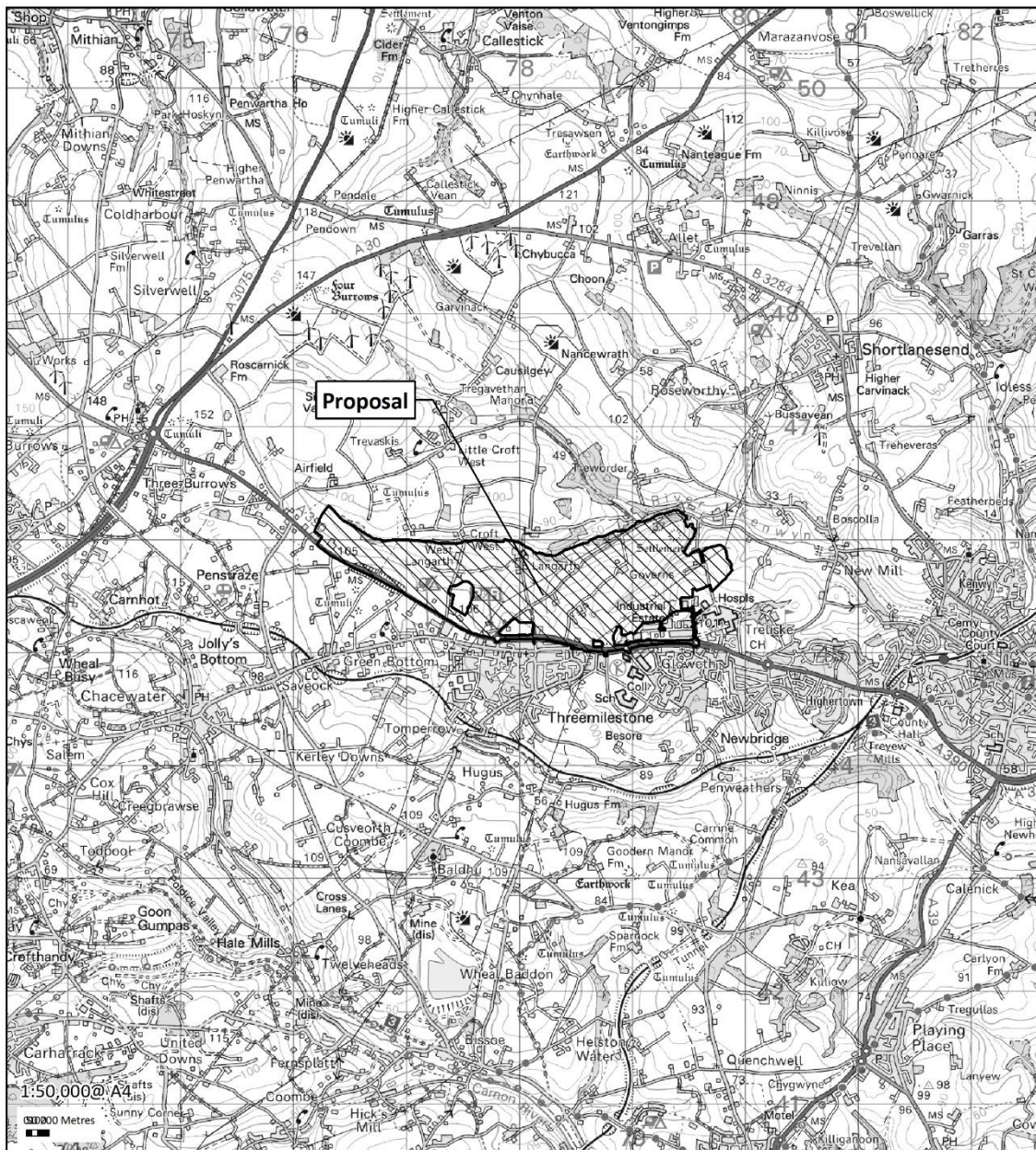


**Hybrid Planning application for Langarth Garden Village (see online for full proposal) -  
Land North of A390 Threemilestone, Threemilestone.**



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**Location map**

Grid reference **SW7845**  
Date **AUG 2021**  
Application No. **PA20/09631**

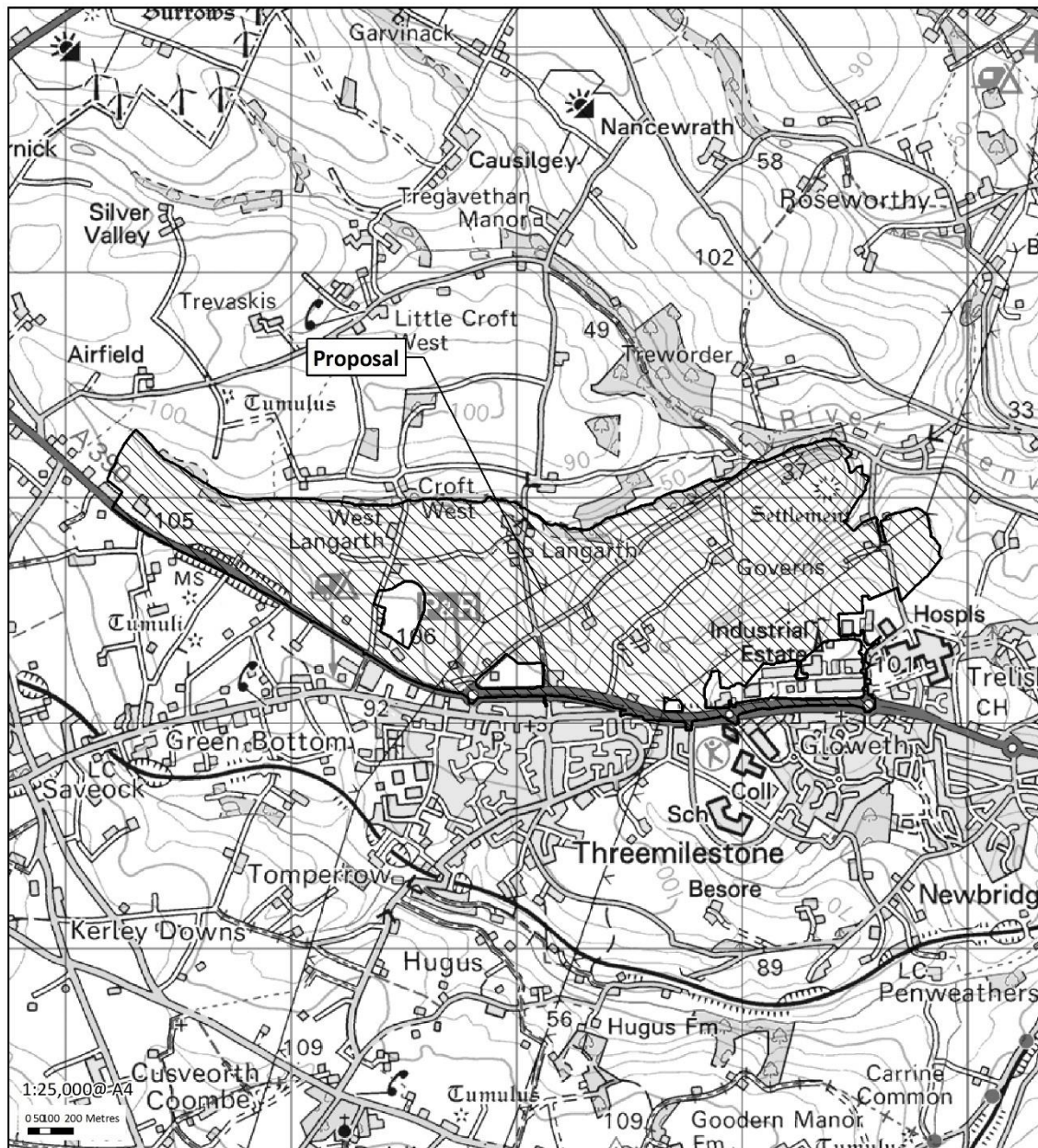


**Louise Wood - Service Director**  
Planning and Sustainable Development





**Hybrid Planning application for Langarth Garden Village (see online for full proposal) -  
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**Site map**

Grid reference SW7845  
Date AUG 2021  
Application No. PA20/09631



**Louise Wood - Service Director**  
Planning and Sustainable Development



Development Management  
Planning and Sustainable Development Service



## Strategic Planning Committee Report

16 December 2021

Application number:	PA20/09631
Site address:	Land North of A390 Threemilestone, Threemilestone, Cornwall
Proposal:	Hybrid planning application for Langarth Garden Village comprising: A. A full planning application for construction of the Northern Access Road and associated access junction arrangements onto the A390, new junctions to the quiet lanes and associated infrastructure and earthworks and retaining and boundary features; B. An outline planning application with all matters reserved to create a mixed use, landscape-led community comprising a phased development of up to 3550 dwellings plus 200 extra care units and 50 units of student/health worker accommodation, including affordable housing; five local centres comprising local retail (E), offices (E), restaurants and cafes (E), drinking establishments (sui generis), hot food takeaway (sui generis), health and community facilities (F1 and E), a local care health centre (E), a blue light centre for emergency services (sui generis), up to two primary schools (F1), business and commercial floorspace (E), brewery / public house (sui generis) and associated areas of open space to include a suitable alternative natural greenspace as a strategic open space a community farm/allotments, public realm, renewable energy provision and energy centre, park and ride extension (of up to 600 spaces or 2.73 ha ), cycle lanes, connections with the existing highway network including crossings of the A390, quiet lanes, drainage and associated infrastructure, including the demolition of buildings and structures, site clearance and associated earthworks and C. The Application is accompanied by an Environmental Statement.
Application type:	Hybrid application
Parish:	Kenwyn
Applicant:	Mr Phil Mason – Cornwall Council Planning & Sustainable Development

Target date for decision:	24 February 2022
Reason for application being called to Committee:	At the discretion of the Head of Development Management, to enable transparent decision making of a planning application submitted by Cornwall Council which proposes development of significant scale.
Departure:	No
Electoral Division Members:	Dulcie Tudor CC and David Harris CC
Case Officer:	Matthew Doble
Link to view full documents:	<a href="http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=QJAI93FG1X300">http://planning.cornwall.gov.uk/online-applications/applicationDetails.do?activeTab=summary&amp;keyVal=QJAI93FG1X300</a>
RECOMMENDATION:	<p>Delegated authority to the Head of Development Management to approve planning permission subject to:</p> <p>A) conditions as set out or similar as may be agreed under delegated authority given to the Head of Development Management and;</p> <p>B) completion of a draft S106 Obligation to deliver appropriate infrastructure and mitigation as may be agreed under delegated authority given to the Head of Development Management.</p> <p><u>Financial contributions towards:</u></p> <ul style="list-style-type: none"> <li>i. Strategic transport mitigation including cycle provision, bus service subsidy, off-site mobility hub infrastructure, car clubs, electric vehicles</li> <li>ii. Cycle trails</li> <li>iii. Junction improvements</li> <li>iv. Sustainable transport bond to support implementation of LGV monitoring and evaluation plan</li> <li>v. Travel plan and monitoring fee</li> <li>vi. Air quality</li> <li>vii. Education</li> <li>viii. Healthcare</li> <li>ix. Offsite flood resilience measures</li> <li>x. Protected habitats</li> <li>xi. Design code implementation and review</li> <li>xii. Offsite sports pitches</li> <li>xiii. Park &amp; ride extensions</li> </ul>

	<div><div><div>xiv. TRO contribution towards controlling on-street residential parking</div><div>xv. Public realm and highways improvements in Threemilestone</div><div><div>Obligations to secure:</div><div><div>xvi. Affordable housing, in accordance with the Affordable Housing Teams consultation comments including provision for key worker accommodation/student accommodation and self-build/custom build units.</div><div>xvii. Use of local labour and materials</div><div>xviii. Biodiversity monitoring and management</div><div>xix. SANG/SAMM</div><div>xx. Stewardship arrangements</div><div>xxi. Interim and permanent woodlark mitigation</div><div>xxii. Open Space provision, management and transfer/adoption</div><div>xxiii. SUDS transfer/adoption</div><div>xxiv. Community facilities</div><div>xxv. Connections to district heating network if provided</div></div></div></div></div>	
Report sign off	Report cleared by:	Date:
Legal:	Ben Curnow	30/11/2021
Head of Service representative:	Gavin Smith	03/12/2021

Balance of Considerations and Conclusion:
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1. This is a hybrid planning permission which seeks full planning permission for a Northern Access Road (NAR) across the application site and outline permission (with all assessment matters reserved) for up to 3550 dwellings of which 35% would be affordable; 200 extra care units, 50 units of student/health worker accommodation, five local centres; a local care health centre; a blue light centre for emergency services; up to two primary schools; business and commercial floorspace; brewery / public house (sui generis); areas of open space to include a suitable alternative natural greenspace as a strategic open space a community farm/allotments; public realm; renewable energy provision and energy centre; park and ride extension); cycle lanes; connections with the existing highway network including crossings of the A390; quiet lanes; drainage and associated infrastructure; and the demolition of buildings and structures, site clearance and associated earthworks.



2. The application has been developed around the Government's garden community qualities and extensive public engagement - with a view to providing a vibrant, coordinated, integrated and sustainable new community known as Langarth Garden Village. The application as a whole represents a process led by Cornwall Council to proactively manage patterns of growth in a co-ordinated and master planned manner to support the aims and objectives of the development plan and, in tandem, to achieve a superior and deliverable planning outcome to previous planning permissions approved on the application site for large-scale mixed use development.
3. A significant benefit of the proposal is the proposed delivery of housing to meet the strategic needs for the area, as identified in the development plan, the emerging review of the neighbourhood plan and the local community. The outline application includes a mix of housing, including policy compliant levels of affordable housing and self/custom build and the intention to provide specialist housing such as extra care and student/health worker accommodation. This weighs heavily in favour of approving the application.
4. The mix of uses at the scale proposed would create a community with the necessary infrastructure to provide a good proportion of the services and facilities required for its future residents, whilst also providing a range of sustainable modes of travel for residents to access the range of services and facilities at Truro, Threemilestone or beyond. This is also welcomed.
5. A further benefit is that the early delivery of the NAR would unlock the area for development and provide relief to the A390 which assists with the wider transport management for this approach to Truro and critically the Royal Cornwall Hospital, at Treliske. The NAR design, for which detailed consent is sought to enable earlier delivery, promotes active and sustainable travel modes with the inclusion of pedestrian and cycle routes. The 'Decide and Provide' policy approach to transport planning (where decisions are made on a preferred model of transport planning and then provide the means to work towards that model) within the development aligns with the wider transport vision for Truro and this development provides a key role in delivering elements of that vision. For example, the development proposes an extension to the Langarth Park and Ride and contributions towards bus provision to serve the development and off-site mitigation, such as e-bike and cycle hub provision within Truro. Such mitigation is recommended to be secured by condition and S106 Obligation.
6. The proposal provides community infrastructure to meet the needs of the future occupants within the development including schools, local retail, community farm, allotments and open space. Further, off-site contributions to Threemilestone would ensure the improvement of facilities, such as formal sports pitches, would mitigate the relative under provision with the development proposed and also assist with integration between the two communities, with the delivery of at grade crossings of the A390 to facilitate non-vehicular movements to serve different development

phases. These benefits are secured via a mixture of planning conditions and s106 obligations as outlined and recommended in this report.

7. The proposed delivery of a Suitable Alternative Natural Greenspace (SANG) provides improved interpretation of the heritage asset on the application site and reduces recreational pressures on other protected habitats. This strategic open space has potential to serve not only the future residents within the proposed development but also the wider community. The delivery of strategic green infrastructure in a coherent landscape led manner ensures the delivery of Biodiversity Net Gain of at least policy level. The stewardship and ongoing management of such areas would be ensured through the Stewardship vehicle secured via a Section 106 obligation.
8. Employment benefits would occur through both the construction and operational phases of the development. The mix of land uses facilitates an appropriate mix of employment opportunities, over a period of time, as the development is built out. The proposed delivery of employment space would provide jobs and opportunities for prospective residents, as well as existing residents in the surrounding area. It would positively contribute towards a new co-ordinated mixed-use community, together with associated supporting community, education and retail uses. The associated economic growth and employment opportunities are a benefit of this scheme.
9. This application is also an opportunity for exemplar development to showcase sustainable low carbon living. Although many design details would need to be secured at the later reserved matter stage, the current outline proposal includes a requirement for net zero carbon buildings and the potential for a geothermal heat network to serve the development. The Energy Strategy submitted with the application proposes options which would ensure that the net zero carbon and climate change emergency would be addressed as part of the delivery of this development. The strategic site wide approach to sustainable drainage for the site and its wider catchment ensures that the proposed masterplan framework can be delivered in a rationalised manner and managed on-site. Further, the drainage strategy integrates such features as part of the wider strategic landscape strategy. The masterplan framework and Design Code provides an overarching framework by which detailed design can ultimately be informed and deliver the intended vision for Langarth Garden Village. A two-tier Design Code approach would ensure that, for each Neighbourhood within the development, a clear set of requirements can be set out, having regard to localised factors for each Neighbourhood.
10. A negative of the scheme is that the retail element of the proposal would draw trade from existing town centres. However, the actual impact of the retail element integrated into this development would not amend existing shopping patterns to the extent that it would result in a significant adverse impact on the vitality and viability of Truro city centre or any other designated centre. The primary purpose of retail in this scheme is to provide highly accessible services and facilities to future occupiers of the development itself and neighbouring communities. It reduces the amount of

convenience and comparison floorspace approved on the site in previous permissions and thus reduces the potential future impact on Truro city centre. It will also not result in an over-concentration of such uses in the area.

11. The proposal will inevitably result in adverse impacts to the environment, principally through a change in the local urban/rural fringe character of this approach to Truro and Threemilestone, to the detriment of the distinctive landscape character of the area. This weighs against approval but, again, the actual harm is tempered as the development would be seen in association with and comparison to the massing and character associated with the nearby Threemilestone/Truro City/A390. It would result in an improvement to the character of the area, when compared to the impact of developing the same land in accordance with the existing permissions.
12. The proposed reduction in the amount of open, rural fields and greenspace within which the nearby World Heritage Site (WHS) is set would result in minor harm to the setting of the WHS. The identified harm is low, as the proposed development is situated in an area where the sensitivity of the WHS has already been reduced from recent urban developments that have impacted on the rural, open landscape within which the WHS is set. The development will also impact on the relatively undeveloped setting of other listed heritage assets, including a scheduled monument (round) on site and 3 other rounds some 180m to 1.8km away; a hillfort some 290m from the site; numerous scheduled barrows circa 450m to 2km away and a Grade II listed farmhouse some 110m to the north of the application site. It will relocate an existing listed milestone. The actual harm to all of these designated heritage assets is considered to be less than substantial, with harm tempered in the main by appropriate design on site and the sensitivity of the setting itself. These elements of harm weigh against approval, with national and local policy requiring great weight to be given to the conservation of heritage assets and convincing justification for any harm and the Act requiring special regard and consideration to preserving the heritage assets.
13. The development will introduce some additional vehicle trips onto the local highways network. The earlier consents in the area also had significant implications with regards to these matters, which were addressed in a piecemeal fashion rather than the co-ordinated manner proposed in the current application. The mitigation strategy for the current application prioritises sustainable travel interventions over highway capacity measures, as opposed to the earlier consents where the mitigation strategy was highway capacity led. A monitoring and evaluation mechanism with regards to transport is included as part of the Section 106 Obligation. A bond will be available to the Highway Authority to provide further specific mitigation schemes if required, as evidenced through the monitoring and evaluation mechanism. The Section 106 Obligation provides a refund of a proportion of this bond in the event that the traffic generation targets for the development are met. This will incentivise individual developers to implement the primary mitigation measures in the Framework Travel Plan and other measures to achieve the sustainable modes of travel objectives for the



development. The ongoing monitoring and evaluation are considered to be a key benefit of the development proposals with respect to transport.

14. There is a risk of dust impacts during the construction phase, and this has been evaluated by assessing the dust emissions magnitude of the planned construction activities and by taking into account the existing sensitivity of area. Public Protection have considered the submitted details and assessment in relation to the construction phase and concur that impacts can be reduced and mitigated through a Construction Environmental Management Plan to a negligible level. This is to be secured in the recommended conditions. The submitted Air Quality assessment concludes that the operational impact of the scheme on existing receptors will also be negligible; this is due to the continuing downward trend in air pollution due to implementation of the Truro Action Plan and also on the assumption that the mitigation as proposed in the schemes ES and Framework Travel Plan will be fully implemented and successful in uptake. Public Protection have concluded however that due to the proposed scheme resulting in an increase in traffic on the local highway network, there is an indication that the scheme will increase concentration of air pollution at some existing receptors. In order to account for the cumulative impact on air quality in the Truro AQMA and to provide adequate mitigation from the impact of this scheme, an air quality contribution via the S106 Obligation is to be secured.
15. As with the existing permissions, certain aircraft movement from Truro airfield would no longer be possible without contravening Rules of the Air. However, the airfield would still be operational for helicopters, albeit with altered flight paths, and normal aeroplanes could continue to use the airfield, not only in weather conditions favouring direct approaches from and departures to the northwest. It is understood that the airfield is predominantly used for training, which could continue largely unchanged, regardless of whether the earlier consents, or indeed this development, if permitted, are built out. Unlike the existing permission, the airfield has not objected to the current application, with no comments received despite being notified of the application twice. In the absence of evidence to confirm otherwise however, it is considered that the current scheme would still adversely impact on the airfield and this weighs against approval.
16. The ecology assessment has found that most potential effects would be minimised by the proposed embedded design measures, such as the retention of the majority of hedgerows and the provision of new habitats for a range of species on-site. However additional mitigation would be required, including a financial contribution to the management of the SACs, off-site mitigation for wintering woodlark, a LEMP to ensure the appropriate management of retained and new habitats, sensitive street lighting schemes and bird, bat and bee bricks built into the new buildings. The embedded design measures and the additional mitigation measures, secured through a mixture of planning conditions and S106 obligations, have allowed the assessment to conclude that for both the construction and operational phases, with regard to the EIA Regulations, there would be no significant effects.

17. Clearly, the development of the site will result in the loss of agricultural land and change the immediate character of the landscape, albeit, it is accepted, a landscape that is situated to the edge of urban form and punctuated by built development. Inevitably the development will result in the loss of some historic undesignated heritage features, such as some hedgerows; however, the landscape and heritage led design approach ensures that the vast majority of such features would be retained and inform the future detailed design proposals, as those are brought forward. As outlined in this report, the majority of the site area benefits from existing planning permissions or recent planning permissions, granted around 8 years previously; some of which were approved prior to the Cornwall Local Plan Strategic Policies 2010-2030 being adopted. For the majority of the site, a fallback position in planning terms exists whereby development could proceed in the area. The actual extent of harm to result from this application is reduced, however, by existing and proposed mitigation.
18. Officers of the Local Planning Authority are of the opinion that the substantial merits of this application outweigh the identified harm. The approval of this proposal would represent a significant design led decision that would provide a certainty to the delivery of a new exemplar low carbon living community in a strategic manner with the timely delivery of infrastructure needs to serve future residents. The application promotes mixed use development, creating substantial public benefit and so encourages multiple benefits from the proposed change of use of the land whilst retaining undeveloped spaces for recreation, habitat enhancement and flood risk mitigation co-ordinated in a landscape led masterplan approach.
19. The proposal is development requiring an Environmental Impact Assessment (EIA) and therefore the application has been accompanied by an Environmental Statement (ES). The ES considers the environmental effects of the proposed development during construction, at identified future development milestone dates and on completion, and includes measures either to prevent, reduce or off-set any significant adverse effects on the environment. A summary of the findings within the ES is provided in the relevant section, below. Officers concur with the conclusions made within the ES and the mitigation measures are included as part of the recommended conditions and Section 106 obligation, as outlined in this report.
20. When considering all matters, on balance it is concluded that the proposal is acceptable in planning terms, subject to the conditions and Section 106 obligations outlined in this report. Your officers are supportive of the holistic approach undertaken by the applicant, in seeking to deliver a mixed and balanced community, which considers the site as a whole, rather than the previous piecemeal consents which were principally based around land agglomerates and retail led proposals. The comprehensive approach ensures that the proposals are genuinely informed by the landscape character and assets. All other matters raised have been taken into account, but none have been significant so as to outweigh the considerations that have led to the conclusion.

Proposal:
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21. The land to which this application relates spans from the west at West Langarth Farm, heading east towards Truro Golf Course, varying in width from 300m towards the east and west, to 800m in the central area, comprising approximately 245 hectares. The eastern boundary of the site is located approximately 3km to the west of Truro City centre and extends approximately 3.6km to the west. The site encompasses over 55 agricultural fields which are mainly in arable use with hedgerows on field boundaries. In addition, the site includes farm buildings associated with several farmholdings including those at Maiden Green; Willow Green; East Langarth, Langarth; West Langarth and Rosedene, as well as several dwellings. The site also includes, at its centre, the Langarth Park and Ride - which provides 1,209 car-parking spaces and links to coach services into Truro City.
22. The site is bordered to the south by the A390 (included within the redline boundary), which is a dual carriageway that separates the site from Threemilestone. Hedgerows and areas of woodland adjoined by minor watercourses bound most of the Site to the west, north and part of the east. Treliske Industrial Estate is located to the southeast of the site, but does not form part of the application site area. The site adjoins The Royal Cornwall Hospital Trust site ('RCHT') and Truro Golf Club to the east. The housing estate of Gloweth is located to the southeast of the site.
23. The site has a generally northerly aspect and is located across land with an undulating topography forming part of the south side of a river valley. The western part of the site falls from south to north, from a ridgeline along which the A390 corridor is located. A spur extending northeast from the ridgeline physically divides the east of the Site from the west. In the east of the Site, a stream has formed a narrow steep-sided valley that branches off that of the River Kenwyn north of Treliske Industrial Estate, with the western edge of this stream valley formed by the spur.
24. The application is formed of two parts; an outline element concerning the masterplanned mixed use component of the development (application B) and a full element for the Northern Access Road (NAR) (application A).
25. The outline application for mixed use development comprises the following:
  - up to 3550 dwellings, 200 extra care units and 50 units of student/health worker accommodation, including affordable housing;
  - five local centres comprising local retail (use class E), offices (E), restaurants and cafes (E), drinking establishments (sui generis), hot food takeaway (sui generis), health and community facilities (F1 and E);
  - a local care health centre (E);
  - a blue light centre for emergency services (sui generis);
  - up to two primary schools (F1);
  - business and commercial floorspace (E);



- brewery / public house (sui generis);
- areas of open space to include a suitable alternative natural greenspace as a strategic open space a community farm/allotments;
- public realm;
- renewable energy provision and energy centre;
- park and ride extension (of up to 600 spaces or 2.73 ha);
- cycle lanes;
- connections with the existing highway network including crossings of the A390;
- quiet lanes;
- drainage and associated infrastructure and;
- the demolition of buildings and structures, site clearance and associated earthworks

26. For the outline (masterplan) element of the Proposed Development, details of access, layout, scale, appearance and landscaping are reserved for subsequent approval. The outline element of the application seeks to establish the principle of development for the masterplanned mixed use component of the Proposed Development. A series of parameter plans have been submitted, which set the context for subsequent detailed design with which reserved matters applications will be informed. It is intended that the details of the Proposed Development, which will be the subject to future reserved matters applications, will fall within the parameters laid down by the outline planning application and on which the EIA has been based. The Parameter Plans are listed below:-

- Land Use;
- Building Heights;
- Movement and Access;
- Landscape and Green Infrastructure;
- Sustainable Urban Drainage;
- Density, and;
- Buildings of Heritage Value to be Retained

27. A Design Code also forms part of the application documents. This provides detailed guidance and requirements for the future detailed design within reserved matter applications. Combined with the parameter plans, the Design Code identifies key frontages and the design structure for the application site and provides guidance on the design of development edges and around open spaces. The Design Code identifies different character areas and the need for a different grain of development in different locations and how development should respond and work with the sloping nature of the site. The Design Code explains how development will be expected to respond to the historic fabric of the site. Measures to use and support the delivery of green infrastructure and biodiversity are set out within the Design Code to support the creation of streets with a focus on walking and cycling. Further, a structure for car parking standards across the site with variation for different sizes and types of homes and with a focus on providing homes in locations with optimum access to public

transport are provided within the Design Code as well as how those spaces should be laid out and sited. The Design Code identifies opportunities for domestic and commercial application of solar panels, for example on the roofs of new homes within public areas such as the Park and Ride extension. The Design Code also sets out a series of energy efficiency standards (silver, gold and platinum) that new homes will be expected to meet, responding in particular to the objectives and policy around climate change resilience as set out, inter alia, in the Truro and Kenwyn Neighbourhood Plan (TKNP) Review and emerging Climate Change DPD. It includes a range of silver, gold and platinum of energy standards for new homes.

28. The full application element details a road to serve the development known as the Northern Access Road (NAR). The application details the alignment of the road, associated access junction arrangements onto the A390, any associated side roads and earthworks as well as immediate landscape areas. The NAR will run parallel to the A390, through the new Langarth Garden Village development, linking proposed development plots, connecting the A390 in the west to The Royal Cornwall Hospital and employment sites in the east.
29. The NAR including associated junctions will be approximately 3.5km long, with a cross section of 19.6m and a selected design speed of 30kph (20mph). The NAR is expected to accommodate approximately one third of the traffic predicted to travel into Truro down the A390. This equals approximately 1,700 two-way vehicles in the PM peak hour following the delivery of up to 3,550 residential units, 200 units for specialist or extra care accommodation, and 50 units for health key workers and student accommodation as part of the Langarth Garden Village Development by 2038. In detail, the full application proposes the following:
  - A new 3.5km access road (Primary Street) running parallel to the north of the existing A390 between a new junction at Threemilestone, and The Royal Cornwall Hospital;
  - A new landscaped junction and roundabout at Threemilestone off the A390 called West Langarth junction with pedestrian and cycle routes running through. This junction is intended to create a gateway for Langarth Garden Village and Truro;
  - Multiple new junctions connecting the NAR to key development plots and the A390.
  - Non-Motorised User (NMU) provision in the form of pedestrian footpaths, cycleways and bridleways. This includes a segregated cycle-only lane that has priority over cars along the entire NAR route;
  - Associated development, including landscaping, drainage, signage and lighting, and off-site mitigation measures.
30. The proposal is development requiring an Environmental Impact Assessment (EIA) and therefore the application has been accompanied by an Environmental Statement (ES). Both the NAR (full detailed application) and Langarth Garden Village (outline application) have been considered as a single project for EIA purposes. The ES

considers the environmental effects of the proposed development during construction and on completion and includes measures either to prevent, reduce or off-set any significant adverse effects on the environment. The ES is accompanied by the figures and technical appendices referred to above. A summary of the findings within the ES is provided in the following section, below.

Applicant's Submission:
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### **Statement of Community Involvement**

31. At all stages of the planning application process (both pre application and during the application stage) there has been a programme of community engagement. A Statement of Community Involvement (SoCI) accompanies the planning application and outlined the process of engagement and involvement between September 2019 and November 2020. The SoCI outlines how the Langarth Garden Village team have engaged with a diverse array of individuals, stakeholders, landowners, neighbours and special interest groups. It sets out the methodology and principles for engagement and explains how the applicant has talked with and listened to communities.
32. The SoCI can be accessed via the planning portal, through the web page link on the title page of this report. The SoCI provides the following summary statements:
33. Why we have consulted publicly with those linked to Langarth Garden Village:-
  - To ensure the design team understand and respond to local concerns from an early stage;
  - To incorporate ideas and solutions from local people who understand key issues;
  - To gain advocacy and support from existing communities who have been listened to;
  - To develop improved proposals reflecting feedback from nearby communities.
34. How we have consulted ahead of the Langarth Garden Village planning application via:-
  - Key presentations and updates to Kenwyn Parish Council and Truro City Council;
  - Regular involvement / dialogue with Cornwall Councillors and portfolio holders;
  - Public participation events in September 2019-March 2020;
  - Langarth Stakeholder Panel monthly workshops July 2019-April 2020;
  - Online website material with email comments link June 2019 to present;
  - Visioning sessions with local schools and colleges;
  - Themed working group sessions in November 2019 and March 2020.
35. What we have learned from our communities and stakeholders in key issues including:-
  - Need for low cost homes that are affordable for local people are a high priority locally;



- Existing communities adjacent to Langarth require improved community infrastructure;
- There is a large level of support for improved public transport, cycling and walking;
- There is fear about the flooding and drainage at Langarth and its impact on central Truro;
- Some people are sceptical about the reality of delivering the 'vision' for Langarth;
- Langarth provides a rich ecological habitat and is highly valued for its landscape.

36. How we have incorporated the feedback from communities into Langarth Garden Village so that:-

- 35% of all homes at Langarth will be affordable and controlled by binding legal obligations;
- S106 and CIL can be used to invest in existing communities using locally defined priorities;
- Langarth can invest in public transport and active travel from the outset;
- Detailed flood and drainage design work will mitigate 'down river' flooding risks;
- The ecological value of Langarth will be enhanced and new public access routes created.

37. Next steps:-

- The Langarth website will be further developed with clear and concise information;
- Digital working groups on themed areas of community interest will be established;
- Meetings with Kenwyn Parish Council and Truro City Council will continue;
- Regular updates and feedback sessions for Cornwall Councillors will continue;
- Landowners and near neighbours will continue to be engaged.

### **Environmental Statement**

38. The application is accompanied by an Environmental Statement (ES) and Addendums; copies of which are available via the web page link on the title page of this report. A summary of the findings of the ES as a whole is provided, below.
39. The ES has been prepared in consultation with a range of statutory and non-statutory bodies, such as Cornwall Council, Environment Agency, Natural England and Historic England. This engagement has included obtaining relevant data, holding discussions about assessment methodologies and considering potential mitigation measures to reduce the potential environmental effects of the proposed development.
40. The ES states that public consultation and engagement has taken place continuously during the preparation of the hybrid planning application, with a focus at key stages in

the development of the masterplan and application documents supporting the Proposed Development. Consultation has also been undertaken regarding the Energy Centre application (reference PA20/09599 approved 21<sup>st</sup> January 2021). The approach to and record of the engagement with a range of different groups and sectors is set out in the Statement of Community Involvement Report and summarised in the Design and Access statement submitted with the hybrid planning application.

41. The ES Addendums (dated 12<sup>th</sup> October 2021 and 21<sup>st</sup> October 2021) have been submitted and have been prepared in response to the consultation responses received following receipt of the planning application in December 2020. They reflect the revised Parameter Plans and information sought by the Local Planning Authority, as requested through Regulation 25 of the Environmental Impact Assessment Regulations (2017). The addendums present updated assessments of those topic chapters that are considered to be materially affected by the proposed changes to the proposed development.
42. Given the policy context and planning history set out in this report, there is no need to consider further alternative sites for the proposed development as it directly responds to the need to provide a single integrated development on the application site. Additionally, the policy context and existing permissions on the site mean that no consideration to alternative uses has been given, other than variations in the amount of different land uses (e.g. number of residential units, retail, commercial, leisure and community floorspace) within the context of a residential led masterplan that responds to current market and policy requirements.
43. As detailed above, the application site area benefits from several existing planning permissions which, in the absence of the Proposed Development, could be built out. In particular, the proposals for Langarth Farm, Willow Green and Maiden Green are still extant and could deliver close to 2,500 dwellings between them, as well as a variety of employment, retail and education floor space.
44. The ES advises that the 'no development' alternative, unlike most development projects, would therefore not necessarily leave the application site in its current state. In this case the 'no development' alternative could result in all or some of these existing permissions not being consolidated under the Langarth Garden Village Masterplan and instead being built out in isolation.
45. It is recognised by the ES that there is uncertainty as to the extent to which the existing permissions could, or would be, implemented in the absence of the proposed development. However, in this scenario, a significant proportion of the Site could be developed, resulting in similar types of impacts to those reported for the proposed development, such as the loss of agricultural land; removal of habitat and hedgerows; change to the setting of heritage assets including the World Heritage Site; disturbance of archaeological resources; construction related impacts such as increased traffic, dust and noise; and longer term increases in traffic on the highway network. The 'no

development' alternative would not, however, realise the benefits of a masterplanned and coordinated form of development in terms of quality of planning outcomes and early delivery of social, physical and environmental infrastructure, including, but not limited to, green infrastructure for public benefit at land at Govers Farm.

46. The ES provides a summary of the impacts of the development for the following matters:

#### **Transport and Traffic**

47. An assessment has been undertaken on the effects of the proposed development on transport during both the construction and operational (once it is completed) phases.
48. Effects of the construction phase on transport include effects on pedestrian comfort, as well as fear and intimidation from vehicles; an increase in pedestrian and driver delay due to additional vehicles on the road network; and a reduction in road safety, particularly for vulnerable road users, due to the introduction of large vehicle types on the network. During the construction phase of the Proposed Development a Construction Traffic Management Plan (CTMP) would be implemented by the appointed Contractor to minimise the effects of construction traffic on local roads and road users. The CTMP would incorporate various measures, such as identifying safe routes for construction traffic; identifying local sources of construction materials to reduce distances travelled; encouraging car sharing, walking and cycling amongst construction employees; providing full staff welfare facilities on-site; regular sweeping of roads and adequate on-site parking spaces. This would help ensure that effects during construction would be limited to Minor Adverse and Not Significant in terms of the EIA Regulations.
49. Once the proposed development has been built, the nature is such that it would minimise the need for residents to travel due to the provision of necessary services, such as primary schools, local centres and community spaces. Moreover, substantial opportunities for the use of sustainable travel modes (such as public transport, cycling and walking) would be provided.
50. During the operational phase, the Proposed Development would result in a permanent increase in local traffic which would result in some degree of change in local driver delay, pedestrian delay and amenity, fear and intimidation as well as accidents and safety. However, these effects are considered to be Minor Adverse and Not Significant in terms of the EIA Regulations. The proposed development would also deliver Moderate Beneficial effects on the Public Rights of Way network, which is Significant in terms of the EIA Regulations.



## Air Quality

51. During construction, temporary air quality impacts could potentially occur due to the generation of dust associated with the works and the movement of construction vehicles. Dust mitigation measures have been set out in a Construction Environmental Management Plan, which all contractors would be required to comply with. Measures include suppressing dust with water, avoiding burning of waste on site and washing vehicle wheels before they leave site. Applying these mitigation measures means effects on air quality during construction would be classed as Not Significant. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.
52. The operational phase of the proposed development is predicted to affect air quality due to changes in traffic emissions associated with additional traffic from the new residents and site users and re-routing of existing traffic using the new Northern Access Road, which passes through the application site. These impacts have been assessed using a detailed dispersion model, which has been calibrated against local air quality monitoring data to ensure accuracy. Air quality is generally expected to improve in the future, as vehicle emissions improve and the use of electric vehicles becomes more widespread. Despite the increase in traffic, as a result of the proposed development, the results of the modelling did not show any exceedances of the legal air quality objectives for either nitrogen dioxide or particulate matter with or without the development in future opening years. The assessment has concluded that the proposed development would not have a Significant effect on local air quality and that both existing and new residents would not be exposed to poor air quality.
53. The ES addendum assesses the alternative traffic scenario (referred to as 'Scenario C') derived as per the assumptions for sensitivity testing undertaken and as outlined in the Outline Monitoring and Evaluation Plan (MEP). This scenario assumes the same level of trip internalisation as the core scenario assessed for the original ES, together with assumptions of no reduction in traffic generation on account of the Sustainable Transport Strategy (with the exception of Travel Planning) and no reduction in background traffic owing to growth in home working and or relocation of households to the proposed development from elsewhere in Cornwall.
54. Base year traffic flows remain within the ES addendum as previously assessed within the original ES. The interim opening year (2023) and future year of full build completion (2038) traffic data has been altered for Scenario C and modelling results have been updated for both the with and without proposed development scenarios.
55. The ES addendum concludes that the revised traffic data scenario for the proposed development does not give rise to any significant additional effects. The likely air quality impacts of the revised development are the same as those reported in the ES and the conclusions of the original ES in relation to air quality remain valid in respect of the revised development.

## Noise and Vibration

56. During demolition and construction works, best practice construction techniques would be applied, and construction methods would be carefully planned to minimise noise and vibration through the implementation of a Construction Environmental Management Plan. This would ensure that existing and new residents would not be exposed to unacceptable noise and vibration levels during the construction works and that effects during construction would be Not Significant.
57. An assessment has been made of changes in noise levels caused by potential changes in traffic volumes on the road network as a result of the Proposed Development once it is operational. The assessment concluded that at worst only moderate adverse changes to noise levels from traffic would result, with a few roads having a slightly beneficial effect as a result of reductions in traffic noise levels on some roads. These effects are Not Significant. In consideration of the suitability of the application site for residential development it was identified that in the future, once the Northern Access Road is constructed there would be some increase in noise levels close to this new road and associated link roads to the A390. It has been determined that these effects can be made Not Significant through mitigation measures for the new residential properties close to the new Northern Access Road and link roads, such as the inclusion of enhanced glazing and acoustic garden fences in places where their inclusion would be beneficial. Similarly, it was identified that some noise barriers should be considered at the detailed design stage for the boundaries between the Northern Access Road and the proposed park, amenity and civic areas, taking account of the proposed landscaping for these areas. The mitigation measures are secured through the use of planning conditions and S106 obligations.
58. It has also been identified that mitigation measures would be required for residential properties in the vicinity of the proposed Energy Centre to ensure that the effect of noise from the Energy Centre on nearby sensitive receptors would be Not Significant. Such mitigation is secured via planning condition as recommended.
59. The ES addendum has assessed that the alternative traffic scenario (referred to as 'Scenario C') has been derived as per the assumptions for sensitivity testing outlined in the Outline MEP. This scenario assumes the same level of trip internalisation as the core scenario assessed for the original ES, but assumes no reduction in traffic generation on account of the Sustainable Transport Strategy (with the exception of Travel Planning) and assumes no reduction in background traffic owing to growth in home working and or relocation of households to the proposed development from elsewhere in Cornwall.
60. The future year of full build completion (2038) traffic data has been altered for Scenario C and modelling results have been updated for both the with and without proposed development scenarios. Scenario C is considered to present the worst-case scenario and, as such, is assessed in the ES addendum.

61. Compared to the original assessment presented in the ES, just one significant effect for road noise, known as Oak Lane, East of NAR, is identified within the ES addendum. For the alternative option C, it is at the lower end of the moderate adverse classification whereas in the original assessment it was considered to have a minor adverse effect. For all the other links it is concluded that the alternative Option C does not give rise to any significant additional effects in respect of noise.
62. The ES addendum concludes that the likely effects of the alternative Option C are comparable to those presented in the ES, in which the original development scenario was considered.

### **Ground conditions, contamination and hydrogeology**

63. Mitigation and enhancement measures have been proposed for the proposed development during the construction and operation phase to minimise risks to the environment and human health and to mitigate the impact of land instability. These measures include:
  - Implementation of a Construction Environmental Management Plan during construction to minimise the risk of pollution to the ground from spills etc.
  - A Site Waste Management Plan (SWMP) would ensure that any identified contaminated soils are appropriately disposed of.
  - Limited ground investigations have been carried out on the Site to date and further investigation would be undertaken prior to development commencing to investigate these areas and develop appropriate methods for reducing any risk from identified contamination.
  - A mining investigation comprising borehole or trenching would be undertaken to confirm whether the risk features identified by the historical records do actually exist.
  - During the operational phase the proposed development would utilise Sustainable Urban Drainage Systems to manage surface water. It also avoids abstracting groundwater or including deep basements and structures in the design.
64. Overall, the mitigation measures would mean ground conditions and contamination effects are assessed as Not Significant in terms of the EIA Regulations. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### **Agriculture and Soils**

65. Agricultural land within the Site is predominantly under arable use with the soils described as being generally well drained loamy soils which are not often waterlogged. The results of historic and current agricultural land classification surveys show that



there is a mix of grades of soils in the Application Site, including soil that is considered to be the Best and Most Versatile (BMV) grade (i.e. highly valuable agricultural soils).

66. During construction the soils would be handled in accordance with published best practice guidelines to ensure they are suitable for their intended use. The construction phase would be expected to result in the loss of 180.94ha of agricultural soils, including 72.62ha of BMV soils. This is considered to be a Major Adverse effect which is Significant in terms of the EIA Regulations. However, this effect is unavoidable if the application site is to be developed for housing to meet the apportioned housing need for this area identified in the Local Plan. It is also worth noting that should the existing consents on the application site be implemented, there would be a similar loss of agricultural land.
67. All of the land would be lost from agriculture following completion of the proposed development and, as such, it is considered that effects on high quality agricultural land would be Significant. However, due to the time available for the agricultural enterprises to relocate or diversify their operations, the ES concludes that the impact upon these enterprises would be Not Significant for EIA purposes.

