Regulation 22 Consultation Statement

Part 2: Regulation 19 Stage

Derby City Council

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1. Introduction

1.1. Purpose of Document

1. The purpose of this consultation statement is to provide an overview of Derby City Council's (hereinafter referred to as 'the Council') consultation process for the Regulation 19 Local Plan for Derby (LPD) Submission Document and its associated supporting documents. This statement aims to demonstrate accordance with the consultation engagement required by Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. **This document constitutes a Part 2 of the Regulation 22 Consultation Statement, please see Part 1 for details of the prior process undertaken during the Local Plan Priorities Consultation and Regulation 18 Consultation.**

3. This Regulation 22 Consultation Statement has been produced to respond to the therefore fulfil the requirements set out in the Regulations, specifically regarding Regulation 22(1) part (c), as set out below:

> (i) which bodies and persons the local planning authority invited to make representations under regulation 18,
>
> (ii) how those bodies and persons were invited to make representations under regulation 18,
>
> (iii) a summary of the main issues raised by the representations made pursuant to regulation 18,
>
> (iv) how any representations made pursuant to regulation 18 have been taken into account;
>
> (v) if representations were made pursuant to regulation 20, the number of representations made and a summary of the main issues raised in those representations; and
>
> (vi) if no representations were made in regulation 20, that no such representations were made;

4. Pursuant to the Regulations set out above, this document establishes the details of representations made for consistency with Regulation 20, and a summary of the main issues raised in those representations (Appendix D).

5. Additionally, this statement demonstrates how consultation on the preparation of the Local Plan has been undertaken in accordance with the Council's adopted Statement of Community Involvement (SCI) 2023. The SCI sets out the Council's policy for meaningful community engagement in the planning process, particularly the five stages for consultation in the preparation of the Local Plan.

1.2. Background

6. The Local Plan for Derby (LPD) will replace the adopted Derby City Local Plan Core Strategy – Part 1 (2017) (DCLP1) and the saved policies of the City of Derby Local Plan Review (2006) (CDLPR), which currently comprise the development framework for the city. Once adopted, the LPD will look ahead to 2043 and play a key role in managing future growth and informing planning decisions across the city.

7. The Council has undertaken multiple stages of consultation in the preparation of the LPD. These cases of community participation and stakeholder engagement have shaped the plan-making process, ensuring that policies and allocations have been informed by a range of local priorities, evidence and consultation feedback.

8. Part 1 of the Regulation 22 Statement details the background to the production of the LPD through the Local Plan Priorities Consultation. It also reflects on the responses received during the Regulation 18 consultation period running from 12th January 2026 to 9th March 2026. These consults present fulfilment of stages 1-2 of Local Plan preparation in alignment with the SCI.

9. This Part 2 Regulation 22 statement provides the full details of the Council's engagement with statutory bodies, organisations, businesses, residents, and other interested parties during the 6-week consultation period from 12am 27th July 2026 to 5pm 8th September 2026 on the Regulation 19 LPD 2023-2043 Submission Draft Plan and its supporting documents. As such, this document specifies compliance with stage 3 (Pre-Submission Local Plan) of the Council's SCI.

2. Local Plan for Derby Regulation 19 Consultation

10. The Regulation 19 LPD consultation was conducted to fulfil the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. These requirements are as follows:

> **19.** Before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must—
>
> (a) make a copy of each of the proposed submission documents and a statement of the representations procedure available in accordance with Regulation 35, and
>
> (b) ensure that a statement of the representations procedure and a statement of the fact that the proposed submission documents are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under Regulation 18(1).

11. The consultation ran for a 6-week period from 27th July 2026 to 8th September 2026 (5pm), as required by the stipulations of Regulation 35.

12. The Council produced the following documents for this consultation, which are available for viewing on the Emerging LPD webpage:

- Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft
- Policies Map
- City Centre Inset Map
- Regulation 19 Sustainability Appraisal Report
- Regulation 19 Sustainability Appraisal Non-Technical Summary
- Regulation 19 Sustainability Appraisal Appendices A-G
- Derby City Habitats Regulation Assessment
- Equalities Impact Assessment (EqIA) Regulation 19
- Draft Infrastructure Delivery Plan (IDP)
- Report of Consultation on the Local Plan for Derby up to July 2026

13. Likewise, to the Regulation 18 Draft LPD, the LPD Regulation 19 Submission Draft sets out the overarching spatial vision and strategy for the city. It establishes the proposed policies that will guide future development and identifies the Council's preferred locations for strategic housing and employment growth over the plan period from 2023 to 2043.

14. The Policies Map and City Centre Inset Map provides a spatial representation of the policy designations and allocations across the city. The maps should be read alongside the LPD and supporting evidence documents as it provides the geographical context for the policy framework. The City Centre Inset Map provides a detailed view of the designations and allocations within this smaller designated area.

15. The Regulation 19 Sustainability Appraisal (SA) Report was prepared by SLR Consulting Limited and updated since the report published for the Regulation 18 consultation. This report accompanies the LPD Regulation 19 Submission Draft and aims to appraise the social, environmental and economic effects of the proposed plan to ensure that decisions made contribute towards achieving sustainable development. A Non-Technical Summary and seven appendices of the SA Report were also published for this consultation.

16. The Derby City Habitats Regulation Assessment was prepared by SLR Consulting Limited. The assessment tests whether the LPD could harm the designated features of listed and proposed European and Ramsar sites. The screening concluded that no sites would be impacted by the Local Plan.

17. The Equalities Impact Assessment (EqIA) Regulation 19 is a document produced to highlight the likely impact of the LPD on several identified characteristic groups. The Equalities Impact Assessment was produced to ensure the Council complies with the Equalities Act 2010 and the Public Sector Equality Duty (PSED) and was updated to reflect the changes since the Regulation 18 Draft Plan.

18. The Draft Infrastructure Delivery Plan (IDP) identifies the infrastructure required to support the extent of growth proposed over the plan period, including relating to healthcare, transport, education, et cetera. The IDP considers the timing, delivery mechanisms and potential funding sources for necessary infrastructure, identifying any requirements that may need to be secured through planning obligations or other delivery mechanisms.

19. The Report of Consultation on the Local Plan for Derby up to July 2026 summarises the consultations undertaken up to Regulation 18 together with the Council's responses and how these have informed the LPD Regulation 19 Submission Draft. The report is substantially the same as Part 1 of this Regulation 22 Consultation Statement, with only minor amendments to the introductory text and appendices to reflect the requirements for Regulation 22.

20. This Regulation 22 Consultation Statement summarises and provides a Council response for the representations received on the above documents published as part of the Regulation 19 consultation.

2.1 Consultation Design and Implementation

21. In advance of the Regulation 19 LPD consultation, email notifications for the start of the consultation were sent to the stakeholders and bodies listed in Appendix A, as well as private individuals signed up to the Local Plan mailing list and all respondents to the Regulation 18 consultation.

22. Multiple modes of consultation response were promoted within this consultation to ensure participation was inclusive and accessible to the needs of Derby's diverse communities. Central to this approach was the use of an interactive online consultation platform, which enabled respondents to review the Draft Local Plan in detail and provide comments directly against individual policies and site allocations. A link to this software was included on all engagement material, as well as on the 'Lets Talk Derby' website.

23. Nonetheless, it was recognised that not all interested parties are able or willing to engage digitally or utilise this policy-specific format of response; as such, alternative methods of response were made available to address the digital divide and promote an inclusive consultation. The advertising material produced for this consultation stated that participants were able to submit comments via an email address. Additionally, written representations were accepted via post either as a letter format or by participants filling in the consultation form.

24. The following is a brief description of the methods used to engage with the public and stakeholders during the Regulation 19 LPD consultation:

2.2. Methodology of Consultation

25. Alongside the emails to the Local Plan mailing list, the consultation was advertised to interested parties. These included statutory bodies, councillors, neighbouring authorities, and the general public.

26. The Regulation 19 LPD consultation marked the final chance for representations to be made on the Plan before submission for Examination; as such, this consultation holds a more technical role by providing the opportunity for representations to be made on the 'soundness' and 'legal compliance' of the Plan.

27. A guidance note on the tests of soundness was published alongside the consultation material. This note aimed to ensure all respondents could submit effective representations aligned with the role of the consultation.

2.2.1. Physical Engagement Material

28. Posters advertising the consultation were set to local libraries and distributed amongst Neighbourhood Managers to distribute amongst their networks and to cover all wards within the city.

29. Local libraries and Neighbourhood Managers were also sent a printed pack of the consultation documents, including the physical Local Plan document, the FAQ sheet, representation forms, and the summary document. A guidance note was included alongside these documents to assist in directing interested parties in how to submit representations. These materials were also made available in the Council House reception and were available on request to members of the public.

30. Public-facing AV screens in the Council House, at bus stops and in the Market Hall were set to advertise the consultation commencement.

2.2.2. Online Engagement

31. The consultation documents were made available to view on the Emerging Local Plan for Derby (LPD) webpage. The 'Let's Talk Derby' consultation page included a link to this webpage and signposted to the consultation software for submitting online responses for the duration of the consultation.

32. A guidance note was published alongside the consultation material to provide a tutorial for how to use the online software, including how to create an account, add a representation, and edit responses.

33. The Council's Communications Team produced social media posts to advertise the consultation to a wider online audience. Posts signposting people to submit their responses were made public on Derby City Council's Facebook pages.

34. Ward councillors also circulated social media posts and postal material to their constituents to raise awareness of the consultation in progress.

35. The contents of the Local Plan and its consultation were covered in a number of news articles, including from Derbyshire Live.

36. An advert promoting the consultation was published within the Derby Telegraph.

2.2.3. Internal Engagement

37. Attention was given to ensuring that all council employees were made aware of the consultation to support wider promotion of the consultation through everyday interactions with the public and to give further opportunities for feedback on policies.

- Emails were sent council-wide to senior leadership teams, department heads, and councillors to inform them that the consultation had started.
- The consultation was also publicised via the MiNews platform, a weekly email sent to employees across the council to highlight key events.
- The internal-facing AV screens around the Council House included a communications graphic throughout the duration of the consultation period.
- The lockscreens for every employee laptop were updated to display a graphic promoting the consultation, serving as a continual reminder throughout the consultation period.
- Internal meetings were held with specific departments where requested.

38. All employees across the planning department also included set text within their email signatures to raise awareness of the Local Plan consultation during its duration.

Material and Photographs evidencing the consultation can be found in Appendix B.

3. Summary of Representations and Main Issues

39. In sum, 621 comments (representations) were received from 254 respondents on the material published for the Regulation 19 LPD consultation. Of these, 607 representations were submitted in response to the LPD Regulation 19 Submission Draft Local Plam. The further 14 representations related solely to the supporting documents.

40. The main issues identified through the Regulation 19 consultation relate to matters concerning:

- Methodology of calculating the housing requirement, including its overall quantum, relation to the plan period, and the city's unmet need.
- Representations against the allocation of specific housing sites (notably Stoney Lane)
- The classification of Stoney Lane as Grey Belt
- The allocation of a Gypsy and Traveler site at Wilmorton

41. Appendix D provides a summary of the representations received to the Regulation 19 consultation and includes a Council response to the matters raised.

42. Appendix E provides the full representations verbatim and their coinciding Council response.

Appendices

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Appendix A: List of Consultees

The following table lists the organisations and statutory bodies who received email correspondence informing of the Regulation 19 consultation.

Individuals signed up to the Local Plan mailing list, as well as respondents to the previous Regulation 18 consultation, also received notification of the Regulation 19 consultation commencement.

Active Travel England	Define Planning & Design	Findern Parish Council
Age UK	Derbion	Forestry Commission
Ainscough Strategic Land	Derby and Derbyshire Integrated Care Board (NHS)	Gladman
Amber Valley Borough Council	Derby BID Company	The Guinness Partnership
Aston-on-Trent Parish Council	Derby Canal Trust	Gypsy & Traveller Orgs
Avant Homes	Derby Cathedral	Hallam Land
Avison Young	Derby College	Harris Lamb
Barrett Homes	Derby Theatre	Harworth Group
Barrow-on-Trent Parish Council	Derbyshire County Council	Hawksmoor
Barton Wilmore	Derbyshire Fire Service	Heaton Planning
Bellway	Derbyshire Police	Henry Boot Developments
Bidwells	Derbyshire Wildlife Trust	Highways England
Bloor Homes	Derwent Valley Mills	Historic England
Boxall Brown & Jones Estate Agent	DPDS Consultants	Home Builders Federation
Breadsall OC	Duffield Parish Council	Homes England
Broadgrove planning & Development Ltd	East Midlands Ambulance Service	Ion Developments
Burnaston Parish Council	East Midlands Chamber	IM Land
Cadent Gas	East Midlands Combined Authority	Indurent
Canal and Rivers Trust	East Midlands Development Agency	Infinitas Design
Carney Sweeney	ELG Planning	Infinity Tech UK
Carter Jonas	Elvaston Parish Council	Johnson Mowat
Clowes Developments	Emery Planning	Keepmoat
Colliers	Environment Agency	Knight Frank
Compendium Living	Erewash District Council	Lathan Architects
Crystal Stream	Estates at HNS	Lichfields
Dale Abbey Parish Councils	Euro Fund Group	Lidl UK
Dandara Northern Homes Counties	Evolve Planning & Design	Little Eaton Parish Council
David Wilson Homes	Fisher German	Longhurst Group

Lucy White Planning	Quarndon Parish Council	Staton Young
Mackworth Parish Council	Quod	Stainton Planning
Masson8 Properties	Rapleys	Stenson Fields Parish Council
Marketing Derby	Radbourne Parish Council	St James Securities
Marrons	Raybould Estate Agent	Tetlow King
Miller Homes	Redrow Homes	Thornton Planning
Morley Parish Council	Rg+p Ltd	Toyota
National Trust	Rigby & Co	Traveller Movement
Natural England	RNIB	Turleys
Network Rail	RO-Land Group	Twyford & Stenson Parish Council
Nineteen 47	Rolls Royce	University of Derby
Nottingham City Council	Roscom	Urban Investments
Nottinghamshire County Council	RSPB	Urban Town Planning
Ockbrook Parish Council	Rural Solutions	Vinci Developments
Oxalis	Salloway Property Consultants	Wain Estates
Pacific Shelf	Savills	Walton & Co
Panorama Planning	Severn Trent	Wathalls Funeral Director
Peacock and Smith	Severn Trent Green Power	Wavensmere
Pegasus Planning	Simon Foote Architects	Weston-on-Trent Parish Council
Persimmon Homes	SJ Foster Planning	Wheeldon Homes
The Planning Bureau Ltd	South Derbyshire District Council	Wilson Bowden
Planning Design Group	Sport England	The Woodland Trust
Platform4	Spring Planning	WSP
Planware Ltd	SSA Planning	12Property
Prior Partners		

Appendix B: Proof of Consultation

Letter to database

Dear Sir/Madam

I am writing because you have previously expressed an interest in, or provided a representation on the Local Plan for Derby. The City Council is pleased to inform you that we are consulting on the Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft Plan.

The Council conducted an eight-week Regulation 18 consultation between January to March 2026. Comments received from partners, stakeholders and local residents have been reviewed and, where appropriate, amendments have been made to the plan.

The Council now considers that the Local Plan for Derby is ready to be 'Submitted' to the Secretary of State for Communities and Local Government for independent Examination by a Planning Inspector. Before we do this, however, we are required to conduct a final specific consultation exercise: Regulation 19 Consultation.

This consultation will provide individuals, businesses and organisations with the opportunity to comment on the 'Soundness' of the Plan, its legal and procedural compliance, and whether it is compliant with the Duty to Cooperate. The representations received will be considered by a Planning Inspector at an independent public 'Examination' at a date to be determined.

The consultation will run for six weeks from Monday 27 July 2026 until Tuesday 8th September 2026.

All of the relevant consultation material, including the Local Plan for Derby document, representation forms, guidance notes, and supporting evidence documents can be found on our Local Plan webpage Emerging Local Plan for Derby (LPD) - Derby City Council

Alternatively, printed copies of the following documents are available for inspection at the Council House and local libraries:

- Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft Plan
- Written Statement
- Policies Map
- Representation Forms
- Test of Soundness Guidance Note

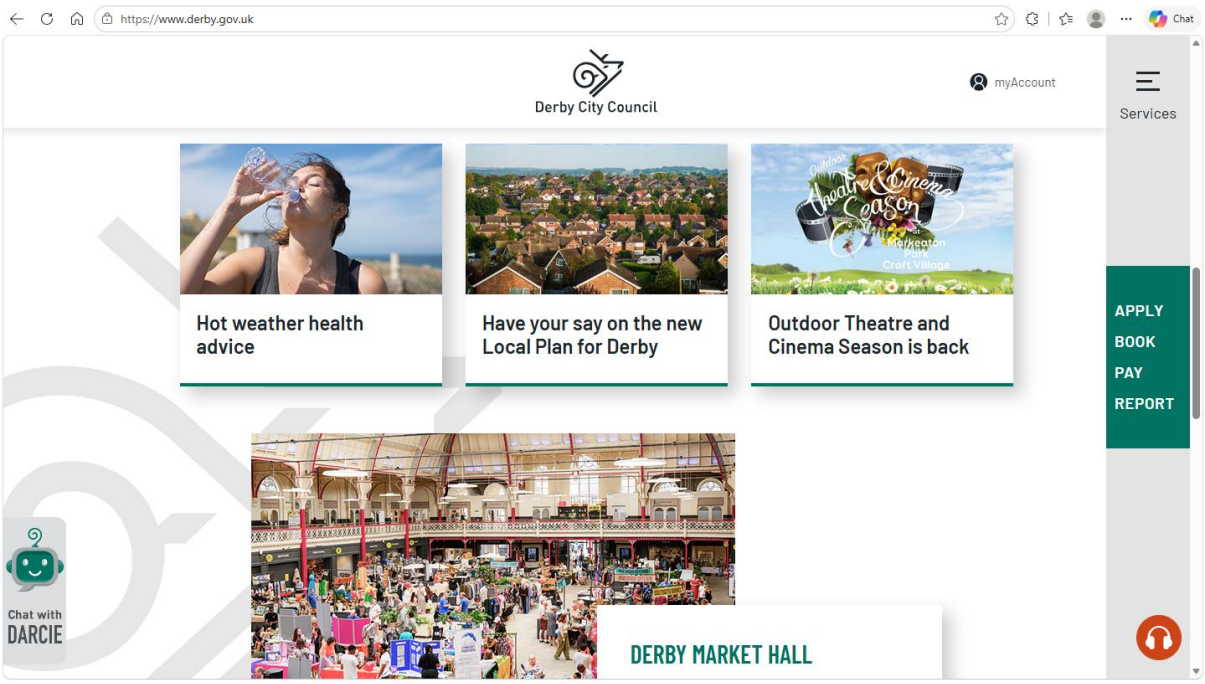
Library staff will also be able to help you access supporting evidence base documents online if necessary. Please contact the Planning Policy team at PlanningPolicy@derby.gov.uk if you require a printed version of any document(s).

We encourage you to use our online Local Plan portal where possible, as this is the most efficient way of submitting comments due to its ability to allow you to link your comments directly to the policy, map, diagram or paragraph it relates to.

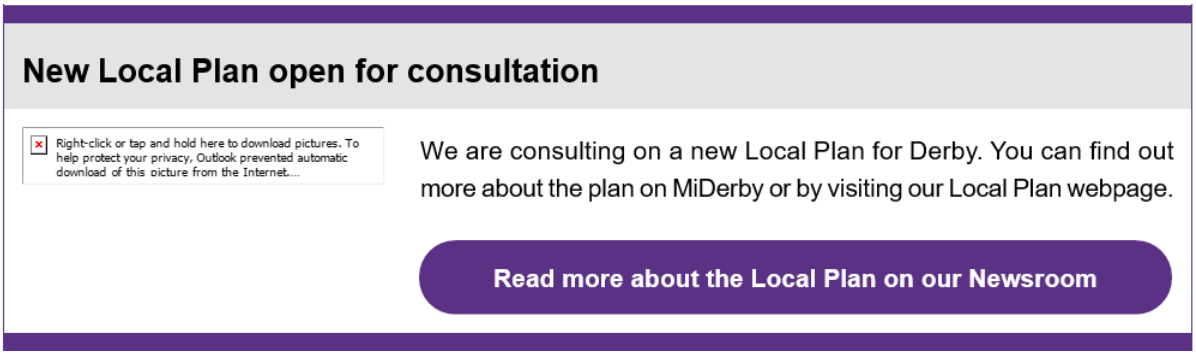
I have enclosed the 'Test of Soundness' Guidance Document we have prepared to this email. This document provides a detailed overview of the questions which will be asked at Regulation 19, and what factors should be considered when answering these.

If you require further information in alternative formats, please do not hesitate to contact us on our email address: PlanningPolicy@derby.gov.uk

Annex 1: Letter/ Email of Regulation 19 Consultation Commencement



Annex 2: Derby City Council Homepage Consultation Banner



Annex 3: Signpost to Consultation in Derby City Council MiNews, dated 31st July 2026



Consultation open:
27 July – 8 September 2026

Is the Local Plan for Derby:

- **Sound?**
- **Legally Compliant?**

Printed copies of the Local Plan are available in the Council House and at libraries across the city during usual opening hours.

If you cannot provide comments online, please contact the Policy Planning Team at **01332 640807** or **PlanningPolicy@derby.gov.uk** to request a response form.

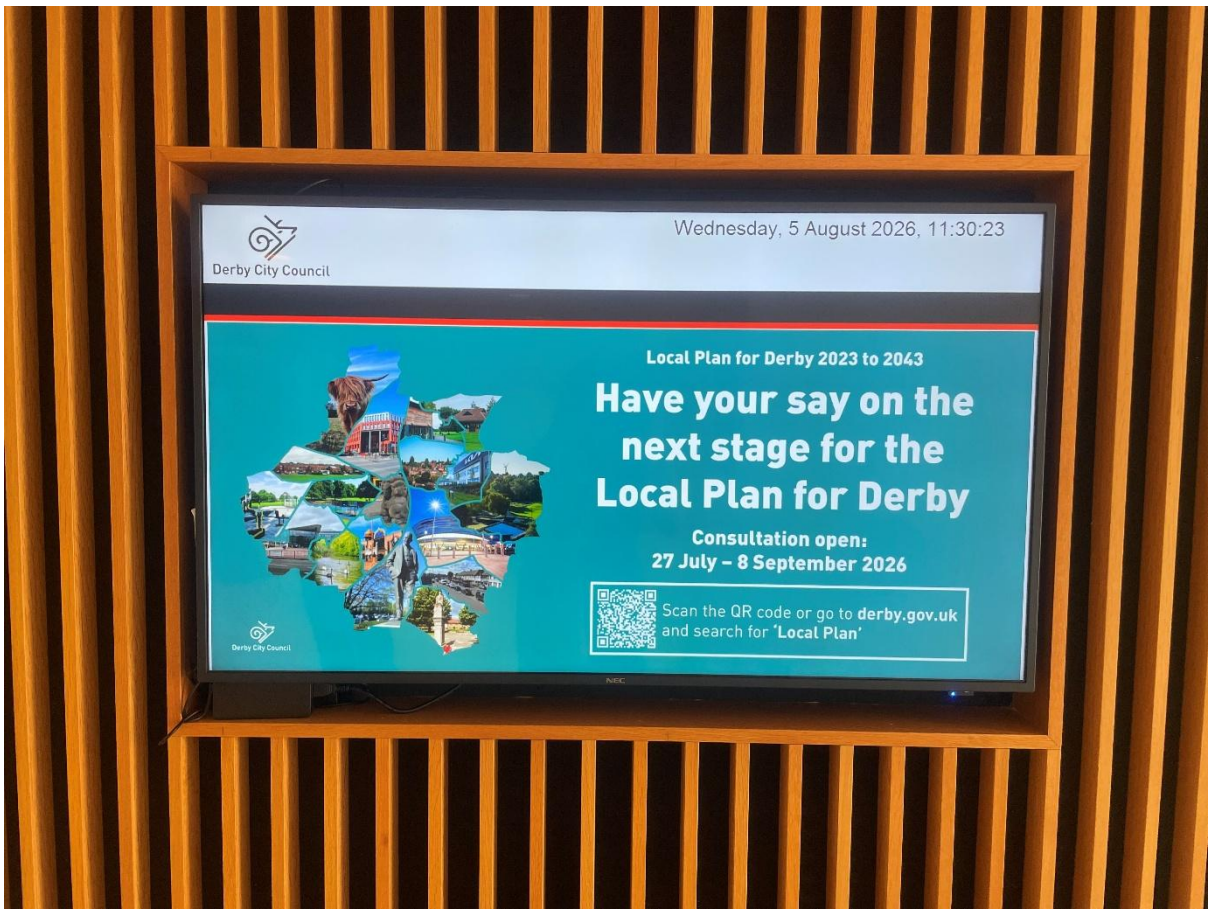
To find out more and respond to the consultation, scan the QR code or go to **derby.gov.uk** and search for **'Local Plan'**

Derby City Council

Annex 4: Consultation Poster



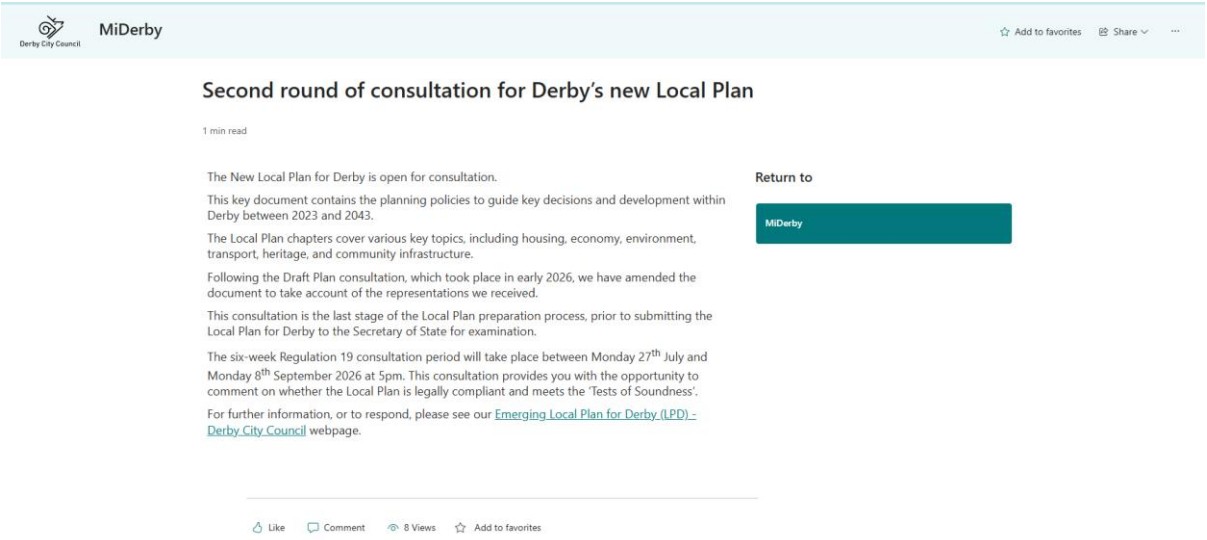
Annex 5: Derby City Council Colleagues Screensaver



