

THE DERBY CITY COUNCIL (CASTLEWARD) COMPULSORY PURCHASE ORDER 2020

SUMMARY OF FUNDING AND DELIVERY PROOF

SUMMARY OF THE EVIDENCE OF MR. DAVE BULLOCK,
COMPENDIUM REGENERATION LIMITED
ON BEHALF OF DERBY CITY COUNCIL

PUBLIC INQUIRY 26 – 29 January 2021

1. QUALIFICATIONS AND EXPERIENCE

- 1.1. My name is Dave Bullock, Managing Director of Compendium Regeneration Limited (trading as Compendium Living, "**Compendium**"). I have been MD of Compendium since 2004, with overall responsibility for the day to day running of the company, and have more than thirty five years' experience in the residential development sector, twenty five of which have been at senior executive level.

2. SCOPE AND STRUCTURE OF THIS EVIDENCE

- 2.1. My proof of evidence, on behalf of Compendium, relates to our appointment by Derby City Council ("**the Council**") and "**Homes England**" under a development agreement signed in September 2011 to carry out the development of the Castleward Urban Village ("**CUV**") project. My evidence also describes Compendium's relevant experience, its and its corporate shareholders' capacity, its role in and detailed proposals for the "**Scheme**" and our ability to fund its delivery and meet our contractual obligations.

3. ABOUT COMPENDIUM LIVING

- 3.1. Compendium is a specialist residential development and regeneration company, specifically established to work with public sector partners on long-term, large-scale projects. We manage a small number of large projects, with a forecast pipeline of 1,000 new homes over the next five years and are backed by two substantial corporate shareholders with combined annual turnover of £869m.
- 3.2. We have undertaken development and urban regeneration projects in Stoke-on-Trent, Liverpool, Hull and Sandwell as well as our continued presence at Castleward in Derby.
- 3.3. We were appointed by Derby City Council in February 2011 as preferred developer partner after a public procurement exercise. Under the terms of the development agreement we have with the Council and other parties, we are required to acquire

development land on a phase by phase basis having satisfied a number of pre-conditions including planning, viability and land availability.

- 3.4. On all our projects we adopt an approach of early engagement with stakeholders who will be directly affected by our development proposals. In Castleward, we held engagement and communication events with various groups (the general public, local businesses affected by our plans, local council members and officers) to share our proposals and discuss concerns ahead of our original outline planning application, which we made in May 2012. We have had an office within the development area since 2012 and have communicated with local people and businesses regularly on our plans for the area since then.

4. COMPENDIUM LIVING'S DELIVERY OF PHASES 1 & 2 OF THE CASTLEWARD URBAN VILLAGE

- 4.1. Following completion of the development agreement with the Council and other parties, we used existing planning policy and draft planning documents to develop a commercially viable set of proposals reflecting the housing market at the time with flexibility to change over time in response to market changes. Our initial planning application for outline permission for the whole regeneration area and full permission for the first phase of 163 homes was approved in February 2013 following extensive local engagement with businesses and residents.
- 4.2. We acquired the land for the first phase from the Council and commenced construction of the major new urban infrastructure and open space, followed by the 164 (one had been added since the original approval) new homes later in 2013. The first homes were occupied in July 2014 and the phase substantially completed in 2017. Our second phase of 54 new homes was started in 2018 on a site already in our ownership, following a reconfiguration exercise to optimise the location for a new primary school, the provision of which was a requirement under the terms of the **"Outline Planning Permission"** (CD2.1).
- 4.3. The first sales on the second phase were completed in September 2020 with 30 completions by the end of the year and the remainder forecast to be sold in early 2021.

5. PROPOSALS FOR DELIVERY OF THE SCHEME

- 5.1. We intend to continue to develop Castleward Urban Village on a phased basis and, subject to the availability of land, are in a position to undertake a rolling programme of development. We have an agreed planning framework for the whole development and have worked productively with the local planning authority as we have sought further Reserved Matters approvals. We have recently submitted an application to vary four conditions attached to the February 2013 planning approval (**CD 2.1**) relating to longer term provision of community facilities, off site highway and public realm enhancements. Although we cannot pre-judge a decision of the planning authority, this application has been made following detailed discussion with various departments of the council whose support was sought for the variations, and which support was forthcoming on an 'in principle' basis.
- 5.2. We secured Reserved Matters approval for Phase 3A (83 homes on John Street) in October 2020 (**ACQ/4C/2**) and expect to start on site in March 2021 following successful negotiations to acquire the three titles that make up the site. We expect to be making Reserved Matters applications for the remainder of the Order Area in the period 2021 to 2025. This is likely to comprise of up to six further applications as set out on the Draft Indicative Development Phasing Plan (**ACQ/4C/3**).
- 5.3. We will be implementing, with Derby City Council, an asset management strategy that will aim to retain trading businesses that wish to continue in situ on an interim basis until properties are required for redevelopment. We will work closely with affected businesses to help them to manage their ongoing occupation and use of their premises so that their eventual closure and relocation runs as smoothly as possible. Continued occupation will be managed by way of short term leases or licences on terms that are as flexible as possible for both parties, with the intention that the occupiers are given as much notice as possible of the need to vacate their premises. Where business premises become vacant, and are not immediately required for redevelopment, then the strategy is that these are re-let if possible on a short term basis or secured/demolished. We consider this approach is considered will be beneficial both

to affected businesses and to the other residential and business occupiers of Castleward.

