

SOUTH DERBYSHIRE GROWTH ZONE

STATEMENT OF REASONS



DERBYSHIRE COUNTY COUNCIL

STATEMENT OF REASONS

in respect of the following orders:

The Derbyshire County Council and Derby City Council (South Derbyshire Growth Zone
Enabling Infrastructure) (Classified Road) (Side Roads) Order 2025

and

The Derbyshire County Council and Derby City Council (South Derbyshire Growth Zone
Enabling Infrastructure) Compulsory Purchase Order 2025

TABLE OF CONTENTS

1	INTRODUCTION	4
2	THE ORDER LAND	6
3	THE CASE FOR THE USE OF COMPULSORY PURCHASE POWERS AND THE SIDE ROADS ORDER	8
4	PURPOSE OF THE ORDERS	12
5	HUMAN RIGHTS	13
6	SPECIAL CONSIDERATION OF THE ORDER LAND	14
7	SIDE ROADS ORDER	16
8	THE PLANNING POSITION	17
9	LOCAL PLANNING POLICY AND GUIDANCE	19
10	FUNDING	22
11	IMPLEMENTATION OF THE SCHEME	22
12	SUMMARY /CONCLUSIONS	24
13	ENQUIRIES	25
14	LIST OF RELATED DOCUMENTS	25

List of Figures

FIGURE 1 - IGV INDICATIVE DEVELOPMENT MASTERPLAN	8
FIGURE 2 - SDGZ A50 JUNCTION AND LINK ROAD	11

1 INTRODUCTION

1.1 Purpose of the Statement

- 1.1.1 This Statement of Reasons relates to the South Derbyshire Growth Zone Enabling Infrastructure (the "Scheme") and has been submitted by Derbyshire County Council (the "Council") to the Secretary of State for Transport (the "Secretary of State"). It relates to the making of the following orders (together "the Orders"):
- a) The Derbyshire County Council and Derby City Council (South Derbyshire Growth Zone Enabling Infrastructure) (Classified Road) (Side Roads) Order 2025 (the "SRO"); and
 - b) The Derbyshire County Council and Derby City Council (South Derbyshire Growth Zone Enabling Infrastructure) Compulsory Purchase Order 2025 (the "CPO"),
- together, the "Orders".
- 1.1.2 This Statement explains the purpose and effect of the Orders, which have been made by the Council and submitted to the Secretary of State for confirmation.
- 1.1.3 This Statement of Reasons is a non-statutory statement provided in compliance with the Ministry of Housing, Communities, and Local Government's "Guidance on Compulsory Purchase" ('the MHCLG Guidance') (January 2025) and The Department for Transport's (DfT) Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority, Circular No. 2/97 ('the DfT Guidance'). It is not intended to discharge the Council's requirement to produce, nor is it to be taken as, its 'Statement of Case' in the event that the Secretary of State should convene a public inquiry to be held to consider any objections received to the Orders.
- 1.1.4 On 4 December 2025, the Council agreed to the use of compulsory purchase powers and authorised preparation of the Orders, which were made on 4 December 2025.
- 1.1.5 The CPO was made under sections 239, 240 (general powers of highway authorities to acquire land for the construction and improvement of highways), 246 (power to acquire land for mitigating the adverse effects of constructing or improving highways) 250 (acquisition of and creation of new rights) and 260 (clearance of title to land acquired for statutory purposes) of the Highways Act 1980 ('the 1980 Act').
- 1.1.6 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraphs 2 and 12 of the MHCLG Guidance). The making and confirmation of the CPO will enable the Council to acquire the land and rights necessary for the construction and maintenance of the Scheme and ensure that the necessary improvements are made to the local highway network, that appropriate mitigation measures are implemented, and that exchange land is provided.
- 1.1.7 The Council believes that there is a compelling case in the public interest in that the proposed acquisition unlocks land for building the Infinity Garden Village ("IGV"). The objective of the IGV is to create a sustainable community to the south of Derby, delivering around 2,130 new homes at the allocated site of Wragley Way, with the opportunity to support approximately 2,400 further new homes at the currently unallocated Lowes Farm site. The site will also support the delivery of up to 5000 new jobs at Infinity Park Derby with supporting

infrastructure and community facilities, including primary and secondary schools and a new local centre, all set within high quality green and blue infrastructure to provide the garden village with its own distinct character.

- 1.1.8 The Council is accordingly able to demonstrate there is a compelling case in the public interest for such exercise and that the public interest is sufficiently important to justify the interference with private rights in making improvements to the highway.
- 1.1.9 If confirmed by the Secretary of State, the CPO will enable the Council to acquire compulsorily the land and rights over the order land described below in order to facilitate the development described below.
- 1.1.10 On 4 December 2025 the Council also authorised the making of the SRO. The SRO was made under sections 14 and 125 of the 1980 Act to enable the Council to improve, raise, lower, divert or otherwise alter highways, stop up highways, stop up private means of access and provide new private means of access to premises required as a consequence of the construction of the classified road.

1.2 Scope of compulsory acquisition powers sought

- 1.2.1 The Council seeks authorisation to acquire the land required for the Scheme outright. The MHCLG Guidance requires that all the land required for the scheme be included within the CPO. However, for some plots the Council is seeking authorisation to compulsorily acquire or create new rights, for example in relation to drainage. The Council has sought to minimise the extent of compulsory acquisition, including the acquisition or creation of rights instead of outright acquisition, wherever possible. Authorisation is sought to acquire some land which is only required on a temporary basis.

1.3 Powers under which the Orders are made (Enabling Powers)

- 1.3.1 A summary of the powers in the 1980 Act, which are relied upon in relation to the Scheme is provided below:
 - a) The Council have entered into an agreement under section 8 with Derby City Council to enable the Council to act on their behalf in the compulsory purchase of land and the delivery of the highway infrastructure.
 - b) The Council have entered into an agreement under section 6 and 8 with National Highways to enable the Council to act on their behalf in the compulsory purchase of land and delivery of the highway infrastructure.
 - c) Section 239 enables the Council as the Highway Authority for the area to “acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense”, as well as any land required for the improvement of a highway.
 - d) Section 240 provides that the Council as Highway Authority may acquire land required for the use in connection with construction or improvement of a highway.
 - e) Section 246 allows the Council to acquire land for the purpose of mitigating any adverse effect that the existence or use of the highway may have on its surroundings.

- f) Section 250 allows the Council as the acquiring authority to acquire rights over land, both by acquisition of those already in existence and by the creation of new rights.
- g) Section 260 allows the Council as the acquiring authority to include land in respect of which it has already entered into an agreement with the land owner for the purposes of clearance of title.
- h) Section 14 authorises the County as the Highway Authority to stop up, divert, improve or otherwise deal with a highway that crosses or enters the route of the road to be provided.
- i) Section 125 empowers the County to deal with any private means of access affected by the new road including the provision of a new means of access.
- j) An order by the Secretary of State will be sought under section 10 for part of the Scheme to become trunk road; namely the slip roads of the new junction on the A50.