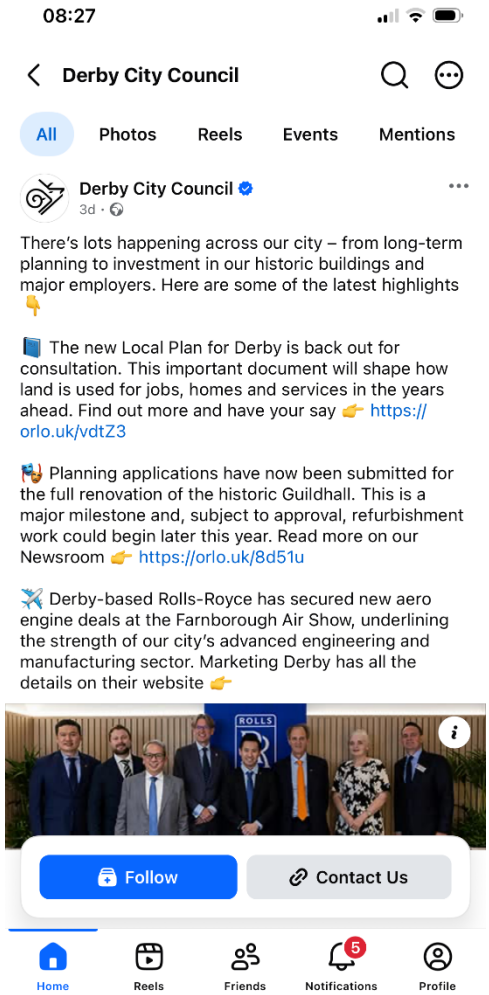
Annex 6: Consultation Screensaver on Public-Facing AV Screens in the Council House



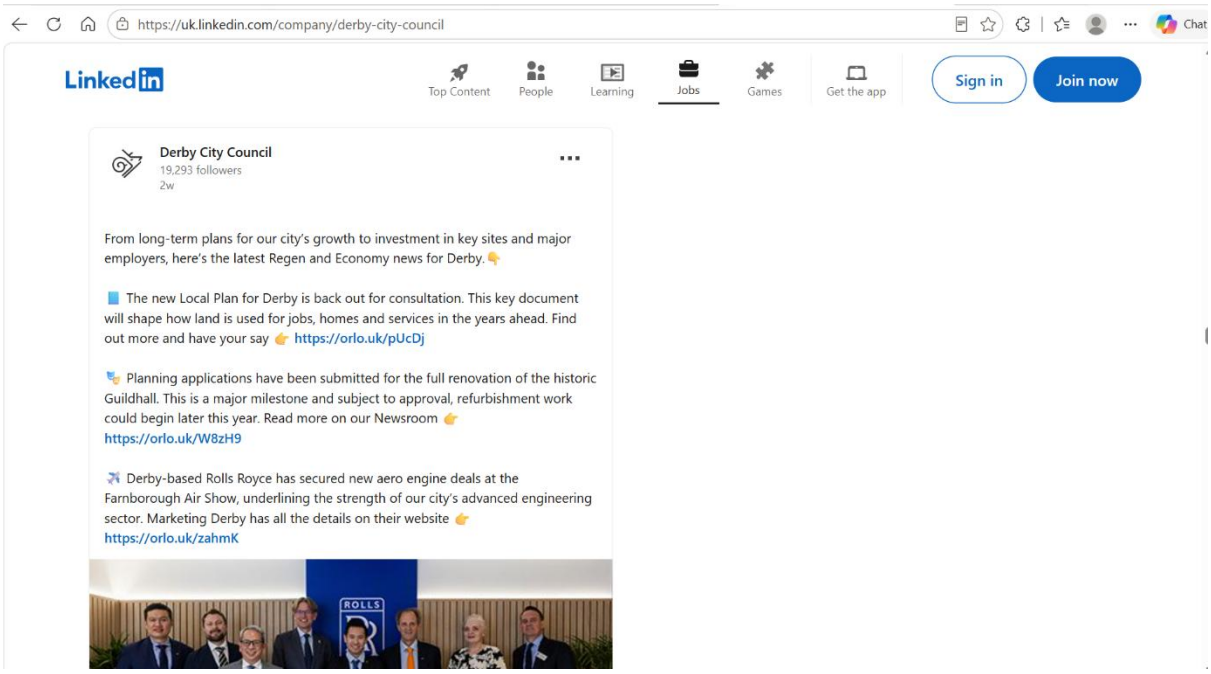
Annex 7: Consultation Screensaver on Public-Facing AV Screens in the Market Hall



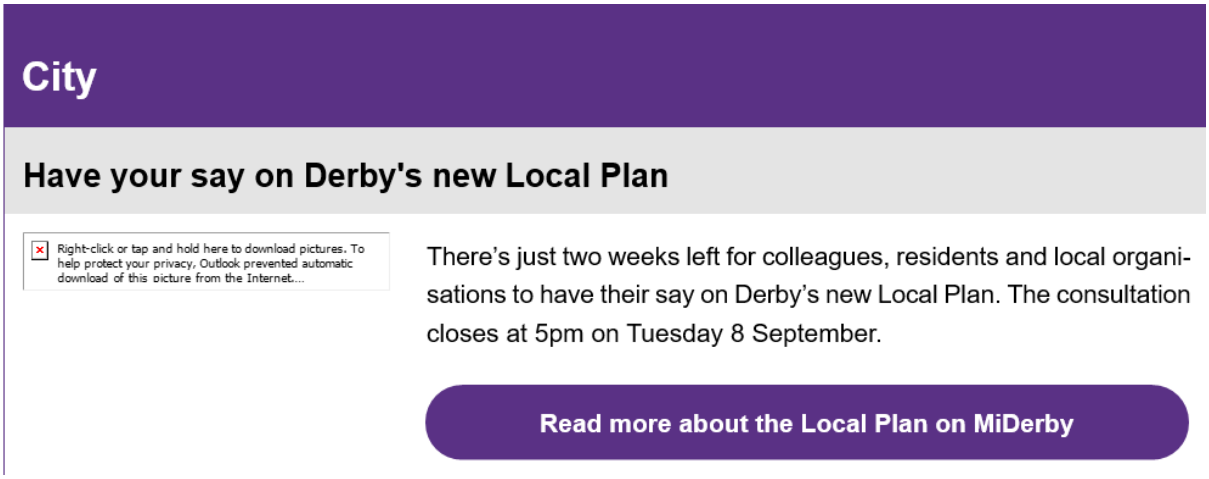
Annex 8: MiNews Article on Consultation Commencement, Dated 30th July 2026



Annex 9: Signpost to Consultation on Derby City Council's Facebook Page, Dated 28th July 2026



Annex 10: Signpost to Consultation on Derby City Council's LinkedIn Page, Dated 28th July 2026



Annex 11: Signpost to Consultation in Derby City Council MiNews (end of consultation reminder), dated 28th August 2026

Draft Local Plan for Derby: Between 27 July and 5pm on 8 September 2026 we are seeking your views on the soundness and legal compliance of the Draft Local Plan for Derby. For more information, including how to give us your feedback, please visit the Emerging Local Plan for Derby webpage.

Annex 12: Email Signature Text for Planning Colleagues

Derby City Council

Derby City Council

Local Plan for Derby 2023 to 2043
Regulation 19 Submission Draft Plan
Representation Form

Please use a separate sheet for each representation

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:	**Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft Plan**

Completed forms must be received by **5pm on Tuesday 8th of September 2026**
We would encourage you to respond online at using our Local Plan Consultation Software (more information on how to access the software can be found on our **Emerging Local Plan webpage:** https://www.derby.gov.uk/environment-and-planning/planning/local-plan/emerging/
Scan and email to: PlanningPolicy@derby.gov.uk

Post hard copy to the following address:
Spatial Planning
Derby City Council
FREEPOST
MID24259
Derby
DE1 2BR

We are required by law to make representations on local plans available for third parties to inspect on demand. At the pre-submission stage of consultation we are required to make all representations, including attributing your name to your comments, available for inspection on our web.

We are required to send your details to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination. In addition, your name will be made available to all participants in the examination.

By submitting a representation, you agree that "we can publish your name and send your comments to the Planning Inspectorate".

For more information, please refer to our Privacy Statement.

PART A – PERSONAL DETAILS
***If an agent is appointed, please complete only the Title, Name, and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.**

	1.	Personal Details	2.	Agent Details (if applicable)
Title				
First Name				
Last Name				
Job title (where relevant)				
Organisation (where relevant)				
Address Line 1				
Address Line 2				
Address Line 3				
Address Line 4				
Post Code				
Telephone number				
Email address (where relevant)				

PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	

3.	To which part of the Derby City Local Plan does this representation relate? (please tick relevant box)					
Paragraph		Policy		Policies Map		

4.	**Do you consider the Local Plan is:** **(please tick as appropriate)**				
4.1	**Legally Compliant**	**Yes**		**No**	
4.2	**Sound**	**Yes**		**No**	
4.3	**Complies with Duty to Cooperate**	**Yes**		**No**	

5.	**Please give details of why you consider the Derby City Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** **If you wish to support the legal compliance or soundness of the Derby City Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.** **(Continue on separate sheet/expand box if necessary)**

6.	**Please set out what modification(s) you consider necessary to make the Derby City Local Plan legally compliant or sound, having regard to the Matter you have identified at 5 above where this relates to soundness. (Please note that any non-compliance with the duty to co-operate is incapable of modification at examination).** **You will need to say why this modification will make the Derby City Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.** **(Continue on separate sheet/expand box if necessary)**

Please note *your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.	**If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

	No, I do not wish to participate at the oral examination		**Yes**, I wish to participate at the oral examination

8.	**If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature		**Date**	

Guide to Using Software

Registering for an Account:

In order to answer questions within the consultation software, you will be required to register for an account. When in a consultation document, you will be prompted to either sign up or login directly from the question, or by using the login button in the top right-hand side of the screen.

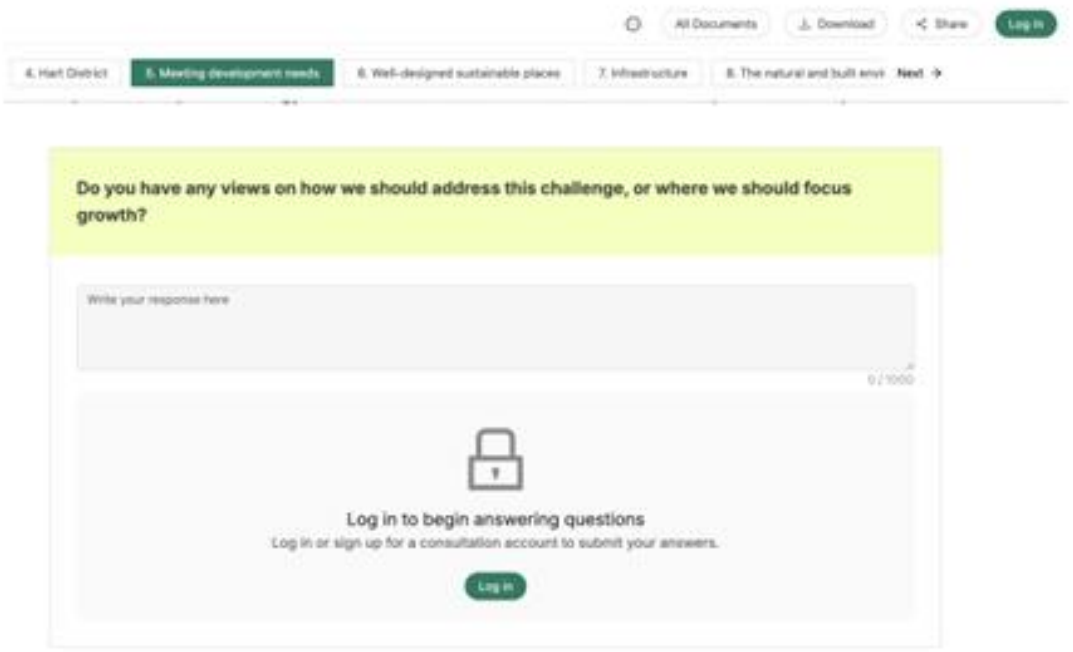


Figure 1: Image showing the location of the 'Log in' button when a user is within a consultation document (Credit - © Urban Intelligence, 2026.)

1. Create an account

When signing up for an account, you will be required to provide certain information and answer additional optional questions.

To sign up, please select one of the following 5 options:

- Resident
- Visitor
- Landowner
- Agent
- Organisation

Each option will require you to provide your first name, last name and email address.

If you are submitting a representation as a Landowner, Agent or Organisation, you will be prompted to answer additional questions, including:

Landowner

- How many properties do you own in the area?
- Property address and postcode

Agent

- How many clients you are responding on behalf of
- Client name and type
- Note: additional clients can be added once an account is made

Organisation

- Organisation name
- Organisation type
- Organisation address and postcode

2. Create a password

At this stage, you will be prompted to create a password and agree to the terms and conditions. If you forget your password, you will be able to reset it by requesting a password reset link.

1. You will be asked a number of demographic questions relating to the following characteristics:

- Age
- Sex
- Gender
- Health
- Religion
- Employment

These questions are optional, but will help us to understand the views of, and potential impacts on, different areas and groups of people within Derby.

3. Email verification

Once an account has been created, you will need to verify your email address before you can submit consultation responses. You will receive an email with a link to verify the account. Once verified you will be redirected back to the consultation login page, and will now be able to login to the consultation portal.

Please note that there may be a delay in receiving the email verification link, or it may be redirected to your spam folder.

Adding a Representation:

To add a representation, please locate the particular policy, paragraph, or image that you would like to comment on. When you have located the relevant section, please press the green add button, as shown in the image below (for web users):



Figure 2: Image showing the add comment button for web users.

On mobile devices, the comment button will appear below each paragraph/policy as shown below:

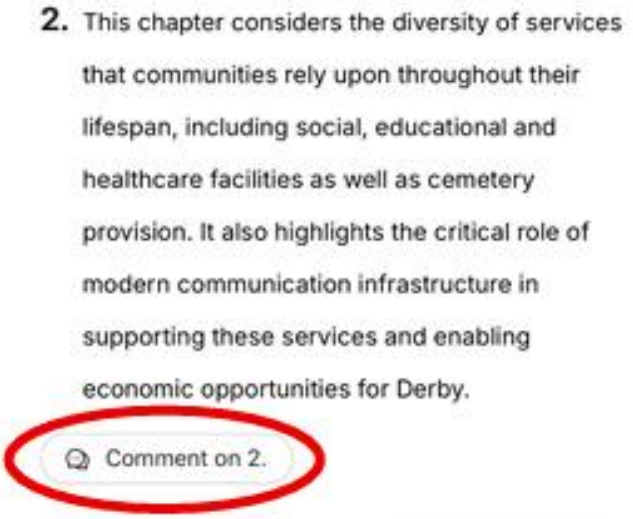


Figure 3: Image showing the 'Comment on ...' button for mobile/tablet users.

A panel will appear on the right of the screen which will direct you through several questions regarding the test of soundness and compliance of the Local Plan.



Figure 4: Image showing the question panel which you must fill out to provide your representation.

Please ensure that you press 'submit representation' once you have responded to the relevant question(s) to submit your comments.

Viewing your responses

Once you have successfully submitted a response, you will get a confirmation pop up in the bottom right of the screen.

View or edit responses

To view or edit your responses, click on your name icon in the top right hand corner. Select 'My responses' from the options in the menu to navigate to your responses.



Figure 5: Image showing the 'My responses' section of the menu which can be accessed by clicking on the name icon in the top right hand corner (Credit - © Urban Intelligence, 2026.)

Once you are in the 'My responses' section, you will be able to view all questions, including those you have answered, and those left unanswered.

From here you can edit and re-submit responses, and answer any questions which you have not yet answered.

Download response summary

To download a copy of your responses, navigate to the 'My responses' section by clicking on your name icon in the top right hand corner.

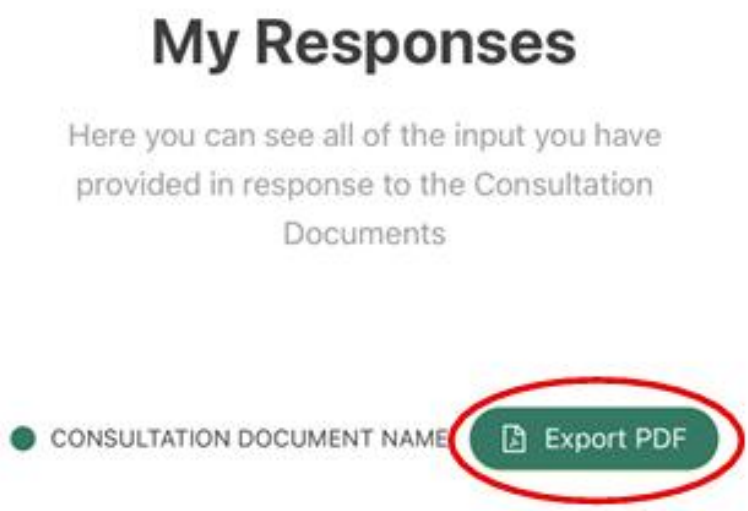


Figure 6: Image showing the 'Export PDF' button located within the 'My Responses' section.

There will be an option to download a pdf file of the responses you have made in relation to the consultation.

Annex 14: Guidance for How to Use the Consultation Software

Supporting Guidance Note for Libraries

July 2026

What is the Local Plan for Derby?

The Local Plan for Derby sets out the planning policies for the city to guide key decisions and development within Derby, between 2023 and 2043. The Local Plan chapters cover various key topics, including housing, economy, environment, transport, and community.

The best way to make a representation is through our Local Plan consultation software, which allows representations to be tied directly to the policy, map, diagram or paragraph it relates to. More information on the software, including our user guide can be found on our Local Plan webpage. As the last in a series of consultations, the Council has prepared the Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft Plan, along with several supporting documents, which you will find in this information pack. This updated document has taken into account the comments and representations we received during the previous Draft Plan (Regulation 18) consultation we conducted.

Between Monday 27th July and Tuesday 8th September 2026 the consultation will be open to representations from people, organisations and businesses on the Soundness and legal compliance of the Local Plan, and the processes we have used during its preparation. The pack contains details on which matters amount to issues of soundness or legal compliance.

At this stage of consultation, all valid representations made will be sent to the planning inspectorate who will examine the local plan (likely to take place in 2027).

The Contents of this Information Pack:

The following documents should be included within this information pack:

- A hard copy of the Local Plan for Derby 2023 to 2043 Regulation 19 Submission Draft Plan
- Policies Map
- Representation Forms
- Guide to Using the Local Plan Consultation Software
- Test of Soundness Guidance Note
- Information Pack Guidance Sheet for Libraries
- Evidence Base Webpage QR code poster

Where can the Local Plan and its supporting documents be viewed?

The Regulation 19 Submission Draft Plan, alongside our evidence library, and all supporting documents can be viewed at https://www.derby.gov.uk/environment-and-planning/planning/local-plan/emerging/

Paper copies of the documents are available in libraries across Derby. Please display the documents included in this information pack in an easily accessible place within the library for all users.

If any of the documents contained within this pack become lost or damaged, we will be more than happy to provide you with a replacement(s). Please contact us at (email) if this occurs, or if you need additional information or support.

How can people submit their representations?

The best way to make a representation is through our Local Plan consultation software, which allows representations to be tied directly to the policy, map, diagram or paragraph it relates to. More information on the software, including our user guide can be found on our Local Plan webpage.

Alternatively, please return your completed consultation response form to us using your own envelope addressed to:

Local Plan for Derby Consultation, Derby City Council, FREEPOST, MID24259, DERBY, DE1 2BR

When completing the form please ensure that you:

- Complete a new representation form for each representation you wish to make
- Clearly identify which policy, policies map reference, diagram or part of the Local Plan your representation relates to
- Indicate by ticking the relevant box if you wish to speak at the Examination Hearing

Please note that any representations received after 5:30 pm on Tuesday 8th September 2026 will not be accepted or considered as part of the consultation.

Sharing your personal details:

Please be aware that due to the Independent Examination process which will take place, a name and means of contact will be required in order for your representation to be considered. Respondent details and comments will be forwarded to the Inspector

conducting the examination of the Local Plan following the end of the Proposed Submission period.

All data will be managed by a Programme Officer, who acts as the point of contact between the Council, the Inspector, and all respondents.

What happens next?

All representations received will be recorded and considered, with all representations submitted during the Regulation 19 consultation being sent to an Independent Inspector. Furthermore, all comments will be collated within a Consultation Statement.

Thank you!

We would like to thank you for your support and involvement with the Local Plan so far, in helping us ensure that this important document which will shape the future of Derby, is accessible to all. Please let us know if you require any further information or support at PlanningPolicy@derby.gov.uk.

Annex 15: Guidance Note for Libraries

Local Plan for Derby – Regulation 19 Consultation

What is the Test of Soundness?

July 2026

We are now undertaking a final consultation before we submit the Local Plan for Derby to the Secretary of State for Communities and Local Government, to be examined by an appointed independent Planning Inspector.

Unlike our previous consultations, the Regulation 19 consultation will provide you with an opportunity to comment on the way we prepared the Local Plan. These questions are commonly known as the 'Test of Soundness'. These are the questions which the independent Planning Inspectorate will be asking during the examination process.

We are required by law to make representations on local plans available for third parties to inspect on demand. At the pre-submission stage of consultation we are required to make all representations, including attributing your name to your comments, available for inspection on our web.

We are required to send your details to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination. In addition, your name will be made available to all participants in the examination.

By submitting a representation, you agree that "we can publish your name and send your comments to the Planning Inspectorate".

For more information, please refer to our Privacy Statement.

For this consultation we are asking you to consider two questions:

Question 1: Do you consider the Local Plan is Legally Compliant?

You should consider the following before making a representation on the legal compliance of the Local Plan:

- Whether the Local Plan has regard to national policy and guidance issued by the Secretary of State?
- Whether the Local Plan's strategy has regard to the Council Plan 2025-2026?
- Whether the Local Plan has been prepared in-line with our Local Development Scheme (LDS). The LDS is effectively a programme of work prepared by the Council, setting out the documents to be produced. It sets out the key stages in the production of any documents which the Council propose to bring forward for independent examination.

Derby City Council

- Whether community consultation has been carried out in accordance with our adopted Statement of Community Involvement?
- The Local Plan should comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. On submission of the Local Plan, the Council must publish the documents prescribed in the regulations and make them available at their principal offices and on their website.
- Whether the appropriate notifications have been made.
- Whether a Sustainability Appraisal assessing social, environmental and economic factors has been done and made public.

Question 2: Do you consider the Local Plan is Sound?

As part of the examination, the Independent Planning Inspector is required to consider if our Local Plan has been **positively prepared**, **justified**, is **effective** and is **consistent with national policy**.

The tests of soundness are set out in paragraph 36 of the National Planning Policy Framework (NPPF).

For the Plan to be considered sound, it must meet four tests:

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;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

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;

Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

General Advice:

If you wish to make a representation seeking a modification to a plan or particular policy, you should set out clearly in what way you consider this aspect to be legally non-compliant or unsound. When submitting comments our forms will ask you to refer to a policy, policies map reference, diagram, or paragraph in the Plan or supporting document, and to Your representation should be based on the criteria listed above and

should be supported by evidence wherever possible. We also encourage you to provide us with details of the modifications you believe should be made to the plan.

The representation questions form will ask you to provide all of the relevant supporting information and evidence necessary to support your representation and suggested modification. You should not assume that you will have a further opportunity to make submissions. Any submissions made after the plan has been submitted for examination may only be made if invited by the Inspector, based on the matters and issues which he or she identifies.

Where groups or individuals share the same viewpoint on the plan, we encourage you to make a single representation capturing this view, as opposed to submitting individual representations. If submitting a group representation, please provide details of how many individuals the comments are representing, and the method of which it has been authorised.

Please consider and provide details of the way in which you would like your representation to be dealt with in the examination: are you content to rely on your written representation, or would you like to take part in hearing session(s). Please note that only representors who are seeking a change to the plan have a right to be heard at the hearing session(s) if they so request. It is also important to note that written and oral representations carry the same weight and will be given equal consideration in the examination process.



Supporting Guidance Note for Neighbourhood Managers

July 2026

What is the Local Plan for Derby?

The Local Plan for Derby sets out the planning policies for the city to guide key decisions and development within Derby, between 2023 and 2043. The Local Plan chapters cover various key topics, including housing, economy, environment, transport, and community.

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- Evidence Base QR code Webpage URL slip

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Derby City Council

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- Clearly identify which policy, policies map reference, diagram or part of the Local Plan your representation relates to
- Indicate by ticking the relevant box if you wish to speak at the Examination Hearing

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Sharing your personal details:

Please be aware that due to the Independent Examination process which will take place, a name and means of contact will be required in order for your representation to be considered. Respondent details and comments will be forwarded to the Inspector conducting the examination of the Local Plan following the end of the Proposed Submission period.

All data will be managed by a Programme Officer, who acts as the point of contact between the Council, the Inspector, and all respondents.

What happens next?

All representations received will be recorded and considered, with all representations submitted during the Regulation 19 consultation being sent to an Independent Inspector. Furthermore, all comments will be collated within a Consultation Statement.

Thank you!

We would like to thank you for your support and involvement with the Local Plan so far, in helping us ensure that this important document which will shape the future of Derby, is accessible to all. Please let us know if you require any further information or support at PlanningPolicy@derby.gov.uk.

Derby City Council

Annex 17: Guidance Note for Neighbourhood Managers


website in Application Document 2.1 Location Plan Order Limits [APP-024D].
The MCO Application can be viewed on the project page of the Planning Inspectorate's Infrastructure Planning website under the Documents tab:
https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR0510002
A map showing the location of the land subject to the MCO Application can be viewed online on t website in Application Document MCO 2.1 Location Plan Order Limits [APP-059M].
Further information regarding the DCO Application and the MCO Application and its accom documents, plans and maps may be obtained from SEGRO Properties Limited and SEGRO (EMG by using the following contact details:
Telephone: 02475 529730
On-line: Using the "Contact us" tab at www.segro.com/slpemg2
A copy of the DCO Application and MCO Application documents can also be provided free of cl a USB stick. Alternatively, paper copies can be obtained but a charge, up to a maximum of £60(made to cover printing, postage and VAT at 20%. To request a USB stick or paper copies or fo regarding payment methods please use the contact details provided above.
DERBY CITY COUNCIL
Local Plan for Derby Regulation 19 Consultation
Consultation open:
27th July 2026 - 8th September 2026
Is the Local Plan for Derby:
• Sound?
• Legally Compliant?
The Local Plan and key supporting documents can be found in libraries across the city as well as in the Council House. There is also guidance on what the plan must demonstrate to be sound and legally compliant.
Alternatively, the Plan and our full evidence base can be found at:
https://www.derby.gov.uk/environment-and-planning/planning/local-plan/emerging/
Any item any price free online
Self -Serv
your adve
in a flash
online
marketplacelive

Annex 18: Advert in Derby Telegraph

Appendix C: Statement of Community Involvement Compliance Table

The following table illustrates the compliance of both the Regulation 18 and Regulation 19 consultations with the methodology stated by the Statement of Community Involvement (SCI).

Methods of Consultation	Development Plan Preparation Stages	
	Regulation 18	Regulation 19
Provide the contact details for the Planning Policy Team	✓	✓
Place information and documents on the Council's website	✓	✓
Send stakeholder notifications by letter or email	✓	✓
Make information and documents available for inspection at the Council House and other publicly accessible locations where practicable	✓	✓
Place adverts or statutory notice in the Derby Telegraph	✗	✓
Put posters in public buildings	✓	✓
Publish articles in the Derby Newsroom	✓	✓
Hold exhibitions or drop-in events in publicly accessible buildings	✓	✗
Hold workshops and meetings with community groups and other stakeholders	✓	✗
Hold face-to-face meetings	✓	✓
Use the Council's internal communications network	✓	✓
Use online consultation platforms such a Let's Talk Derby	✓	✓
Engage with groups we need to reach out to	✓	✓
Internal consultation within Derby City Council	✓	✓
Publicise through the Council's external partners	✓	✓
Use social media such as Facebook and Twitter/ Instagram	✓	✓

Appendix D: Regulation 20 Representations Summary and Council Response

The following Appendix summarises the representations made to the Regulation 19 Local Plan for Derby, its appendices and supporting documents. The Council's response to the main issues raised by consultees is also given for each component of the Plan. This section is pursuant to Regulation 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In total, 621 comments were received from 254 representors. Where representations discussed more than one site, policy, or issue, officers have assigned each element of the representation to its applicable location for summary and Council response. The relevant section to read such representations are signposted accordingly.