6. FUNDING OF THE SCHEME

- 6.1. Compendium's funding is provided by its corporate shareholders, Lovell Partnerships Limited and The Riverside Group Limited, both substantial entities with a combined turnover of more than £869m in their last audited accounts. We have a current loan commitment of £30m, only 20% of which is committed, and we have significant headroom within our forward plan to accommodate our peak debt forecast of £12m to £13m. Our board agreed in February 2020 to commit £3.5m to support the assembly of land within the Order Area in support of the Order. This will complement the funding secured from Homes England under the "**Housing Infrastructure Fund**" ("**HiF**") and the funds that Derby City Council have already committed to the CPO. The financial profile of each development phase will be reviewed and agreed jointly with Derby City Council and Homes England in advance of each phase development.
- 6.2. Mr Gilman's proof sets out the overall profile of all capital costs that the Council expects to incur through the exercise of compulsory purchase powers, including the costs of funding the Public Inquiry process and an allowance for site enabling works, such as demolition, following the acquisition of the Order Land (as described in **CD 1.2**). Compendium's commitment is included within those figures.

7. OUTSTANDING OBJECTIONS

- 7.1. Following the withdrawal of the Centurylink objection, there are no outstanding objections relevant to the subject matter covered by my proof.

8. CONCLUSIONS

- 8.1. In this evidence I have described Compendium Living's involvement in the CUV programme to date and our continuing role in ensuring successful completion of this programme. We have already committed significant investment to acquire land and

property in the area in furtherance of our development plans have a full-time office base on Canal Street and a dedicated and experienced development team in place to enable us to continue to deliver the Scheme. We undertook three years of work ahead of a substantial site start to enable us to be sure that we were in a position to develop the area successfully and have already completed our first 218 new homes within the CUV.

- 8.2. In light of the above, it is my opinion that the Order should be confirmed to enable us to continue the successful Castleward redevelopment.

**THE DERBY CITY COUNCIL (CASTLEWARD) COMPULSORY PURCHASE ORDER 2020
FUNDING AND DELIVERY PROOF**

STATEMENT OF EVIDENCE OF MR. DAVE BULLOCK,
COMPENDIUM REGENERATION LIMITED
ON BEHALF OF DERBY CITY COUNCIL

PUBLIC INQUIRY 26 – 29 January 2021

1. QUALIFICATIONS AND EXPERIENCE

- 1.1. My name is Dave Bullock, I am the Managing Director of Compendium Regeneration Limited (trading as Compendium Living, "**Compendium**").
- 1.2. I joined Compendium in 2004, to oversee its establishment as a special purpose development company. Having set the company up as a joint venture, owned in equal part by Lovell Partnerships Limited (a division of Morgan Sindall plc) ('Lovell') and The Riverside Group Limited (a large national housing association and Registered Provider) ('Riverside'), I have overseen its growth into a profitable company undertaking large-scale residential development and regeneration projects in partnership with public authorities (e.g. city councils, "**Homes England**"). I maintain responsibility for ensuring the stability and profitability of the company and motivating our teams to develop and grow to meet our business plan targets and budget.
- 1.3. I have day to day responsibility for all of the company's activities covering business development, partnerships, technical, commercial, construction, sales, finance and customer care, whilst also ensuring we meet our Safety, Health, Environment and Quality (SHEQ) requirements. As such I have day to day involvement in business planning, finance, operations, construction procurement, risk and environmental sustainability.
- 1.4. My role in the management of "**CUV**" is, and has since our appointment by "**the Council**" been, as project director and principal representative of Compendium on the Strategic Core Group, set up under the terms of the "**Development Agreement**" to provide strategic oversight to the "**CUV Partnership**". I lead on all strategic level discussions with the Council and Homes England relating to the CUV regeneration programme and our activity within the City. I also represent the company on other forums within Derby.
- 1.5. Prior to joining Compendium, I had worked for twenty years in the residential development sector for a range of public and private entities. This included managing

the entire new development programme of c500 homes per year for a large national housing association, and (within a team of four executive directors) setting up a new housing company to acquire 17,000 homes from a local housing authority and taking specific responsibility for the £150m investment programme to bring them up to an acceptable standard.

2. SCOPE AND STRUCTURE OF THIS EVIDENCE

- 2.1. I will provide evidence on behalf of Compendium in its role as ‘Developer’ appointed by the Council and Homes England under the Development Agreement. The Development Agreement provides for Compendium to undertake “the development of a high quality, sustainable, residential led, mixed use multi-phase development with a variety of associated infrastructure development to be known as CUV on roughly thirty acres of brownfield employment land close to the City Centre.”
- 2.2. I will provide evidence of Compendium’s relevant experience, the capacity and expertise of it and its shareholders, its role in, and detailed proposals for, the “**Scheme**”, and our commitment and ability to fund the delivery of the Scheme, including our contractual obligations and the programme for delivery. Furthermore, I will set out Compendium’s rationale for competing for and contracting to deliver the Scheme in the context of our business priorities and targets.
- 2.3. In this proof of evidence, I will refer to documents contained within the Core Document List. Any documents referred to that are not included as Core Documents are attached as appendices to this proof of evidence. Terms used have the same meaning as given in the glossary document (CD 4.1).

