional habitats.	++	The development results in ecological and biodiversity enhancements, including introducing 'no public accessibility' to the SSSI buffer zone and a biodiversity net gain of over 10%.
S02 Housing: To ensure everyone has access to sustainable housing, which is affordable, and meets the needs of all residents including the elderly and other vulnerable groups and will support the vitality of existing communities and settlements.	0	N/A
S03 Accessibility and Health: To improve local accessibility to healthcare, education, employment, retail facilities and recreational resources (including open spaces and sports facilities) and enhance wellbeing, promoting healthy and sustainable lifestyles.	+	The site is situated in an accessible location, on the edge of Hilton, within walking distance of the majority of the village's population. It will improve accessibility to open space, play space, workspace, a foodstore and a coffee shop.
S04 Quality of Life: To create safe and attractive places which contribute towards quality of life and community cohesion.	++	The development provides increased accessible green space and community play space for the local community, and the opening up a PROW on an otherwise underused and inaccessible agricultural site.

		It will also provide commercial space for local SMEs which will mean residents can work close to their home and avoid commuting. The retail element will help to retain expenditure in Hilton meaning that shoppers will shop locally.
S05 Inequalities: Ensure all residents have equitable access to employment, education, community services and facilities irrespective of race, religion, sex, age, sexual orientation, disability, gender reassignment, marriage and civil partnership or pregnancy/maternity.	++	The consented development will provide new employment opportunities at a range of levels, with flexibility on the hours worked. These jobs will be accessible to all local people that want to work.
S06 Economy: To deliver growth in key employment sectors and support the creation of new and retention of existing businesses in urban and rural areas.	++	The development will generate £7.5m GVA, £6.3m direct GVA and £1.2m GVA generated by multiplier effects for the East Midlands economy, per annum; £140,000 local spending per annum; £75,000 Business Rates per annum; and £795,000 Fiscal Benefits (Income Tax and National Insurance payments to the Exchequer, per annum)
S07 Employment: To create greater employment opportunities and higher value jobs across the whole District.	++	The development will create 155 FTE jobs on-site, 130 FTE net additional jobs for the wider regional East Midlands economy, of which 95 likely to be taken up by local residents in South Derbyshire, 30 FTE net additional jobs supported by multiplier effects across the East Midlands region, and local skills development through training, apprenticeships and work placements.
S08 Infrastructure: To deliver improved infrastructure to support growth and economic competitiveness of urban and rural businesses and communities.	++	The development provide a new roundabout to access Hilton. It will also enhance the surface water drainage of the surrounding area. It also provides the opportunity to access to the adjacent fields if in the future Hilton is expanded to the north, potentially allowing a connection to Hilton Industrial Estate to help reduce HGV movements through the village.
S09 Sustainable Travel: To promote sustainable travel habits including walking, cycling and public transport (bus and rail) usage.	+	The are range of sustainable transport opportunities including access to public transport and the active travel network within the immediate vicinity. By providing much needed commercial development on the edge of Hilton, the site

		will reduce the need for people to travel further afield.
S010 Town and Village Centres: To ensure that town and village centres are vibrant and viable.	0	The outline application satisfies the sequential and impact tests, demonstrating that there will be no significant adverse impact on town or village centres.
S011 Resources: To minimise waste and ensure the sustainable use and protection of natural resources including greenfield land, soil and minerals resources.	0	N/A
S012 Pollution: To minimise water, air, light and noise pollution and ensure that future growth does not lead to the further deterioration of environmental conditions.	0	The scheme will have no adverse impact with regard to noise, air quality or visual amenity on neighbouring land.
S013 Contributions to Climate Change: To reduce the District's contribution towards the emission of climate change gases.	0	The site is located sustainably, in a location that encourages travel by foot or cycling. The development offers opportunities to adopt the use of sustainable construction methods, as well as electric vehicle car charging and the use of green energy from PV panels.
S014 Adaptation to Climate Change: To manage the effects of climate change including flood risk, reduced water availability and overheating.	++	Surface water discharge from the site will be limited to 7l/s which is a reduction in the Greenfield QBAR rate to provide a betterment to offsite drainage. As a result, the amount of surface water leaving the site will be decreased and offer a reduction in downstream flood risk.
S015 Townscape and Historic Environment: To conserve and enhance the townscape, historic environment, heritage assets (including known and unknown archaeological sites) and their settings.	0	The site is not located within a conservation area or near to, or within the setting of, any listed buildings. There will be no impact on heritage assets.
S016 Landscape: To conserve and enhance the District's landscape character.	0	The proposed development is situated in an urban fringe location very much associated with the existing settlement of Hilton and would be perceived as in keeping with existing nearby development. The LVIA confirms that the impact on the landscape character is acceptable. The effects would be very localised in nature and to be non-significant outside of the site boundaries.