Appendix D is comprised of 3 parts:

PART A	**Representations of the Regulation 19 Local Plan Document** This section of the report is broken down into the chapters and organised policy by policy in the same order as the Regulation 19 Plan. For each policy, the representor identification number and names are listed, the comments summarised, and a response given by the Council.
PART B	**Representations of Appendices of the Regulation 19 Local Plan Document** This section provides the summary and Council response for representations made on the Appendices to the Local Plan for Derby Regulation 19 Document.
PART C	**Representations of the evidence base** Representation summaries and the Council's response is given for the following documents within the evidence base: • Sustainability Appraisal • Habitat Regulations Assessment • Equalities Impact Assessment • Green Wedge Review • Transport Modelling • Viability Assessment • Infrastructure Delivery Plan

Please note the following during the reading of this Appendix:

- All comments received during the Regulation 19 Local Plan for Derby consultation have been fully reviewed by DCC officers. Whilst care has been taken to reflect the main points expressed through the consultation responses,

not every viewpoint or representation can be contained in a summary. Each representation verbatim can be viewed separately at:

https://www.derby.gov.uk/environment-and-planning/planning/local-plan/evidence-base/#page-1

- This Appendix utilises the updated policy numbering and titles within the Regulation 19 Local Plan for Derby Submission Document, which differ from the Regulation 18 version of the Plan.

PART A: Representations of the Regulation 19 Local Plan Document

1. Introduction

Representations on Chapter 1 - Introduction

In total, seven representations were received from the following seven consultees for this chapter (Paragraphs 1 to 3):

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[OR233] The Coal Authority
[OR104 & C519] George Fletcher	[C507] Community Campaigner David Barton
[OR261] Emery Planning on behalf of Seabridge Developments Limited	[OR259] Emery Planning on behalf of The Strategic Land Group
[OR230] Marrons on behalf of Ainscough Strategic Land	

Support

- Carney Sweeney on behalf of Peveril Homes Limited finds this chapter sound.
- Marrons on behalf of Ainscough Strategic Land finds this chapter sound with the proposed plan period to 2043 providing an appropriate long-term framework
- The Coal Authority confirmed that their records do not indicate the presence of any coal mining features at surface or shallow depth are recorded within the city.

Summary of Main Issues

- George Fletcher stated that the regulation 18 consultation was null and void because nobody was told of its existence.
- David Barton emphasised that design codes for new construction should be included.
- Emery Planning on behalf of Seabridge Developments Limited and The Strategic Land Group state that the Plan period is incorrect, not being in accordance with NPPF paragraph 22, requiring strategic policies to cover a 15-year plan period from adoption. It is suggested that the period should cover until 2044 as a minimum, but preferably to 2045.

Council's Response:

- Details of how the Regulation 18 consultation was carried out and publicised are set out in Part 1 of the Consultation Statement. The Regulation 19 consultation has given all parties a further opportunity to comment on the Plan. No change required.

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, without prescribing to a single architectural style. No change required.
- The Plan looks ahead to 2043 and paragraph 752 sets out the circumstances that would trigger its review. Recent examinations, including Leicester and Charnwood in 2026, have accepted plan periods of less than 15 years from adoption where extending them would delay plan-led delivery across a housing market area, which would be the case in the Derby HMA. No change required

2. Spatial Portrait

Representations on Chapter 2 – Spatial Portrait

In total, 16 representations were received from the following seven consultees for this chapter (Paragraphs 4 to 29):

[C507] David Barton	[C537] Rod Hoddinott
[C533] Jordan Booth	[C510] Marsha Ramroop (Unheard Voice Consultancy Ltd)
[OR162] Historic England	[C53] Roy Woolley
[OR104 & C519] George Fletcher	

Support

- Historic England finds this chapter sound.
- Marsha Ramroop supports the Spatial Portrait's consideration of inclusion and the acknowledgement of spatial inequalities and uneven patterns of deprivation persist across the city.

Summary of Main Issues

- Many of the comments made on this chapter were in objection to Policy HA16, the Gypsy and Traveller site allocation at Wilmorton. These comments considered the Spatial Portrait's reflections on the current green space, green wedge and green infrastructure provision across the city and deems the allocation of the Wilmorton site as contrary to the baseline profile. Respondents propose that an alternate location for the gypsy and traveller site be sought that does not result in the loss of green space.
- George Fletcher stated that no mental health assessment has been made for the impact upon Wilmorton residents for the loss of the local green space with Policy HA16 and that this is contrary to the stated aim of improving wellbeing.
- Roy Woolley considered this chapter is unsound as Paragraph 10 cites Moorways Sports Village as providing versatile leisure "for the whole community", whilst the closure of Queen Street Baths as centralised aquatic provision to this one facility and furthered the social deficit. Woolley states that the Infrastructure Delivery Plan should be utilised to secure funding for indoor sports and aquatic facilities.
- David Barton emphasised that design codes for new construction should be included.
- Marsha Ramroop provides supportive comments but emphasises that the City's inclusivity commitments should be supported by policy wording that holds at examination and is delivered.

Council's Response:

- Policy HA16 requires that the land outside the fenced pitches remain as improved accessible public open space. Alternative sites are set out in the Gypsy and Traveller Site Provision Topic Paper, and no brownfield sites were promoted through the call for sites nor made otherwise available. No change required.
- Decisions on the operation of individual leisure facilities, such as Queen Street Baths, are made outside of the Local Plan process; the Infrastructure Delivery Plan identifies the infrastructure needed to support the planned growth. Policy GD9 secures develop contributions where justified. No change required.
- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, without prescribing to a single architectural style. No change required.
- Specific references to inclusion are responded to under their relevant policies and the Council will continue to engage in inclusive engagement as the Plan progresses. As such, no change is required.

3. Vision and Objectives

Representations on Chapter 3 – Vision and Objectives

In total, 41 representations were received from the following 14 consultees for this chapter (Paragraphs 30 to 69):

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[OR255] South Derbyshire District Council
[C507] Community Campaigner David Barton	[OR104 & C519] George Fletcher
[OR36] Derby Climate Coalition	[OR513] Matthew Buchanan
[OR161] Derbyshire County Council	[OR29] The Woodland Trust
[OR162] Historic England	[OR41] Councillor Tim Prosser
[OR128] Home Builders Federation	[OR230] Marrons on behalf of Ainscough Strategic Land
[C537] Rob Hoddinott	[OR80] Councillor J Wright

Support

Individual paragraphs and objectives in this chapter were considered to be sound by a number of representors. These are: Carney Sweeney on behalf of Peveril Homes Limited, Historic England, South Derbyshire District Council, Marrons on behalf of Ainscough Strategic Land, Derbyshire County Council and Derby Climate Coalition.

Summary of Main Issues

- Carney Sweeney noted that the Vision does not specifically deal with the level of housing need, and suggested the Council may wish to consider whether it should be more explicitly reflected
- David Barton emphasised that design codes for new construction should be included.
- The Home Builders Federation welcomed the vision but suggested that the Plan could be doing more to support SME builders and that the role of all new housing, including open market housing is more explicitly recognised in creating a sustainable Derby and wider-Derby region.
- A number of objections have been made by George Fletcher, Rob Hoddinott and Matthew Buchanan to various paragraphs and Objectives in the chapter in relation to the allocation of a Gypsy and Traveller site under policy HA16 and that it should be moved to a brownfield site. Concern was also raised regarding the ability of the area to meet social needs.
- Councillor Prosser objected to two paragraphs, stating that the Regulation 19 document contained amendments which were not agreed in the draft document
- The Woodland Trust objected to paragraph 40due to the policy/supporting text not clearly demonstrating how growth beyond the city's boundaries will be planned and managed in a manner consistent with the protection afforded to irreplaceable

habitats in national policy. The plan should include explicit wording confirming that proposals will be in accordance with national guidance.

- Councillor Wright states that it is not justified. At a meeting on 26th February the Council approved an amendment to the MTFP that funding be added to support additional residential capacity in the City Centre. This would provide a counterbalance to the 'Green Belt Review' that examined the city's green belt, wedges and other green spaces to identify locations for residential development. The report regarding brownfield sites has not yet been produced. This makes the emerging plan not balanced.

Council's Response:

- The Vision commits to delivering homes sufficient to meet the needs of a growing population (paragraph 32), and the scale of need and how it will be met is set out in Section 4 and Policy H1. No change required.
- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, without prescribing to a single architectural style. No change required.
- The Plan allocates sites of varying sizes, and the windfall allowance is founded on the historic delivery of small sites, which are typically built by SME builders, as set out in the Windfall Allowance Paper. The Vision already recognises the role of 'different types, sizes and tenures of homes, both for market sale and affordable housing in meeting the city's needs' (paragraph 32). No change required.
- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. No private brownfield or other sites were promoted for Gypsy and Traveller use, as set out in the Gypsy and Traveller Site Provision Topic Paper. The Topic Paper explains that the site was chosen because it can meet the full identified need on one site, with independent access and good access to schools, health services and shops. No change required.
- The Regulation 19 consultation was carried out on the published Plan, and all parties, including councillors, have had the opportunity to comment on its content. The Council is satisfied that the Plan has been prepared in accordance with the relevant legal and procedural requirements. No change required.
- Paragraph 40 concerns development outside the control of the City Council's boundaries. We would work with HMA partners (or within the context of local government re-organisation) to promote a vision for sustainable growth (as set out in para 40) which includes these protections. However currently they are outside our planning control and would depend on the adjacent authorities' local plans and national policy. Ancient woodland and other irreplaceable habitats are protected by national policy and by Policies EN8 and EN9, which apply to all development in the city. Growth outside the city boundary will be planned through the relevant neighbouring local plans, which are subject to the same national policy protection. No change required.

- The City Centre housing capacity work commissioned following the Council's budget decision has identified further opportunities for homes on upper floors and infill sites, which supports the Plan's City Centre strategy and windfall allowance. The City Centre Topic Paper, which was part-funded from this budget will be published alongside the evidence base at submission. The Plan already follows a brownfield and City Centre first approach, releasing Green Belt and Green Wedge land only where needed, as set out in the Housing Requirement and Spatial Strategy Topic Paper. No change required.

4. Overarching Spatial Strategy

Representations on Chapter 4 – Overarching Spatial Strategy

In total, 11 representations were received from the following seven consultees for this chapter (Paragraphs 70 to 90):

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[OR255] South Derbyshire District Council
[OR240] Pegasus Planning on behalf of Catesby Estates	[OR104 & C519] George Fletcher
[C507] David Barton	[C537] Rob Hoddinott
[OR128] Home Builders Federation	

Support

Carney Sweeney on behalf of Peveril Homes Limited finds this chapter sound.

Summary of Main Issues

- Pegasus Planning on behalf of Catesby Estates challenged the 12,500 capacity, stating that, now the plan period has been extended by an additional three years, it is unclear whether the evidence underpinning the capacity figure is up to date. Pegasus provided their own calculations to highlight a potential HMA shortfall.
- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.
- The Home Builders Federation requested that the Plan set out a logical settlement hierarchy. Also, the HBF stated that the Plan should deliverable and developable sites across the area, in order to provide competition and choice to ensure that housing needs are met in full.
- Rob Hoddinott and George Fletcher stated that the aims of the Plan's strategy had not been followed when allocating a site at Wilmorton for a Gypsy and Traveller site.

Council's Response:

- The derivation of the 12,500-capacity figure is set out in Section 11 of the Housing Requirement and Spatial Strategy Topic Paper, and the figure is agreed across the Derby HMA through the Statement of Common Ground, which will be updated as the HMA plans progress. The Sustainability Appraisal outlines the reasons for selecting the alternatives assessed (Section 5 and Appendix C), as Schedule 2 of the SEA Regulations requires, and the reasons for preferring Option A are explained in Section 4 of the Site Selection Topic Paper. No change required.
- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a

single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

- Derby is a single urban area, so a settlement hierarchy is not relevant. The spatial strategy prioritises the City Centre and previously developed land and allocates a range of site sizes and types, as set out in the Site Selection Topic Paper. No change required.
- The Gypsy and Traveller Site Provision Topic Paper set out how, with no private brownfield sites being promoted, nearly 90 Council-owned sites were assessed and shortlisted to nine, which were appraised against the same criteria. Policy HA16 retains the land beyond the fenced pitches as accessible public open space. No change required.

5. General Development

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 91 to 92 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 91 to 92.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Policy GD1: Placemaking Principles

In total, 11 representations were received from the following six consultees for this policy:

[OR162] Historic England	[OR128] Home Builders Foundation
[OR104 & C519] George Flecther	[OR256] Pegasus Group on behalf of Miller Homes, William David and Miller Gadsby (Heatherton) Ltd
[C510] Marsha Ramroop, Unheard Voice Consultancy Ltd	[C537] Rob Hoddinott

Support

- Historic England support this policy.
- Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby support the approach to density as set out in this policy and Policy H2, particularly the flexibility that allows proposals to respond to context and function in more suburban locations.

- Marsha Ramroop strongly supports the policy's commitment to resist the dilution of design quality after permission, the supporting text's honesty at paragraph 102 and the recognition that quality can depend on development teams with adequate skills and the right mindset.

Summary of Main Issues

- The Home Builders Federation do not consider the policy to be sound as it references the Council's Design Guidance, seeking to give it full Local Plan status. They assert that the policy is not justified, effective or consistent with national policy because of this.
- George Fletcher notes that the proposed allocation of land at Wilmorton Park (HA16) for Gypsy and Traveller accommodation is contrary to several of the principles listed in this policy including, optimising opportunities to incorporate green infrastructure and biodiversity into proposals, reducing health inequalities, avoiding irregular intrusion into open countryside, Green Wedges, Green Gaps and Green Belt and responding to character and context.
- Rob Hoddinott also makes the point that the allocation of HA16 for Gypsy and Traveller accommodation goes against the principle of incorporating green space into proposals.
- Marsha Ramroop requests that additional text is added to require major schemes to submit a schedule of design, social and environmental commitments on which permission was granted, in order to fix them at the point of consent. Any future amendments to reduce these commitments should be supported by explicit trade off analysis and signed off by senior officers or committee level, rather than through non-material amendments signed off at officer level.
- Marsha Ramroop makes the point that membership of design review panels should reflect the makeup of the city and include access and community perspectives as well as architectural.

Council's Response:

- Policy GD1 signposts the National Design Guide and the Council's own design guidance as sources of further information; it does not give them development plan status. No change required.
- Support for the approach to density is welcomed. Policy GD1 seeks to optimise densities rather than impose a minimum outside the City Centre, and Policy H2 allows lower densities where there are clear environmental reasons, so development can respond to edge-of-city character.
- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. The site selection process and alternatives are set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.
- Where a proposal seeks to 'dilute' potential benefits of a previously approved scheme, the impacts are assessed through the Development Management process and weighed in the balance against other factors. The manner in which

this is balancing exercise is undertaken and reported is a matter for the Development Management process as opposed to the Local Plan.

- The point relating to the membership of design panels is noted, although it is outside of the scope of the Local Plan to influence this.

Policy GD2: Character and Context

In total, one representation was received from the following consultee for this policy:

[OR162] Historic England	

Support

Historic England support the policy and references to heritage.

Summary of Main Issues

- Historic England recommend that additional text is added to identify what evidence base will be required to be submitted alongside planning applications to ensure that the policy is effective and enforceable.

Council's Response:

- Support welcomed. The evidence required to accompany planning applications is set by the Council's validation requirements rather than the Plan. No change required.

Policy GD3: Amenity

In total, two representations were received from the following two consultees for this policy:

[C537] Rob Hoddinott	OR104 & C519] George Flecther

Support

No representations were received in support of this policy.

Summary of Main Issues

- Rob Hoddinott asserts that allocation HA16 will impact the amenity of current residents through bringing more traffic to narrow and densely packed streets. It is also noted that no impact assessment has been shared with the public.
- George Fletcher asserts that there is no evidence that the Council has assessed the impacts of replacing part of Wilmorton Park with Gypsy and Traveller accommodation and that local people were not adequately informed of the consultation.

Council's Response:

- The Gypsy and Traveller Site Provision Topic Paper identifies the potential for an independent access from the main road adjacent to the site, and Policy HA16 requires the exact access arrangements to be considered in detail at application stage. Policy GD3 will protect the amenity of existing residents. No change required.
- Details of how the Regulation 18 consultation was carried out and publicised are set out in Part 1 of the Consultation Statement, and the Regulation 19 consultation was open to all. The site selection process for Policy HA16 is set out in the Gypsy and Traveller Site Provision Topic Paper, and the policy retains the land beyond the fenced pitches as accessible public open space. No change required.

Policy GD4: Accessible Places

In total, two representations were received from the following two consultees for this policy:

[C510] Marsha Ramroop, Unheard Voice Consultancy Ltd	[C537] Rob Hoddinott

Support

No representations were received in support of this policy.

Summary of Main Issues

- Marsha Ramroop objects to the limited detail in the policy, yet it covers the dimension with strongest statutory underpinning through the Equality Act (2010) and Public Sector Equality Duty. It is recommended that the policy is amended to set out the standards that applicants must design to, including relevant Building Regulations, accessibility standards and recognised sector guidance. The respondent also suggests that inclusive design statements should be required for all major development, setting out how access needs have been addressed, evidence of engagement with disabled people and access experts as well committing the Council to include access experts and lived experience of disability on design review panels.
- Rob Hoddinott asserts that allocation HA16 will reduce an area which can bring people together to improve social cohesion.

Council's Response:

- Policy GD4 requires applicants to demonstrate inclusive design, while technical accessibility standards are set by the Building Regulations and the Plan's optional accessible housing standards. The NPPF (2026) will be a key part of decision making, even after the adoption of this plan, and each

development will differ as to the relevant design standards to apply. Because this area has such strong statutory underpinning through building regs, it was important not to duplicate these. Naming particular non-statutory guidance in policy would risk it becoming out of date during the plan period. No change required.

- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. The site selection process is set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.

Policy GD5: Community Safety and Resilient Places

No representations were received for this policy.

Policy GD6: Health and Wellbeing

In total, 11 representations were received from the following six consultees for this policy:

[C537] Rob Hoddinott	[OR258] Pegasus Group on behalf of Infinity Park Derby LLP
[OR128] Home Builders Federation	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[OR39] NHS Property Services	[C510] Marsha Ramroop Unheard Voice Consultancy Ltd

Support

NHS Property Services and Marsha Ramroop find Policy GD6 sound.

Summary of Main Issues

- Pegasus Group submitted a number of objections on behalf of developers requesting the deletion of the policy's requirement to provide a Health Impact Assessment for major developments. It was felt that this requirement is onerous and larger developments would be supported by significant evidence.
- The Home Builders Federation also objected to the requirement to provide a Health Impact Assessment, and it does not seem proportionate or appropriate.
- Mr Hoddinott stated that the allocation of the Gypsy and Traveller site (HA16) was against the requirements of this policy.

Council's Response:

- Policy GD6 does not require a full Health Impact Assessment for every major scheme: a screening assessment determines whether one is needed, with the detail proportionate to the development. No change required.

- The Gypsy and Traveller allocation retains part of the open space beyond the designated area. No change required.

Policy GD7: Comprehensive and Coordinated Development

In total, four representations were received from the following four consultees for this policy:

[OR229] Lichfields on behalf of Derbion	[C510] Marsha Ramroop, Unheard Voice Consultancy Ltd
[CS537] Rob Hoddinott	[OR162] Historic England

Support

No representations were received in support of this policy.

Summary of Main Issues

- Whilst Derbion support the intention to secure comprehensive and coordinated development, they object to the requirement for a masterplan or framework where this becomes a barrier to delivery in its own right. There is a risk that the requirement could delay delivery if master-planning is contingent on third parties or where infrastructure or design coordination extends beyond land within the control of an applicant.
- Rob Hoddinott asserts that allocation HA16 does not uphold this policy as open space will be reduced.
- Historic England suggest that paragraph 147 of the supporting text should be amended to refer to 'harm' as opposed to 'substantial harm'.
- Marsha Ramroop asks for the policy to be amended to require masterplans to be supported by a statement of community involvement and for the Council's Statement of Consultation to include demographic monitoring of consultation responses.

Council's Response:

- Policy GD7 allows the masterplan or framework to be put forward by the applicant as part of a planning application, so it need not delay individual schemes. It should also be noted that Bradshaw Way and Eagle Quarter both already have outline planning permission based on a comprehensive vision for each site. A coordinated approach on the larger City Centre allocations to secure connections and infrastructure across sites is a valid planning objective. No change required.
- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. The site selection process is set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.

- The Council will continue to work with Historic England, including through a Statement of Common Ground, if necessary, on the wording of the Plan's heritage references.
- The Consultation Statement sets out how the consultation was carried out and publicised, and engagement on individual masterplans will follow the Council's Statement of Community Involvement. In terms of demographic monitoring, the majority of responses received on the Local Plan are submitted via email, with no means of capturing demographic information. No change required

Policy GD8: Enforcement

No representations were received for this policy.

Policy GD9: Infrastructure and Developer Contributions

In total, eight representations were received from the following eight consultees for this policy:

[OR128] Home Builders Federation	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[OR35 & OR 237] Johnson Mowat on behalf of Harworth Group	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill
[OR160] National Highways	[OR43] Ann Mason
[OR258] Pegasus Group on behalf of Infinity Park Derby LLP	[OR39] NHS Property Services

Support

NHS Property Services finds Policy GD9 sound.

Summary of Main Issues

- The Home Builders federation consider that the Plan is unsound because including reference to other documents within a policy seeks to give that document full Local Plan status which is not appropriate. As such the reference to the Planning Obligations SPD should be moved to the supporting text. In order for the Plan to be justified and in compliance with national policy, it will be important for any s106 contributions to be assessed against the CIL tests at the time that a planning application is being determined. The policy should therefore include explicit reference to this fact.
- Johnson Mowat on behalf of Harworth Group stated their support in principle for this policy but stated that, if CIL is to be adopted, it is essential to ensure that this

and Section 106 requirements are compatible and do not duplicate or double contributions for infrastructure. Additional text was suggested as part of the representation.

- National Highways stated that the allocations in the Plan are supported by a robust and proportionate transport evidence base.
- Pegasus Group on behalf of Infinity Park Derby LLP were unclear as to how the requirements listed in criteria j, k and l can satisfy the tests in Community Infrastructure Levy.
- The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill challenged the inclusion of 'clawback' in Policies GD9 and H4. They stated that, in order to introduce such a review mechanism, there must be a clear and specific policy basis for any review mechanism being imposed in line with PPG. This should include the consideration of variables such as trigger points, costs, land values, how surplus is split and other definitions. The Local Plan does not achieve this and therefore the requirement at point 5 of the plan is contrary to national policy. If a review mechanism is to be introduced the detail within any review mechanism needs be published so it can be fully assessed through the Local Plan process, this must also include an exemption for single phased schemes as repeatedly noted by the planning inspectorate.
- Ann Mason states that she does not think that the correct infrastructures will be put on place by developers. A prime example of this is the new estates off Chellaston Lane. There are absolutely no footpaths from the island on Shardlow Road to those estates or the old people's home.

Council's Response:

- Policy GD9 refers to the Planning Obligations SPD as the existing basis for calculating contributions without giving it development plan status, and all obligations remain subject to the statutory tests in Regulation 122 of the CIL Regulations 2010. Health contributions will be sought only where justified by evidence on a case-by-case basis. No change required.
- Any future CIL charging schedule would be prepared alongside the Council's approach to planning obligations so that developers do not pay twice for the same infrastructure. No change required.
- All planning obligations, including any sought under criteria (j) to (l), must meet the statutory tests in Regulation 122 of the CIL Regulations 2010, which apply in any event. No change required.
- Policy GD9 sets out the circumstance in which a review mechanism may be required, namely where reduced contributions are justified by robust viability evidence, consistent with national guidance on viability. Its application will be proportionate to the scale and phasing of each scheme. No change required.
- Policy GD9 and the transport policies (T1 to T3) require new development to provide the infrastructure needed to mitigate its impacts, including safe walking and cycling connections. Concerns about existing developments are noted. No change to the submission plan required.

Policy GD10: Advertisements

In total, two representations were received from the following two consultees for this policy:

[OR162] Historic England	[OR229] Lichfields on behalf of Derbion

Support

Historic England finds Policy GD10 sound.

Summary of Main Issues

- Lichfields on behalf of Derbion consider Policy GD10 to be overly restrictive in its stance limiting the use of poster display boards and vinyl stickers. As such, they consider the Policy GD10 to not meet the tests of soundness for being positively prepared and request policy wording amendments to provide flexibility.
- Lichfields on behalf of Derbion further state that digital screen formats should be more actively supported, where appropriate and well-designed, in Policy GD10 due to their role in animating frontages and increasing vibrancy.

Council's Response:

- Policy GD10 permits advertisements, including digital displays, unless they would harm amenity or public safety, and further criteria protect the quality of frontages and the significance of heritage assets.

  It is not considered that Policy GD10 is unduly restrictive or inconsistent with the tests of soundness; the policy is intentionally worded to provide flexibility and does not impose a blanket restriction on shop window coverings. Instead, vinyl stickers and other coverings are generally discouraged where they would obscure over 25% of the glazing area. As such, no change is required.

Policy GD11: Shopfronts

In total, one representation was received from the following consultee for this policy:

[OR162] Historic England	

Support

Historic England finds Policy GD11 sound.

Summary of Main Issues

No objections were received in response to this policy.

Council's Response:

- Support for Policy GD11 is welcomed.

6. Housing

Introduction to Chapter

In total, three representations were received from the following three consultees for general comments associated with paragraphs 176 to 177 of this chapter:

[C507] David Barton	[OR255] South Derbyshire District Council
[OR162] Historic England	

Support

Historic England support and welcome opportunity to consider historic impacts assessments for housing allocations outside the Reg 19 process.

Summary of Main Issues

- Traditional/authentic architecture should be required.
- Housing allocations are not supported by a Heritage Impact Assessment.
- The housing strategy should focus on smaller housing types and higher densities to meet as much of the city's need as possible. There are opportunities to develop at higher densities, especially in the city centre and around transport hubs. Generally, question that the city is capacity capped to the degree stated in the plan as further opportunities to increase dwelling supply exist. Some of these sites are identified in the SHLAA but have not been included in the Plan.

Council's Response:

- Design issues such as architecture are dealt with in Policy GD1
- Heritage Impact Assessments have been carried out and the Council will seek to enter into a Statement of Common Ground with Heritage England to include agreement on these.
- The housing capacity limit for the city is explained in detail in the Spatial Strategy and Housing numbers topic paper, and also the site selection topic paper. The limited capacity of the City's boundaries to meet its future growth needs have been recognised through the currently adopted plans (produced from the early 2010s) and the Council has continued to work with HMA partners on capacity issues since the start of plan making. The Derby HMA authorities agreed in a Statement of Common Ground presented at Amber Valley's Local Plan Examination, that the city was capped at 12,500 dwellings based on the evidence. Although the plan period has been extended during the plan making process, the actual capacity is limited. The SHLAA was the first state of site identification and is not a decision-making tool. It simply identified opportunities for housing as well as constraints. The strategy for the city centre requires partnership working with owners, national agencies such as Homes England and EMCCA and Council intervention to push housing delivery while being realistic about the dwelling numbers included.