3. ABOUT COMPENDIUM

- 3.1. Compendium is a specialist residential development and regeneration company, specifically established to work with public sector partners on long-term, large-scale projects. We design and build new, and regenerate existing places, to create high quality housing, infrastructure and facilities where people will choose to live.
- 3.2. Our shareholders, Lovell & Riverside are respectively, “a partnership housing expert and a leading provider of innovative residential construction and regeneration developments” and “one of the UK’s leading social housing and regeneration organisations, owning or managing around 56,000 homes from Irvine to Kent.”
- 3.3. We deliberately target a small number of large projects so as to ensure that our clients and partners can rely on dedicated and high-level commitment from us and our wider teams. We pride ourselves on understanding our partners’ operating environments, their aspirations, opportunities and constraints, and on being able to help them achieve their strategic visions for new places. As a commercial entity, we are very experienced at working to strict timescales, standards and budgets.
- 3.4. We are targeting to deliver about 1,000 new homes nationally over the next 5 years. We are currently turning over circa £20m per annum, and our shareholders, who continue to provide our working capital, between them turned over £869m in their last full accounting years.

Our projects

- 3.5. Since our establishment in 2005, we have undertaken a small number of large-scale residential development and regeneration projects working with local authorities and other public bodies. The following describes some of these.
- 3.6. We redeveloped an ex-National Coal Board (NCB) estate in Stoke-on-Trent between 2007 and 2016. The original estate had been built in the mid-1950s using two different pre-cast reinforced concrete (prc) systems. These houses had significantly exceeded

their design lives, and as the NCB had sold off the properties in the early 1980s, there were also no coherent management arrangements in place. The estate had developed a very poor reputation and some of the houses were changing hands for less than £10,000.

- 3.7. We were appointed by Stoke-on-Trent City Council as developer partner for the estate in 2006, and having secured planning permission for the project, we supported them in the making of The Council of the City of Stoke-on-Trent (Coalville, Weston Coyney) Compulsory Purchase Order 2007, to secure the handful of residential and commercial properties required for the comprehensive redevelopment that we had been unable to acquire by negotiation. In this instance, where the local authority's experience of compulsory purchase order powers was limited, we supplemented their resource significantly to ensure that the ensuing public inquiry led to the desired confirmation of the compulsory purchase order and its subsequent implementation through a General Vesting Declaration. The remaining property required for the comprehensive redevelopment of nearly 300 new homes was subsequently acquired in 2008/09 and the transformation of an unpopular estate into an attractive and popular new neighbourhood on the rural edge of the city completed in 2016.
- 3.8. We are currently also undertaking regeneration projects in Hull (circa 750 new homes in Ings on the north eastern edge of the city on the sites of former Hull City Council housing) and Liverpool (the latest phase of 115 new homes for sale within a wider large scale area regeneration project that has run for more than fifteen years). In Hull we are working with Hull City Council under a long-term Development Agreement, and Together Housing (as our affordable housing provider partner). In Liverpool, we are developing an-ex Liverpool City Council site working alongside Riverside, the principal local affordable housing provider, on the second site of a rolling programme which has already provided 200 new homes alongside the regeneration of some 2,500 existing ex-council homes.

Compendium's appointment as Developer Partner

- 3.9. Compendium was appointed by the Council in February 2011 as preferred development partner for CUV. The appointment was made following a formal tender process using the Official Journal for the European Union (OJEU) Competitive Dialogue Process.
- 3.10. The Council published an OJEU Contract Notice in connection with the project in the OJEU on 23 May 2009, reference number 2009/S 94-135284. A Pre-Qualification Questionnaire ('PQQ') was made available and interested organisations were able to submit responses to the PQQ until 26 June 2009 which was the closing date.
- 3.11. A competitive dialogue process was undertaken with 3 bidders, and following interim evaluation, the Council issued an Invitation to Submit Final Bids ('ITSFB') to the short-listed bidders in September 2010 with a tender return date of 8th November 2010.
- 3.12. The selection criteria against which bidders were judged were:
- Financial Proposal;
 - Legal Structure/Proposed Contractual Arrangements;
 - Development Quality and Functionality;
 - Sustainability of Development Proposal; and
 - Project Delivery
- 3.13. Following tender return in November 2010, the Council held clarification meetings with tenderers to ensure that bids were compared on a like for like basis and made a formal recommendation to appoint Compendium as the preferred developer partner at their Cabinet meeting on 15th February 2011. This appointment was confirmed after the compulsory 'standstill' period for such decisions had expired.
- 3.14. Our appointment as preferred developer partner reflected our and our shareholders' track record and expertise in working in partnership with local authorities and other public and private sector partners. Our technical, construction and sales expertise are provided by Lovell, one of our shareholders, under the terms of a preferred supply

arrangement. Whilst Compendium has specialised in a small number of large and complicated regeneration and development projects, Lovell has been developing and building mixed tenure (open market sale, low cost home ownership and affordable rented housing) for decades and has vast experience in development and construction.

Development Agreement with Derby City Council

3.15. We completed the Development Agreement with the Council, East Midlands Development Agency (subsequently Homes England), Lovell Partnerships Limited and The Riverside Group Limited on 16th September 2011.