1.4 Confirmation of the Orders

- 1.4.1 The Council is satisfied that the purpose of the Orders falls within the powers set out above and that the Orders may be lawfully made. The Council is exercising its compulsory purchase powers because it has not been able to acquire by agreement all interests that are required for the Scheme, although it will continue to make all efforts to acquire the land by agreement.
- 1.4.2 The Council is satisfied that it may lawfully exercise its powers of compulsory acquisition under the powers set out above and that it is able to demonstrate there is a compelling case in the public interest for such exercise and that the public interest is sufficiently important to justify the interference with private rights in making improvements to the highway.
- 1.4.3 On confirmation of the Orders the Council intends to execute a General Vesting Declaration as set out in the Compulsory Purchase (Vesting Declarations) Act 1981, in order to secure title to, or rights in, the order land. Alternatively, if appropriate, it may follow the Notice to Treat/Notice of Entry procedure set out in the Acquisition of Land Act 1981.

2 THE ORDER LAND

2.1 Location and Description of the Order Land

- 2.1.1 The Order land is located on the southern residential edge of Derby, between Stenson Fields, Sinfin and Chellaston. The land straddles the administrative boundary between Derby City Council and South Derbyshire District Council and lies between the main transport route of the A50 (Derby Southern Bypass) in the south and the newly construction Infinity Park Way to the north-east.
- 2.1.2 The site comprises flat and typically regularly shaped agricultural fields, defined by hedgerows, that contain mature trees, and dry and wet ditches. There are three main drains/watercourses that cross the site: Barrow Drain, Main Drain and Cuttle Brook. Outbuildings associated with a working farm lie within the order land boundary, east of Deep Dale Lane.
- 2.1.3 Its western boundary lies adjacent to the eastern residential area of Sinfin, whilst its northern boundaries are defined by edges of the Sinfin Moor Park & Nature Reserve. The site's eastern

boundaries are generally defined by hedgerows, with its more eastern edge meeting a connecting road south of the iHub building at Infinity Park Way.

- 2.1.4 The area to the north of Sinfin Lane is currently subject to development by Wilson Bowden Developments (“WBD”) through a separate overlapping planning application. A part of the proposed infrastructure is being constructed by WBD as a part of that development. All infrastructure works carried out by WBD will be in-line with the planning permission for the Scheme. Once built, this completed work will be dedicated and adopted as highway maintainable at public expense. The costs of WBD carrying out this work will be off-set against the developer’s financial contribution to the South Derbyshire Growth Zone enabling infrastructure.
- 2.1.5 The land required to construct the scheme is identified on the CPO Map which comprises three sheets, shown edged red and coloured pink and blue. The Council intends to acquire all interests in the order land. Individual plot boundaries and numbers on the CPO Map correspond with the schedule to the CPO (“the Schedule”). Table 2 of the Schedule lists other parties who may have a compensable qualifying interest in the order land, where known after diligent inquiry.
- 2.1.6 Copies of the Orders and of the relevant plans and specifications may be inspected online¹. For hard copies of the Orders and associated documents and plans, members of the public are able to contact the relevant officers at the Council as well as the Department for Transport.

2.2 Description of the Land Ownership

- 2.2.1 The order land, being the land and interests and new rights over land proposed to be acquired compulsorily pursuant to the CPO, constitutes 53.1 hectares of land. Other than for land within the existing highway boundaries and land held by the Council, the Council has not yet acquired any of the land it requires for the scheme to be built; although the Council has been in discussions with the owners and occupiers of the land affected and the Council has entered into option agreements with two of the land owners.
- 2.2.2 The order land is in several ownerships with the majority of land currently being in agricultural use together with some highway land as well as an area of commercial land proposed for a site compound. All land ownership information has been obtained from the inspection of the Land Registry title documents and information provided by owners and occupiers following service of requests for information by Derbyshire County Council and Derby City Council under the relevant statutory powers.
- 2.2.3 Details of the interests to be acquired and land over which rights are to be acquired are more particularly described in the Schedule to the CPO. These include areas where land is required to enable construction to take place and land which may be capable of being offered back to the owners on completion of the works. The areas are set out in Table 1 which identifies each plot by number and the purpose for which the land is required.
- 2.2.4 Where there is certainty that plots will not be required in the longer term or where the nature of the land is unlikely to be changed significantly, for example for shorter-term construction access, then they have been included as freehold ownership plots. The Council will negotiate with the landowners in respect of entering into licenses in respect of these plots as an

¹See <https://www.derbyshire.gov.uk/transport-roads/transport-plans/a50/a50-junction-and-link-road.aspx>

alternative to compulsory acquisition, but absent agreement must include the land within the CPO.

3 THE CASE FOR THE USE OF COMPULSORY PURCHASE POWERS AND THE SIDE ROADS ORDER

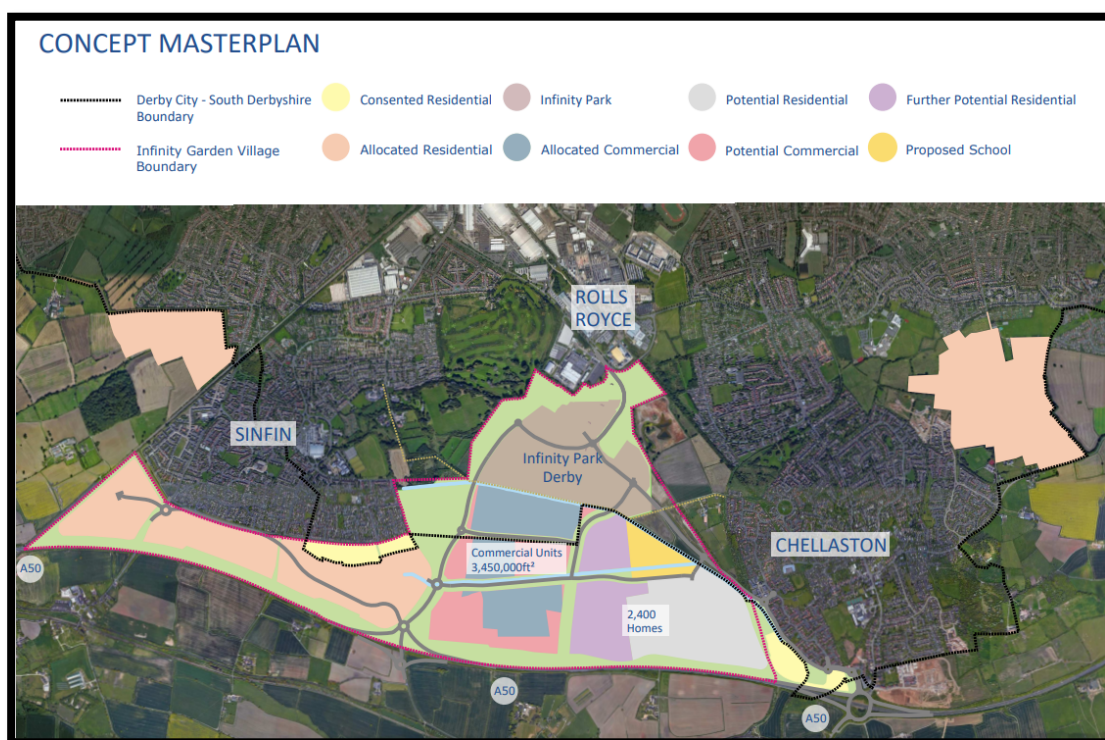
3.1 Infinity Garden Village

3.1.1 The land is required in order to deliver key infrastructure to enable the development of IGV.

3.1.2 Within the South Derbyshire Growth Zone, IGV is a core priority for many key policy drivers (Local Enterprise Partnership D2N2 (Derby, Derbyshire, Nottingham and Nottinghamshire) Strategic Economic Plan, Midlands Engine/Midlands Connect, Derbyshire Local Transport Plans LTP3, SDDC Local Plan and Derby City Local Plan - see section 8) and provides an outstanding opportunity to secure and accelerate significant development and boost economic growth and opportunity. The current IGV development masterplan is shown in Figure 1 with the core development consisting of the following main land uses:

- Housing
 - 2,400 residences at Lowes Farm
 - 2,130 residences at Wragley Way
- Employment – 3.45 million sqft of mixed employment space.
- Education – 1,500 pupil secondary school at Lowes Farm.
- Local centre and primary school.