Policy H1: Housing Delivery

In total, 33 representations were received from the following 21 consultees for this policy:

[OR265] P&DG obo JGP Properties	[OR167] Amber Valley Borough Council
[OR236] Caddick Land	[OR161] Derbyshire County Council
[OR261] Emery Planning on behalf of Seabridge Developments Limited	[OR259] Emery Planning on behalf of The Strategic Land Group
[OR266] Fisher German on behalf of Bloor Homes Ltd	[OR128] Home Builders Federation
[OR237] Johnson Mowat on behalf of Harworth Group	[OR235] Little Ships Housing CIC
[OR230] Marrons on behalf of Ainscough Strategic Land	[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)
[OR160] National Highways	[OR255] South Derbyshire District Council
[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	[OR238] Planning Limited on behalf of National Grid
[OR537] Rob Hoddinott	[OR240] Pegasus Planning on behalf of Catesby Estate
[OR104 & C519] George Fletcher	[OR41] Councillor Tim Prosser
[OR36] Derby Climate Coalition	

Support

Johnson Mowat finds Policy H1 sound.

Summary of Main Issues

- The Council has not allocated a site at Lime Lane, Oakwood which was promoted for residential uses. The promoters (P&DG obo LGP Properties) responded to the Reg 18 Plan consultation to promote a smaller (eastern field) thus reducing the adverse impacts but the site was still not allocated in the Reg 19 Plan. The Sustainability Appraisal includes a factual error that this site has an ancient woodland within it.
- As of June 2026, the most recent Standard Method Housing need calculation for Derby is 960 dwellings a year where the plan sets out the need as 953 per annum. This would give a need of 16,320 over the period 2026 to 2043.
- The Plan should refer to HMA unmet need and not Derby City HMA need. In particular Policy HA5 (Housing allocation at The Hollow) makes reference to requirements in South Derbyshire.
- The Plan should not identify specific sites in other authority areas where it's housing needs will be met.

- The extent of the housing supply is overstated and the Plan factors in previous over delivery.
- Challenges are made to the most recent published HMA Statement of Common Ground between the authorities and how the housing need/supply and distribution is set out. In particular that there is a mismatch over the plan periods of the three HMA authorities, which are not aligned. In this context challenge is made that all of the city's housing needs cannot be met by the city and HMA neighbouring authorities. Generally, it is not evidenced that Derby's housing needs can be met through the distribution strategy proposed.
- The Plan period is incorrect. It is suggested that the period should cover until 2045 and have a base date of 2026, which is when the Standard Method housing need calculation was most recently published.
- The windfall allowance is not appropriately justified as required in the NPPF.
- The Local Plan viability assessment indicates that a substantial proportion of the type of dwellings expected to be provided in the plan period are not demonstrably viable.
- The Plan should express the housing requirement as an annual figure as well as an overall minimum requirement so that monitoring of delivery and housing land supply can be carried out.
- Multiple sites were submitted for consideration for HA16 (G&T site allocation) and the public have seen no evidence of how this was evidenced or discussed.
- The Plan is supposed to prioritise brownfield land and there is lots of potential for use of brownfield land in the city centre
- Different representations state that the Plan is either overly ambitious/unrealistic in its housing allocations/supply being deliverable, or it is not making full use of land and sites to boost the supply of housing and further opportunities for housing are available and have not been thoroughly investigated, in particular opportunities for using public sector land.
- There is no flexibility in the Plan to meet housing needs. The housing supply only just meets the requirement in the Plan and there is no flexibility or contingency should any sites fail to be delivered. Development viability issues may affect the ability to deliver the housing requirement.
- Various challenges have been made to the housing capacity work, inconsistencies with the findings of AECOM in reviewing the work and the actual dwelling numbers included through the various updates. In particular, the Capacity work should have been updated between Regulation 18 and Regulation 19.
- Various challenges are made to the fact that the plan does not update the Standard Method housing need for Submission (2026) and that the past completions in the first 3 years provide an oversupply. The Standard Method has already taken into account any previous over/under supply and so the most up to date need calculation at Submission should be applied to all following, forward looking years of the Plan period. It is suggested that the first 3 years of 'past completions' should be removed from the supply. Various examples of other Examined plans are given where this approach was taken.

- The South Derbyshire Local Plan Review remains untested in its ability to meet Derby City's housing needs and it is anticipated that due to flaws in the Derby Plan, that further sites in South Derbyshire will be required in order to ensure that Derby's housing need is met.
- It is suggested that although the Council has not published a 5-year housing supply, that it is unlikely such a supply can be demonstrated at adoption from the evidence available.
- The Plan should clearly set out the total housing requirement for the city and then how much of Derby's unmet need will be met within the city and how much in neighbouring local authority areas.
- The NPPF requires the Plan to provide 10% of the housing on sites of less than one hectare.
- The city centre focus on housing raises concerns about the mix of housing types which can be provided across the plan period. In particular affordable need cannot demonstrably be met, especially given the city centre focus and the affordable housing requirement for city centre developments being only 5%.
- National Highways responded that, as per their Regulation 18 response, the highway impacts of a number of bigger housing sites must be understood.
- There is incompatibility between the available evidence and the Plan period. The Plan period now runs to 2043 which is not consistent with the evidence base.
- It is not evidenced that all reasonable possible housing sites have been properly considered throughout the process. Particular reference is drawn to a smaller site which was promoted at Lime Lane through Regulation 18 consultation.
- Changes which were made in Regulation 19 of the Plan included requirements which were added in without the agreement of the Council. The Council report on Regulation 19 allowed minor changes by officers but fundamental changes were made

Council's Response:

A summary of the Council's response to representations and signposting where detail can be found in submission topic papers:

- The promoted Lime Lane omission site was excluded from allocation as it is within a green wedge and adjacent to Chaddesden Wood, which is an ancient heritage woodland. A planning application was refused and another withdrawn for housing development in this location. The larger version of this site was reviewed as part of the site selection process for the draft plan and assessed via the Green Belt and Green Wedge review. A smaller site (eastern field at Lime Lane) promoted at Reg 18 was considered in the context of the impact on the ancient woodland and views sought from the Woodland Trust. The Trust maintained that the heritage value of the ancient woodland would be likely to be adversely affected by the smaller promoted site. It is acknowledged that there is a factual error in the SA which says that there is ancient woodland with the promoted site. The woodland is adjacent to the site.

- The Council has prepared a number of position/topic papers which explain the housing strategy and how it has formed the site selection process. These include the Spatial Strategy and Housing Numbers topic paper and the Housing Site Selection topic paper as well as smaller papers which detail the Windfall allowance, the Affordable and Specialist Housing policies and the Viability assessment of the Plan. These should be read in conjunction with the submitted Plan.
- The Plan period is 2023 to 2043. Housing Need has been established through the Standard method, initially in the Local Housing Needs Assessment and then through annual updates. The Standard Method need at Reg 18 was 917pa. The contributing inputs to the calculation changed in June 2026 but the Council had then already written the Reg 19 Plan, so it included the old number. There is no mechanism in place to allow further changes to the Plan after Reg 19 without significant delay. The Council acknowledges that the Standard Method need updated during this period and the most up to date need (960pa) is the appropriate number. This number will be used in updating the HMA Statement of Common Ground and the Council suggests this update is reflected in the Plan on adoption.
- A full housing trajectory including the various supply sources, will be provided as updated at 31 March 2027 when the annual housing surveys are complete. This will help to inform an updated 5-year supply.
- The Plan refers to Derby City unmet need rather than HMA unmet need because Derby City is the only authority in the HMA that has requested assistance in meeting need, being unable to do so within its boundaries. The Amber Valley Inspectors, in their final report (Paragraph 64) state “The three authorities recognise that unmet need from the city will need to be met within the adjoining districts” and paragraph 69 sets out that 1,320 of Amber Valley’s Plan Requirement/Supply was to meet Derby City’s unmet need.
- The three HMA local authorities are updating the HMA Statement of Common Ground which will set out the housing need and requirement for each authority and explain how needs are met.
- Policy H1 only sets out that the Council will work with neighbouring authorities to co-ordinate and plan urban extensions to the city. The policy does not identify specific sites where it’s unmet needs will be met. Further information on this can be found in the Spatial Strategy and Housing Needs Topic Paper.
- We welcome that Derbyshire County Council supports the joint work done between the Derby HMA authorities
- Derbyshire County Council reference some polices of the new NPPF but the Plan will be Examined under the legacy system and the 2024 NPPF.
- Acknowledge that Derbyshire County Council point out that it is Derby City who have unmet need and that the early Growth Options Study concluded that the best place to meet unmet Derby housing need is as close as possible to the city. However, the Plan does not specifically suggest in Housing policy that needs will be met in any particular location.

- The Capacity position has been updated as plan preparation has progressed and includes completions from the start of the plan period which are 'baked in' to the 12,500 capacity.
- The Council considers it has set out an evidenced approach to deliverable housing supply opportunities through the evidence; this is explained in the various topic papers which explain the strategy and site selection process. The Plan is considered to be aspirational but realistic. It acknowledges challenges and that master planning and intervention are required to deliver the city centre strategy are required and these are already underway. This reflects a 'no stone left unturned' approach to finding deliverable allocation sites within the City to meet need. The plan seeks to deliver regeneration in highly sustainable areas and push densities.
- The high dwelling numbers delivered in the early years of the Plan reflect the Councils actions and commitment to meeting housing needs. However, there is limited long term supply over the Plan period due to the availability of unconstrained land and deliverable sites.
- There is no prescribed way to deal with housing delivery in the early years of the plan period (before submission) and to compare delivery with Standard Method. Various Plans have been found Sound, some removing the 'oversupply' from early years and others dividing the annual need evenly across the pan period. Several representors are stating that early oversupply should be discounted. The plan and its strategy are prepared for the period 2023 to 2043. Dwelling completions in the years before submission, but within the plan period contribute to the Plan requirement, which is also set over the full 20-year period.
- It is very difficult to include flexibility for housing supply in a Plan which is capacity capped. The other Derby HMA local authorities acknowledge that Derby cannot meet its housing needs and require the Council to maximise use of land within the city before asking that they assist in meeting needs. Flexibility is embedded into the Plan by the fact that the housing requirements are minimum numbers and offer opportunity for higher numbers. In the city centre, some of the allocations set a minimum dwelling numbers within the context of a higher long-term ambition which could potentially come forward in the plan period.
- It is proposed that a new, up to date HMA Statement of Common Ground will be published and presented with the Plan.
- The Plan is expected to provide that 10% of the housing supply is on smaller sites (less than one hectare). Many of these will be small site windfalls or high-density developments, including those in the city centre, which are on small footprints. When taking into account the windfall allowance of 1,680 dwellings over the plan period (which is substantially derived from a historical average of completions on sites of less than 10 dwellings) plus already consented small sites of 320 that equates to 2,000 which is greater than 15% of the plan's total housing supply of 12,641.
- It is not for the Plan itself to set how much of Derby's housing need will be met in other authorities. This information is better set out in evidence including

the Strategy Topic Paper and the HMA Statement of Common Ground. Although the strategy is that Derby's needs will be met partly in other administrative areas the exact numbers don't need to be set in policy.

- It is acknowledged that the Plan Viability Assessment indicates that some development types and geographies are not viable and that the plan relies on developments in these locations. This is particularly the case in the city centre. The Council will work with development partners, funding providers and other relevant bodies to ensure delivery of the allocated sites and is conducting ongoing work to further demonstrate deliverability within the plan period.
- The Council did not receive any promoted sites for a Gypsy and Traveller site (Policy HA16). The options considered for a site looked at Council owned land.
- The Council continues to work with National Highways on the transport evidence for these allocations, and the allocation policies and Policy GD9 secure the necessary transport mitigation.

Policy H2: Residential Development – General Criteria

In total, eight representations were received from the following six consultees for this policy:

[OR266] Fisher German on behalf of Bloor Homes Ltd	[OR128] Home Builders Federation
[OR227] Lichfields on behalf of Derby Station Quarter Board	[OR235] Little Ships Housing CIC
[OR240] Pegasus Planning on behalf of Catesby Estates	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd

Support

No representations were received in support of this policy.

Summary of Main Issues

- The Plan does not point to any evidence of need to adopt the Nationally Described Space Standards. The term 'where applicable' is vague and unclear.
- The requirement to adopt optional building regulations M4(2) and M4(3) is not evidenced/justified. Other respondents say the policy should be flexible to account for development viability.
- All of the policy requirements applied cumulatively can adversely affect viability.
- It should be clarified that density requirement is a net area requirement.
- The new 2026 NPPF has been published and any development plan policies which are inconsistent with the new NPPF should be given very limited weight in decision making.

Council's Response:

- The policy requirement to use the Nationally Described Technical Space Standards is explained in the supporting text from Paragraph 195. The NDTSS document provides the Government's own standards for what is considered acceptable minimum internal living space standards. The Council wishes to ensure that all new homes have adequate/satisfactory living space.
- The term 'where applicable' in relation to the NDTSS requirement is because some residential uses cannot have the standards applied. For example, some large HMOs, co-living, care homes etc.
- The higher optional building regulations requirements are derived from the Local Housing Needs Assessment which evidences increasing number of older people, disabled people and people with mobility difficulties needing to have appropriate housing. There is further explanation in the Affordable and Specialist Housing Topic Paper. It is acknowledged that the policy requirements will add development costs but the requirement reflects a need to improve housing stock for people with disabilities, mobility issues and wheelchair users.
- Some of the Plan policies are flexible to account for viability, but the plan needs to set out the specific requirements which the evidence deems are needed in order to provide high-quality developments. In accordance with the NPPF, developers should consider the policy framework when agreeing land values,
- A new NPPF was published in Summer 2026 and is relevant from publication as a material consideration in decision making. The Plan is submitted under the legacy system and is examined in terms of consistent with the 2024 Framework.

Policy H3: House Extensions

No representations were received for this policy.

Policy H4: Affordable Housing

In total, eight representations were received from the following eight consultees for this policy:

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[OR36] Derby Climate Coalition
[OR266] Fisher German on behalf of Bloor Homes Ltd	[OR128] Home Builders Federation

[OR237 & OR35] Johnson Mowat on behalf of Harworth Group	[OR227] Lichfields on behalf of Derby Station Quarter Board
[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill

Support

- Carney Sweeney support Policy H4 and particularly the flexibility built into the affordable housing policy which allows negotiation,
- Fisher German support Policy H4 in particular the Golden Rules approach to affordable housing.
- Lichfields support Policy H4 in particular recognising viability difficulties and a reduce percentage requirement in the city centre and opportunities for negotiation and clawback.
- Pegasus support Policy H4 including the application of varying percentage requirement based on geography.

Summary of Main Issues

- The affordable housing policy is inadequate and not achievable. In the city centre in particular it seeps to provide expensive flats for young professionals
- Concern that development viability will be affected by the Affordable Housing policy requirements. The Plan should not defer to a separate document (assume this means the affordable housing charging schedule) within policy text.
- The affordable housing policy requires up to 40% affordable housing on Green Belt sites which is inconsistent with Policy HA7 (Stoney Lane) where the policy requires a minimum of 40% affordable housing.
- Concern is expressed for the policy requirement for 80% of affordable dwellings to be social rent.
- Object to the fact that the affordable housing policy does not consider specialist accommodation for older people meaning the planning obligation will be required as set out in the geographies for such accommodation. It is noted that the viability assessment considered various typologies but did not include older persons housing.
- Object to the use of clawback as this is onerous for older persons accommodation. The Council should have properly assessed viability of older persons accommodation and should run viability assessment scenarios for this type of use.

Council's Response:

- It is acknowledged that the city has very significant affordable housing needs. When developing the plan, it was clear that viability constraints meant that these needs could not be met in full via contributions from private sector development. The Plan seeks to deliver as many new affordable homes as possible without constraining wider supply or requiring unrealistic policy

burdens. The affordable housing policy does not set out any requirement for dwelling types in the city centre. Apartments are likely to be the most viable form of development in the city centre and meet objectives of using previously developed land and pushing higher residential densities. The 5% affordable housing requirement is based on evidence in the viability assessment and takes account of the difficult development viability in the city centre. It is an 'up to' requirement.

The Plan needs to be clear in policy that in the circumstances detailed, financial payments will be required in lieu of on-site affordable housing. A draft charging schedule should be available for submission.

- The affordable housing policy in H4 is consistent with the Framework and is also guided by the high-level viability assessment work which used a Green Belt site typology. This is a generic policy which can be applied to any housing application in the Green Belt. The Stoney Lane allocation is a specific strategic site allocation where the Council feels that 40% affordable should be achieved as a minimum. The affordable housing policy allows for negotiation if it can be demonstrated that the requirement cannot be met.
- The policy requires 80% of affordable dwellings to be for social rent because evidence (Local Housing Needs Assessment) shows that affordable rent is the most pressing need. The policy caveats the requirement with 'unless it can be justified that this is not achievable'. The Council has and will continue to negotiation affordable housing types on development sites.
- It is acknowledged that the viability assessment did not consider specialist accommodation for older people. There is a limit to the development typologies that can be assessed in a plan wider, general assessment. Specialist accommodation for older people can take many sizes and forms, including on site facilities. It is difficult to provide a generic assessment to cover such needs. The policy allows for flexibility and negotiation.

Policy H5: Looked After Children

In total, one representation was received from the following consultee for this policy:

[OR22 & OR234] Lichfields on behalf of Homes2Inspire Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- The inclusion of a policy concerning looked after children is welcomed in principle, but the criteria are unsound. They should relate to land use only. Capping the number of children in such accommodation types is unnecessary. Neither should the accommodation exclude certain house types.

Council's Response:

- The Council is keen to ensure that the needs of this specialist group are considered. The policy seeks to strike a balance between ensuring that provision can be made for looked after children while maintaining a domestic scale such that the use can fit discreetly into residential areas without adversely affecting existing residents. It is felt that allowing higher number of residents in such accommodation will lead to greater changes of complain due to movements and noise. For similar reasons it is felt that this type of accommodation is best provided in dwellings that are detached from normal C3 homes.

Policy H6: Communal Living Accommodation

No representations were received for this policy.

Policy H7: Accommodation for Older People and People with Disabilities

In total, four representations were received from the following four consultees for this policy:

[OR38] Anchor	[OR104 & C519] George Fletcher
[OR128] Home Builders Federation	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill

Support

No representations were received in support of this policy.

Summary of Main Issues

- Objection that loss of open space at Wilmorton will impact older people.
- Concerns about Policy H7 and the viability of older persons housing.

Council's Response:

- Part of the mechanism to deal with housing that is suitable for and accessible by older people is the inclusion of requirements for Building Regulations Part M4(2) and M4(3). These requirements will seek to ensure that new homes are accessible and adaptable. It is acknowledged that specialist large older people's accommodation, such as Extra Care, can be costly. These developments are difficult to consider in viability terms in a generic local plan policy as they vary greatly in size and function. Each planning application will

need to be assessed on its own merits in accordance with the Development Plan and national policy.

- The allocated traveller site at Wilmorton will only mean the loss of part of the open space. The rest, a considerable area, will be maintained. There are other open spaces in Wilmorton including Alvaston Park, which is a District Park with multiple facilities.

Policy H8: Proposals Which Would Create a New House in Multiple Occupation

In total, one representation was received from the following consultee for this policy:

[OR81] Councillor Kirk Kus	

Support

No representations were received in support of this policy.

Summary of Main Issues

- The policy requires that no more than 10% licensed HMOs should be within a certain radius of any proposed new HMOs. The policy should apply to 10% of all HMOs, not just licensed ones.

Council's Response:

- Criterion (c) uses licensed HMOs because licensing records provide a clear and verifiable basis for calculating the 10% threshold. It important a reliable data source is used for planning decisions, and outside the Article 4 area homes are free to move in and out of small HMO status without informing the council. Other criteria within the policy continue to guard against harmful concentrations and amenity impacts

Policy H9: Intensification of Existing Houses in Multiple Occupation

No representations were received for this policy.

Policy H10: Student Accommodation

No representations were received for this policy.

Policy H11: Self-Build, Custom Build and Community Build Homes

In total, one representation was received from the following consultee for this policy:

[OR266] Fisher German of behalf of Bloor Homes	

Support

Fisher German finds Policy H11 sound.

Summary of Main Issues

No objections were received in response to this policy.

Council's Response:

- Support welcomed

Policy H12: Gypsies, Travellers and Travelling Showpeople

In total, seven representations were received from the following four consultees for this policy:

[OR161] Derbyshire County Council	[OR104 & C519] George Fletcher
[C537] Rob Hoddinott	[C510] Marsha Ramroop Unheard Voice Consultancy Ltd

Support

Derbyshire County Council and Marsha Ramroop find Policy H12 sound.

Summary of Main Issues

- The policy is inconsistent with the proposed Gypsy and Traveller site allocation in Policy HA16. The site allocates a part at Wilmorton and this site can't meet the requirements of the policy.

Council's Response:

- The policy seeks to set out criteria which planning applications for Gypsy and Traveller sites will be assessed against. Some of the objections appear to be regarding the G&T site allocation in policy HA16. It is interpreted that the objectors feel that the Gypsy and Traveller site allocation in HA16 does not meet, and is in conflict with, the criteria of policy H12.
- The Council has assessed that the proposed allocation is capable of meeting the criteria and is a sustainable location for a gypsy and traveller site in principle. The details will be considered when a planning application is submitted and will be assessed against policy H12 and Policy HA16 as well as national policy.

Housing Allocations Outside of the City Centre

In total, two representations were received from the following two consultees for general comments associated with paragraph 259 of this chapter:

[OR161] Derbyshire County Council	[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)

Support

Derbyshire County Council supports the proposed housing allocations outside the city centre.

Summary of Main Issues

- Derbyshire County Council supports the proposed allocations outside the city centre but notes that some allocations, including Stoney Lane and Rykneld Road lie on the boundary with the city county. These will require collaborative working on infrastructure requirements, particularly Highways and Education.
- Several of the housing allocation sites outside the city centre have a lack of evidence of their deliverability and/or viability.

Council's Response:

- The support of Derbyshire County Council is noted and it is agreed that collaborative working will be required between the City and County councils, as well as other neighbouring HMA local authorities.

  The Council feels that all of the proposed sites allocated outside the city centre have a realistic prospect of delivery. Indeed several sites now have planning permission in full or outline for all or part of the site and applications are emerging for others. All of the sites are either in the control of developers or land agents who have access to housebuilders.

Policy HA1: Rykneld Road, Littleover

In total, three representations were received from the following three consultees for this policy:

[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[OR255] South Derbyshire District Council	

Support

South Derbyshire District Council supports the policy/allocation, which is on the edge on the city boundary with South Derbyshire.

Summary of Main Issues

- The site has been allocated for a significant time, in previous local pans, and with no extant planning permissions the quantum of housing anticipated to be delivered is overstated.
- The Policy should be for up to/maximum of 800 dwellings rather than a minimum as it is unrealistic.

Council's Response:

- The Council acknowledges that the site has been identified as an allocation for a significant amount of time, However, there has been progress, with live, albeit undetermined panning applications on the vast majority of the site now. There is clear intention to build housing and house builders/ developers control of the site. The main impediments are around the timing and financing of the infrastructure, including a new Primary school. The developer consortium involved continues to promote and support the allocation and negotiations are live and ongoing.
- The number of dwellings required in the policy is proposed to be a minimum of 800. The current/previous allocation included a minimum of 900 dwellings. The Council has removed an area which was previously required for employment uses in the new policy, in order to provide more land for housing. It is considered that the recently constructed supermarket and care home just outside the site provide employment uses. The wider objective is to push housing densities and make effective use of land for housing, especially given the significant need in Derby. The policy seeks to achieve this aim, and developers should respond to the requirement with appropriate dwelling types and layouts.

Policy HA2: Brook Farm, Chaddesden

In total, two representations were received from the following two consultees for this policy:

[OR80] Councillor J Wright	[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)

Support

No representations were received in support of this policy.

Summary of Main Issues

- The policy states that the land is on green wedge and this incorrect. The policy contravenes green wedge policy.
- The site has a long/protracted planning history. It was allocated and had planning permissions which were not delivered, and it is not deliverable or developable.

Council's Response:

- The site allocation policy includes some land which is green wedge. The Brook Farm site was allocated in the Council's 2017 local plan, but this allocation was for housing on part of the farmland and retailed open space and green wedge in the location. The proposed allocation in the new local plan will mean there is no green wedge in this location. The allocation area has been enlarged so that the policy can protect part of the site for open uses, as it will no longer be green wedge.
- It is acknowledged that the site has a long history, and that two previous planning permissions have lapsed without any development occurring. However, the site is deemed to be a suitable and sustainable location and there is a housebuilder with a proven delivery record who now controls the site. The site promoter is currently working up an application which will be consistent with the proposed policy and intends to deliver the site within 5 years.

Policy HA3: East of Moorway Lane, Littleover

In total, one representation was received from the following consultee for this policy:

[OR230] Marrons on behalf of Ainscough Strategic Land	

Support

Marrons (on behalf of Ainscough Strategic Land) finds Policy HA3 sound.

Summary of Main Issues

- The allocation is supported and the promoters have submitted a planning application in Outline which is consistent with the policy.

Council's Response:

- Support welcomed. Note that the Outline Planning Applications for up to 335 dwellings on the site has been approved subject to the S106 agreement.

Policy HA4: Royal Hill Road, Spondon

No representations were received for this policy.

Policy HA5: The Hollow, Mickleover

In total, seven representations were received from the following four consultees for this policy:

[OR236] Caddick Land	[OR260] Carney Sweeney on behalf of Peveril Homes Limited
[OR266] Fisher German of behalf of Bloor Homes	[OR240] Pegasus Planning on behalf of Catesby Estates

Support

- Carney Sweeney (on behalf of Peveril Homes) support the policy/allocation. The part of the site south of Staker Lane is within the control of the representor and there is an intention to develop it for 60 dwellings within 5 years.
- Pegasus Planning (on behalf of Catesby Estates) generally support the policy.
- South Derbyshire District Council finds Policy HA5 sound.

Summary of Main Issues

- The site allocation relies on the wider housing allocation in South Derbyshire to be found sound and the elements in Derby are only deliverable if the SDDC site is delivered.
- The site cannot be properly master-planned as parts of it are already permitted or subject to planning applications
- The policy should recognise that the separate parcels of land within the wider allocation can be delivered individually on different timelines.

Council's Response:

- The policy requires a comprehensive approach to development along with the proposed strategic housing allocation in South Derbyshire. However, it should be noted that full planning permission has already been granted on the land to the east of The Hollow and a planning application has been submitted for the land west of the Hollow and South of Staker Lane, prior to the submission of the Local Plan.
- It is acknowledged that macroplanning of this strategic cross boundary location is now difficult as applications are submitted and some permissions granted. The policy intentions are sound in terms of ensuring co-ordinated sustainable development in a strategic edge of city location. The principle for development of this area has been established through the permission granted and demonstrates that there is developer interest and delivery intention.
- The policy does not preclude different parts of the site being delivered in different timelines or individually It seeks an overall comprehensive/master-planned approach. It is expected that the site will be delivered in separate parcels, particularly as the parcel east of The Hollow now has permission. All this being said, there is still a value in seeking to achieve joined up master

planning for the site as a whole and the remaining parcels once the policy can be applied to enhance the quality of living of residents of the development and the wider area.

Policy HA6: Kingsway Boulevard

No representations were received for this policy.