3.16. Under the terms of the Development Agreement, Compendium are required to purchase all land that is required for each phase of the overall CUV development (that is, not just the area of the CUV covered by the Order (CD 1.1)). Subject to satisfying a number of pre-conditions, including, satisfactory planning permission, phase viability, and all required land being available for transfer, Compendium may proceed with land transfer and phase development start. The Development Agreement anticipated development being carried out over a number of phases in a 15 – 20 year period. Phase progress is monitored against agreed milestones and the project is overseen by a Strategic Core Group made up of representatives from the Council, Homes England and Compendium. The Development Agreement also contained provision for a CPO Powers Indemnity Agreement under which Compendium would agree to indemnify the Council against specific liabilities incurred through pursuing CPO Powers should this prove necessary.

Our approach

3.17. When we embark on projects working with public sector partners, we adopt an approach of early engagement with the local community and stakeholders, often jointly with the local authority. In “**Castleward**”, we held engagement and communication events with various groups (the general public, local businesses affected by our plans, local council members and officers) to share our proposals and discuss concerns ahead of our original outline planning application, which we made in

May 2012. These events took the form of informal drop-in sessions, presentations to community organisations and local member briefings. These were described in the Statement of Community Consultation submitted with our “**Outline Planning Permission**” application.

- 3.18. Since October 2012, we have had an office on site, at 63 Canal Street, and have engaged widely with local businesses and residential occupiers. We have used the premises for drop-in discussions and have advertised our presence locally as a source of information about the Scheme.

4. COMPENDIUM'S DELIVERY OF PHASES 1 & 2 OF THE CASTLEWARD URBAN VILLAGE

- 4.1. Having completed the Development Agreement with the Council and East Midlands Development Agency (succeeded by The Homes & Communities Agency/Homes England) in September 2011, we used the City of Derby Local Plan Review ("**CDLPR**"), adopted in 2006 (CD 3.8) and the draft City Centre Eastern Fringes Area Action Plan (CCEFAAP) (CD 3.7), both of which are described in Mr Pheasant's proof (Planning witness), as a basis for the development of a commercially deliverable set of proposals which would lay the foundations for the creation of the new urban neighbourhood that all parties to the agreement wanted to see.
- 4.2. Our initial planning application, made in May 2012, was a hybrid one, formed of an outline planning application for the whole c30 acre site with a full application for the first phase of 163 residential units (one additional unit was subsequently approved following a further application), 12 ground floor commercial units and extensive new and enhanced public realm (including a new boulevard connection between the "**City Centre**" and the "**Railway Station**" and a landscaped public space, Liversage Square).
- 4.3. We secured the "**Outline Planning Permission**" (CD 2.1) (which also included Full permission for Phase 1) in February 2013, following officers' recommendations to approve, attendance at a meeting of the Council's planning committee in August 2012.
- 4.4. We took transfer of the land for Phase 1 of the development from the Council concurrent with receipt of planning approval and having mobilised our construction operation in anticipation of land transfer and the grant of planning permission. We were able to start on site late the same month.
- 4.5. The first phase included significant infrastructure, the creation of a new, high specification tree-lined boulevard to improve significantly the main pedestrian route from the Railway Station to the City Centre and to create a high quality public realm for both residents and the wider population. Construction of the new homes themselves started later in 2013, and our first homes for sale were completed in July

2014. From then, we completed 124 homes for sale and forty homes for affordable rent and shared ownership with our Registered Provider partner, Riverside, over the following three years.

- 4.6. We started our second phase of development in 2018, following some reconfiguration of the area to optimise the location for a new primary school, the provision of which was a requirement set out in conditions 8 & 9 of the Outline Planning Permission (CD 2.1). This also enabled another site already in our ownership to be brought forward for the development of 54 new homes, a mix of 42 homes for sale and 12 apartments for affordable rent. Following delays to site operations arising from the COVID-19 shutdown, this phase was completed in late 2020. The first sales were completed in September 2020, with 30 completions forecast by the end of the year, and the remaining 12 homes to be sold in early 2021. The affordable homes were handed over to Riverside, our Registered Provider partner in October 2020.

5. PROPOSALS FOR DELIVERY OF THE SCHEME

Proposals for delivery

- 5.1. Our intention is to continue the development of CUV on a phased basis, as we have undertaken to date. Having completed the first phase in 2016, with its significant infrastructure components continuing into 2017, we are now in a position to move seamlessly from phase to phase, subject to the availability of the land.
- 5.2. We have an agreed planning framework for the whole development and have worked closely and productively with the planning authority as we have sought to secure subsequent Reserved Matters planning approvals for each phase as we progress. We have recently submitted an application to vary conditions 10, 13, 14 & 36 of the Putline Planning Permission (CD 2.1) under Section 73 of the Town and Country Planning Act 1990. These refer specifically to:

Condition	Brief description	Proposal	Rationale
10	Community centre – no more than 285 dwellings shall be commenced until details for its provision have been submitted	Remove condition 10	The Council has confirmed that existing provision and other developments within the immediate surrounding area will fulfil this obligation
13	Improvements to pedestrian and cycle access to Bass' rec - no more than 285 dwellings shall be commenced until details for its provision have been submitted	Amend condition to read "No more than 676 dwellings shall be commenced....." and "No more than 756 dwellings shall be occupied...."	The Council has suggested that its own programme of transport enhancement to be developed over the coming years may conflict with this obligation and have indicated that a deferral until much later in the duration of the CUV development could be considered.
14	Enhancement of Bass' rec - no more than 446 dwellings shall be commenced until details for its provision have been submitted	Amend condition 14 to read "No more than 676 dwellings shall be commenced....."	This follows the proposed deferral of condition 13 requiring pedestrian/cycle access to Bass's Rec to be improved
36	Siddals Road junction with station approach - no more than 285 dwellings shall be commenced until	Amend condition to read "No more than 676 dwellings shall be commenced....." and "No	The Council has suggested that its own programme of transport enhancement to be

	details for its provision have been submitted	more than 756 dwellings shall be occupied....”	developed over the coming years may conflict with this obligation and have indicated that a deferral until much later in the duration of the CUV development could be considered.
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Determination of this application is expected on or before 9th March 2021.