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.

[Redacted content]

Please refer to the enclosed letter for the full representations and associated appendix submitted on behalf of Trenport.

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)

On behalf of Trenport, our earlier representations (submitted in April 2025 to the LPP1R Publication Version consultation) explained that a two-part approach to reviewing the Local Plan risks being ineffective and unnecessarily costly. At that time, we noted that the LPP2R would begin to lose relevance upon adoption of the LPP1R, creating a disconnect and delaying a comprehensive review of housing, retail and commercial policies.

However, given that preparation of the LPP2R is now already underway, our view is that the Council should continue with the two-part review in its current form. This will avoid abortive work, prevent further delay, and support the timely adoption of the overall Local Plan Review.

Please refer to the enclosed letter for the full representations and associated appendix submitted on behalf of Trenport.

Question 10: Do you agree with the principles for assessing the settlement boundaries, as set out in Appendix 1?

- ☐ Yes ☒ No

(Please provide a reason for your answer)

We broadly support the proposed Settlement Boundary Assessment Principles, including draft Principle 3, which states:

“Settlement boundaries will include...

...Existing housing and employment commitments, (i.e. unimplemented planning permissions and implemented planning permissions) which are physically/functionally related to the settlement...”

However, we request that Principle 3 is amended to explicitly include commercial development commitments to be included within settlement boundaries.

Employment Role and Settlement Function of Commercial Uses

While the draft text already proposes to include employment commitments, commercial developments (such as retail and leisure uses) perform the same employment-generating role and contribute directly to the character, function, and sustainability of settlements. For example, the Derby Road mixed-use scheme will create approximately 155 new jobs. For this reason, commercial commitments should be treated in the same way as employment commitments within the settlement boundary methodology.

Physical and Functional Relationship of the Site to Hilton

In relation to the mixed-use scheme, the site is physically connected to and well related to the settlement of Hilton, and it establishes a coherent and logical settlement edge. The Council has already accepted the suitability of the development through its approval of the outline planning application. In light of this, it is appropriate for the Local Plan Review to include this site, and others with similar characteristics, within the settlement boundary. Excluding the site would result in an illogical and fragmented boundary that does not accurately reflect the built form or functional extent of the settlement. It will create unnecessary complications if the site is outside of the settlement boundary as even minor applications related to the consent, for example a trolley bay related to the foodstore, will be treated as being development in the countryside.

Ensuring Consistency in Planning Policy Application

Including commercial commitments within settlement boundaries also ensures consistency in the application of planning policy. Infill development and redevelopment is typically supported in principle on land within a settlement boundary, whereas more restrictive countryside policies apply outside. Commercial sites that lie immediately adjacent to the built-up area and benefit from planning permission should not be subject to restrictive rural policies simply because they fall outside an illogically drawn boundary. Ensuring that such sites are included within settlement boundaries provides clarity for future decision-making and aligns with the overall purpose of the boundary review.