Policy HA7: Stoney Lane, Spondon

In total, 190 representations were received from the following 187 consultees for this policy:

[OR44] Anne-Marie Adams	[OR65] Wayne Birch
[OR45] Janet Allen	[OR66] Nicole Birtwhistle
[OR160] National Highways	[OR55] Claire Blackmore
[OR196] Steve Allen	[OR67] Mr Brian & Mrs Julia Bonner
[OR46] Brian Anderson	[OR68] Freya Bradley
[OR47] Jean Anderson	[OR70] Anne and George Brownhill
[OR48] Jacqueline Annable	[OR72] Daniel Burgess
[OR49] Stepanie and Dean Asher	[OR74] Joanne Carr
[OR50] Anthony Atkins	[OR73] Callan Camp
[OR51] Lynda Aubin	[OR262] Barbara Cauldwell
[OR52] Tony Aubin	[OR76] Mr Christopher Clarke & Mrs Dorothy Clarke
[OR92] Emma Banks	[OR77] Miss Joanne Clay
[OR57] Beverley Bardill	[OR82] Martin Coleman
[OR56] Michael Bardill	[OR83] Chris Coleman
[OR58] Nathan Bates	[OR84] Lois Coleman
[OR59] Lisa Battelle	[OR85] Tracy Coleman
[OR60] Katherine Bambridge	[OR86] Julie and Kevin Connolly
[OR61] George and Tina Bennett	[OR87] Sharon Cooper
[OR62] Michael Bennett	[OR88] Georgie Cox
[OR63] Aaron Betesta	[OR93] Emma Davis
[OR64] Beth Betesta	[OR161] Derbyshire County Council

[OR90] Alan Drayton	[OR124] Simon Hodge
[OR94] Noel and Beverley Eaglesfield	[OR125] Steven Hogg
[OR95] Andrew Elliott	[OR127] Paul Hurst
[OR96] Lynne Elliott	[OR129] Ms Wanda Iskrzak
[OR97] George Fayers	[OR130] Angela Johnston
[OR98] Jane Fearn	[OR35] & [OR237] Johnson Mowat on behalf of Harworth Group
[OR99] Caroline Ferguson	[OR201] Sarah Juniper
[OR266] Fisher German on behalf of Bloor Homes	[OR206] Simon Juniper
[OR100] Mark Flint	[OR131] Miss Mia Danielle Keeton
[OR101] Mark Forester	[OR132] Neil Kellogg
[C505] Peter Fox	[OR133] Ruth Kellogg
[OR102] Joe Frost	[OR134] Thomas Kellogg
[OR103] Lynne Fryer	[OR135] Chris Kemp
[OR106] Mervyn Giles	[OR136] Derek Kemp
[OR105] Pralad Ghundoo	[OR137] Brian Kennedy
[OR107] Isaac Goddard	[OR138] Lisa Kenny
[OR108] Tony Gorbert	[OR139] Vincent Kenny
[OR109] Richard and Sandra Green	[OR140] Lindsay Kerry
[OR112] Mr C R Hawke	[OR141] Mrs Margaret Key
[OR113] Shaun Hayes	[OR142] Michael Kightly
[OR114] Emma Healy	[OR143] Brajan King
[OR115] Mr & Mrs Henley	[OR144] Ian Lakin
[OR116] Ann Hiley	[OR145] David Lewis
[OR117] Lauren Hiley	[OR146] Kate Licence
[OR118] Patricia Hiley	[OR147] Joanne Lovett
[OR119] Tony Hiley	[OR149] Audrey & Rob Mann
[OR120] Christopher Hill	[OR527] Paula Maples
[OR121] Patricia Hill	[OR149] Audrey & Rob Mann
[OR122] Sheena Hill	[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)
[OR123] John Hinson	[OR150] Bernard Marsh

[OR151] Nicholas Maxwell	[OR193] Ken Roberts
[OR152] David & Sarah McArdle	[OR194] Audrey Rothwell
[OR154] Roger W Meggison	[OR195] Matt Rothwell
[OR155] David Miller	[OR199] Stella Salt
[OR157] Gordon Mills	[OR200] Janice Sanders
[OR156] Patricia Mills	[OR158] Nicky Scire
[OR263] Hazel Milwain	[OR202] Mr M.J Shaw
[OR159] Paul Neal	[OR198] Samantha Shaw
[OR163] Robert and Karen Norton	[OR203] Tracey Shaw
[OR164] Alison Nunn	[OR204] Helen Shepherd
[OR165] Laura Nuttall	[OR205] Keith Shiers
[OR170] Mr J.M and Mrs Ja Oldershaw	[OR185] Rhianne Shrimpton
[OR171] Josh Ong	[OR208] Amanda & Robert Simpson
[OR172] Kevin Palmer	[OR209] Ashley Sims
[OR173] Lesley Parkinson	[OR210] Kendal Skivington
[OR174] Barbara & Kevin Peach	[OR211] Alison Slater
[OR197] Stephen Peat	[OR212] Ian Slater
[OR177] Mrs Claire R Pegg	[OR79] Councillor Smale
[OR178] Sheila and Geoff Pendrick	[OR207] Betty Smith
[OR179] Sophie Pickles	[C48] Marcus Smith
[OR180] Stuart Pickles	[OR213] Mark Smith
[OR181] & [C287] Stephen Plant	[OR231] Martin Smith
[OR182] Richard Preedy	[OR214] Mike B Smith
[OR183] Janet Pullen	[OR216] Mr M & Mrs DJ Stacey
[OR186] H E Radford	[OR217] Alison Doyle-Stevenson
[OR187] Nick Raycraft	[OR215] David Southgate
[OR188] Amber Read	[OR218] Charles Swanson
[OR190] Byron William Read	[OR219] Elaine Swanson
[OR189] Luke Read	[OR220] Thomas Sweeney
[OR191] David Reece	[OR221] Janis Szczekala
[OR192] Michelle Richardson	[OR222] Robert Szczekala

[OR223] Anne Taranto	[OR53] Dr Austin and Mrs Mai Walker
[OR224] Gerald Stanley Taranto	[OR250] Gareth Walker
[OR241] Richard Tatlow	[OR252] Peter Wealthdale
[OR242] Margaret Taylor	[OR253] Michael Wheatley
[OR69] Ellie Bond-Thorne	[OR254] Jonathan Woollard
[OR243] Zoe Threlfall	[OR30] Adam Woolley
[OR244] Samantha Timmis	[OR251] Frances and Geoffrey Woolley
[OR246] Mrs D Tinley	[OR245] Phillip Woolley
[OR247] Adrian Tomlin	[OR24] Tamsin Youren
[OR248] Cerrie Tomlin	[OR91] Carole Zajciw
[C249] Robert and Carol Unwin	[C252] Geoffrey Lowe

Support

Johnson Mowat (on behalf of Harworth Group) support the policy/allocation and state that Harworth Group is committed to delivering a sustainable development and ensuring funding is provided for necessary infrastructure.

Summary of Main Issues

- Generally, the allocation of the site is inconsistent with national planning policy. The classification as ‘grey belt’ is incorrect.
- The site should not be allocated as it is important Green Belt and should not be classified as ‘Grey Belt’ (effectively challenging the Green Bet Review evidence).
- The Council should meet housing needs on brownfield land and not green belt. There are many brownfield sites, especially in the city centre, where housing can and should be built instead of this site.
- The policy does not explain how highway impacts and particularly the impacts of the housing on the adjacent A52, will be mitigated. National Highways does not accept financial contributions for strategic road infrastructure works.
- The site is valuable agricultural land and active farmland which should not be lost.
- The proposed site access is unsatisfactory being so close to the A52.
- The existing social infrastructure facilities in Spondon are already overwhelmed and do not have capacity to support this scale of new housing. There is no assessment of impact on the infrastructure of Spondon. I particular health care and education infrastructure is already struggling, and new homes will only make things worse.
- There are wider traffic/congestion issues in Spondon, including on Willowcroft Road. This development would exacerbate traffic/congestion problems on the local roads, which are already bad and also has the potential to create rat runs

through the village/suburb. The cumulative impacts of traffic generation need to be understood and mitigated.

- The highway impacts around the site and access are unsafe. There have been serious traffic accidents in the location in recent times.
- The Plan says it is a 'brownfield first' strategy and this site is greenfield.
- There are other housing sites in Spondon including the sites at Royal Hill Road and Dale Road in Erewash where hosing is going to be built and cumulative impacts are too great.
- The development will adversely affect the character of the village.
- There are adverse climate change impacts from building houses on greenfield land and there is a duty to preserve such sites for the benefit of future generations.
- There has been no landscape character assessment in deciding to allocate the site.
- It is questionable whether the minimum 400 dwelling sis deliverable given the constraints on the site.
- The policy should require that 'up to' 40% affordable housing is provided on site, consistent with the general Affordable Housing policy (H4) rather than a 'minimum of 40%' which is set in the site specific HA7 policy.
- The delivery assumptions for the site are overly optimistic given there is no housebuilder involved.
- The Green Belt in this location is important as it provides separation between Derby City and the village of Ockbrook in Erewash.
- There is no demonstrable evidence that various constraints can be overcome. Evidence indicates numerous constraints and alludes to mitigation but there are no demonstrable mitigation mechanisms actually provided.
- Concerns about effect on wildlife species which use the land.

Council's Response:

- A detailed assessment of the Green Belt issues and Site Selection process for this site (and all the allocations) are set out in the Housing Site Selection Topic Paper. The strategic context is set out in the Spatial Strategy and Housing Numbers Topic Paper.
- As part of developing the Draft Local Plan (regulation 18), The Council commissioned a Green Belt Review from specialist consultants. This considered all areas of Green Belt in the city in terms of whether they met the Government definition (NPPF) of 'grey belt'. The review found that the site does meet the definition of grey belt and the Council is satisfied that the Green Belt Review is robust.
- After having identified as much brownfield land as possible for development, especially within the city centre, and non-green belt green field land,

significant unmet need remains. In these circumstances, excluding consideration of land identified as grey belt would not be appropriate.

- It is also the case that the publication of the independent study identifying the area as grey belt increased development pressure on the site, and therefore it was important to secure well planned out development through the allocation process.
- Development of the site would also lead to significant benefits in terms of affordable housing given the NPPF's golden rules.
- The Council acknowledges that highway impacts will need to be understood and mitigated and will work with the developer and National Highways to achieve this.
- The development of sites of this size in the city will inevitably lead to more congestion and more pressure on infrastructure but through master-planning and increasing the potential for sustainable transport, this can be mitigated.
- The site is currently agricultural land and can be used as such. The fact of a site's use as agricultural land does not prevent it from being able to be identified as grey belt under national planning rules. It is not identified as high value agricultural land.
- The site is set on the periphery of the suburb of Spondon to the rear of existing residential properties and will not affect the character of the historic village centre.
- Although locally valued, the site is not identified as being of special landscape character. Landscape character and Green Belt designations are two separate designations.
- The primary purpose of Green Belt is to provide strategic separation of towns and cities. There is no specific function in separating villages. The Council does however understand this concern and an area of Green Belt will remain between the city boundary and the village of Ockbrook which is in the neighbouring authority area of Erewash.

Policy HA8: Former Police Station, Cotton Lane

In total, one representation was received from the following consultee for this policy:

[C531] Roy Woolley	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Mr Woolley states that the policy is unsound as it is located along, and feeds directly into, an Air Quality Monitoring Area. A comprehensive transport and air quality appraisal prior to master planning, accounting for diverted network flows is required.

Council's Response:

- This site now has full planning permission which is for a number of dwellings consistent with the policy requirement.
- Policy EN11 requires major development to be accompanied by an Air Quality Assessment and not to worsen existing poor air quality or create new exceedances, and Policy EN13 addresses wider pollution impacts. These requirements will apply to each allocation at application stage, alongside the Council's statutory air quality monitoring. This site now has full planning permission consistent with the policy requirement. No change required.

Policy HA9: Bramblebrook House/ Humbleton View, Littleover

In total, one representation was received from the following consultee for this policy:

[OR266] Fisher German on behalf of Bloor Homes	

Support:

Fisher German generally finds Policy HA9 both legally compliant and sound.

Summary of Main Issues:

- Fisher German on behalf of Bloor Homes raise no objection to this site, however they suggest that the Council should consider whether there is a need to count housing provided for older people, to accord with the PPG paragraph 026.

Council's Response:

- Support welcomed. Applications for older people's housing in the housing land supply will follow national planning practice guidance.

Policy HA10: Elton Road Works, Osmaston

In total, two representations were received from the following two consultees for this policy:

[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)	[OR31] Network Rail Infrastructure Ltd

Support:

Network Rail Infrastructure Ltd support this policy, and particularly its alteration to add specific reference to protecting Network Rail land and adjacent mature tree cover at the north end of the site.

Summary of Main Issues:

- Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands) object to this policy on the grounds that no planning application has currently been submitted for this site, and therefore there is no outlined route to redevelopment, or agreed Statement of Common Ground to evidence Rolls Royce's commitment to vacate this site and relocate. They state that the Council must demonstrate a reasonable prospect that the site will become available and be developed at the point envisaged by the trajectory.

Council's Response:

- SA Appendix G records that Rolls-Royce has confirmed its intention to vacate the site within around three years and make it available for development, and the trajectory at Appendix 2 does not anticipate completions until 2031/32. No change required.
- Support is welcomed.

Policy HA11: Shaftesbury Street

In total, one representation was received from the following consultee for this policy:

[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)	

Support

No representations were received in support of this policy.

Summary of Main Issues:

- Marrons on behalf of BDW Trading Ltd object to this policy on the grounds that this policy is insufficiently evidenced, with the Council's evidence base identifying significant uncertainty in regard to its long-term developability. They identify constraints, such as open space, and the lack of a demonstrable delivery mechanism.

Council's Response:

- Sustainability Appraisal Appendix G records that a planning application is being prepared for around 21 affordable homes (100% affordable housing) on this Council-owned site, with development expected to begin in 2027. No change required.

Policy HA12: North of Sinfin Moor Lane

In total, one representation was received from the following consultee for this policy:

[OR41] Councillor Tim Prosser	

Support

No representations were received in support of this policy.

Summary of Main Issues:

- Councillor Tim Prosser objects to this policy on the grounds that the land is designated in the current Local Plan as Proposed Open Space in the current Local Plan. The policy states that "this park has not been delivered, and the land is not within the control of the Council and therefore cannot remain as proposed public open space in the local plan as there is no mechanism to deliver the policy." That justification is not one of the three tests set out in Policy EN3.

Council Response:

- SA Appendix G records that the land has been allocated as proposed public open space since 2006 without being delivered and that a scheme of 41 homes has been resolved for approval subject to a Section 106 agreement. The proposed public open space allocation is not deliverable, and the effect on open space will be assessed against Policy EN3 at application stage. No change required.

Policy HA13: Former Beaufort Business Centre, Chaddesden

No representations were received for this policy.

Policy HA14: Kitchener Avenue/ Browning Street

In total, two representations were received from the following two consultees for this policy:

[OR257] Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands)	[OR41] Councillor Tim Prosser

Support

No representations were received in support of this policy.

Summary of Main Issues:

- Marrons on behalf of BDW Trading Ltd (Redrow Homes Midlands) object to this policy on the grounds that the site has no relevant planning history or evidence that progress is being made towards submission of an application. Therefore,

Marrons state that the basis upon which the Council has determined the site as an appropriate and developable allocation remains unclear, and consequently deem this policy as insufficiently evidenced.

- Councillor Tim Prosser objects to this policy on the grounds that this site is open space, and therefore delivery on this site would be inconsistent with Policy EN3 in the Plan (Open Space, Sport and Recreation Buildings), the Council's Open Space Study, as well as Derby's Playing Pitch Strategy.

Council's Response:

- HA14 is a Council-owned site that the Council has identified for new affordable homes (SA Appendix G), and its delivery is now being taken forward by the Council's Regeneration and Brownfield Sites Delivery Team. The trajectory at Appendix 2 does not anticipate completions until 2030/31. No change required.
- Any planning application will be assessed against Policy EN3, and any statutory consents relating to former school land will be addressed separately from the Plan. The site is currently fenced off and is not accessible open space. The Council leases the adjacent field at the local school for formal sports activities, but this proposed housing site is separate and not leased out. No change required.

Policy HA15: Former Ivy House School

No representations were received for this policy.

Policy HA16: Gypsy and Traveller Site Allocation

In total, 17 representations were received from the following 16 consultees for this policy:

[OR54] Andreas Baker	[OR71] Matt Buchanan
[C513] Matt Buchanan	[OR89] Joe Cross
[OR75] Sam Clark	[OR104 & C519] George Fletcher
[OR78] Councillor Alan Graves	[OR264] Nick Haddon
[OR111] Phil Harrison	[OR126] Pam Holliday
[C534] UPNR Ka	[OR43] Ann Mason
[OR41] Councillor Tim Prosser	[OR184] Alan Pywell
[OR104 & C519] George Fletcher	[OR153] Jim McCulloch
[C546] Rachel Smith	

Support

No representations were received in support of this policy.

Summary of Main Issues

- A range of factors regarding perceived adverse impacts on the area gave rise to objections regarding the allocation of the site for a Gypsy and Traveller site. Thes include: adverse impacts on trees on site and the wider environment and amenity, loss of open space, loss of active travel routes, concerns over access and limited local community facilities such as schools and healthcare. Alternative sites, including other, larger parks and brownfield sites should be considered.
- Objection in relation to tests of soundness. Legal compliance – whether Sustainability Assessment has properly assessed the loss of open/green space, including its use by existing services. Positively prepared – the Plan repeatedly states brownfield/regeneration first, but the policy allocates an existing green space. Several brownfield sites appear not to have been considered as alternatives, examples given. Justified – the site is only 1km from and existing Traveller site. Effective – deliverability is questionable given access constraints. Consistent with national policy – the allocation should be tested against the NPPF's brownfield first presumption and open space protection policies alongside the duty to provide a Traveller site.
- Objection to the policy due to the apparent breach of EN3 in relation to use of open space for the site in that it does not show how it meets the exception criteria contained in EN3. He also objects that the evidence for, and its traceability, the 17-pitch figure contained in HA12 is not apparent. The disposal of open space land sits entirely outside the Local Plan/permission process and would apply regardless of what the Plan says, this would be a real procedural risk to deliverability separate from EN3/soundness point.
- Concerns were raised regarding the behaviour of future occupiers and effect on property values.

Council's Response:

- The Council has a duty to plan for the identified accommodation needs of Gypsies and Travellers. Environmental, open space, access and active travel matters will be addressed at application stage, with Policy HA16 recognising the active travel links and mature trees and requiring the remainder of the land to remain as accessible public open space. Sustainability Appraisal Appendix G and the Gypsy and Traveller Site Provision Topic Paper explain why a single Council-owned site able to meet the full need was selected by the Council from the portfolio of sites in its ownership for release for these purposes. No private sites were promoted, and a Council-owned site of around 0.85ha guarantees deliverability. The site provision topic paper identifies the potential for an independent access from the main road adjacent to the site. No change required.
- The Sustainability Appraisal assesses the site against all 17 objectives, including leisure and recreation (Appendix E), and SA Appendix G sets out the reasons for its selection.

- The 17 pitches meet the GTAA 2023 need for 14 pitches to 2040, with additional provision to 2043, as set out in the Gypsy and Traveller Site Provision Topic Paper, and Policy HA16 retains the remainder of the site as accessible public open space, with effects on open space to be assessed against Policy EN3 at application stage. Any disposal of open space would follow the separate statutory procedure under section 123(2A) of the Local Government Act 1972. No change required.
- Noted. Comments speculating on future occupiers, and property values are not material planning considerations. No change required.

7. Economy

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 312 to 313 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 312 to 313.

Summary of Main Issues

- David Barton, a Community Campaigner highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Noted. Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. No change required.

Policy E1: New Employment Locations

In total, three representations were received from the following three consultees for this policy:

[OR169] Carney Sweeney on behalf of Smart Parc Ltd	[OR258] Pegasus Group on behalf of Infinity Park Derby Ltd
[OR267] Planning and Design Group on behalf of Wheeldon Brothers	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Smart Parc support the principle to allocate their site under Policy E1 and E6.
- Infinity Park LLP consider Policy E1 to be unsound because the amount and type of employment land proposed for allocation is not justified by evidence and reasonable alternative options for the provision of higher levels of logistics floorspace have not been tested in the SA. They assert that the evidence base should be revisited and have submitted their own logistics need assessment.

- Wheeldon Brothers consider Policy E1 to be unsound as it excludes the western frontage of land east of Sir Frank Whittle Road (A61). The policy should support the development of smaller, local, mixed, commercial and roadside uses.

Council's Response:

- Support from Smart Parc is noted and welcomed.
- The objection from Infinity Park LLP is set in the context of seeking removal of the ongoing restriction on B8 uses at Infinity Park Derby and the wider allocation (Policy E5). The Council maintains that the restriction remains valid and the reasons for this are set out in the Economy Topic Paper, which also provides commentary around the robustness of the evidence and the approach taken in the SA.
- Land to the east of Sir Frank Whittle Road (A61) is currently allocated as Green Wedge and is not considered appropriate for release for employment uses. Further explanation of the reasons for not allocating this site are set out in the Economy Topic Paper.

Policy E2: Existing Employment Locations

In total, one representation was received from the following consultee for this policy:

[OR168] Rapleys LLP on behalf of Lidl GB Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- LIDL have proposed that Policy E2 is amended to support the development of all Class E uses within areas of existing employment land.

Council's Response:

- Had Government intended for traditional employment uses such as B2 and B8 to be treated the same as other commercial uses, they would've included them as part of the E use class, when other uses were subsumed. There remains a case for ensuring that traditional employment areas are protected for employment uses, namely B2 and B8. A blanket widening of the range of uses considered acceptable in principle in employment areas has the potential for unintended consequences, such as undermining the retail strategy/ hierarchy. The criteria-based approach in Policy E2 for considering alternative uses within employment areas remains the most appropriate

approach to protecting the integrity of key employment areas, whilst allowing areas to adapt where appropriate. No change required.

Policy E3: Local Labour Agreements

In total, two representations were received from the following two consultees for this policy:

[C510] Marsha Ramroop, Unheard Voice Consultancy Ltd	[OR258] Pegasus Group on behalf of Infinity Park Derby Ltd

Support

No representations were received in support of this policy.

Summary of Main Issues

- Infinity Park LLP contend that the use of the phrase '*where appropriate'* lacks clarity and it is unclear how the policy should be applied. It is therefore ineffective.
- Marsha Ramroop strongly supports the policy, but also suggests ways to strengthen it, such as including references to targeted recruitment and skills pathways from the city's most deprived wards and ensuring that apprenticeships and employment commitments are monitored and reported by demographics.

Council's Response:

- The Council consider that it is appropriate to use the terminology '*where appropriate'* in the context of this policy. The same terminology is used throughout the emerging plan and other adopted Local Plans, recognising that blanket policy application can be inappropriate, whilst it's not possible or desirable to identify every specific scenario where application would be appropriate. The policy as drafted is clear that it will only apply to 'major development' (as defined in the glossary), whilst the policy only seeks encouragement to enter into such agreements. As it's not a specific requirement, it is not considered necessary to add further clarification beyond what is already included in the policy and supporting text.
- Support for the policy is welcomed. The detailed content of Local Labour Agreements, including the priority cohorts identified in paragraph 329, is best agreed scheme by scheme with the Council's Employment and Skills team rather than prescribed in policy. No change required.

Policy E4: Office Development

No representations were received for this policy.

Policy E5: Land South of Wilmore Road (Infinity Park)

In total, two representations were received from the following two consultees for this policy:

[OR258] Pegasus Group on behalf of Infinity Park Derby LLP	[OR36] Derby Climate Coalition

Support

Derby Climate Coalition support the inclusion of criteria (j) and (k) relating to active travel.

Summary of Main Issues

- Whilst supporting the principle of the allocation, Infinity Park LLP object to the continued inclusion of criteria (c) relating to the restriction on B8 uses, as it is not justified by the evidence and poses a risk to deliverability. In challenging this criteria, the representor has challenged the robustness of the Council's evidence base and approach taken in the SA.
- Infinity Park LLP also suggest that criterion (f) is unclear as it refers to both biodiversity resources, rights of way and the amenity of nearby areas. They assert that it is not clear how a decision maker should react to a development proposal and that reference to residential amenity is not justified as the site is not close to residential properties.

Council's Response:

- Support for criteria (j) and (k) is noted and welcomed.
- The Council maintains that the restriction on B8 remains valid and the reasons for this are set out in the Economy Position Statement, which also provides commentary around the robustness of the evidence base, and the approach taken in the SA. The Council maintains that the restriction on B8 remains valid and the reasons for this are set out in the Economy Topic Paper, which also provides commentary around the robustness of the evidence base, and the approach taken in the SA.
- Criterion (f) relates to areas of the site that will require buffering or protecting for a variety of reasons, including biodiversity, rights of way, recreation and amenity. It is logical that some of these areas will provide multiple functions and therefore it makes sense for them to be grouped under a single criterion. Part of the function of the Green Wedges to the east and west of the allocation is to protect the residential amenity of nearby residential areas. The allocation is likely to accommodate uses (24-hour logistics) that could impact on amenity without appropriate mitigation, such as structural planting to strengthen Green Wedge boundaries.

Policy E6: SmartParc, Spondon

In total, two representations were received from the following two consultees for this policy:

[OR169] Carney Sweeney on behalf of Smart Parc Ltd	[OR266] Fisher German on behalf of Bloor Homes

Support

- Smart Parc support the principle of the allocation.
- Bloor Homes support the allocation of Smart Parc and assert that this should be supported by commensurate residential development in Spondon.

Summary of Main Issues

- Smart Parc request a minor amendment to the wording of Policy E6 to remove reference to '*where justified*' in considering other ancillary uses.

Council's Response:

- Support for the allocation is noted and welcomed.
- Whilst permission exists covering a range of uses, there's the possibility that the applicant may wish to amend the range and / or introduce additional uses that the Council would want to resist or at least have a degree of control over. Therefore, retaining text that requires additional ancillary uses to be justified, remains an appropriate approach.

Policy E7: Indurent Park

No representations were received for this policy.

Policy E8: Rolls Royce Operations

No representations were received for this policy.

Policy E9: Defined Centres

In total, one representation was received from the following consultee for this policy:

[OR229] Lichfields on behalf of Derbion	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derbion do not consider Policy E9 to be sound because the extent of the Primary Shopping Area (PSA – sequentially preferable location for retail) and the Central Activity Area (CAA – sequentially preferable location for office development) do not include sites such as Bradshaw Way Retail Park and Riverside multi-storey car park, both of which Derbion have a land interest.

Council's Response:

- The locations referenced by Derbion are identified in the emerging plan as opportunities for new residential development, as part of the creation of a new community at Derby Riverside (Policy CC11) and residential led regeneration at Bradshaw Way (Policy CC4d). Further expansion of the PSA and / or the CAA to include these sites is not considered necessary or desirable as it will further dilute the objective of providing a focussed area to concentrate retail development and undermine the associated benefits.

Policy E10: Main Town Centre Uses Outside of Centres

In total, one representation was received from the following consultee for this policy:

[OR168] Rapleys LLP on behalf of Lidl GB Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- LIDL object to the Retail Impact Assessment (RIA) threshold being set at 280sqm as opposed to the default (2,500sqm) as set in the NPPF. They argue that the reduced threshold is not clearly evidenced.

Council's Response:

- Policy E10 sets local threshold of 280sqm (net) to trigger when a proportionate impact assessment will be required. This is reduction from the current adopted threshold of 1,000sqm and a deviation from the default threshold of 2,500sqm set in the NPPF. The reduction to 280sqm is based on the recommendations of the Council's most recent Retail and Centres Study undertaken by Lambert Smith Hampton (LSH). The threshold recommendation relates to the definition of a 'large shop' under Sunday Trading Act. Paragraphs 511-517 of the Retail and Centres Study provide a detailed rationale and justification as to why the lower threshold is considered appropriate. A particular consideration is the absence of projected quantitative need for new retail floorspace over the plan period, meaning that new proposals are more likely to divert trade from existing retailers, as opposed to exploit new capacity. Within this context, the risk of new proposals having a significant adverse impact on existing centres is increased. A lower

threshold enables the Council to assess potential for this. No change required.