- 5.3. We expect to be making Reserved Matters applications for the remainder of “**the Order Land**” (CD 1.2) in the period 2021-2025. We secured the latest approval for Phase 3a in October 2020 (ACQ/4C/2) and expect to start on site in March 2021 following successful negotiations to acquire the three titles making up Phase 3a. Our phasing proposals, encompassing all phases contained within the Order Land, are illustrated on the plan (ACQ/4C/3), with indicative dates and pipeline numbers of new homes shown in the table below.

Phase	Pipeline units	Start	Completion
2b	258	Mar-21	Dec-22
3a	82	Apr-21	Dec-22
3b	Tbc	Mar-22	Apr-23
3c	Tbc	Mar-23	Jun-24
4a	Tbc	Mar-24	May-25
4b	Tbc	Mar-25	Sep-25
4c	Tbc	Mar-26	May-27
5	Tbc	Mar-27	Jul-27

With our third phase (Phase 3a) due to start in the Spring of 2021 we are confident that the success of the Order (CD 1.1) will ensure the availability of development land in a predictable and reliable sequence to enable successful development to continue.

Interim proposals for businesses within the Order Land

- 5.4. We will be implementing, with the Council, an asset management strategy that will aim to retain trading businesses that wish to continue in situ on an interim basis until properties are required for redevelopment. In partnership with the Council we will work closely with affected businesses to help them to manage their ongoing occupation and use of their premises so that their eventual closure and relocation runs as smoothly as possible. Their continued occupation will be managed by way of short term leases or licences (as appropriate) on terms that are as flexible as possible for both parties, with the intention that the occupiers are given as much notice as possible of the need to vacate their premises. Where business premises become vacant, and are not immediately required for redevelopment, then the strategy is that these are re-let if possible on a short term basis. This approach is considered to be beneficial to both the affected businesses and to the other occupiers of Castleward.

6. FUNDING OF THE SCHEME

- 6.1. All our funding to date has been provided by our shareholders in the form of inter-company loans. Both companies have healthy cash balances and remain committed to continuing to on-lend in this way. We secured board approval for the project in 2012 & 2013 and its forward plan profile has been included within each annual budgetary review since then and approved on that basis. We have significant headroom within our forward plan, forecasting peak work in progress of £12m to £13m against the current maximum loan commitment of £30m (£15m from each shareholder). The work in progress sum is a commonly used measure of capital employed and indicates the peak borrowing requirement across the entire project. Our management of capital employed and work in progress will continue to ensure that we are more than adequately placed financially to honour our obligations under the Development Agreement and successfully carry out the phases of development contained within the Order Land.
- 6.2. Our board also agreed in February 2020 to commit c£3.5m to support the assembly of the Order Land. This will complement the funding secured from Homes England under the Housing Infrastructure Fund (“**HiF**”) and the funds that the Council have already committed to the Scheme. The financial profile of each development phase will be reviewed and agreed jointly with the Council and Homes England in advance of each phase development.
- 6.3. Mr Gilman’s proof details the profile of all capital costs the Council expects to incur through the exercise of “**CPO Powers**”, including the costs of funding the Public Inquiry process and an allowance for site enabling works, such as demolition, following the acquisition of the Order Land (CD 1.2). It also details the overall funding arrangements in place to support the Scheme, including the £3,482,000 which Compendium has committed to the Scheme.

7. OUTSTANDING OBJECTIONS

- 7.1. Following the withdrawal of the “**CenturyLink**” objection, there are no outstanding objections relevant to the subject matter covered by my proof.

8. CONCLUSIONS

- 8.1. In this evidence I have described Compendium's involvement in the CUV to date and our continuing role in ensuring successful completion of this Scheme. I have also set out the context for Compendium's interest in pursuing and delivery the CUV, including its strategic fit within our business objectives.
- 8.2. Compendium has already committed significant investment to acquire land and property in the area in furtherance of its development plans and has a full-time office base on Canal Street. We have a dedicated and experienced development team in place to enable us to continue to deliver the Scheme, both in-house and through our appointed consultants. We have undertaken three years of work ahead of a substantial site start to enable us to be sure that we can redevelop the area in a way that meets or exceeds the CUV partnership's objectives, and have already developed successfully our first 218 new homes within the CUV.
- 8.3. On the basis of the Development Agreement between ourselves, the Council and Homes England, and the funding available, I consider that there are no impediments to delivery of the Scheme. Furthermore, Compendium is in a position to pursue further Reserved Matters planning applications for the area covered by the Order should the Order be confirmed.
- 8.4. In light of the above, it is my opinion that the Order should be confirmed to enable Compendium to continue development of new homes in Castleward in furtherance of our shared objective to create a new, popular, vibrant and sustainable neighbourhood close to the City Centre.