Figure 1 – Current IGV Indicative Development Masterplan



3.1.3 The enabling infrastructure will stimulate economic growth, by facilitating much needed development across South Derbyshire and into the wider area. In addition, the project reflects all five of the Strategic Outcomes within the National Highways Delivery Plan:

- Supporting economic growth;
- A safe and serviceable network;
- A more free-flowing network;
- Improved environment; and
- An accessible and integrated network.

3.1.4 The infrastructure will allow for a much needed injection of investment in the region, as highlighted by The Institute for Fiscal Studies², which found that GVA and Research and Development spend in the East Midlands lags behind London and the South East, despite the manufacturing base. HM Treasury data³ also identifies that in 2018/19, transport spending in London was £944 per capita, compared with just £220 pounds per head in the East Midlands, indicating a huge regional disparity in public spending on transport.

3.1.5 This historic disparity has exacerbated the following challenges for Derby City specifically:

- Deprivation – Derby is ranked 67th out of 317 local authority areas on the IMD (index of multiple deprivation) measure;
- Sinfen, the area immediately adjacent to the Scheme, is the most deprived area within Derby, with relatively low incomes and high unemployment rates. Sinfen would directly benefit from the proposed connectivity to employment through investment in the transport network;
- Derby has a proportionately lower number of working age residents in a highly skilled occupation, with over one in ten working age residents employed in a low skilled occupation. This Scheme will unlock the provision of skilled employment and provide access to these jobs;
- Gross median annual pay of people that work full time in Derby is about 27% higher than gross median annual pay of Derby's residents - £40,722 vs £32,181. By providing high quality jobs in the locality, this improves the opportunity and access to employment for local residents.

3.1.6 Investment that supports employment-based economic growth alongside housing at IGV provides an ideal opportunity to address social inequalities and encourage continued investment from major employers, including Rolls Royce, Toyota and Alstom. Derby has been identified as a Priority One area for Levelling up Funding and investment in IGV will be key to realising the Government's Levelling Up Agenda.

² Davenport, A. and Zaranko, B. (n.d.). *Institute for Fiscal Studies Levelling up: where and how?* [online] Available at: <https://ifs.org.uk/uploads/Green-Budget-2020-Levelling-up-where-and-how.pdf>.

³ Rutherford, T. (2018). *Transport Spending By Region*. [online] researchbriefings.files.parliament.uk. House of Commons Library. Available at: <https://researchbriefings.files.parliament.uk/documents/CBP-8130/CBP-8130.pdf> [Accessed 28 Jul. 2022].

- 3.1.7 Transport modelling has demonstrated that in addition to unlocking sites for development, the infrastructure will provide improved journey times for motorists and logistics, improved accessibility for all modes and reduced congestion on both the local and strategic road network, as well as reducing localised traffic pollution. The benefit:cost ratio of the Scheme represents high value for money according to the Department for Transport's standard categories of value for money.

3.2 Use of the Land

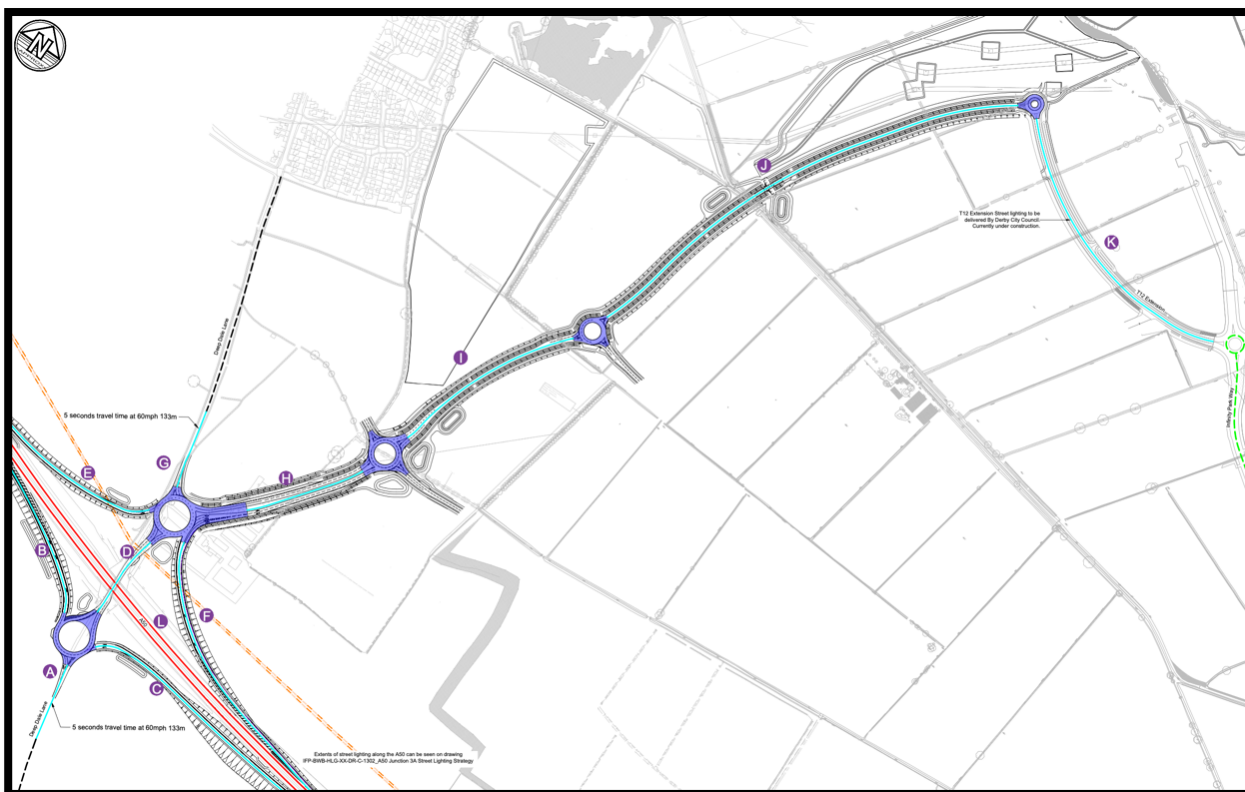
- 3.2.1 The Council has a clear idea of how it intends to use the order land, as described in Section 3.3 below and Figure 2. Confirmation of the Orders will enable the Council to compulsorily acquire land required for the scheme, and to improve highways, stop up highways and private means of access to premises, and to provide new means of access to premises. It will also enable the Council to compulsorily acquire land required for the mitigation of adverse effects and enable the acquisition of rights for construction and maintenance of the scheme.