Policy E11: Tourism and Culture

In total, three representations were received from the following three consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England
[OR20] Theatres Trust	

Support

Derby Climate Coalition support criteria relating to access. Historic England and The Theatres Trust also support the policy.

Summary of Main Issues

- Marsha Ramroop representing Unheard Voice Consultancy Ltd has suggested that the policy is amended to better reflect the importance of cultural infrastructure associated with Derby's diverse communities so that the visitor and cultural economy reflects the whole city's story.

Council's Response:

- Support is noted and welcomed.
- The policy already recognises the importance of cultural facilities in their widest sense, without specifically drilling down to identifying the types of cultural facility that are important to different communities. There are other mechanisms outside of the Local Plan that can be used to recognise the cultural significance of buildings and facilities such as the Local List, Statutory Listing and designation as Assets of Community Value. No change required.

Policy E12: Managing the Proliferation of Specific In-Centre Uses

No representations were received for this policy.

8. Natural Environment

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 408 to 410 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 408 to 410

Summary of Main Issues

- David Barton, a Community Campaigner highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Noted. Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. No change required.

Policy EN1: Green and Blue Infrastructure

In total, 14 representations were received from the following 12 consultees for this policy:

[OR36] Derby Climate Coalition	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[C537] Rob Hoddinott	[C510] Marsha Ramroop Unheard Voice Consultancy Ltd
[OR128] Home Builders Federation	[C518] Beverley Rhodes
[OR229] Lichfields on behalf of Derbion	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill
[OR227] Lichfields on behalf of Derby Station Quarter Board	[OR104 & C519] George Fletcher
[OR258] Pegasus Group on behalf of Infinity Park Derby LLP	[OR15] Derbyshire Swift Conservation

Support

Lichfields on behalf of Derby Station Quarter Board find Policy EN1 sound.

Summary of Main Issues

- The Derby Climate Coalition, whilst stating their support, considered that the inclusion of "where possible" weakened the policy.
- Rob Hoddinott and George Fletcher consider that the allocation of the Gypsy and Traveller site went against the aims of this policy.
- A number of objectors questioned how the Urban Greening Factor and the statutory requirement for BNG worked, citing conflict between the two requirements.
- Lichfields on behalf of Derbion considered that the Urban Greening Factor was too rigid and the requirement needs to be more flexible.
- Pegasus Group on behalf of a variety organisations consider that criterion (c) needs to recognise that some natural features ned to be removed to ensure safe access or good design.
- Beverley Rhodes objected to the removal of the concept of Local Nature Reserves from the Plan.
- The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill highlighted the expense of providing green roofs and green walls, impacting on viability.
- Derbyshire Swift Conservation objected as there was no identified way of assessing compliance with the policy and suggested a standard planning condition as well as requiring developers to submit detailed plans showing the location of integrated swift bricks as part of the application.
- Beverley Rhodes raised concerns about the removal of Local Nature Reserves from the Plan

Council's Response:

- Paragraph 420 clearly explains how BNG and the Urban Greening Factor work together. No change required.
- The Urban Greening Factor scores already apply "where viable" so a lower score can be accepted where evidence shows that the target cannot be viably met. No change required.
- Criterion (c) already states "where possible", which provides flexibility. Criterion (d) asks major development to investigate the feasibility of using green roofs and walls. No change required.
- Local Nature Reserves are protected as Locally Designated Sites under Policy EN8, which only exceptionally permits development affecting them where criteria (f) to (h) are met, and several are listed in Appendix 6 and form part of the green and blue infrastructure network protected by Policy EN1. No change required.

Policy EN2: Dark Infrastructure

In total, two representations were received from the following two consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England

Support

Both Derby Climate Coalition and Historic England find Policy EN2 to be sound.

Summary of Main Issues

No objections were received in response to this policy.

Council's Response:

- Support for Policy EN2 is welcomed.

Policy EN3: Open Space, Sport and Recreation Buildings

In total, 12 representations were received from the following four consultees for this policy:

[OR104 & C519] George Fletcher	[OR 256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[C537] Rob Hoddinott	[C552] Dr Beatty

Support

Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd find Policy EN3 sound.

Summary of Main Issues

- A number of objectors considered that the loss of part of the open space at Wilmorton for the Gypsey and Traveller site was contrary to the aims of this policy.

Council's Response:

- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. The site selection process and alternatives are set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.

Policy EN4: Allotments and Community Gardens

No representations were received for this policy.

Policy EN5: Green Belt

In total, four representations were received from the following four consultees for this policy:

[OR167] Amber Valley Borough Council	[OR266] Fisher German on behalf of Bloor Homes
[OR161] Derbyshire County Council	[OR80] Councillor J Wright

Support

Derbyshire County Council finds Policy EN4 sound.

Summary of Main Issues

- Amber Valley Borough Council commented on the methodology used in the Green Belt review and highlighted that they are undertaking their own Green Belt review. They felt that they could not provide any further comments, especially regarding the Green Belt around Quarndon, until they have completed their own review.
- Fisher German on behalf of Bloor Homes consider that the Council's Green Belt review is flawed and questions the findings relating to a specific site at Locko Road.
- Councillor Wright stated that further work needs to be undertaken to determine the city centre capacity before Green Belt land is released.

Council's Response:

- The Green Belt Assessment (LUC, 2025) was prepared by independent specialists and objectively evaluates each parcel according to the NPPF definition of grey belt. No change required.
- The Green Belt Assessment (LUC, 2025) found that Locko Road does not meet the definition of grey belt, and SA Appendix G explains that the site was not selected because of its Green Belt sensitivity, its detachment from the urban form and local facilities, and its potential effect on the setting of the Locko Park historic estate. The Housing Requirement and Spatial Strategy Topic Paper explains that the Plan only considers Green Belt land that meets the grey belt definition, and the Sustainability Appraisal found that options requiring large-scale Green Belt release would have significant negative effects. No change required.
- The City Centre housing capacity work commissioned following the Council's budget decision has identified further opportunities for homes on upper floors and infill sites, which supports the Plan's City Centre strategy and windfall allowance. The Plan only releases Green Belt land that meets the grey belt

definition, after brownfield and City Centre sites, as set out in the Housing Requirement and Spatial Strategy Topic Paper. It is important that any allocated site is demonstrably deliverable. No change required.

Policy EN6: Green Wedges

In total, 13 representations were received from the following seven consultees for this policy:

[OR36] Derby Climate Coalition	[OR80] Councillor J Wright
[C506] Dorina Balan	[C552] Dr Beatty
[OR104 & C519] George Fletcher	[OR267] P&DG on behalf of Wheeldon Brothers Ltd
[OR265] P&DG on behalf of JGP Properties	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derby Climate Coalition stated that the Council should make up its mind if it supports Green Wedges or not. If it does, references to modifying them should be deleted.
- The plan is not positively prepared, not justified, not effective, and not consistent with national policy in its treatment of Site 415 (Railway Line at Whitehouse Farm, Shelton Lock, Derby.
- JGP recognises the important strategic role that the Green Wedge policy plays in shaping the city's character, identity and environmental quality. However, the aims and purposes of the Green Wedge must be carefully balanced against the need to meet the identified housing needs of the city. The Green Wedge should not operate as an outright constraint to development. This is particularly relevant to Land South of Lime Lane, Oakwood.
- Councillor Wright stated that further work needs to be undertaken to determine the city centre capacity before Green Wedge land is released.
- P&DG on behalf of Wheeldon Brothers Ltd suggested amending the Chaddesden/Derwent Industrial Area Green Wedge to accommodate development on the western edge of the wedge; this wouldn't weaken the wedge itself.

Council's Response:

- The Green Wedge Review (2025) informed the limited changes to Green Wedge boundaries needed to accommodate allocations, and Policy EN6 continues to protect the remaining Green Wedges. No change required.
- SA Appendix G explains that the site was not allocated because it is very narrow, has contaminated land along its length and has no vehicular access because of a ransom strip, so it is not demonstrably deliverable even though the Green Wedge Review found low/moderate harm. No change required.
- SA explains that Lime Lane was not allocated, even at the reduced scale of around 50 homes, because of concerns about the effect on the Chaddesden Wood ancient woodland and Local Nature Reserve, which Derbyshire Wildlife Trust and the Woodland Trust continue to raise. Green Wedge land has only been allocated where supported by the Green Wedge Review, as set out in the Housing Requirement and Spatial Strategy Topic Paper. No change required.
- The City Centre housing capacity work commissioned following the Council's budget decision has identified further opportunities for homes on upper floors and infill sites, which supports the Plan's City Centre strategy and windfall allowance. The Plan only releases Green Wedge land where supported by the Green Wedge Review, after brownfield and City Centre sites, as set out in the Housing Requirement and Spatial Strategy Topic Paper. No change required.
- The SA explains that the Green Wedge Review found development east of Sir Frank Whittle Road would cause a high degree of harm to the remaining Chaddesden/Derwent Industrial Area Green Wedge, and that the site has Local Wildlife Site, biodiversity and contamination constraints. No change required.

Policy EN7: Green Gaps

In total, two representations were received from the following two consultees for this policy:

[OR86] Derby Climate Coalition	[OR104 & C519] George Fletcher

Support

No representations were received in support of this policy.

Summary of Main Issues

- As para 449 makes clear, this policy has been invented to make up for the fact that the Council has not been willing or able to maintain objective and details of the Green Wedge policy in the adopted local plan. If that were the case, this policy would be unnecessary.

Council's Response:

- Policy EN7 ensures that these areas remain protected where they still perform important functions. No change required.

Policy EN8: Biodiversity and Geodiversity

In total, three representations were received from the following two consultees for this policy:

[OR176] Spring Planning on behalf of the Trustees of the Sisters of the Holy Name	[C552] Dr Beatty

Support

No representations were received in support of this policy.

Summary of Main Issues

- Spring Planning considered that the proposed wording of the policy remains too restrictive in requiring development to meet all the criteria. The way the policy is currently worded suggests that Local Wildlife sites have to achieve a higher test than more regionally or nationally significant sites.
- Dr Beatty considered that the removal of open space and trees to accommodate the Gypsey and Traveller site is contrary to this policy.

Council's Response:

- Criterion (f) reflects the NPPF principle that significant harm to biodiversity should first be avoided, including by locating development on an alternative site with less harmful impacts, and it applies only to development affecting locally designated sites and other sensitive features. Paragraph 452 explains that sites are protected in proportion to their status within the hierarchy of designations. No change required.
- Any planning application for the site will need to address Policy EN8, including an ecological assessment where required, and Policy HA16 recognises the mature trees and active travel links on the site. No change required.

Policy EN9: Trees and Hedgerows

In total, seven representations were received from the following three consultees for this policy:

[OR225] Forestry Commission	[C552] Dr Beatty
[OR29] The Woodland Trust	

Support

No representations were received in support of this policy.

Summary of Main Issues

- The Forestry Commission considered that the policy should be strengthened. The Trust suggested new wording and requested that a minimum canopy cover standard is set in the Plan.
- Whilst generally supporting the policy, The Woodland Trust requested that a clear and measurable tree replacement requirement is included.
- Dr Beatty stated that the removal of open space and trees to accommodate the Gypsey and Traveller allocation was contrary to this policy.

Council's Response:

- The Policy requires new development to include tree-lined streets and trees elsewhere, such as on open space, and compensatory planting where trees are lost, and paragraphs 456 and 457 recognise the need to increase Derby's relatively low canopy cover. No change required.
- Policy EN9 requires compensatory planting wherever trees are lost, on site wherever possible, and where this is not practicable a financial contribution based on the value of the lost tree using the Capital Asset Value for Amenity Trees tool, which links replacement to the amenity value lost rather than to a fixed ratio. No change required.
- Policy HA16 recognises the mature trees on the site and retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting.

Policy EN10: Biodiversity Net Gain

In total, seven representations were received from the following seven consultees for this policy:

[OR128] Home Builders Federation	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd

[OR227] Lichfields on behalf of Derby Station Quarter Board	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill
[OR240] Pegasus Planning on behalf of Catesby Estate	[OR29] The Woodland Trust
[OR258] Pegasus Group on behalf of Infinity Park Derby LLP	

Support

No representations were received in support of this policy.

Summary of Main Issues

- The Home Builders Federation states that the policy does not reflect recent changes to BNG requirements.
- Numerous agents acting on behalf of developers questioned the duplication of national policy and the additional requirement to adopt a ward-by-ward approach to delivering BNG.

Council's Response:

- Policy EN10 applies to 'qualifying development' and to any percentage mandated through national policy (which is a material consideration) or guidance, so changes to the statutory exemptions and the national framework will apply without the need to amend the Plan. No change
- Policy EN10 does not alter the statutory metric or exemptions, but adds local considerations, including regard to the Derbyshire Local Nature Recovery Strategy, a preference for off-site gains within Derby where possible, and the local validation information needed to confirm that the statutory requirement can be met. Paragraph 468 explains that the sequential approach is intended to ensure the city benefits from habitat enhancements arising from development. No change required.

Policy EN11: Air Quality

In total, seven representations were received from the following seven consultees for this policy:

[OR36] Derby Climate Coalition	[C531] Roy Woolley
[OR240] Pegasus Planning on behalf of Catesby Estates	[C552] Dr Beatty
[OR258] Pegasus Group on behalf of Infinity Park Derby LLP	[OR41] Councillor Tim Prosser

[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	

Support

Derby Climate Coalition Finds Policy EN11 sound.

Summary of Main Issues

- Pegasus Planning on behalf of Catesby Estates requested a modification to the Policy. Criterion g) should be modified to be clear that air quality improvements are encouraged rather than required. Without modification the Policy is unjustified and unsound.
- Pegasus Group on behalf of Catesby Estates, Infinity Park Derby LLP and Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd requested that Criteria (g) and (h) should be delete criteria g) and h) as these are not justified and otherwise unnecessary.
- Roy Woolley objected to the policy, considering that it relies on an evidence base that is procedurally and scientifically ambiguous, rendering the spatial strategy and development criteria neither justified nor effective. He raised concerns regarding the measurement of air quality along Osmaston Road due to perceived inadequacies in the measuring regime.
- Dr Beatty objected as the proposed Gypsey and Traveller allocation will directly impact on air quality.
- Councillor Prosser objected as he considered that changes to the policy had been made without any formal approval.

Council's Response:

- Criteria (g) and (h) apply only to major development subject to Environmental Impact Assessment and require a statement showing how benefits to local air quality have been considered and how exposure will be reduced, rather than requiring improvements to be delivered. Policy EN11 sets out the detailed approach to air quality while Policy EN13 addresses pollution more generally, so the two policies are complementary. No change required.
- The information provided as part of the objection does not demonstrate that the Council's air quality monitoring network is inadequate, that concentrations exceeding the air quality objectives are at risk or that modifications to the policy are necessary on air quality grounds. The available data indicates a substantial margin of compliance with the air quality objectives. Consequently, it is highly unlikely that further modelling of cumulative impacts would materially alter the conclusions reached. A full technical response to the objection from the Council's Environmental Health air quality team has been appended to the Sites Topic Paper.

  Air quality impacts associated with proposals for development will continue to be assessed through the development management process, as required by the NPPF and/or Policy EN11: Air Quality. It is considered that adequate

protections and safeguards for local air quality are already provided for without modification to the policy.

- Any planning application for the site will be assessed against Policies EN11 and EN13, and Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting. The site selection process is set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.
- The Regulation 19 consultation was carried out on the published Plan, and all parties, including councillors, have had the opportunity to comment on its content. The Council is satisfied that the Plan has been prepared in accordance with the relevant legal and procedural requirements, which will be set out in its submission documents. No change required.
- Our air quality monitoring team report 'the last time we saw an exceedance of the AQ Objectives in our roadside monitoring across the whole of Derby, was 2022. Due to improvements in vehicle emissions, NO_2 concentrations are now reducing year-on-year, such that our highest concentration in 2025 was 36.4μgm^{-3} and we are expecting to be more than 10% below the Objectives at all locations in Derby in 2026.'"
- Each application for development will be tested under National Decision-Making Policy P3 2c (2026 NPPF).

Policy EN12: Land Contamination

In total, one representation was received from the following consultee for this policy:

[OR104 & C519] George Fletcher	

Support

No representations were received in support of this policy.

Summary of Main Issues

- George Fletcher objected to the policy on the grounds that there Wilmorton Park is known to sit on contaminated land. There is no evidence that an assessment of the suitability of the other 46 parks has been made with respect to this matter. An alternative should be found.

Council's Response:

- Potential contamination was one of the criteria applied to all nine shortlisted sites in the Gypsy and Traveller Site Provision Topic Paper, and SA Appendix G notes that any contamination can be mitigated, as on the adjacent former Wilmorton College development. Policy HA16 requires any potential land contamination to be properly mitigated through the planning application process, in line with Policy EN12. No change required.

Policy EN13: Pollution

In total, three representations were received from the following two consultees for this policy:

[OR104 & C519] George Fletcher	[531] Roy Woolley

Support

No representations were received in support of this policy.

Summary of Main Issues

- George Fletcher objected to the policy on the grounds that there was no evidence that the policy criteria had been met in relation to the allocation of the Gypsy and Traveller site under HA16 and that an alternative should be found.
- Roy Woolley objected to the policy, considering that it relies on an evidence base that is procedurally and scientifically ambiguous, rendering the spatial strategy and development criteria neither justified nor effective.
- Roy Woolley objected to paragraph 485 on the grounds of governance and statutory silos. Policy EN13 states that the council will seek to "complement and not duplicate the work of other agencies" and cites statutory duties under the Environment Act 1995. This approach renders the plan ineffective.

Council's Response:

- Any planning application for the site will be assessed against Policy EN13 and the other policies of the Plan, and Policy HA16 requires any potential land contamination to be properly mitigated. The site selection process is set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.
- The information provided as part of the objection does not demonstrate that the Council's air quality monitoring network is inadequate, that concentrations exceeding the air quality objectives are at risk or that Modifications to the policy are necessary on air quality grounds. The available data indicates a substantial margin of compliance with the air quality objectives. Consequently, it is highly unlikely that further modelling of cumulative impacts would materially alter the conclusions reached. A full technical response to the objection from the Council's environmental health air quality team has been appended to the Sites Topic Paper.

  Air quality impacts associated with proposals for development will continue to be assess through the development management process, as required by the NPPF and/or Policy EN11 Air Quality. It is considered that adequate protections and safeguards for local air quality are already provided without modifications to the policy.
- Statute isn't normally to be repeated in the Local Plan. Polices EN11 and EN13 ensure that the air quality effects of development, including within Air Quality Management Areas, are assessed at application stage. No change required.

9. Historic Environment

Introduction to Chapter

In total, four representations were received from the following two consultees for general comments associated with paragraphs 408 to 410 of this chapter:

[C507] David Barton	[OR162] Historic England

Support

Historic England support the inclusion of the chapter dedicated to the historic environment

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.
- Historic England request that references to 'Historic Parks and Gardens' throughout chapter are amended to 'Registered' Parks and Gardens.

Council's Response:

- Support from Historic England is noted and welcomed. The change to wording has been added to the minor corrections schedule.
- Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered, and design quality is secured through Policy GD1 without prescribing a single architectural style. No change required.

Policy HE1: Conserving and Enhancing the Historic Environment

In total, three representations were received from the following three consultees for this policy:

[OR240] Pegasus Planning on behalf of Catesby Estates	[OR256] Pegasus Group obo Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd
[C510] Marsha Ramroop, Unheard Voice Consultancy Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Pegasus Planning on behalf of two separate clients have questioned why the provision of archaeological assessment is required before any decision can be taken. They assert that it is common for the written specification to be agreed post decision or for this to be agreed and conditioned as a pre-commencement condition, particularly for outline applications which aim to establish the principle of development.
- Pegasus Planning on behalf of Miller Homes, William David and Miller Gadsby (Heatherton) Ltd also question the need for the requirement for archaeological assessment to be duplicated in Policy HE6.
- Marsha Ramroop representing Unheard Voice Consultancy Ltd has questioned the plan's definition and interpretation of 'heritage' asserting that it does not pick up on Derby's cultural heritage, identity and overall story since 1945. It is suggested that the Council should commit to a review of the Local List, with involvement from the community, including under-represented groups. It is also suggested that the supporting text of HE1 is amended to recognise social and communal value.

Council's Response:

- Criterion (e) reflects the NPPF expectation that an appropriate desk-based assessment and, where necessary, a field evaluation are submitted. (Para 207 Dec 2024 NPPF) where a site may contain heritage assets with archaeological interest, so that decisions are properly informed. Criterion (f) reflects the NPPF aim of avoiding or minimising conflict between a heritage asset's conservation and a proposal (para 208 Dec 2024 NPPF). This does not displace the national policy approach of weighing less than substantial harm against public benefits. No change required.
- Policy HE4 commits the Council to maintain and update its list of buildings and structures of local importance, and paragraph 489 recognises how the public connects with heritage and the value of heritage to society. Places of importance to Derby's communities can be considered for inclusion on the local list as it is updated and treated as non-designated heritage assets in decisions. However, reviewing the Local List sits outside of the Local Plan process. No change required.

Policy HE2: Derwent Valley Mills World Heritage Site

No responses were received for this policy.

Policy HE3: Darley Abbey Mills Complex

No responses were received for this policy.

Policy HE4: Listed Buildings and Locally Listed Buildings

In total, one representation was received from the following consultee for this policy:

[OR162] – Historic England	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England recommends rewording the opening sentence of the policy, so that instead of considering the 'desirability' to preserve the significance of heritage assets, the policy is clear that the significance of heritage assets will be protected and where possible, enhanced. Additionally, the paragraph relating to 'substantial harm' should aim to avoid harm in the first instance and mitigate harm. We consider that the text needs rewriting to ensure that harm to the significance of heritage assets is avoided and mitigated, where possible.
- Historic England also recommends rewriting the policy text in relation to considering 'substantial harm' so that it is clear that substantial harm should be avoided in the first instance and mitigated.

Council's Response:

- The opening sentence of Policy HE4 reflects the statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the policy already states that the Council will seek to avoid or minimise harm to listed buildings in the first instance, with Policy HE1 requiring harm to be avoided, minimised and mitigated. The Council considers the policy sound as drafted but will discuss the suggested wording with Historic England through a Statement of Common Ground.

Policy HE5: Conservation Areas

No responses were received for this policy.

Policy HE6: Archaeology and Scheduled Monuments

In total, one representation was received from the following consultee for this policy:

[OR162] – Historic England	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England request that the final paragraph of the policy is amended to be clear that any works should be approved with the local authority archaeological service and any recording should be updated on the Historic Environment Record, as a minimum.

Council's Response:

- Policy HE1(d) already requires recording to be published through the Historic Environment Record, and Policy HE6 requires archaeological work to follow a written specification agreed with the Council and its results to be made publicly accessible, so the two policies together provide for this. This is not a soundness issue and no change is required.

Policy HE7: Historic Parks, Gardens and Designed Landscapes

In total, one representation was received from the following consultee for this policy:

[OR162] – Historic England	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England has requested that the policy title and other references within the policy and supporting text are amended from Historic Parks, Gardens and Designed Landscapes to Registered Parks, Gardens and Designed Landscapes.
- Historic England request that paragraph 553 should reference the need to protect the significance of heritage assets, including their setting.

Council's Response:

- For consistency with the NPPF, the Council agree that references to 'Historic' should be replaced with 'Registered'. This is considered a minor change and has been listed in the schedule of minor modifications.
- Policy HE7 already requires the significance of historic parks and gardens, including their associated features and settings, to be preserved and enhanced, and paragraph 553 is read alongside it. The Council will discuss the suggested wording with Historic England through a Statement of Common Ground, although it is not considered a soundness issue.

10. Climate Change

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 556 to 559 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 556 to 559.

Summary of Main Issues

- David Barton (community campaigner) objects to paragraph 556 of the climate change chapter due to its lack of focus on Traditional Architectural Design Codes, stating that a ban on the demolition of buildings constructed prior to 1950 should be enacted as soon as possible, alongside the reconstruction of previously demolished historic buildings listed or not given full support for restoration or reuse. Non-designated heritage assets and unclassified historic buildings should be given full protection and support against demolition and should be duly reconstructed authentically as they were.

Council's Response:

- Comment Noted. Policy CL6 already prioritises the renovation, repair, reuse or retrofit of existing structures over demolition, and design quality is secured through Policy GD1 without prescribing a single architectural style. No change required.

Policy CL1: Flood Risk and Water Management

In total, four representations were received from the following four consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England
[OR240] Pegasus Planning on behalf of Catesby Estates	[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derby Climate Coalition state that the previous policy wording of "Proposals should demonstrate that there is adequate wastewater infrastructure and water

supply capacity to serve the development. Where it is likely to create a specific shortfall or exacerbate existing deficiencies, developers will be required to adequately mitigate or compensate for those deficiencies" should be reinstated.

- Historic England stated that Policy CL1 should reference the need for flood alleviation measures and drainage solutions to protect the setting and significance of heritage assets.
- Pegasus Group submitted a number of objections on behalf of developers regarding the repetition of national policy on the sequential test and Sustainable Drainage Systems. They also state that this policy's approach to wastewater infrastructure and water supply is inconsistent with the current and emerging national policy.

Council's Response:

- Policy GD9 requires major development to demonstrate a co-ordinated approach to infrastructure and Policy EN13 requires development not to contribute to water pollution by discharging to foul sewers that are near or at capacity. Policy CL1 also requires development to contribute to the objectives of Severn Trent's Water Resource Management Plan, so water supply and wastewater capacity remain addressed by the Plan. No change required.
- Policy HE1 applies to flood alleviation and drainage proposals as to any other development, requiring a heritage statement where the significance of heritage assets, including their setting, may be affected, and Policy CL2(e) requires new flood defences to take account of the historic and archaeological sensitivity of the River Derwent Corridor. As the Plan is read as a whole, no change is required.
- Policy CL1 sets out how national policy on flood risk and drainage will be applied in Derby, including local requirements such as 10 metre buffers to watercourses and flood defences. No change required.
- Policy CL1 sets out how national policy on flood risk and drainage will be applied in Derby, including local requirements so it is not unnecessary duplication. No change required.

Policy CL2: Our City Our River (OCOR)

In total, one representation was received from the following consultee for this policy:

[OR162] Historic England	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England welcome the reference to heritage but state that the policy should be clear that all proposals should give due consideration to the

significance of the historic environment, avoiding harm to heritage assets and their setting.

Council's Response:

- Policy CL2(e) already requires new flood defences to be sympathetically designed, taking account of the historic and archaeological sensitivity of the River Derwent Corridor, and Policy HE1 applies to all proposals affecting the significance of heritage assets and their setting. No change required.

Policy CL3: Sustainable Design and Construction

In total, six representations were received from the following six consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England
[OR227] Lichfields on behalf of Derby Station Quarter Board	[OR240] Pegasus Planning on behalf of Catesby Estates
[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill

Support

Historic England finds Policy CL3 sound.

Summary of Main Issues

- Derby Climate Coalition object to this policy, stating that it lacks teeth, and believe that the policy wording "at the latest" should be inserted at the end of the first line between "carbon" and "by 2035". They also suggest that the policy wording of "should" needs to be changed to "must" under "Energy Hierarchy".
- Pegasus Group have raised several objections to Policy CL3 on behalf of developers, stating that it should be modified to clarify the role of the required Sustainability Statement, and remove reference to meeting Building Regulations as this duplicates other regulatory regimes and is inconsistent with paragraph 16 (d) and (f) of the NPPF. They state that the reference to local water efficiency requirements should be removed as these are not justified by evidence.
- The Planning Bureau Limited raise an objection on behalf of McCarthy & Stone & Churchill, stating that the Council should avoid having a separate policy introducing separate carbon and climate standards, and should instead rely on the Building Regulations and Future Homes Standards.