### **Water Resources and Flood Risk**

68. The assessment undertaken has found that the built-in measures within the design of the proposed development would safeguard water quality, sustainably manage the land drainage regime and prevent increased flood risk. These are shown to be effective enough to minimise all identified potential effects on the water environment to a status of 'Not Significant' without the need for further mitigation measures. The findings of the assessment also conclude that the proposed development would conform to the principles of water management, in accordance with the legislation and policy examined.
69. A review of the ES findings undertaken and reported within the ES Addendum has identified two areas of change. Further work has been undertaken to determine if betterment of the greenfield runoff rates stipulated by the CDA policy for the study catchment could be achieved. Also, in partnership with the Environment Agency, a flood study is being progressed to quantify the effects of the proposed development on the New Mills Dam, a flood storage reservoir that forms part of the River Kenwyn Flood Relief Scheme.
70. The ES addendum concludes that assessments have demonstrated that changes to the strategic SuDs network can be accommodated to deliver betterment in greenfield runoff rates in several of the sites overarching drainage catchments and that measures are required to mitigate the effects of the development proposals on the New Mills Dam. Embedded design measures and the additional mitigation measures agreed for the New Mills Dam would be effective enough to minimise all identified potential effects, such that with regard to the EIA Regulations, effects during both construction

and operation would be Not Significant. The changes set out within the ES addendum do not give rise to any significant additional effects, since those reported in the original ES. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### **Ecology and Biodiversity**

71. The proposed development retains the well-vegetated stream corridors and other green corridors which are based along existing hedges or woodland strips. These would also be enhanced by buffer planting, parklands and other natural spaces. The Sustainable Urban Drainage System proposed would help to create new wetlands across the whole Site and enhance the stream corridors.
72. The wintering woodlarks would be lost from the Site, due to the loss of all the arable land and mitigation for this would likely take place off-site, nearby and in accordance with details to be approved by the Local Planning Authority.
73. During construction, the Construction Environmental Management Plan would include measures to protect retained habitats and species on the application site; for example, fencing off areas of retained vegetation to protect it, using suitable lighting to prevent impacts to bats and clearing vegetation at appropriate times of year to avoid impacts to any nesting birds. The range of proposed embedded design measures for the construction and operational phases would be effective enough to mitigate most of the identified potential effects. The main additional mitigation beyond this is for the wintering woodlarks, which would take place nearby, but off-site. A Landscape and Ecological Management Plan would also be prepared to ensure the correct management of retained and new habitats. With the implementation of mitigation measures, the effects of the proposed development on ecology and biodiversity are Not Significant.
74. The proposed landscape and SuDS strategy, as submitted with the original planning application, were compared with the originally submitted design to identify changes and assessed as part of the ES addendum. While there are numerous small changes, the ES addendum considers these to be insufficient to alter any significant levels of potential impacts to ecological features. The ES addendum identifies that there will be a change to the Biodiversity Net Gain (BNG) score, which will also be affected by some small changes in the density parameter plan. A Strategic LEMP has been produced as an additional standalone document, since the original ES, to demonstrate how BNG delivery will meet with policy for the overall development.
75. The ES addendum states that the amendments to the application are predicted to result in no changes to the significance of any potential effects during the construction or operational phases. The likely impacts and effects of the revised development are the same as those reported in the original ES. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

## Cultural Heritage

76. The proposed development is located within a rich prehistoric and historic landscape. Burial barrows, rounds and enclosures provide evidence for prehistoric funerary, ritual and settlement activity. Vestiges of medieval farming practices are preserved in the landscape as current hedged field boundaries. Place names and shrunken hamlets tell a story of settlement from at least the medieval era or earlier. Many routeways still exist from the medieval and post-medieval period and most are to be retained as cycle paths, footpaths or green lanes. The retention of the majority of hedges and the routeways would aid in retaining the historic landscape character of the proposed development. A medieval wayside cross once stood at the crossroads of two ancient routeways and it is hoped to bring it back to its original position. Mining activity is in evidence, including spoil heaps, backfilled mine shafts, wells and miners' smallholdings. Some of the historic farmhouses and smallholding buildings still survive and are proposed to be restored and retained within the masterplan. There was also World War II activity in the area, although it is not readily apparent. Located along the A390 and extending into the proposed development was the Treliske Camp. This temporary camp stationed American soldiers before the D-Day landings.
77. Within the application site boundary there is one Scheduled Monument, a round - a type of Prehistoric enclosure - located to north-west of Penventinnie, and one Grade II Listed Building, a Post-Medieval milestone on the A390. The round would be preserved and a generous area of public open space designed around it. Views between the area of the Scheduled round and the Scheduled hillfort at Bovisack would be preserved. The milestone would be temporarily removed during construction of a new junction for the Northern Access Road. It would then be relocated to its exact coordinates along the A390 and Northern Access Road and would still demark the 4 miles from Truro.
78. Outside the application site boundary there are 11 Scheduled Monuments and 69 Listed Buildings within 2km. Bordering the Proposed Development to the south-west is a World Heritage Site - the Gwennap Mining District.
79. There is a high potential for unrecorded archaeological remains to be present within the proposed development. A programme of geophysical survey has already taken place and this will be followed by archaeological trial trenching (mainly pre-determination) to further locate and characterise the heritage resource of the Proposed Development and to avoid harm. Excavation and historic building recording would be the principal means of mitigation for heritage assets that cannot be preserved in situ. Wherever possible, however, the built and below ground remains and historic landscape have been preserved, and in some cases enhanced.
80. The Construction Environmental Management Plan would include measures to reduce impacts to heritage assets caused by construction activity through increased dust, noise and vehicle movement. These impacts would be mitigated through use of fencing, hoarding and bunding, damping down of the construction area, as

appropriate. The flow of construction traffic would be controlled through and around the proposed development.

81. Parts of the Gwennap Mining District section of the World Heritage Site, as well as several of the designated heritage assets in the study area, would experience some change to their setting during construction; for example, those Listed Buildings located along major country roads and within the Chacewater Conservation Area. However, these effects would not be permanent and, with mitigation measures in place, this impact would be Not Significant for EIA Regulation purposes.
82. The ES addendum reassessed the designated heritage assets which had the potential to be impacted by the alteration to the building heights parameter plan and the Langarth Junction. This was to establish how and if the reduction in the building heights and the introduction of added vegetative screens to the junction would affect the setting and views of the heritage assets. The ES addendum concludes that the proposed amendments would be considered beneficial and would reduce the impact to the setting and views of the World Heritage Site and the Listed milestone. The reduction of building heights would also lessen the impacts to the wider setting and views of the Scheduled round on Site (SM1) and the Bosvisack hillfort (SM5).
83. The 2020 and 2021 geophysical surveys, along with the Cormac Solutions Ltd 2021 walkover survey and the 2021 HER search, have revealed previous unrecorded heritage assets within the application site. Through archaeological mitigation their character and age could be established. The majority of these would be directly impacted by the proposed development. During the mitigation process it is considered highly likely within the ES addendum that other assets, previously unrecorded, would be present. These assets would also be preserved in record form and aid in furthering the knowledge of the historic environment in Cornwall.
84. The extant hedge furniture along the NAR route would experience a direct impact unless they are relocated and re-used within the proposed development. This would be beneficial to the application site and to the assets as they would be retained. However, if they cannot be retained then they would be preserved in record form through mitigation. Archaeological assets that are located within green areas within the proposed development would have been preserved in situ; however, their settings, along with the relocated hedge furniture, would still experience an impact from the from the proposed development. The application site would change from a rural agricultural landscape to an urban development.
85. The ES addendum concludes that once embedded and additional mitigation is applied, the residual effects of the proposed development on cultural heritage assets (both designated and non-designated) would be not significant in regard to the EIA regulations. It is concluded that the amended proposals do not give rise to any significant additional effects. The mitigation measures are secured through the use of planning conditions.



## **Landscape and Visual Impact**

86. The value of the existing landscape has been assessed as being high landscape value with a medium sensitivity to change value.
87. The proposed development would largely allow the application site to retain its distinctive landscape features, such as field boundaries of hedgerows, trees and woodlands. The historic landscape has also been considered in the design in order to improve its setting and intervisibility with other local heritage features in the local area, such as scheduled monuments. The scale and location of the proposed green infrastructure throughout the Site would also provide an integration of the built environment and soften views of the development over time.
88. The proposed development would cause, at worst, moderate adverse significance of effects during construction on the landscape character and visual amenity of the majority of the local area (up to 0.5km from the application site boundary). The worst effects would be considered as Significant in terms of the EIA Regulations and would mainly be to receptors from within the more rural local character areas, rather than receptors within the urban fringes of Threemilestone and Treliske. Over time, once the new landscape features have had time to mature and integrate with the existing vegetation, this would reduce this localised landscape and visual effect to Moderate / Minor adverse significance of effects in year 1 of operation and Minor adverse 15 years after completion (effects would lessen over time once proposed planting has had time to grow). Longer term effects are considered to be Not Significant.
89. The ES addendum considers the reduction in building heights when compared with the original ES. The Zone of Theoretical Visibility (ZTV) and photomontages were remodelled with the revised building heights, in order to assess the potential visual impacts based on the proposed changes. This was particularly critical for the viewpoints that relate to the heritage features such as Govers Round (specifically Viewpoint 14). After assessing these, it was considered that the very minor scale of the changes would not affect the implications of the proposed development for landscape character, the extent of the Zone of Visual Influence, or views from the viewpoints that form the basis for visual assessment.
90. The ES addendum concludes that no revisions to the Landscape chapter are required.

## **Climate Change**

91. The Proposed Development has been designed in accordance with relevant climate change policy. The ES states mitigation measures have been embedded in the design of the proposed development to ensure it minimises the overall Green House Gas emissions, where possible. For example, the proposed houses would be as energy efficient as possible through the use of energy efficient lighting, high levels of insulation and best practice construction techniques.

92. The ES concludes that the construction and operational phases of the proposed development would not have a significant adverse effect on the government's ability to achieve the carbon budgets as set out in The Climate Change Act 2008 (as amended).
93. Climate observations for the study area indicate that there has been a gradual increase in air temperatures since 1970, with a decrease in average yearly rainfall. Climate predictions for the future suggest an increase in average summer and winter air temperatures, while rainfall rates are expected to become more seasonal, with more rain (or snow) expected in winter and less in summer. The Proposed Development has been designed to be resilient to future increases in flood risk.
94. In addition, the projections for changes to the frequency of severe weather events indicate that there is likely to be an increase in the average annual frequency of heatwaves, prolonged periods with no rainfall and days when precipitation is greater than 25mm per day.
95. The climate assessment concluded that effects would be Not Significant as a result of the construction and operation of the Proposed Development. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### **Socio-Economics and Communities**

96. The principal socio-economic effects arising from the construction of the proposed development relate to the creation of construction employment and opportunities for training and skills development over the short and longer term. The phased approach to the proposed development offers long-term opportunities and could facilitate career development through apprenticeships and training in construction trades. The proposed development also presents an opportunity for growth in new and developing construction trades, such as sustainable techniques and the green construction sector.
97. The construction phase is likely to lead to some temporary disruption and potential effects on residential amenity for local communities and residents of earlier phases of the proposed development that have been built and occupied. These potential effects relate to noise, disturbance, construction traffic, potential air quality changes (for example construction dust) as well as changes to the visual landscape. However, with the implementation of measures set out in the Construction Environmental Management Plan, these effects are only considered to be minor adverse and are predicted to be Not Significant.
98. The proposed development creates new housing, employment, community and leisure space which would have a range of effects in terms of the population and associated services and facilities. The new population of the proposed development would generate a requirement for community infrastructure (notably education, healthcare and community facilities, and open space / play provision). This infrastructure is either

included in the proposed development or there is existing capacity in the study area, so no adverse effects are anticipated.

99. Employment uses are proposed as part of the proposed development which would lead to increased employment opportunities, higher quality and more accessible employment locations and scope for more highly skilled jobs. The assessment concludes that, as a result of the proposed development, 650 net Full time equivalent (FTE) jobs would be created in the construction phase and 1,081 net FTE jobs in the operation phase for people in the Cornwall area. Therefore, the impact of the Proposed Development on local employment is considered moderate beneficial and Significant in terms of the EIA Regulations.
100. Other operational effects include the provision of sufficient primary school places to meet the needs of children on-site and reduce potential for children to travel to school from elsewhere, whilst the Secondary school needs are met in the existing provision within the study area. The proposed development open space provision has been assessed against local authority standards. The assessment concluded that there would be surplus open space provision providing moderate beneficial and Significant health and wellbeing benefits for the community. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### **Health and wellbeing**

101. Residual adverse effects as a result of the construction phase are limited. The construction site could potentially reduce the quality of the living environment for those living in proximity to the construction. It could also place slightly more additional pressure on the capacity of local health services, transport infrastructure, open spaces and the rental market from additional construction workers. However, these effects are all considered to be Not Significant in terms of EIA Regulations. The construction phase would also result in Moderate Beneficial effects associated with access to work and training, which is Significant in terms of the EIA Regulations.
102. During the operational phase of the proposed development there would be health benefits to existing local residents, as well as to residents of the Proposed Development. These would include benefits related to the quality and mix of housing (particularly through the provision of affordable housing and extra care units); access to healthcare services and open space; active travel opportunities; access to healthy food; crime reduction; access to work and training; social cohesion; minimising the consumption of resources; and climate change related effects. A number of these effects are considered to be Moderate or Major Beneficial which are Significant in terms of the EIA Regulations. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

## **Waste and Resource Management**

103. The assessment determined that no individual material type required for construction of the proposed development is equal to or greater than 1% by volume of the national baseline availability. As such, the effects of the proposed development on the availability of material resources is considered to be Slight Adverse and Not Significant in terms of the EIA Regulations.
104. Approximately 4,319m<sup>3</sup> of Construction Demolition & Excavation waste per annum would be generated during the construction phase. This represents a potential 0.16% annual reduction in remaining landfill capacity in South West England which has been assessed as Slight Adverse and Not Significant in terms of the EIA Regulations.
105. The 2,292 tonnes per annum of residual municipal waste generated by the Proposed Development would represent a 0.96% reduction in the annual capacity of CERC (240,000 tonnes) which is considered to be a Slight Adverse effect and Not Significant in terms of the EIA Regulations.
106. The 5,113 tonnes per annum of residual C&I waste would represent a 0.04% reduction in the South West's annual landfill capacity which is considered to be a Slight Adverse effect and Not Significant in terms of the EIA Regulations.
107. The proposed development would be designed to minimise waste arisings during the construction phase by adopting key principles including reusing and recovering materials; off-site manufacture; optimisation of materials; efficient delivery systems; and flexibility and adaptation for potential future uses. A Site Waste Management Plan would be implemented by Contractors to help secure waste minimisation and monitor and review waste minimisation and management. The mitigation measures are secured through the use of planning conditions.

## **Cumulative Effects**

108. There is the potential for some effect interactions to take place during the construction works. The majority of interactions would arise from a reduction in visual amenity associated with construction activities combining with exposure to contaminated materials, water pollution, and the effects of construction traffic on the local road network. Existing residents within the vicinity of the application site and users of the local road network are most likely to be affected by these effect interactions. However, measures included in the Construction Environmental Management Plan and Construction Traffic Management Plan would mitigate these effect interactions to ensure no significant effects occurred.
109. There is the potential for some effect interactions to take place during the operational phase. For example, effect interactions would include visual impacts associated with the proposed development combining with effects of increased operational traffic



associated with the proposed development. Existing residents within the vicinity of the application site are most likely to be affected by these effect interactions. However, these residents would also benefit from employment creation on the application site, combined with health and wellbeing effects from an increase in areas in public open space and improved recreational opportunities.

110. Consideration has been given to the potential for the combination of effects from several developments; in this case, the proposed development, together with other reasonably foreseeable schemes, which individually might be insignificant, but when considered together could create a significant cumulative effect.
111. Through discussions with Cornwall Council Officers, 14 cumulative schemes were identified for consideration. Inter-project cumulative effects have been considered in each of the individual technical chapters. It was concluded that cumulatively there would be no additional adverse or beneficial effects than those already identified for the proposed development.

Relevant Development Plan and emerging Development Plan policies:
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**112. Cornwall Local Plan Strategic Policies 2010-2030 (Adopted 22nd November 2016)**

Policy 1 Presumption in favour of sustainable development  
 Policy 2 Spatial Strategy  
 Policy 2a key targets  
 Policy 3 Role and function of places  
 Policy 4 Shopping, services and community facilities  
 Policy 5 Business and Tourism  
 Policy 6 Housing mix  
 Policy 8 Affordable housing  
 Policy 10 Managing viability  
 Policy 12 Design  
 Policy 13 Development standards  
 Policy 14 Renewable and low carbon energy  
 Policy 16 Health and wellbeing  
 Policy 19 Strategic waste management principles  
 Policy 21 Best use of land and existing buildings  
 Policy 22 European protected sites  
 Policy 23 Natural environment  
 Policy 24 Historic environment  
 Policy 25 Green infrastructure  
 Policy 26 Flood risk management and coastal change  
 Policy 27 Transport and accessibility  
 Policy 28 Infrastructure

**113. Truro and Kenwyn Neighbourhood Plan 2015-2030 (Adopted 29<sup>th</sup> December 2016)**

Policy E1 Sustainable development  
 Policy E2 Sustainable drainage  
 Policy E3 Sewage facilities  
 Policy E4 Building quality  
 Policy E5 Green infrastructure  
 Policy E6 Character and setting of settlements  
 Policy E7 Character of the Highways and byways  
 Policy EJ1 Communities at work  
 Policy EJ2 Truro city centre  
 Policy EJ5 Treliske Employment Area  
 Policy H1 Meeting Local Housing Need  
 Policy H2 Care Facilities  
 Policy LC1 Open space requirements  
 Policy LC4 Cultural and community centres, services and facilities  
 Policy T1 Transport Strategy Contributions  
 Policy T3 Sustainable transport  
 Policy C3 Boundaries

Summary of Consultations:
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**114. Divisional Members:**

To be provided as an update prior to the meeting.

**115. Kenwyn Parish Council (30<sup>th</sup> November 2021):**

Support provided the following conditions are included:

1. Kenwyn Parish Council should be fully consulted and involved with the Truro Transport Strategy and Bus Service Improvement Plan where it relates to Kenwyn Parish and the A390.
2. Kenwyn Parish Council to be fully consulted and involved in all future Governance and Stewardship arrangements. This should be brought forward to the earliest opportunity.
3. Kenwyn Parish Council to be consulted in future discussions on the proposed Green Infrastructure Strategy consultation between Truro City Council and Cornwall Council where it may have an impact on Kenwyn Parish.
4. Kenwyn Parish Council to be involved in continued consultation and discussions on Biodiversity Net Gain and the Environmental Plan. This to be brought forward to the earliest opportunity.
5. Cornwall Council to confirm its support and commitment to ensuring all the Threemilestone Improvement Projects go ahead and the S106 funding already agreed remains in place.

6. Cornwall Council to make a commitment that Langarth Garden Village will maintain its village status and that it will not be subsumed into a 'Greater Truro' in the future.

**116. Truro City Council (25<sup>th</sup> November 2021):**

Truro City Council recommends approval subject to the following planning conditions/obligations:

- 1) A planning obligation to commit Truro City Council together with neighbouring parish councils, should they so wish, and Cornwall Council to full involvement and meaningful consultation on all reserved matters relating to the Langarth Garden Village development;
- 2) A commitment to consult and engage with Truro City Council on the acquisition of additional green space in and around the City, and the preparation of a Green Infrastructure Strategy for the City;
- 3) A planning obligation to commit Truro City Council and Cornwall Council to full involvement and meaningful consultation on the Truro Transport strategy and Bus service improvement plan with a commitment to see a significant reduction in vehicle numbers and emission levels in the Highertown corridor;
- 4) A commitment to include Truro City Council with full involvement and consultation with regard to future stewardship arrangements;
- 5) To supply Truro City Council and Cornwall Council Strategic Planning Committee with written confirmation that the Environment Agency have no objection to the application and are content with the proposed mitigation measures.

**117. Chacewater Parish Council (22<sup>nd</sup> January 2021):**

Concerns and questions with many aspects of this application.

Firstly, the size and scale of the development is comparable to the likes of Liskeard or Wadebridge. The demands on Treliske hospital, GP surgeries, dentists and the Emergency Services are already having a severe impact now, and services are continuing to be cut so how with this impact them and what improvements/reassurances are in place to ensure that the pressure on them is minimal? We would expect a multi service hub within the town with at least a fire station, minor injuries clinic, police station and crematorium.

Chacewater PC has grave concerns about the impact the Langarth Development will have on the surrounding road infrastructure and fact that both Chacewater Village itself and Kea Downs Road are heavily used commuter "Rat Runs" now and are therefore likely to increase as a direct result of this development. We would therefore want a clear assurance that the Chacewater Streetscape research plan (undertaken by Arup on behalf of Highways England and recently presented to Cornwall Council), will be enacted and that works are undertaken along Kea Downs Road to actively

encourage greater use of the A30/A390 corridor in future. Kea Downs Road has even greater significance now as we understand it will be used as the interim route for the Saints Trail between St Agnes and Threemilestone. In short, Chacewater PC would only support this application if measures are taken to prevent an increase in traffic flow in the ways identified above.

As a Parish Council that has completed its Neighbourhood Development Plan (NDP), we have become increasingly concerned about boundary encroachment and building creep, which is already clearly happening along the A390. We would wish to know exactly where the Kenwyn existing settlement boundary and infrastructure is now drawn and whether it accords with the Cornwall Local Plan (CLP)? We therefore seek assurance that no more expansion is planned beyond that identified through this Planning Application/Development that will even attempt to close that all important demarcation between this Parish and our capital city of Truro. The World Heritage Site boundary runs North/South through Greenbottom.

It is our understanding that, in compliance with the CLP, the Langarth Development promises to deliver at least 35% of affordable housing, much of which is to be Cornwall Council owned/managed. So, we wish to seek assurance that this is definitely the case and that new residents will be chosen from The Cornwall Housing Register and satisfy a local need? A significant strand of each and every NDP produced across Cornwall, we would only support this Planning Application were this assurance provided together with further confirmation that the social housing element is not then sold off to the open market as has happened so often in the past? Use s21 conditions to maintain stock for use of local people.

We have extreme concerns about the impact of such an increased residential footfall will have on the what is left by way of existing green and open spaces. The negative impact on PRoW footpaths, litter, fly-tipping and use by illegal off-road vehicle users has become extreme but very low on the Police priority list. This is hugely significant to Chacewater, given its position at the heart of the World Heritage Site (WHS) and fact that it has to manage 17.5 miles of PRoW. We would expect a large increase in LMP in order to cope with this and so question whether such funds will ever be forthcoming?

We would like to know what additional measures have been put in place in terms of managing sewerage, waste/refuse and recycling?

We would expect to see an increase in the number of cycleways and walking routes from Chacewater to Threemilestone well as connectivity in all directions. This should happen before construction takes place.

We fully support a Renewable Energy Park and the use of by product heat produced from Geo thermal project. As an off-gas community, we would thoroughly welcome any benefits to us in Chacewater. We would expect to see that every house is completely self-sufficient with solar panels and other renewable energy sources.



We support an increase in local retail and eating experiences for surrounding parishioners, however, these would need to be accessible to all surrounding communities and need to be better than mere fast-food outlets - more quality venues.

This Development will potentially strengthen Truro College as well as the University of Cornwall and so provide more prospects for the "local" student population; it should allow these academic outlets to offer more courses etc. and therefore more choice for local people to gain higher qualifications. As a consequence, we would therefore expect to see a proportionate increase in the number of long-term well-paid jobs in the area.

This Development will need a supermarket and other suitable food retailers in order to sustain a small town and so reduce the need for extensive periods of queuing traffic. It is our belief that it simply cannot happen without these facilities being available.

Langarth "Village" will probably (and needs to!) lead to an increase in local public transportation due to the larger numbers of people wanting to use it - especially north and south - as it would enable greater flexibility across the middle of the county and should see Threemilestone act as something of a hub to increase use of public transport.

A chance to redevelop the education facilities and by so doing reduce student travel to/from schools with 2 new primary schools and 1 new secondary on the North Coast (as we believe to be the case?) is welcomed and would give parents more choice. It would also take pressure off an already full to capacity number of surrounding schools.

Finally, we would like to add that the above observations should not be interpreted as necessarily supporting this Planning Development because we have always, as a Parish objected to its size, scale and sitting. Therefore, these comments are provided as suggestions to mitigate its negative impact on the rural landscape and its population. To confirm our thinking, were this a brand-new planning application, we would strongly object to it.

#### **118. Kea Parish Council (5<sup>th</sup> January 2021):**

Kea Parish Council would like to raise the following four concerns regarding this application.

1. Highways: The Baldhu and Bissoe roads from Carnon Downs and Devoran which run through our parish have seen increased traffic in recent years to the point where it is now dangerous for cyclists on these roads. A combination of the Langarth development and the proposed improvements of the A30 will only make this situation considerably worse. Despite numerous attempts by our council to be involved and consulted at an earlier stage on this major development you have

failed to engage with us and seem to have failed to account for this so far. The situation is now far beyond that of a rat run and our parish is now being used as an unofficial southern by-pass for Truro.

2. **Sewage:** SWW has an alarmingly inadequate record of managing its various pumping stations within our parish with flooding of our waterways a monthly occurrence. We are concerned that the Sewage pumping station at Calenick will not be able to cope with the increased capacity of foul water produced by this new development. A new sewage treatment facility for the development near the site would be far more appropriate. It appears that Cornwall Councils desire to make a sustainable development are nothing more than 'hollow' words when it comes to waste disposal. The new development requires 4 pumping stations to remove its sewage in phase 1 alone this is embedded carbon use for eternity when gravity fed solutions are available to the council.
3. **Water Quality:** The water quality in the river estuary's of our parish has already been seen to deteriorate with a surface scum always evident and a thick layer of foam at the waters edge. This foam is almost certainly caused by phosphates in the water (detergents) by using the Newham treatment facility SWW is effectively abdicating its responsibility of suitably cleaning the sewage outflow as it has an existing discharge permit with exceptionally high phosphate levels by modern standards. Any new facility closer to the site would need to have far higher discharge standards hence lower phosphate levels and thus cause less foaming of our estuary. It appears again that the applicant is only paying lip service to wanting a sustainable development and doing very little to make this a reality in the day to day running of the site.
4. **Consultation:** As a neighbouring parish council who will be impacted greatly by this new development we are disappointed that we have not been included in any consultation, despite requests, prior to this planning application going live. We also have concerns that the timing of the application 'received just prior to Christmas with comments required by the 7th January' has reduced the likelihood and ability of local residents and parish councils to discuss this application and comment appropriately. This application consists of over 350 documents, and we would have expected to receive some presentation, either video or in person, to enable us to fully understand the intricacies of the application and ask questions to clarify any concerns.

In conclusion it would appear that there is little to commend this development nor the process and complete lack of regard for neighbours that this process has taken. It is our firm opinion that Cornwall Council should be ashamed of itself and its process with this application of much needed housing in the Truro area.

#### **119. Civil Aviation Authority:**

No comments received

**120. Devon and Cornwall Police Architectural Liaison Officer (7<sup>th</sup> January 2021):**

The only point I would make is as with other streets then as much natural surveillance and active frontage that can be provided should be. Whilst I appreciate it is only outline that I would make the following general comments for consideration based upon the DAS and Design Codes provided.

I note and welcome the comments regarding designing out crime within the Design Codes. The principles outlined here are fully supported and should be seen as mandatory when detailing future design.

Despite this and I accept the masterplan detail is not all that clear I still have concerns that it appears that a high number of residential units may well end up backing onto public green spaces?

The use of green routes is clearly a principle of the masterplan but as always stated these must not then undermine overall site and dwelling security. I appreciate that it can be very difficult to design spaces which provide overlooking to both streets and open spaces but the volume of green routes and accessible public space is going to make this a real challenge.

If gardens do back onto accessible space then a number of issues will arise. There will be a lack of active frontage and passive surveillance over these routes from dwellings and the potential exposure of these back gardens to crime and or anti-social behaviour. Rear garden boundaries would then need to be of a type and height to provide adequate dwelling security which may not fit easily with the overall site ethos.

I also have reservations in respect of the widespread use of new planted hedge as rear garden boundaries as described. I fully accept that a mature hedge of a suitable type and height can often provide a more secure boundary than fencing. However the obvious point is how long it will take to reach this. Also, rear dwelling boundary treatments are described as having to be of low hedge or wall. Whilst low is not given an actual height the concern from a security view is obvious and therefore not something I am likely to be able to support.

The main vulnerability from residential burglary still comes from criminals accessing back gardens.

It must also be stated that by providing a very permeable site this permeability can also be potentially exploited by criminals which is attractive to them as provides multiple access points and different exit routes where they are less likely to draw attention to themselves.

The use of communal gardens is another design aspect I have reservations about. From a security view there must still be a defined private space, however small, abutting all such gardens. There is a lot of reference to community groups and management of

communal space. This is supported but in reality, there will be disputes between residents over how such spaces are used and such disputes can easily escalate. If such communal spaces are close to dwellings then for example misuse or perceived misuse, noise can lead to problems between neighbours which can quickly destroy any community goodwill.

How the site is actually lit is going to be another challenge I feel from a designing out crime view.

If as stated, the aim is get residents walking and cycling they must be and feel safe doing so when dark. If properly lit routes are not in place, then it seems likely that people will simply turn to their cars for even the shortest of journeys.

There must be detailed analysis undertaken of routes that will need to be lit at all times. If for example an existing green lane must remain unlit then if necessary there must be a viable safe and lit pedestrian alternative. Obvious routes to be considered are to schools, local centres and further afield towards the RCH Treliske.

In terms of parking strategy there are again a number of key issues. I note that parking courts will be a major part of the design and that these will be designed to be well overlooked. Some issues I currently see are quite large parking courts which are only overlooked by a single dwelling located within and again multiple points of access which in my opinion is inadequate. Again, there is often a real reluctance to properly light such spaces despite the obvious fact they will often be in use when dark.

In wider terms the site sits adjacent to RCH Treliske, the College and potentially the Stadium for Cornwall. There must be a proper strategy in place to deal with persons visiting these facilities who may seek to park on this site and how any enforcement of this will work.

Parking courts must be located close to the dwellings they will serve, I do not support using 'remote' communal facilities for parking as I can only see these being highly problematic in terms of residents being unwilling to use them and then seeking to park nearer home where parking is not intended. Developers must not be naïve about parking because if space is legitimately available for use then people will park there. If necessary, there must be clear legally enforceable street marking/signage where necessary.

I am therefore concerned that it appears the communal courtyard parking will be unrestricted for both residents and visitors. I am not at all sure this is a wise strategy. Police still spend an inordinate amount of time dealing with neighbour disputes over parking. Having unallocated, unenforceable parking could I fear lead to real issues for residents and the enforcement agencies.

Some years ago I recall RIBA actually produced a document with analysis of how poor parking design can actually lead to an increase in disputes and physical assaults and advice of how to avoid this. This could be a significant problem unless properly addressed.

Given the timescales and amount of documentation provided it is almost impossible to provide comment on everything but would make a few additional points.

The schools should have a secure fenceline around them Police will not support any design without this. This is to both to protect buildings and safeguard staff and pupils. There will always be a school run of sorts so how this is accommodated must be fully considered. Providing passive surveillance over the school and its grounds can be a major deterrent in preventing incidents especially out of hours so the location of the school and its relationship with adjacent housing is of vital importance.

The commercial elements of the scheme must also be carefully designed so as not to create opportunities for criminality or anti-social behaviour. For example, if spaces behind units are open and accessible but essentially hidden from view then they can easily be targeted out of normal working hours.

Much is made of the landscaping to be undertaken on site. It must be emphasised that deterrent planting in the right place can be highly effective in creating meaningful defensible space in many locations and would be fully supported in principle.

However also there must also be consideration as to how for example new tree planting may affect for example passive surveillance opportunities and street lighting over time.

Areas of play for young children should be overlooked and safe. Providing facilities for teenagers is supported but the location and type must be given careful consideration.

Other aspects of design such as providing secure cycle storage and electric vehicle charging points are noted. Detail must reflect this but facilities must be workable.

#### **121. Devon and Cornwall Police Estates (7<sup>th</sup> January 2021):**

This is a large proposal that will place a considerable additional burden on Police infrastructure and officer resources in Truro and adjoining parts of Cornwall. New estate infrastructure, assets and extra officers will be needed in order to police the proposed development. Additional officers will be employed as a result of the development and will need to be equipped to deliver their services. As such, we are compelled to write and request developer financial contributions, via a section 106 agreement, to help Devon and Cornwall Police meet the extra financial burden that such a large-scale development will place on the Force and Office of the Police and



Crime Commissioner (OPCC). Total cost of additional personnel attributable to the proposal is £195,224.11.

Truro Police Station is already the Force's most densely occupied Police station by a significant margin and the building cannot accommodate any further officers. Moreover, the constrained nature of the Force's existing site/building precludes an extension or adaption. New additional or alternative premises will essentially be required as a result of the population growth in and around Truro. 32.57% of the floorspace would be required to accommodate the additional population and housing growth as a result of this proposal. This equates to £1,707,299.23.

A total of developer contribution of £1,902,523.34 is sought to mitigate the impact the development will have on the police's resources and to ensure that the Force can continue to provide the same level of service to residents, communities and businesses in and around Truro.

**122. Environment Agency: No comments received.**

*To be provided as an update at the Committee meeting.*

**123. Historic England (19th November 2021):**

Historic England continues to have no objection to the application on heritage grounds. We recommend that your authority reassures itself that the additional information provided has been used to inform the amendments made to the application, to avoid or minimise harm to designated heritage assets.

Non-designated mining remains within the site appear to relate to metalliferous mines of the same period for which the WHS is designated. These remains therefore contribute towards the significance that the WHS derives from its setting.

Penventinnie Round

We are pleased to see that this Scheduled Monument and the green space surrounding it has been included within the first phase of the landscape strategy for the development. The results of the geophysical survey undertaken within this Phase 1 area has deepened our understanding of the monument, of settlement within it and of activity around it. This enhanced significance should be protected and conserved by the designation of this area as green space.

Bosvisack Hillfort

The addendum heritage impact assessment has correctly identified that the proposed development would cause harm within the setting of this Scheduled Monument. It is unclear to us what specific measures are proposed to minimise this harm, given that

we accept that it cannot be avoided entirely due to the nature the terrain and the overall size of this strategic development.

Minimising harm within the setting of Bosvisack Hillfort is likely to require consideration of both building heights in relation to the monument, and green infrastructure considerations such as screening vegetation and reinforcement of any existing vegetative screening such as mature Cornish hedges. We would be pleased to engage with the development team in the interests of minimising the harm to this Scheduled Monument through an appropriate suite of design and landscape mitigation measures.

#### Impact of proposed development

We recommended that either a digital model, or a physical model was created to show how the blocks of development will sit within the site and respond to the topography, natural features (such as hedgerows), and relate to the historic environment (such as the scheduled monuments). Notwithstanding the amendments made to the heights of some of the development blocks it remains difficult to confirm whether those blocks of greater height and/or massing will respond appropriately to the characteristics of the site, or if their relocation within the overall development boundary would minimise any heritage impacts.

#### Design matters

We previously expressed some concerns at the lack of local distinctiveness and underlying association with Cornish identity and character in Design Code proposals. The building styles, materials (and their use) did not appear to stem from the Cornish tradition.

The building materials (and their use) still do not appear to stem from the Cornish tradition of using locally available materials. For example, timber shingles on roofs and walls, vertical timber and metal sheet cladding, slate effect clay tiles, patinated copper etc. are not found in the Cornish landscape on domestic properties. Whilst innovation and good new design is of course to be aspired to, there is little to make the development noticeably Cornish, or indeed from this part of Cornwall. We consider this a missed opportunity and one which is likely to result in 'anywhere design'. We therefore continue to recommend that the Design Code is developed further.

We recommend that conditions are applied to any consent to ensure that a suitable management plan is provided for the long-term management of the scheduled monument Pentenvinnie Round, incorporating suitable works that will result in the removal of the Round from the Heritage at Risk register.

We further recommend that your authority ensures that the Design Code will result in buildings of quality modern design, which reference and sustain the local distinctiveness of Cornwall through materials and built form.

#### **124. National Highways (formerly the Highways Agency) (25<sup>th</sup> October 2021):**

Recommend that conditions should be attached to any planning permission that may be granted. The proposed mixed-use development would deliver up to 3,800 residential dwellings along with retail, employment, education, health and leisure uses. The application site benefits from numerous extant planning approvals for residential and non-residential development in total the extant permissions provide for circa 2,500 dwellings and retail development of 90,963sqm.

The development will be supported by a Sustainable Transport Strategy (STS) aimed at minimising development traffic generation and encouraging modal shift. The STS will be complemented by measures in the Truro Transport Strategy which is being refreshed by Cornwall Council and could deliver increased service provision to the Langarth P&R site, bus priority measures on the A390, additional cycle parking provision and a potential e-bike network for Truro. While these measures could have a significant effect in reducing the use of the private car for journeys into Truro, these effects would be significantly less for journeys via the Strategic Road Network.

A Development Consent Order was granted in February 2020 for the Highways England A30 Chiverton to Carland Cross (CtCC) improvement scheme will involve the upgrade of the A30 to dual carriageway standard, with the replacement of the existing at-grade Chiverton Cross roundabout with further junction upgrades at the B3284 Chybucca and Carland Cross junctions to the east.

Highways England's initial recommendation dated 11 February 2021 raised concerns over the suitability of traffic flow assumptions and associated junction modelling. The applicant's highways consultants have subsequently submitted additional information including a sensitivity test assessment that considers significantly higher traffic volumes through the remodelled A30 Chiverton Cross roundabout.

Following review of the submitted application documents, including the April 2021 response from Aecom, Highways England is content that the proposed development will not have an unacceptable impact on highway safety, and the residual cumulative impacts on the A30 will not be severe. As all assessment work assumes the CtCC improvement scheme will be in place, it will be necessary to manage the delivery of development alongside the improvement scheme. Given the application site already benefits from extant permission for circa 2,500 dwellings and retail development of 90,963sqm, with no restrictions on build-out linked to the CtCC scheme, Highways England accepts that a significant proportion of development can come forward before the CtCC scheme is open to traffic. Nevertheless, it is recommended that the delivery of housing on the site should be limited to 2,500 dwellings before the CtCC scheme is

completed and open to traffic. This restriction would not apply to other non-housing development components.

It is also recommended that CC should seek to secure consistency between TP targets and assumed mode share figures, and develop a comprehensive process for TP monitoring, review, and remedial measures. Similarly, it is recommended that the 35% affordable/social housing provision should be secured by CC, to ensure consistency with the assessment work undertaken

125. **Natural England (26<sup>th</sup> November 2021):** Natural England notes that the appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of Penhale Dunes SAC and Fal and Helford SAC.

Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion.

It is important to make sure that the full suite of mitigation measures is agreed for the whole development, before permission is granted at outline stage, however we do accept that it is pragmatic for the detailed design elements of the SANG to be secured with a condition that ensures the SANG will be designed in accordance with the Natural England criteria.

Our advice below details those aspects of the proposal that we have identified as requiring further information to give your authority the certainty that the development will result in no adverse effect on the integrity of any of the sites in question.

126. **NHS Primarycare (8<sup>th</sup> January 2021):**

The proposed development will have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The additional 3550 dwellings proposed for Langarth could generate approximately 8165 additional patients. Practices within the vicinity of the development will be impacted by this increase in population along with the cumulative impact of growth from other developments within Truro.

NHS Kernow CCG would therefore expect these impacts to be assessed and mitigated.

In order to offset the additional infrastructure demands created by this application under Section 106 of the Town and Country Planning Act 1990, NHS Kernow requests agreement of a Planning Obligation towards the provision of additional capacity for the provision of Primary Health Care Services.

A developer contribution will be required to mitigate the impacts of this proposal. NHS Kernow CCG calculates the level of contribution required over the course of this development will be in the region of £984,021. It is expected that this would be a phased contribution dependent upon numbers of dwellings completed. Given that the development is not scheduled to complete until 2050, the contribution fee will likely be subject to some moderate change in line with inflation and policy update.

NHS Kernow CCG therefore requests that sums be secured through a planning obligation linked to any grant of planning permission for each phase of the development, in the form of a Section 106 Agreement.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

**127. Ramblers Association (9<sup>th</sup> November 2021):**

Whilst it is not possible to continue to enjoy the rural and historical landscape using the existing quiet lanes, county lanes, and Public rights of way as this development continues to erode and develop the area, the Ramblers would wish to remind that a radical loss of the natural landscape that this supports should do more to facilitate and compensate to increase enjoyment and participation in the green space in and around the area than distract from it. As this would defeat the object of both a garden city type development and also the drivers to increase access and enjoyment of green space for health and well being.

This being so, there appears to be a number of Non-motorised user (NMU) routes that are less than the statutory 3m wide for accommodating user group which could lead to them coming into conflict on paths and sitting cheek by jowl with traffic with the associated unpleasantness of air pollution and noise.

This is particularly evident on some of the primary routes when it looks like paths are about 2 metre wide.

There seems no further plans to integrate this with Oak Tree Lane, the Golf Course and back of Penventinnie Lane which would be the preferred route for NWU's to enter and exit Treliske, Truro City, schools, work and rail station via Coosebean or similar to make it an integrated part of the City and Threemilestone mass settlement.

I would also note that indiscriminate use of Quiet Lanes .. although supportive of NWU need to be fully thought through as this concept could backfire and routes continue to become race tracks for commuters and delivery vans.



**128. South West Water (20<sup>th</sup> October 2021):**

South West Water are currently progressing the required sewer requisition with the Developer. This has been signed and as long this application continues to progress then South West Water has no objection or comments to make on this application.

**129. Woodland Trust (10<sup>th</sup> November 2021):**

We note that the proposals now include an exercise trail leading to Govers Wood (grid reference: SW7934146189), an area of ancient woodland designated on Natural England's Ancient Woodland Inventory. There has been limited detail provided on the proposed construction methods of the exercise trail, so it is difficult for us to assess the potential impact that this element of the project poses.

Furthermore, we hold concerns that the creation of a footpath within the ancient woodland could result in significant damage to ancient woodland flora and disturbance to woodland wildlife from the recreational activity of humans and their pets. Research from the Forestry Commission has shown that 97% of our ancient woodlands are not in favourable condition. The creation of footpaths would increase the degradation of this rare and irreplaceable habitat, when we are working with Cornwall Council to make these habitats bigger, better and more connected through the work of the Local Nature Partnership. As such, we request that no new footpaths/exercise trails are created within the ancient woodland area.

**130. World Heritage Site Officer (24<sup>th</sup> November 2021):** WHS Office does not have an in-principle objection to the development of the site within the landscape setting to the WHS. The main issues as set out by Historic Environment Officer (summarised below) are well covered and have been the subject of discussion during our various site visits looking at how to render new development in a way that is successful under the following broad themes;

1. Design approach, finer detailing and materials, layouts, local distinctiveness, etc.
2. The integration of development within a rural context and as an addition to a townscape
3. Retaining meaningful elements of landscape context, whilst enabling for new development

The comments from Historic Environment Officer cover a lot of the above and reflect previous concerns that design codes, scale parameters, densities and layouts reflect the way in which towns and their suburbs/hinterlands develop over time. There is need to reflect that if a town is somewhat nucleated then it is denser at its core, often with a tighter grain and higher development reflective of monies being invested in urban development at the town centres. The densities tend to drop away within the suburbs, giving way to larger plots where the ratio of garden to dwelling is generally higher and finally these suburbs give way to the urban fringe and into a more rural aspect.

Sometimes this can be an abrupt change, but more often it is gradual one and where the rural areas see ad hoc farmsteads and hamlets as the predominant development.

In terms of the above the WHS Office remains concerned that the following is correctly addressed and concurs with Historic Environment Officer advice as follows;

1. That the development heights along the A390 from Chiverton Cross, sees a gradual change to the landscape character as opposed to a more abrupt cut off from rural to urban. A cellular, landscape led approach is required in order to perhaps reflect the character of converted farm complexes, and smaller hamlets, some of which could accommodate a mixture of forms including possible small terraced rows. The overall issue at this stage is perhaps the height parameter plans and the need, as is pointed out in the Historic Environment Officer comments, for development within the A1, A3, A5, A6, A15, A16 and A17 areas being agreed at maximum two storey height with some scope for development behind main frontage development being larger 2.5 storey height), and of a low density.
2. The roundabout (West Langarth Junction) interface is somewhat crucial to the scheme and again the buffer between this element of the scheme and the WHS landscape to the south needs to be very robust. Elements such as signage and light spill need to be considered here, as this very much is what will draw attention to this piece of infrastructure. Low impact solution for numbers of signs and minimal lighting should be the basis for this element of the scheme.
3. In terms of materials and has been discussed previously, use of non-vernacular materials such as metal, timber and brickwork will need to be carefully controlled. As we have observed too many materials on a dwelling or within a development simply leads to visual clutter and also a lack of understanding as to what reference points these materials are derived from.

As we have already discussed on previous site visits, perhaps the use of metal and timber could be used for larger blocks of dwellings such as flatted development in a linear form so as to resemble or at the very least, draw inspiration from more modern farm buildings.

The use of stone and suitable through-colour renders will need to be considered for cottage style development. Equally, as we have observed at various locations, finer detailing such as the siting of services, boundary delineation, window styles, and positioning of rain water goods all needs to be suitably detailed at an early stage so as to reduce the accretion of small harms to such dwellings. It is uncertain as to how the design codes will address these myriad of small details, but they are nonetheless necessary.

Materials such as brickwork should ideally be limited to elements of detailing, possibly also some boundary elements, where appropriate such as within a more dense urban core. Substantive use of brickwork on dwellings is not widespread beyond the towns and should be considered very carefully. Equally where it is considered then the type of bond used, as well as the variance of colour in a batch of bricks can be used to reflect examples found in the existing townscape and should form the template for any use in the new development. In addition, we have seen examples where use of brickwork for parking and roads can be “themed” so as to match colours of stonework and render within a development, leading to less jarring changes in colour and texture.