3.3 The Scheme

- 3.3.1 The infrastructure includes a new grade separated junction on the A50 which will be positioned between Junction 4 (A43 Toyota Island, adjacent to the East Midlands Intermodal Park (EMIP site)) and Junction 3 (A514 Bonnie Prince Roundabout). This will make use of an existing bridge structure that enables Deep Dale Lane to pass beneath the A50.
- 3.3.2 Roundabouts either side of the A50 on Deep Dale Lane in a dumbbell arrangement will allow for the new junction on the A50 to be connected to Deep Dale Lane. The roundabout to the south of the A50 will connect directly onto Deep Dale Lane, allowing this to continue to Barrow upon Trent. The roundabout to the north of the junction will allow for connection onto Deep Dale Lane leading into Sinfin. An additional arm leading onto the 1.6km new link road will connect Deep Dale Lane and Infinity Park Way at either end.
- 3.3.3 The new link road off the roundabout will comprise of a dual carriageway for the first section from the new roundabouts off the A50 slip roads, up to the first roundabout (approximately 300m) from which access will be gained to adjacent development land. Beyond this, the new link road will be a single carriageway road (approximately 1.2km) with access to adjacent land earmarked for future developments via two further roundabouts. This will then culminate in a connection to the existing iHub roundabout on the Infinity Parkway.
- 3.3.4 A 40mph design speed has been proposed for both the new link road and junction to the A50, with both also having street lighting. The road corridor will be constructed on a low earth mound, varying from 0.5m – 2.0m above existing ground levels. The road corridor will be 28.6m wide for the dual carriageway section and 16.3m wide for the single carriageway sections. Shared footway/cycleways will be provided along the link road between the new A50 junction and the existing paths at Infinity Park Way. A new traffic signal-controlled Pegasus crossing will be provided at the point where Sinfin Moor Lane crosses the new road, to facilitate the safe crossing by pedestrians, cycles and equestrians. Connections will be provided to the new footway/cycleways from Sinfin Moor Lane.
- 3.3.5 The proposed link road crosses through Ashlea Farm, two water ditches (Barrow and Main Drain) and Sinfin Moor Lane along its route, before connecting on to Infinity Park Way.

- 3.3.6 As part of the Scheme's flood mitigation measures, there is a requirement to build two Flood Storage Areas along the western edge of the Scheme, between Sinfin Nature Reserve, to the north, and the eastern edge of the Sinfin urban area, to the south. These will comprise of large open Flood Storage Areas, with the addition of biodiversity enhancements, significant landscaping and the creation of water features. One Flood Storage Area has already been constructed by WBD as part of their works to the north of the site, as outlined in Section 2.1.4. Rights are however required to enable this Flood Storage Area to be used and maintained and these are included within the CPO.
- 3.3.7 The Scheme also includes balancing ponds for drainage into the water ditches of 'Main Drain' to the north of the scheme, and Barrow Drain to the south. Both Main and Barrow drains feed into the River Trent via the Cuttle Brook drainage ditch.
- 3.3.8 To mitigate against adverse affects on the existing highway network caused by the proposed scheme, some off site highway improvement works are proposed that requires third party land. These comprise of the widening of a section of Infinity Park Way to enable a longer right turn lane to be provided into Wilmore Road, traffic calming; and the upgrade of two laybys on the A50 from emergency laybys to parking laybys. Much of the land at these locations is only required on a temporary basis and as set out in 2.2.4 of this Statement, the plots have been included as freehold ownership plots within the CPO but the Council will negotiate with the landowners in respect of entering into licenses for these plots, as required.

Figure 2 - SDGZ A50 Junction and Link Road



4 PURPOSE OF THE ORDERS

4.1 The Purpose

- 4.1.1 The Council is satisfied that for the reasons set out below, the purpose of the Orders falls within the powers set out above and that the Orders may lawfully be made.
- 4.1.2 The Council seeks to exercise its compulsory purchase powers because it has not been able to acquire by agreement all interests that are required to deliver the infrastructure and it is not certain it will be able to acquire the remaining land by agreement, although it will continue to make efforts to acquire the land by agreement.
- 4.1.3 The MHCLG Guidance and the DfT Guidance provides advice to acquiring authorities on the use of compulsory purchase powers and sets out the overarching consideration that there must be a compelling case in the public interest for making a compulsory purchase order. The Council has taken full account of this overarching consideration in making the Orders and this Statement of Reasons details why the Council considers that there is a compelling case in the public interest to make the compulsory purchase order and proceed with the scheme of highway improvements.
- 4.1.4 The MHCLG Guidance states that undertaking negotiations in parallel with preparing and making a compulsory purchase order can help to build a good working relationship with those whose interests are affected by showing that the acquiring authority is willing to be open and to treat their concerns with respect. Whilst the acquiring authority must make all reasonable efforts to acquire the land by negotiation, it is no longer the case that the making of a compulsory purchase order can only be made as a last resort. Acquiring authorities are however expected to provide evidence that meaningful attempts at negotiation have been pursued.

4.2 Negotiation for the Acquisition

- 4.2.1 Landowners, tenants and occupiers, to the extent that ownership is known, were approached about the potential for the use of compulsory purchase powers in the period mid 2022 to mid 2023. Since then, negotiations have been ongoing with respect to the purchase of the land required and compensation, where ownership is known and landowners have been prepared to engage with the Council, noting that there is unregistered land within the scheme where ownership is not known. Where relevant, dialogue has also taken place and will continue to take place in relation to any mitigation works which may be required. Notwithstanding discussions with interested parties, negotiations as to the value of compensation remains unresolved for the majority of interests.
- 4.2.2 The Council has entered into option agreements with two key landowners: Rolls Royce and Harpur Crewe. Both agreements allow the Council to serve an Option Notice which requires the owner to enter into the transfer of land required to deliver the scheme. Nevertheless their land is necessary to include within the CPO to enable the Council to clear title. The Council continues to make good progress in working towards agreements with the remaining landowners. The Council will continue to make meaningful attempts to reach agreement on a voluntary basis, where ownership is known and negotiation remains the preferred route to acquiring the order land, where possible. Where mitigation measures are appropriate, the Council are taking a proactive and sensitive approach to work with landowners, lessee and tenants to minimise adverse impact.

4.3 The extent of the scheme to be disregarded for the purposes of assessing compensation in the ‘no-scheme world’

4.3.1 The Council is of the view that the following elements of the Scheme should be disregarded for the purpose of assessing compensation in ‘the no scheme world’:

- 1km section of single carriageway constructed by WBD spurring west from the ihub roundabout for 560m and then south for 440m to a point 40m north of Sinfin Moor Lane;
- Associated drainage;
- Associated pedestrian and cycle paths;
- Street lighting from the infinity ihub roundabout on Infinity Park Way, running west.
- The western Flood Storage Area, constructed by WBD.