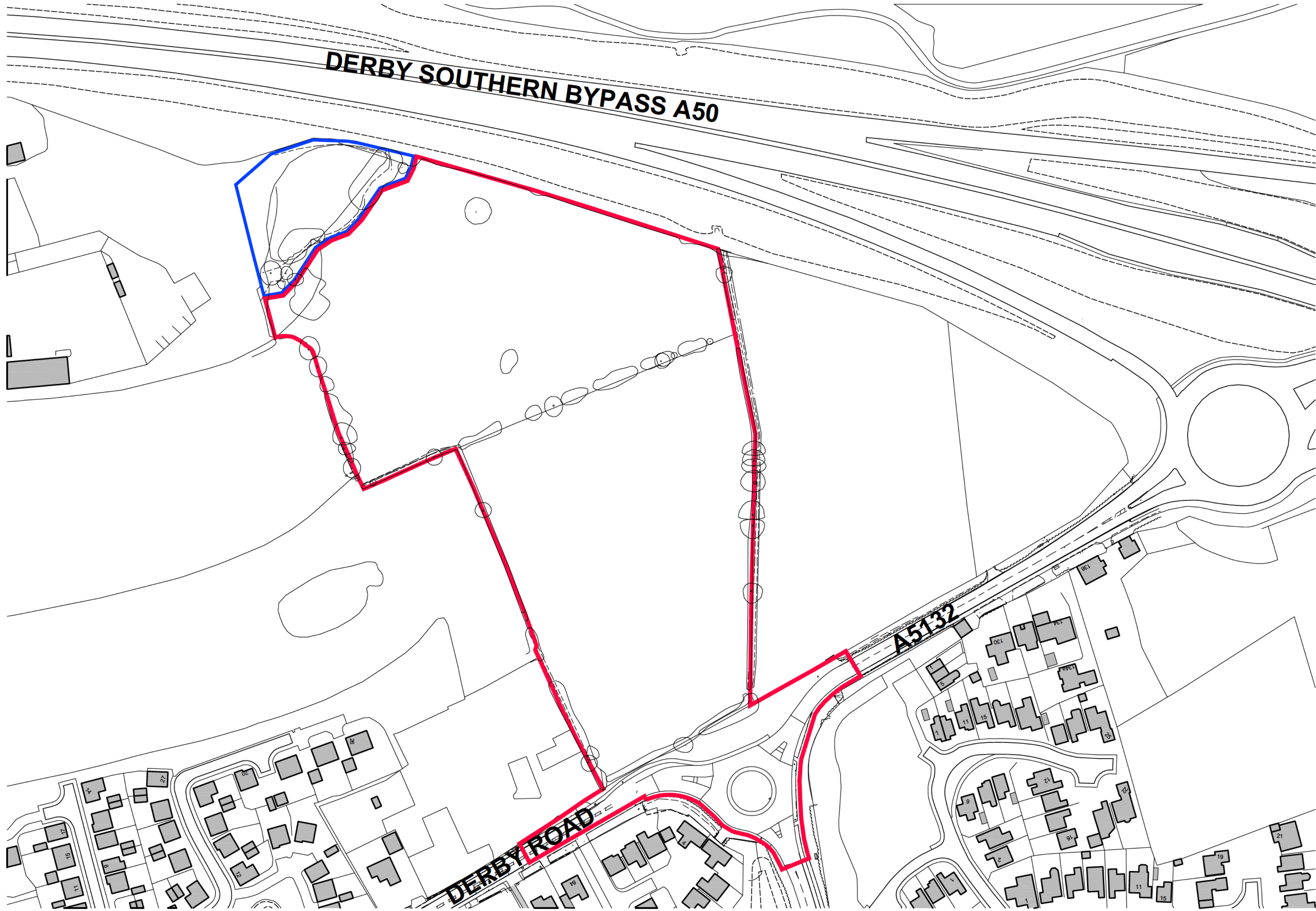
Risks of Excluding Commercial Commitments

Excluding commercial commitments from settlement boundaries would mean that the LPPR2 would fail to comply with Paragraph 34 of the NPPF, as it would not take into account changing circumstances affecting the area (ie recently committed developments). It also risks inconsistencies between plan-making and past planning decisions and has the potential to hinder future investment due to the potential uncertainty associated with a site technically located in the open countryside.

Proposed Settlement Boundary Adjustment

Please see the enclosed plan at Appendix 1 demonstrating how the Hilton settlement boundary should be extended to include the mixed-use site.

Please refer to the enclosed letter for the full representations and associated appendix submitted on behalf of Trenport.



NOTES

KEY:



Development boundary



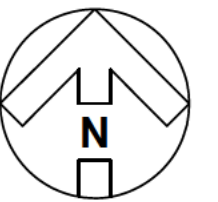
Full extent of Trenport ownership

THIS DRAWING IS DERIVED FROM THE FOLLOWING INFORMATION:

Ordnance survey map - Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432.

Topographical Survey - Survey Solutions, 48444CVLS-01-06, Rev A dated 28/06/23.

Arboricultural survey - AWA, Tree Impacts Plan, dated 10/01/24.



0m 25 50 75 100 125
1:1250

REVISION: P01 BY: BAP DESIGN: JSP DATE: 31.01.2024
Planning Issue

STATUS
S4a | FOR PLANNING

CLIENT



PROJECT
RETAIL DEVELOPMENT
DERBY ROAD, HILTON

TITLE

SITE LOCATION PLAN

Hadfield Cawkwell Davidson

Broomgrove Lodge, 13 Broomgrove Rd, Sheffield, S10 2LZ T 0114 266 8181 www.hcd.co.uk

HCD PROJECT NO. 2023-028	SCALE 1:1250 @ A1	REV. P01
-----------------------------	----------------------	-------------

PROJECT NO. 23028	ORIGINATOR HCD	VOLUME ZZ	LEVEL 00	TYPE DR	ROLE - NUMBER A-01-001
----------------------	-------------------	--------------	-------------	------------	---------------------------

S:\Architectural\2023-028\Drawings\DR - Planning\23028-HCD-ZZ-00-DR-A-01001_SiteLocationPlan.dwg | © HCD

SITE LOCATION PLAN
1:1250