### 131. Cornwall Council Affordable Housing (2<sup>nd</sup> February 2021):

The affordable housing team supports the proposal as detailed below.

#### Housing Need Justification

The Housing Needs evidence demonstrates a high housing need to support the proposal, which will experience delivery over the next 10 years plus. The scheme is located within Kenwyn Parish and will make a significant contribution to meeting local affordable housing need. However due to the scale and strategic importance of this scheme on the edge of Truro, it also has an important role in assisting the Council in meeting its wider strategic housing need. Therefore, in addition to the affordable homes being restricted to Kenwyn Parish there will also be a supplementary restriction to Truro town, both restrictions will apply in the first instance before cascading to county. HomeChoice registered local housing need in Kenwyn Parish is currently 134 households and a further 468 households in Truro.

		Bedroom Need					Total
Parish	Band	1	2	3	4	5	
Kenwyn	A	3	2				5
Kenwyn	B		3	3	1		7
Kenwyn	C	14	4	16	5	2	41
Kenwyn	D	7	5				12
Kenwyn	E	25	33	10	1		69
Kenwyn Total		49	47	29	7	2	134

		Bedroom Need					Total
Parish Cor	Band	1	2	3	4	5	
Truro	A	17	9	3		1	30
Truro	B	17	2	3	2	2	26
Truro	C	51	24	47	8	1	131
Truro	D	19	26	2	1		48
Truro	E	129	71	32	1		233
Truro Total		233	132	87	12	4	468

Inclusive of the HomeChoice figures above, there are 161 households (131 x 1 beds) aged 55 or over, with a local connection to Kenwyn or Truro and demonstrating a need for accommodation designed to meet the needs of older or disabled people. Four

households have been assessed as requiring wheelchair user accommodation (M4(3) Category 3) with a one bed housing need.

In addition, there a total of 174 households registered with Help to Buy South looking for an affordable home to own with a connection to either Kenwyn or Truro, as detailed below:

Town	1 bed	2 bed	3 bed	4 bed	Total
Truro	25	100	38	1	164
Kenwyn	2	2	3	0	7

#### Accessible & Adaptable Homes (Policy 6 & 13, CLP – Housing Mix & Development Standards)

A minimum of 25% of new homes on the proposed scheme should meet the requirements of Category 2 of Part M Building Regulations 2015 to be accessible and adaptable. The standard should be proportionally applied across the open market and affordable dwellings and agreed on an individual plot basis at subsequent Reserved Matters applications.

In addition, an assessment of the need for Wheelchair Accommodation (M4(3) Category 3) will be undertaken at subsequent Reserved Matters applications, and if identified and appropriate will be sought as part of that phase's affordable housing mix.

#### Size Standards (Policy 13, CLP – Development Standards)

The dwellings would be required to meet the Nationally Described Space Standards:

Bed size	Nationally Described Space Standards
1 bed 2 person	50m <sup>2</sup> (single storey)
2 bed 4 person	79m <sup>2</sup>
3 bed 5 person	93m <sup>2</sup>
3 bed 6 person	102m <sup>2</sup>
4 bed 7 person	115m <sup>2</sup>
4 bed 8 person	124m <sup>2</sup>

Details of all unit sizes will be agreed on an individual plot basis at subsequent Reserved Matters applications. The inclusion of 1.5 bed dwelling types will be welcomed. This will enable accommodation that provides a small ancillary room for a carer or for homeworking, that is not considered a bedroom for rental charging purposes.

### On Site Provision (Policy 6 & 8, CLP – Housing Mix & Affordable Housing)

The Local Plan Policy 8 sets a broad requirement for 70% of new affordable housing to be provided as affordable rented, with the remaining 30% to be provided as intermediate affordable housing.

Based on the submitted scheme, taking account of Policy, local housing need figures and achieving a sustainable housing mix the Affordable Housing Team is seeking the following proportions and mix of affordable homes.

- 35% of the total residential dwellings on site to be delivered as Affordable Dwellings as detailed in this response.
- 70% of the Affordable Dwellings to be delivered as Affordable and/or Social Rent through an approved RP or Cornwall Council.
- 30% of the Affordable Dwellings to be delivered as Shared Ownership through an approved RP or Cornwall Council.

Indicative Housing Mix					
Tenure	Property Type		Percentage of Affordable Housing (Unit Size)	NDSS (sqm)	Percentage of Affordable Housing (Tenure)
Affordable Rented / Social Rent	1b2p & 1.5b2p maisonettes/flats		25%	50	70%
	2b4p houses		40%	79	
	3b5p houses		10%	93	
	3b6p houses		20%	102	
	4b7p houses		2.5%	115	
	4b8p houses		2.5%	124	
Shared Ownership	2b4p houses		60%	79	30%
	3b5p houses		40%	93	

Affordable dwellings must be well designed and should be of a size that provides a good level of living space for their expected maximum occupancy. The following bed spaces are used as a guideline and set out in the Housing SPD:



Unit Type	Bed Space	
1 bed units	100% 2 persons	
2 bed units	100% 4 persons	
3 bed units	Minimum 75% 6 persons	Maximum 25% 5 persons
4 bed units	Minimum 50% 8 persons	Maximum 50% 7 persons

Whilst the main delivery parameters of the Affordable Housing and indicative mix will be set out in the s.106. Given the timescale over which delivery will take place, it will be necessary to introduce a level of flexibility in the s.106. This will enable the affordable housing mix to be reviewed, defined and agreed (at the Council's discretion) through the defined s.106 Affordable Housing Scheme on each phase at subsequent Reserved Matters applications.

It is noted this is an outline scheme, however at Reserved Matters stage the scheme should be designed and delivered "tenure blind". The affordable housing units should be dispersed throughout the development/phases, with the market and affordable homes being indistinguishable in design, form and materials used.

#### Affordable Homes for Rent

Affordable Rented housing is owned and rented by Registered Providers who need to be registered with Homes England. These homes should be rented out to households who are eligible for social rented housing. Rents (including service charges where applicable) are capped at up to 80% of open market rent or the published Local Housing Allowance for the relevant property type (whichever is the lower).

Social Rented housing is generally owned and/or managed by Local Authorities or Registered Providers, for which 'Target Rents' are determined through the national rent regime. Social rents are explained in Section 80 of the Housing and Regeneration Act 2008 (as amended) and are typically lower than affordable rents.

#### Affordable (Intermediate) Homes for Sale

Shared Ownership may be provided by either Registered Providers or the Local Authority. An initial share is bought and then rent is paid to the Registered Provider or Local Authority on the remaining unowned share. Due to the comparatively high house prices in Cornwall, the maximum amount of rent that should be charged over a 12-month period is 2.5% of the open market value of the unowned share. Shared Ownership homes are sold on the basis of one of Homes England's standard model leases. Purchasers can typically purchase additional shares of equity in the property when they can afford to do so.

The Affordable Housing Team's favoured approach to delivering Intermediate Homes for Sale is to secure 30% of the affordable element of the scheme as Shared Ownership through an RP. However, given the timeframe of this particular scheme it is worth

noting the Government is currently consulting on proposals for First Homes, which is not dissimilar in principle to Discount Market Sale. Comments are being sought on First Homes, considering both the design of the policy and options for its implementation including discounts, eligibility and restrictions. If the policy is implemented by Government, provision for the tenure is likely to be required as part of this application prior to determination and/or on future Reserved Matters applications.

#### Older People (Policy 6, CLP – Housing Mix)

In addition to general needs affordable housing, it is welcomed that the application includes provision for 200 units of Extra Care Housing. The Local Plan supports a dispersed strategy to growth, this means that all places are able to meet their needs in a way that is appropriate to their role and function. Policy 6 requires that 'on sites of 200 dwellings or more, additional specialised housing (including extra care housing) should be considered.

The development of Extra Care Housing is a strategy adopted by the Cornwall Council's Adult Social Care department to replace the need for residential care home placements. ECH is a specialist type of housing designed to support people, by design and through the provision 24 hr care staff on site, as they move into later life. It is seen as a more positive lifestyle choice for older people which provides better health outcomes.

The ECH profiles document indicates a need for 207 units of ECH by 2025 for the over 75s. However, any ECH development would include a wider age range of people from over 55 upwards. This number is the whole market capacity of all tenure types. As part of the strategic partnership with Mears the Council is aiming to deliver an affordable housing model, which could be a mix of rented and shared ownership.

There are no other developments or sites identified for ECH, the same as the model that will be delivered through the partnership, on any other sites in Truro. There are no other sites in Truro identified for the delivery of ECH through the partnership so the acquisition of a site through a s.106 arrangement will be essential if the council is to deliver its model of ECH through the partnership in Truro.

The usual site size would be 2 acres for a two storey building which would provide at least 70 units. However, in certain urban settings it can be appropriate to go higher which could wither reduce the site size requirement or increase the number of units. The site should be close to any local centre and transport links.

Should a site be transferred into the strategic partnership at nil value as part of a s.106 agreement then consideration would need to be given to how many of the units would count against the overall affordable housing requirement as this will impact on the amount of Homes England grant that can be obtained and could impact on viability.

Occupants of Extra Care Housing should have their own self-contained homes, their own front door and a legal right to occupy the property. The self-contained accommodation should incorporate design features to facilitate independence and safety including Accessible and Adaptable homes (Category 2 Building Regulations M4 (2)) and be in accordance with HAPPI28 principles. Schemes of more than one-storey need to have lift access.

<b>Bed size</b>	<b>Extra Care Design Guide</b>
1B2P	54m2
2B3P	68m2

<https://www.cornwall.gov.uk/media/36731964/extra-care-brochure-45185-web.pdf> .

Adult Social Care would welcome further discussions regarding these matters.

#### Community Land Trust for NHS & Care Staff

In addition to the delivery of affordable housing it is noted that additional element of the application includes proposals for accommodation for student/health workers. We would like to highlight the possibility of a cross-over project; Cornwall Community Land Trust have been in early discussions the with Royal Cornwall Hospital NHS Trust regarding the potential for collaboration to provide affordable housing for NHS staff. The approach would be community led, exploring a broad framework of options, including Land Trusts, Housing Coops, Co-housing. It is proposed that NHS and Care staff would form the core of the Governance structure and Covenants protecting future occupancy of homes for staff, which may prioritise newly recruited key workers working in that sector and their families. The next stage of the project is to undertake a survey of need and review those sectors where recruitment is most difficult to ascertain the extent and type of demand. We are encouraged by these proposals and look forward to understanding the need and demand and how the approach evolves towards the potential of contributing to delivery on this scheme in future.

#### Viability (Policy 10, CLP – Managing Viability)

Part of this hybrid application is for outline permission, which includes the Affordable Housing element of the scheme. Outline planning applications of this type are not sufficiently evolved for applicants to be able to provide robust information regarding costs and values. The layout, mix, design, materials, highways, and landscaping can change significantly between the outline and reserved matters stage and therefore associated costs and values will vary significantly too. Assessing economic viability at outline stage is therefore inherently flawed.

Given the scheme complexities, strategic delivery and the considerable timeframe over which the Garden Village will deliver. It is reasonable to incorporate an appropriate

review mechanism into the s.106 to appraise viability, if justified on Reserved Matters applications as each phase comes forward.

**132. Cornwall Council Countryside Access Officer:**

To be provided as an update at the Committee meeting.

**133. Cornwall Council Ecologist:**

To be provided as an update at the Committee meeting.

**134. Cornwall Council Education Services (21<sup>st</sup> October 2021):**

A two form entry school (420 children) and pre-school is intended to be delivered by September 2023. The site will have the ability to expand the school to 3 Form Entry (630 children) as and when need dictates. We anticipate the second school being required approximately ten years after the first school opens. We have reviewed the draft S106 with respect to education provision and have no comments to make.

**135. Cornwall Council Forestry Officer (23<sup>rd</sup> November 2021):**

It is noted from the revised Arboricultural Impact Assessment (AIA) there will be additional tree and hedge losses from that of the original appraisals, there is also potential for further losses at a more detailed stage.

The current arboricultural documentation for both the outline application and the full application for the Northern Access Road (NAR) are high level preliminary and generic documents without the full detail necessary required to enable a full assessment. As result each phase will require more detailed and revisited documentation to be submitted to show the true number of arboricultural feature losses and associated tree protection measures at each stage. This must be secured by condition and prior to commencement of each phase.

**NAR**

It is accepted that in order for the project to occur there will be loss of arboricultural assets. The currently submitted detail shows that effort is being made to keep this to a minimum, or as best can be, given the size of the project. The majority of losses are low grade categorisation as per BS5837. In order for this project to be successful engagement with the Tree Officer and the LPA will be required at key stages to ensure the losses and disruption to important wooded habitat are minimal.

Cornish hedge provides vital connectivity between different habitat zones. Detail will be required for the proposed method of Cornish Hedge removal and 'shoring up' of breaches. Any removal of Cornish hedges will require materials from the removal to be

stored and reused in establishing a new section of Cornish hedge by way of mitigation. A Cornish hedge plan to ensure the successful storage and reuse of stone and soils (to preserve the native seed bank) will need to be developed.

The landscaping proposals which detail the NAR as a predominately tree lined avenue will assist with tree loss mitigation and establishing a net canopy gain. The use of smaller stock sizes is now detailed and will increase the likelihood of establishment. The species selection is acceptable and once more expectations are that tree pits are to be connected or of linear provision where-ever possible providing greater rooting volumes, allowing for healthier and longer lasting trees. Incorporating these into SUDs is discussed within the given documentation and further detail of this will need to be submitted in the form of planting pit design and installation method statements. A statement stating that where linear planting pits are possible, they must be provided would assist with enhancing the ongoing design.

### Outline

Once again it is understood that this will be a phased development, where different land parcels will form parts of reserved matters applications. Each of these phased sections will require detailed Arboricultural Impact Assessments, Tree Protection Plans and Arboricultural Method Statements at detailed design to be secured by condition. Site layouts will need to be informed by the constraints identified within the submitted arboricultural reports. Prior to the commencement of each phase of the development, a scheme depicting the method by which trees shall be protected during the course of the development shall be submitted and approved in writing by the Local Planning Authority.

Expansion and bolstering of existing wooded assets is discussed throughout the documentation as are tree lined streets, areas of open spaces, green corridors, public spaces and SANG (Suitable Alternative Natural Greenspace). All of which show good potential Green Infrastructure (GI) within the development.

There are 2 areas of concern where multi use trails and footpaths are proposed. One of these is within and adjacent to the Ancient and semi natural woodland at Govers Round. Here to prevent ingress and potential disturbance to this valued habitat, paths should be adjacent to and not through the wood. There is proposed expansion of this wooded asset with some of the new 'forest' being planted at this location and this could be used as a buffer for protection of the ancient woodland.

Bosvisack cycle way which runs adjacent to the northern boundary and alongside the wooded river valley is an area requiring more detail. The documentation provided states that a 3 – 5m wide strip will be required to provide the route. This will require the removal of some wooded asset and sections of hedge. It is noted some of the route is already pathway by the existing fishing lakes, however the majority of the route is not existing pathway. The concern here is that the route will cause a breach in exiting

wildlife routes provided by hedge and wooded canopy and more detail on this will need to be presented. In measurable terms the loss of arboricultural asset may be relatively small but the disruption to connectivity from riparian woodland to other habitat zones could be significant.

The revised documents show there will be additional tree losses from that of the original specification and also states there will be more as more detailed design is developed, this is to be expected with a project of this size. However, the landscape and GI strategies including tree lined streets, green corridors, new forest and SANG provision demonstrate that an increase in canopy cover is achievable should the overriding principles laid out in the outline documentation be mandatory and applied to all phases of the development.

**136. Cornwall Council Highways Officer (29<sup>th</sup> November 2021):**

Highways development management have engaged independent consultants to review the Transport Assessment (TA) and Framework Travel Plan (FTP) produced on behalf of the applicant, Cormac Solutions Ltd, for the proposed Langarth Garden Village development, a residential led mixed-use development close to Threemilestone, Truro.

Comments on the TA submitted were set out in a Technical Note (TN) 'Langarth Garden Village Transport Assessment Technical Review', dated 09/02/2021. The applicant provided a response in the form of a TN dated 28/04/2021. This was reviewed and further comments were set out in a second Technical Note 'Langarth Garden Village Transport Assessment Technical Review Response – Further Comments', dated 07/07/2021.

The applicant has provided a response to the second set of comments in the following documents:

- 'Langarth Garden Village, Truro – Response to Cornwall County Council Technical Review – July 2021 (Planning Application Reference: PA20/09631)' dated September 2021
- 'Technical Note: Traffic Impact Assessment' dated September 2021; and
- 'Outline Monitoring Evaluation Plan' dated October 2021.

Assessment approach

The assessment of the impact of the development is based on the 'Decide and Provide' approach to transport planning. This approach reflects current planning policy and the goal of increasing active and sustainable travel. Travel patterns which support low carbon and active lifestyles are established and the measures required to achieve them are implemented, rather than the more traditional 'Predict and Provide' approach, where historical data is used to predict future travel choices. Guidance on this approach states that it is important to acknowledge and properly communicate future



uncertainty in the transport appraisal process, and recommends consideration of a range of equally plausible future scenarios to account for uncertainty.

### Scenarios

The applicant has considered three scenarios that would generate varying levels of traffic on the external road network, and these are considered to provide a reasonable range of likely outcomes. Scenario A represents the vision for LGV, with the highest level of active travel and public transport use and consequently the lowest level of car trip generation. Scenario C represents the lowest level of sustainable travel and highest car trip generation, with peak hour car trips approximately 75% higher than in Scenario A.

### Traffic capacity modelling

The results of strategic traffic modelling undertaken for the National Highways A30 Chiverton to Carland Cross scheme indicate that implementation of the scheme will reduce traffic flows on the A390 into Truro. In Scenario A, increased levels of home working, commuter re-location to the LGV development and the expansion of the Park & Ride site are also assumed to reduce future traffic levels on the local network. With these assumptions the additional traffic generated by the LGV development is broadly balanced by these reductions, such that mitigation in the form of capacity improvements is only required at two junctions.

In Scenario C, no reductions have been made for home working and home relocation. The assessment has demonstrated that the higher level of car trip generation for this scenario would result in capacity issues at a number of junctions along the A390.

### Monitoring and evaluation plan (MEP)

The applicant has not provided capacity improvement mitigation measures for the impact of Scenario C. Instead, a Monitoring and Evaluation Plan has been submitted, providing a framework for monitoring trip generation (for all modes of travel) at regular intervals (typically every 2 years) and a mechanism for calculating and releasing funding for measures to reduce car travel if the surveys indicate that the levels of active travel and public transport use are lower than those assumed in Scenario A. These measures would be in addition to those that are already included in the Sustainable Transport Strategy.

### Sustainable Transport Strategy (STS)

The sustainable transport strategy is an integral part of the scheme, including: a new bus service through the LGV site; mobility hubs; high quality pedestrian and cycle infrastructure within the development; cycle hire schemes; and car clubs. In addition, there will be local facilities that will reduce the need to travel, including a new Primary

School. Off-site measures are also proposed, including: controlled crossing facilities on the A390 at Threemilestone: continuous shared footway/cycleway on the north side of the A390 between the Threemilestone and Maiden Green junctions: on-road cycle route enhancement between Penventinnie Lane and Dalvenie roundabout, incorporating an uphill cycle lane on the A390 Highertown and eastbound bus gate at Penwerris Road; as well as wider contributions to LCWIP, e-bike hire scheme, bikes and docking facilities at off-site locations, and public realm and transport improvements at Threemilestone village centre.

### Car Parking

The applicant's response states that an overall assessment of the appropriate level of parking will be provided at Reserved Matters stage for each development parcel, and that the strategy for monitoring parking demand and triggers to address overspill parking will be included in the Framework Travel Plan. It is recommended that agreement of these details is secured through planning conditions.

### Commentary

Whilst the Decide and Provide approach is being adopted more widely in transport planning, it is still relatively new and therefore there is little information available on case studies that demonstrate its effectiveness. The MEP is therefore a key document as it will provide early identification of divergence from the assumptions regarding active travel and public transport use in Scenario A, and the mechanism to introduce additional measures required to increase travel by these modes.

Whilst the Outline MEP submitted by the applicant provides a framework for monitoring trip generation and releasing funding for mitigation measures if required, some of the key details are still to be agreed, including the methodology for monitoring of trip generation, the make-up of the Stewardship Vehicle that will manage the MEP, and clarity on the methodology to be applied for calculating the level of funding that would be made available for mitigation if required. It is recommended that agreement of these details prior to commencement of the scheme is secured through the S106 Agreement.

I recommend that should the decision on the application be to grant consent, the following conditions are attached to any consent:-

- Prior to any phase being commenced a safe and street lit pedestrian and cycle route be provided to a constructed crossing to allow access to the facilities and services of Threemilestone Village.
- Link from NAR to A390 at Maiden Green prior to first occupation of phase 3.
- Prior to any phase that includes one of the three signalised pedestrian crossings, the crossing is to be completed prior to first occupation.
- Standard estate road condition

- Parking and turning
- Onsite mobility hub's to be completed prior to first occupation of the phase that includes the hub
- Onsite cycle routes

I recommend that the Section 106 secures the following aspects:-

- Contribution towards off site mobility hubs
- Car clubs within the site
- Contribution towards off site e bikes
- Off-site cycle facilities
- Bus subsidy for bus services serving the site

### 137. **Cornwall Council Historic Environment Archaeology (9<sup>th</sup> November 2021):**

In terms of the NAR, geophysical survey of the entire route has taken place, accompanied with the archaeological evaluation for parts (but not all) of its route (South West Archaeology 2021, for example). The investigations have confirmed the presence of buried archaeology, including concentrations of later prehistoric activity with significant post-medieval and modern alteration of the landscape including field and settlement patterns. Concentrations of significant later prehistoric activity have been identified in the eastern area of the NAR and in terms of the post-medieval period, in relation to the site of Venton Green, a post-medieval small holding or small farm.

We therefore consider it prudent that archaeological recording should be carried out during the early stages of groundworks, undertaken by a suitably qualified organisation or individual. This should be in the form of an archaeological watching brief combined with areas of strip, map and sample with certain sections of the NAR not requiring archaeological recording. If conditional consent is granted, a future Written Scheme of Investigation (WSI) should include a figure(s) and a summary in this respect.

The NAR will also involve the breaching of several extant field boundaries including sections that are recorded on the 1788-89 Plan of Langarth and the c1840 Tithe Survey for Kenwyn (Historic Hedges Heritage Impact Assessment; Arcadis August 2021). We therefore advise that the sections of the historic Cornish Hedges breached along the route of the NAR are recorded as they are opened up. Recording should also include the historic stile that will be removed with the creation of the NAR. Ideally, we would like to see this locally distinctive heritage asset is retained and reset within the proposed development site.

With respect to the outline application the submitted Cultural Heritage Assessment (Appendix 12) outlines that there are areas of the application site containing a high concentration of prehistoric monuments, as in the eastern part of the application area, confirmed in part by the results of the archaeological evaluation that has taken place.

There are also areas of further potential as identified by the more recent geophysical survey or identified via evaluation.

However, it is important to note that while certain areas have had the validity of the various geophysical surveys tested by archaeological evaluation, other areas have not, including areas where high archaeological potential has been identified. As the submitted Phase Plan demonstrates the proposed development will be delivered in five broad phases in the next 17 years but there is a possibility that certain parts will come forward separately and at different times to originally envisaged. Where assessment and survey has identified buried archaeology of high significance, we will expect to see consideration in the reserved matters applications, of these heritage assets being left in situ with minimal disturbance and where evaluation has not taken place, to be informed by the results of further archaeological evaluation.

At this outline stage, we therefore advise that archaeological recording should be carried out during the early stages of groundworks for each separate Phase/area, undertaken by a suitably qualified organisation or individual. This should be in the form of further evaluation (where necessary) and targeted use of archaeological watching briefs and where the significance of the archaeology requires it, areas of strip, map and sample and smaller extents of full archaeological excavation.

The proposed development will also involve the breaching of several extant field boundaries including sections that are recorded on the 1788-89 Plan of Langarth and the c1840 Tithe Survey for Kenwyn (Historic Hedges Heritage Impact Assessment; Arcadis August 2021). We therefore advise that the sections of the historic Cornish Hedges breached by the proposed development are recorded as part of the programme of future archaeological work (if conditional consent is granted). Recording should also include any historic stiles that will be removed, although we recommend that every effort is made to retain these distinctive heritage assets in any proposals.

We note that the present outline design is to create an open space (green infrastructure) within the surrounding area of the Scheduled round to the north west of Penventinnie. Any future cycle paths or multi-use trails proposed in this area may require ground disturbance. The geophysical assessment has identified a high concentration of later prehistoric features surviving as buried archaeology and we will expect any ground disturbance in this area for proposed trails to be designed to minimise ground works and where necessary, to be covered by archaeological recording. Furthermore, any future tree planting in this area should be designed to avoid significant archaeological features identified by the geophysical survey.

In addition, the submitted plan showing the buildings of heritage value which are to be retained (and others which will be reviewed as part of the reserved matters application). While the Cultural Heritage Assessment considers that these buildings are of local historic value, there may be the potential for historic building recording to enhance the understanding of their historic development (if they are conserved,

converted or altered by future proposals submitted as part of the reserved matters application). However, the requirement (or not) and the level of recording needed will depend on the proposals put forward in each phase, sub-phase or development parcel.

### **138. Cornwall Council Historic Environment Planning (12<sup>th</sup> November 2021):**

In many respects, this scheme is laudable in terms of its intentions; its Garden Village philosophy has been followed and significant aspects of the existing landscape and buildings have attempted to be preserved. However, any scheme which replaces a post medieval settlement and arable field/hedge landscape with new villages and a town have a very difficult path to tread. Visual impacts of the new built-up urban environment and setting issues for statutory designated monuments and non-designated assets will be massive. Mitigation has been recommended thus far, but the design and layout of housing within the protected boundaries of the hedges will be of fundamental importance. There are many many examples across Cornwall of much smaller housing schemes which have failed in may design and layout respects. Care must be taken of the remaining detailed aspects of this massive scheme so that similar mistakes are not made again. HEP are willing to give further guidance if required.

The designated historic assets have been described in great detail within this application. Significant sites relate to a Scheduled Round (No. 1016063) in the eastern part of the site, and a Grade II Milestone in the southern part of the site. The non-designated historic assets are the most numerous and consist of post-medieval hedges (and their hedge 'furniture'), trackways, the mining remains, but also primarily the presence of the post medieval farm settlements that are still extant. Analysis, assessment and recommended mitigation of impacts to (primarily) the latter has been informed from an early stage by production of a focussed Langarth 'Place Shaping' document of paramount significance in terms of identifying the significance of the historic resource within the identified site, the setting of the site within a local and wider context, and amplifying/enhancing/mitigating this significance by pro-active design philosophies at the start of the project. This report has provided focussed attention on the site, by analysing a number of historic and cultural variables of significance – which should be taken into account during the design process. Historic Environment Planning has been supporting this approach, and to take it further to try to ensure that the design form and Design Codes, reflects and respects the significant variables that have thus far been identified. The planning application documents have a separate Heritage Impact Assessment for hedges within Chapter 12 (addendum) of the Environmental Statement, with mitigation recommendations.

Putting the below ground archaeological features, the above ground designated features (Scheduled Monument), and the adjacent WHS area (and buffer), this leaves the site as it is now, a post medieval farming landscape. This is characterised with the site topography, fields, hedges, track routes, lanes, mining remains and of course the farm settlements themselves. The landscape and visual setting of these elements both from within the site and to the site from outside the project area are important

components of the area's site significance. Thus, the hedges as defining rural elements are very important in their own right (as are the related settlements) – not only in non-designated significant feature terms but also of their Landscape and Visual Setting values to the landscape. The potential loss of these, as has happened so much during the past century (and in particular to housing estate developments), would have a dramatic impact within the site to a core element of this site's distinctiveness. Thus, it was recommended at an early stage of Historic Environment Planning (HEP), to undertake an impact assessment of the hedges. This has been undertaken, and the project itself (from its early design philosophy), has attempted to retain the existing 'heritage' landscape features of hedges, lanes, tracks and settlements etc – to retain their cultural distinctiveness.

The challenge is one of changing this large site from a rural post medieval landscape, to a 21-century housing estate, and to reflect its existing setting and character values of what makes this site distinctive. The application has shown the impact of the proposed site construction and densities/heights etc as part of a Landscape and Visual Impact Assessment. However, these are very sensitive factors when determining an appropriate application that reflects the significant attributes of the Langarth landscape. A great deal of care will need to be taken to ensure that building heights are proportional to an overall philosophy/morphology of the new neighbourhood, but within the existing landscape/topography which relates to the style of the nearby settlements, or if further away from these to the landscape setting values of the site as perceived within and to the site.

The Place Shaping report has analysed the history and through fieldwork has described significance and mitigation recommendations for change for the existing post medieval farm settlements. The Environmental Statement (ES) Chapter 12 and addendums takes into account this report and describes these nucleated building sites which have elements of heritage value to be reviewed as part of a future reserved matter application. An assessment of the significant buildings for retention (and possible improvement etc) and clearance of unsightly C20/21 buildings, should then inform the style and design of nearby adjacent new buildings/estates etc – by relating the Design Codes to these 'significant' sites (perhaps in a 'ripple' effect).

HEP are in complete agreement with the principles, content and recommendations of the Place Shaping report, and the methodology of the project team to relate these recommendations to reflect Langarth's (and the wider cultural context) cultural distinctiveness in the design of the new.

This scheme has the principal philosophy of retaining the Lanes/Trackways/Crossroads etc, thus the new landscape/housing use is secondary to the primary significance and distinctiveness (therefore retention) of these significant landscape components. In addition, the creation of new routes and pathways along the valleys etc in addition to existing is very positive. The Hedges Impact Assessment describes and shows the late



C18 hedges (Manor map), and its later remnants (shown on the 1840 Tithe map) across the Langarth project area.

Positively (for a scheme such as this) 82% of the Cornish hedges on site would be retained, although the setting would be completely changed from rural to urban. Thus, the alteration to the setting of the retained Cornish hedges (and re-located hedge 'furniture'), could be considered to be substantial harm. Unfortunately, 20% of the hedges are to be breached, with a far greater proportion removed as a result of the Northern Access Road (NAR), in particular H5.

It is recommended that a planning condition is used in order to ensure that prior to breaches, hedges are surveyed and that the specific style of the hedge is replicated for repairs or for new stop ends to be built (and for hedge 'furniture' to be replicated where necessary).

Three 'Grains' of design codes have been submitted to this Outline application, namely: Settlement edge, Village and Urban. It is recommended that more research is undertaken to reflect existing edge/village and urban grains (as previously mentioned above), by looking at other Parish grains (Kenwyn/Shortlanesend/ and other nearby grains i.e. Chacewater a slightly wider catchment of Cornish Cultural distinctiveness (of house style). Pitched slate roofs would be appropriate but for more modern roofs perhaps flat green roofs? Masonry stonework near post medieval settlements ('ripple' effect), plus village themes of smaller houses (two storeys only) in the core with some outlying larger houses (2.5 to 3 storeys), which reflects C20 development to our Cornish villages. Philosophies for the Urban grain can be gained from our towns of increased height, larger businesses and more use of brick, and modern metallic fronts/roofs etc. It does appear that the typical drawn example given of the village grain does not appear to reflect architectural themes seen at present by the existing Langarth post medieval settlements.

Driving down the A390 from Chiverton Cross, it is very important to have a gradual visual impact of the new housing estate on the left, especially as the right-hand side has no houses, just a post medieval field system (with remnants of miners' smallholdings) as part of the WHS. Thus, it is recommended that A1, A3, A5, A6, A15, A16 and A17 are of maximum two storey height (behind which can be larger 2.5 storey height), and of a lower density (again, compare to the rural nature of the site on the WHS side which is rural with no houses). In addition, the West Langarth gateway should not necessarily have tall, high and dense buildings. Again, this will be completely be the opposite for the other side of the road, where there are fields within the WHS and also in comparison to the other nearby lower buildings. The graduation to taller buildings matching those close to Threemilestone then appears to be appropriate (but see WHS comments for this aspect), as one drives down the road. In addition, appropriate screening vegetation may well be necessary.

But then also the ridge height needs to be carefully controlled across the top of the plateau of the landscape (to restrict visual impacts from outside the site – of this new urban form). The form of the northern settlement edge houses also needs to be sensitively designed, especially as the landscape runs down to the valley edge (formerly tin streamed in antiquity).

As an aside comment for D7, the new school – it is recommended that this complex height (at present occupied by a farm settlement) should be no higher than the existing buildings.

**139. Cornwall Council Landscape Officer:**

No comments received.

**140. Cornwall Council Lead Local Flood Authority (10<sup>th</sup> November 2021):**

NAR (Application A)

The LLFA accepts the principles set out in the Truro Northern Access Road (TNAR) Flood Risk Assessment and Surface Water management Strategy. The groundwater monitoring results provided are not continuous and are incomplete. Several weeks monitoring results and individual borehole results are missing. Based on the results provided it cannot be established if the seasonal high groundwater level for each location has been captured. Further monitoring must be undertaken covering the winter period from November through to end of May as a minimum. A full 12 months continuous monitoring of each borehole is required for this scale of development. Groundwater monitoring results must be provided for all infiltration and attenuation basin locations. The highest recorded seasonal groundwater level must not rise to within 1m of the base of each drainage feature. Such mitigation is recommended to be secured via planning conditions.

The design of sustainable drainage systems must be fully compliant with the requirements of the Truro – Kenwyn, Allen and Tregolls Road Critical Drainage Area as a minimum. The LLFA seeks betterment on these requirements where they can be achieved. Full consideration must be given to DEFRA Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) and emerging policies. Sustainable drainage systems must be in accordance with CIRIA C753 The SuDS Manual.

The proposed basin shapes (attenuation and infiltration) submitted are very uniform and have an over engineered appearance. These drainage features would benefit from a review by a Landscape Architect. These features must be fully integrated into the landscape and include benching to improve opportunities for biodiversity.

The LLFA welcomes the use of tree pits in the design. Consideration must be given to root barriers to reduce the impact of tree roots on drainage pipework and features where tree pit products are not proposed. Tree varieties and the abundance of leaf fall must also be considered especially where trees are sited in close proximity to key surface water drainage features, gulleys, manholes etc. The impacts of leaf fall must also be factored into the drainage system operation and maintenance schedule.

The FRA Section 2.2 Utilities Layout states that service strip(s)/corridors have being incorporated into the layout. The LLFA request details of service strip locations with all conflicts with the strips and surface water drainage features (swales, filter strips, basins, pipework) and potential conflicts with maintenance access/proposed easements clearly marked. Where conflicts exist the LLFA requires detail of how these can be overcome by the design.

The applicant should note that disruption to the operation of the surface water drainage network, including its features must be minimised. The design of the drainage systems, highway layout and service strips must fully consider and mitigate potential disruption to the drainage systems as a result of third party works.

The LLFA requires a plan which indicated the positions of silt traps and Downstream Defenders are proposed. The locations of these surface water pre-treatment systems must be individually referenced on a plan and this must be included in the NAR Sustainable Drainage Systems Operations and Maintenance Manual. The design, installation and maintenance of Downstream Defenders must be accordance with the manufacturers recommendations. A schedule of maintenance of silt traps and Downstream Defenders must be tailored to the individual situation and included in the NAR Sustainable Drainage Systems Operations and Maintenance Manual.

#### Outline (Application B)

The proposed development area well exceeds 1ha and so a Flood Risk Assessment and Drainage Strategy are required. Based on the Environment Agency maps the site is within the Truro - Kenwyn, Allen, Tregolls Rd and adjacent to the Truro - River Tinney Critical Drainage Area (CDA). Mapping also indicates that parts of the site are susceptible to surface water flood risk, groundwater flood risk and affected by Flood Zone 2, 3a and 3b. A Flood Risk Assessment has been provided.

Mapping indicates historic mining within the eastern part of the development site. Further investigations are required to establish the position and depth of any mine workings adits and features which could be affected by the introduction of surface water from this development. Potential instability issues should be considered, and drainage systems appropriately designed and constructed to cater for the conditions encountered.

Surface water drainage systems must meet the following requirements:

- Surface water drainage systems must have multifunctionality and not just a means of managing flood risk. Drainage designs must aim to achieve all four SuDS aims of water quantity, water quality, amenity and biodiversity if they are to be accepted by the LLFA.
- Surface water drainage systems must be sized to cater for the 1 in 100-year critical duration event plus a minimum allowance for the effects of climate change. The minimum acceptable climate change allowance is currently 40%. Drainage systems must be designed to ensure that (unless an area is designed to hold/convey surface water) flooding does not occur to any building or part of a building, utility or plant, pumping station, electricity substation during the 1 in 100 year peak rainfall event. Under the 1 in 100 year peak rainfall event conveyance systems (including pipework and swales) must aim to hold and convey flows without flooding. Flooding of any part of the site must not occur within any part of the site during the 1 in 30 year rainfall event.
- Sustainable drainage features must not be constructed within Flood Zones 2, 3a and 3b, and areas at risk of surface water flooding unless their purpose is to transport or mitigate these flows.
- A minimum allowance of 40% for the effects of climate change must be applied to the rainfall intensities within design calculations. This allowance applies to all residential, commercial, industrial and all other development types. The allowance must not be applied to the proposed discharge flow rates from any part of the site.
- Infiltration is the preferred method of surface water disposal and only where this method is not viable should an attenuated flow controlled discharge from the site be used. Percolation tests must be undertaken to check if infiltration is viable. Tests must be conducted in accordance with the procedures set out in BRE Digest 365 or CIRIA 156. Tests must be completed at the base depth at which it is intended that the drainage system would sit, therefore deeper for soakaways and shallower for infiltration trenches and basins. A representative number of test sites must be identified to provide adequate coverage of the site to allow an initial assessment to be made by the LLFA. In accordance with BRE Digest 365 soakaways must drain down half its volume within 24 hours and is deemed to have failed if this cannot be achieved. Where cut and fill is proposed, infiltration testing must be repeated after the groundworks have been completed. All test results (even those that fail) must be provided. Where infiltration has been discounted, evidence must be provided to substantiate this decision.
- Groundwater monitoring must be undertaken to establish if groundwater is present on site. Monitoring should be undertaken for a full 12-month period, but this period can be reduced at the discretion of the LLFA to the period from the end of October to the end of May. Groundwater should not rise to within 1m of

the base of the drainage system. Floatation can occur in below ground tank and oversized pipe systems where groundwater is present, therefore floatation calculations should be provided. Monitoring must be undertaken within 3m of the proposed location of a drainage feature and at a depth of no less than 1.5m below the base depth of the drainage feature. Continuous monitoring of each borehole is preferred, but where dip testing is used there must be at least one test of each borehole per week undertaken on the same day throughout the monitoring period. These results must be provided to the Local Planning Authority (LPA) and LLFA support the planning submission when it is made. The LLFA may refuse to accept a surface water drainage design in an area identified on the EA mapping as at risk of groundwater flooding unless the requisite number of monitoring results are provided. Poor quality data will be rejected. The LLFA does not support deferring the completion of groundwater monitoring until after planning consent has been granted. This will only be considered in exceptional circumstances.

- Slope stability assessments must be completed to confirm if the locations where surface water features are suitable for the proposed feature. The use of crate systems for infiltration or attenuation within steeply sloping areas must be carefully assessed and ideally avoided.
- The LLFA preference is that greenfield runoff rates are calculated using FSR and FEH rainfall data and calculated using the IH124 Method. LLFA does not accept rates based on the ADAS method. The greenfield runoff rate should be based on the proposed developed area (those areas which will contribute to the proposed surface water drainage system) and not the total site area. Property gardens, open space, verges etc must be omitted from the greenfield area calculation because these areas are unlikely to contribute to the proposed drainage system. The practice of including greenspace, gardens etc and altering soil factors to provide an increased greenfield rate is not be accepted by the LLFA. We will accept greenfield rate calculated using the HR Wallingford Greenfield Runoff Rate Estimation Tool, but in order to obtain the conservative rates the site area input must be the developable area not the total site area specified by the tool.
- Flow rates discharged from the site should aim to achieve the 1 in 1 year greenfield runoff rate but must be no greater than the 1 in 10 year greenfield runoff rate. Where the calculated greenfield rate is less than 5 l/sec the LLFA has historically accepted a rate 5 l/sec. This is no longer the case because well-maintained modern flow control devices can achieve lower discharge rates. Flow Controls must be correctly sized to meet the agreed surface water discharge flow rate and to prevent blockage. They must be accessible to allow future maintenance and removal/replacement if necessary. The minimum acceptable orifice is 75mm diameter, as anything less than this can be susceptible to blockage.

- The modelled discharge rates each catchment taken from Table 4 - Outfall summary by catchment Arcadis Langarth Garden Village Surface Water Drainage Strategy Addendum Ref LGV3\_05-ARC-XX-XX-TN-Z-0001-P1. The discharge flow rates from each drainage catchment must not exceed the rates in the table below.

<b>Drainage Catchment</b>	<b>Totalled Modelled Discharge Rates (l/sec)</b>	<b>Design Runoff Rate</b>
A	132.6	1 in 10 year greenfield rate
B	5.4	1 in 1 year greenfield rate
C	18.3	1 in 10 year greenfield rate
D	14.9	1 in 1 year greenfield rate
E	4.0	Less than the 1 in 1 year greenfield rate
F	39.0	Between 1 in 1 year and 1 in 10 year greenfield rate
G	18.8	1 in 10 year greenfield rate
H	16.5	1 in 1 year greenfield rate
Total	249.5	

- The parcels of land must remain referenced as shown on the Proposed SuDS Strategy drawing Ref LAN\_02.1\_AHR-MP-ZZ-DR-A-93-008 Rev P18.
- The LLFA has a preference for surface attenuation systems over below ground tank systems, because surface ponds/basins can achieve more sustainable drainage aims i.e. the management of water quantity, water quality, provide amenity benefits and encourage biodiversity. Attenuation tank systems manage only water quantity and so sit lower than surface features in the surface water hierarchy.
- Rainwater harvesting systems, although beneficial, are ignored by the LLFA. The assumption is that the system is full when the peak rainfall event occurs, therefore the surface water drainage system must be designed to fully cater for the 1 in 100 year plus climate change allowance. The building roof area must also be included in the developed area when calculating the greenfield runoff rate for the developed area.
- Sustainable drainage systems should be fully integrated into communal open space and recreation areas. The use of tree pits, SuDS planters, green roofs and rain gardens could be considered in commercial/industrial areas, and retail hubs. Drainage proposals for the primary school sites should aim to meet all 4 SuDS pillars to manage water quantity, water quality, amenity and biodiversity. Opportunities should be taken to use the drainage systems for education purposes. Consideration should be given to raingardens, green roofs, green and blue corridors, SuDS planters, tree pits etc.



- If it is proposed to develop a brownfield site, the discharge flow control must match the greenfield runoff rate or the rate dictated by the Critical Drainage Area requirements or the rate agreed with the LLFA. The applicant will be expected to provide betterment.
- Consideration must be given to the proximity of any contaminated land close to the proposed sites of infiltration systems. Care must be taken to ensure that contaminants are not mobilised as a result of the construction and operation of soakaways and other infiltration systems. If infiltration systems are proposed in locations where land remediation is to be undertaken, percolation tests must be undertaken again once remediation works have been completed. Infiltration systems must then be designed using data which reflects the post remediation ground conditions.
- The applicant must obtain permission from the riparian owner prior to discharge of surface water flows to a watercourse or waterbody. Evidence of the riparian owners' agreement must be submitted to support the surface water drainage proposals when the Planning Application is submitted. The LLFA will object to the drainage proposals if these details are not provided.
- Designers must aim to achieve the requirements of the DEFRA Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) unless these are superseded by local requirements or emerging legislation.
- The requirements in Cornwall differ from the DEFRA Non-Statutory Technical Standards in that Cornwall Council does not accept discharges of private surface water runoff/discharges to the existing highway drainage network. Private surface water runoff is defined as that discharged from the roofs, gardens, land, yards, driveways or unadopted access roads.
- An appropriate allowance must be made within the drainage design to cater for effects of urban creep. Urban creep allowances are based on the residential development density. Urban creep is not applied to commercial developments.

<b>Urban Creep Allowances</b>	
Residential development density (Dwellings per hectare)	Change allowance % of impermeable area
≤25	10
30	8
35	6
45	4
≥50	2
Flats and Apartments	0

*Note: where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum.*

- Overland exceedance flow routes must be fully considered at the detailed design stage. Consideration must be given to historic, known flood flow routes and those resulting from the development of the site. The LLFA requires evidence that such flows and flood related issues are mitigated throughout the design. Designers must consider how these flows will be managed within the development and provide details of management features e.g. dropped or raised kerbs, detention areas etc. The highway should not be solely relied upon as a means of managing exceedance flows. Detention areas must be considered in managing flow exceedance. Where exceedance routes cross property boundaries the boundary treatments must be such to allow flows to pass through. These routes must remain unobstructed so that exceedance flow routes work as predicted and mitigate flooding in extreme event beyond the surface water drainage system design. Overland exceedance flow routes must be clearly marked (using blue directional arrows) on the proposed development plan. The position of detention features, boundary treatments, dropped and raised kerbs must be marked also.
- Appropriate safety factors must be applied, based on the table below. The LLFA is aware that the application of safety factors can lead to the increased feature sizes which can have a bearing on the viability of features or compromise the use of infiltration. In circumstances where a factor of safety of 10 cannot be achieved the design must provide the highest factor of safety that can be accommodated (for highway drainage systems this must be >5) plus a minimum allowance of 40% for the effects of climate change and the half drain down time must be achieved. The designer will be required to provide supporting evidence.
- The choice of surface water systems must follow the surface water drainage hierarchy, with infiltration being used (where ground conditions are acceptable) in preference to an attenuated flow controlled discharge. For dwellings, individual (on plot) soakaways and permeable surfacing should be considered in the first instance. Where this cannot be achieved the preference is for communal surface infiltration features e.g. infiltration basins in preference to below ground communal crate, concrete ring or stone systems. Communal systems are those serving more than one dwelling or group of buildings. The LLFA does not accept communal soakaways or attenuation systems sited within the rear gardens of dwellings and area which cannot be easily accessed. Communal systems will only be considered acceptable when positioned below communal driveways, parking areas or open space where there is clear access and easement for maintenance purposes. There should be at least 5m distance between soakaways, from any built structures including buildings and retaining walls and at least 3 metres from the adopted highway.