4.3.2 These sections should be disregarded for the purpose of assessing compensation in ‘the no scheme world’ because private developers have proceeded with that aspect of the development in order to deliver development pursuant to planning permissions 11/15/01379 and 21/00460/FUL. Although this development forms a part of the Scheme, it is being progressed regardless of whether the rest of the Scheme proceeds. It is therefore apparent that it should be considered as likely to come forward in ‘the no scheme world’.

5 HUMAN RIGHTS

5.1 The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights (“the Convention”). The Convention includes provision in the form of Articles; the aim of which is to protect the rights of the individual.

5.2 Section 6 of the Human Rights Act prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering the Orders, notably Article 1 of the First Protocol protects the right of everyone to the peaceful enjoyment of possessions. No-one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. Article 8 provides a right to respect to one’s private and family life and home.

5.3 In considering the Orders, the Council has carefully considered the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the infrastructure will bring.

5.4 The European Court of Human Rights has recognised that “regard must be had to the fair balance that has to be struck between competing interests of the individual and of the community as a whole”. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties as a local authority. Any interference with a Convention right must be necessary and proportionate.

5.5 In light of the significant public benefit which would arise from the implementation of the Scheme, the Council has concluded that it would be appropriate to make the Orders which constitute a proportionate and lawful interference with individual property rights.

- 5.6 In reaching this conclusion the Council noted that two residential occupiers are affected including Lea Farm (occupied under a farm business tenancy) and Ashlea Farm (where the nature of the occupier's interest is unclear).
- 5.7 In reaching its conclusion, the Council noted that where suitable alternative residential accommodation on reasonable terms is not otherwise available to persons that may be displaced from residential accommodation, then the Council is under the duty set out in section 39 of the Land Compensation Act 1973 to secure that they will be provided with such other accommodation. It is not considered that any rehousing duty applies in relation to the Scheme. The availability of suitable alternative housing has been specifically discussed with occupiers of the one house within the Scheme who would be displaced. .
- 5.8 In addition to the publicity and consultation on the planning application for the Scheme, all known owners and occupiers of land within the order land have been contacted regarding the Scheme. Further representations can be made by way of objections to the Orders in the context of any public inquiry that the Secretary of State decides to hold in connection with the Orders. Those parties, whose interests are acquired under the CPO, will be able to claim compensation under the relevant provisions of the Compensation Code.

6 SPECIAL CONSIDERATION OF THE ORDER LAND

6.1 Special Consideration

- 6.1.1 No listed buildings or scheduled ancient monuments are to be acquired or are otherwise affected by the Orders and the proposed development would not present physical impact or setting changes to any listed buildings or scheduled ancient monuments.
- 6.1.2 The order land is not within a conservation area and none of it is owned by the National Trust.
- 6.1.3 Sinfin Nature reserve to the west of the Scheme, will be enhanced by the addition of the two Flood Storage Areas being built along the western edge of the scheme, both in terms of size and potential ecological habitats, although it is acknowledged that one flood storage area is already built. The areas currently occupied by the proposed locations of the Flood Storage Area are agricultural cultivated open expanses of land. These will be changed to dedicated flood mitigation areas with a low retaining wall and will be sensitively planted to encourage wildlife. Both of the Flood Storage Areas will be directly adjacent to the nature reserve, creating a natural corridor for transiting wildlife.
- 6.1.4 The green wedge between Sinfin and the proposed Infinity Park is a protected area of green space which will be extended by the drainage ponds to be constructed in this area.
- 6.1.5 No part of the order land is ecclesiastical or burial ground.
- 6.1.6 No part of the order land forms common land, open space or fuel or field garden allotment.
- 6.1.7 No part of the order land is Crown land.

6.2 Statutory Undertakers

6.2.1 Equipment and structures owned, operated and controlled by various statutory undertakers will be protected, diverted, extended or improved as required by the Scheme in accordance with the Council's responsibilities. There are various legislative provisions including a wealth of secondary legislation which applies and is relevant in the context of the potential interference of the scheme with the equipment and structures. The Council will meet its obligations in relation to such matters arising from those various provisions in accordance with any specific guidance that applies and will seek to reach agreements with statutory undertakers as to any diversions, removal or replacement of statutory undertakers' infrastructure as may be required. Preliminary discussions with statutory undertakers have been held and there do appear to be workable resolutions to impacts on their equipment.

6.2.2 The list of statutory undertakers that need to be considered in respect of the Scheme are:

- National Grid Electricity Distribution PLC
- Cadent Gas Limited
- National Grid Gas PLC
- BT Group PLC
- Severn Trent Water Limited

6.3 Mines and Minerals

6.3.1 There is no history of mining for minerals in the area of the Order land, and the Council's understanding, based on desktop studies and engagement with landowners, is that there is no underlying mineral geology of value.

6.3.2 The Council has decided not to incorporate the mining code (set out in Parts 2 and 3 of Schedule 2 to the Acquisition of Land Act 1981) in the CPO. Instead, any rights to mines and minerals present in the Order land have been expressly included in the CPO, so that such rights are compulsorily acquired by the Council. Any compensation that may be payable to the owners of such rights to mines and minerals will be paid in accordance with the Compensation Code.

6.4 Other Special Consideration

6.4.1 Ashlea Farm, located on Deepdale Lane, Barrow On Trent, Derby, DE73 7LJ, forms part of the area required for the construction of the scheme.

6.4.2 The property includes a residential dwelling, which is understood to have been occupied by the title proprietor's relatives for a lengthy period of time. The remainder of the property has various agricultural buildings and agricultural land. The title extends to approximately 37.34ha (373,400 sq m) with the project proposing to acquire part of the freehold (including the residential dwelling), the agricultural buildings and some of the land.

6.4.3 The proposed scheme runs directly through the middle of Ashlea Farm, and in particular the area of the farmhouse and neighbouring agricultural buildings to the north. It is proposed that the current occupation be terminated and the area under the proposed road be acquired by the Highway Authority. As the proposed scheme runs through the middle of the farm, it is proposed that the farmhouse and outlying building are also acquired by the authority. The remainder of the farmland not required for the proposed scheme, including the grain barn,

will not be acquired by the authority, however it is expected that in due course this land will be acquired by developers of the SDGZ which the scheme is being built to facilitate. In the interim, continued agricultural access to the remaining fields at Ashlea Farm is proposed to be facilitated via a link to a roundabout within the scheme, to the north of the premises. A further agricultural access is proposed to other fields within Ashlea Farm that would otherwise be severed by the scheme. The grain barn will be accessible via the fields and farm tracks but is not proposed to have a direct access to the highway.

- 6.4.4 Parts of Lea Farm located on Sinfin Moor Lane are also proposed to be acquired as a part of the scheme. The farm is subject to a farm business tenancy. The tenancy includes the farmhouse, which is occupied by the farmer and his family. An agricultural access to the fields will be provided from the roundabout to the south and access to the farmhouse can be maintained from Sinfin Moor Lane via Infinity Park Way, with new access controls having been discussed. It is however anticipated that in due course the land will be acquired by developers of the SDGZ, which the scheme is being built to facilitate, and the farm will be redeveloped accordingly.