Council's Response:

- Policy CL3 requires major development to demonstrate in a Sustainability Statement how its principles and requirements have been applied. The policy is framed to complement Building Regulations and the Future Homes

Standard, which alongside the material consideration of NPPF policy means that no change is required.

- The Sustainability Statement is required only for major development, and Policies CL3 and CL6 refer to the same statement, which must be commensurate with the scale of the development. The reference to Part L confirms that the Plan does not seek energy efficiency standards beyond the Building Regulations, and the 110 litres water efficiency standard applies only 'where viable' and is supported by the Water and Flooding Topic Paper, which identifies significant pressures on Severn Trent Water's Strategic Grid Zone. No change required.
- Policy CL3 does not set energy efficiency standards beyond the Building Regulations, as it expects new homes to meet Part L and the Future Homes Standard and supports proposals that go further, consistent with the Future Homes Standard costs included in the viability assessment. The 2035 net

Policy CL4: Renewable and Low Carbon Energy

In total, two representations were received from the following two consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England

Support

Historic England finds Policy CL4 sound.

Summary of Main Issues

- Derby Climate Coalition object to this policy, stating that it is unnecessarily restrictive in its approach to encouraging low carbon energy, with the supporting text suggesting that the majority of the criteria should only apply to major schemes, which may discourage local, volunteer-led groups from engaging in negotiations. They state that further clarification is required in relation to the type and size of scheme that this policy applies to.

Council's Response:

- Policy CL4 expressly supports community-led schemes, and its criteria only resist proposals with significant adverse impacts, so small community schemes that do not give rise to such impacts will be supported. Early engagement with the Council is welcomed. No change required.

Policy CL5: Low Carbon Energy Centres

In total, two representations were received from the following two consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England

Support

Derby Climate Coalition finds Policy CL5 sound.

Summary of Main Issues

- Historic England object to this policy as they state that heritage aspects should be more heavily incorporated into the final sentence.

Council's Response:

- Criterion (d) of Policy CL5 requires proposals to accord with other relevant policies of the Plan, including the historic environment policies HE1 to HE7. As the Plan is read as a whole, no change is required.

Policy CL6: Embodied Carbon

In total, four representations were received from the following four consultees for this policy:

[OR36] Derby Climate Coalition	[OR162] Historic England
[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	[OR226] The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill

Support

Derby Climate Coalition finds Policy CL6 sound.

Summary of Main Issues

- Historic England object to Policy CL6, stating that it should incorporate the maintenance and retention of heritage assets within the policy.
- Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd object to Policy CL6, for the reason that it is inconsistent with national policy, as it imposes a requirement for all developments to provide a Sustainability Statement, stating that this requirement does not give due consideration to the scale and likely impacts of development.
- The Planning Bureau Limited on behalf of McCarthy & Stone & Churchill object to this policy as they state that its inflexible nature may deem sites as unviable. They also highlight the need for the Council to ensure that embodied carbon figures are available to developers from suppliers through an Environmental product Declaration.

Council's Response:

- Policy CL6(a) already prioritises the renovation, repair, reuse or retrofit of existing structures over demolition, which includes heritage assets, and Policy CL3 sets out a whole building approach to the retrofit of traditional buildings and heritage assets. Policy HE1 also promotes the sensitive conversion and re-use of underutilised assets. As the plan is read as a whole, no change is required.
- The Sustainability Statement is required only for major development, and Policies CL3 and CL6 refer to the same statement, which must be commensurate with the scale of the development. It is therefore a proportionate requirement that does not apply to smaller schemes. No change required.
- Policy CL6 applies 'where possible' and does not set a numerical embodied carbon target or require Environmental Product Declarations, so it does not add a fixed cost that would affect viability. The Sustainability Statement need only be commensurate with the scale of the development, and the Plan is to be examined against the December 2024 NPPF under the transitional arrangements. No change required.

11. Infrastructure and Community

Introduction to Chapter

In total, three representations were received from the following two consultees for general comments associated with paragraphs 408 to 410 of this chapter:

[C507] David Barton	[C552] Dr Beatty

Support

No representations were received in support of paragraphs 408 to 410.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.
- Dr Beatty considered that the loss of an open space to accommodate the proposed Gypsey and Traveller site is contrary to the policy.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Policy IC1: Social and Community Facilities

In total, four representations were received from the following four consultees for this policy:

[OR33] Campaign for Pubs	[OR39] NHS Property Services
[OR161] Derbyshire County Council	[OR 240] Pegasus Planning on behalf of Catesby Estates

Support

Derbyshire County Council and NHS Property Services find Policy IC1 sound.

Summary of Main Issues

- The Campaign for Pubs highlighted the important role pus play in the community and considered that the policy is too weak to protect these facilities.

- Pegasus Planning on behalf of Catesby Estates requested that the policy should be modified to remove reference to successor documents to the SPD. Through the introduction of new national planning system, Councils can no longer adopt new Supplementary Planning Documents.

Council's Response:

- The policy states that the loss of all community facilities only permitted where it is clearly demonstrated that the facility is no longer viable or that a suitable replacement is available. No change required.
- The Planning Obligations SPD (2018) will continue to apply on adoption of the Plan, as the Viability Topic Paper explains, and the reference to a successor document allows for any replacement guidance or mechanism that national legislation provides for. The wording is therefore sufficiently clear. No change required.

Policy IC2: Cemetery

In total, one representation was received from the following consultee for this policy:

[OR197] Stephen Peat	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Stephen Peat considered that a new cemetery covering the west of the city is needed.

Council's Response:

- A site selection process has been undertaken by the Council before the site was allocated which included detailed environmental surveys. Policy IC2 identifies a new cemetery adjacent to the existing crematorium to meet the city's long-term burial needs, and criterion (c) requires provision to meet the burial needs and requirements of all members of the community.

Policy IC3: Education Provision

In total, one representation was received from the following consultee for this policy:

[OR161] Derbyshire County Council	

Support

- Derbyshire County Council support changes made since Regulation 18, particularly in relation to cross boundary education provision as part of allocation HA5. The County Council would welcome the opportunity for further collaborative working and engagement to consider cross boundary school place planning.

Council's Response:

- Support welcomed. The Council will continue to work with Derbyshire County Council on cross-boundary school place planning.

Policy IC4: Higher and Further Education

No representations were received for this policy.

Policy IC5: Communication Infrastructure

No representations were received for this policy.

12. Transport and Movement

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 408 to 410 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 408 to 410.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Policy T1: Active and Sustainable Transport

In total, three representations were received from the following two consultees for this policy:

[OR36] Derby Climate Coalition	[OR161] Derbyshire County Council

Support

- Derby Climate Coalition find this policy sound and emphasise their support for the Council's City Centre Parking Study.
- Derbyshire County Council find this policy sound, providing a summary of the jointly commissioned Systra Consultants transport modelling assessment across the four Housing Market Area authorities (with support from National Highways) and its relevance for informing Policy T1. Emphasis is placed on the modelling report highlighting the need for significant public transport and active travel improvements in and around the city.

Summary of Main Issues

- Derby Climate Coalition strongly support Policy T1, however, it is requested that T1(h) be amended to refer to new developments in locations well-served by frequent, high-quality bus services, rather than in walking distance as currently stated.

Council's Response:

- Support for Policy T1 is noted and welcomed.
- The frequency and quality of bus services form part of the negotiations with private operators and applicants. The presence of a bus stop within walking distance provides a consistent and measurable basis for policy implementation. No change required.

Policy T2: Transport Infrastructure

In total, four representations were received from the following four consultees for this policy:

[OR167] Amber Valley Borough Council	[OR36] Derby Climate Coalition
[OR236] Caddick Land	[OR161] Derbyshire County Council

Support

No representations were received in support of this policy.

Summary of Main Issues

- Amber Valley Borough Council object to the wording within Policy T2, stating that point (c) seeks to allocate a link road between the A52 and B5020 in an area outside of Derby City Council's administrative area. This is seen as making the Plan unsound.

  It is further stated that no further work has been undertaken to consider how and where a link may be implemented and therefore reference to the Brun Lane site should be removed. Instead, Policy T2 should refer to mitigating impacts of development outside the city through a West of Mickleover Integrated Transport Link between the A516 and the A52 and active travel links.
- Caddick Land emphasis the interwoven reliance on the A38 Derby Junctions Grade Separate Scheme for the delivery of the city growth proposed by the Local Plan. It is acknowledged that the conclusions of the Sustainability Appraisal are reliant on the delivery of the A38 Junctions project, and that the Strategic Transport Assessment's sensitivity test emphasises the adverse impacts across the network if the A38 scheme does not go ahead. Caddick Lane thus considers the Plan unsound on account for the growth being predicted on the uncertain A38 improvement scheme which they deem unlikely to be delivered within the plan period.
- Derby Climate Coalition objects to Policy T2 on the basis that the first three headings refer to road changes to facilitate car use. The Coalition support the

addition of criterion (h) to (i), but request more detail. It is perceived that point (c) should be deleted due to the works existing outside of the city.

The Derby Climate Coalition request the word “support” be removed in relation to the implementation of strategic proposals to differentiate between helping deliver initiatives whilst not signifying agreement with decisions imposed on the city.

- Derbyshire County Council emphasise the Plan’s reliance on the A38 Derby Junctions Grade Separation scheme and state that the Plan should therefore identify alternative infrastructure and contingencies to support the planned growth in the event that this project is not delivered.

  Derbyshire County Council also support the inclusion of the South Derby Integrated Transport Link within Policy T2, but request it include explicit reference to its provisions for walking, wheeling, cycling and public transport. Likewise, further emphasis is requested on the need for sustainable transport connections between the Plan’s allocations and strategic allocations outside the city.

  Further clarity is sought for the delivery mechanisms of the desired active transport outcomes within the development management process. Derbyshire County Council request that a requirement for major developments to deliver walking, wheeling and cycling infrastructure in accordance with LTN 1/20 should be added; developers be required to demonstrate provision of active travel connections; and major development require the submission of active travel audits and connectivity assessments. The County Council also request stronger policy wording be utilised to provide clearer expectations and the delivery of active travel infrastructure be prioritised in the early stages of development.

Council’s Response:

- Criterion C identifies the link road and active travel routes as initiatives the Council will work with partners to support. In the context of local government reorganisation, and recognising that delivery outside the City depends on neighbouring authorities. The HMA transport work identifies a West of Mickleover Integrated transport link as part of a package of interventions. The Council will continue to work with Amber Valley and South Derbyshire on the route and form of any link, including through the Statement of Common Ground. No change required.
- An official decision on the future of the A38 has yet to be made. Until an official statement has been made, the project will remain in the Plan. No change required.
- As the Plan should be read as a whole, the requirements of other policies to promote walking and cycling. No change required.

Policy T3: Servicing, Accessibility and Parking

In total, one representation was received from the following consultee for this policy:

[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Pegasus Group (on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd) considers that the standard of 1 cycle parking space per bedroom included within Appendix 4 would have significant implications for development design and layout. They consider this standard to be unsupported by the Parking Study Report and that there is no other evidence to demonstrate the necessity, viability, nor deliverability of this provision.

  The consortium of developers thus state that Policy T3 and its associated appendix should be justified by clear evidence, or the standard be amended for flexibility.

Council's Response:

- Appendix 4 states that the parking standards shown are guidance, and parking provision differing from the guidance should be supported by evidence alongside any application. This evidence could include Census statistics, parking beat surveys, tenure, accessibility scores, and first principles based on similar development elsewhere. The cycle parking guidance is based on the Department for Transport Note LTN 1/20. No change required.

Policy T4: Protected Routes

In total, two representations were received from the following two consultees for this policy:

[OR36] Derby Climate Coalition	[OR37] Derby and Sandiacre Canal Trust

Support

Derby Climate Coalition find Policy T4 sound.

Summary of Main Issues

- The Derby and Sandiacre Canal Trust considered that Policy T4 does not sufficiently have regard to the Council Plan and other policies within this document. They welcome the reference to canal restoration but request further mention to the production of a vibrant and sustainable transport route with the

potential for improving blue and green infrastructure, mitigating against climate change, assisting with flood protection, and providing a visitor attraction.

Council's Response:

- Support for Policy T4 is noted and welcomed.
- The supporting text of Policy T4 should be read alongside the Local Plan as a whole since the wider Council Plan objectives and relevant Local Plan policies are addressed throughout the document. As such, individual supporting text sections are not intended to repeat all wider strategic objectives where they have already been established elsewhere in the document.

  The benefits associated with canal restoration referenced in this representation are considered to be adequately reflected within the supporting text to Policy T4; many of the identified benefits are not unique to canal restoration and can be realised through the provision of a range of recreational and active travel routes. Consequently, it is not considered necessary to expand the supporting text to specifically reference these benefits in the context of canal restoration alone.

Policy T5: Electric Vehicle Charging Facilities

In total, one representation was received from the following consultee for this policy:

[OR256] Pegasus Group on behalf of Miller Homes, William Davis and Miller Gadsby (Heatherton) Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- The consortium of developers represented by Pegasus Group considered Policy T5 as unnecessary due to the provision of electric vehicle charging infrastructure already being regulated through Building Regulations Part S. They perceive this as non-compliant with the NPPF (2024) Paragraph 16(f) and the NPPF (August 2026) Policies PM6(1)(c) and PM13 by not avoiding unnecessary duplication.

  The consortium thus request Policy T5 to be deleted or amended to avoid duplication of Building Regulations.

Council's Response:

- Building Regulations and the planning system perform distinct functions and operate at different stages of the development process. Building Regulations Part S does not apply to all forms of development, and therefore Policy T5 serves a broader purpose that extends beyond the provisions of this document

and accounts for the planning considerations associated with the location and integration of charging infrastructure into the design, layout and assessment of planning proposals. As such, it is not considered that Policy T5 conflicts with national policy relating to the avoidance of unnecessary duplication. No change required.

Policy T6: Mobility Hubs

No representations were received for this policy.

Policy T7: Safeguarded Areas Around Aerodromes (East Midlands Airport)

No representations were received for this policy.

13. City Centre

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 663 to 664 of this chapter:

[C507] David Barton	

Support

No representations were received in support of paragraphs 663 to 664.

Summary of Main Issues

- David Barton, a Community Campaigner highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Policy CC1: City Centre Strategy

In total, three representations were received from the following three consultees for this policy:

[OR162] Historic England	[OR227] Lichfield's on behalf of Derby Station Quarter Board
[OR229] Lichfield's on behalf of Derbion	

Support

Historic England, Derbion and Derby Station Quarter Board find Policy CC1 sound.

Summary of Main Issues

No objections were received in response to this policy.

Council's Response:

- Support is noted and welcomed.

Policy CC2: Defining the City Centre

In total, two representations were received from the following two consultees for this policy:

[OR229] Lichfield's on behalf of Derbion	[OR227] Lichfield's on behalf of Derby Station Quarter Board

Support

Derbion and the Derby Station Quarter Board support the definition of the City Centre.

Summary of Main Issues

No objections were received in response to this policy.

Council's Response:

- Support is noted and welcomed.

Policy CC3: City Centre Living

In total, two representations were received from the following two consultees for this policy:

[OR229] Lichfield's on behalf of Derbion	[OR227] Lichfield's on behalf of Derby Station Quarter Board

Support

Derby Station Quarter Board strongly support the strategy set out in Policy CC3.

Summary of Main Issues

- Derbion object to the policy as it isn't sufficiently flexible to respond to site specific circumstances, market conditions and abnormal costs in relation to affordable housing provision. Derbion assert that the policy should make specific reference to site specific viability assessment.

Council's Response:

- Support is noted and welcomed.
- To avoid repetition, Policy CC3 specifically cross references Policy H4 relating to affordable housing. H4 is already flexible and allows for consideration of other competing planning objectives and acknowledges that lower percentages may be acceptable where justified by robust evidence. The Plan should be read as a whole. No change required.

Policy CC4: Residential-led, Mixed Use Site Allocations

In total, six representations were received from the following five consultees for this policy:

[OR229] Lichfield's on behalf of Derbion	[OR227] Lichfield's on behalf of Derby Station Quarter Board
[OR162] Historic England	[OR235] Little Ships Housing CIC
[OR257] Marrons on behalf of BDW Trading Ltd	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England raise concerns in relation to allocation CC4c (Northern Gateway), particularly the potential for development to harm the significance of heritage assets, including their setting. They recommend that assessment is required to understand potential harm and how this could be overcome.
- Whilst supporting the intention to secure comprehensive and coordinated delivery of new homes, Derbion are concerned that as drafted, the policy lack flexibility in relation to sites where they have an interest. They have raised concerns about references to planning objectives that are contingent upon third party land ownership, for example the concept of 'taming' the Inner Ring Road to improve connectivity between the Bradshaw Way site and Castleward and the Nightingale Quarter. Similarly, they object to references to improving connectivity to Derby Riverside and North Castleward through development of the Eagle Quarter site. They also question the clarity of the objective of 'taming' the Inner Ring Road.
- Derbion also object to the capacity figures applied to Bradshaw Way and Eagle Quarter as they don't provide sufficient flexibility for schemes to evolve.
- Little Ships CIC support the identification of Council owned car parks in the city centre for regeneration. However, they suggest that the policy should require replacement parking to be designed to enable new homes to be delivered above and to enable parking decks to be converted over time.
- BDW Trading Ltd object to the inclusion of residential capacity numbers associated with Northern Gateway (CC4c), Abbey Street Car Parks (CC4f) and Babington Lane Car Park (CC4g). In all three cases, they acknowledge that there is long term potential to accommodate new development, however they argue that there is insufficient evidence to demonstrate that the sites are developable in the plan period and raise issues associated with the availability of land and other barriers to delivery.

Council's Response:

- Heritage Impact Assessment (HIA) work is being undertaken by specialist consultants, including consideration of the Northern Gateway site. Historic

England have provided comments to inform this work, and the Council is keen to continue working closely with them to resolve any outstanding issues, including through statements of common ground if necessary.

- Support for comprehensive development is noted and welcomed.
- In terms of opportunities to 'tame' Bradshaw Way, this is a factual statement – there are opportunities to improve connectivity to the Nightingale Quarter and Castleward through taming the inner ring road. This is a valid planning objective. In the same way, improving connectivity between the Eagle Quarter, Derby Riverside and North Castleward through the provision of active ground floor uses is also a valid planning objective. In the case of Bradshaw Way, the policy does not specify that the improvements to connectivity should be delivered as part of developing the site. Delivery of the site is not reliant on these improvements. The Plan provides sufficient indication of measures that would contribute towards 'taming'. When read alongside documents such as the Council's Ambition document and Public Realm Strategy, the intentions are clear and not ambiguous. No change required.
- The capacity assumptions on each of the Derbion sites are derived from the two outline planning permissions that have been granted and which Derbion have committed to delivering. The Regulation 18 plan set a minimum of 400 homes to be delivered on each of the sites, providing a degree of flexibility. However, Derbion submitted representations at Regulation 18 specifically requesting that the emerging Plan reflects capacity associated with the outline applications. The Regulation 19 document (and supply position) was updated to reflect this request. Whilst it is acknowledged that schemes may evolve over time, it is important to recognise that as the city is capacity capped, the capacity figures stated in policy should be regarded as *minimums*. The Council is willing to discuss potential changes with Derbion to more clearly recognise this, potentially through a statement of common ground.
- Support for the approach to parking is noted. The Council is working on a development brief for the Abbey Street site that would see the provision of a new multi-modal hub, built alongside the delivery of new homes. The Council's City Centre Parking Strategy also envisages the replacement of Chapel Street MSCP, with new homes built alongside as part of the wider Northern Gateway development. It may not always be desirable for homes to be built above parking, for a variety of reasons. New homes and parking will be holistically planned through master-planning and development brief work. Redevelopment of existing parking locations is already a key component of the Council's strategy. No change required.
- The capacity assumptions on each of the Derbion sites are derived from the two outline planning permissions that have been granted and which Derbion have committed to delivering. The Regulation 18 plan set a minimum of 400 homes to be delivered on each of the sites, providing a degree of flexibility. However, Derbion submitted representations at Regulation 18 specifically requesting that the emerging Plan reflects capacity associated with the

outline applications. The Regulation 19 document (and supply position) was updated to reflect this request. Whilst it is acknowledged that schemes may evolve over time, it is important to recognise that as the city is capacity capped, the capacity figures stated in policy should be regarded as *minimums*. The Council is willing to discuss potential changes with Derbion to more clearly recognise this, potentially through a statement of common ground.

- Support for the approach to parking is noted. The Council is working on a development brief for the Abbey Street site that would see the provision of a new multi-modal hub, built alongside the delivery of new homes. The Council's City Centre Parking Strategy also envisages the replacement of Chapel Street MSCP, with new homes built alongside as part of the wider Northern Gateway development. It may not always be desirable for homes to be built above parking, for a variety of reasons. New homes and parking will be holistically planned through master-planning and development brief work. Redevelopment of existing parking locations is already a key component of the Council's strategy. No change required.
- The Council acknowledge that development of city centre housing allocations will be challenging and, in many cases, will require a multi-agency approach to overcome constraints. It is completely logical that complex city centre locations will have constraints such as existing uses and land ownership issues that will need to be overcome.
- In the case of Northern Gateway, detailed master-planning of the area is ongoing and the Council is working with development partners (Ion and Vinci Developments) to develop a delivery strategy. The Council is committed to delivery and will utilise CPO powers if necessary, although a significant proportion of the allocated area is already within the Council's ownership.
- In the case of Abbey Street car parks, a development brief and spatial framework are being developed for this site which include the provision of a multi-modal hub, alongside new homes. Emerging works suggests that well over 50 dwellings should be capable of being accommodated across the two parking areas. The work is being used to inform the Property Rationalisation Board within the Council. The Council recognise that decisions relating to parking provision will need to be made in the near future due to Chapel Street MSCP coming to the end of its design life. Again, the site is largely within the control of the Council.
- A development brief and spatial framework are also being developed for the Babington Lane site. Emerging works suggests that over 150 dwellings should be capable of being accommodated across the site. The Council is working with partners to develop a delivery strategy. The Council is committed to delivery and will utilise CPO powers if necessary.
- Delivery on all these sites has been deliberately pushed towards the end of the plan period, accounting for the lead in periods needed to overcome constraints and get an appropriate delivery strategy in place.

Policy CC5: Non-Residential Regeneration Opportunities

No representations were received for this policy.

Policy CC6: Tall Buildings

In total, four representations were received from the following four consultees for this policy:

[OR232] Derwent Valley Mills World Heritage Site Partnership	[OR227] Lichfield's on behalf of Derby Station Quarter Board
[OR162] Historic England	[OR229] Lichfield's on behalf of Derbion

Support

Lichfield's on behalf of Derby Station Quarter Board find Policy CC6 sound.

Summary of Main Issues

- Derwent Valley Mills World Heritage Site (DVMWHS) Partnership have advised an amendment to criterion (f) to specifically make reference to the need to avoid harm to the Outstanding Universal Value (OUV) of the DVMWHS and also suggested referencing the UNESCO toolkit (in relation to heritage impact assessment) in criterion (x).
- Historic England recommend that the policy relates back to the relevant evidence base that has informed the policy wording and proposed locations. They also welcome criterion (f) and (g) but suggest that (g) could be amended to ensure the protection of key views and make specific reference to the DVMWHS.
- Derbion support changes made after publication of the Regulation 18 document, including changes that allow tall building proposals to be submitted in outline, subject to specific conditions.
- Derbion consider that the site of Riverside MSCP should be identified as a potential location for tall buildings.
- Derby Station Quarter Board support the principle of tall building locations being identified in the Railway Station Quarter, recognising the important role they could play in accommodating growth and legibility. They also support changes made after publication of the Regulation 18 document, including changes that allow tall building proposals to be submitted in outline, subject to specific conditions and clarification around validation requirements. However, they continue to raise concerns about the definition of tall buildings not being ambitious enough and setting a 'low bar'.

Council's Response:

- Criteria (f) already references the need to take account of and avoid or minimise harm to the significance of Derby's heritage assets including their setting. Heritage assets include the Derwent Valley Mills World Heritage Site (DVMWHS), as recognised in Policy HE1 and the supporting text of CC6. The

Plan also includes a specific policy (HE2) relating to the DVMWHS, which includes the need for Heritage Statements to have regard to the UNESCO toolkit. Further references to the DVMWHS specifically within the policy wording of CC6 are not considered necessary. No change required.

- The supporting text of CC6 references the Council's Tall Buildings Study and specifically recognises that the locations considered appropriate for tall buildings are based on the Tall Buildings Study. It is not considered appropriate for further references to the study to be added to the policy wording. Support for criteria (f) and (g) is noted. Criteria (f) already references the need to take account of and avoid or minimise harm to the significance of Derby's heritage assets including their setting. Heritage assets include the Derwent Valley Mills World Heritage Site (DVMWHS), as recognised in Policy HE1 and the supporting text of CC6. The Plan also includes a specific policy (HE2) relating to the DVMWHS, which includes the need for Heritage Statements to have regard to the UNESCO toolkit. Further references to the DVMWHS specifically within the policy wording of CC6 are not considered necessary. No change required.
- Support from Derbion for changes made to the policy since the Regulation 18 version was published is noted. Derbion are correct in recognising that the Council's Tall Buildings Study did not consider the site of Riverside MSCP as a potential development site as it was currently in use at the time of production. Criteria (b) allows for tall building proposals in areas outside of locations identified on the Policies Map, provided a clear rationale and justification is demonstrated, including consideration of impacts on heritage assets. Whilst masterplanning (on behalf of the Council) of the wider Derby Riverside allocation is ongoing, no evidence has been submitted by the respondent to indicate that the site of Riverside MSCP is appropriate for tall buildings. No change required.
- Support for the identification of tall building opportunities in the Railway Quarter and changes to the policy since Regulation 18 are noted. In terms of the definition of a tall building (2x context height) setting a 'low bar' and not being ambitious enough, this is a misinterpretation of what the policy is saying. A proposed building is only considered 'tall' once it passes the 2x context height threshold. This is not the target or preferred height of a new building; it is simply the point at which it should be considered 'tall'. Indicative height recommendations are included in the Council's Tall Buildings Study, many of which are well beyond the 2x context height threshold.

Policy CC7: Business, Creativity and Learning

In total, two representations were received from the following two consultees for this policy:

[OR229] Lichfield's on behalf of Derbion	[OR227] Lichfield's on behalf of Derby Station Quarter Board

Support

Lichfield's on behalf of Derby Station Quarter Board find Policy CC7 sound.

Summary of Main Issues

- Derbion support the principle of growth in office and creative industries in the city centre. However, they object to the proposed boundary of the Central Activity Area (CAA) as it excludes sites such Riverside MSCP and Bradshaw Way, both of which Derbion have an interest in.
- Derby Station Quarter Board support the approach in the policy, particularly the recognition that the Railway Station Quarter could accommodate new office space associated with the rail industry.

Council's Response:

- Support for the growth in office space is noted. Justification and rationale for not extending the CAA to include Derbion's land interests at sites such as Bradshaw Way and Riverside MSCP is set out in the Economy Topic Paper. The Council is committed to ensuring that sites such as Bradshaw Way are built out for residential led proposals, reflecting the current planning permissions.
- Support from the Station Quarter Board is noted and welcomed.

Policy CC8: Shopping, Eating and Drinking

In total, one representation was received from the following consultee for this policy:

[OR229] Lichfield's on behalf of Derbion	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derbion object to the policy as the extent of the Primary Shopping Area (PSA) does not include sites such as Bradshaw Way and Riverside MSCP, both of which they have an interest in.
- Derbion also object to the 'blanket restriction' on late night opening (after 12.30am) in areas outside of the Central Activity Area (CAA).