- Continuous groundwater monitoring must be completed for a full 12 month period. The results must demonstrate that the seasonal groundwater peak has been reached and that there has been a continuous fall in the level following the peak for a minimum of 2 months. Groundwater peak level must not rise to within 1m of the base of the drainage component. Infiltration testing must be completed to establish soakaways are viable. The surface water drainage design must be bespoke and based on the findings of the site investigations and groundwater monitoring. The surface water drainage solutions must fully manage the 1 in 100 year peak rainfall event plus a minimum allowance of 40% for the impact of climate change. Calculation must include an allowance for urban creep and a minimum factor of safety of 5 for individual dwellings and 10 for communal systems.
- Drainage systems serving individual (whole) plots must not be split across more than one surface water drainage system e.g. part of the dwelling roof to one soakaway and the remainder and the driveway to another system. This is to safeguard the property owner from the onerous maintenance responsibility for multiple drainage components some of which could be in other property owners land. The responsibility for the upkeep and maintenance of the drainage systems and overland exceedance routes must be fully conveyed to the property purchasers. Silt traps must be installed on all soakaway and attenuation system inlets. An appropriate number of inspection chamber, vents, jetting manholes etc must be fitted to aid maintenance. The SuDS Manual CIRIA C753 Part D Chapter 13 Table 13.1 should be used as guidance on soakaways maintenance.

**141. Cornwall Council Public Open Space Officer (11<sup>th</sup> November 2021):**

The scale and density of the overall Langarth scheme has enabled a more efficient distribution of formal facilities (open space types 1, 4 & 5). At this scale we tend to expect fewer, but better-quality spaces. Whilst table 4 of the Landscape Strategy (2019.00106.000/24.09.21 sect.3.5) still contains very ambitious targets for the type 4 children's play provision (0.72ha), we are satisfied that these are at least qualified in the green infrastructure provision table at section 4.7. We suspect that when the designers & quantity surveyors get involved these targets might diminish a little. What we wouldn't want to see though are large enclosures containing sparse equipment spread over an unimaginative landscape. There are considerable opportunities to use the site's natural features & landscaped elements in order to enhance the play value and compliment a generous level of high spec play equipment, whilst ensuring that the facilities are both robust and inclusive for all children. This boils down to the quality of the designs brought forward at the open space delivery plan stage. We will be expecting the cost & quality of these facilities to be proportional to the levels indicated, even if their spatial areas don't quite meet them.

In line with Local Plan Policy 25.6, any development creating open space should prepare an open space delivery plan prior to commencement for approval by the

planning authority. As the scheme is likely to be delivered by a number of different developers over multiple phases, it would be more practical for each zone or phase to prepare these for approval when ready. However, measures will be needed to ensure that there is equity across all of the housing zones in terms of (a) how much each dwelling has contributed to the overall on-site infrastructure costs. For example, it is quite clear that Zones A & B (in the Landscape Strategy Plan) contain significant less formal open space, and are therefore cheaper to construct, than Zones E & F. The effect on land values cannot be relied on to even things out. (b) The cost of maintenance should be consistent across all areas, in order to share the long-term burden. So, before any individual open space delivery plan is submitted, agreement is required for how the costs of the on-site provision can be balanced between all landowners &/or delivery agencies. Once that is approved, subsequent open space delivery plans should include detailed designs & specifications that demonstrate how their elements of provision meet the standards in the Landscape Strategy, whilst also tying in with the on-site cost sharing agreement. They should describe how the green infrastructure will be sustained in the long term and involve residents in the governance arrangements. It should also outline how the phased delivery of open space will align with house occupancy, and that all of the POS will be fully completed and available for use prior to occupation of 75% of the dwellings in that zone or phase.

#### **142. Cornwall Council Public Protection Air Quality (11<sup>th</sup> November 2021):**

It is acknowledged that construction impacts would be high however this would be managed and impacts reduced through a CEMP which will be designed and submitted for approval at a later date and that the details of this scheme and any monitoring would be agreed at that time, the report outlines the scope of any CEMP in appendix 6.1 of the Environmental Statement (ES). This can be achieved through a standard CEMP condition.

The air quality assessment acknowledges that mitigation is embedded in the design with ES: AQ section 2.0.3 highlighting a selection of measures such as reducing unnecessary travel through provision of local services, Northern Access Road, cycle/pedestrian infrastructure, extension of Langarth Park and Ride and improved bus service ES chapter 5 (Transport and Traffic) details these aspects further. The applicant has also provided an additional assessment under a scenario (Scenario C) which is where the proposed travel plan and uptake of active travel doesn't happen.

AECOM have produced a Framework Travel Plan (FTP), this is outside the scope of my comments, however this plan does further detail the embedded mitigation measures such as Mobility Hubs; car club provision; parking and charging facilities for electric vehicles and e-bikes; combination of large and smaller hubs; public transport infrastructure; walking and cycling infrastructure. A number of potential off-site measures have been identified however section 5.5.12 of the FTP confirms that the provision, extent and delivery of off-site measures will be subject to further discussions. The FTP further details how the plan will be enacted and monitored so that

the proposed development will advise and enable residents and users of the scheme to achieve the sustainable travel which is required in order to achieve the predicted air quality operational on and off-site impacts.

The AQ assessment concludes that the operational impact of the scheme on existing receptors will be negligible, this is due to the continuing downward trend in air pollution due to implementation of the Truro Action Plan and also due to the assumption that the mitigation as proposed in the scheme's ES and FTP (Framework Travel Plan) will be fully implemented and successful in uptake.

The proposed scheme is acknowledged as having an increase in traffic on the local highway network, the ES: Chapter 6; Air Quality assessment indicates that the scheme will increase concentration of air pollution at some existing receptors and if worst case scenario C occurs (i.e. reductions in traffic due to active travel (walking/cycling), public transport use are not achieved) these increases in air pollution concentrations will be higher at those locations. It should be noted that the assessment has shown that these predicted concentrations should not exceed the relevant Air Quality Objectives. However, it should be noted that forthcoming Environment Bill will place the onus on Local Authorities to reduce air pollution at all locations within its area. In order to account for the cumulative impact on air quality in the Truro AQAM this section 106 air quality contribution is requested. The section 106 contribution should be based on the following: A standard charge of £60 per additional weekday peak hour trip generated by a residential or office development will be applied. In line with the proposed scenario A, calculating the cost per peak hour trip for a development ensures that developments that have the greatest impact on air quality are contributing towards ongoing monitoring and implementation of the Truro Air Quality Action Plan.

The Council currently maintains an extensive monitoring network in Truro which is essential in monitoring changes in air quality from developments; residents, visitors etc and effectiveness of actions from the implementation of the Truro Air Quality Action Plan. Whilst it is essential that the Langarth FTP is fully adopted, continuing air quality monitoring and implementation of the Truro Air Quality Action Plan will be required to see if the scheme is actually achieving its predicated impacts on air quality off-site and to continue to reduce concentrations of air pollution in Truro.

#### **143. Cornwall Council Public Protection Contaminated Land (24 February 2021):**

The submitted Truro Northern Access Route (TNAR): Ground Investigation Report (ref 1665-CSL-HGT-00MZ-RP-CH-0001, revision 1, dated May 2019) produced by Cormac Engineering Design Group concludes that there are no pollutant linkages with regards to the human health of the end user and no further assessment is required. On this basis Environmental Protection are not anticipating any further assessment with regards this aspect of the development to be required unless unexpected contamination is identified during construction.

Section 8 of the EIA scoping report indicates that numerous reports from adjacent sites that may be incorporated into the garden village or may affect the site assessment have been reviewed. Ideally these reports as primary sources of information should be provided alongside a bespoke Phase 1 preliminary risk assessment for the proposed development site. The assessment presented in the ES indicates that an public open generic assessment criteria has been considered, given the development has a significant residential element this should have been the focus of the assessment in absence of detailed design which is understood will only be provided at the reserved matters stage.

The EIA scoping report indicates that ground investigation and assessment including for ground gas will be required for geotechnical and geo-environmental purposes and may be provisioned via condition. Sufficient information is provided that would indicate that contaminated land would not prohibit development and that remedial action where determined necessary could be achieved. On this basis therefore Environmental Protection recommend the inclusion of the full contaminated land condition to ensure that focused risk assessment for the final design is carried out. As a precursor to this assessment a bespoke conceptual site model (CSM) should be developed to ensure that ground investigation is targeted, and the correct assessment criteria applied to allow for refining of the CSM to facilitate effective remediation where required. Contaminated land conditions in line with the standard wording are recommended.

#### **144. Cornwall Council Public Protection Noise and Odour (5<sup>th</sup> November 2021):**

The outline planning application does not contain detailed information on issues concerning all possible noise or odour sources relating to the proposed development. We have concerns about the potential conflicts between the proposed mixed residential and commercial uses as well as the potential that existing residential properties could be significantly adversely affected by this proposal. There will be plant/machinery/equipment associated with the proposed commercial/educational/healthcare uses which will need further assessment at the detailed planning stage to demonstrate that noise and odour will not have a significant impact on proposed and existing residential uses. It will also be necessary for those designing the site to ensure residential is sited in such a way as to avoid conflict with noise and odour sources as far as is reasonably practicable. (See Institute of Acoustics ProPG: Planning & Noise Professional Practice Guidance on Planning & Noise New Residential Development, May 2017). Truro Airfield is close to this development so an assessment of the likely impact of this existing source on the proposed development should be included.

The impact of Construction Noise and Vibration has been assessed for the NAR and working hours suggested. We recommend that for both the NAR and outline planning application parts of this Hybrid application that the working hours for any construction and demolition work (including deliveries to the site) should be:



Monday to Friday 08:00 to 18:00

Saturdays 08:00 to 13:00

No working on Sundays or Public/Bank Holidays.

Once the construction contractor has been appointed for both elements of this application it is recommended that they make an application for prior notification of construction works under section 61 of the Control of Pollution Act 1974 to the Community Protection Team.

Community Protection recommends that the applicant be reminded to require all future detailed applications (should planning permission be granted for this outline application) which are likely to have a noise and odour impact to include noise and odour assessments. The Community Protection Development Sound Standard should be referenced in any noise assessment produced. For odour we recommend that as a starting point the IAQM Guidance on the assessment of odour for planning document (or any other relevant guidance available prior to submission of planning permission) be used for any odour assessment required to be undertaken.

Representations:
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145. The key planning related points have been summarised below:

146. **Oppose:**

- Huge proposal is difficult for a lay person to comprehend the impact.
- Loss of valuable arable land and the surrounding natural environment is abhorrent.
- The new and bland developments that have been blighting Truro and Cornwall in general, are altering the character of our county. Housing has to provide decent, spacious and sustainable living spaces for its residents, retaining the feel for the rural area Langarth is at present.
- Public rights of way need to be retained throughout the development and that new green ways, replicating the old ones are planned for and enhanced. There is an opportunity to improve the footpath network.
- Concerned that although the proposed Govers Park is a much needed open space, that there is not more provision of open space to the west of the development.
- Although the change from petrol to electric vehicles will help air quality in the long run, development needs to avoid building residential properties close up to transport routes for health reasons and the use of trees to mitigate air, light and noise pollution should be a priority and requirement.
- Langarth will need to link into Threemilestone and a pedestrian and cycle bridge or subway should be a major consideration.

- Local residents are going to be subjected to considerable disruption and environmental impact.
- As a regular cyclist I also believe that cyclists and pedestrians do not mix. A separate cycling way for cyclists only must be considered.
- The planning application seeks to obtain permission for B1 to be used as a primary school with a floodlit multi-use games area (MUGA) to the north-eastern area of the parcel. Presumably this sports facility will be available for community use. The proposed development on B1 and particularly the MUGA, which is situated very close to our boundary, will create noise, light and litter pollution which will have a very detrimental effect on the neighbouring smallholding and its animals. The properties in B2 provide a nursery for bats and their flight paths will be seriously compromised by the development as the bat survey illustrates. The proposed floodlight pylons will cause serious light pollution to properties in B2 and wider afield, and community use of the MUGA will generate noise and litter pollution on seven days a week to the same properties but most intensively to ours. The appropriateness of this facility in a forest school has to be questioned with the probability of scaring away wildlife such as buzzards, owls, badgers and deer that currently frequent this area of land. Also, we notice that no changing room is provided for the MUGA.
- The application also proposes a footpath and cycleway along our northern boundary which one would imagine will need some form of lighting. Again, noise, litter and light pollution will be detrimental to our animals to such an extent that we shall be unable to continue as a smallholding. This proposal should be re-routed to avoid the smallholding.
- Any planning permission given should ensure that rights of access are maintained.
- An issue that does not seem to be addressed in the wider application is the overflying of the site of aircraft from Truro airfield whose flight path is over the western end of the development and the overflying by helicopters using the helipad at the RCH, Treliske. These cause considerable noise pollution apart from the safety aspects if there is a plane or helicopter malfunction.
- When built out, the whole proposal will equate to Wadebridge a town with a similar population of about 8,000 people. However, Langarth Garden Village will spread over two miles from east to west with a focal point of a park and ride car park. Are there any similar villages in Cornwall and does the application add up to good planning?
- The building of houses D1 which is the eastern side of the boundary of Little Govers would result in being overlooked from the east of the property which currently has views of the natural green landscape. The houses are proposed to be built within very close proximity to the boundary which will have a major impact on the privacy and sun light of this property.
- Adverse impact upon the outlooks of existing properties.
- The applicant proposes significant development work to the highway immediately adjacent to the RCH Helipad and at the associated realigned 'T' junctions. This gives the effect of a 'builders' yard' during construction and as the NAR will carry far more traffic than the current road, it creates 'T' junctions which

will be far busier than now. All immediately next to the hospital Helipad. Yards and 'T' junctions are specifically referenced in the Civil Aviation Authority as elements which HEMS aircraft are cautioned to avoid. The second and subsidiary RCH Helipad next to the Hospital's Emergency Department is unsuited to large helicopters and is used principally by the smaller air ambulances. The risks include but are not confined to:

- (a) Foreign Object Damage (FOD) to HEMS aircraft during the 'builders' yard' phase of the road construction.
  - (b) FOD to HEMS aircraft due to the increased road usage once commissioned and in particular due to the NAR linkage with fast food outlets and the consequent litter hazards.
  - (c) Endangerment of pedestrians and cyclists caused by helicopter downwash and 'rotor-wash'.
  - (d) Damage to vehicles caused by helicopter downwash (including but not confined to the shattering of vehicle screens and tailgate glass).
  - (e) Distraction of drivers who will need to drive in direct line of sight of helicopters taking off and landing.
  - (f) Distraction of HEMS pilots at night created by the headlights of road traffic - the NAR in direct line of sight of the Helipad rises upwards towards the pad.
- Highertown has for some years been full with traffic, the proposed siting of the NAR poses harm to air quality and also a potential failure in road planning and traffic management. Positioning the future NAR as proposed so that it joins the A390 at the Treliske hospital roundabout simply creates a second funnel of additional traffic into the same Highertown bottleneck. The NAR has I understand been funded on the basis of 4,000 new homes at Langarth. A significant added traffic volume is therefore readily predictable - all funnelling into an already full highway in an area of poor air quality and backing up towards Gloweth and Langarth.
  - This NAR siting within this application has in my opinion several risks and I therefore object to this proposed plan. These risks include but are not confined to:
    - (a) Further serious degradation of air quality in the Highertown and Gloweth areas and in areas surrounding the roads providing access to Truro from the West. The approval authority may wish to consider its obligations and potential liabilities in the light of the recent Ella Kissi-Debrah inquest.
    - (b) Severe impact upon access to the Treliske Hospital for patients, visitors, and staff. This impact is made greater by the NAR transiting the current access roads to the hospital's main carparks and the main entrance.
    - (c) Severe impact upon the movement of ambulances on surrounding roads to and from the hospital.
    - (d) Severe impact upon the egress of staff, patients and visitors from the hospital, created by NAR traffic volumes and changed junction priorities.
  - The applicant appears to be promoting the stance that the new residents of Langarth will walk, cycle or use buses and thus solve the issue of vastly increased

traffic volumes; this appears to me to be disingenuous. Whilst promoting this stance, Cornwall Council have also granted (late in 2020) permission for a "drive-thru" fast food outlet and petrol station close to the current McDonald's "drive-thru" area West of Treliske (which are then to be linked into the proposed NAR plans). This does not in my view accord with any strategic zeal to solve traffic pollution by walking, cycling, or busing.

- The reluctance of individuals travelling through the Western approaches of Truro to walk, cycle or to use public transport is illustrated painfully clearly by many factors, including:
  - (a) The fact that major chains are willing to site petrol stations and "drive-thru" food outlets linked by the NAR.
  - (b) The vast size of the applicant's own staff car park at County Hall in Truro even though the Park and Ride buses stop just opposite the Council's HQ.
- The application includes almost all of the current staff parking provision for Treliske Hospital and are defined as now falling within the development boundary of the application. There is no adequate alternative provision for many hospital staff to commute to their place of work other than by car, given that hospital patients singularly refuse to limit their times of illness to those of the Park and Ride operation. In addition, many staff require their vehicles on site for short notice use.
- If hospital staff parking is to fall victim to the Langarth development, there must be alternative provision of staff spaces equal to the current number, before such a development boundary can be approved.
- The application boundary is not contained in the currently approved Kenwyn and Truro Neighbourhood Plan which was voted for on the basis that it ran from 2015 to 2030. The NPPF is clear that developments should not be at odds with the approved Neighbourhood Plan for the area concerned.
- The proposed Langarth development sits on the banks of a valley leading down to the River Kenwyn which via New Mill Dam routes straight into Truro. Nothing within the application reassures that 'concreting over' the valley will do anything other than route a dramatic quantity of 'run-off' into the centre of the City.
- Grade 1, 2 and 3a which makes up the 3 farms agri land at the proposed Langarth site is critically low and this is prime food producing land which needs preserving.
- The plans do not seem to have a joined-up approach when it comes to the NAR or how the struggling sewage works at Calenick are going to cope.
- The development must have severe consequences for the wildlife of the valley - roe, badgers, foxes, stoats, otters and the 50+ species of bird observed here. I understand from talking to one of the people doing the bat survey that the rare Barbastelle bat flies up and down the lane. It roosts in trees and very few roosts are known. The development could easily destroy this bat's home. In one of the consultations at Threemilestone it was stated that there would be new setts for the badgers but no-one could tell me how the badgers would know! Again light and noise pollution has been shown to affect bird life in particular.
- How many people will want to live in close proximity to a stadium, with its attendant traffic, noise and light pollution.

- Threemilestone fishing lakes will become polluted with rubbish from the development damaging the aquatic habitats.
- The strain on an already dwindling Royal Cornwall Hospital is well known. How do you expect it will cope with an increase of the residents living is 3550 dwellings?

**147. Representation on behalf of Walker Developments:**

- My clients have planning consent for ecological mitigation relating to decision notice PA18/11022. Planning application reference PA20/09631 would, if approved, conflict with my clients consented schemes and there is no way that all schemes could go forward together.
- We have been undertaking the necessary background studies to inform the submission of reserved matters applications on both sites during 2021 and have commercial interest from housebuilders and retail operators. My clients are also likely to develop and retain other commercial elements of the scheme themselves.
- Whilst there have been discussions over several years with representatives of Cornwall Council as applicant about working collaboratively, to date these have not led to an in principle agreement to work together and the Council has no legal interest in my client's landholdings.
- Therefore, at this time, my client has no option other than to object to the above application on the grounds that delivery of the scheme would prohibit delivery of the approved outline / detailed consents. For clarity, even if the scheme is approved at the Committee stage, my clients will not be parties to the planning obligations that would be needed and therefore consent could not be issued.

**148. Representation on behalf of Truro Cycling Campaign**

- All new cycling provision, including that at Langarth, must now adhere to the latest Government guidance 'Cycle Infrastructure Design - Local Transport Note 1/20' reflecting the Government's agenda to radically increase cycling rates.
- Ensuring cycling becomes a transport option of first choice at Langarth can be divided into 5 important categories.
  - I. Cycle Network -a network of routes usable by as wide a range of users as possible within the development, including the A390
  - II. Links with key destinations outside the development site, namely Truro city centre and surrounds, Newham Trail, Threemilestone, Truro College, Richard Lander school, Saints Trails, wider quiet lanes network
  - III. Cycle Storage in the home.
  - IV. Cycle parking at destinations.
  - V. Early delivery of infrastructure/incentives (including other sustainable transport modes) to ensure behaviour change from day one
- We welcome the inclusion of a two-way segregated cycle path along the NAR.

- We welcome the inclusion of a two-way segregated cycle path along the A390. However, we note that this excludes a section just east of Langarth Park and ride. This runs next to the Hendra Site. We understand that as this site is outside the Langarth development boundary there will have to be a 3m shared use path in the adjacent highway. We would urge that every effort be made to ensure that the future development of the Hendra site incorporates a footway, so enabling the shared provision to be converted to a segregated cycle path. Thus, segregated provision would be continuous from West Langarth to Maiden Green.
- Generally, traffic flows and speeds are low on secondary and tertiary streets. We welcome the 20mph speed limit and requirement that the streets must be designed to create the necessary low speed environment (20mph on secondary streets and 12mph on tertiary streets).
- The proposal uses a wide network of NMU paths within the development. Excluding the segregated routes along the NAR, the A390 and some sections next to swales, this is mostly made up of paths where space is shared by cyclists and pedestrians. Such provision is increasingly being seen as problematic.
- We consider that the inclusion of shared use paths at Langarth is appropriate subject to suitable widths being achieved along various sections. The low speed, well connected street system, will lower the flows of cyclists using the NMU paths thus reducing conflict and inconvenience for both groups.
- We consider key destinations to be Truro city centre and surrounds, Newham Trail, Threemilestone, Truro College, Richard Lander school, Saints Trails, and the wider quiet lanes network. It is important that safe and high-quality cycle routes are provided from the development to these destinations at an early stage.
- The A390 will continue to provide a preferred link to Truro centre, the train station, County Hall and Newham Trail. Due to it being well lit, and overlooked it provides an all-year round route for all users. It will also continue to provide a direct link to destinations along its route for existing Truro residents. An adequate connection to the A390 at the eastern end of the NAR at Treliske is therefore essential, as are improvements to the existing A390 cycle route, particularly bridging the gap in provision at Highertown Hill.
- Providing adequate, secure, conveniently located and where appropriate covered cycle parking and storage will be key to promoting cycling as a preferred transport mode at Langarth. We greatly welcome the ambition regarding cycle storage but feel that currently the requirements/advice within the design code are not strong enough to ensure appropriate provision in relation to cycle storage.

<h4>Assessment of Key Planning Issues:</h4>
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149. The planning application needs to be assessed against the Development Plan policies and any other material considerations. The Development Plan for this application consists of the Cornwall Local Plan and the Truro and Kenwyn Neighbourhood Plan. Both plans are adopted and carry full weight.



150. Cornwall Council can deliver a five-year supply of housing; the latest housing supply figures contained in the Cornwall Monitoring Report (2021) confirm that there is now a 6.7 year supply against a 5% buffer. This helps to evidence that the housing policy in the Cornwall Local Plan itself is working and up to date. Members are reminded, though, that the confidence in this supply is based on the inclusion of the housing numbers previously consented in the area that is subject to this planning application; i.e. if those numbers are not included, the supply would be at risk. Further, there should be no glass ceiling when considering housing supply.

151. The key issues that require addressing in the determination of this application include:

- Planning history and background;
- Housing and Employment Development;
- Meeting local housing need through affordable and specialist homes;
- Loss of agricultural land
- Masterplanning, design and Garden Village principles;
- Visual and Landscape Assessment;
- Heritage Assets;
- Transportation and movement;
- Air Quality;
- Community and social infrastructure;
- Retail and service provision;
- Socio-Economics;
- Surface water management and flood risk;
- Utilities provision;
- Ecology;
- Truro Airfield;
- Impact upon residential amenities;
- Stewardship;
- Other matters raised by third parties;
- Planning Conditions / Legal Obligations; and
- Community Infrastructure Levy.

### **Planning history and background**

152. There has been a long history of developments planned in this area. The Langarth area has been the subject of several previous planning applications for large-scale development and the majority of the area proposed for development under this Application has an extant consent for some form of development. This complex planning history reflects the past plans for Truro and Threemilestone, as set out in a range of now historic development plans, from the 2004 Cornwall Structure Plan and the Regional Spatial Strategy ('RSS'), to the Truro and Threemilestone Area Action Plan, which included a focus of growth along the western corridor of the A390, (but which was never finally adopted). To varying degrees, the more recent permissions anticipate

the now adopted Cornwall Local Plan (2016) and Truro and Kenwyn Neighbourhood Plan (2016) (the 'TKNP'), which is currently subject to Review (the 'TKNP Review').

153. Since the formal revocation of the RSS and Cornwall Structure Plan, in 2010, a range of planning applications came forward for the area between Treliske Hospital (to the east of the Site) and West Langarth (the western component of the Site), roughly between 2012 and 2016. These were submitted over a number of years, on a speculative basis, by neighbouring, private developers. They comprised, mainly, of large-scale mixed-use development anchored by major retail; cumulatively making provision for approximately 2,700 homes. These applications were approved by the Local Planning Authority within the context set by previous draft plans and a lack of either an adopted Local Plan or a 5-year housing land supply. In an attempt to provide some degree of planned approach to these applications, the Council developed a Development Brief which included land within the application area. However, this document did not have the weight of a formal planning document (see further, below).
154. This established planning position was then reflected in the TKNP, which was adopted in November 2016, after these planning applications had been granted. On this basis, the TKNP Map shows much of the Site as an area (shaded grey) with the benefit of existing planning permissions. The supporting commentary in the TKNP highlights the assumption, at the time the plan was adopted, that these previous permissions would give rise to substantial new communities in the west of the Plan area. In practice, the TKNP relies upon the previous permissions to meet the Local Plan's housing requirement for Truro with Threemilestone.
155. However, since the previous permissions identified in the TKNP Map were approved, little progress has been made in the delivery of this consented housing or mixed-use development. The lack of delivery reflects several complex and interrelated factors, including changing retail market conditions, which have continued to undermine the deliverability of retail-led schemes, nationally. However, equally critical amongst these factors, is the physical and functional interrelationship of the consented areas and the need for coordination to deliver essential infrastructure.
156. While attempts had been made to facilitate coordination through an overall vision or plan, for example through the Council's endorsement of the A390 Development Brief as a material consideration in 2012, the planning applications that ensued were driven, in large part, by the aspirations of individual landowners and developers, set against the market and policy conditions at the time.
157. This uncoordinated market-led approach is reflected in the way in which the previous permissions are anchored by a number of competing retail proposals. The retail advice to the Local Planning Authority, at the time of grant, was that not all of these permissions could be supported by the local market, where retail capacity was estimated at up to 1,400 sqm, by 2030. However, there was an implicit acceptance, at the time, that the market would dictate which schemes came forward. The

counterpoint to this was an implicit understanding that there would arise a need, at some point, to reassess those areas designated for retail that did not come forward as such.

158. This uncoordinated market-led approach is also reflected in the mix of uses, aside from retail, consented under the previous permissions. The previous permissions, considered cumulatively with adjoining proposals for West Langarth and the Stadium, meant that the Langarth area had approvals for 3 new schools, multiple hotels, 2 petrol stations, 3 new food stores and 10,370 sqm net of non-food (comparison) out of town retail development. These figures exclude the additional retail proposal for the Hendra site, along the A390, which provides for a further 4,360 sqm of net retail floorspace, adjacent to but outside the Application redline (this permission has now lapsed and the Hendra site is situated outside of the land parcel being considered as part of the application being considered). Clearly, all applications, including the current one, should be considered on their own merits and on the basis of the information presented within them. However, it follows that the explanation of the planning consents granted at this site clearly demonstrates the long planning history leading to the most recent clutch of speculative planning permissions which had not been delivered.
159. In summary, the duplication of facilities and land uses reflects both micro and macro economic drivers, the policy context at the time, and the uncoordinated manner in which the previous applications were worked up by different landowners and developers, without a shared vision or plan. By contrast this application seeks to clearly plan and rationalise facilities and land uses in this area and to revisit the overall approach, with a view to improving the planning outcomes for the communities in the Truro and Threemilestone area.
160. The Langarth Garden Village concept has not developed in isolation. The form and scope of the Proposed Development have emerged in tandem with a succession of key decisions made by executive decision-makers at various executive committee meetings within Cornwall Council over the last 2 – 3 years. These decisions collectively reflect the ambition and vision of the Council to make a purposeful intervention in land at Langarth, in order to help deliver the Council's strategic vision for the area. By taking an active coordinating role in the Langarth Garden Village project, the Council seeks to set higher standards for place-making and design in the area and to facilitate the creation of a sustainable new mixed-use community, whilst addressing the overall imbalance of jobs and homes in the area. Rather than waiting for piecemeal development, the Council has allocated £159 million to support the development of a masterplan for the whole Site, as well as the delivery of key infrastructure. The application sits within this wider political and socio-economic context, which is integral to understanding the direct and indirect social, economic and environmental benefits of the proposed development.

161. In June 2019, the Government included Langarth in its Garden Communities programme and approved the Council's bid for £47.5 million from the Housing Infrastructure Fund ('HIF') to build the Northern Access Road. Since then, the Applicant has been working with key partners and the local community to develop a masterplan for Langarth Garden Village, taking cues from the development qualities endorsed in the Government's Garden Community Prospectus (August 2018), as detailed below.

162. While there is no 'one size fits all' design or approach to garden communities - and it is accepted that each will be different in character depending upon their context - the Government expects all garden community proposals to demonstrate how they meet and embed the following key qualities.

163. Garden community qualities:

- Clear identity – a distinctive local identity as a new garden community, including at its heart an attractive and functioning centre and public realm;
- Sustainable scale – built at a scale which supports the necessary infrastructure to allow the Community to function self-sufficiently on a day-to-day basis, with the capacity for future growth to meet the evolving housing and economic needs of the local area;
- Well-designed places – with vibrant mixed-use communities that support a range of local employment types and premises, retail opportunities, recreational and community facilities;
- Great homes – offer a wide range of high quality, distinctive homes. This includes affordable housing and a mix of tenures for all stages of life;
- Strong local vision and engagement – designed and executed with the engagement and involvement of the existing local Community, and future residents and businesses. This should include consideration of how the natural and historic environment of the local area is reflected and respected;
- Transport-integrated, forward-looking and accessible transport options that support economic prosperity and wellbeing for residents. This should include the promotion of public transport, walking, and cycling so that settlements are easy to navigate, and facilitate simple and sustainable access to jobs, education, and services;
- Healthy places – designed to provide the choices and chances for all to live a healthy life, through taking a whole systems approach to key local health & wellbeing priorities and strategies;
- Green space – generous, accessible, and good quality green and blue infrastructure that promotes health, wellbeing, and quality of life, and considers opportunities to deliver environmental gains such as biodiversity net gain and enhancements to natural capital;
- Legacy and stewardship arrangements—should be in place for the care of community assets, infrastructure and public realm, for the benefit of the whole Community; and

- Futureproofed designed to be resilient places that allow for changing demographics, future growth, and the impacts of climate change including flood risk and water availability, with durable landscape and building design planned for generations to come. This should include anticipation of the opportunities presented by technological change such as driverless cars and renewable energy measures.

164. Fundamentally, both the masterplan and the emerging policy specifically for Langarth, contained within the TKNP Review, respond to the concerns around the need for a more coordinated and sustainable approach to the development of the area to the west of Truro. The Applicant states that these have emerged out of an appreciation of the planning history for the area; in particular, an appreciation of how the number of different permissions - each reflecting competing land use aspirations and lack of a shared vision - has complicated delivery and has not, to date, been conducive to the creation of a new, vibrant and sustainable community.
165. At the same time, the fact that the TKNP effectively relies on this area to meet its share of the Local Plan's housing need indicates that the area will be the focus of new housing provision for Truro, in the Local Plan period and beyond. The masterplan and the emerging TKNP policy for Langarth thus reflect an understanding that getting that outcome right is critical for the future of Truro and its surrounding area.

### **Housing and Employment Development**

166. At the heart of the planning system is the principle of a plan led approach. The Town and Country Planning Act 1990 section 70(2) and section 38(6) of the Planning and Compulsory Purchase Act 2004 makes it clear that decisions need to be in accordance with the development plan unless material considerations indicate otherwise.
167. Policies 2a and 3 of the Cornwall Local Plan (CLP) set the quantum of development to meet needs in Cornwall and in Truro with Threemilestone. The TKNP has taken that plan led approach a stage forward, setting a land use framework, in the words of Policy 3, to manage the delivery of housing and other development in the plan area. The TKNP has relied upon the delivery of the Langarth area to meet much of the area's apportioned housing needs. The proposals for Langarth Garden Village are intended to unlock the stalled delivery of the housing commitments identified in Policies 2a and 3 and reflected in the TKNP, and to thus support the strategic objectives of the development plan.
168. CLP Policy 2a details the housing target derived from Cornwall's demographic need and consideration of a range of factors, including 'market signals,' economic growth projections and the needs of particular groups and the delivery of affordable homes. This is set out in detail in the Strategic Housing Market Needs Assessment. Policy 2a identifies a minimum of 52,500 homes to be delivered during the plan period up to 2030, at an average rate of 2,625 per year to 2030, to help deliver sufficient new

housing of appropriate types to meet future requirements. In particular, there is an aim of meeting affordable housing needs. Policy 2a also seeks the provision of 2,550 bed spaces in communal establishments, for older persons, including nursing and specialist accommodation.

169. The economic strategy of the CLP is based on assumptions of projections of continued economic growth, combined with the influence of the economic strategies of the Council and the Local Enterprise Partnership and funding programmes. The CLP aims to provide the space and conditions to support approximately 38,000 full time jobs over the Plan period. The employment space planned in Policy 2a is derived from the Council's Employment Land Review and incorporates a 40% over provision to take account of the non-delivery of some sites and flexibility of appropriate space.
170. The CLP takes an approach to growth that encourages jobs and homes where they best deliver our strategic priorities and allows for more organic development where it supports or enables the provision of appropriate services and facilities locally. Specific housing targets are provided for the main and other significant towns identified in Policy 3, reflecting their role and function. Truro with Threemilestone is identified as such a location within Policy 3. The application is located within the Truro and Roseland Community Network Area (CNA) and this area is apportioned with a minimum target of 5,100 homes of which 3,900 are identified for Truro with Threemilestone. The CNA as a whole has a target to deliver 38,333 sq. m of B1a and B1b office floorspace (now Use Class E) and 31,250 sq. m of other B employment space.
171. The delivery of the homes and employment space is outlined at Policy 3 of the CLP, which, for the main and significant towns, is either through the Site Allocations DPD or Neighbourhood Plan. In the case of Truro with Threemilestone, as outlined above, the TKNP was adopted in 2016 and provides the context for the delivery of housing community, cultural, leisure, retail, utility and employment provision.
172. With respect to housing, the TKNP recognises that having access to affordable, quality housing is important for both social and economic wellbeing. Good quality housing can support and improve job or health prospects, reduce crime, sustain environmental quality and design. Housing delivery can also bring investment and regenerate neighbourhoods. This TKNP acknowledges that it must provide land for at least 3,900 homes in the period up to 2030, taking into account any need for housing identified above that level. At the time the TKNP was prepared there was need for only a small proportion of that housing to be allocated by this neighbourhood plan as permissions have already been granted since 2010 for around 4,100 dwellings in Truro and Kenwyn. Approximately 2,700 of these within the area subject of this planning application. A non-implementation allowance, being a discount rate of 20%, to allow for some of those permissions not being delivered before 2030, has been applied to the actual housing requirement number in the TKNP.



173. The TKNP does not contain any allocations for housing and/or provide bespoke policy guidance for housing on the application site, as homes on this land were already approved by extant planning permissions at the time of its adoption. Rather, it simply includes a map showing existing or previous consents to deliver homes in order to meet its minimum housing target. On this basis, there is no doubt that housing requirement in the neighbourhood plan is reliant on the delivery of a large quantum of homes on the application site.
174. The Cornwall Local Plan Housing Implementation Strategy 2021 provides an update of the current housing delivery for the County, as at March 2021. For Truro with Threemilestone, 1,516 homes have been completed in the Plan period (2010 to March 2021). A further 2,058 homes have planning permission estimated to be delivered within Truro with Threemilestone within the plan period (up to 2030); with the vast majority form part of previous planning permissions within the application site area. The Strategy states that for Truro with Threemilestone there is an overall shortfall in delivery of 285 homes during the Plan period. Therefore, there is a need to deliver homes within the Truro with Threemilestone area.
175. Paragraph 73 of the National Planning Policy Framework (NPPF) recognises that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Paragraph 73 continues by stating that such proposals should ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access. Further, such developments should set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community. It is considered that the proposal meets with these aims as explained within this report.
176. With respect to employment and jobs, the TKNP states that the Cornwall Local Enterprise Partnership sees health, administration and retail as the three main employers and growth industries for Truro. The TKNP refers to pressure for the development of out-of-town retail sites and the previous permissions along the A390 corridor for large supermarkets and retail development as symptomatic of that assertion. However, since these permissions the retail led planning permissions at Hendra and West Langarth have lapsed, which suggests that demand for large out of town retail sites has declined.
177. Policy EJ1 of the TKNP supports applications for new employment development which improve employment opportunity and the quality of the employment environment in

the Truro and Kenwyn area, through the provision of good quality, accessible and environmentally sustainable schemes that meet the needs of its communities. Policy EJ1 continues by stating that developments will be permitted where they provide increased opportunities and employment for local people and a high degree of permeability and access mobility within the development, linking it well with local facilities amongst other considerations. Policy EJ1 reflects the aims and objectives of Policies 4 and 5 of the CLP. Clearly, the area would accommodate a number of people as and when development proceeds if permitted and as such the inclusion of employment space within would provide job opportunities as well as services and facilities for residents. Further, it would increase employment opportunities for existing residents within the nearest settlements such as Threemilestone. As detailed below, a high degree of permeability and linkages would be provided by this scheme as it includes bus, pedestrian, cycle and park and ride infrastructure connections. The application proposed does not include large scale retail provision, but an element of retail floorspace is proposed within the local centres to support the needs of the emerging community and residents, which is addressed in detail, below. In addition, and as detailed below, also, the scale of proposal is considered appropriate to its location. This is due to the impact of this application on the character of the area being tempered by its location in close proximity to the substantial massing and character associated with Threemilestone/Truro City/A390, as well as the current proposal itself resulting in an improvement to the character of the area, when compared to the impact of developing the same land in accordance with the extant permissions.

178. In terms of employment floorspace commitments and completions towards CLP targets, Truro and Roseland CNA is currently projected at 20.8% of its target for office space (residual of 30353 sq. m as at October 2020) for the Plan period. Given the projected delivery against the CLP target, the current proposal would help meet the target within Policy 2a of the Local Plan.
179. The application proposals address the strategic ambition, in Policy 5 of the CLP, to develop 'smart specialisations,' in order to facilitate productivity improvements in the local economy. In this spirit, Langarth Garden Village not only includes proposals for office and other employment space across the site, but also responds to the opportunities presented by adjoining land uses, such as the Stadium and Treliske Hospital. The largest single employment area proposed within the application adjoins Treliske, which is the largest single employer in the City. This allows Langarth Garden Village to cater for business and other needs associated with the Hospital (and any future Hospital expansion), as well as the adjoining innovation centre and medical school.
180. To conclude, the proposal would make a significant contribution to the delivery of the planned number of homes for Truro with Threemilestone and towards the overall minimum number of 52,500 for the Plan period within Cornwall. This proposal offers an opportunity to deliver these homes in in a comprehensive and co-ordinated manner, through the masterplan, parameter plans and Design Code, and includes

policy requirement affordable housing delivery, as detailed in the next section. The delivery of employment space, notably office space, would provide jobs and opportunities for prospective residents, as well as existing residents in the surrounding area and positively contribute towards a new co-ordinated mixed-use community, together with associated supporting community, education and retail uses. These are substantial benefits of the application, which weigh heavily in favour of approval.

181. The introduction of housing and employment use onto the application site is supported by the development plan. The proposed employment use complies to bespoke policies in both the CLP and TKNP and housing requirement in the TKNP is reliant on the delivery of a large quantum of homes on the application site. Whilst part of the application site at West Langarth Farm and Governs is not included on the map in the TKNP showing existing or previous consents to deliver homes, the inclusion of this additional land does not represent a material change to the overall requirement in the local plan to deliver homes in this location. In fact, the land at Governs is a minor revision to the committed sites identified in the TKNP and provides more logical and defensible boundaries. This application would contribute positively and significantly to meeting the area's identified housing and employment needs and it is very clear that approval of the scheme as a whole would not significantly prejudice the implementation of the development plan policies and proposals.

### **Meeting local housing need through affordable and specialist homes**

182. The Cornwall Local Plan states that we must plan for the housing needs of our future communities and that a failure to do so will undermine the economic strategy, place excessive pressure on an already straining housing market and restrict the ability to secure affordable housing to meet the very acute needs of many in Cornwall. The impact of the Covid-19 pandemic and demand for existing housing stock in Cornwall has placed additional pressure and strain on the housing market. This has been recognised by the Council, where in its press release on 20<sup>th</sup> August 2021, the unprecedented pressure on housing in Cornwall was outlined. This highlighted both the immediate short- term issues and longer term need to deliver affordable homes for local people.
183. Good quality housing is vital for the physical and mental wellbeing of individuals and the wider community. Clearly it is important that the housing market is appropriate to meet the needs of the community. These needs include not only those of affordability and the desire to build our own homes, but also meeting the challenges presented by our aging and changing population. The design and layout of homes is critical in this regard, but in addition the provision of specialist housing, such as extra care accommodation, where needed. According to the Strategic Housing Market Needs Assessment, which provided the Council's evidence base to support the Local Plan, the number of people aged 65 or more in Cornwall will increase by 43% over the Plan period and includes a doubling in the numbers of those aged 85 and over. This significant increase in older people presents a strategic challenge in terms of ensuring

that there is a range of appropriate housing provision for this particular group, in the future.

184. The Cornwall Local Plan also recognises the importance of supporting the growth of further and higher education in Cornwall, as a significant contributor to the local economy and labour market. In order to help redress an imbalance and the pressure placed upon existing homes utilised as student accommodation, the provision of specialised student accommodation in appropriate and sustainable locations can meet existing and future need, which, in turn, meets the needs of the local resident population.
185. With factors such as these in mind, Policies 6, 8 and 13 of the Cornwall Local Plan set out the housing mix and affordable housing requirements sought for major developments such as Langarth Garden Village. Policy 6, which sets the housing mix requirements, seeks that housing developments of 10 dwellings or more should include an appropriate mix of house size, type, price and tenure to address identified needs and market demand and to support mixed communities. Policy 6 seeks development proposals to address need and demand for affordable, market housing and starter homes including self-build and custom-build housing and use local evidence of the need and demand for specific types, tenures and sizes of housing to contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists. As reflected above, Policy 6 requires development to respond to the requirements of a changing population and of particular groups in the community, by increasing the supply of accessible and specialist housing (including ground floor flats, flats with lifts and bungalow accommodation) which is able to meet people's needs throughout their lifetimes based on locally derived evidence of need and demand. On sites of 200 dwellings or more, Policy 6 seeks additional specialised housing (including extra care housing) to be considered where demand exists, to meet defined specialist needs.
186. Policy 13 of the Cornwall Local Plan provides further aims with respect to housing, by requiring sufficient internal space for everyday activities and to enable flexibility and adaptability by meeting nationally described space standards for all affordable housing. Further, housing developments of 10 dwellings or greater should provide 25% of dwellings as accessible homes (Building Regulations Approved Document M4 (2): Accessible and adaptable dwellings or successor documents) unless site specific factors make the development unsuitable for such provision.
187. The circumstances related to housing and policy aims are reflected in the TKNP, which identifies that ensuring that house prices remain relative to income is a huge problem in the Truro and Kenwyn Plan area. Policy H1 of the TKNP states that new housing development meets local housing need, including affordable housing. In terms of affordable housing delivery, the TKNP recognises that the level of identified need means that developments of a scale are required to deliver affordable housing. Policy H1 seeks the delivery of Cornwall Local Plan policy compliant affordable housing as

part of any development and the incorporation of 5% of self-build or custom build to allow communities to build their own homes, where this would be viable. In terms of specialist accommodation, the TKNP identifies there is growing need for care facilities in the city and Plan area and that the existing Cornwall Care accommodation at Mountford House and Redannick will need to be replaced over the Plan period. No land has been identified for the re-provision of the facility within the TKNP, which has instead provided criteria by which a new site or sites could be identified, as detailed at Policy H2.