DECLARATION AND STATEMENT OF TRUTH

I confirm that the facts stated within my evidence are true.

Dave Bullock

Managing Director

Compendium Regeneration Limited (trading as Compendium Living)

4 January 2021

THE DERBY CITY COUNCIL (CASTLEWARD) COMPULSORY PURCHASE ORDER 2020

APPENDIX 1

STATEMENT OF EVIDENCE OF MR. DAVE BULLOCK

ON BEHALF OF DERBY CITY COUNCIL

PUBLIC INQUIRY 26 – 29 January 2021

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THE DERBY CITY COUNCIL (CASTLEWARD) COMPULSORY PURCHASE ORDER 2020

APPENDIX 2

STATEMENT OF EVIDENCE OF MR. DAVE BULLOCK

ON BEHALF OF DERBY CITY COUNCIL

PUBLIC INQUIRY 26 – 29 January 2021



Derby City Council

Mr Sandy Morrison
HTA Design LLP
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS

Reserved Matters Application Decision

Town and Country Planning Act 1990 (as amended)

Part 1: Application Details

Application No: 20/00518/RES (please quote in correspondence)
Location: Land At John Street, Derby, DE1 2LU
Proposal: Residential development (82 dwellings together with associated external works, rear gardens, shared surface courtyard and 29 parking spaces.) - approval of reserved matters pursuant to outline planning permission Code No. 05/12/00563 in respect of appearance, landscaping, layout and scale, Castleward Regeneration Masterplan (phase 3).

Part 2: Decision

Approval is **granted** subject to the conditions in Part 5

Part 3: Reason for Decision

The proposal has been considered against the following Local Plan Policies, the National Planning Policy Framework where appropriate and all other material considerations.

The details of the residential development (Phase 3), which forms part of the wider mixed use and residential-led redevelopment of Castle Ward, approved by the outline permission 05/12/00563, would be consistent with the comprehensive nature of the wider development. It would create a high quality living environment, in terms of its form, design, landscaping scheme and layout, with reasonable impacts on visual and residential amenities, with appropriate parking provision and no adverse implications for the local highway network and no significant environmental impacts in terms of flood risk, archaeology, ecology and land contamination.

In dealing with this application the City Council has worked with the applicant / agent in a positive and proactive manner and has secured appropriate and proportionate

Development Control, Communities and Place, The Council House, Corporation Street, Derby, DE1 2FS
derby.gov.uk

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improvements to the scheme which relate to design elements within the blocks..

Part 4: Relevant Policies

City of Derby Local Plan Review Saved Policies

GD5	Amenity
E17	Landscaping Schemes
H13	Residential Development - General Criteria
T10	Access for Disabled People

Derby City Local Plan Part 1 (Core Strategy) Policies

CP1A	Presumption in Favour of Sustainable Development
CP2	Responding to Climate Change
CP3	Placemaking Principles
CP4	Character and Context
CP5	Regeneration of Communities
CP6	Housing Delivery
CP7	Affordable and Specialist Housing
CP10	Employment Locations
CP12	Centres
CP23	Delivering a Sustainable Transport Network
AC1	City Centre Strategy
AC2	Delivering a City Centre Renaissance
AC4	City Centre Transport and Accessibility
AC5	City Centre Environment
AC6	Castleward and the Former DRI
MH1	Making it Happen

Part 5: Conditions

General Conditions:

1. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

Reason: For the avoidance of doubt.

Plan Type:	Plan Ref – Rev:	Date received:
Location Plan	COM_DER_3_HTA-A_DR_0001	06/05/2020
Site plans	COM_DER_3_HTA-A_DR_0002 Rev A	06/05/2020
Site plans	COM_DER_3_HTA-A_DR_0102	06/05/2020
Floor Plans - Proposed	COM_DER_3-HTA-A_DR_0111 Rev C	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0112 Rev C	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0110 Rev G not extra cycle stores	29/09/2020

Landscaping	COM_DER_3_HTA-L_DR_0900 Rev P1	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_201 Rev D	29/09/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0202 Rev C	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0203 Rev A	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0204 Rev A	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0205 Rev A	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0211 Rev B	28/08/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0212 Rev A	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0221 Rev D	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0222 Rev B	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0223 Rev A	06/05/2020
Floor Plans - Proposed	COM_DER_3_HTA-A_DR_0224 Rev A	06/05/2020
Roof Plan	COM_DER_3_HTA-A_DR_0225 Rev A	06/05/2020
Cross Section	COM_DER_3_HTA-A_DR_0208 Rev B	29/09/2020
Cross Section	COM_DER_3_HTA-A_DR_0216	06/05/2020
Cross Section	COM_DER_3_HTA-A_DR_0228 Rev B	29/09/2020
Elevations - Proposed	COM_DER_3_HTA-A_DR_0206 Rev A	29/09/2020
Elevations - Proposed	COM_DER_3_HTA-A_DR_0215 Rev A	29/09/2020
Elevations - Proposed	COM_DER_3_HTA-A_DR-0226 Rev A	29/09/2020
Elevations - Proposed	COM_DER_3_HTA-A_DR_0227 Rev A	29/09/2020
Elevations - Proposed	COM_DER_3_HTA-A_DR_0207 Rev A	29/09/2020
Streetscape	COM_DER_3_HTA-A_DR_0121 Rev A	29/09/2020
Streetscape	COM_DER-3_HTA-A_DR_0120 Rev A	29/09/2020
Hard Landscaping	COM_DER_HTA-I_P3_DR_8902	06/05/2020
Hard Landscaping	COM_DER_HTA-L_P3_DR_8906	06/05/2020
Other	Biodiversity Enhancement Plan ref:15107	13/07/2020
Parking Layout	CWC4-BSP-ZZ- XX-DR-C-1190-01 P03	17/09/2020
Parking Layout	CWC4-BSP-ZZ-XX-DR-C-1190-02 P03	17/09/2020