6.5 Related Orders

- 6.5.1 An Order under Section 10 of the Highways Act 1980 will be sought from the Secretary of State so that appropriate parts of the scheme; including the slip roads onto the A50, and appropriate parts of the roundabouts that link them to the scheme become trunk road in due course.

7 SIDE ROADS ORDER

- 7.1 The SRO is made under sections 14 (powers of highway authorities as respects roads that cross or join classified roads) and 125 (further powers to stop up private accesses to premises), and in accordance with Schedule 1 of the 1980 Act. Regard has been had to DfT circular 1/97 Highways Act 1980 in making the SRO.
- 7.2 The making and confirmation of the SRO will enable the Council to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up private means of access to premises required as a consequence of the construction of the Scheme and to provide new private means of access to premises.
- 7.3 In this section, the new highway to be constructed as part of the Scheme is referred to as “the classified road”.

7.4 Proposed alterations under the Side Roads Order

- 7.4.1 A length of Deep Dale Lane is proposed to be stopped up over a distance of 337m southwards under the existing A50 Derby Southern Bypass, starting at the point that it meets the classified road boundary north of the A50, with the new highway being built over large parts of the alignment of the stopped up area.
- 7.4.2 Short lengths of Deep Dale Lane both to the north and south of the A50 will be realigned (and improved through widening) to tie Deep Dale Lane into the scheme.

- 7.4.3 The current private means of access to the property known as Ashlea Farm, from the eastern side of Deep Dale Lane north of the existing A50, is proposed to be stopped up with a replacement access provided from the new classified road and a further access provided from the eastern side of Deep Dale Lane to a part of Ashlea Farm that would otherwise be severed by the new classified road.
- 7.4.4 Access to agricultural land from the western side of Deep Dale Lane north of the existing A50 is proposed to be stopped up and replaced by a new private means of access from the western side of Deep Dale Lane located north of the existing access.
- 7.4.5 Two accesses to agricultural fields from the eastern side of Deep Dale Lane south of the existing A50 are proposed to be stopped up and replaced by two new private means of access from the eastern side of Deep Dale Lane located south of the existing accesses. The CPO includes the acquisition of land to enable one of these accesses to be transferred to the owners of the field to ensure the access is permanently available to them.
- 7.4.6 The section of Sinfin Moor Lane that crosses the classified road boundary is proposed to be stopped up over a distance of 111m westwards, starting at a point 320m west of its junction with the access to the property known as Lea Farm. This will stop up the current access to Lea Farm house which will be available instead via Infinity Park Way. The section of Sinfin Moor Lane that is stopped up will be replaced by two sections of new highway from Sinfin Moor Lane (east and west of the proposed new classified road) tying into a crossing over the new classified road. This section is a part of the National Cycle Network and cycling facilities would be provided within these sections of highway.
- 7.4.7 The ability to access agricultural fields at Lea Farm from Sinfin Moor Lane would be replaced by a new field access from the eastern side of the new classified road .
- 7.4.8 Access to the southern flood storage area and the green wedge is proposed to be provided as a part of the green infrastructure strategy to the east of the southern flood storage area and west of the new classified road.
- 7.4.9 It is proposed the SRO be made immediately before the CPO in order to provide a lawful foundation for the CPO.

8 THE PLANNING POSITION

- 8.1 On the 19th March 2019 a full application for the enabling infrastructure including demolition of Ashlea Farm and related buildings off Deep Dale Lane, and the development of a new all movement junction on the A50, and connecting link road to Infinity Park Way, with associated works including: street lighting columns, footways/cycleways, construction of earth mounds, flood compensation areas, acoustic fencing and landscaping was submitted to Derbyshire County Council (application number CD9/0319/110). The Council granted planning permission on 20th April 2021 in accordance with the documents and plans submitted, and subject to conditions.
- 8.2 A parallel application was submitted to Derby City Council on the 9th April 2019 (application number 19/00417/FUL), with the same description as above. Derby City Council granted planning permission on 30th April 2021 in accordance with the documents and the plans submitted, and subject to conditions.

- 8.3 The applications were submitted to Derbyshire County Council and Derby City Council as the local planning authorities in accordance with Regulation 3 of the Town & Country Planning General Regulations 1992. Under this Regulation, the Councils determine planning applications for development which they are carrying out (or which is being carried out on their behalf).
- 8.4 Discharging of the conditions attached to the planning permissions is underway and it is estimated that this will be completed by February 2026.
- 8.5 Through discussions with the owner of Ashlea Farm and their neighbouring landowner regarding two new field accesses to be provided south of the A50 to replace accesses affected by the scheme, a design has been agreed. This will require separate planning consent and an application is due to be submitted imminently. Discussions have already been held with the Highway Authority and there are no known reasons why this application may be refused.
- 8.6 The National Planning Policy Framework (NPPF) sets out the Government's national planning policies, with the latest revision published in December 2024. The NPPF is a material consideration with considerable weight in decision making. Although the planning permission was granted under an earlier version of the NPPF, the guidance remains essentially the same.
- 8.7 NPPF Paragraph 11 states that:
- ‘Plans and decisions should apply a presumption in favour of sustainable development.’
- 8.8 It further states that:
- ‘For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay’.
- 8.9 The Scheme supports this objective by unlocking a significant area of land that is allocated for residential development in both Derby City's and South Derbyshire District's Local Plans.
- 8.10 The Scheme unlocks land to the south of Derby which has been designated as a site for the IGV: a proposed garden village. A garden village is a distinct new place with its own community facilities, wide range of jobs and integrated and accessible transport systems. This is in contrast to simply an extension to an existing urban area which puts pressure on existing facilities and services. The whole ethos of a garden village is to be a sustainable development.
- 8.11 The proposed garden village meets a number of other policies and recommendations within the NPPF, notably:

Paragraph 60 which states that:

‘To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay’.

Paragraph 92 which states that:

‘Planning policies and decisions should aim to achieve healthy, inclusive and safe places which a) promote social interaction... b) are safe and accessible... and c) enable and support healthy lifestyles...’

Paragraph 106. a) which states that:

‘Planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.’

8.12 The Planning Practice Guidance (“PPG”) supports the NPPF and contains different sections which are regularly updated as guidance changes.

8.13 The PPG section on Travel Plans, Transport Assessments and Statements (06/03/2014) sets out the key principles that should be taken into account in preparing a Transport Assessment and states that they should be:

- ‘proportionate to the size and scope of the proposed development to which they relate and build on existing information wherever possible;
- established at the earliest practicable possible stage of a development proposal;
- tailored to particular local circumstances (other locally-determined factors and information beyond those which are set out in this guidance may need to be considered in these studies provided there is robust evidence for doing so locally);
- brought forward through collaborative ongoing working between the local planning authority/transport authority, transport operators, rail network operators, Highways Agency where there may be implications for the strategic road network and other relevant bodies. Engaging communities and local businesses in Travel Plans, Transport Assessments and Statements can be beneficial in positively supporting higher levels of walking and cycling (which in turn can encourage greater social inclusion, community cohesion and healthier communities).’

8.14 This guidance has been applied and followed in bringing forward the Scheme and it supports the promotion of the Scheme.