188. In order to meet with these policy aims, the application includes priority provision for specialist housing in the form of extra care units, as well as student / key worker accommodation that will service the specialist needs of the health sector. The application also incorporates a commitment to deliver 5% of the site as self-build /custom-build, to support a variety of ways of meeting different housing needs. Also, the proposed development seeks to respond to the requirements of a changing population and of particular groups in the community, by providing a policy compliant level and range of accessible homes. Affordable homes are proposed to be compliant with the nationally described space standards and a policy compliant level of accessible homes to provide flexible accommodation for future generations is included. Details of all unit sizes will be agreed on an individual plot basis at subsequent Reserved Matters applications. The inclusion of 1.5 bed dwelling types will be welcomed as this will enable accommodation that provides a small ancillary room for a carer or for homeworking, that is not considered a bedroom for rental charging purposes.
189. The need for affordable housing occurs throughout Cornwall. It is recognised that delivery of this is dependent upon the viability of developments coming forward. The Cornwall Local Plan Policy 8 therefore has five broad targets, reflecting the different house price value areas of Cornwall. With respect to Truro with Threemilestone, this area sits within Value Zone 3, where the target level of affordable housing delivered is 35%. The strategic viability assessment anticipated that a target provision, based on the tenure split of 70% affordable rent and 30% intermediate housing, should normally be viable.
190. The proposal makes provision for 35% affordable housing, in line with the overall target for the area. The application is also based on a policy compliant tenure split of 70% affordable rent and 30% intermediate housing. Within these parameters, details for house size, type, price and tenure will be fixed at reserved matters stage, as is appropriate for outline development. Also, as appropriate for development of this scale, size and lifetime, the tenure split and phasing of overall affordable housing provision will be kept under review over the lifetime of the proposed development, to ensure it effectively meets local needs from time to time. This is consistent with the Housing SPD and Policy 10 of the Cornwall Local Plan.
191. The Council's Affordable Housing Officer supports the proposal due to the policy compliant target of 35% affordable housing delivery on site. In addition, it is

confirmed, that the affordable housing proposals are in line with the Council's Housing Supplementary Planning Document 2020 and national policy set out in the National Planning Policy Framework 2021.

192. The Housing Needs evidence demonstrates a high housing need to support the proposal, which will experience delivery over the next 10 years plus. The scheme is located within Kenwyn Parish and will make a significant contribution to meeting local affordable housing need. However, due to the scale and strategic importance of this scheme, on the edge of Truro, it also has an important role in assisting the Council in meeting its wider strategic housing need. Therefore, in addition to the affordable homes being restricted to Kenwyn Parish, there will also be a supplementary restriction to Truro City; both restrictions will apply in the first instance, before cascading to county. HomeChoice registered local housing need in Kenwyn Parish is currently 134 households and a further 468 households in Truro.

Bedroom Need							
Parish	Band	1	2	3	4	5	Total
Kenwyn	A	3	2				5
Kenwyn	B		3	3	1		7
Kenwyn	C	14	4	16	5	2	41
Kenwyn	D	7	5				12
Kenwyn	E	25	33	10	1		69
<b>Kenwyn Total</b>		<b>49</b>	<b>47</b>	<b>29</b>	<b>7</b>	<b>2</b>	<b>134</b>

Bedroom Need							
Parish Cor	Band	1	2	3	4	5	Total
Truro	A	17	9	3		1	30
Truro	B	17	2	3	2	2	26
Truro	C	51	24	47	8	1	131
Truro	D	19	26	2	1		48
Truro	E	129	71	32	1		233
<b>Truro Total</b>		<b>233</b>	<b>132</b>	<b>87</b>	<b>12</b>	<b>4</b>	<b>468</b>

193. Inclusive of the HomeChoice figures, above, there are 161 households (131 x 1 beds) aged 55 or over, with a local connection to Kenwyn or Truro and demonstrating a need for accommodation designed to meet the needs of older or disabled people. Four households have been assessed as requiring wheelchair user accommodation (M4(3) Category 3) with a one bed housing need.
194. In addition, there a total of 174 households registered with Help to Buy South looking for an affordable home to own with a connection to either Kenwyn or Truro, as detailed below:

Town	1 bed	2 bed	3 bed	4 bed	Total
Truro	25	100	38	1	164



Kenwyn	2	2	3	0	7
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195. The Affordable Housing Officer has provided the following table as an indicative mix of the affordable housing provision sought, which reflects the Policy 8 tenure split requirement between affordable rented/social rent and shared ownership. These details are set out, below:

Indicative Housing Mix					
Tenure	Property Type		Percentage of Affordable Housing (Unit Size)	NDSS (sqm)	Percentage of Affordable Housing (Tenure)
Affordable Rented / Social Rent	1b2p & 1.5b2p maisonettes/flats		25%	50	70%
	2b4p houses		40%	79	
	3b5p houses		10%	93	
	3b6p houses		20%	102	
	4b7p houses		2.5%	115	
	4b8p houses		2.5%	124	
Shared Ownership	2b4p houses		60%	79	30%
	3b5p houses		40%	93	

196. Affordable dwellings must be well designed and should be of a size that provides a good level of living space for their expected maximum occupancy. The following bed spaces are used as a guideline and set out in the Housing SPD:

Unit Type	Bed Space	
1 bed units	100% 2 persons	
2 bed units	100% 4 persons	
3 bed units	Minimum 75% 6 persons	Maximum 25% 5 persons
4 bed units	Minimum 50% 8 persons	Maximum 50% 7 persons

197. The main delivery parameters of the Affordable Housing and indicative mix will be set out in the Section 106 obligation. Given the timescale over which delivery will take place, it will be necessary to introduce a level of flexibility in the obligation. This will enable the affordable housing mix to be reviewed, defined and agreed (at the Council's discretion) through the defined s106 obligation Affordable Housing Scheme on each phase, at subsequent Reserved Matters applications.
198. It is noted that this is an outline scheme; however, at Reserved Matters stage, the scheme should be designed and delivered "tenure blind." The affordable housing units should be dispersed throughout the development/phases, with the market and affordable homes being indistinguishable in design, form and materials used.
199. In addition to general needs affordable housing, the Affordable Housing Officer welcomes the provision of 200 units of Extra Care Housing (ECH) as part of this application. The development of ECH is a strategy adopted by the Cornwall Council's Adult Social Care department, to replace the need for residential care home placements. ECH is a specialist type of housing designed to support people, by design and through the provision of 24 hr care staff on site, as they move into later life. It is seen as a more positive lifestyle choice for older people, which provides better health outcomes.
200. The ECH profiles document indicates a need for 207 units of ECH by 2025 for the over 75s. However, any ECH development would include a wider age range of people from age 55 upwards. This number is the whole market capacity of all tenure types. As part of the strategic partnership with Mears, the Council is aiming to deliver an affordable housing model, which could be a mix of rented and shared ownership.
201. There are no other developments or sites identified for ECH, the same as the model that will be delivered through the partnership, on any other sites in Truro. There are no other sites in Truro identified for the delivery of ECH through the partnership and so the acquisition of a site through a s106 obligation arrangement will be of significant assistance to enable the council to deliver its model of ECH through the partnership in Truro.
202. The usual site size would be 2 acres for a two storey building, which would provide at least 70 units. However, in certain urban settings it can be appropriate to go higher, in terms of units, which could either reduce the site size requirement, or increase the number of units. The site should be close to any local centre and transport links.
203. Should a site be transferred into the strategic partnership at nil value, as part of a s106 obligation, then consideration would need to be given as to how many of the units would count against the overall affordable housing requirement, as this will impact on the amount of the Homes England grant that can be obtained and could impact on viability.

204. Part of this hybrid application is for outline permission, which includes the Affordable Housing element of the scheme. Outline planning applications of this type are not sufficiently evolved for applicants to be able to provide robust information regarding costs and values. The layout, mix, design, materials, highways and landscaping can change significantly between the outline and reserved matters stage and therefore associated costs and values will vary significantly, too. Assessing economic viability at outline stage is therefore inherently problematic and/or flawed.
205. Given the scheme complexities, strategic delivery and the considerable timeframe over which the Garden Village will deliver, it is essential and reasonable to incorporate an appropriate review mechanism into the s.106, to appraise viability, if justified, on Reserved Matters applications as each phase comes forward.
206. To summarise, the application details policy compliant levels of affordable housing and specialist accommodation that would accord with required layout and accessibility criteria set out at Policy 13 of the Local Plan. The delivery of housing to meet this identified need in a phased manner over the lifetime of the development, forming part of a wider mixed community with associated infrastructure, is a significant material planning benefit when balancing the merits of the proposal.

### **Loss of agricultural land and soils**

207. The economic and other benefits of the best and most versatile agricultural land is recognised at paragraph 174 of the National Planning Policy Framework 2021. Within the Cornwall Local Plan, Policy 21 states that proposals should 'take into account the economic and other benefits (including food production) of Grade 1, 2 and 3a agricultural land. Where significant development of agricultural land is demonstrated to be necessary, poor quality land should be used in preference to that of higher quality.' Policy 23 adds that 'Development should conserve, protect and where possible enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance.'
208. The current Agricultural Land Classification (ALC) system of grading land quality, based on detailed ALC surveys set up under the former Ministry of Agriculture Fisheries and Food (MAFF), divides farmland into six grades, according to the degree of limitation imposed upon land use by the inherent physical characteristics of climate, site and soils. Grade 1 land is of an excellent quality, whilst Grade 5 land has very severe limitations for agricultural use. Grade 3 land is divided into Grade 3a (good quality) and Grade 3b (moderate quality) land.
209. In assessing the ALC of the application site, it is noted that a limited amount of detailed ALC information from historical surveys is available for the area in and around the proposed development. Where no detailed survey information was available, a detailed ALC survey was undertaken by the applicant in accordance with published guidelines.

210. The ALC survey confirmed the predominant loamy soil textures present, generally silt loams with some slightly heavier textures recorded; for example, medium clay loams and medium silty clay loams. The soils were generally recorded as being limited in depth, with stony layers or the parent material being encountered at depths as shallow as 18cm.
211. Approximately 72.62ha (29.62%) of the application site comprises best and most versatile land (i.e. Grades 1, 2 and 3a). This is split at 1.12% Grade 1, 15.97% Grade 2 and 12.53% Grade 3a. Grade 2 soils occur across the flatter areas of the site in the western and central areas. These soils are relatively deep and light textured; however, they are often limited by wetness given the high rainfall in the area. Grade 3a land, found mostly in the central area of the site, and Grade 3b land, found across the site, is often limited by droughtiness. The light texture results in well drained profiles, with limited available water capacity within the soil for plants to be able to access.
212. Areas of land graded as Grades 3b, 4 and 5, found mostly in the eastern and western areas of the site, are limited by gradient, which can pose a significant limitation to agricultural machinery which performs best on level ground. Toward the east of the site, where the gradient is steepest, agricultural use has been limited to rough grazing, which is reflective of the land quality.
213. This shows a higher proportion of best and most versatile land (in particular Grade 2 land) within the site compared to the region (noting that the data available does not separate Grade 3 into the two sub-grades). The total area in agricultural use is 181ha, with the remaining 64ha comprising buildings, hardstanding, roads, trees and other vegetation. The agricultural land is under predominantly arable production, with some grazing or set-aside land in the southern and eastern extents of the study area.
214. In relation to mitigation impacts concerning agricultural and soil receptors, the Construction Environmental Management Plan, recommended at conditions 12 (Application A) and 36 (Application B), would cover appropriate soil handling and re-use approaches, measures to minimise pollution or biosecurity impacts and measures to minimise disruption to landowners. As far as possible, the soils would be re-used on site. Soils which are stripped from construction areas would be re-used appropriately to provide suitable conditions for the required end use, ensuring that they continue to provide a range of ecosystem services where possible.
215. Having regard to the assessment of effects, the development proposed would result in the loss of 72.62ha of best and most versatile agricultural land. An overall total of 180.94ha agricultural land would be lost. This land would be lost to the agricultural businesses as each field was built out, reducing the area available for grazing or arable production. The phasing and notice periods provided would allow the enterprises to adapt or move to minimise the impact on economic performance of the businesses affected as much as possible. It is noted that the majority of the land benefits from

extant planning permissions, where the same outcomes would occur. The loss of agricultural land to provide homes identified as being delivered as part of the Cornwall Local Plan and Truro Neighbourhood Plan is inevitable, although it represents harm in the planning balance. However, there are no other strategically preferable sites identified in the TKNP to deliver the homes required to be delivered in the plan area.

### **Masterplanning, design and Garden Village principles**

216. Paragraph 73 of the National Planning Policy Framework 2021 states that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and explaining that development of this nature should be supported by the necessary infrastructure and facilities. This is expanded upon by stating that proposals should ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself whilst setting clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles). Appropriate tools, such as masterplans and design guides or codes, can be used to secure a variety of well-designed and beautiful homes and to meet the needs of different groups in the community.
217. While there is no 'one size fits all' design or approach to garden communities, and it is accepted that each will be different in character depending upon their context, the most recent Government advice (Garden Communities Prospectus (MHCLG) 2018, now withdrawn) explains that such development proposals should have:
- a. *Clear identity – a distinctive local identity as a new garden community, including at its heart an attractive and functioning centre and public realm.*
  - b. *Sustainable scale – built at a scale which supports the necessary infrastructure to allow the community to function self-sufficiently on a day to day basis, with the capacity for future growth to meet the evolving housing and economic needs of the local area.*
  - c. *Well-designed places – with vibrant mixed-use communities that support a range of local employment types and premises, retail opportunities, recreational and community facilities.*
  - d. *Great homes – offer a wide range of high quality, distinctive homes. This includes affordable housing and a mix of tenures for all stages of life.*
  - e. *Strong local vision and engagement – designed and executed with the engagement and involvement of the existing local community, and future residents and businesses. This should include consideration of how the natural and historic environment of the local area is reflected and respected.*
  - f. *Transport – integrated, forward looking and accessible transport options that support economic prosperity and wellbeing for residents. This should include promotion of public transport, walking, and cycling so that settlements are easy*

*to navigate, and facilitate simple and sustainable access to jobs, education, and services.*

- g. Healthy places – designed to provide the choices and chances for all to live a healthy life, through taking a whole systems approach to key local health & wellbeing priorities and strategies.*
- h. Green space – generous, accessible, and good quality green and blue infrastructure that promotes health, wellbeing, and quality of life, and considers opportunities to deliver environmental gains such as biodiversity net gain and enhancements to natural capital.*
- i. Legacy and stewardship arrangements – should be in place for the care of community assets, infrastructure and public realm, for the benefit of the whole community.*
- j. Future proofed – designed to be resilient places that allow for changing demographics, future growth, and the impacts of climate change including flood risk and water availability, with durable landscape and building design planned for generations to come. This should include anticipation of the opportunities presented by technological change such as driverless cars and renewable energy measures.*

218. The Town and Country Planning Association provide guidance as to what Garden Cities (10,000+ home proposals) should comprise, but these are also considered applicable to Garden Villages (1,500-10,000 home proposals):

*A Garden City is a holistically planned new settlement which enhances the natural environment and offers high-quality affordable housing and locally accessible work in beautiful, healthy and sociable communities. The Garden City Principles are an indivisible and interlocking framework for their delivery, and include:*

- Land value capture for the benefit of the community.*
- Strong vision, leadership and community engagement.*
- Community ownership of land and long-term stewardship of assets.*
- Mixed-tenure homes and housing types that are genuinely affordable.*
- A wide range of local jobs in the Garden City within easy commuting distance of homes.*
- Beautifully and imaginatively designed homes with gardens, combining the best of town and country to create healthy communities, and including opportunities to grow food.*
- Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience.*
- Strong cultural, recreational and shopping facilities in walkable, vibrant, sociable neighbourhoods.*
- Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport.*



219. The applicant has sought to harness these principles into a vision for Langarth Garden Village following engagement with stakeholders to produce the following ten design principles;

- Work with and enhance the quality of life for existing communities
- Making it easy and possible to get around on foot, bike and public transport, both within Langarth and into surrounding communities
- Help instil a strong sense of community
- Creating a place that builds upon and celebrates this unique environment
- Create a hard-working landscape that not just looks beautiful, but is productive and functional
- Promote healthy and active lifestyles and a sense of wellbeing
- Designing for climate change resilience
- Offer a mix of homes meeting the varying needs of residents
- Creating jobs and enhancing existing employment opportunities
- A vision that is deliverable

220. The applicant has undertaken a substantial exercise of evaluating the site context and circumstances in relation to Topography, Green Infrastructure, Blue Infrastructure, Ecology, Movement & Access, Utilities and Built and Historic Environment. Studies of these constraints help build an image of the current conditions at Langarth and rather than seeing them as restricting factors on the project, most constraints can instead be viewed as opportunities, both within the site boundary and its surroundings. The large scale of the site intrinsically has numerous constraints particularly related to ecology, topography and existing vegetation. Building profiles should be allowed to grow out of the ground, minimising cut and fill and enabling natural gravity flow drainage. In terms of north facing slopes, there could be opportunity for distinctive building form and roof-lighting to maximise the daylighting of internal spaces and reduce energy consumption.

221. Identifying green (landscape), blue (water) and grey (movement) infrastructure in relation to the broad outline of the likely development scheme forms the starting point for the proposed masterplan layout, to ensure site constraints and opportunities are addressed early. The site, combined with the scale and nature of the proposal itself, presents the opportunity to retain as much of the existing vegetation, areas of forest, Cornish hedges, movement lines, characterful buildings and water corridors on site as possible. This enables preservation of character and distinctiveness and for the place making proposals to appear more appealing for future residents.

222. The proposals explain how the undulating landscape, which is broken up by the form of the valleys, provides the opportunity for a highly distinctive setting for any development proposals. The Truro and Threemilestone Landscape Strategy advises that any new development should allow landform and other natural features to contain any proposals so that they can connect to the dramatic setting. It cites the development of Truro in a 'natural' bowl and the hills and ridges that contain the city

and the connections made with natural assets. It considers that in the development of Truro there was a clear vision as to how the historic city should relate to its setting.

223. The masterplan aims to work with the grain of the land, by aligning building footprints, streets and services with slope contours. Respecting the topography would include responding to contours, rather than over-riding them; either following or climbing perpendicular to them as in traditional Cornish responses when terraces and 'stippy stappy' housing styles were employed (terraces as in Pauls Row, Truro, Trefusis, Clinton and Albany Roads, Redruth, and stepped housing as in Harrison Terrace, Truro and Stippy Stappy, itself in St Agnes).
224. The nature of the development means that the existing predominant agricultural use will change, however, the masterplan proposals demonstrate how the more constrained slopes could be retained as part of the green infrastructure network, providing opportunities for woodland planting or open space. The development has the potential to have increased tree canopy cover, as well as retaining existing mature trees, Cornish hedges and any patches of semi-natural habitat. These measures are welcomed.
225. The valleys that give the site its distinctive topography provide opportunities to use the natural terrain in assisting with drainage and surface water runoff. This potentially provides a low impact solution that requires little energy input, but also allows for the creation of waterways and water bodies in which people, flora and fauna can flourish. Open SuDS features are sought to be designed to provide additional habitat and recreation benefits. SuDS features can also be used as architectural and landscape features; many Cornish settlements have leats as water features, as in towns like Truro itself, Helston and villages, such as Troon.
226. The proposal attempts to retain as much as possible of the existing routeway network. This would also contribute to retaining local distinctiveness. There are a number of 'quiet lanes' which the masterplan utilises in order to create naturally occurring linkages between proposed village centres. Incorporating the existing routes and roads into the proposal will reduce the required construction and minimise the impact the development has on the local environment. These routes are generally lined with hedges that could be retained in order to create vegetation rich cycling and walking routes across the site.
227. The prominence of topography and vegetation in the Langarth valley means that there are many varied types of view available. Views from the site tend to be directed towards the northern side of the valley and also towards distinctive features to the east (upstream) and west (downstream), including the wooded Penventinnie Round Scheduled Monument (see above). Where possible, the masterplan seeks to retain key views or view corridors in order to make the site memorable and distinctive.

228. After evaluating the options which were informed by the above constraints and opportunities, the preferred option features five smaller settlements, with an emphasis on a lower density clusters. This aligns with the topography of the site and its undulating landscape naturally divides the site in five areas. The proposal states that this option provides complementing local communities, where more of the population of the surrounding areas are within the catchment of a centre and its facilities. Multiple centres, which are located closer together, encourages movement to and between them by walking and cycling over public transport or car use. Further, the greater number of local centres means better accessibility to the services and facilities within centres from the surrounding population and ease of movement. More people are within walking catchment of a centre and allow greater movement between centres encouraging active travel promoting healthy and active lifestyles. The creation of five centres provides an opportunity to create a strong sense of community and a mix of uses across the site, using different parts of the site for different purposes. Multiple centres also provide enhanced employment opportunities in the locality and more opportunities for mixed use centres to be near where people live.
229. As a result, the proposed masterplan is divided into five subsections, based on the landform within the area, which, as summarised by the applicant, allows for a more thorough, intimate approach to the design of each with the rural village model, with its close-knit community and tight relation to nature, being a source of inspiration for the design. Careful consideration has been given to the landscape and the masterplan preserves critical elements of existing green infrastructure, such as wetlands, hedges and areas of dense vegetation that provide a habitat for insects, songbirds and badgers. The site naturally splits into different areas, divided by the small valleys running north to south of the site. The lower bottom of the site runs along the north edge, creating a green buffer along the River Kenwyn; this green corridor is preserved and also accommodates new corridors of movement for pedestrians and cyclists.
230. A new link road (Northern Access Road) running from the west to the east splits the site allowing to create a variety of areas, with varying qualities, within the development. This new boulevard has a series of nodes or arrival spaces along the route creating variation and public space opportunities. NAR development principles build upon overarching masterplan design principles and provides a route through connecting A390 to the west, Park & Ride and Treliske Hospital to the east. This new boulevard's primary task is to connect and provide access to each one of the masterplan areas. This new corridor will take a portion of the traffic on the A390, particularly vehicles accessing the Park and Ride and Treliske Hospital. It is designed to promote cycling and walking, by creating links between the wider network of routes though the site. The route creates a distinctive element of the development and responds to the characteristics set out by each arrival space, creating a vibrant and well-connected community.

231. Considering the Northern Access Road specifically from a design and masterplanning perspective, the route runs east to west and, where possible, follows the existing east-west topography.
232. The development design for the NAR is based on principles that encourage sustainable transportation in the Langarth area while minimising impacts on the landscape and wider environmental interests. A number of design iterations were undertaken prior to the chosen scheme coming forward, which included consultation with stakeholders such as the Cornwall Countryside Access Forum and Disability Cornwall. As a consequence of the design iterations taking into account the road geometry, with the presence of landscaping and built development the length of road has been designed to a maximum speed of 20mph and a gradient not exceeding 6%. The maximum width of the road itself would be 19.6m wide which includes segregated cycle and footways and soft landscaping.
233. In terms of the levels along the route of the NAR, the road has been designed to follow existing ground contours and topography from west to east, and to facilitate 'frontage development'. It is inevitable that some earthworks are necessary in places given the sloping nature of the site, which is crossed by shallow valleys and minor water courses, and the need to tie into existing roads. Generally speaking, given the existing north/south slope in the area, that there are cuttings proposed on the south side and embankments on the northern side of the NAR. For the most part of the NAR, which dips and rises in places to account for localised low points, the maximum heights of the cuttings and embankments do not exceed 2 – 5m where they necessary. The largest embankment occurs at the eastern end of the NAR where it crosses another natural low spot and where it is necessary to tie into the Treliske Industrial Estate where the maximum embankment height is 7.5m. For all embankments they will be treated with landscape planting.
234. In terms of the quantities of 'cut and fill' materials on site, the NAR design achieves an earthworks balance on site i.e. where there is no surplus or deficit of earthworks. This follows good practice in road building techniques.
235. In terms of the key NAR elements, the West Langarth Gateway commences the NAR forming a junction with the A390. The design provides a gradual slowing of speed between high speed rural and low speed rural environments. Three lanes are provided; the left-hand lane leads to the NAR, whilst the right two lanes head towards the A390. This has been designed to accommodate future predicted traffic volumes and achieves a one third/two third split required between the NAR and A390. In design terms, the roundabout takes the form of a large oval, which accommodates a landscaping feature and attenuation pond in the centre. The size of the roundabout and associated landscaping has been designed to create an organic feel, maintaining the rural context, while introducing a gradual transition into the new urban area to the east. The West Langarth Gateway has been considered by the Design Review Panel to be over engineered and result in a larger land take than, for example, a T junction

arrangement. The use of a T junction has been considered by the applicant. However, it was concluded that this would have resulted in a large and unsightly expanse of bituminous macadam to accommodate all the required turning movements and the need to turn off the A390 to the hospital, rather than take the easier decision to choose the NAR exit at the roundabout. The proposed roundabout provides opportunities to create an attractive arrival space for the Langarth Garden Village Development, as well as an opportunity for some potential artwork within the roundabout. Further, the chosen option provides an opportunity for enhanced landscaping, which reduces the impact of the junction on the World Heritage Site to the immediate South of the A390 (discussed in the heritage section). In addition, the proposed junction can more readily incorporate any non-motorised user provision connections in the form of the Saints Trails along the A390 connecting from the West.

236. After joining the NAR at West Langarth Gateway and travelling to the East, the next character area is described as Langarth Park. This section of road is relatively straight and is the only straight section over 100m along the entire NAR. The alignment optimises the view into the Garden Village along the tree lined NAR offering it as an attractive route rather than it appearing as a restricted access housing estate. The overall design ambition along this section is to provide a contemporary interpretation of a garden suburb. This vision for achieving this will include a tree lined avenue and mixed uses fronting onto the route. This will be delivered through the landscaping scheme and adjacent masterplan development. There are nine side road junctions connecting the NAR to residential and commercial developments along this section of the route. Cyclists will have priority across these side road junctions on the northern side of the NAR.
237. Towards the eastern end of this section, the NAR enters an arrival space referred to as Langarth Park with landscaping to both north and south of the NAR and beside the Interim Link Road (bus gate). The park creates a sense of arrival as well as a green setting for the NAR and surrounding development. This area is intended to provide a focal point for the social, cultural and commercial life for the new neighbourhood community that surrounds it.
238. The next NAR character area moving eastwards is described as Langarth and comprises the section where the NAR route turns north to curve around the proposed Stadium for Cornwall and towards the proposed Park & Ride extension. Cut and fill earthworks through this area has been balanced to minimise impact on neighbouring development plots. The Park & Ride extension will be the subject of a separate reserved matters application and forms part of the wider outline proposals. The NAR alignment follows the eastern boundary of the Park & Ride extension. This alignment reduces the potential for ecological impact and hedge loss reducing adverse landscape and visual impacts. The alignment also maintains more of the existing rural highway network that will provide sustainable transport links through the wider Langarth Garden Village Development. At this point the NAR will pass through Langarth Square an arrival space located at an existing junction to create a village centre around the intersection of two

ancient routeways. This will form the central part of the Garden Village. While passing through Langarth Square the NAR will adopt an urban character where it is anticipated there will be mixed use active frontage onto the public square and an opportunity for a new Cornish Cross as a focal point.

239. The vertical profile through Langarth Square area has been designed to follow existing levels as closely as possible. The land does, however, slope steeply in this area to the north east, so there will be ramps incorporated to maintain public access to the existing rural lane network. On the south side, slopes and terraces will frame a formal square while tying into the Quiet Lanes and other NMU routes.
240. Moving east from Langarth Square, the main alignment passes through Willow Green Park. The NAR alignment though this area follows a similar route as the consented Willow Green Farm outline planning permission. The NAR alignment has been developed to more closely follow existing site contours, while maintaining a maximum 6% gradient. Willow Green Park occupies a prominent position alongside the NAR, providing a gateway into new development in this area. The masterplan promotes outdoor sport provision at the west end of this arrival space; extending east, this forms a linear park benefitting from the existing woodland and ponds. NMU routes would connect directly into these outdoor facilities and amenity space.
241. Following Willow Green Park, the NAR main alignment then passes through Penventinnie Square, where, as far as practicable, the alignment would follow existing outline planning permissions for this area. The alignment negotiates several constraints in this section, which include the existing ponds, a mineshaft and overhead 132kV power cables on the northern side. On the approach to The Royal Cornwall Hospital, the alignment runs behind the Treliske Industrial Estate and is located south of existing overhead 132kV power cables, to enable clear statutory distances between finished road level and existing cables.
242. The NAR main alignment then enters Penventinnie Park and Square, the most eastern arrival space before the route connects into The Royal Cornwall Hospital. This arrival space has been designed as a destination along the NAR and it adopts an urban character and will accommodate a village centre with active and residential frontages. Within the Square is a link road to Oak Lane, providing alternative access/egress to and from the industrial, retail and hospital areas for westbound traffic and easy access to the A30, avoiding the A390.
243. From Penventinnie Square, the NAR main alignment travels past the Health and Wellbeing Innovation Centre (HWIC), into the Royal Cornwall Hospital site. At the eastern extent, the NAR main alignment ties into the existing highway network at Penventinnie Lane. The route through this area will have minor modifications on the existing road as it is constrained on both sides by the HWIC and assets of The Royal Cornwall Hospital, including the helicopter landing site and existing car parks.



244. In this location there is a need for a proposed downwash protection wall due to the proposed alignment of the NAR adjacent to the existing search and rescue (SAR) helipad at RCHT. A vertical barrier is required to protect road users travelling past the helipad facility from the impacts of downwash generated by helicopters landing and taking off. The alignment of the NAR will result in the SAR helipad being located adjacent to a route that is subject to heavier traffic, when compared with the existing situation.
245. The built-up nature of a hospital environment means that the existing SAR helipad does not benefit from as large an open area as might be found on an airfield. In response to this, the Civil Aviation Authority (CAA) have prepared guidance (Standards for helicopter landing areas at hospitals (CAP 1264), CAA, 20192) to cover such situations. This guidance recommends that clear space free from unsecured objects should be provided adjacent to helipads, with 30m provided for use of solely small aircraft, such as those typically used by the air ambulance, and up to 65m for larger aircraft, such as those used by SAR and the MoD.
246. The CAA guidance also recognises that protection from helicopter downwash is required in situations where a helipad is located adjacent to a road. This would apply to all road users, including pedestrians, cyclists and vehicles, whether moving between hospital buildings and car parks (as currently takes place) or using the proposed NAR. The SAR helicopter operators (Bristow Group) have acknowledged that this is an existing issue at the SAR helipad; pilots are reluctant to take off or land when pedestrians are using the adjacent footway because of the potential impact on them from downwash.
247. The proposed solution for mitigating the impact of downwash experienced by road users is the construction of a wall around the west and south sides of the existing helipad, providing protection to the proposed NAR and Penventinnie Lane. A very similar solution is already in place at the helipad for Derriford Hospital, Plymouth, which is adjacent to the main hospital entrance. The Derriford scenario has less space available than at RCHT and accepts the same types of helicopters. The proposed wall has been designed in accordance with the CAP 1264 guidance document. The new wall will follow the line of the existing chain link fence that currently runs around the helipad, which will be removed to accommodate the proposals. The proposed wall will be 1.8 metres high and approximately 145 metres long. The proposed wall is due to be constructed from blockwork, finished with a natural stone on the public facing elevations, and render on the inside facing into the helipad. The use of natural stone to the external face is welcomed and would reflect a traditional material found in Truro and Cornwall. It would provide a durable and resilient finish that would be resistant to the elements. Soft landscaping will be made good around the proposed wall. The nature of the site use requires soft landscaping to be low level and easily maintainable. The provision of the downwash wall represents a planning benefit which would remedy an existing situation.

248. The landscape proposals for the NAR have been developed in response to the existing landscape features, the masterplan for the Langarth Garden Village Development and the highways and drainage design for the NAR. The landscape scheme has been prepared by an integrated team of engineers and landscape architects to ensure interfaces between infrastructure and landscape have been considered and resolved, wherever possible, to enable a high-quality development. To provide a varied user experience, the landscaping along the NAR has been divided into four-character zones, each adopting a distinct approach to the landscaping. These character zones are repeated at various intervals along the road corridor, to reflect the design approach to the development within the wider masterplan. These character areas can be summarised as follows:

- Traditional – include a natural aesthetic in keeping with the local vernacular.
- Standard – creation of formal boulevard with natural ground cover.
- Suburban/Landscape connections – a formal transition from rural to urban.
- Urban – adjacent to urban areas and designed as urban gardens.

249. The Traditional character zone is centred on the West Langarth junction and focusses on creating an arrival gateway feature that marks the start of a changing environment. This zone will be defined by its natural landscaping character, in keeping with the local vernacular. Cornish hedgerows and large deciduous native tree planting in random spaced groups will provide a vertical form, providing some refuge from vehicular noise. Semi-ornamented and bulb planting will provide seasonal colour and interest. Remaining highway verges will comprise amenity grassland. The junction provides a rare opportunity for an artwork that will provide a focal feature and a sense of place, marking the entry to the new development. The installation of artwork is controlled by recommended condition 9 for Application B set out below.

250. The Standard character zone will provide soft landscaping treatment along the NAR, providing a style that incorporates a formal tree boulevard with more natural ground cover. It is envisaged that the boulevard will be made up of medium-sized deciduous species with a spacing of approximately 10-14m, taking account of the proximity of future building frontages. The highway drainage swales will be treated with a wet grassland mix with intermittent aquatic plug planting to encourage texture and increase biodiversity. Remaining highway verges will comprise of amenity grassland.

251. The Suburban/Landscape Connections character zone provides a formal approach, creating a natural transition into the wider landscape via interconnecting open spaces adjacent to the transport corridor. The location of these areas, the lack of built development and the arrangement of the footway, cycleway and road will enable larger sized deciduous and evergreen native species to be planted in a triple row. The trees will be planted at a larger spacings (circa 14-18m) to allow for growth and to provide open views to the wider landscape. Drainage in this character zone comprises drainage swales and rain gardens. The drainage swales will be treated with a wet grassland mix with intermittent aquatic plug planting, except at crossing points or

junctions, where rain garden species will be planted within swales to offer increased interest. Remaining highway verges will comprise amenity grassland.

252. The Urban character zone is located in areas where the masterplan is proposing focal points. In these areas, building frontages are proposed to be located closer to the road corridor, providing less space for tree planting. To reflect these desires, a line of medium sized deciduous non-native or ornamental trees will be planted within the central verge between the road and cycleway. These trees will be smaller in size with generally a smaller crown, planted at reduced spacings (circa 7-10m). The highway drainage swales will be planted with rain garden species to provide visual interest and increase biodiversity. Remaining road verges will comprise amenity grassland or ornamental planting.
253. With respect to drainage features, permanent infiltration basins will be broken up and softened through the planting of native structure planting and individual groups of trees. Basin banks will be seeded with wet grassland meadow mixes, and species-rich mixes in drier regions. Embankments and cuttings will follow a similar approach, with native structure planting on lower sections, adjacent existing vegetation and on new banks, helping to increase biodiversity and wildlife opportunities. Pockets of semi-ornamental planting may be introduced to sections of structure planting to provide variation and visual interest. Recommended condition 14 (Application A) seeks to agree landscaping and minor artefact details (e.g. signage, furniture, refuse, lighting) details prior to works commencing and provides the mechanism to ensure delivery and control of the envisaged landscape features and planting.
254. The Forestry Officer has reviewed the submitted documents for the NAR proposals and notes that there will be a loss of arboricultural assets. However, the submission shows that these are kept this to a minimum, or as best can be, given the size of the project. Further, the majority of losses are low grade categorisation as per BS5837. Any removal of Cornish hedges will require materials from the removal to be stored and reused in establishing a new section of Cornish hedge, by way of mitigation. A Cornish hedge plan, to ensure the successful storage and reuse of stone and soils (to preserve the native seed bank), will need to be developed. This is controlled by recommended condition 17 of Application A. With respect to planting, the Forestry Officer notes that the landscaping proposals which detail the NAR as a predominately tree lined avenue will assist with tree loss mitigation and establishing a net canopy gain. The use of smaller stock sizes is detailed and will increase the likelihood of establishment. The species selection is acceptable and, once more, expectations are that tree pits are to be connected or of linear provision wherever possible, providing greater rooting volumes and allowing for healthier and longer lasting trees. Final landscaping details, to include tree planting, are recommended to be controlled by condition 14.
255. In order to inform and secure the principles outlined, the outline application is accompanied by a series of framework parameter plans and a Design Code. The parameter plans focus on:

- Land Use;
- Building Heights;
- Movement and Access;
- Landscape and Green Infrastructure;
- Sustainable Urban Drainage;
- Density; and
- Buildings of Heritage Value to be Retained.

256. The Landscape and Green Infrastructure Parameter Plan shows how the Proposed Development has embraced the topography of the application site to reinforce the existing landscape, in line with Local Plan Policies 2, 3, 12 and 23 and TKNP Policy E6. It provides for a framework which provides definition to existing boundaries; for example, by using the Kenwyn Valley as the main boundary to the north. The framework is reinforced with the inclusion of Govers Farm within the application site, this allows for defendable long-term boundaries at Govers, but the main planning benefit of its inclusion is as a key element of strategic green infrastructure. To the south, the A390 already provides a robust long-term boundary, while to the east the Hospital and golf course, in turn, give clearly defined boundaries which prevent unplanned "development creep" into the surrounding countryside. As discussed, above, the design for Langarth Garden Village has evolved following a landscape led approach. This means that the landscape of the application site has been used as the basis for the layout and design of the development proposed. This landscape-led approach is central, not only to the Government's key qualities for Garden Communities, examined above, but also to the objectives of the TKNP Review; in particular, emerging Policy H3 and current Policy E5 of the TKNP, as well as Policies 12, 13, 16, 23, 24, 25 and 26 of the Local Plan.

257. The Landscape Strategy accompanying the Landscape and Green Infrastructure Parameter Plan sets out how the proposals are intended to integrate with the existing landscape features. Critical to the development of the Landscape Strategy has been the focus on elements of the existing landscape, such as:

- The existing field patterns
- Existing woodlands
- Cornish hedges
- Former farms and landholdings
- The Quiet Lanes, ancient routes and other tracks that cover the Site

258. On this basis, the Landscape Strategy seeks to retain Cornish hedges, wherever possible, which is identified as a key aim of the TKNP at Policy C3 and to use existing field patterns to form the building blocks for the proposal and the new neighbourhoods it incorporates. In a similar vein, the former farms and smallholdings buildings are retained, wherever possible, to provide a link back to the area's past and as a historic backbone to a network of new neighbourhoods. Using and reinforcing the existing

landscape features, the landscape proposals have developed robust boundaries to minimise the risk of further encroachment into the open countryside, in line with the adopted and emerging TKNP.

259. In developing the Landscape Strategy for the new community at Langarth Garden Village, the applicant explains that the masterplan has looked beyond the site boundaries of the previous permissions. One consequence of this approach has been the inclusion of additional land adjoining the land with the benefit of the previous permissions. The main addition has been the inclusion of land at Governs Farm, to the north / east of the Site. The inclusion of land at Governs Farm has been informed by the topography of the area. It has allowed the boundary of the Site to follow Kenwyn Valley to the north and again, to respond to the TKNP objective of defining strong, long-term defendable boundaries.
260. The inclusion of land at Governs also allows Langarth Garden Village to effectively deliver additional green infrastructure, in line with the Local Plan and the adopted and emerging TKNP. As explained, above, the land at Governs also includes the Penventinnie Round SM, which is a heritage asset of national significance, forming part of a network of archaeological features across this ancient landscape. The setting of the SM has been central in defining the scale and nature of the development in the area. Assessment of the setting and the sensitivity of the monument has led to reductions in the area and quantum of development from earlier scheme iterations. It has also helped define the boundaries of the enabling development to be included within the Governs area.
261. The result of this iterative process has been the creation of a large open space to provide the immediate setting and contrast to the monument, allowing the Valley sides to remain open and protecting key views. The inclusion of land at Governs within the proposed development provides several positive benefits for the SM, whose setting has been eroded by incremental development over the decades. These benefits include the opportunity for public access to and better interpretation of the SM, the creation of a strategic scale open space with access to the wider countryside and the opportunity to provide SANG to reduce pressure on other protected habitats in Cornwall, consistent with Policy 22 of the Local Plan.
262. As a landscape led scheme, the proposal contains 91 hectares of open space, in line with Local Plan Policies 16 and 25. The Council's Open Space Standards for Towns (2014) identify a range of different typologies of open space, in respect of which a target is provided. For natural space, the standard for this scale of development would be 12 hectares. Reflecting its Garden Village principles, Langarth garden Village proposes 79 hectares of natural open spaces. The majority of natural open spaces at Langarth Garden Village will be multifunctional, in line with the objectives of green infrastructure in national and local policy, providing routes for cycling, walking, play, biodiversity and natural drainage.

263. The Forestry Officer notes that the outline application details the expansion and bolstering of existing wooded assets, as well as the delivery of tree lined streets, areas of open spaces, green corridors, public spaces and SANG (Suitable Alternative Natural Greenspace); all of which show good potential Green Infrastructure (GI) within the development. The Design Code detail the frequency of street tree planting, ensuring that developers will adhere to the same systems and guarantee suitable and sustainable street tree provision throughout all phasing and all the associated benefits (reduction in traffic speeds, improved physical and emotional wellbeing, environmental stabilization, an increased sense of community and reduction in crime).
264. The primary concern of the Forestry Officer with respect to trees mirrors the comments of the Woodland Trust with respect to the provision of multi-use trails and footpaths in the woodland around Govers Round and Bosvisack Valley, at the Northern boundary of the site. With respect to both locations, the final design and alignment of the route has not been specified and the detailed design submitted at reserved matters would need to be cognisant of the constraints in these locations. It is considered that appropriate designs that avoid or minimise impacts in such locations are deliverable.
265. The outline application proposed an overall provision of 94.18ha of open space, as set out in the table 1, below.

Type	Quantity Standard m²per dwelling	Requirement based on 3,800 dwellings	Maximum walking distance	Minimum size	Quantity proposed for the site
1. Park/Amenity/ Civic Space	17.31	6.58ha	600m	1,000m²	9.19ha
1. Civic Space	Included above	Included above	N/A	500m²	(1.85ha) included in cell above
2. Natural Space*	31.75	12.06ha	800m		79.90ha
3. Outdoor Sport	32.02	12.16ha	960m (formal pitches)	10,000m²	5.19ha
4. Children's Equipped Play (NEAP)	1.61	0.61ha	600m	500m²	0.72ha
4. Children's Equipped Play (Destination)			N/A	700m² (Desination Play)	
'Playable space' of any of the above types			All housing to be no further than 330m from at least one open space suitable for children's informal play	500m²	
5. Teen Provision	0.58	0.22ha	800m	500m² (satellite site) or 800m² (large site)	0.23ha
6. Allotments**	2.07	0.79ha	N/A	0.25ha	0.80ha

Table 1: Open space provision

266. Whilst total areas of open space are significantly higher than local standards, the topography of the application site creates challenges for the creation of formal sports



facilities. Primarily for this reason, offsite compensatory provision is proposed, in the form of a financial contribution towards the funding and delivery of new pitches in a location bordering Threemilestone School, to support, inter alia, Threemilestone football club. This contribution will help promote high-quality sports provision and makes up for the shortfall of formal sports facilities on site, within the application area. This offsite provision needs to be read alongside the substantial over provision of natural space, detailed above, as well as onsite play facilities, which will provide opportunities for a range of different outdoor activities.

267. The masterplan proposes a range of smaller outdoor play facilities throughout the proposal, which will provide access to open space for all user groups. The Willow Green area is a particular area of focus for such play facilities. The intention is for the facilities in this area to serve this local centre and for the centre to play a part in the management of the play facilities, in line with the Local Planning Authority's Open Space Guidance.
268. Whilst not a direct open space or sporting benefit of the application proposed, it is intended that Langarth Garden Village will integrate and interact with the multi-use Stadium, which is proposed outside of the application site area (redline). For this reason, complementary community/active land uses, such as a climbing wall or gym linked to the Stadium, are proposed in this part of the application being considered (the sports quarter). There will clearly be synergies between the two developments located next to each other and the proposal is designed in such a way as to capitalise on and maximise such synergies for the benefit of the new residents at Langarth Garden Village.
269. The Public Open Space Officer has reviewed the open space strategy proposed and advises that there are considerable opportunities to use the site's natural features & landscaped elements in order to enhance the play value and compliment a generous level of high spec play equipment, whilst ensuring that the facilities are both robust and inclusive for all children. This boils down to the quality of the designs brought forward at the open space delivery plan stage. We will be expecting the cost & quality of these facilities to be proportional to the levels indicated, even if their spatial areas don't quite meet them. The delivery of the public open space provision would be controlled via the S106 Obligation, as detailed below. It is envisaged, in terms of equipped play, that for children these areas are situated in park and amenity space or natural space within four neighbourhood equipped areas for play (NEAP) with a minimum size 500m<sup>2</sup> and two destination equipped areas for play, with minimum size 700m<sup>2</sup>. Teen provision would also be situated in parks and amenity space or natural space with one multi-use games area (MUGA), with a minimum size 800m<sup>2</sup>, two separately located satellite area (BMX track and skate park), each with a minimum size of 500m<sup>2</sup>.
270. With respect to the Drainage Parameter Plan, the proposal adopts a strategic approach to drainage across the application site. This "whole site" approach allows a

comprehensive network of drainage features in line with Policies 25 and 26 of the Cornwall Local Plan, Policies E2 and E3 of the TKNP and Policy H3 of the emerging TKNP Review. The Sustainable Drainage Parameter Plan makes provision for a network of swales, infiltration basins and wet ponds. Swales follow historic field patterns, whenever possible, reinforcing the hedgerow network and its ecological and heritage importance with the area. The Valley forms on the site provide an opportunity to incorporate surface ponds to provide both drainage and natural flood storage within the site, along with opportunities to improve biodiversity.