Pre Commencement Conditions:

2. Notwithstanding the details of external materials palette included in the Phase 3 Design and Access Statement dated 31.1.2020, details of all external materials shall be submitted to and approved in writing by the Local Planning Authority before the development commences above foundation level. The development shall be completed in accordance with the approved details before the development is occupied.
- Reason: In order that the external appearance of the buildings is satisfactory and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.
3. Notwithstanding the details of boundary treatment included in the Phase 3 Design and Access Statement dated 31.1.2020, details of all boundary walls, fences and railings, including materials, design and appearance shall be submitted to and approved in writing by the Local Planning Authority before the development commences above foundation level. The development shall be completed in accordance with the approved details before the development is

occupied.

Reason: In the interests of visual amenity and the character of the area and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

4. No development shall commence, including demolition works, until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period of the development. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials used in constructing the development
- d) the erection and maintenance of security hoarding including decorative displays
- e) wheel washing facilities
- f) measures to control the emissions of noise, dust and dirt during construction
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To protect the amenities of nearby residential properties and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

Pre Occupation Conditions:

5. The landscaping proposals for the development shall be carried out in accordance with the details shown on Landscape GA drawing no. COM_DER_3_HTA-L_DR_0900 P1 and with precise details of tree and shrub planting, to include species mix, tree planting method and density of planting, to be submitted to and approved in writing by the Local Planning Authority before the external works commence. The landscaping shall be carried out in line with the approved planting details.

Reason: To ensure that the appearance of the development is satisfactory and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

6. The landscaping proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as

included in this Decision Notice.

7. The development hereby approved shall be carried out wholly in accordance with the biodiversity enhancement details included in the submitted Biodiversity Enhancement Plan prepared by ECUS Ltd (dated July 2020), unless alternative biodiversity enhancement proposals are agreed in writing by the Local Planning Authority before the relevant part of the works are begun.

Reason: In the interests of nature conservation and providing for biodiversity and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

8. The recommendations of the submitted noise assessment (Castleward Derby Area C4 - Noise Assessment Ecus Environmental Consultants Version 01, dated November 2019 Report Ref: 13773), to secure noise mitigation measures for windows and doors to protect the amenities of future occupants of the site, shall be installed within the residential units as recommended in the report before any of the units are first occupied.

Reason: To protect the amenities of the future residents from any excessive noise levels in the surrounding area and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice

9. No apartments or dwellings hereby permitted shall be occupied until the cycle parking provision for those particular residential units has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

10. No residential units hereby permitted shall be occupied unless and until the car/vehicle parking area shown on the approved plans has been completed, externally lit and drained and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: To ensure that there are adequate parking facilities to serve the development and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

11. No residential units hereby permitted shall be occupied until the servicing route through the development has been completed and made available for use in accordance with the approved drawing no. Vehicle Tracking Sheet 1 - CWC4-BSP-ZZ-XX-DR-C-1190-01 P03. Thereafter, these areas shall be kept free of obstruction and available for these uses.

Reason: To ensure that there are adequate servicing facilities, particularly for refuse vehicles within the site in the interests of highway safety and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice

12. The Travel Plan ref:19-0158 dated February 2020 submitted in support of the

application, shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling and to accord with the adopted policies of the Derby City Local Plan Part 1: (Core Strategy) and the saved policies of the adopted City of Derby Local Plan Review as included in this Decision Notice.

Signed:



Paul Clarke
Authorised Officer of the Council

Date: 14/10/2020

Part 6: Informative Notes to Applicant

0. The relevant conditions attached to the outline permission ref:DER/05/12/00563/PRI must be complied with in addition to those conditions shown in this decision notice, in particular conditions 15,16, 17 and 18 (relating to land contamination), condition 19 (relating to surface water drainage, condition 35 (highways layout) and conditions 27 and 28 (relating to archaeology),

Highways Implications:

As agreed, the future connection between John Street/Boulevard to be 'in only' from the Boulevard, which would overcome the contra-flow cycle route safety issue caused by drivers emerging onto the Boulevard from John Street.

Wildlife Impacts:

No removal of trees, shrubs, buildings or structures shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period and a scheme to protect the nesting birds has been completed.

