

CD 6.20

TOWN AND COUNTRY PLANNING ACT 1990

ACQUISITION OF LAND ACT 1981

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

**Inquiry into:
THE CORNWALL COUNCIL (LANGARTH GARDEN VILLAGE, THREEMILESTONE) COMPULSORY
PURCHASE ORDER 2022**

**SUMMARY PROOF OF EVIDENCE
of
TERRY GROVE-WHITE
Director of Atlantic Arc Planning Ltd.**

2 January 2024

1. INTRODUCTION

- 1.1 My name is Terry Grove White, I am the Director of Atlantic Arc Planning Ltd. I hold a BSc in Town Planning Studies and a Diploma. I am chartered member of the Royal Town Planning Institute.
- 1.2 I have 40 years planning experience, having previously worked in Cornwall, and more specifically in Truro, as assistant Head of Planning for Cornwall Council, and Head of Community Planning for the former Carrick District Council. Since leaving Cornwall Council, I have worked as a planning consultant. In this capacity, I have led on a range of projects, including on the first reserved matters application for the development of the 'West Carclaze' Garden Village, near St Austell.
- 1.3 With reference to the Scheme, I was the planning consultant who acted as agent on behalf of Cornwall Council for the preparation and submission of the hybrid planning application for Langarth Garden Village (the **Scheme**), as well as the stand-alone application for the Energy Centre.

2. SCOPE OF EVIDENCE

- 2.1 My proof of evidence seeks to address the following policy tests as set out in the Government's Guidance on Compulsory purchase process and The Criche Down Rules (July 2019) (the **CPO Guidance**) (CD 5.4):
- 2.1.1 How the Scheme is unlikely to be blocked by any physical or legal impediments to implementation such as need for planning permission or other consent or licence (paragraph 15).
- 2.1.2 How the programming of infrastructure works does not present an impediment to implementation (paragraph 15).
- 2.1.3 How the Scheme fits with the adopted Local Plan for the area (paragraph 106).
- 2.1.4 The ways in which the Scheme contributes to the achievement of the promotion or improvement of the economic, social, or environmental well-being of the area (paragraph 106).
- 2.1.5 How, from a planning perspective, the purpose for which Cornwall Council (the **Council**) is proposing to acquire the land could not be achieved by any other means (paragraph 106).

3. TERMINOLOGY

- 3.1 In my proof of evidence references to the core documents are made by the abbreviation, for example, "CD1.1. The proofs of evidence of other witnesses are referred to by the name of the author.

4. **PLANNING APPLICATION FOR THE SCHEME**

- 4.1 Key to the Council's strategic intervention is the objective to facilitate the early and coordinated delivery of infrastructure, to support the strategic growth for Truro.
- 4.2 As explained in the proofs of evidence of Mr Gavin Smith (**CD 6.4**) and Mr Philip Mason (**CD 6.1**), the planning history for the Site is characterised by several separate planning permissions. Each permission was responsible for direct delivery of different segments of a version of the Northern Access Road (**NAR**) across the Site. Most of the permissions permitted at this juncture in time were 'anchored' by significant retail proposals. Fundamentally, development has failed to come forward.
- 4.3 My proof of evidence explains how the Scheme addresses the previous lack of delivery and provides for a comprehensive framework for the proper planning of the Site.
- 4.4 The planning application for the Scheme was submitted in November 2020 under reference PA20/09631. It took the form of a 'hybrid application' comprising two elements, a full application for the Northern Access Road and an outline application for a new landscape led community of up to 3550 dwellings plus 200 extra care units and 50 units for student /health workers accommodation, further details of which are set out in my proof of evidence.

5. **DEVELOPMENT PLAN COMPLIANCE AND PLANNING BALANCE**

The Scheme complies with the statutory development plan and the NPPF for the reasons set out in the Officer's Report to Planning Committee (**CD 1.9**) and summarised in the evidence of Mr Gavin Smith (**CD 6.3**).

6. **PLANNING PERMISSION FOR THE SCHEME**

Planning permission for the Scheme was granted on 5 April 2022 (**Hybrid Planning Permission**). Please refer to **CD 3.1** for a copy of the decision notice. The full permission for the NAR supports the early provision of the road through the Site. The outline permission for the wider development provides a flexible framework for the delivery of the Garden Village, over the longer term.