271. Also, in line with Policies 25 and 26 of the Cornwall Local Plan, Policies E2 and E3 of the TKNP and emerging Policy H3, the Land Use Parameter Plan incorporates a network of green infrastructure, developed from the existing topography and framework of Cornish hedges, woodland and quiet lanes crossing the site. This facilitates cycle and pedestrian routes across the site, whilst retaining a woodland landscape and forest planting, as well as a network of above-ground drainage features and community growing spaces. The land use proposals have emerged from an in depth understanding of the site, responding to the planning history and building on and responding to the proposals for landscape, drainage, biodiversity and movement for the site and its environmental and heritage constraints.
272. The heights and density parameter plan identifies maximum heights, number of stories and densities appropriately. Heights are taken to the top of the roof ridge to the buildings' main pedestrian access (excluding chimneys). The plan details buildings heights of between up to 2.5 storey (up to 11 metres) and up to 4 storey (up to 17 metres). This plan has been used to assess environmental effects of the proposed development, as part of EIA accompanying the application, and has been adjusted as part of this process, where appropriate. Broadly, up to 2.5 storey development is situated to the West and North of the site, with up to 3 and up to 4 storey focused more to the South (opposite existing built form), centre and East of the site.
273. With respect to density, the parameter plan sets out lowest density parcels of up to 35 dwellings per hectare (dph), spread over five density types, up to high density of 140 dph. Typically, the highest densities are found at the local centres, where flats may be found above non-residential uses. Typically, densities decrease from the North to the South and the further away from the NAR and the land parcel is situated.
274. In combination, it is considered that the heights and density parameter plans make the best use of developable land parcels, having regard to the significant green infrastructure proposed and retention of key landscape features, such as hedges.
275. Movement is critical to the success of any new place and to meet the objectives of the development plan (without limitation, Local Plan Policies 12 and 27 and TKNP Policy T3) this parameter plan focuses on the early provision of the NAR, across the site and, in time, a series of at grade super crossings over the A390, to connect with the adjoining community at Threemilestone. The plan details a network of active travel

(cycling and walking) routes, through the site and to key locations, together with a network of secondary routes that incentivise the use of sustainable travel modes. To support these sustainable travel modes, a series of mobility locations, which can act as hubs, have been identified, as well as the provision of secure cycle parking and electric vehicle charging facilities.

276. The Phasing Parameter Plan details the early delivery of critical infrastructure such as the NAR, a primary school and open space, in line with the requirements of Local Plan Policy 28 and emerging Policy H3 of the TKNP Review. The proposed phasing is built around the following delivery milestones:-

- Work on the Interim Link Road ('ILR') (consented under separate cover in March 2020 and assessed cumulatively with the Proposed Development as part of the ES and TA) commenced in September 2020 and has been completed. This unlocks access to the site from the A390.
- The ILR will act as a construction access to the site as well as the short-term operational access for up to 300 homes.
- Housing delivery will commence from the parcels adjacent to the ILR, so that residents can access properties from the A390.
- The ILR allows time for the NAR to be constructed; works are projected to start at the ILR and then to work in both directions, east towards RCHT and west towards West Langarth Junction, concurrently.
- The HIF grant is based on completion of the NAR by March 2024 (i.e. in Phase 1 of the Proposed Development).
- Once West Langarth Junction ('WLJ') and the NAR between WLJ and the ILR is complete, the ILR can then be used as a bus gate only off the A390, with residents using the NAR for access.
- Early phase delivery includes the Langarth Primary school and the green space adjacent to this school. The school is programmed to open from September 2023, aligning with occupation of the first phases of housing delivery.
- In addition to developing the area around the ILR, it is also proposed to develop the open space in the Governs Farm area and the Scheduled Monument in the latter part of Phase 1.
- The phasing plan allows development to grow at a pace which provides much needed housing for the Truro area but does not saturate the market by offering too many new properties at one time.
- Following Phase 1, Phase 2 moves east from the ILR along the alignment of the NAR; it also includes development around Village Centre 5.
- During Phase 3, heading east, there will be a focus on delivering the green spaces adjacent to the NAR and the development between the A390 and the NAR, to provide a frontage to the A390.
- Phases 4 and 5 then develop in both an easterly and westerly direction, to completion.

277. In addition to the Parameter Plans which set the limits for the quantum and type of development, the application is accompanied by a Design Code. Design codes are a set of illustrated design requirements that provide the context for the physical development parameters of a site or area. The graphic and written components of the code build upon the design vision within the masterplan framework for the site.

278. This includes:-

- Providing an overarching regulatory plan to guide the structure of the proposed development
- Identification of key frontages and the design structure for the application site
- Guidance on the design of development edges and around open spaces
- Identification of different character areas and the need for a different grain of development in different locations
- Guidance on how development should respond and work with the sloping nature of the application site
- Guidance on how to respond to the historic fabric of the site as a framework for future growth
- Measures to use and support the delivery of green infrastructure and biodiversity gain
- Measures to support the creation of streets with a focus on walking and cycling
- Providing a structure for car parking standards across the application site, working within the framework set out by the Local Planning Authority's policy of up to 1.5 spaces overall, but with variation for different sizes and types of homes and with a focus on providing homes in locations with optimum access to public transport
- Building in resilience and flexibility into the design and layout of the scheme by anticipating areas which are capable of reuse / redevelopment
- Generally, reducing the dominance of the car in the design

279. As part of the scrutiny of the planning application, the scheme has been subject to a series of meetings and presentations to the Independent Cornwall Design Review Panel in accordance with best practice. These started with a focus on the overall masterplan and have evolved into workshops on the Design Code that accompanies the application. It has involved 6 different meetings with the panel over the life of the applications development. The last session was requested by the applicant to examine in detail in a collaborative 'workshop' style with the Local Planning Authority as to how the operation of the proposed Design Code would provide a framework for future reserved matters applications.

280. In planning policy terms, design codes form an important part of the National Planning Policy Framework, including parameter plans and other strategies that provide guidance for future reserved matters applications. The importance of design codes is reflected in the publication by Government of a National Design code as a part of a national objective for the creation of quality places.

281. Design review panels comprise of a group of impartial experts to provide advice to both applicants and local authorities on design issues in relation to new development. The National Planning Policy Framework highlights that feedback from a Design Review Panel event is capable of being a material consideration when determining planning applications. The number of events held for this planning application represents a high level of scrutiny.
282. The Design Review Panel (DRP) highlight a number of issues relating to the submitted design code. These primarily relate to the degree of detail outlined in the proposed code and the effectiveness of relying upon a single overarching code for a site of this size. The DRP workshop produced a series of recommendations for the applicant to consider and produced a suggested way forward to ensure a robust code moving forward for the area. The proposed way forward focuses on developing more detail on guidance for green infrastructure, local centres and structure of secondary streets early in the process. Attached to this report are the Panel's recommendations in full plus a 'forward plan' providing advice from the Panel on how to use the plan in the future (**Appendix 1**).
283. The key recommendation is to supplement the Design Code with Neighbourhood Design Codes for each phase or neighbourhood before reserved matters application(s) are submitted, to be required by condition. This approach is supported by your officers and the applicants in combination with the submission of strategies to support the delivery of local centres, community facilities and strategic green infrastructure plans to compliment the Design Code. The development of these additional codes and strategies for each neighbourhood as they come forward for reserved matters applications provides an appropriate way forward to ensure a robust development of the design coding for the site.
284. With the length of time over which this site will be developed there is also a need to ensure that the Design Codes can evolve and be reviewed to respond to evolution in standards, for example around climate change and experience on the ground of what is capable of being delivered effectively without compromising the Design Code standards that are sought from national planning policy. The recommendations from the DRP workshop sessions are therefore addressed through a series of conditions to the application that require the submission to the Local Planning Authority of further Neighbourhood codes, for phases of the development in advance of reserved matters applications being submitted.
285. In summary, the overall masterplan approach has been landscape led and provides a clear context for delivery of the NAR, combined with an approach to Sustainable Urban Drainage across the site at a strategic level. The overall vision for Langarth Garden Village provides a strategic co-ordinated framework for development to be brought forward in the area and unlocks the site through the delivery of a NAR, which follows closely the most suitable topography for the delivery of this key piece of infrastructure.

The level of scrutiny provided by the DRP has been robust and has led to a more positive well-designed masterplan. This approach, combined with two-tier Design Code approach recommended, is considered to accord with the aims of Policies 1, 2, 12, 13, 16, 21, 22, 23, 24, 26 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030, Policies E1, E2, E4, E5, E7, T3 and C3 of the TKNP 2015-2030 and sections 2, 4, 6, 8, 9, 11, 12, 14, 15 and 16 of the National Planning Policy Framework 2021.

### **Visual and Landscape Assessment**

286. Whilst the site benefits from a planning history, whereby large development proposals have been granted planning permission in the recent preceding years and hence the change in character to the area has been accepted, it remains necessary to assess how the proposed loss of urban rural fringe landscape will impact on the character of the site surrounding area.
287. The application site is situated in National Character Area (NCA) 152 Cornish Kilas which covers a large proportion of Cornwall. The NCA is characterised by an undulating plateau with open vistas and a characteristic network of Cornish hedgerows enclosing fields. Broadleaved wooded valleys, dominated by internationally important western oak woodland habitat, dissect the plateau and the valley system heads towards the south coast.
288. The site is within both the Redruth, Camborne and Gwennap landscape character area and the Fal Ria, Truro and Falmouth landscape character area within the Cornwall and Isles of Scilly Landscape Character Assessment (2007). The site comprises predominately agricultural land, situated on a majority northerly facing slope and the site is visible from the surrounding area. The site displays some of the key landscape characteristics for both landscape character areas; notably the pastoral landscape and strong field pattern with trees within hedgerows, river valley bottoms, woodlands, and a busy landscape with respect to people movements.
289. In terms of landscape character and visibility, the site is considered to be of low sensitivity, due to its location close to the edge of the urban area of Threemilestone, which is visible within the wider landscape, and the Park and Ride, which has an urbanising effect. Development of the site as proposed would result in an impact on distinctive local character, both by itself and when considered cumulatively with consented development, such as the Stadium for Cornwall. This landscape character impact could only be partially mitigated by sensitive design and use of appropriate materials and also by considering the heights of buildings and other structures, whilst ensuring the existing tree cover and vegetation is retained as far as is possible, in order to reduce wider landscape impacts, as well as adopting a sensitive lighting strategy. It is considered that the proposed application harnesses these aspects comprehensively, engaging with Garden Village principles to mitigate the landscape character impact in a more successful fashion than the earlier piecemeal developments permitted within the application site area had been able to.



290. As described in this report, the proposal would largely allow the site to retain its distinctive landscape features, such as field boundaries of hedgerows, trees and woodlands. The historic landscape has also been considered in the design, in order to improve its setting and intervisibility with other local heritage features in the local area, such as scheduled monuments. The scale and location of the proposed green infrastructure throughout the site would also provide an integration of the built environment and soften views of the development over time.
291. During the construction stage, the proposal would have moderate adverse effects on the landscape character and visual amenity of the local area. The worst effects would be significant, in EIA terms, as concluded in the submitted ES. These would mainly be to receptors from within the more rural local character areas, rather than receptors within the urban fringes of Threemilestone and Treliske. Over time, once the new landscape features and planting have had time to mature and integrate with the existing vegetation, the landscape and visual effects are expected to reduce: to moderate / minor adverse, in the first year of operation, and to minor adverse in the 15th year of operation. Longer-term effects have been assessed as not significant.

#### Landscape strategy

292. The landscape strategy proposes an interconnected network of natural areas and other open spaces that link into the wider Green Infrastructure network. The overarching strategy is to retain and integrate the existing landscape features (hedgerows, trees, woodland and copses) wherever possible, as a framework for development. Open space is multi-functional and where feasible includes landscape and movement corridors, ecological features and buffers, sustainable drainage (SuDS) features, amenity spaces for future residents and existing communities.
293. The Northern Access Road (NAR) is a major element of infrastructure that provides a route that connects the A390 to the west, to the Park & Ride and Treliske Hospital in the east. The proposed boulevard's primary task is to connect and provide access to each one of the masterplan areas, whilst also taking a portion of the traffic off of the A390, particularly vehicles accessing the Park and Ride and Treliske Hospital. It is also designed to promote alternative modes of transport, such as use of public transport, cycling and walking with the wider network of routes through the development. The route is a key contributor to placemaking in the Langarth Garden Village and will require building frontages to engage with it, link open spaces, wider views from the road and characteristics set out by each arrival space.
294. To conclude, clearly the development of the site would change the landscape character of the area to the detriment of its current distinctive natural character, albeit a landscape adjacent to urban form of mixed character and punctuated by development. The proposals have sought to minimise the impacts by being brought forward as a landscape led approach. The recommended conditions would ensure that this

approach is engrained in the two-tier Design Code approach. As such, any landscape character harm in the context of Policies E1, E4 and E5 of the TKNP 2015-2030, Policies 1, 2, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and sections 12 and 15 of the National Planning Policy Framework 2021.

## **Heritage Assets**

295. At Chapter 12 of Volume 2 of the ES, an assessment on Cultural Heritage has been undertaken. The assessment reports that there is one World Heritage Site within close proximity to the site. There is one Scheduled Monument within the site and a further 11 within the 2km study area. There is one Listed Building within the Site and a further 68 within the study area, of which two are Grade II\* Listed Buildings and all the rest are Grade II Listed.
296. The Planning (Listed Buildings and Conservation Areas) Act 1990 confers duties with regard to listed buildings. Section 66 of this Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it unchanged. This obligation, found in sections 16 and 66 of the Act, applies to all decisions concerning listed buildings. Recent case law makes it clear that Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise.' Decision-making policies in the National Planning Policy Framework 2021 and in the Development Plan are also to be applied, but they cannot directly conflict with or avoid the obligatory consideration in these statutory provisions.
297. Listed Buildings, World Heritage Sites and Scheduled Monuments are all defined as 'Designated Heritage Assets' by the National Planning Policy Framework 2021. In determining planning applications, the NPPF advises local planning authorities to take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
  - the desirability of new development making a positive contribution to local character and distinctiveness
298. The National Planning Policy Framework 2021 also advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Where a proposed development will lead to

substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

299. The requirements set out within the National Planning Policy Framework 2021, above, are also reflected within Development Plan policies; most notably Policy 24 of the Cornwall Local Plan. Policy 24 of the Cornwall Local Plan states that proposals will only be permitted where they would sustain the cultural distinctiveness and significance of Cornwall's historic urban environment by protecting, conserving and where appropriate enhancing the significance of designated and non-designated assets and their settings. The policy continues by stating that great weight will be given to the conservation of heritage assets and that any harm to the significance of a designated or non-designated heritage asset must be justified. It provides direct policy guidance also to development within the World Heritage Site (WHS) and its setting, by stating that new development should accord with the WHS Management Plan and that any resulting harm to the authenticity and integrity of the Outstanding Universal Value of the WHS should be wholly exceptional. This is a high test. As considered with the National Planning Policy Framework, above, Policy 24 also requires proposals causing harm to be weighed against the substantial public, not private, benefits of the proposal and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm of the significance of the asset.
300. As detailed within the Cultural Heritage assessment, the ES considered a range of designated heritage assets both on the site and within a wider study area to assess possible impacts the assessment included both designates assets and undesignated assets which while of lesser significance individually helped to define the character of the location. The ES identifies the following designated assets as likely to experience change to their setting:
- Parts of the Gwennap Mining District World Heritage site
  - scheduled Hillfort northeast of Bosvisack
  - scheduled Round northwest of Penventinnie-Governs round (within the site)
  - Four Burrows to the northwest of the site -scheduled Barrow
  - Two scheduled Barrows to the South of the site near Ashgrove Farm
  - Croft West Farmhouse, a listed Farmhouse north of the site
  - Three burrows, situated North west of the site
  - scheduled barrow situated northwest of Little Regarded Farm to the north of the site
  - Setting of listed milestones on major roads

301. The ES identifies these to be assets of high value and the WHS of very high value. This is agreed

#### World Heritage Site

302. The Gwennap Mining District of the Cornwall and West Devon World Heritage Site (WHS) is situated to the South of the A390 and application site, between West Langarth Farm and Lanes Removals. This part of the WHS retains some extensive remains that represent the influence that Cornwall had throughout the Industrial Revolution and how the mining technology significantly revolutionized the mining around the world. It is of very high value and international significance and offers evidential, historical, aesthetic and communal value of mining activity. The boundary of the WHS borders the south-western boundary of the application site and contains a great many listed buildings, conservation areas, as well as a number of scheduled monuments; all of which contribute to the Outstanding Universal Value (OUV) of the WHS. The application site forms part of the rural agricultural character within which the WHS is set.

303. The Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document (2017) requires the planning system to fulfil the responsibilities and opportunities afforded the WHS. It aims to unlock what makes the WHS important, why it needs to be protected and how the planning system can support this. It also ensures that all those involved in the planning process are provided with advice so that the responsibilities of its WHS status are taken into consideration. Section 5 'The Boundary and Setting of the World Heritage Site' states that 'In assessing potential impacts, the setting of the site must firstly be defined in how this related to OUV'. OUV can only be protected from developments within the setting through a clear understanding of the function the setting plays in this regard'. Paragraph 5.4 states that the Nomination Document for the WHS concluded that there would be no formal buffer around the edge of the WHS due to its fragmented natures across ten Areas and the diverse range of risks therein. The setting of the WHS would be protected through a combination of strategic policies and documents for the conservation of the landscape and measures within statutory designations. Paragraph 5.7 states: 'important views into and out of the WHS are not usually designated. Judgement needs to be made as to whether developments within the setting of a WHS affect its OUV and how their relationship might change following construction.'

304. The OUV of the WHS as a whole is expressed through seven attributes, being:

- Mine sites, (engine houses, mining buildings, chimneys, dressing floors, mine dumps and infrastructure, tin salvage works and underground access);
- Mine transport (ports, harbours, wharfs, quays, mine tramways, industrial railways, paths, tracks and mine related canals);
- Ancillary industries (foundries, engineering works, smelting works, fuse and explosive works, arsenic and chemical works);

- Mining settlements and social infrastructure (includes mining towns, villages, hamlets and public buildings, Methodist chapels, preaching pits and Church of England churches);
- Mineworkers' smallholdings (comprising their farms and buildings);
- Great houses, estates and gardens; and
- Mineralogical and other related sites of particular scientific importance.

305. The application site is located within the setting of Area 6 of the WHS, being The Gwennap Mining District with Devoran and Perran and Kennall Vale. The specific aspects which contribute to the OUV of this part of the WHS which are also relevant to the area nearby the proposed development are:

- Some of its earliest beam engines, such as those produced by Newcomen, Smeaton and Watt;
- The Methodist icon of Gwennap Pit;
- The Perran Foundry complex, one of the 19th century world's most important engine foundries;
- The Kennall Vale Gunpowder Works;
- The Williams' family great houses, estates and gardens.
- It is the source of some of the most historically, scientifically and culturally important copper mineralogy in the world;
- At Restrouguet Creek, sub-estuarine mining in tin gravels was carried out;
- Engine houses
- mining port of Devoran;
- Large areas of mineworkers' smallholdings occupy its north and east. Once the site of a huge expanse of downland but subsequently laid out to smallholdings, the boundaries of many of its tiny fields are planted with oaks and hawthorns;
- Sites of some of the starkest industrial landscapes to be found anywhere in the WHS – hectares of shaftlittered heathland, the sprawling un-revegetated mine dumps of Poldice and the poisoned, ochre-stained valley of Wheal Maid, each giving a small indication of the sheer scale of industrial activity which took place here during the 18th century and the early 19th century; and
- The Area includes the Mining villages of Chacewater, St Day and Carharrack. Each is distinct and different in character, the histories of Chacewater and St Day being linked to the early period of Cornwall's industrialisation, that of Carharrack to its mature period architecture
- Beam engines

#### Small holdings within the application site

306. The application site lies within an area which contains Medieval and Post Medieval agricultural field systems. Some of the fields were worked and occupied by farmers who may also have worked in the mines within the WHS. The domestic spaces which they occupied, and the associated fields, are recognised as smallholdings. Smallholdings, which can be considered of importance to the significance of the WHS,

are not limited within the boundary of the WHS but extend also into the application site. These smallholdings are non-designated miner's cottages and associated fields which can help to demonstrate the lifestyle of those who worked the mines who also had to supplement their income with farming.

307. There are several Post-Medieval small holdings on the application site: the Govers, Little Govers, West Longarth Farm, East Langarth Farm, Willow Green, Maiden Green, Venton Green and West Langarth Farmhouse. Farm/small holdings buildings proposed to be retained are the main buildings at Govers Farm, West Langarth Farm, Langarth (Henley Court) and Little Govers. Farm/small holdings buildings to be demolished are the ancillary building on eastern side of road at Henley Court, ancillary buildings at West Langarth Farm, including West Langarth Cottage, all buildings at West Longarth Farm, ancillary buildings at Govers, Northern Venton Green, Willow Green Farm, ancillary buildings at Langarth (Henley Court), West Longarth Small Holding and East Langarth Farm.
308. Underpinned by evidence of historic records, a detailed on-site examination and further research, the assessment submitted with the application found that most of the miners who worked in the mines within the WHS came from the WHS and, importantly also, occupants of the small holdings on the application site were primarily farmers and their income agriculturally based. Venton Green is the only small holding on the application site identified as being occupied by farmers who also worked as miners.
309. There is a noticeable difference in field boundaries between the application site and those within the WHS, with the tighter historical grain of the field types better preserved and represented in the WHS. Many of earlier landscape types on the application site have been lost due to changes in farming practices. While there are records of some mining related activity in the application site, there is no built heritage associated with it and the combined legibility of the historic landscape is much better preserved within the heartland of the WHS than within the application site.
310. All of the small holdings within the application site are of local significance. They can add in a minor way to the knowledge of how the local area was managed during the Medieval to Post-Medieval and into the Modern period. They also add significance to the Gwennap Mining District, as they demonstrate the continuation of the land use beyond the bounds of the WHS. There is some evidential and historical value, particularly at Venton Green, which may survive as belowground archaeological remains. The small holdings on the application site form part of the rural Cornish landscape which is the setting of the WHS. They share a historical connection with the mining remains in the WHS and provide an indication of the lifestyle of those who worked the mines; farming and mining.
311. The relationship of the application site with the WHS is primarily historical and functional. While some of the small holdings themselves will be removed, through



demolition, the historical connection will be maintained. Mitigation measures, through historic building recording of the small holdings, assets of low/local value which will be demolished, will reduce the significance of effect from major to neutral/slight. The historical connection between the WHS and the attributes within the application site will not be lost and further detail will be added to their record through mitigation. Not all of the small holdings are scheduled to be demolished and the existing field systems within the site are incorporated into the masterplan. The mitigation measures are secured through the use of planning conditions.

312. Overall, it is considered that the impact of this proposal to small holdings within the site will not result in harm to the OUV of the WHS as a whole.

#### Setting of WHS

313. The boundary of the application site runs parallel to that of the WHS and does not intrude within it. Therefore, there will be no physical impacts on the WHS as a result of this proposal. Although the WHS was designated without a formally recognised buffer, it is adjudged that the application site is within its setting and that the character of this part of setting would change as result of this application. The WHS Management Plan 2013-2018 states that a WHS must have its setting protected from adverse impacts.
314. The same WHS management plan states also that “For a Site inscribed for its industrial landscape significance, not its natural landscape beauty, the assessment of what constitutes an adverse impact needs to focus on the effect on the OUV and the criteria under which it was inscribed on the World Heritage List.” The Gwennap Area was listed for its industrial landscape significance. Its large and rural landscape are characteristics, but not key attributes of its OUV. The proposed development will not have an impact on the industrial mining landscape within the boundary of the WHS.
315. The setting of the WHS has lost its sensitivity along the A390 and around Threemilestone where the proposed development is proposed to be located. The A390 runs east and west, which severs the WHS from its rural setting. This is a busy road and traffic can become congested the closer it gets to Truro. The land north of the A390 is rural and agricultural with some former miners’ cottages still in use as residential properties. However, with the surrounding urban development of retail parks, park and ride and fast-food restaurants, the original historical setting of these has been constrained. Threemilestone Retail Park, 150m east of the proposed development, and the Park & Ride, are recent developments. These are not in keeping with the historic use of the area and have reduced the sensitivity of the setting of the WHS here.
316. Although the A390 physically separates the site from the WHS, the interface with the development includes the proposed West Langarth Roundabout and then development along the Northern edge of the A390. The formation of a large

roundabout, to allow traffic to be split and to filter into the NAR route, as well as travel along the A390, could be incongruous in the landscape and hence the importance of any proposed landscaping. The roundabout scale and ability to incorporate landscaping, along with enhanced landscaping to the south of the A390, is intended to soften the urban nature of the feature. The development at this point forms part of a transition from rural to a more urban form in the adjoining industrial and retail buildings to the east.

317. Following the feedback from Historic England, after the submission of the application, a number of changes were made. The maximum height for proposed buildings opposite the WHS is to be reduced. This would temper any impact to the setting of the heritage asset which is seen as a positive change from the original proposed building height. However, the buildings would still be able to be seen from the WHS.
318. Also located close to the WHS would be the new West Langarth Junction. Since the submission of the original ES chapter, this new proposed junction adds extra vegetation and native trees as screens to the southern boundary of the application site. Additional vegetative screens are proposed to the roundabout and the Cornish hedge has been retained to ensure that the low-level views continue to be blocked. The added use and retention for the Cornish hedge are all beneficial, as they screen the junction from the WHS and the retention of an important historic features such as the Cornish hedge.
319. While the proposed development will further reduce the amount of open, rural fields and greenspace within which the WHS is set, these changes are considered minor in terms of impact to the WHS. The proposed development is situated in an area where the sensitivity of the WHS has been reduced from recent urban developments that have already impacted on the rural, open landscape within which the WHS is set. Placing the proposed development in the proposed area reduces the visual impact to the WHS, as it cannot be viewed from any of the key views that are the attributes of the OUV of the WHS. None of the industrial landscape that the WHS was listed for will change, nor will any of the attributes that contribute to its OUV.
320. The proposal has been designed to adhere to the vision and aims laid out in the Cornwall and West Devon Mining Landscape World Heritage Site Management Plan. This approach integrates the regeneration of the area, with conservation of the WHS by locating the proposal in the area least likely to have a negative impact on the WHS. The proposal will promote equality of opportunity for new residents of the area to discover, access and enjoy the WHS, which is a benefit.
321. The ES found the residual effects from the operation phase to the World Heritage Site as negligible to this very high value asset. Following mitigation measures, the result would be neutral/slight adverse significance of effect. Following construction there are no further mitigation measures planned. With regard to the EIA Regulations, this would

be considered not significant and less than substantial in terms of the National Planning Policy Framework 2021 guidance. This is agreed.

322. As detailed above, the WHS officer has raised no objection to this application.

### Scheduled Monuments

#### Governs Round

323. There is one scheduled monument within the site, a Round, some 200m north west of Penventinnie, also known as Governs Round as it lies within the Governs Farm. The ES identifies the scheduled Round at Penventinnie as being of high value and National significance with further value due to its high archaeological value. In addition, the Round has a high aesthetic value as a prominent landmark within the landscape. To understand how this areas inclusion in the site could be managed a statement of significance was produced as part of the application to investigate the Round but also its setting in the landscape and to identify critical areas to that setting. This statement was also accompanied by further geophysical assessment of the area to better understand its importance. Historic England (HE) in their response of the 19th November highlight that this further geo-physical survey of the land close to the round has highlighted increasing the importance of the green space around the monument and its need for management.
324. The Round is located on the south-eastern side of a natural spur which overlooks a tributary of the river Kenwyn. The siting of the asset was deliberate to in providing a vantage point within the landscape, meaning it can be seen from a distance.
325. The statement of significance has been used to identify those areas where development is acceptable, and the larger areas of green infrastructure required to provide both open space and retain the setting of the Round. There are several prehistoric assets to the south and southeast of the Round and the ridge that have intervisibility with the Round. To the west of the Round, within the Governs farm area, are the remains of a Bronze age barrow. Both the Barrows and features add to the significance of the Round and its setting. The scheduled Round is of high value of national significance and contributes to the understanding of the landscape. On that basis, the areas of land around the round are therefore retained as green infrastructure in the parameter plans for the development.
326. The Round at Governs has been placed on Historic England's Heritage at Risk Register, as it has been affected by animal burrowing and Historic England have highlighted in their response that it would be a public benefit, in heritage terms of the monuments condition and interpretation, to be improved as a result of the proposals, despite any impact of the development within its setting. To achieve this, Historic England highlight the importance consideration of resources for the on-going management of the site and seek a condition to ensure this is in place as part of an early reserved matters

application. Historic England note that the school adjoining the site, which might in the future play a role, will not be brought forward till the end of the development. However, the Round forms a key landscape feature of the proposed SANG, which is to be brought forward within phase 1 of the development, to be managed by the proposed stewardship body.

327. The ES concluded the following in its assessment:

328. *During the occupation phase the round on site (Governs Round) and its geophysical remains would be under long-term management as public open space. This would help maintain the immediate setting of the asset; however, its wider setting would alter from rural agricultural landscape to urban development. With mitigation measures in place this high value asset would experience a negligible magnitude of impact which results in a slight adverse significance of effect. With regard to EIA regulation this would be considered not significant.*

329. *The permanent impacts created during the construction phase to the setting and views of the hillfort (Bosvisack) from the new builds would continue into the operation phase. Overall, this change, after all the mitigation measures have been put in place, would result in a moderate impact to the high value asset. This would result in a moderate significance of effect. This by the EIA Regulations is considered significant. However, it is noted that the increased public engagement, though the use of heritage information boards around the public areas i.e., near to the Scheduled round on Site (Governs Round), can be seen as a positive change during the operation phase along with improved management into the future as sought by Historic England, They could explain how the round relates to the hillfort and other heritage features, thus increasing the public's awareness and appreciation for the hillfort.*

330. The ES concludes that when combined with the embedded mitigation the residual effects are slight adverse significance, which in terms of the EIA regulations would be considered not significant less than substantial in terms of the guidance in the National Planning Policy Framework 2021. This is agreed.

#### Bosvisack Hillfort

331. Approximately 290m from the Northern edge of the site is the hillfort at Bosvisack. The Hillfort, which lies next to a round of trees, is a scheduled monument located on the high ground between the two arms of the River Kenwyn. The Hillfort is nearly circular in shape, with an outer ban approx. 30m wide and 1.2m high. The Hillfort can be easily seen in the landscape in the landscape which it sits along with the trees planted in a Northwest arc of the monument. Immediately to its east is a small but visually prominent wood. The Hillfort can be easily seen from higher parts of the site, looking northwards. It is not accessible to the public but is visible primarily in views from the south, including Langarth and adjoining development, such as the existing park and Ride site.

332. The permanent impacts to the setting of the Bosvisack hillfort during the construction phase from the new builds would continue into the operation phases. However, the visual link towards the round at Govers would be maintained through the retention of green space even if this is now public park instead of grazing. The lowering of building heights and the use of vegetation such as trees in 'soft edges' along the building plots would also aid in shielding the proposed development from the view of the hillfort. These would all add to lessening the impact to the setting and views of the high value asset.
333. In response to the Heritage Impact assessment, the parameter plans were adjusted to reduce the maximum heights in key locations. In addition, further guidance was included in the Design Code to ensure the reduction of the building heights to lessen the impacts to the wider setting and views of the Scheduled round on the setting of the Bosvisack hillfort. Once embedded and once additional mitigation is applied, the ES summary of the proposed development on cultural heritage assets (both designated and non-designated) would be slight and so a less than significant impact significant in regard to the EIA regulations. This is less than substantial in the context of the National Planning Policy Framework 2021.
334. Importantly also is that Historic England, in their response to the changes on 19th November, while not objecting to the scheme, recognise that some harm will inevitably occur due to the nature of the terrain and the change in character created by the development. To further mitigate this, HE seek further strengthening of green infrastructure and further consideration of maximum height reductions for this part of the development. To achieve this successfully will require applications (at the later reserved Matters stage) to be developed, with an understanding of the topography and how use of heights and reinforcing of green infrastructure can further reduce impacts.

#### Scheduled barrows

335. Barrows are a common form of funerary and ritual monument that can date from the late Neolithic to late Bronze age. They can be isolated monuments or form part of a group. The landscape has a rich legacy of Neolithic assets. The following Barrows, while not on the application site, were identified by the ES as having a potential impact to their setting.
- Bowl barrow-located 445m to the Northwest of Little Regard Farm, on raised ground between two streams. The setting is rural agricultural landscape.
  - Two bronze age barrows near Ashgrove and Ivydene Farm, formerly known as Carbrittle Barrows, 335m south of the site. The A390 is immediately to the north of the Barrows but is bounded by thick and well-established hedges bounding the field where they are located.
  - Four Burrows-A group of barrows located 1.96km
  - Three burrows-a group located 1.48km west of the site near Chiverton roundabout. The Burrows are close to farm buildings in a heavily treed area. The

barrows have a setting of agricultural field setting but the quiet rural nature is impacted by the existing roads and roundabout.

336. Given the number and prominent locations, it is not unreasonable to assume these barrows had some sort of relationship and contributed to each other's setting and it may be possible that previously unrecorded barrows may survive within the site. All the scheduled barrows are high value and of national significance, but the impact of the proposals on their setting is limited and is assessed in the ES as slight, less than substantial in the context of the National Planning Policy Framework 2021. This is agreed.

#### Scheduled Rounds in the study area

337. There are three scheduled Rounds in the study area, ranging from 180m to 1.8km distance from the site.
338. To the south of the site by c. 182m is another round located to the south of Mount Pleasant. This round has a square enclosure with a double-ditch, or ditch and possible palisade, and is part of a contemporary field system to the south which is included in the Scheduling. The round is located on high ground facing south over a small valley which contains a tributary of the River Tinney.
339. To the south of the site by c. 577m is another round located to the west of Polstein. The asset is located on a level piece of ground on top of a ridge. The asset's setting is on the eastern edge of a quiet residential neighbourhood. It is located within a field overlooking a peaceful agricultural landscape to the south and southeast.
340. A round, known as Goodern Round, is located to the south west of Carrine c. 1.8km to the south of the Site.
341. The ES concludes that the features would not experience any change to their setting due to the distance from the site an intervening urban form and vegetation. While the assets are of high value, it concludes that they would experience negligible change and so the impact would be neutral or slight and not significant in regard to the EIA regulations or less than substantial in terms of the National Planning Policy Framework 2021. This is agreed.

#### Listed milestone

342. The site has one listed building in its boundary, on the northern side of the A390. The milestone is made of stone and painted white, with a recessed front elevation reading "Truro four miles." The milestone currently faces the road, but is obscured by vegetation.



343. The proposed new junction at West Langarth involves the relocation of the milestone. The development proposes the relocation of the milestone back to the South side of the A390, in line with its historic location prior to the earlier widening of the A390.
344. The ES concludes that following construction, all impacts to the Listed milestone would have occurred. During the operation phase, this medium value asset would experience a minor magnitude of impact. With mitigation measures in place, the milestone would experience a slight and beneficial significance of effect. With regard to EIA regulation this would be considered not significant and less than substantial in the context of the National Planning Policy Framework 2021. This is agreed. The mitigation measures are secured through the use of planning conditions.
345. Two Listed milestones are located along the A390, outside the application site. They are at a higher risk of vehicular impact, erosion and pollution from increase in traffic usage. Their roadside setting would remain unchanged. These are assets of medium value which would experience negligible magnitude of impact. The ES concluded that this would result in neutral/slight significance of effect. With regard to EIA regulations this would be considered not significant or less than substantial in the context of the NPPF guidance. This is also agreed.
346. The change to the listed milestone, as set out above, will be the subject of a separate Listed Building Consent application.

#### Listed farmhouses

347. Croft West, a Grade II Listed Building, is about 110m to the north of the application site. The farmhouse is located on a trackway to the southern edge of a natural ridge. The trackway and rural landscape inform its setting. The application site cannot be seen from the building, due to dense vegetation, but due to its proximity to the site the ES concludes that noise from the construction stage of the development and then future occupation could impact on the setting of the building.
348. Croft West is close enough that its views to the site could be adversely impacted by the proposed development. Its quiet and tranquil setting would be altered, as it would overlook low to medium density housing and a school on the slope to the south. However, the topography and existing dense vegetation would limit this impact. Embedded mitigation measures already described in the ES would also reduce impacts, such as the road on which it sits being maintained as a quiet lane, helping to maintain the peaceful setting of the asset. This is an asset of medium value which would experience a minor magnitude of impact. This would result in a slight significance of effect. With regard to EIA regulations, this would be considered not significant and less than substantial in the context of the National Planning Policy Framework 2021.

### Non-Designated Heritage Assets

349. There are numerous non-designated heritage assets recorded within the application site. These date from the Prehistoric to Post Medieval periods and include several assets whose date is unknown and a number of landscape elements that help to provide the character of the site and consist of post-medieval hedges (and their hedge 'furniture'), trackways and mining remains, but also primarily the presence of the post medieval farm settlements that are still extant.

### Field systems and Cornish Hedges and hedge furniture

350. Following discussions with the Councils Historic Environment team, the applicant has submitted a Heritage impact assessment on Historic hedges. The majority of the extant hedges on the application site were established by the 1840 Kenwyn tithe map. Six (H1-H6), however, can be seen on an estate map of 1788-9 and are still extant. All the Cornish hedges have at least low to medium value as they have historical, evidential, aesthetic and communal value and all contribute to the local historic landscape character. All extant hedges on site that are shown on the tithe map or Langarth estate map qualify for protection under the Hedgerow Regulations 1997.
351. Through masterplanning, 82% of the Cornish hedges on the site would be retained. These divide building plots and aid in the retention of the historical landscape character which is important to the aim of the Garden Village. The creation of the proposed development would, however, alter the setting of the Cornish hedges from agricultural to urban. However, as the majority of the hedges would remain largely intact, apart from H5, the ES concludes the breaching would result in minor harm. This is agreed.
352. During the construction phase of the project, embedded design measures and archaeological mitigation would be implemented. This would include a watching brief being conducted on breached hedges, this would preserve the asset in record form. Prior to any breaches, the style and geology used in the hedges would have to be identified. This would enable mitigation and repairs to be accurately and sympathetically done. The mitigation measures are secured through the use of planning conditions.
353. A site visit survey by Cormac Solutions Limited along the NAR route discovered several examples of existing hedge furniture, such as stiles. These assets would experience substantial harm. However, they could be relocated/reused within the proposed development. This re-use of the furniture can be seen as a positive impact.
354. After these embedded design measures and archaeological mitigation, the breached Cornish hedges would experience less than substantial harm.

### Routeways

355. The site is crossed by a series of routeways and tracks which form part of the character and history of the area. These combine with the Cornish hedges and field patterns to form a key part of the landscape character of the area.
356. The routeways within the site would be retained, but turned into cycle and pedestrian routes. Following mitigation measures, the result would be neutral/slight adverse significance of effect to all assets which is considered not significant.
357. The crossroads would have experienced physical impacts during the construction phase, as it lies on the route of the NAR. The creation of a new square as an arrival space at the cross roads and the preservation of the quiet lanes forming the crossroads would offset the adverse impact to setting from the NAR to this asset. This will result in a neutral/slight significance of effect which, in regard to EIA regulations, would be considered not significant. This is accepted.
358. The repatriation of the wayside cross to the square to be created around the historic crossroads would be a considered a beneficial effect for the crossroads. It would put the cross back into its original location, but within a new, more urban, setting. Part of the original purpose of the cross was to highlight the significance of the crossroads. The presence of the cross at the crossroads can once again reinforce the presence and significance of the crossroads in the landscape.
359. In summary, the impact of the development on the tracks and routeways through the site is assessed by the ES following mitigation as neutral/slight and not significant in terms of the EIA regulations. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### Mining Activity in the site boundary

360. Within the northern part of the application site, within the Govers Farm land parcel, is Penhaldarva mine which was in operation from 1855 to 1861. The mine produced lead and silver and can still be seen on aerial photographs. There is one non-extant engine house, three possible shafts, two spoil heaps, a large cut feature, either a quarry or another mine shaft and an unknown feature potentially related to mining activity. The mining related activity of Penhaldarva also extends to the north of the application site boundary.
361. Within the southern central part of the Site, within Willow Green, is South Penhaldarva mine, which produced lead between 1857 and 1860. Just to the east of this mine was an engine house (no longer extant) and a mine shaft along with a well or spring. It is possible that there are two mines in this area

362. These assets are of local significance and of low value. However, they contribute to the significance of the mining and domestic landscape within this part of Cornwall and more notably to the Gwennap Mining District of the World Heritage site, as they show that mining activity extended out into the wider area. It is likely that there are associated remains with these assets, particularly with the remains of the mines within the application site.
363. The location of these features located within natural space within the proposed development would have been preserved in situ. However, their settings would be impacted by the operation phase of the proposed development. Following mitigation, the ES concludes that the impact on these features would be neutral/slight adverse impacts, which is not considered to be significant in terms of the EIA regulations and is minor overall.

Built heritage assets within the application site boundary

364. There are several farms within the application site that include buildings with some historical and evidential value, including West Langarth Farmhouse, West Longarth Farm, Langarth/Henley Court, Governs Farm, Willow Green Farm and East Langarth Farm. Most of the above are smallholdings. It is proposed to retain the buildings within these farms that have heritage value. The group of buildings at Penventinnie may also have some historic significance. The buildings identified are based upon a report which undertook a review of existing farm buildings within the site.
365. The buildings identified for retention in the parameter plan are:
- West Longarth Farm
  - Governs Farm
  - East Langarth Farm
  - Willow Green Farm
  - West Langarth Farmhouse
  - Langarth, Henley Court
366. The Design Code that accompanies the application provides guidance on how their character is supported. Each smallholding building on the application site that is discussed in this section would be impacted by the construction activities.
367. The buildings to be retained, as identified, above, are classified as being low value in terms of the ES and the impacts of the development upon them, with the change to their setting not significant in terms of the EIA regulations.
368. The WWII military hut (Young Farmers Club) would experience a temporary moderate adverse impact to its setting during the construction phase. This would result in a slight significance of effect.

369. The impact of the proposed development on all of the above buildings have been assessed with regard to the EIA regulations and the ES concludes that the impact is less than significant when mitigation is taken into account.

#### Historic Landscape

370. The Cornish hedges within the application site, all of which are of low to medium value, are at a high risk of being directly impacted during construction. Following mitigation, these assets would experience slight to neutral/slight adverse significance of effect which is considered not- significant.
371. The construction phase would significantly affect the land use of the fields which form part of the historic landscape, replacing agriculture with buildings in most of them. This would be a minor to negligible impact to the medium value historic landscape. However, the retention of the hedges, ancient woodland, routeways and green corridors, including at Kenwyn and Treliske Valley, would help to preserve the Historic Landscape within the operation phase. Following mitigation, the historic fields would experience slight adverse significance of effect. The mitigation measures are secured through the use of planning conditions.

#### Archaeology

372. Archaeological assessment and mitigation is a phased successive approach, whereby the results from one phase informs the next. The initial phase of archaeological assessment has taken place, which consisted of desk-based studies. This baseline has been further informed by fieldwork. This fieldwork mainly has consisted of extensive geophysical surveys. Some trial trenching has been carried out as part of previous applications and further trenching has been completed along the route of the NAR, when in control of the applicant. Further trail trenching will be required to support future reserved matters applications and where gaps exist on the route of the NAR. This further survey will help inform the design of future reserved matters applications. The mitigation measures are secured through the use of planning conditions.
373. The exact form and scope of construction mitigation to take place would be defined following the completion of the evaluation (geophysical survey and trial trenching). The ES sets out broad mitigation measures likely involve the following:
- Preservation ‘by record’ of archaeological remains involving a series of open area excavations on parts of the Site where there is dense archaeology or archaeological potential is thought to be high. This would take place pre-construction.
  - Preservation ‘by record’ of a standing building prior to its demolition. Recording would be completed in line with guidance issued by Historic England.
  - Preservation ‘by record’ involving discrete areas of the application site being subject to archaeological monitoring (‘watching brief’) during construction or

modern remains such as military camps, an element of documentary and air photo research would be required, possibly alongside other mitigation measures such as trial trenching and excavation. Mitigation measures would be implemented through conditions requiring a written scheme on investigation for the development. The archaeological assets that are located within green areas within the proposed development will be preserved in situ.

### Conclusions

374. The ES submitted with the application concludes that overall that the residual impact of the development is not significant in terms of the EIA regulations and less than substantial in terms of the NPPF. The development will, however, introduce change to the character of the area and the setting of both the local landscape and heritage features. The key objective for the development therefore is, through an appreciation of that character and heritage, to work with that form wherever possible. The focus and use of the existing field pattern and tracks and lanes as features of the new layout and retention of the existing farm buildings on the site provides a link back to the past. The Design Code provides an important tool to ensure that future applications are consistent with this ambition and to break up the heights of buildings. In accordance with Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 202 of the National Planning Policy Framework 2021, it is necessary to weigh the identified harm to the heritage assets against any public benefits that arise from the development. This is set out above, under 'Balance of Considerations and Conclusion.'