9 LOCAL PLANNING POLICY AND GUIDANCE

9.1 South Derbyshire Local Plan

9.1.1 South Derbyshire District Council adopted their Local Plan in November 2017. This Plan covers the period from 2011 up to 2028 and although the District Council is in the process of reviewing its Local Plan in line with government policy, the 2011 to 2028 Local Plan is relevant at the current time.

9.1.2 Policy H15 of the Plan for Wragley Way allocates the land between Chellaston and the A50 for new housing and is expected to provide up around 1950 houses within South Derbyshire. The Scheme forms part of the South Derby Integrated Transport Link which is required to deliver this development.

9.1.3 Policy E4 of the Plan outlines the strategic location for Sinfin Moor Employment Site Extension. This is another area of land allocated under the plan for employment development which would be accessed from the new road delivered by the Scheme and cannot be realised without this Scheme.

9.2 Derby City Local Plan

- 9.2.1 In December 2021, Derby City Council Cabinet approved work on starting a new local plan for Derby which will cover the period to around 2040. In November 2025 the Cabinet authorised consultation to commence on the new Local Plan. Work is now underway but until the new plan is adopted, decisions on proposals will still be made using the policies of the adopted local plan which covers the period up to 2028 and was adopted in January 2017.
- 9.2.2 Policy AC18 Wragley Way complements the South Derbyshire allocation south of this location to cover all the land between the south of Derby City and the A50. Land within the City will deliver a minimum of 180 new houses. It further states that the City Council will work with South Derbyshire District Council to ensure that the new highway infrastructure is provided to help mitigate the impact of the development on the local and strategic road network.

9.3 D2N2 Strategic Economic Plan

- 9.3.1 D2N2 is a Local Enterprise Partnership set up to lead and support economic growth across Derby, Derbyshire, Nottingham and Nottinghamshire
- 9.3.2 The D2N2 Strategic Economic Plan establishes a framework for identifying future investment priorities as well as outlining the key actions which will facilitate its vision for 2030. The Plan's key focus is on driving inclusive growth through innovation, with an emphasis on improving productivity and growing businesses, delivering skills and knowledge for the future and enhancing the quality of the place where people live and work.
- 9.3.3 The D2N2 Strategic Economic Plan has seen £257 million of transport infrastructure investment since 2013, with the goal of opening up key enterprise sites within Derby, Derbyshire, Nottingham and Nottinghamshire. Continued investment from the Local Enterprise Partnership ("LEP") as well as the Midlands Engine's investments will help to future proof the region and encourage interconnectivity. The strategic case for the Scheme aligns well with D2N2 LEP's objectives to improve connectivity and to unlock potential areas for growth. The LEP believes that a high performing transportation network will benefit D2N2's range of high performing industries which are dependent on the transport network such as in the manufacturing, logistics and extractive sectors. These sectors are shown in the Local Economic Profile to also be important contributors to businesses located within two miles of the route, with a high number of manufacturing and trade businesses in particular.
- 9.3.4 Among other transport projects, the Infinity Park Derby is identified as one of the priorities for 'delivering Growth on the Enterprise Zone Sites', for which the SDGZ Enabling Infrastructure is key to unlocking its full potential.

9.4 Midlands Engine Midlands Connect

- 9.4.1 Midlands Connect, in partnership with Midlands Engine, researches, develops and progresses transport projects which will provide the biggest possible environmental, economic and social benefits for the Midlands and the rest of the UK, with the aim of providing improvements to transform regional and UK gateways, bringing the Midlands closer together and accelerating cost-effective improvements to unlock east-west connectivity that will enable the Midlands' economies to work more effectively together. As part of the 'Fairer, Greener, Stronger Strategic Transport Plan', the A50/A500 south of Derby was highlighted as a priority for

providing improvements to the most important transport investments – the projects we need to support a more productive, prosperous and sustainable Midlands.

- 9.4.2 The Midlands Connect also acknowledged, in the ‘Road to Success’, how a new junction and upgrade and roundabout on to the A50 will help to support the South Derbyshire Growth Zone and Infinity Garden Village, and how the commitment to development so close to the A50 was a great sign for the future of the A50/A500.
- 9.4.3 “Rolls-Royce in Derby is a major contributor to the local and regional economy. Without improvement to the A50 corridor, increasing congestion threatens to stand in the way of new jobs and growth in our important Midlands manufacturing industry”.
- 9.4.4 Midlands Engine identifies the need for investment in the area to the south of Derby, as a ‘large-scale strategic initiative to unlock land for major mixed developments along the A50 corridor, which connects the M1 and M6 motorways through South Derbyshire and to the south of the Derby’, and identifies the area as one of the fastest growing populations in the UK outside the South East.

9.5 Local Transport Plan

- 9.5.1 The Derbyshire Local Transport Plan (2011 to 2026) is the third Local Transport Plan (LTP3) for the County of Derbyshire and came into effect on 1 April 2011. The document details the Council’s transport strategy for the whole of the county of Derbyshire for the fifteen-year period 2011-2026.
- 9.5.2 The LTP document comprises the:
- Local Transport Plan Strategy - which sets out how the Council aims to make transport improvements in Derbyshire taking a longer term strategic view, helping to support the local economy, make paths towards more sustainable travel habits, with an emphasis on supporting a resilient local economy; and
 - Guiding Delivery – next steps - that runs for the same period as Central Government's capital funding allocations to ensure it takes account of realistic funding levels. The first implementation plan covered the three-year period 1 April 2011 to 31 March 2014, and set out to provide ‘well managed assets; making places easier to reach; a resilient economy; rich, diverse and protected environments’.
- 9.5.3 The Derbyshire LTP Implementation Plan seeks to deliver proposals and measures that will help to achieve the Council’s overarching strategic objectives for transport, which are:
- Supporting a resilient local economy.
 - Tackling climate change.
 - Contributing to better safety, security and health.
 - Promoting equality of opportunity.
 - Improving quality of life and promoting a healthy natural environment.
- 9.5.4 The South Derbyshire Growth Zone Enabling Infrastructure improvements align closely with the LTP strategic objectives in terms of supporting economic growth along the corridor and unlocking of the Infinity Garden Village potential.

10 FUNDING

- 10.1 The Council is content that there is a reasonable prospect of the necessary funds for acquisition being available. The financial case within the approved Outline Business Case (OBC) has demonstrated that the Scheme is affordable, that risks have been taken into account in the costings and are being actively managed, and that efficiency targets are in place and being managed.
- 10.2 Central Government has agreed to provide £49.6m funding for this Scheme through the Levelling Up Fund ("LuF"). With 10% (£4.96m) of this being available to help support development and completion of the OBC and Full Business Case (FBC), prior to grant funding being fully awarded.
- 10.3 Based on current cost estimates, the SDGZ scheme requires a budget of £77.04m. It has a provisional allocation of £49.6m from the Government's Levelling Up Fund (LUF) and a minimum £6m local contribution from developers. Other funding secured over the last 12 months or more totals £2.2million (contributions from key stakeholders which includes Homes England and EMCCA); this therefore leaves a gap of £19.24million. However, following discussions with key partners, including South Derbyshire District Council, developers, EMCCA and Homes England, there is sufficient confidence that genuine options exist for access to funding to support cashflow and for this to regard the project as fundable.
- 10.4 Final confirmation of the LUF grant funding will come through approval by Government of the Full Business Case (FBC) which can only be granted once land assembly is complete. However, as noted above, the Outline Business Case has been approved and this provides vital assurance that the grant is earmarked for the project. It sets out the strategic case for investment and the approach to delivery as well as the crucial value-for money assessment which must be in place to justify the Government investment. Its approval will therefore reflect an acceptance by Government that the grant is justified.
- 10.5 The developer contributions are the subject of separate negotiations and legal agreements, which will also need to be concluded in order to seek FBC approval. In managing and mitigating the risk of financial exposure to the Council for the project, a decision gateway (via Cabinet) is in place to accept or not accept the Levelling Up grant – the timing of this would be on approval of the FBC by Government. The FBC adds to the OBC principally by demonstrating that the project is ready to deliver and is required to finally confirm the grant funding. However, Cabinet approval will also be sought in the interim for submission of the FBC, with an updated assessment of outstanding project risks.
- 10.6 The total expected cost of the scheme is £77.04 million, which will include land acquisition, design and construction. To date, some of the cost of the Scheme has already been met by the grant funding from Central Government and by construction by developers.