7. **FULL PERMISSION FOR THE NAR**

- 7.1 Technical detail on the NAR and its construction are set out in the proof of evidence of Mr Tim Wood (**CD 6.9**). My proof summarises the key elements of the NAR, the junctions at West Langarth, Oak Lane and the Eastern Junction. It also highlights the design principles that underpin the Scheme and help achieve active travel and sustainable travel objectives. My proof summarises the key benefits of the Council's NAR over previous proposals for the NAR. Without limitation, these include segregated cycle provision, gradients, and design speed.

8. **OUTLINE PERMISSION FOR THE GARDEN VILLAGE**

- 8.1 The outline element of the Hybrid Planning Permission establishes the principle of development for the masterplanned mixed use component of the Scheme. Details of access, layout, scale, appearance, and landscaping will be submitted for approval at the reserved matters stage.
- 8.2 A series of parameters set the context for subsequent detailed design. These take the form of a series of six 'Parameter Plans' outlined in my proof of evidence (**CD 3.2**). The Parameter Plans are supported by a Design Code (**CD 3.3**), a summary of which is set out in Appendix TGW7 to my proof of evidence.
- 8.3 Applications for reserved matters will be informed by the Parameter Plans and the approved Design Code.

9. **PLANNING CONDITIONS AND PLANNING OBLIGATIONS**

- 9.1 The conditions attached to the Hybrid Planning Permission (**CD 3.1**) are specified separately for the detailed and outline elements of the Hybrid Planning Permission. Schedules of the conditions attached to both the full and outline element of the Hybrid Planning Permission are attached as Appendix TGW4A and Appendix TGW4B to my proof. My proof explains how the conditions are structured to facilitate flexible implementation and provide no impediments to delivery.
- 9.2 My proof reviews to the pro forma section 106 agreement which accompanies the Hybrid Planning Permission (**CD 3.7**), which is secured by planning conditions. Appendix TGW3 to my proof of evidence summarises the planning obligations, explains how they are structured to facilitate delivery of development parcels by a variety of developers and how they do not present an impediment to delivery.

10. **AMENDMENTS TO THE SCHEME TO DATE**

Scheme delivery is a dynamic and iterative process. My proof outlines non-material amendments (**NMA**) already approved and those currently being assessed by the local planning authority (**LPA**). The NMA process demonstrates the ability of the Scheme to adapt and be refined.

11. **RESERVED MATTERS APPLICATIONS AND RELATED WORK TO PROGRESS SCHEME DELIVERY**

- 10.1 Following grant of the Hybrid Planning Permission, the Council has undertaken extensive work to start bringing forward the Scheme. My proof of evidence summarises reserved matters applications, such as the Governors SANG and those pending LPA assessment demonstrating an ongoing commitment to delivery.
- 11.2 My proof reviews other consents required for delivery. These ancillary consents are in place and were not subject to legal challenge within the time limit for such challenge. I am not aware of any

additional planning consenting requirement which prevent implementation of the Scheme if the CPO and SRO are confirmed.

11. OBJECTIONS TO THE ORDER (AS RELEVANT TO THE PLANNING POSITION)

There are no objections which relate to planning matters which have not been withdrawn as at the date of submission of my proof of evidence.

12. CONCLUSION

12.1 With reference to the paragraphs in the CPO Guidance, I have sought to demonstrate – through an analysis of the planning conditions and obligations attached to the Hybrid Planning Permission, and in my responses to the objections to the Order - that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation (paragraph 15).

12.2 By reviewing the current work in bringing the Scheme forward, I have demonstrated how the programming of infrastructure works does not present an impediment to implementation (paragraph 15).

12.3 Through agreement with the relevant analysis in the proof of evidence of Mr Gavin Smith (**CD 6.3**), my proof of evidence endorses how the Scheme fits with the adopted Local Plan for the area (paragraph 106).

12.4 By describing the evolution of the Scheme and its journey through the pre-application consultation, application, and determination process I have sought to illustrate the various ways in which the Scheme contributes to the achievement of the promotion or improvement of the economic, social, or environmental well-being of the area (paragraph 106).

12.5 Finally, my understanding of the evolution of the Scheme and the planning history for the Site - help demonstrate how, from a planning perspective, the purpose for which the Council as the acquiring authority is proposing to acquire the land could not be achieved by any other means (paragraph 106).

13. STATEMENT OF TRUTH

I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and those which are not are identified as such. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

Signed by T Grove -White



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Signature of T Grove white

Date 2 January 2024