### **Transport and movement**

375. The application is accompanied by a Transport assessment (TA) which sets out the approach and impact of the proposed development. The TA provides a description of existing transport conditions and accessibility at the site, including current highway safety and traffic conditions, sustainable transport opportunities and access to local facilities and amenities on the local highway network. Key highway links in the vicinity of the site include the A390 to the south, a single carriageway road running on an east-west alignment between Chiverton Cross (A30) and Truro. The A30, accessed around 2km to the west, is the main highway route through Cornwall from Exeter, where it meets the M5 motorway. The A30 Carland to Chiverton Cross (CtCC) improvement scheme, currently under construction, will deliver improvements, including the dualling of the A30 and the provision of grade-separated junctions at Chiverton Cross and Chybucca. This is due to be open to traffic from 2024.
376. Highway safety on the study area network has been reviewed using Personal Injury Accident (PIA) data obtained from Cornwall Council. The study area comprises the A30 between Carland Cross to Chiverton roundabout, East along the A390 towards Truro until Arch Hill and from East of Chacewater into Threemilestone. Analysis of the PIA data concludes that there are no locations where highway design has been determined as a causation factor or is indicative of an inherent highway safety issue.



377. There are numerous opportunities for sustainable transport within the local area, including walking and cycling routes, Public Rights of Way (PRoW), neighbouring bus stops and the Langarth Park and Ride (P&R). There is a wide of range of services and amenities in close proximity to the site, providing retail, commercial, educational and health provisions for future residents. Services and amenities are available, with access by a range of modes at reasonably attractive journey times. Bus services, including the P&R, provide access to the City Centre, rail station and locations further afield, whilst walking and cycling offer access to a selection of local amenities within a range of up to 20 minutes, depending on the location of the origin. The site is therefore considered to be highly accessible when using active travel modes and public transport. The proposed development could further enhance this through its Sustainable Transport Strategy (STS) provision of a comprehensive range of local amenities which will be available to all site users and the surrounding community.
378. The proposed development will be served, in full, by the Northern Access Road. The applicant secured a Housing Infrastructure Fund (HIF) grant from the (then) Ministry of Housing, Communities and Local Government (MHCLG) to deliver the NAR. The NAR will run parallel to the A390 and connect from West Langarth in the west, to Royal Cornwall Hospital Trust (RCHT) and existing commercial and employment land (at Oak Lane/ Penventinnie Lane) in the east. Other access points for both vehicle and non-vehicle access will be provided along its length. Prior to the delivery of the NAR, the Interim Link Road (ILR) will facilitate early construction on the site and has sufficient capacity to facilitate the occupation of up to 300 dwellings. Upon opening of the NAR, the section of the ILR to the south of the western development plot access will be restricted to buses only (controlled by a bus gate). The remaining ILR to the north of this location will be retained as vehicular access to the adjoining development plots.
379. The NAR will provide a primary route through the site, with secondary and tertiary links complementing the access and movement strategy within the development. Cycle routes and footways will play a key part in the connectivity of the site providing an integrated and permeable scheme.
380. The strategy for the proposed development provides a closely linked walkable neighbourhood with strategic links to the A390 and associated facilities. The proposed development will provide a range of measures to promote sustainable travel and the principles of *Manual for Streets* (MfS) and *Manual for Streets2: Wider Application of the Principles* have been used to inform the envisaged transport network within the scheme. A number of crossing points and connections are provided to reduce the potential barrier effect of the A390. The principle of providing at grade crossings has been assessed and the Highway Authority raise no concerns, subject to detailed design being secured, as recommended in the conditions for Application B, below. A Public Right of Way continues through the site and beyond to connect to and enhance existing provisions, whilst public transport services will be integrated through the proposed development.

381. Planning policy and wider travel trends all point towards the need and potential to reduce car- dependency and increase the uptake of sustainable transport in the context of not only the 'climate emergency,' but also in terms of healthier lifestyles and management of existing highway networks. The national and local policy context support the move away from the 'Predict and Provide' methodologies, which have entrenched car dominance in our cities. The application focuses upon implementing a 'Decide and Provide' approach, which establishes the travel patterns which support low carbon and active lifestyles and then provides the measures required to deliver on that aspiration. This ambition forms the basis for the STS for the proposed development.

382. The STS adopts a hierarchal approach to transport mitigation, consistent with the requirements set out in paragraph 110 of the NPPF, specifically:

- Reducing the need to travel through providing high quality local facilities (including education and commercial uses).
- Enabling and enhancing the opportunities for travel by sustainable modes, including walking, cycle and public transport; and
- Providing infrastructure to meet the needs of existing communities and accommodate economic growth in a coordinated and strategic fashion.

383. The aim of the STS is to minimise the level of traffic generated by the development and to achieve a substantial reduction in existing traffic, through encouraging mode shift to offset traffic generated by the proposed development. This will be achieved through a range of measures that will be integral to the proposed development and will reduce traffic, both from the development itself and also in regard to other (background) traffic.

384. The measures included in the application are:

- Internalisation of trip - This is sought by ensuring the development includes a mix of uses and services to reduce the need to travel off the site as well as locating the development in close proximity to facilities. These include schools, health facilities and employment. A condition is recommended to require submission of a delivery plan prior to each phase setting out a strategy for how each phase will deliver employment uses and services and facilities on site in order to help reduce the need and/or desire for future residents to travel from the site.
- Provision of key worker housing as part of housing mix. The masterplan includes opportunity for the provision of key worker housing within easy walking and cycling distance and with access to the park and ride providing access to a number of major public sector employers with a particular focus onto RCHT site at Treliske
- Home working - the proposed masterplan includes telecommunications infrastructure to support remote working and includes work hubs in local centres
- Walking and cycling infrastructure - walking and cycling routes provided across

the site and connecting to surrounding areas, including the NAR as an avenue style route with dedicated cycle and pedestrian routes network of mobility hubs as a basis for electric and other bikes/cycle clubs

- Public transport - provision of a new bus service with key destinations in Truro
- Extension of the Langarth park and ride for a further 600 spaces
- Mobility hubs - to be provided in the site and contributions made to further off-site provision in Truro and Threemilestone as a focus for sustainable transport modes
- Provision of car clubs and car share schemes
- Infrastructure to support electric vehicles
- Home delivery services - provision of collection and drop off facilities as part of the development of mobility hubs. Could include the provision of last mile delivery within the development for example by cargo bikes
- Travel planning - the planning application is accompanied by a Framework Travel Plan which provides an overarching strategy for sustainable strategy
- Off-site measures. A range of measures are either proposed for delivery by the scheme or supported through a financial contribution; These include.
- Single phase controlled crossings over the A390 to provide walking and cycling links to facilities and adjoining communities (locations identified on the parameter plans)
- Contribution towards provision of e bike hire system at off-site locations in Truro and Threemilestone
- Contribution towards public realm and transport improvements to Threemilestone village centre
- Bus subsidy for bus services serving the development

385. The scheme makes a number of commitments towards sustainable transport measures. The proposals around onsite and offsite cycle improvements have evolved between the date of submission and the date of consideration by Members to reflect consultee comments and the Council's strategic infrastructure delivery priorities and existing funding commitments – the scheme now proposes a financial contribution towards online cycle enhancement as part of any future scheme.

386. The Council's Highways Officer highlights the importance of the delivery of proposals to support public transport improvements and active travel, particularly elements such as the provision of e bike hubs and infrastructure.

387. The Highways Officer states that the assessment approach of the impact of the development based on the 'Decide and Provide' approach to transport planning reflects current policy and the goal of increasing active and sustainable travel. Travel patterns which support low carbon and active lifestyles are established and the measures required to achieve them are implemented, rather than the more traditional 'Predict and Provide' approach, where historical data is used to predict future travel choices. Guidance on this approach states that it is important to acknowledge and properly communicate future uncertainty in the transport appraisal process and

recommends consideration of a range of equally plausible future scenarios to account for uncertainty.

388. In support of this approach, the applicant has considered three scenarios that would generate varying levels of traffic on the external road network, and these are considered to provide a reasonable range of likely outcomes. Scenario A represents the vision for Langarth Garden Village, with the highest level of active travel and public transport use and consequently the lowest level of car trip generation. Scenario C represents the lowest level of sustainable travel and highest car trip generation, with peak hour car trips approximately 75% higher than in Scenario A. Scenario B represents the middle ground between Scenarios A and C.
389. The applicant has not provided capacity improvement mitigation measures for the impact of Scenario C. Instead, a Monitoring and Evaluation Plan has been submitted, providing a framework for monitoring trip generation (for all modes of travel) at regular intervals (typically every 2 years) and a mechanism for calculating and releasing funding for measures to reduce car travel if the surveys indicate that the levels of active travel and public transport use are lower than those assumed in Scenario A. These measures would be in addition to those that are already included in the Sustainable Transport Strategy.
390. The sustainable transport strategy is an integral part of the scheme, including: a new bus service through the LGV site; mobility hubs; high quality pedestrian and cycle infrastructure within the development; cycle hire schemes; and car clubs. In addition, there will be local facilities that will reduce the need to travel, including a new Primary School. Off-site measures are also proposed, including: controlled crossing facilities on the A390 at Threemilestone: continuous shared footway/cycleway on the north side of the A390 between the Threemilestone and Maiden Green junctions: on-road cycle route enhancement between Penventinnie Lane and Dalvenie roundabout, incorporating an uphill cycle lane on the A390 Highertown and eastbound bus gate at Penwerris Road; as well as wider contributions to the Local Cycling Walking and Infrastructure Plan (LCWIP), e-bike hire scheme, bikes and docking facilities at off-site locations, and public realm and highway/transport improvements at Threemilestone village centre.
391. Parking standards are provided in the design code to relate to different character areas within the scheme. It is stated that the exact provision will be developed as part of future reserved matters applications, but the overall level suggested provides for the Cornwall Council standard of 1.5 spaces per home set out for larger sites. The applicant's response states that an overall assessment of the appropriate level of parking will be provided at Reserved Matters stage for each development parcel, and that the strategy for monitoring parking demand and triggers to address overspill parking will be included in the Framework Travel Plan. These arrangements would be controlled in the recommended conditions, below, and through measures in the S106 obligation, such as Traffic Regulation Orders for resident parking permits.

392. Overall, the proposed development is forecast (in Scenario A) to generate around 3,800 two-way external person trips during the AM peak hour of which around 1,100 are forecast to be vehicle trips. During the PM peak hour, the proposed development is forecast to generate around 3,600 two-way external person trips, of which around 1,100 are forecast to be vehicle trips. Vehicles (as a driver or rider) generally account for the highest mode share (29%, in the AM peak hour, 30% in the PM peak hour), followed by walking (29% in the AM peak hour, 27% in the PM peak hour) and public transport (21% in the AM peak hour, 27% in the PM peak hour). Car share and cycling have similar mode shares, at around 10%. In summary, around 60% of peak hour trips are forecast to be undertaken by sustainable modes, and 40%, by private vehicles. Junction capacity modelling has been undertaken to assess the development traffic impact of Langarth Garden Village on the local highway network. A total of 19 junctions on the local highway network have been assessed, in addition to the development vehicle accesses (four junctions). Priority-controlled junctions, including T-Junctions and roundabouts have been assessed using Junctions 9 software. Signal-controlled junctions have been assessed using LinSig.
393. The assessment shows that most junctions are forecast to operate within practical capacity in all assessment scenarios, with acceptable levels of impact from the proposed development. The exceptions to this are Junctions 13 (A390/Navigator Way signalised) and 14 (A390/Malabar Road T-junction), which are shown to experience capacity constraints/significant impacts as a result of the proposed development. Potential measures for mitigation at these junctions have been identified for review and consideration by CC in its role as Local Highway Authority.
394. In regard to Junction 17 (A39/A390/Falmouth Road Double Mini-Roundabout), the applicant recognises that there are capacity constraints, although this is an existing issue and not attributable to the proposed development and the impact of the proposed development is not considered to be severe.
395. Overall, the residual transport effects of the proposed development are not considered to be severe. The traffic impact of the proposed development is therefore considered to be acceptable and in accordance with Paragraph 110 of the National Planning Policy Framework 2021.
396. The traffic generation for the proposed development, as outlined in the TA, is calculated using 'Decide and Provide' principles, whereby the travel patterns desired for the proposed development to support lowcarbon and active lifestyles are achieved through the implementation of measures to encourage active travel and public transport use. This approach is more progressive than the traditional 'Predict and Provide' approach, where historic data is used to predict future travel behaviours, often assuming worst case scenarios, and highway mitigation provided accordingly. This can result in over-provision of traffic capacity, which in turn induces additional traffic demand.

397. This approach reflects current planning policy, with the goal of increasing active and sustainable travel, rather than relying purely upon past trends or the predict and provide approach. While the use of this approach is supported, it is important to acknowledge the potential for uncertainty, how this might affect the scheme and how the development can monitor and respond where the outcomes of the development might differ from the projections.
398. On that basis, the applicant has submitted a further technical note and Outline Monitoring and Evaluation Plan (MEP). The purpose of these documents is to provide and test two further traffic scenarios. From this, the monitoring and evaluation plan is intended to provide a mechanism for on-going mechanism of the traffic flows to test against the transport scenario. If the monitoring suggests that the traffic flows are not in line with those used as the basis for the development, then further mitigation is provided to bring forward further sustainable travel support. This monitoring and mitigation would then be set out as a requirement of the S106 Obligation, with each developer to include a bond in place to address any further mitigation that may be required in the future.
399. The results of strategic traffic modelling undertaken for the National Highways A30 CtCC scheme indicate that implementation of the scheme will reduce traffic flows on the A390 into Truro. In Scenario A, increased levels of home working, commuter relocation to the Langarth Garden Village development and the expansion of the Park & Ride site are also assumed to reduce future traffic levels on the local network. With these assumptions, the additional traffic generated by the Langarth Garden Village development is broadly balanced by these reductions, such that mitigation in the form of capacity improvements is only required at two junctions. In Scenario C, no reductions have been made for home working and home relocation. The assessment has demonstrated that the higher level of car trip generation for this scenario would result in capacity issues at a number of junctions along the A390.
400. Three Junctions – perform acceptably in Scenario A, but over capacity in Scenario C
- A390/Higher Besore Road Signalised Junction
  - A390/Malabar Road (with Ped Crossing Mitigation) – note the current arrangement for this junction (should the mitigation not be progressed outside of MEP programme) falls within the list below instead.
  - A39/A390 /Falmouth Road Double Mini-Roundabout
401. Two Junctions – development impact in Scenario C on junctions performing above capacity in Scenario A
- Chacewater Hill/Threemilestone Roundabout
  - A390/Navigator Way Signalised Junction



402. The overall approach to mitigation for the proposed development is to enable higher levels of sustainable travel to achieve the vision of the proposed development, as assessed under Scenario A. The MEP suggests mitigation measures and proposals will be agreed with the Highway Authority following undertaking the Monitoring and Evaluation stages outlined in that plan.
403. The mitigation strategy prioritises sustainable travel interventions over highway capacity measures, although these are not precluded if they achieve material benefits for all users, including pedestrians, cyclists, and public transport users. Highway capacity improvements will not be provided specifically to accommodate the level of impact under Scenarios B and C, as outlined in the TA, as these are contrary to the vision of Langarth Garden Village, as well as the objectives of the Council's planning and transport Policies. Such policies support sustainable travel and provide a focus and priority on meeting the needs of pedestrians/cyclists and the provision of public transport; hence the focus of any further mitigation, if required.
404. Mitigation schemes will be informed by the monitoring exercises undertaken, including monitoring of sustainable travel uptake and other travel behaviours.
405. This Outline MEP provides a framework to determine the proportion of the funding to be secured within the Section 106 Agreement and which is to be released at various levels of development impact, as determined through the MEP process. This approach ensures that, should the sustainable transport vision of the proposed development not be achieved, there will be a proportionate contribution from individual developers to create acceptable residual transport conditions, whilst also allowing the Highway Authority to prioritise and pool a certain proportion of funding towards sustainable transport schemes in accordance with their wider aspirations and policies.
406. Mitigation will be secured via a developer contribution, which takes the form of either a cash deposit or bonded sum from which the Highway Authority will be able to access funds over the course of the development construction, to provide specific mitigation schemes as evidenced through the MEP process.
407. This Section 106 mechanism provides a refund of a proportion of this cash deposit/bond in the event the traffic generation targets in the TA are met. This will incentivise individual developers to implement the primary mitigation measures in the FTP and other measures to achieve the objectives of the TA and the wider sustainability objectives for the development. However, the Highway Authority will retain a proportion of this cash deposit / bond until the end of the development phase, to ensure there are sufficient funds to cover the specific mitigation schemes evidenced through the MEP process over the lifetime of the development.
408. The cumulative total of the 'bonded sum' secured via the Section 106 will therefore vary over the lifetime of the development.

409. The Highways Officer concludes that whilst the Decide and Provide approach is being adopted more widely in transport planning, it is still relatively new and therefore there is little information available on case studies that demonstrate its effectiveness. The MEP is therefore a key document, as it will provide early identification of divergence from the assumptions regarding active travel and public transport use in Scenario A, and the mechanism to introduce additional measures required to increase travel by these modes.
410. Whilst the Outline MEP submitted by the applicant provides a framework for monitoring trip generation and releasing funding for mitigation measures, if required, some of the key details are still to be agreed, including the methodology for monitoring of trip generation, the make-up of the Stewardship Vehicle that will manage the MEP and clarity on the methodology to be applied for calculating the level of funding that would be made available for mitigation, if required. It is recommended that agreement of these details prior to commencement of the scheme is secured through the S106 Obligation.
411. Subject to the recommended conditions, below, which secure on-site delivery of mitigation and the off-site mitigation provision as detailed in the S106 Obligation, it is concluded that the proposal would accord with the aims of Policy T3 of the TKNP, Policies 1, 13, 27 and 28 of the Cornwall Local Plan Strategic Policies 2010-2030 and section 9 of the National Planning Policy Framework 2021.

### **Air Quality**

412. There is the potential for fugitive dust emissions to occur as a result of construction phase activities. The most common air quality impacts that may arise during demolition and construction activities are:
- Dust Deposition, resulting in the soiling of surfaces and reduction in amenity; and
  - Elevated PM<sub>10</sub> concentrations, as a result of dust generating activities on site.
413. The risk of dust impacts during the construction phase was evaluated by assessing the dust emissions magnitude of the planned construction activities and by taking into account the existing sensitivity of area. It was concluded that there would be a high risk of dust impacts from the construction phase if left unmitigated. With the application of the relevant mitigation measures, it is concluded by the applicant that the residual effect would be no worse than negligible. Public Protection have considered the submitted details and assessment in relation to the construction phase and concur that impacts can be reduced and mitigated through a Construction Environmental Management Plan. This is to be secured in the recommended conditions.
414. With respect to the operational phase of the development, this has the potential to result in changes in traffic flow on the existing road network. These proposals may

result in changes in NO<sub>2</sub> (Nitrous Oxide) and particulate matter concentrations at sensitive receptors in the vicinity of roads, where traffic flows are affected.

415. Cornwall Council already undertake air quality monitoring at a number of locations throughout the County and specifically Truro, which is declared as an Air Quality Management Area (AQMA). The status report for Truro details monitoring results, showing that air quality in Truro is generally good with annual mean concentrations of NO<sub>2</sub> below the annual mean objective value of 40µg/m<sup>3</sup> at the majority of the CC monitoring locations and concentrations showing a trend of reducing over time. There are, however, some monitoring locations where measured concentrations remain above the annual mean objective value for NO<sub>2</sub> in 2018; these are situated at the roadside along the A390, at Highertown. The high pollutant concentrations on the southern edge of the A390 at Highertown are confined to the inclined section and are likely to be caused by a number of highly localised factors including:

- Being adjacent to the uphill westbound lane of the A390 – vehicles have to work harder and use more fuel in order to travel uphill, creating higher emission rates;
- Being within a narrow street corridor bounded by thick vegetation which acts as a barrier against wind dispersion;
- Being located perpendicular to the prevailing wind.

416. The above factors create a specific micro-environment, which reduces the ability of the wind to disperse the emissions in the air resulting in elevated nitrogen dioxide concentrations in those locations. The monitoring indicates that exceedances of the air quality objective are very localised. Monitoring on the facades of those properties closest to the A390 shows that concentrations drop off rapidly to well below 40ug/m3. This indicates a good level of air quality at the properties that are closest to the A390, presumably as a result of effective wind dispersion and the vegetation acting as a barrier.

417. The operational impact of the proposed development on local air quality has been assessed by undertaking air quality modelling of the without and with proposed development scenarios in 2023 with partial build out and 2038 with full build out completed. For NO<sub>2</sub> and PM<sub>10</sub>, the implementation of the proposed development is predicted to result in negligible effects at existing receptors. On-site concentrations at future receptors indicate that the occupation of the application site would not create new exposure to poor air quality. Pollutant concentrations across the development are demonstrated to be low in 2023 and 2038 even with a number of worst-case assumptions adopted.

418. The results of the air quality modelling in 2023 and 2038 show that, even though the proposed development is anticipated to lead to an increase in overall vehicle numbers, this will not result in a significant increase in pollutant concentrations in the Highertown area. Modelling shows that the overall change in pollutant concentrations in this area is predicted to be negligible. None of the modelled houses showed air

pollutant concentrations exceeding the legal objectives in the first opening year, either with or without the development. Pollutant levels are then predicted to decrease in future years, in line with the trend in historical monitoring results in the area.

419. In terms of mitigation the proposed development embeds into its design a number of features that reduce impacts on air quality. Without limitation these include:-

- the layout reduces the need to travel by car, by providing local facilities within walking and cycling distance;
- the NAR provides a direct, low speed route across the application site, which prioritises public transport, cyclists and pedestrians;
- cycle and pedestrian infrastructure are integrated across the application site to further promote walking and cycling as primary modes of movement; and
- the proposed development incorporates an extension of the Park and Ride and makes provision for improved public transport facilities.

420. Further to the above, the Framework Travel Plan includes measures such as Mobility Hubs; car club provision; parking and charging facilities for electric vehicles and e-bikes. Air quality is generally expected to improve in the future as vehicle emissions improve and the use of electric vehicles becomes more widespread.

421. Public Protection have reviewed the air quality assessment and mitigation measures proposed. The submitted Air Quality assessment concludes that the operational impact of the scheme on existing receptors will be negligible, this is due to the continuing downward trend in air pollution due to implementation of the Truro Action Plan and also due to the assumption that the mitigation as proposed in the schemes ES and FTP (Framework Travel Plan) will be fully implemented and successful in uptake. Public Protection conclude that due to the proposed scheme resulting in an increase in traffic on the local highway network, there is an indication that the scheme will increase concentration of air pollution at some existing receptors. If the worst-case transport Scenario C occurs (i.e. reductions in traffic due to active travel (walking/cycling), public transport use is not achieved) these increases in air pollution concentrations will be higher at those locations. Whilst Public Protection note that the submitted assessment has shown that predicted concentrations should not exceed the relevant Air Quality Objectives, it should be noted that the Environment Act 2021 will place the onus on Local Authorities to reduce air pollution at all locations within its area. In order to account for the cumulative impact on air quality in the Truro AQMA, an air quality contribution via the S106 Agreement is requested. The contribution is sought at a standard charge of £60 per additional weekday peak hour trip generated by a residential or office development and will be applied in line with the proposed transport scenario A. Calculating the cost per peak hour trip ensures that the development element which has the greatest impact on air quality is contributing towards ongoing monitoring and implementation of the Truro Air Quality Action Plan.

422. The Council currently maintains an extensive monitoring network in Truro, which is essential in monitoring changes in air quality from developments; residents, visitors etc and effectiveness of actions from the implementation of the Truro Air Quality Action Plan. Whilst it is essential that the proposed Framework Transport Plan is fully delivered, continuing air quality monitoring and implementation of the Truro Air Quality Action Plan will be required to see if the development is actually achieving its predicated impacts on air quality off-site and to continue to reduce concentrations of air pollution in Truro.
423. Subject to the recommended conditions and S106 Obligation contribution discussed in this section being secured as part of any planning permission, if granted, the proposal would comply with the aims of Policies 1, 2, 13 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030, Policy E1 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraphs 174 and 186 of the National Planning Policy Framework 2021.

### **Community and Social Infrastructure**

424. The requirements for different types of social infrastructure are calculated by multiplying the number of housing units that will be delivered, the household sizes and then applying the relevant standard for that population size. This number is also broken down into phases, depending on when the development will be delivered. Key assumptions underpinning the model are:
- The household size is 2.28 persons per dwelling
  - The model assumes delivery of 3800 homes (including the extra care and student / key worker accommodation)
  - The existing provision is based on research data validated with the service providers or received from them.

### **Education**

425. There are two secondary state schools in Truro. Richard Lander School, near Threemilestone, is the closest to Langarth and the development falls within its designated area. The nearest primary schools include Threemilestone, Shortlanesend and Truro Learning Academy. There are also a number of private schools in Truro.
426. From a sufficiency perspective, Education Services deem that they have no immediate sufficiency concerns for primary places in Truro for the next few years. However, when considering the overall scale of the development, a new primary school provision will be required and part of the strategic vision is that children living within the new development will be able to attend a new school from the early stages of the development. Using the overall figure of 3800 new homes and applying the affordable: open market split (65% open market, 35% affordable), results in an estimated pupil yield of 1073 primary children for the entire development. The application therefore

proposes that a two-form entry school be delivered and opened (currently planned for September 2025), after there have been a number of dwellings occupied on site (that would provide the intake) and as indicated at location B1 on the proposed parameter plans. The school would also include nursery provision from opening and rise to a full three-form entry as demand increases by/in phase three. Education Services consider that a three-form entry capacity primary school will be sufficient provision in the medium towards long-term, to meet demand, although it is possible that additional places will be required once the whole development reaches maximum capacity.

427. Education Services seek the potential provision of an additional two form entry site to also be secured to future-proof sufficient education provision. Long range projections are more difficult, but based on current housing delivery projections it is anticipated that the new two form-entry primary school will be required in phase four, when demand will surpass 630 primary places. This will be developed on site D7, in Village Park, at the same time as the additional housing, so it is ready for when new residents move into the phase five area. Such provision would be controlled within the S106 obligation.
428. With regard to secondary school places, Education Services forecasts indicate that additional places will be required in the next few years. A feasibility study has been commissioned on both existing secondary school sites in Truro to identify options and scope for expansion. However, the preferred long-term option being pursued is the development of a new eight form entry secondary school on the north coast, to meet increasing demand in that area and consequently relieve pressure on the existing Truro and Newquay secondaries.

### Healthcare

429. National Health Service (NHS) care is provided in two main ways: primary care (GPs and community services, including pharmacy, dental and optometry services) and secondary care (hospitals and specialists). Primary care is the day-to-day healthcare available in every local area and is the first-place people should go when they need health advice or treatment.
430. In terms of primary care provision, there are two practices in Truro and two neighbouring practices with boundaries covering the proposed Langarth development, with a combined patient list of 48,551. The Lander Medical Practice (which Threemilestone Branch Surgery is a part of), Three Spires Medical Practice, Chacewater Health Centre and St Agnes Surgery.
431. The Royal Cornwall Hospital at Treliske (RCHT) is located adjacent to the application site. It is Cornwall's primary acute hospital and provides Emergency Department (ED) and critical care services, as well as a full range of in patient and out-patient and specialist medical services from the site.



432. Victoria Pharmacy is near the Threemilestone branch surgery, close to the application site, and a Lloyds pharmacy is located in Royal Cornwall Hospital adjacent to the Langarth site. There is a Boots pharmacy on the Truro Health Park site, two pharmacies between Highertown and Truro Station, plus six pharmacies in Truro City Centre.
433. Peninsula Dental Social Enterprise is based on the hospital site, five dental practices in Threemilestone and sixteen in central Truro (not including Smile Direct and a hygienist). For a population of 25,126, these 22 dentists provide a dentist for every 1142 of the population. It is likely, however, that many customers come from further afield, so as to increase demand.
434. In terms of primary provision, the application proposes the potential to include a Community Health Facility, that should be a collaborative health effort that ensures proximity of health provision to Langarth. This should firstly minimise likelihood of increased footfall for RCHT ED and secondly minimise the need to cross the A390. Such a Community Health Facility could comprise primary (GPs, pharmacies, urgent dental care), community (district nursing etc), social care and mental health provision, as well as secondary care services, that could be moved off the Treliske site and work in a community health facility, such as diagnostic and elective work. Further, the facility could potentially provide a modern training site, along with a wellness centre. If, for any reason, a Community Health Facility is not delivered in Langarth, the community hub buildings could be designed with flexible community space (with appropriate waste disposal) that could be rented and used for branch surgeries if and when needed. This would enable a phased approach to service delivery, where branch surgeries could provide a cost-effective option for additional primary care delivery outside of Threemilestone and within Langarth, as the development grows.
435. Based on existing provision of pharmacies and dentists, there is sufficient capacity for current and future need of both dentists and pharmacies, though there may be demand for one new dentist and one new pharmacy in the centre of the development for ease of access (a pharmacy should be within a 1.6km/20-minute walk). Given existing provision, they will likely be needed in the west of the development. If demand is deemed to be sufficient, these would be provided by the private sector and would likely require the relocation of existing pharmacies as licenses for new practices are rarely granted.
436. Health care provision may take the form of a dedicated facility on site or contribution, as per the rate set out in the guide to planning contributions and primary health care provision in relation to primary care services. Details as to the specific S106 obligation requirements will be set out in the update circulated prior to the Committee meeting.

### Community and cultural facilities

437. Accessible community hub buildings are likely to be needed to meet the requirements of various essential local services in a flexible way.
438. The application proposes that a community hub of 400sqm minimum will be delivered in phase 1 within Langarth Park (the 'sports village' area on the predominantly residential plot B6). In this location, it would be situated close to the NAR, overlooking a park and adjacent to a mobility hub providing cycle hire and electrical vehicle charging facilities. The possible scope of the community hub is that the building could have space for:
- Sizeable flexible space/s for use by the community to fulfil a community hall-type function (for activities, meetings, birthday parties and use by various faith and community groups etc), with some self-service kitchen facilities (fridge, sink, kettle, microwave, toaster) and sufficient storage – these spaces will be available to hire on a cost basis to community groups / organisations. This should be a minimum of 300sqm.
  - A more formal room that could be rented for healthcare consultations (with appropriate waste disposal) if and when needed – by healthcare, social and council services [designs will need to consider how a reception and waiting room function could be delivered within a flexible community hub, especially given lessons learnt from the pandemic).
  - Commercially run café to provide income for stewardship organisation.
  - Co-working space for local businesses (serviced office space will be provided at The Curve so this could be more informal space for individuals, potentially connected to/incorporated within the café).
  - Public toilets.
439. A second community hub may also be needed but may be more suited to the community hub that will be brought forward on plot D13 in a later phase:
- A minimum size of 400sqm.
  - Space for young people specifically
  - Formal services (healthcare, social and council services) – potentially:
    - Rentable room equipped for healthcare consultation space (and appropriate waste disposal) if and when needed
    - Library (possibly self-service with IT suite) and various Council information Services
    - Social services
    - Potential for other provision.
440. Details as to the specific S106 obligation community facility requirements will be set out in the update to be circulated prior to the Committee meeting.

## Retail and service provision

441. In terms of the proposed commercial uses, five local centres are will be provided across the site. A sports and wellness quarter is also proposed, adjacent to the Stadium for Cornwall site, as well as community uses and office space. The main town centre uses can be broken down as follows:

**Table 2: Proposed main town centre uses**

Proposed Uses	Proposed Gross Internal Area (sq. m)
Convenience Goods Retail (Class E)	2,060 sq. m (1,450 sq. m net sales)
Comparison Goods Retail (Class E)	1,500 sq. m (1,200 sq. m net sales)
Financial / Professional services (Class E)	500 sq. m
Food and beverage (Class E)	1,540 sq. m
Micro-Brewery (Sui generis)	1,500 sq. m
Office / Employment uses (Class E)	15,500 sq. m
Health /Community / Education uses (Class E / F1)	13,430 sq. m
Other leisure uses (Class E / F2)	2,500 sq. m
<b>TOTAL</b>	<b>38,530 sq. m</b>

442. It should be noted that the total convenience and comparison retail floorspace in this location is proposed to be significantly less than that previously approved within the application site area, thus reducing the potential impact on Truro city centre.
443. Paragraph 93 of the National Planning Policy Framework 2021 identifies the need to plan positively for community facilities, including provision of local shops. In relation to large residential developments, paragraph 72 of the National Planning Policy Framework 2021 indicates that new homes can be provided within new settlements or significant extensions to existing villages, provided they are well located and designed, and supported by the necessary infrastructure and facilities. This objective requires sufficient access to services and employment opportunities within the development itself. The benefits of providing an appropriate mix of uses within large scale development clearly assists in terms of sustainable transport by minimising the number and length of journeys.
444. In terms of retail, planning policies and decisions should support the role that centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should allocate a range of suitable sites to meet the scale and type of development likely to be needed. Meeting anticipated needs for retail, leisure, office and other main town centre uses should not be compromised by limited site availability. Where suitable and viable, town centre and edge of centre sites are not available for main town centre uses and policies should explain how identified needs can be met in other accessible locations.

### Sequential Test

445. The sequential approach test indicates main town centre uses should locate in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered (para. 87 of the National Planning Policy Framework 2021). When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 88 of the National Planning Policy Framework 2021 explains that applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
446. The new retail centres proposed as part of the LGV development are considered to be 'out of centre.' However, as acknowledged by the National Planning Policy Guidance, certain main town centre uses have particular market and locational requirements, which mean they may only be accommodated in specific locations. Robust evidence is required to demonstrate a locational specific requirement when applying the sequential test.
447. The National Planning Policy Framework 2021 and Planning Practice Guidance provide limited guidance on the appropriate area of search for sequential sites, but it is widely accepted that sequential sites should serve the same or similar catchment area when compared with the application site. The National Planning Policy Framework 2021 indicates that sequential sites should be capable of accommodating development proposals. The scope for flexibility needs to be considered. A proposed new retail centre(s) should not be disaggregated, either through the development plan process or a via a planning application. Sequentially preferable sites would need to be large enough to accommodate development of a broadly similar size.

### Impact Assessment

448. The NPPF states that local planning authorities should require an impact assessment for applications for retail and leisure development outside of town centres, which are not in accordance with an up-to-date development plan and are over a proportionate, locally set floorspace threshold.
449. For development not promoted through the development process, and where there is no locally set threshold, the default impact threshold is 2,500 sq. m (paragraph 90, National Planning Policy Framework 2021). An impact assessment should include:
- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

450. Where an application fails to satisfy the sequential test, or is likely to have a significant adverse impact on one of more of the above factors, it should be refused (paragraph 91, National Planning Policy Framework 2021).

#### Development Plan

451. In terms of retail, the Truro and Roseland Community Network Area section of the Cornwall Local Plan states that:
- Truro is an important retail centre of strategic importance attracting a wide catchment from the surrounding rural towns and villages. Suitable land for larger retail development is in limited supply in the city centre; however, opportunities include the Council's former office campus at Pydar Street, the Moorfield car park and Garras Wharf; and
  - Threemilestone village centre provides an important role for local residents and provides local services and shopping. There is considerable potential for the regeneration of the centre to provide additional facilities and services for residents and workers at local employment areas.

#### Neighbourhood Plan

452. In terms of retail, the TKNP also does not allocate retail sites stating that *"there is pressure for the development of out of town retail sites, but there remain deliverable brownfield sites within the city centre for redevelopment. Growth options may support a new food store to the west of the city, but the focus for non-food retail and leisure should be the city centre, where it can be accessed by a variety of means of transport and support other town centre businesses and uses"*.
453. In addition, the TKNP states that *"Recent planning permissions at Langarth will create substantial new communities in the west of the Plan area. These areas should be able to access day to day shopping needs without having to access the city centre. In recognition of this the Retail Strategy for Cornwall recognises a potential need for one small supermarket in the west of Truro / Threemilestone area."*
454. This position is reflected in Policy EJ2, which seeks to direct new retail development to the city centre, in the first instance, with development proposals for retail or city centre uses outside of the town centre boundary to be "subject to sequential testing to demonstrate why the proposed use cannot be accommodated in the city centre and that they would not negatively impact on the trading and operation of the city centre."

#### Retail Evidence Base

455. The Council's advisors, GVA, undertook a county wide Retail Study in 2010, which was updated in 2015, including a new household survey (undertaken in 2014).

456. For Truro, the 2015 update stated that within the 2010 study, the quantitative need assessment found that there was surplus expenditure capacity equivalent to one new medium sized supermarket, with a total capacity level of circa 2,800 sq. m (net) by 2031. However, in the 2015 update, GVA found that permission has been granted for a new Waitrose store and associated Taste of Cornwall store on the eastern side of the city. In addition, there is the potential for convenience goods floorspace to be provided within the mixed-use development commitments at Langarth and a site adjacent to the Park and Ride facility in Threemilestone.
457. Therefore, taking account of these commitments, along with the other updated survey and expenditure information, GVA concluded that there was no current capacity for additional convenience goods floorspace in the Truro/Threemilestone area. However, GVA found that by 2024, there will be capacity for 500 sq. m net, increasing to 1,400 sq. m in 2030. GVA confirmed in the 2015 update that Cornwall Council do not need to plan for another supermarket in the Truro/Threemilestone area.
458. In terms of comparison retail, GVA cited a number of new commitments for comparison goods floorspace in Truro/Threemilestone and in other settlements whose residents have historically contributed to Truro's turnover level. GVA stated that this had resulted in significant reduction in the amount of floorspace capacity available to new comparison goods floorspace and that this is a sign of the increasing pressure that the city centre is under, from development in both the local area and further afield. GVA's figures demonstrated that surplus capacity will only arise between 2019 and 2024 (circa 3,350 sq. m net), although in the longer term there is likely to be capacity for circa 14,000 sq. m (net) of new floorspace by 2030.

#### Truro City Centre Health Check

459. Truro is the only city in Cornwall and sits at the top of the retail hierarchy for the county. The Cornwall Local Plan (para 1.77) states that 'Proposals should support Truro's wider role as an economic and service centre and maintain its role at the top of the retail hierarchy and as an alternative to major centres outside of Cornwall.'
460. Truro is the largest shopping centre in the county, with many more retail units than any other Cornish centre. Its key roles are set out below:
- Convenience – within the centre, Truro has a Tesco superstore (circa 3,600 sq. m net) at Garras Wharf which is the largest convenience store serving in the town centre. This is supported by a Co-op (circa 600 sq. m net) at Boscawen Street. There is also an M&S foodhall within the main store and an edge of centre Iceland at Fairmantle Street. At the time of writing Aldi are constructing a 1,315 sq. m net store at Garras Wharf within the town centre boundary. There are other convenience retailers in the centre including bakers, delicatessens, health food shops etc.



- Comparison – as a city centre, Truro has attracted a number of key national retailers including Marks & Spencer, Primark, Boots, Wilko, Topshop, TKMaxx, Fatface, Lakeland, New Look etc. There is also a good mix of independent retailers including gift shops, clothes shops and sporting goods.
- Services – there is a wide range of non-retail services, including a barber, hairdressers, dry cleaner, estate agents, financial services, solicitors, travel agents, beauty services and banks.
- Food and Beverage – there are a mix of national chains and independent food and beverage retailers distributed throughout the centre including Pizza Express, Ask Italian, Café Nero, Cornish Vegan, Habeneros etc.
- Entertainment/Leisure – leisure opportunities are relatively limited in Truro although the centre benefits from the Plaza cinema and Truro Bowl. There are some local fitness centres including Anytime Fitness, The Yoga Centre and Breathe and a number of public houses / bars. ‘The Gym’ is also located edge of centre.
- Other – the Pannier Market is located within the centre along with other attractors such as Truro College, the Library, the Cathedral, Royal Cornwall Museum, Lemon Street Market, the Job Centre and several office buildings.

461. In December 2020, Cornwall Council published a survey of the centre which has found that within Truro there are 27 Class A1 convenience outlets, 181 A1 comparison outlets, 198 units providing retail services and 78 vacant units. The diversity of Class A units within the centre is set out in Table 3, below, and the results are compared with the national average. In summary, the centre has a slightly higher vacancy rate than the national average, but these units are distributed throughout the centre. The current level of vacancy does not indicate that the centre is in poor health in this instance.

Sector	2015		2016		2017		2018		2019		2020		Cornwall Average 2020	National Average 2020
	No	%	No	%	No	%	No	%	No	%	No	%		
Convenience	25	4.9	24	4.8	27	5.4	28	5.6	25	4.9	27	5.5	8	10
Comparison	227	44.7	212	42	216	42.9	205	41	196	39.7	181	36.9	35.9	35.8
Service	204	40.2	207	41	210	41.7	201	40.2	194	39.7	198	39.7	40.4	39
Vacant	44	8.7	55	10.9	44	8.7	60	12	70	14.3	78	15.9	14.8	14
Miscellaneous	8	1.6	7	1.4	7	1.4	6	1.2	7	1.4	6	1.2	0.8	1.2
Total	508	100	505	100	504	100	500	100	492	100	490	100	100	100

Table 3: Truro City Centre retail survey 2020

462. The centre has a higher proportion of comparison units and a lower provision of convenience units when compared with the national average. However, Truro is adequately served by out of centre Sainsburys, Waitrose and Aldi stores. The higher percentage of comparison goods shops is a good indicator of health and the importance of Truro as a shopping centre at the top of the hierarchy.

463. Service uses are broadly in line with the national average and restaurants; takeaways, pubs and bars is slightly below. The city centre also caters for tourists and has a dual role, serving local residents and visitors, which contributes to its vitality and viability.
464. Undoubtedly, however, the Covid-19 pandemic has had a significant impact on town and city centres across the country and Truro is not immune from feeling those impacts. The 2020 town centre survey concludes that the city centre is struggling for a second year in terms of its trading performance with its comparison sector in decline and the high number of shops falling vacant. Indeed, the 2020 survey results revealed that the city is no longer in the top quartile in terms of its comparison sector. Notably, the big brands have been impacted by high rents and changing consumer habits exacerbated by the pandemic. However, looking to the future, the city has secured major investment proposals with Langarth Garden Village (the subject application), the Stadium for Cornwall, Truro City Shopping Park, a city centre Aldi, the Pydar redevelopment scheme (recently granted planning permission) and the renovation works to the Hall for Cornwall, which re-opened in the Autumn.

#### Commercial Rents

465. This rental value is very similar to Plymouth, but lower than Exeter (circa £2,000 per sq. m) and is significantly higher than Falmouth (circa £230 - £590 per sq. m). Truro appears to command relatively high rents commensurate with its city status and position in the hierarchy.

#### Characteristics of the shopping area

466. The main shopping area is focussed around Pydar Street, King Street, Boscawen Street, St Nicholas Street, River Street and Lemon Quay. The majority of the shopping area is focussed around traditional shopping streets, with a number of attractive buildings and high quality public realm. There are also a number of 'quirky' buildings which add real interest to the street scene. To the south of the centre is Lemon Quay, which is a purpose built, outdoor square with retail focused along one parade, with a multi storey car park serving the centre. To the north of the centre is the northern end of Pydar Street, which is predominantly vacant. An outline planning application has recently been granted planning permission for up to 320 dwellings, up to 400 student bed spaces and up to 16,500 sq. m of non-residential floor space. As such, this area should soon be regenerated to a high standard.

#### Health check summary

467. The health check analysis submitted with the application demonstrates that Truro city centre is vital and viable, despite the slightly higher than average vacancy rate. It has an aesthetically pleasing environment, with high quality paving and attractive buildings. It provides functional spaces and the facades and shop units are in good condition. There is plenty of car parking and sustainable travel options. The centre also

has significant opportunity to improve through the redevelopment of Pydar Street and the refurbishment of the Hall for Cornwall.

#### Sequential site assessment

468. With regard to the sequential test, there is a specific locational need for the proposed main town centre uses, to serve the new residents of the proposed development. The site has been identified for strategic residential led development by Cornwall Council. The commercial elements will ensure a sustainable form of development, with residents able to meet many of their day to day needs within the site itself. As such, there are no sites within or on the edge of the defined centres which would therefore be suitable to accommodate the proposed development. Accordingly, the proposed development complies with the sequential test.
469. Notwithstanding this, for completeness, the application is accompanied by an assessment of potentially sequential sites in Truro in accordance with national planning policy. The assessment identified Old Bridge Street Car Park, Fairmantle Street Car Park and Moorfield Car Park, but all are discounted given being too small to accommodate the development proposed. Pydar Street and Garras Wharf were also identified, but discounted due to the planned re-development of both sites and their lack of availability for the development proposed.
470. The sequential test concludes that there is a specific market and locational need for the commercial floorspace to be provided within the application site. The facilities proposed can only be located at the application site, as they are intended to serve the new residents of the proposed development and the local catchment area. Other sites away from the site would not be suitable or viable and therefore the development complies with the sequential test.
471. Notwithstanding this commercial rationale, the analysis of potential alternative sites demonstrates that there are no available, suitable and viable sites that can accommodate the proposed commercial element of the development. As a result, the submitted assessment considers that the application site is the most sequentially preferable site to accommodate the proposed development and the sequential test is passed. The conclusions reached are accepted and the sequential test is considered to be passed.

#### Capacity and Impact Assessment

472. In terms of impact, the NPPF states (paragraph 90) that Local Planning Authorities, when assessing applications for retail and leisure development outside of town centres, which are not in accordance with an up to-date Local Plan, should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sqm).