11 IMPLEMENTATION OF THE SCHEME

- 11.1 The current intention, subject to confirmation of the Orders and completing the relevant procedures to acquire the land, is to start work on site in Spring 2027. The works are currently programmed to take approximately 18 months from starting on site to completion. The majority

of the road will be constructed off-line and given the location is predominantly away from residential areas, the impact of construction works on nearby residents will be minimal.

- 11.2 Site compounds will be used to enable the delivery of the Scheme and will accommodate office space, storage for materials and vehicles, and car parking for staff. It is intended that the main site compound will be located to the north of the scheme, as agreed with the landowner Rolls Royce and WBD and dictated by planning conditions. As the construction progresses southwards, a further compound will be created at the site of Ashlea Farm.
- 11.3 Discussions are taking place with those with an interest in land along the Scheme with regard to additional, smaller satellite compounds. These will be adjacent to the Scheme.
- 11.4 Soil storage areas are necessary for the construction of the Scheme and have been included in the CPO. Other areas where the land may be capable of being offered back have also been included in the CPO such as those required for haul routes or compounds. In those cases the nature of the land is likely to change significantly through the creation of new temporary roads, drainage and other utilities services, whereas the soil storage areas will remain essentially unchanged and may be required for a shorter period of time. The storage areas required for the Scheme are:
- West of the Scheme between Roundabout 2 and Main Drain;
 - East of the Scheme and North of Main Drain (this area is currently being occupied by Wilson Bowden Development as a topsoil storage area).
- 11.5 Other areas of land are required for specific purposes:
- Short term access to allow for the construction of any element of the highway scheme where the Scheme footprint is insufficient;
 - Soil storage;
 - Access to sites for landscaping purposes;
 - Access to site and working area for the purpose of diverting a watercourse and filling in the existing stream bed;
 - Installation of tree protection and other temporary environmental measures such as the protection of ecologically important sites during construction;
 - Access for the construction of environmental mitigation measures such as the 'drain' diversion area and flood compensation areas;
- 11.6 The Council is satisfied that there are no impediments to the delivery of the Scheme. All relevant considerations are in place to achieve the programmed start date subject to the successful outcome of the consideration of the Orders.
- 11.7 As outlined in section 8 of this Statement, planning permission has been granted by both Derbyshire County Council and Derby City Council, subject to pre-commencement conditions, including, but not limited to:
- **Flood Compensation Works** - No raised groundworks shall be constructed within the areas of floodplain until such time as the flood compensation works have been constructed.

- **Water Course Diversion** - No construction work on watercourse diversions shall be undertaken until the detailed design of the feature has been submitted to, and agreed in writing, by the Local Planning Authority.
- **Archaeology** - No development shall commence until a written scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority.
- **Environment** - Prior to commencement of construction works, including preparatory works, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority.
- **Ecology** - No development shall commence until precise details of a scheme for the provision of mammal underpasses (suitable for both badger and otter) beneath the link road, has been submitted to and approved in writing by the Local Planning Authority.

11.8 The Council is not aware of any reason why any of the pre-commencement planning conditions or technical approvals cannot be discharged prior to commencement of the works.

12 SUMMARY /CONCLUSIONS

- 12.1 The Scheme has purposefully been designed to unlock the region to the south of Derby known as the Infinity Garden Village, to stimulate economic growth, by facilitating much needed development across South Derbyshire and into the wider area. In addition, the project reflects all five of the Strategic Outcomes within the National Highways Delivery Plan.
- 12.2 The option of a South Derbyshire Growth Zone link road is supported by the Local Enterprise Partnership D2N2 Strategic Economic Plan, Midlands Engine/Midlands Connect, Derbyshire Local Transport Plans LTP3, SDDC Local Plan and Derby City Local Plan and the National Planning Policy Framework. Additionally, the route has been subject to substantial consultation and discussion with landowners and stakeholders.
- 12.3 This document demonstrates how the Council justifies its proposals for the compulsory acquisition of land required to deliver the Scheme.
- 12.4 This Statement has demonstrated that there is a compelling case in the public interest for the compulsory purchase to be made, and regard has been had to the provisions of Article 1 of the First Protocol and Article 8 to the European Convention on Human Rights.
- 12.5 This Statement has also established that the planning and funding approvals are in place, or can be put in place, and there are no impediments to the delivery of the Scheme.
- 12.6 This Statement has further demonstrated that, subject to confirmation of the Orders, all land required in order to construct the Scheme will be available to the Council.

13 ENQUIRIES

- 13.1 Those parties affected by the Orders who wish to discuss matters with a representative of the Council should contact:

Jim Seymour
Assistant Director – Regeneration and Major Projects
jim.seymour@derbyshire.gov.uk
01629 538557

14 LIST OF RELATED DOCUMENTS

- 14.1 Without limitation, the Council may refer to the following documents and legislation in the event of a public inquiry into the Orders:

Order documents

- a) **CPO Order and CPO map**
- b) **SRO Order and SRO plans**

Planning Permission documents

- c) **Derbyshire County Council Planning Permission** (CD9/0319/110) April 2021
- d) **Derby City Council Planning Permission** (19/00417/FUL) April 2021

National Policy and Guidance

- e) **Ministry of Housing Communities and Local Government Guidance on Compulsory Purchase Process** (January 2025)
- f) **The Department for Transport's (DfT) Note on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State is the Confirming Authority**, Circular No. 2/97
- g) **Transport Analysis Guidance – the Transport Appraisal Process** (2025).
- h) **The National Planning Policy Framework** (updated 2024)
- i) **DfT circular 1/97 Highways act 1980** – Orders under section 14 of the Highways Act 1980

Local plan policies

- j) **Local Enterprise Partnership D2N2 Strategic Economic Plan** Vision 2030 Strategy (July 2020)
- k) **Midlands Connect** Road to Success strategic transport road map (February 2022)
- l) **Midlands Connect** Fairer, greener, stronger – Strategic Transport Plan
- m) **Derbyshire County Council Local Transport Plan** (LTP3) (April 2011)
- n) **South Derbyshire District Council Local Plan** (September 2017)
- o) **Derby City Local Plan** (January 2017)