Council's Response:

- Justification and rationale for not extending the PSA to include Derbion's land interests at sites such as Bradshaw Way and Riverside MSCP is set out in the Economy Position Statement. Justification and rationale for not extending the PSA to include Derbion's land interests at sites such as Bradshaw Way and Riverside MSCP is set out in the Economy Topic Paper.

- The policy does not provide a 'blanket restriction' on opening beyond 12:30am in areas outside of the CAA. It states that opening will 'generally' be restricted. There may be cases where a specific case to open beyond 12:30am can be made. However, the Council is committed to ensuring that the character and amenity of areas outside of the CAA is protected to maintain and develop residential neighbourhoods. No change required.

Policy CC9: Active and Inclusive Frontage

In total, one representation was received from the following consultee for this policy:

[OR229] Lichfield's on behalf of Derbion	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derbion object to Policy CC9 as it would reduce flexibility and conflicts with the rationale for the E use class.

Council's Response:

- The policy maintains Class E flexibilities and is focussed on restricting uses that fall outside out the E use class, generally sui generis uses. The only element of the policy that in any way restricts Class E flexibilities is the final paragraph that seeks to ensure that open ended E use class permissions avoid the potential for dead frontages. The supporting text uses the example of restricting offices, where it would result in dead frontage. This remains a valid planning objective. No change required.

Policy CC10: Streets and Spaces

No representations were received for this policy.

Policy CC11: Derby Riverside

In total, five representations were received from the following five consultees for this policy:

[OR37] Derby and Sandiacre Canal Trust	[OR257] Marrons on behalf of BDW Trading Ltd

[OR232] Derwent Valley Mills World Heritage Site Partnership	[OR162] Historic England
[OR229] Lichfields on behalf of Derbion	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derby and Sandiacre Canal Trust suggest that the policy and supporting text do not adequately represent the Council Plan and that additional wording should be added to the supporting text to make reference to the potential for new water based riverside facilities and the potential for using the river to link Darley Abbey to Wilmorton Park via the city centre.
- Derwent Valley Mills World Heritage Site Partnership advise that Heritage Impact Assessment (HIA) should be prepared to inform the allocation and that the Council's Digital Twin should be used to understand impacts.
- BDW Trading Ltd object to the inclusion of residential capacity numbers associated with Derby Riverside. They acknowledge that there is long term potential to accommodate new development, however they argue that there is insufficient evidence to demonstrate that the allocation is developable in the plan period and raise issues associated with the availability of land and other barriers to delivery such as flood risk. They also highlight that the assumed build out rates is overly ambitious.
- Historic England welcome the inclusion of references to the historic environment, however they recommend amending the wording of criteria (k) to ensure that it is the significance of heritage assets, including their setting and key views that are protected, as well as the Outstanding Universal Value (OUV) of the DVMWHS. They also recommend that mitigation identified in Heritage Impact Assessment (HIA) work should be incorporated into the policy.
- Derbion object to the policy wording as it does not optimise housing delivery and recognise the potential of the area. They state that the policy is not ambitious enough in terms of the quantum of homes sought and does not reflect the potential for tall buildings. Derbion would welcome the opportunity to discuss the potential of Riverside MSCP to maximise numbers.
- Derbion highlight that the policy is not clear on the mechanism through which a new primary school would be delivered.
- Criterion (o) seeks to ensure that the creation of Class E uses do not directly compete with the PSA and CAA. Derbion state that further clarity is needed on how 'direct competition' will be considered, particularly as the Policy also supports development coming forward through mixed-use regeneration.
- Derbion highlight that criteria (q) and (r) are unclear on whether such improvements are expected on site, or via planning contributions. They note that individual sites within the city centre can be constrained, or due to the configuration of development, find it difficult to provide 'significant contributions' to greening for example. They note that the policy needs to be careful as to not

create onerous expectations for developments which is at odds with part (j) which seeks to optimise the development potential.

- Derbion highlight that criterion (s) is not clear on the types of development where it would be appropriate for new development to provide for the relocation of existing uses.
- Derbion stress that the requirement for comprehensive redevelopment must ensure it does not become a barrier for development. They assert that the Riverside MSCP site should be capable of being delivered individually, ahead of the other sites in the wider allocation.

Council's Response:

- The policy already recognises the aim of utilising the River Derwent and wider Riverside area for recreation. No change is required to reflect the comments from the Canal Trust.
- Heritage Impact Assessment (HIA) is being developed as part of the master-planning of the Derby Riverside area and includes tall buildings, in line with the Council's Tall Buildings Study. The Derwent Valley Mills World Heritage Site Partnership and Historic England have been involved in discussions about this emerging work and have provided comments on drafts. The Council's Digital Twin is being used to help inform these discussions.
- The Council acknowledge that development within the proposed Derby Riverside allocation will be challenging and will require a multi-agency approach to overcome constraints. Detailed master-planning of the area is ongoing and the Council is working with partners to develop a delivery strategy. There is known developer interest in this area and the Council is in discussions with landowners and developers about emerging schemes. The Council is committed to delivery and will utilise CPO powers if necessary. In terms of flood risk, OCOR package II is being implemented, which will protect the area, although is acknowledged that this does not remove the land from FZ3. Delivery in this area has been deliberately pushed towards the end of the plan period, accounting for the lead in periods needed to overcome constraints and get the delivery strategy in place. Units are likely to be largely apartments and therefore completions are likely to be counted as 'blocks' as opposed to a smoother trajectory over a more sustained period. The Council maintain that there is sufficient rationale for including capacity numbers associated with this allocation in the land supply. No change required.
- Support for criteria (k) is noted. Criteria (k) already makes reference to the need for proposals to avoid or minimise harm to the significance of heritage assets and references the need to respect the setting of heritage assets. No change required.
- The Council is attempting to strike a balance between being aspirational but also realistic in terms of capacity assumptions. Whilst it is acknowledged that sites such as Riverside MSCP may well provide 'additional' capacity over and above the numbers already being counted, no evidence has been submitted by the respondent to justify their assertions that there is a realistic opportunity that Riverside MSCP could be redeveloped or that tall buildings may be

appropriate. It is important to note that Derbion do not have full control of the Riverside MSCP site. The Council is keen to continue discussions with Derbion about the Riverside MSCP site and wider area, as part of the ongoing master-planning that is being undertaken. No change required.

- Criteria (o) seeks to ensure that development within the allocation does not detract from the vitality and viability of the CAA and PSA through the creation of E uses that will directly compete. This criterion has been included to ensure that vibrant uses are focussed into the heart of the city centre and not spread too thinly across a wider area. E uses within the allocated area should be carefully curated to ensure that they complement the PSA and CAA as opposed to drawing trade away from these key areas. No change required.
- Criteria (q) and (r) relate to enhancements to public realm and 'greening'. The allocation covers a large area and encompasses several potential plots or development sites. It may be appropriate for some plots to deliver these priorities on site, whereas in other areas, less so. It may be that these objectives are also implemented by the Council or other partners, rather than the development sector. A case-by-case approach will be needed given the nature of the area. No change required.
- Policy GD9 seeks to ensure that new development is supported by necessary infrastructure such as education facilities. This can either be through on-site provision of off-site through contributions. The exact mechanism for the delivery of a new primary school in the city centre will be contingent on the timing of residential delivery and projected school capacity at the time. Further clarity on the school issue will come from the ongoing master-planning work. No change required.
- Criteria (s) requires proposals to make provision for the relocation of existing uses, 'where appropriate'. The criteria will need to be applied on a case-by-case basis depending on the nature of the existing use being displaced. It is entirely appropriate to take this approach. No change required.

Policy CC12: University of Derby, City Centre Hub

In total, one representation was received from the following consultee for this policy:

[OR162] Historic England	

Support

No representations were received in support of this policy.

Summary of Main Issues

- Historic England object to the inclusion of listed properties fronting Friar Gate within the allocation on the basis that their inclusion has not been justified. They recommend that this part of the allocation is removed and that any mitigation measures suggested in the emerging heritage impact assessment work is incorporated into the policy.

Council's Response:

- The Friar Gate frontage was included within the definition of the allocated area to ensure that its sensitivity is taken account of in developing proposals in the surrounding area. It was never the intention to give the impression that these buildings are development opportunities. However, it is recognised that their inclusion is potentially unhelpful. The Council is keen to continue dialogue with Historic England, particularly in relation to the emerging HIA work and is willing to enter into a statement of common ground to agree potential remedies, if necessary.

Policy C13: Railway Station Quarter

In total, four representations were received from the following four consultees for this policy:

[OR162] Historic England	[OR257] Marrons on behalf of BDW Trading Ltd
[OR227] Lichfield's on behalf of Derby Station Quarter Board	[OR31] Network Rail Infrastructure Ltd

Support

Network Rail Infrastructure Ltd find Policy C13 sound.

Summary of Main Issues

- Historic England welcome the inclusion of references to the historic environment, however they recommend amending the wording of criteria (k) to ensure that it is the significance of heritage assets, including their setting and key views that are protected, as well as the Outstanding Universal Value (OUV) of the DVMWHS. They also recommend that mitigation identified in Heritage Impact Assessment (HIA) work should be incorporated into the policy.
- Derby Station Quarter Board confirm their continued strong support for the Council's strategy to secure residential led regeneration of this area and have provided evidence to prove the suitability, availability and deliverability of the allocation.
- Derby Station Quarter Board support the introduction of criteria (h) relating sustainable travel.
- In respect to criterion (n), Derby Station Board wish to see greater recognition that some small-scale commercial uses may be appropriate to support wider regeneration.
- Criterion (r) relates to development making financial contributions to primary and secondary school capacity, to be kept under review. Derby Station Board assert that such contributions should be proportionate to the demographic profile of potential occupiers of future development, which in the case of the Station Quarter, is likely to be largely apartments.

- Criterion (s) relates to surface water management and the provision of SuDS. Derby Station Board request that this requirement is caveated with 'where appropriate / feasible'.
- BDW Trading Ltd object to the inclusion of residential capacity numbers associated with the Railway Station Quarter allocation. They acknowledge that there is long term potential to accommodate new development, however they argue that there is insufficient evidence to demonstrate that the allocation is developable in the plan period and raise issues associated with the availability of land and other barriers to delivery such as flood risk. They also highlight that the assumed build out rates are overly ambitious.

Council's Response:

- Support for criteria (k) is noted. Criteria (k) already makes reference to the need for proposals to avoid or minimise harm to the significance of heritage assets and references the need to respect the setting of heritage assets. No change required.
- Support for the policy from Derby Station Quarter Board is noted and evidence of the suitability, availability and deliverability of the allocation is welcomed.
- Support for the introduction of criteria (h) is noted.
- The Council agree that small scale commercial uses may be appropriate, and this is recognised in criterion (c). Criterion (n) simply seeks to ensure that such uses are of a nature and scale that is genuinely ancillary / complementary and doesn't compete directly with wider offerings in the core city centre. No change is needed.
- In relation to criterion (r), the Council acknowledge the point being made by Derby Station Board but would also stress that there is increasing evidence of families living in apartments, particularly in the Castleward and Nightingale Quarter areas.
- In relation to criterion (s), Policy CL1 (relating to flood risk and water management) also covers this requirement but includes a caveat, '*unless it is demonstrated that to be inappropriate to do so*'. When the Plan is read as a whole, the required caveat already exists. No change required.
- The Council acknowledge that development within the proposed Railway Station Quarter allocation will be challenging and will require a multi-agency approach to overcome constraints. Following on from development of Interim Planning Guidance (IPG), more detailed master-planning of the area is ongoing and the Council is working with partners, including Platform4, to develop a delivery strategy. The Council is committed to delivery and will utilise CPO powers if necessary to deliver the wider vision for the area. It is important to note that the majority of land needed to deliver the first phases (500) is already in the control of the rail industry.
- Delivery has been deliberately pushed towards the end of the plan period, accounting for the lead in periods needed to overcome constraints and get the delivery strategy in place. Units are likely to be largely apartments and therefore completions are likely to be counted as 'blocks' as opposed to a smoother

trajectory over a more sustained period. The Station Quarter Board have submitted very positive comments that provide useful evidence to demonstrate the suitability, availability and deliverability of sites to deliver the assumed capacity.

Policy CC14: North Castleward

In total, two representations were received from the following two consultees for this policy:

[OR132] Derwent Valley Mills World Heritage Site Partnership	[OR162] Historic England

Support

No representations were received in support of this policy.

Summary of Main Issues

- Derwent Valley Mills World Heritage Site Partnership advise that Heritage Impact Assessment (HIA) should be prepared to inform the allocation and that the Council's Digital Twin should be used to understand impacts.
- Historic England welcome the inclusion of references to the historic environment, however they recommend amending the wording of criteria (i) to ensure that it is the significance of heritage assets, including their setting and key views that are protected, as well as the Outstanding Universal Value (OUV) of the DVMWHS. They also recommend that mitigation identified in Heritage Impact Assessment (HIA) work should be incorporated into the policy.

Council's Response:

- Heritage Impact Assessment (HIA) work is being undertaken by specialist consultants, including consideration of the North Castleward site. The DVMWHS Partnership have been consulted as part of the development of this work. The Council is keen to continue working closely with stakeholders to resolve any outstanding issues, including through statements of common ground if necessary.
- Support for criteria (i) is noted. Criteria (i) already makes reference to the need for proposals to avoid or minimise harm to the significance of heritage assets and references the need to respect the setting of heritage assets. No change required.

14. Monitoring and Review

Introduction to Chapter

In total, one representation was received from the following consultee for general comments associated with paragraphs 750 to 752 of this chapter:

[C507] David Barton	

Support

No responses were received in support of paragraphs 750 to 752.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Policy M1: Monitoring and Review

In total, four representations were received from the following four consultees for this policy:

[OR128] Home Builders Federation	[OR41] Councillor Tim Prosser
[OR235] Little Ships Housing CIC	[OR266] Fisher German on behalf of Bloor Homes

Support

No representations were received in support of this policy.

Summary of Main Issues

- The Home Builders Federation stated that the policy and the monitoring framework is not sound as the current indicators are inadequate and the inclusion of policies which merely triggers a review of the Local Plan. The representation continued by stating that the Council should also monitor the delivery of unmet need in neighbouring authorities and concludes by stating that the Plan needs to set out how and when monitoring will be undertaken.

- Little Ships Housing CIC highlighted the land in the ownership of both the Council and other public bodies could be used to accommodate new housing. They suggested that additional text is added to the policy stating that the Council will assess the capacity of land and buildings in the ownership of the Council and other public bodies within the city, including surface car parks, depots and the airspace above existing and replacement public buildings and car parks, to accommodate new homes without displacing existing uses. This review should be completed within 12 months of adoption.
- Councillor Prosser objected to the policy, stating that the Regulation 19 document contained amendments which were not agreed in the draft document, including a new criterion in M1.
- Fisher German on behalf of Bloor Homes requested that paragraph 752 is deleted for clarity and to comply with the National Planning Policy Framework.

Council's Response:

- The policy requires annual reporting through the Authority Monitoring Report against the indicators in Appendix 1, which use data available each year, including net completions and the five-year housing land supply. Paragraph 752 sets out the circumstances that would require a review or the bringing forward of alternative or additional sites, including a failure to maintain a rolling five-year supply, and the delivery of Derby's unmet need in neighbouring authorities will be monitored with those authorities through the Statement of Common Ground. It's also important to note that over the lifetime of the plan it is expected that Local Government Reorganisation will occur, therefore monitoring indicators should be based on statistics that are regularly and commonly collected to ensure continuity of reporting. No change required.
- The Housing Requirement and Spatial Strategy Topic Paper confirms that the 2021 capacity work assessed Council-owned and public sector assets, and SA Appendix G shows Council-owned land already being brought forward in the Plan. Policy CC3 supports the conversion of under-used upper floors in the City Centre. Despite this, it is important to be realistic when assessing capacity and assess the evidence of what is realistically deliverable within the plan period. No change required.
- The Regulation 19 consultation was carried out on the published Plan, and all parties, including councillors, have had the opportunity to comment on its content. The Council is satisfied that the Plan has been prepared in accordance with the relevant legal and procedural requirements, which will be set out in its submission documents. No change required.
- Paragraph 752(f) is supporting text that indicates how the Council would approach the trajectory at review, and any future plan will be prepared against the national policy and housing need figures that apply at that time. It does not alter the housing requirement in Policy H1. No change required.

PART B: Representations of Appendices of the Regulation 19 Local Plan Document

Appendix 1: Monitoring Indicators

In total, one representation was received from one consultee for this Appendix:

[C507] David Barton	

Support

No responses were received in support of this appendix.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Appendix 2: Housing Trajectory

No representations were received relating to Appendix 2.

Appendix 3: Table of Strategic and Non-Strategic Policies

In total, two representations were received from the following two consultees for this Appendix:

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[C507] David Barton

Support

Carney Sweeney on behalf of Peveril Homes Limited finds this Appendix sound.

Summary of Main Issues

- David Barton highlights the need for traditional architecture codes to be a central component throughout the document and for a ban on demolition of buildings constructed prior to 1950.

Council's Response:

- Design quality is secured through Policy GD1 and the Plan's other design and heritage policies, which respond to local character without prescribing a single architectural style. Policy HE4 already expects proposals involving the demolition of listed or locally important buildings to show that all reasonable alternatives to demolition have been considered. No change required.

Appendix 4: Guidance on Parking Provision

In total, two representations were received from the following two consultees for this Appendix:

[507] Community Campaigner David Barton	[41] Councillor Tim Prosser

Support

No representations were received in support of this appendix.

Summary of Main Issues

- David Barton considers that free Car Parking should be provided en masse with all prohibitions and associated restrictions removed to provide the best possible opportunity for everyone including residents and outsiders to support the area.
- Councillor Prosser objected, stating that a number of new policy tests and technical standards appear in the document published for Regulation 19 consultation that were not in the agreed draft. This objection concerns whether that delegation to "make minor changes for the purposes of presentation, error correction and clarity" has been exceeded and the documents contents altered substantially from the regulation 18 consultation and the agreed draft.

Council's Response:

- Charging levels for car parking are outside the remit of the Loal Plan
- The Regulation 19 consultation was carried out on the published Plan, and all parties, including councillors, have had the opportunity to comment on its content. The Council is satisfied that the Plan has been prepared in accordance with the relevant legal and procedural requirements. No change required.

Appendix 5: Open Space Standards

In total, two representations were received from the following two consultees for this Appendix:

[C507] David Barton	[OR104 & C519] George Fletcher

Support

No representations were received in support of this appendix.

Summary of Main Issues

- David Barton considered that the standards are too restrictive.
- George Fletcher objected to the loss of open space at Wilmorton.

Council's Response:

- The open space standards are long-standing standards which support high quality, accessible open space, and Policy EN3 also has regard to the size, type and form of provision needed locally. No change required.
- Policy HA16 retains the land beyond the fenced pitches as accessible public open space, to be improved with further planting, so the park will remain available to local residents. The site selection process is set out in the Gypsy and Traveller Site Provision Topic Paper. No change required.

Appendix 6: List of Wildlife Sites & Locally Important Geological Sites (LIGS)

In total, one representation was received from the following consultee for this Appendix:

[C507] David Barton	

Support

No representations were received in support of this appendix.

Summary of Main Issues

- Mr Barton considered there is a conflict between housing targets and natural sites.

Council's Response:

- The Sites listed in Appendix 6 are receive a high level of protection under Policy EN8, and the Sustainability Appraisal assessed effects on biodiversity when the allocations were selected. No change required.

Appendix 7: Superseded Policies

In total, two representations were received from the following two consultees for this Appendix:

[OR 260] Carney Sweeney on behalf of Peveril Homes Limited	[C507] David Barton

Support

David Barton finds this Appendix sound.

Summary of Main Issues

- Carney Sweeney on behalf of Peveril Homes Limited stated that the appendix was clear in setting out that, on adoption, the Local Plan for Derby (2023-2040) will supersede the Derby City Local Plan Part 1 – Core Strategy (2017) and the remaining 'saved' policies of the City of Derby Local Plan Review (2006). However, thought they encouraged the Council to add some additional text to the Introduction.

Council's Response:

- Appendix 7 sets out clearly the policies that will be superseded on adoption, and as the Plan is read as a whole, repeating this in the Introduction is not necessary. No change required.

Glossary

In total, one representation was received from the following consultee for this chapter:

[C507] David Barton	

Support

David Barton finds the glossary sound.

Summary of Main Issues

No objections were received in response to the glossary.

Council's Response:

- Support from C507 is noted and welcomed.

PART C: Representations of the Evidence Base

Sustainability Appraisal

A summary of responses to this document is covered in depth in the submission Sustainability Appraisal.

Habitat Regulation Assessment

No representations were received in relation to the Habitat Regulation Assessment.

Equalities Impact Assessment (EqIA)

No representations were received in relation to the Equalities Impact Assessment.

Green Wedge Review

In total, two representations were received from the following consultee for this document:

[OR265] P&DG on behalf of JGP Properties	

Support

No representations were received in support of this evidence.

Summary of Main Issues

- P&DG on behalf of JGP Properties stated that the Green Wedge Review formed a component of the original capacity exercise. Indeed, as noted above, the upper end of the 11,900–13,600 dwelling range of the desktop study expressly assumed, amongst other matters, that such would require '*additional releases from Green Wedges'*. However, it is not clear from the Position Paper which individual Green Wedge opportunities were removed, the detailed basis upon which their technical feasibility was assessed, or the extent to which those conclusions have subsequently been reconsidered through the more detailed evidence prepared to support the Reg. 19 draft Local Plan. They highlighted that land at Lime Lane, Oakwood is a relevant example.

Council's Response:

- For clarification, The Green Wedge review (GWR) was undertaken before regulation 18 and therefore considered an earlier version of the scheme submitted by the promoters which would have effectively closed off the residual Green Wedge. A smaller site area submitted at Reg 18 was not considered in the GWR but the promoters assert that a wedge could be maintained by developing this smaller area. The Housing Requirement and Spatial Strategy Topic Paper explains how the capacity work evolved. Green Wedge land has only been allocated where the Green Wedge Review supports this and/ or a viable wedge can be maintained. SA Appendix G explains that the smaller site option was considered at reg 19, but that the site was not allocated even after reviewing the smaller site area, even at the reduced scale on the eastern field, because of concerns about the effect on the Chaddesden Wood ancient woodland and Local Nature Reserve, which Derbyshire Wildlife Trust and the Woodland Trust continue to raise. No change required.

Transport Modelling

In total, one representation was received from the following consultee for this policy:

[OR160] National Highways	

Support

- National Highways confirmed in correspondence with the Council in April 2026 that they considered the Derby HMA transport modelling to be an appropriate and proportionate basis on which to assess the cumulative impact of the Plan's growth on the SRN, in place of requiring individual site-specific assessments for every allocation. This position was agreed on the understanding that the HMA modelling reflected, in full, the pattern of growth ultimately proposed through the Plan.

Summary of Main Issues

No objections were received in response to this evidence.

Council's Response:

- The positive response from National Highways is welcome. Modelling work is underway regarding HA7 Stoney Lane and will be provided as part of the submission of the Plan.

Viability Assessment

In total, one representation was received from the following consultee for this policy:

[OR39] NHS Property Services	

Support

- NHS Property Services welcomed a specific allowance for healthcare contributions within the viability assessment (for applications proposing 75 dwellings or more). A separate cost input for health means that developers are adequately informed in advance, in accordance with ICB's estate strategy and the development's location and size, that they may be required to make on-site provision or off-site financial contributions to mitigate the impact on healthcare infrastructure resulting from their development. This also supports the effective implementation of Draft Policy GD9 in situations when a viability assessment demonstrates that development proposals are unable to fund the full range of infrastructure requirements.

Summary of Main Issues

- However, whilst providing support NHSPS raised concerns about the lump sum figure of £1,000 per dwelling for health, as identified in the Local Plan Viability Assessment and the Planning Obligations SPD (2018) is low. Without prejudice to any future representations the NHS or its partners may make on specific planning applications or applications for CIL funding, in our view the S106 headroom identified as part of the site-specific testing is not sufficient to enable financial contributions to be secured for healthcare.

Council's Response:

- The Council welcomes the support from the NHS. The 2018 SPD cannot be updated since no new SPDs can be adopted. An alternative itemised and costed figure has not been provided. It is therefore important to give a clear steer to developers through the plan making system as to the likely contributions required for development.

Infrastructure Delivery Plan (IDP)

In total, five representations were received from the following five consultees for the Infrastructure Delivery Plan (IDP) document:

[OR260] Carney Sweeney on behalf of Peveril Homes Limited	[OR238] Lucy White Planning Limited on behalf of National Grid
[OR39] NHS Property Services	[OR32] Sports England
[OR160] National Highways	

Support

- NHS Property Services (NHSPS) find this document sound, stating their support for the inclusion of a dedicated health infrastructure chapter and evidence of the Council's engagement with the NHS Derby and Derbyshire Integrated Care Board (ICB). NHSPS requests this engagement continue as the IDP is further developed.

- Sports England support the inclusion of dedicated chapters for social and community infrastructure and green and blue infrastructure and their references to the provision of indoor and outdoor sports provision. They find the document to be sound whilst recommending that a technical note be produced to detail the securement of contributions for sport. Sports England further welcome the Council's commission of a Playing Pitch and Outdoor Sports Strategy, requesting the IDP be updated upon this strategy's completion.

Summary of Main Issues

- Carney Sweeny on behalf of Peveril Homes Limited state that the indicative costs for transport and education contributions align with the provision agreed under the planning approval 24/00425/FUL for the northernmost parcel of The Hollow (Policy HA5). They state that any financial contributions towards primary and secondary education should only arise if triggered and should be related to the demand generated by the proposed development.
- National Highways raises concerns about the risk to the delivery of the planned growth of the city should the delivery of the strategic A38 Derby Junctions Grade Separation scheme and the South Derby Integrated Transport Link (Phases 1 and 2, including the A50 junction) be delayed. They recognise that the IDP is a live document and the indicative costings, delivery timeframes and funding sources are to be confirmed for these strategic schemes.
- Lucy White Planning Limited on behalf of National Grid emphasises the limited information regarding the electricity infrastructure network in the current IDP. The document should be updated to reflect NGED's Network Development Plans and follow the guidance attached to their representation to ensure coordination. Further engagement through the Distributed Future Energy Scenarios (DFES) process is required in addition to the engagement already ongoing.

Council's Response:

- Support for the Infrastructure Delivery Plan is noted and welcomed. The Council will continue its engagement with the NHS Derby and Derbyshire Integrated Care Board and NHS Property Services as the IDP is further updated.
- Sport England's support for the IDP is also welcomed. The Council will continue to work with Sport England on the technical note on developer contributions for sport, and the Infrastructure Delivery Plan will be reviewed when the new Playing Pitch and Outdoor Sports Strategy is complete.
- Contributions towards education and transport for Policy HA5 will be sought through individual planning applications in line with Policy GD9, and only where they are necessary, directly related and fairly and reasonably related in scale to the development. No change required.
- The HMA transport modelling includes a sensitivity test without the A38 Derby Junctions scheme, and the Council will continue to work with National Highways on the implications for the Plan, including through a Statement of Common Ground. No change required.

- The Infrastructure Delivery Plan is a live document, and the Council will continue its engagement with National Grid Electricity Distribution, including through the DFES process, so that the Plan's growth is reflected in network development plans. No change required.

Appendix E: Verbatim Responses to the Local Plan for Derby, Regulation 19 Consultation

The representations received for the Regulation 19 LPD consultation can be read word-for-word in the Appendix E document, which forms the third and final document of this Regulation 22 Consultation Statement.