Notes

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse your application for the proposed development, or non-material amendment to a proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- Please note, only the applicant possesses the right of appeal.
- Further information on how to appeal and the deadlines for different types of applications can be found at www.gov.uk/government/organisations/planning-inspectorate
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)
- The Secretary of State can allow a longer period for giving notice of appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local planning Authority based their decision on a direction given by him.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of the service of the enforcement notice, or within six months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

E-mail: developmentcontrol@derby.gov.uk

Website: www.derby.gov.uk/environment-and-planning/planning/

THE DERBY CITY COUNCIL (CASTLEWARD) COMPULSORY PURCHASE ORDER 2020

APPENDIX 3

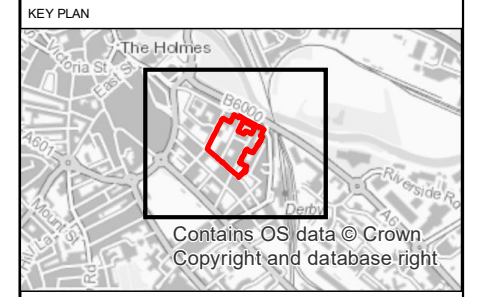
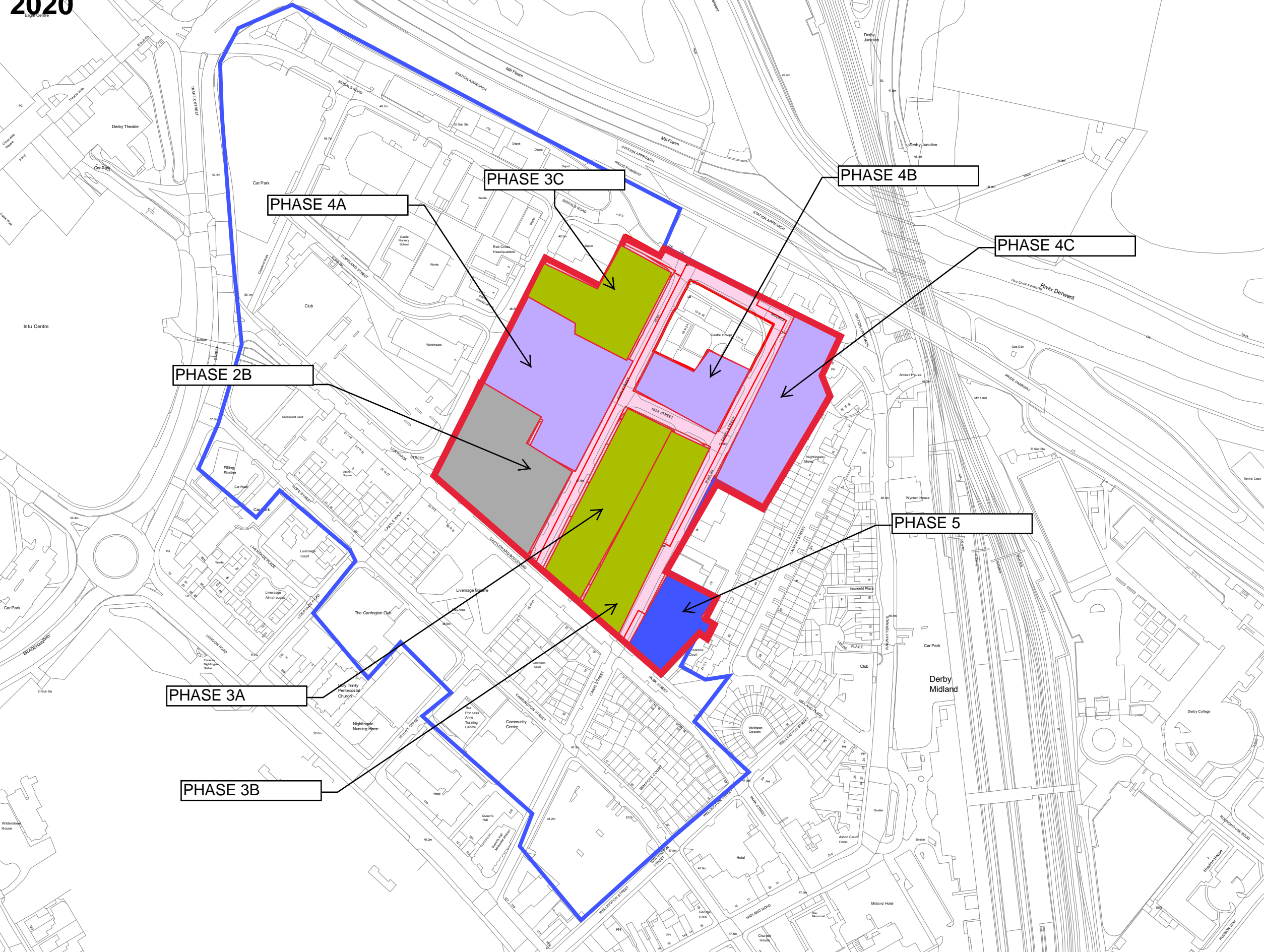
STATEMENT OF EVIDENCE OF MR. DAVE BULLOCK

ON BEHALF OF DERBY CITY COUNCIL

PUBLIC INQUIRY 26 – 29 January 2021

Derby City Council (Castleward) Compulsory Purchase Order 2020


A Development Phasing Plan - ACQ/4C/3




Key

- Order Land
- Parcels
- CUV regeneration area

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Client:  **Derby City Council**

Designer:  **ardent**
infrastructure and regeneration

Project: **CASTLEWARD SCHEME**

Drawing Title: **CPO 1**

Status: DRAFT	Revision: 003
Scale: 1:2,500 @ A3	Date: 16/09/2019
Spatial Reference System: British National Grid	
Drawn By: I.MAXIM	Checked By: A.KING
Approved By: P.MILLS	
Drawing reference: 019_ARDG_DRBY_CC_CPO4	

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Plot Date: 16 September 2019 16:48:26
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