473. Impact assessments should consider:

- 1) the impact of the proposal on existing, committed and planned public and private investment in centres in the catchment area of the proposal; and
- 2) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider retail catchment (as applicable to the scale and nature of the scheme).

474. The proposed retail and leisure floorspace proposed totals 9,600 sq. m gross and therefore is above the defined threshold. The impact assessment submitted has had regard to the fact that the proposed 9,600 sq. m of retail / leisure floorspace is circa 15,959 sq. m less than what has previously been approved at the site.

#### Convenience shopping

475. Convenience shopping within the catchment area is limited to an existing Co-op, Costcutter and a Spar shop. The benchmark turnover of these existing convenience stores is estimated to be circa £4.6 million. Broadly 50% of this turnover can be attributed to the new Co-op food store, which acts as an important anchor in the existing village centre of Threemilestone. Truro retains about 59% of convenience goods expenditure with a significant amount of convenience goods expenditure leaks from the local area, primarily to large food stores in Camborne, Pool and Redruth which is understandable given the local geography.

476. The submitted assessment explains that this level of retention implies that existing convenience stores within the local area are trading well, particularly given there will be a significant amount of 'inflow' from tourists and other visitors, particularly in the summer months.

#### Comparison shopping

477. There are several retail parks within the catchment area, that primarily act as the 'bulky goods' shopping destinations serving Truro and the wider area. This includes Treliske Retail Park, Threemilestone Retail Park and West Truro Retail Park.

478. The GVA Retail Study 2015 estimates that comparison goods expenditure currently attracted by all shopping facilities within Truro is estimated to be £490.6 million in 2020 and this is expected to rise to £753.46 million by 2034. Truro, as the only city within Cornwall, attracts trade from a significant geographical area, which is demonstrated within the GVA study. When assessing the four most relevant zones for Truro within this study, it is evident that the majority of competition comes from Camborne, Pool and Redruth; Falmouth & Penryn; Newquay; and St Austell.

### Food and Beverage

479. In the catchment area, the food and beverage offer is fairly limited to KFC, McDonalds, Subway, a bakery and hot food takeaways in Threemilestone village and the Victoria Inn. Truro centre has several chain restaurants (Pizza Express, Ask Italian etc) and independents. Again, as the only city centre and an attractor for both residents and visitors, it is likely that Truro's food and beverage offering draws trade from a wide geographical area.
480. The submitted assessment concludes that food and beverage floorspace at the proposed development is expected to provide for the needs of the residents of that development only.

### Leisure/commercial

481. The leisure offer within the catchment area is limited, with Truro leisure centre providing the only major leisure offer in Threemilestone. Truro city centre provides additional leisure facilities, including the 5 screen Plaza Cinema on Lemon Street, Truro Bowl (although this is within the Pydar Street site marked for redevelopment), the Hall for Cornwall, the 200 seat Burrell Theatre, the Truro Playhouse and various private member gyms / fitness clubs.
482. Up to 2,500 sq. m of leisure floorspace is proposed as part of the development. The end uses are not defined at the current time, with permission sought for Class E/F2 use. However, the proposal envisages that the floorspace will be located adjacent to the proposed stadium, forming a sports focussed leisure 'hub' and may include facilities such as a climbing wall / bouldering and a gym. A cinema or a theatre will not be provided within the development as it is not included within the outline application description, thus minimising any overlap of provision with existing leisure facilities in the city centre. Cinema and theatre uses are considered sui generis in terms of planning use class and hence would not be deliverable as part of this planning permission if granted. However, for clarity such uses are recommended to be restricted by condition as set out below.
483. The applicant's retail assessment advises that commercial leisure facilities usually draw the main part of their trade from residents up to a 20 minutes travel time. However, in a more rural location such as Cornwall, such facilities may be expected to draw trade from slightly further afield.
484. As such, depending on the type and nature of the floorspace, the proposed leisure development would be expected to provide for the needs of the residents of the development, as well as the wider catchment area. It is concluded that this would be complimentary to and not in competition with the city centre.

### Convenience Floorspace Capacity

485. Based on the provision of circa 3,550 dwellings, future levels of available convenience goods expenditure in 2024, 2029, 2034 and 2039 are provided. This demonstrates surplus available convenience expenditure of £5.57 million at 2020, rising to £15.81 million at 2039.
486. The retail impact assessment submitted assumes average sales density figure of £7,000 per sq. m at 2020, based on a turnover which will be realistically achievable for convenience operators in LGV, and similar to the turnover of existing facilities in Threemilestone. No single large supermarket is proposed, with provision likely to be formed of small convenience stores and other operators such as bakers and butchers.
487. Up to 2,050 sq. m gross of convenience goods floorspace is proposed at the proposed development, with floorspace distributed through five local centres which will be delivered in phases. It's noted that there is capacity for the proposed level of convenience floorspace by 2039, at which point the development could be built out in its entirety (expected completion 2038). The phasing of the development will assist in balancing convenience retail provision with housing delivery leading to a sustainable form of development.

### Capacity for comparison goods floorspace

488. Comparison expenditure of £1.68 million at 2020, rising to £12.09 million by 2039 is stated as being available for the development proposed.
489. The retention of comparison goods expenditure within LGV is much lower than for convenience goods shopping, because residents will generally travel further and shop around for comparison goods; i.e. they will travel into Truro or even further to visit larger shopping destinations. The provision of additional shopping facilities within LGV should, however, assist in increasing expenditure retention in the local catchment area.
490. The development proposes up to 1,500 sq. m (gross) of comparison floorspace to be distributed through the local centres within the scheme. As demonstrated in Table 6, there is capacity for the proposed level of comparison floorspace by 2039, at which point the development is targeted to be built out in its entirety (completion expected by 2038).

### Capacity for food and beverage floorspace

491. Available expenditure of £3.5 million at 2020, rising to £11.4 million by 2039 is stated as being available for the development proposed.



492. It is assumed that the microbrewery will provide circa 500 sq. m of bar/restaurant area, with the rest of the floorspace dedicated to the brewing process / backhouse areas. An increased level of inflow has been assumed within the retail assessment submitted for this floorspace, due to the proximity of the proposed Stadium, which will attract visitors from well beyond the 2km catchment area.

### **Retail Impact Assessment**

493. The level of trade diversion and impact caused by the development of the local centres will depend on the scale of floorspace and the timing of development. The floorspace capacity projections assumed with the retail impact assessment submitted of the local centre's turnover will be generated by new residents within the Garden Village, rather than the indigenous population. No significant adverse impact on Truro is envisaged.
494. The majority of the proposed retail floorspace is to be distributed throughout the development, within five local centres, which will be delivered in line with the proposed housing development and commercial floorspace.
495. It is anticipated that the site is to be built out between 2021 and 2038. However, the assessment assumes that all the proposed retail floorspace will be delivered by 2034. The expected retail turnover of the new convenience and comparison uses in the local centres in 2034 is £20.51 million, broken down as follows:

x Convenience goods retail = £10.36 million  
 x Comparison goods retail = £10.14 million

496. As a conservative estimate, the impact assessment assumes only 40% of this turnover will be generated from new expenditure within the Garden Village, and therefore not more than 60% will be diverted trade from the indigenous population, resulting in trade diversion from existing shopping destinations.

### **Convenience goods impact**

497. Permissions are already in place, which propose to provide circa 6,064 sq. m net of convenience floorspace across the application site. This latest proposal seeks to reduce this figure to just 1,450 sq. m net (a reduction of 4,614 sq. m net).
498. The highest levels of trade diversion are expected to come from large out of centre food stores on the west side of Truro; i.e. Sainsbury's and Aldi and also Tesco, on the edge of the city centre. All of these stores will continue to trade at higher levels in 2034 when compared with the base year turnover at 2020.
499. The Co-op at Threemilestone will experience the highest proportional reduction (-9.7%) in trade, but this reduction will be partially offset by expenditure growth between 2020 and 2034. The residual turnover of the Co-op store is £1.74 million, only

3.4% below the base year turnover £1.80 million. This store would not be expected to close.

500. It is concluded that impact on the three main stores (Co-op, Marks & Spencer and Iceland) in Truro city centre to be only £0.3 million, and this low level of trade diversion will be more than offset by expenditure growth. No significant adverse impact is envisaged on the convenience goods sector within the city centre, even if the maximum amount of floorspace is provided in 2034.
501. Previous planning approvals across this site have granted circa 6,064 sq. m net of convenience floorspace. As such, it is considered that the proposed reduction of convenience floorspace through this application to 1,450 sq. m will significantly benefit Truro city centre in the long term whilst still providing sufficient facilities for local residents.

#### Comparison goods impact

502. No discernible impact is envisaged on the comparison goods sector within the city centre. The Council has previously approved 5,567 sq. m net of comparison floorspace across this site (10,370 sq. m if including the now lapsed permission at West Langarth). As such, it is considered that the proposed reduction of comparison floorspace through this application to 1,200 sq. m will significantly benefit Truro city centre in the long term whilst still providing sufficient facilities for local residents.
503. Trade diversion from existing comparison goods facilities in Truro is £6.08 million, which is 60% of the total turnover generated by indigenous population. This trade diversion represents circa 1.2% reduction in total turnover in 2034. This level of impact will be quickly offset by population/expenditure growth. The residual turnover of Truro is £748.89 million in 2034, compared with the base year turnover £490.61 million.

#### Food and beverage impact

504. The Garden Village alone should generate food and beverage expenditure of £9.87 million by 2034. Additional diverted trade from the indigenous population is likely to spread over a wide area. Trade diversion from Truro city centre is likely to be a very small proportion of total turnover (less than 1%). No discernible impact is envisaged on the food/beverage sector within the city centre.
505. These impact figures suggest the delivery of five local centre would not negatively impact on Truro, because delivery would be phased in line with house completions.
506. Including the now lapsed West Langarth scheme, the previously approved planning permissions in the site area included circa 3,593 sq. m gross of food and beverage floorspace and the proposed development broadly proposes food and beverage floor

space in line with that which currently benefits from extant consent. As such, it is considered that the proposed food and beverage floorspace is appropriate and will have limited impact on Truro city centre whilst still providing sufficient facilities for local residents.

### **Leisure Impact Assessment**

507. Depending on the type and nature of the floorspace, the proposed leisure development would be expected to provide for the needs of the residents of the development as well as the wider catchment area. However, this should be complimentary to and not in competition with the city centre.
508. Furthermore, due to the existing lack of leisure facilities in Truro (other than cinema and theatre), additional diverted trade from the indigenous population is likely to spread over a wide area. Trade diversion from Truro city centre is likely to be a very small proportion of total turnover. No discernible impact is envisaged on the leisure sector within the city centre. Cinema and theatre uses do not form part of the outline planning application which further reduces any potential for impact on the city centre.

### **Conclusions**

509. There is a specific market and locational need for the commercial floorspace to be provided within the application site. The facilities proposed can only be located at the application site as they are intended to serve the new residents of the proposed development and the immediate (0-2km) local catchment area. The redevelopment of the site will comprise residential led, mixed use development.
510. Importantly, this latest application seeks to realign previous permissions, reducing the amount of convenience and comparison floorspace which has previously been approved at the site and thus reducing future impact on Truro city centre.
511. Other sites away from the site would not be suitable or viable, and therefore the development complies with the sequential test. Notwithstanding this commercial rationale, the analysis of potential alternative sites demonstrates that there are no available, suitable and viable sites that can accommodate the proposed commercial element of the development. As a result, the application site is the most sequentially preferable site to accommodate the proposed development and the sequential test is passed. In addition, the proposals seek to significantly reduce the amount of retail / leisure floorspace currently proposed across the site.
512. The retail assessment set out in the submitted retail impact assessment report show that the commercial elements of the proposed development will not have a significant adverse impact on Truro city centre or any other designated centre. Furthermore, given the location-specific nature of the proposals, the proposed development is also not expected to result in a significant adverse impact on the viability and vitality of,

and investment within, an existing a defined centre. It will also not result in an over-concentration of such uses in the area.

513. Overall, the development is in line with relevant national and local retail planning policy and is acceptable in retail planning terms. The development would accord with the aims of Policies EJ1 and EJ2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 4, 5 of the Cornwall Local Plan Strategic Policies 2010-2030 and sections 6 and 7 of the National Planning Policy Framework 2021.

### **Surface water management and flood risk**

514. Most of the application site area is arable and horticultural land which provides a large area for natural infiltration into the soil. The application site area falls within two Critical Drainage Areas (CDA); primarily the “Truro - Kenwyn, Allen & Tregolls Road” CDA. A small portion of the south-eastern corner of the site, comprising the A390 and Penventinnie Lane, falls within the “Truro - River Tinney” CDA where no site works or drainage alterations are involved. The proposed drainage strategy will only discharge to the Kenwyn catchment and, therefore, only the requirements of this CDA have been considered as part of the proposals submitted.
515. For the outline application drainage strategy, it has been considered that the full application for the proposed Truro NAR Road Drainage System will fully accommodate the runoff from the NAR (i.e. for the 1 in 100 annual probability event with 40% climate change allowance). The NAR accommodates its own drainage requirements as part of the detailed plans proposed and hence the outline application is not required to provide additional attenuation storage within the proposed strategic SuDS strategy for the outline development proposed.
516. For the NAR, a preliminary SuDS strategy has been prepared to show how a suitable drainage design can be incorporated within the development proposals, which can adequately mitigate flood risk to downstream receptors and is in keeping with design guidance. Infiltration testing has demonstrated good levels of ground infiltration that are suitable for infiltration solutions. Where possible, the NAR drainage strategy utilises over-the-edge drainage into planted dry swales (and some rain gardens) to assist with draining the carriageway and footways/cycleways into buried drainage systems. Carrier drain routes have been located within verges to avoid manhole covers in carriageways. In general, the NAR drainage systems discharge into basins positioned adjacent to the highway. The basins are mostly infiltration systems, with some discharging into watercourses via flow controls. All drainage systems are designed to manage surface water for storms up to and including the 100yr + 40% climate change event.
517. The principles of the landscaping layout for the NAR were based on creating a tree-lined avenue, with trees at regular spacings within verge and swale areas. The applicant’s drainage advisors have co-ordinated the proposed landscaping

arrangements with the applicant landscaping team, to ensure both the drainage and landscaping arrangements shown are deliverable.

518. With respect to the outline application the proposed surface water management strategy has been informed by greenfield runoff rates that were estimated for each principal natural drainage sub-catchment, as per the advice of the Local Lead Flood Authority. Further infiltration assessments have been undertaken and show that the application site sits almost entirely on freely draining slightly acid and loamy soils, which support the use of infiltration-based SuDS measures.
519. In line with the Lead Local Flood Authority and the National Planning Policy Framework 2021 requirements, the proposed outline development would utilise SuDS in order to manage surface water across the site. SuDS aim to replicate natural drainage mechanisms where possible and have multiple benefits including, but not limited to, water quality, flood risk, amenity and biodiversity. Early consideration of surface water management provides the opportunity to use SuDS that respond to the local context and character, enriching both the natural and built environment. By fully integrating the management of surface water with the wider development objectives and by considering all space as potentially multifunctional, surface water management systems can be used to enhance development viability through the delivery of the design criteria. The potential SuDS components that could be used include green roofs, soakaways/infiltration trenches, permeable paving, filter strips, swales, bioretention areas, underground storage, infiltration and detention basins, wetlands and ponds. The strategic SuDS features that form part of the Green Infrastructure for the masterplan consist of a network of swales and basins to convey, infiltrate and store surface water before discharging to local watercourses at the agreed 1 in 10 annual probability greenfield rate. These are shown on the proposed SUDS strategy parameter plan that accompany the planning application.
520. The SuDS strategy has been designed to mitigate surface water discharges to the 1 in 10 greenfield runoff rates, as required by the Lead Local Flood Authority. Runoff generated during storm events up to the 1% AEP plus 40% Climate Change critical event would be stored on site, rather than discharging downstream, where it could contribute to flooding elsewhere. This design capacity is greater than storms that caused the Truro 1988 historical flood events, and also accounts for future climate change. The SuDS strategy has therefore demonstrable capacity to mitigate surface water flooding on-site and also negate any increase in flood risk elsewhere, including the nearby vulnerable area of Truro. This measure satisfies the National Planning Policy Framework 2021 requirement to assess the impacts of planning applications on local areas susceptible to flooding. Other embedded measures to negate flood risk elsewhere have been designed to national and local policy requirements.
521. The application site is located upstream of New Mills Dam, within the catchment area of this flood storage reservoir (FSR) and therefore has the potential to impact upon its operations. The proposed development has incorporated measures to mitigate

potential downstream impacts, including Sustainable Urban Drainage (SuDS) as explained within this report, to manage the surface water runoff generated from the site post development.

522. In August 2020, in consultation with the EA, three potential impacts or ‘issues’ were identified for assessment as part of the New Mills Dam flood study which accompanies the planning application:
- Issue 1 Dam Safety- how the development could alter the peak flow and runoff volume for flood events in exceedance of the 1 in 100 year SuDS design standard.
  - Issue 2 Dam Standard of Protection (SoP) Development Impacts – how the development could alter the runoff volume for events up to the SuDS design standard and a review of the impacts LGV could have on the design 1 in 100 year standard of protection (SoP) that NMD provides to Truro.
  - Issue 3 Dam SoP Climate Change Impacts – how climate change could increase runoff volumes from the application site and wider catchment and the potential impacts on the SoP to Truro.
523. To inform the flood study, a bespoke hydraulic model of the FSR, dam and flow control structures was developed on behalf of the applicant. A range of design flood events representative of the pre and post development scenarios at the development site were routed through the model to provide information relevant to the issues above. Comments from the Environment Agency will be provided as an update at the Committee meeting.
524. The SuDS strategy will be designed and implemented so that each phase of the development can provide sufficient storage for the surface water that will be generated from that particular phase (or earlier phases), as well as working as a wider SuDS network across the phases once the development has been completed. This creates a localised and self-sufficient surface water drainage strategy for each phase, as well as an interconnected larger network. The phased provision of the SuDS strategy is controlled by recommended conditions.
525. In terms of ongoing maintenance, the strategic SuDS components will need to be adopted by a body that can maintain the different components so that they function as they were originally designed to. It is currently envisaged the strategic SuDS and green infrastructure will be adopted by the Stewardship body. Any drainage features within the adopted roads within the development parcels can be adopted by Cornwall Council as the Highway Authority.

#### Flood Risk

526. The proposed development subject of the outline planning application has a mixed flood risk vulnerability classification, ranging from ‘Water Compatible’ to ‘More Vulnerable’ as per National Planning Policy Framework 2021 guidance. The lifetime of



the proposed development including residential use is at least 100 years. The submitted Flood Risk Assessment concludes that:

- Fluvial: The application site is predominantly located in Flood Zone 1, with minor extents of Flood Zones 2 & 3 topographically limited to the channel valleys of the studied headwaters. Bespoke site-specific hydraulic modelling has demonstrated that EA Flood Zone 2 and Flood Zone 3 overestimate the extents of fluvial flood risk across the Site.
- Surface Water: The majority of the application site has 'very low' to 'low' surface water flood risk, with limited areas of 'medium' and 'high' risk mostly following the profiles of the studied Headwaters.
- Groundwater: The Cornwall Strategic Flood Risk Assessment reports that groundwater flooding is of low prevalence due to Cornwall having only minor aquifers. Groundwater has not been encountered by previous Ground Investigation of the application site and the NAR. GI data suggest the water table sits below 2.7m.
- Artificial & Sewer: The application site does not lie within an area at risk of flooding from reservoirs. The sewer network to serve the proposed development is being sustainably designed, to comply with Cornwall Council and South West Water's surface water management policies and to ensure there is a low risk of sewer flooding post-development.

527. The applicant has applied the National Planning Policy Framework 2021 sequential and exception tests to the proposed development. It is concluded that, through a detailed masterplanning process, land use has been located sequentially, with only water-compatible land uses situated in medium/high risk areas. As such, it is considered that the proposed development passes the sequential test under National Planning Policy Framework 2021 and the requirements of Policy 26 of the Cornwall Local Plan. It has also been demonstrated that the requirements of the National Planning Policy Framework 2021 Test are fulfilled by the proposed development.

## **Utilities**

528. This section details foul drainage, water supply, power network and telecoms and digital networks. Surface water management is detailed in a separate section of this report and energy provision is detailed within the Climate Change Emergency section of this report.

### **Foul Drainage**

529. The development area is largely rural and there are generally no foul sewers in this location, with the exception of the south east corner, in the area of Maiden Green junction and the hospital.

530. The approach to sewerage provision for the previously consented development sites has until recently been down to individual developers to consider their own site needs. This has led to a piecemeal approach which has held back developer commitment due to the significant investments required, with no clear and equitable mechanism for sharing / recovery of initial investment costs.
531. The default arrangement for the provision of wastewater services for new developments is through application to the incumbent water company, which in this instance is South West Water (SWW). As a utility company, SWW has powers to construct new sewers on third party land so as to enable sewerage on development land which cannot connect directly to a public sewer.
532. In 2018, the developer, Inox, submitted outline proposals prepared by SWW to discharge conditions relating to PA15/11489 Reserved Matters application, subsequent to outline planning permission PA11/06124 at Langarth Farm. SWW proposed to transfer all foul sewage from that development to their existing Newham Sewage Treatment Plant (STP), that serves the City of Truro, via their existing Calenick Pumping Station (PS). The proposals also required a new pumping station located in the north east corner of the development to convey the sewage to Calenick PS from where the flow is pumped to Newham STP. A trunk gravity sewer would also be needed, from West Langarth to the pumping station, to transfer any flows generated from the west to mid development. The current application seeks to utilise a similar strategy to that previously agreed under the earlier planning permissions, referred to above. The topography of the site is suitable for a gravity network, with the land generally falling from south to the north, towards the water course at the northern boundary of the site. The northern boundary of the site provides a suitable route for the main trunk sewer to connect to the proposed SWW pumping stations, with the ground gently falling to the east along.
533. The network will comprise:
- Lateral sewers serving development plots, generally flowing from south to north;
  - A trunk gravity sewer along the northern boundary of the site, flowing west to east; and
  - SWW pumping stations and rising main to convey flows to the Calenick pumping station and onwards to Newham Sewage Treatment Works (STP)
534. With respect to capacity, the pumping station and trunk sewer connecting the western Langarth sites are being designed by SWW. SWW preliminary design is based on 5598 dwellings, which provides adequate capacity for the currently proposed development in addition to the Stadium for Cornwall plus headroom for future growth if necessary. The pumping stations will be designed to operate at 65 l/s (3 x dry weather flow).
535. SWW have commented on the current application and advise that they are currently progressing the required sewer requisition which has been signed and is progressing. SWW has no objection or comments to make on this application on this basis and the

recommended conditions would ensure that final foul drainage details and the required works to be undertaken are controlled through any planning permission granted.

### Water Supply

536. As with foul sewerage, water services for the site are limited to local supplies for existing dwellings. There is an older trunk main which crosses the site in a NNE direction from the A390 and past West Langarth and a more recent main which runs along the northern edge of the A390. SWW's preference is to serve the proposed development from the newer A390 main. Development plots towards the eastern end of the site are likely to be fed by existing supplies in the vicinity of the hospital.
537. In terms of water resource, the site sits within the Colliford Water Resource Zone (WRZ), which covers most of Cornwall, except the north east of the county. The Colliford WRZ includes Penzance, Falmouth, Newquay, Truro and Bodmin. According to their recently published Water Resource Management Plan, SWW consider that the Colliford WRZs will be in surplus water supply until 2045. This takes into account various forecast scenarios for demand and supply.
538. As part of the sustainability aspirations for the development, there are opportunities to reduce and to re-use water within the site, which in turn would reduce the demand placed on water from SWW. Treating water carries financial as well as environmental costs through carbon emissions, therefore minimisation and re-use should be considered in support of Cornwall's zero carbon strategy. This should include:
- Behavioural change initiatives at community level and through schools to reduce demand
  - Promotion of water saving devices as part of the specification for all new buildings
  - Integration of SuDS storage features to provide irrigation water green amenity spaces
  - Rainwater harvesting for non-potable uses
  - Grey water re-use
539. The recommended condition for water efficiency measures to be provided within Reserved Matters application as they come forward for consideration by the Local Planning Authority would ensure such opportunities to reduce and re-use water within the site are delivered.

### Power Network

540. Power provision to the Langarth sites is by default provided by the Distribution Network Operator (DNO), which for the South West is provided by Western Power Distribution (WPD).

541. Rather than progressing separate primary substations for the individual planning permissions or land ownerships, the Council in its delivery role has been leading a collaborative approach to reserving power and there is agreement among developers for the Council to lead the power strategy for the site as a whole, with proportionate recovery of costs from developers. The Council have secured an offer of 18MVA to cover the whole of the site via a single primary substation. The primary substation, or Energy Centre, has previously been granted planning permission separately under reference PA20/09599 at Strategic Planning Committee in January 2021. The forecast assessment undertaken by the applicant up until 2049 suggests that the existing 18MVA supply agreement could be sufficient for the development, subject to agreement with WPD.
542. Incorporation of a high proportion of solar PV forms part of the energy strategy as set out in the Climate Emergency section of the report below, which has potential to generate surplus, particularly during the summer months. The applicant considers this to be a potential income generation opportunity for a Council owned Estate Stewardship Corporation, provided that there is sufficient capacity within the grid for export. The Council as applicant is in the process of securing export capacity with WPD for the site as a whole. In addition, the exploration of incorporating off-site renewable generation via private wire as part of the overall renewable energy strategy for the site, including geothermal and wind generation is under consideration.
543. In terms of delivery of power supply on site, the construction of the NAR provides an opportunity for the 11kV to be routed along its length and to serve the individual plots via new development access roads. Provision will need to be made within the NAR services corridors to allow cable ducts and future connections points.

#### Existing gas main

544. The area to the east of West Langarth Farm has a steel gas main traversing the proposed development site. The existence of this pipeline belonging to Wales and West Utilities (WWU) in its unmodified state restricts the development proposal. Therefore, a diversion of the existing Indian Queens to St. Day pipeline is required and the applicant has been in discussion with the WWU to divert the pipeline. The preferred diversion option is short, and it takes into consideration the proposed development plans. In terms of constructability of the pipeline, no major obstacles or engineering difficulties were identified, and the pipeline diversion can be constructed using typical pipeline construction techniques. Given the proposed modification route options progressed with WWU, it is considered that this addresses the earlier Health and Safety Executive advice received. A condition is recommended which would control the modification of the gas main prior to development in this area of the development site and would be subject to discussion with the Health and Safety Executive to agree. Further comment from the Health and Safety Executive is awaited and will be provided as an update to Committee.

545. In light of the above utility infrastructure provision the proposal is considered to accord with the aims of Policies 1, 2 and 13 of the Cornwall Local Plan Strategic Policies 2010-2030, Policies E1 and E3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 174 of the National Planning Policy Framework 2021.

#### Redundant Pipelines

546. The Defence Infrastructure Organisation has been contacted and confirms it does not have apparatus situated within the vicinity of the application site, and as such does not have any further comments to make.

#### **Ecology**

547. Cornwall Council has a duty, as the competent authority as defined by Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) and under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.
548. The survey area for the ecological surveys has been taken to cover the application site in its entirety. Ecological surveys have been carried out at Langarth, Pollards Field, East Langarth, Willow Green and Maiden Green over the past ten years to support various previous planning applications and the Phase 1 habitat surveys were updated in 2018 with protected species surveys taking place during 2019. West Langarth was included in the 2018 and 2019 surveys. The land at Govers, and some smaller additional land parcels, were added to the Site during summer 2019. Phase 1 habitat surveys were undertaken at these new areas in 2019 with the protected species surveys completed in 2020.
549. To inform the survey work undertaken to support the planning application a data search of all existing ecological records within a 1km radius of the Site by the Environmental Records Centre for Cornwall and the Isles of Scilly (ERCCIS) was completed by the applicant. In addition, an online Multi-Agency Geographic Information for the Countryside (MAGIC) mapping tool was used to look at Natural England licence applications within 5km of the Site (website accessed 10 December 2019). Further, the applicant undertook a search for European Designated Sites extended to 12km from the application site.

#### Embedded Design Measures

550. The proposal includes embedded design measures, including those that would mitigate potential impacts to Penhale Dunes SAC. Areas at Govers would be retained and enhanced as woodlands and grasslands. These would be available as a Suitable Alternative Natural Greenspace (SANG) area to encourage residents to use this area

for recreation rather than travelling to Penhale Dunes SAC.

551. A drainage scheme would be designed and installed for each phase of development (and would be in place from an early stage of construction, even if some of this is temporary), to provide controlled drainage for surface water run-off and prevent pollution during construction. This would prevent any possible pollution incidents to the streams which could then impact on the Fal and Helford SAC. The recommended conditions would control this on a phased basis as elements of the development are built out.
552. Several natural corridors would be retained and enhanced, including the stream along the northern boundary (Kenwyn Valley) and the stream that runs from Willow Green Farm north-east (Treliske Valley), which have well-vegetated corridors which would both be enhanced by new woodland planting, grasslands and wetlands.
553. In addition, three key green corridors that run north-south across the application site and that follow hedges with mature trees would be enhanced by further tree planting and areas of grassland (West Langarth, Rosedene and East Langarth). There are two existing minor roads within the masterplan area that would be retained as quiet lanes (and these have well-established hedges with mature trees on both sides, with canopies that meet over the road). Other significant areas of green infrastructure, around Willow Green (this would also link the East Langarth corridor with the Treliske Valley) and much of the land within Govers Farm would be retained and enhanced as green infrastructure on existing farmland, woodland and including the scheduled monument. There are also a number of smaller green corridors interspersed throughout the masterplan area, mainly following the lines of existing hedges. These green corridors would include c.1.42km of new hedges and c.13.7km of hedge enhancement.
554. The applicant's ecologist advises that by maintaining, enhancing and enlarging these corridors of natural habitats, they would be better able to adapt to climate changes. This is due to them being larger and having more diverse habitats which would provide more scope for changing naturally as the climate changes.
555. A small wetland field at the western end of the application site would be partially retained as wetland, but infiltration ponds and swales would be installed along its southern (higher) edge and a "neighbourhood equipped area of play" at its eastern end. The retained wetland habitat would be managed to maintain the current vegetation.
556. There would be a loss of c.5.4km of hedges, however there would be c.3.2km of new Cornish hedges built and planted along a new green lane and the northern side of the A390. In addition, there would be an estimated 25km of Cornish hedges and shrub hedges built within residential plots.



557. The NAR would include a number of badger crossings at appropriate locations. These would be a mix of pipe crossings of a minimum 600mm diameter designed solely for badgers, but also stream culverts that are large enough to include a mammal ledge along one side that would be above flood level.
558. Currently, the Site has very little light pollution, apart from around its southern margins. This would change considerably, therefore the NAR street lighting design would follow the guidance for low level lighting suitable for bats and the lux levels quickly fall to 0.5lux away from the road.
559. The DEFRA metric completed by the applicant suggests that there would be a Biodiversity Net Gain of 28.54% for habitats. It is stated that this figure has been obtained with conservative assumptions of habitat enhancement potential, so habitats have only been moved up a single step; i.e. from poor to moderate, rather than poor to good. There are c.18ha of non-residential plots and empty plots; these have been entered into the metric as comprising 90% development land and only 10% as introduced shrub, which is a habitat of low distinctiveness. It is likely that there would be a larger area of soft landscaping and some of this might be of higher ecological distinctiveness. In addition, it is explained that areas of park (c.9.9ha) have been entered as modified grassland, which is a habitat of low distinctiveness. In reality, parks would be a mosaic of modified grassland, more species-rich grasslands, shrubs and woodland, so of higher ecological value.
560. The metric completed suggests that there would be a net gain of 12.74% with regard to hedges. This also does not include embedded mitigation of c.12km of hedge enhancement in the form of buffer strips to hedges which are of high distinctiveness and in good condition. Although this is an enhancement to the hedges, it does not add to the Biodiversity Net Gain score.
561. Outline Construction Environmental Management Plans (CEMP) have been produced for Langarth Garden Village and the NAR. These would be used by future contractors to prepare their own CEMPs as each phase is brought forward for development and recommended conditions secure the agreement of CEMPs by the LPA. The outline CEMPs include basic mitigation, such as the clearance of vegetation outside the bird nesting season, and, if this is not possible, then there would be an ecological watching brief in place to search the vegetation for active nests before removal and tree protection fencing for retained trees. A management plan for the control and eradication of non-native invasive species would be included within the CEMPs. Construction industry best practice would be followed to ensure that the risk of increased run-off of surface water, silt or other contaminants is minimised as far as possible. It also states that Green Infrastructure features that are retained (such as hedges, trees and grassland habitats) would be appropriately protected throughout construction, for example through site fencing, signage and raising awareness with site personnel through inductions and tool box talks.

### Construction Phase Assessment of Effects

562. The proposals for the development of Langarth Garden Village and the NAR would result in the direct loss of all areas (c.114Ha) of arable land, c.5.4km of Cornish hedge and some narrow strips of woodland. The scale and significance of any habitat disturbance during the construction phase of development are difficult to predict at this stage and would depend largely on the successful implementation of mitigation on all site operations. Vegetation clearance (within approved areas), heavy vehicle movements, ground level changes, and the storage and handling of materials, including soils, are all activities that can result in habitat disturbance through processes such as soil compaction, root severance and asphyxiation, release of chemical pollutants and dust deposition. Embedded design measures outlined above would minimise many potential impacts. However, there are still some activities during the construction phase, as identified by the applicant's Ecologist, which remain a potential source of disturbance to important retained semi-natural habitats and species. The likely significance of these impacts on particular ecological receptors has been considered for each of the habitats and species under potential risk of disturbance, taking into account that some mitigation is already embedded into the project design. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### Special Area of Conservation (SAC)

563. The Fal and Helford SAC is located c.3.5km downstream of the application site. There is therefore potential for pollutants from the site to be carried downstream and into the SAC. This risk is considered greatest during construction, when the final drainage scheme is not in place and there would be large areas of bare soil, which would be disturbed through groundworks providing the potential for sediment laden run-off. The streams are in well vegetated corridors that would be retained and much of the site is arable land, which is also often bare soil. However, there are large areas which are permanent grassland and which would become bare soil during construction. It is assumed, as an embedded design measure, that best practice in relation to water and pollution would be followed, so that this risk is minimised. This would be controlled by recommended conditions. As the site would be developed in phases, only a proportion of the site would be under construction at any one time. The Habitat Regulations Assessment and water resources and flood risk assessments undertaken have assessed these risks as negligible. This is considered within the ES as a negligible magnitude of impact on a receptor of high sensitivity, resulting in a negligible adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Broadleaved woodland

564. There would only be very minor loss of broadleaved woodland to the Langarth Garden Village and NAR proposal, with most woodlands being incorporated into retained

green corridors which would be enhanced with additional tree planting and buffered with scrub and grasslands. The two exceptions are where the NAR would cut through one narrow strip of woodland just to the south of the Park & Ride and the construction of a cycle path along the north boundary of the site, which would pass through woodland at North Langarth and Langarth. The NAR would pass through a woodland strip c.20m wide and the break would need to be c.25m wide to accommodate the road on an embankment resulting in the loss of c. 0.05ha of woodland. The proposed cycle path passes through woodland which qualifies as the Lowland Mixed Deciduous Woodland Habitat of Principal Importance (HPI). The detailed line of this path is not finalised, but an c.500m section would pass along the edge and through the woodland. Cycle paths are between 3-5m in width, so an estimated worst-case scenario is the loss of c0.15 ha of woodland. The potential combined loss of broadleaved woodland is therefore c.0.2ha.

565. Woodland would be planted in a number of areas within the application site. This would include alongside the wooded areas of the stream corridors, alongside retained tree lined hedges and green lanes, with larger areas at Govers, and these areas would be physically linked to the Ancient Woodland at Govers. These woodlands would be planted with trees and shrubs that are native to Cornwall and potentially form part of the Forest of Cornwall initiative. Once established, these would provide a significant increase in the area of broadleaved woodland within the application site.

566. Due to the small area of potential loss in relation to the new proposed areas of woodland, the ES concludes that this would result in a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate beneficial significance of effect, with regard to the EIA Regulations, this effect is considered Not Significant.

- Scrub

567. Most scrub grows alongside the woodland in the valley bottoms and would be retained within green corridors. However, there are small areas of scattered scrub which would be lost to the proposed development. The largest is an area c.0.6ha of bramble scrub at Maiden Green. It is concluded within the ES that this is a very common habitat in the wider landscape; therefore this would result in a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Semi-improved grassland

568. Most of the semi-improved grassland lies on the steep slopes immediately above the wooded stream corridor between Govers and Maiden Green and would be retained as part of the Treliske Valley green corridor. There is one small field (c.0.16ha) of this type of grassland by the Govers farm buildings that would be lost. It is commented within the applicant's submission that the grassland in this field is currently the grassland in poorest ecological condition. Within the landscape parameters plan are

new areas of species-rich grassland and these would be formed by a combination of enhancing some areas of existing grassland and also creating completely new grasslands. Appropriate management of these new grasslands would maintain and enhance their ecological value. Due to the small area to be lost and the enhancement and creation of new areas of species-rich grassland, this is identified within the ES as being of medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Species-poor semi-improved grassland

569. Species-poor semi-improved grassland occurs at Pollards Field and the eastern end of Maiden Green and most of these areas (c.24.5ha) would be lost to the proposals. However, there would be large areas of this habitat created throughout the application site, in the form of garden lawns, school playing and sports fields and other, amenity grassland. With the widespread habitat creation this is a negligible magnitude of impact on a receptor of low sensitivity, resulting in a negligible adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Marshy grassland

570. There are small areas of marshy grassland scattered through the application site and these are mainly alongside the stream corridor along the northern boundary of the application site and would be retained as part of a green corridor. There is, however, one small field of marshy grassland at the north-western corner of West Langarth, which would be developed and lead to the loss of c.0.72ha of marshy grassland. Due to the proportion of loss of this habitat, this is a medium magnitude of impact on a receptor of low sensitivity, resulting in a moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Hedgerows

571. While the masterplan has been designed so that hedge loss has been minimised, there would be a loss of c. 5.4km of hedges; this is about 18% of the hedges on application site. In addition, while retained hedges would be protected by tree protection fencing it is likely that there would be some unforeseen requirement for small hedge breaks for services during construction. The ES assumes that retained hedges within green corridors would have gaps planted up with native shrubs and trees and would be managed in a sympathetic way. There would be new Cornish hedges alongside green lanes and the A390 and a mix of Cornish hedges and shrub hedges within residential plots. Although there would be a loss of c.5.4km, the proposed new hedges and hedge enhancement mean that this is a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect, with regard to the EIA Regulations, this effect is considered Not Significant.

- Running water

572. All stretches of running water are considered to be at potential risk of disturbance during construction of the application site. This is because there would be large areas of bare soil present for varying periods of time, and these would be disturbed through groundworks providing the potential for sediment laden run-off. While much of the application site is arable land which is also often bare soil, there are large areas which are permanent grassland and which would become bare soil during construction. As the application site would be developed in phases only, a proportion of the application site would be under construction at any one time. As for hedgerows, above, the ES assumes as an embedded design measure that best practice in relation to water and pollution would be followed so that this risk is minimised. This is considered a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Higher plants

573. Loss of all areas of arable land would cause a decline in the local population of a characteristic suite of arable weeds, including the two notable species, corn spurrey and field woundwort. However, there remain large areas of arable land in the wider landscape. There would also be enhancement of retained grasslands and creation of new species-rich grasslands, along with new areas of woodland. So, while there would be a reduction in arable species there is potential for an increase in woodland and grassland species. The ES considers this to be a negligible magnitude of impact on a receptor of low sensitivity, resulting in a negligible adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Lower plants

574. Loss of almost all areas of arable habitat and c.5.4km of species-rich hedges is likely to cause a localised reduction in the population of a range of widely occurring mosses and liverworts. Loss at this scale represents a low magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate adverse significance of effect, with regard to the EIA Regulations, this effect is considered Not Significant.

- Badgers

575. The removal of c.5.4km of species-rich hedges, loss of arable and grassland habitat and potential increases in the levels of disturbance within remaining hedges is likely to cause a reduction in foraging and sheltering habitat for badgers and lead to some disruption to the movement of animals through the application site, with potential effects on social interaction and access to off-site foraging areas. The loss of habitat would occur over a number of years, beginning when construction is targeted to start in 2020 and finishing at the start of Phase 5 in (target date) 2034. This gradual loss of

habitat would lead to a gradual decline in either the number of family social groups and/or the size of those family groups.

576. One main sett at the western end of the Maiden Green area would be lost by the proposals for that area. The NAR would directly impact upon one main badger sett and an annexe sett, as well as a number of less important outlier setts and would also cause indirect barrier impacts to other family groups that would find their territories bisected by the road.
577. As this habitat loss and disturbance occurs over a long period the ES concludes that this represents a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

### Mitigation

578. One main sett at the western end of the Maiden Green area would be lost as a result of the proposal, therefore this social group would need to be moved. Bait marking surveys for this sett took place in March 2020 to provide information on social group territories and an artificial sett would be built to the north side of the NAR. The appropriate Natural England licence would be in place before any setts are closed, following standard procedures. Conditions are recommended which would ensure the recommended mitigation measures included in the submitted ecology reports are followed and that appropriate badger crossings have been delivered within the NAR. These recommendations would align with the Councils Ecologist's comments. The requirement for a badger licence is controlled by separate legislation and it would not be appropriate for the LPA to control through planning permission. It is for the developer to be aware of their responsibilities with respect to legislation and licensing requirements separate to the planning system. The mitigation measures are secured through the use of planning conditions.

- Bats

579. The construction of Langarth Garden Village and the NAR would cause the loss of two small roosts for common pipistrelle; however, the maternity roosts would be retained as would their flight routes to the wooded stream corridor. The proposal would require the creation of hedgebreaks and the loss of some hedges and small areas of woodland. These are used by bats as flight corridors and for navigation. Some species of bats would be impacted more than others; for example, barbastelle bats prefer to fly close to cover, so would be impacted more than species such as noctules, that would actively forage in open, uncluttered areas.
580. Common pipistrelle would forage in open habitats and is known as being reasonably tolerant of new hedgebreaks. While there would be two small roosts lost, there would be numerous new roost sites created by the installation of bat bricks within the new



buildings as these are built out. The inclusion of bat bricks within new buildings is controlled by the Design Code. Therefore, the ES concludes that these impacts represent a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

581. Soprano pipistrelle forage in open habitats and it is stated within the application as being reasonably tolerant of new hedgebreaks. This habitat loss represents a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
582. Nathusius's pipistrelle fly and would forage high up in open areas and is therefore likely to be reasonably tolerant of new hedgebreaks. This habitat loss represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
583. Brown long-eared bats forage in closed habitats and close to hedges and is therefore likely to be intolerant of new hedgebreaks. This habitat loss represents a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
584. Barbastelle bats are strongly associated with woodland habitats and therefore likely to be intolerant of new hedgebreaks. However, green corridors are being retained and there would be an increase in the area of woodland on the application site. Therefore, this habitat loss represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
585. Natterer's bats are associated with woodland edges and hedges for foraging habitat. They are likely to be reasonably intolerant of new hedgebreaks. However, the surveys undertaken suggest that this species uses the woodland corridors along the valley floors, flying directly to them from their roost. This flight corridor between the roost and the foraging area would be retained without any new hedgebreaks and the woodland along the valley floors would be enhanced. The habitat loss over the application site represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
586. The other two myotis species (whiskered and Brandt's) are also associated with woodland edges and hedges for foraging habitat and would be reasonably intolerant of new hedgebreaks. This habitat loss represents a medium magnitude of impact on a

receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

587. Lesser horseshoe bats are associated with woodland and therefore likely to be reasonably intolerant of new hedgebreaks. However, green corridors are being retained and there would be an increase in the area of woodland on the application site. This habitat loss therefore represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
588. Greater horseshoe bats are also associated with woodlands for foraging but would also forage over cattle-grazed grasslands. With green corridors being retained and an increase in the overall area of woodland embedded within the design, this habitat loss represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
589. Noctule hunt relatively high up within open habitats and therefore this habitat loss represents a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
590. Serotines feed over open grasslands and were mainly recorded in the east of the application site where there would be the greatest areas of retained habitats. Therefore, this habitat loss represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

### Mitigation

591. Any building or tree that supports a bat roost and requires demolition / removal would have a European Protected Species licence in place and any required mitigation would be implemented before any disturbance work is undertaken. Conditions require submission and agreement of a Construction Environmental Management Plan, a Landscape Ecology Management Plan, lighting details (as part of the landscaping details provided) and updated ecology surveys for each Reserved Matters application to include protected species as parcels come forward for development. This suite of controls is considered appropriate and recommended by the Council's Ecologist to control and mitigate the impacts identified. The mitigation measures are secured through the use of planning conditions.
- Breeding birds
592. The submitted ES states that the loss of all areas of arable land and the removal of c.18% of hedges at the application site would reduce the foraging and breeding habitat

for birds.

593. Woodland species, such as willow warbler, would see an increase in habitat as the wooded valleys are being retained and more woodlands would be planted. However, these new woodland and shrub habitats would take 10-20 years to mature sufficiently to provide good bird habitat.
594. Farmland species, such as skylark and yellowhammer, would face a permanent loss of nesting and foraging habitat, while barn owls and kestrels would face a permanent loss of foraging habitat.
595. The composition of breeding birds would change, as there would be a reduction in farmland habitats, arable and grassland and an increase in woodland and gardens. The inclusion of so many ponds would have a likely positive impact upon waterbirds and perhaps species such as willow warbler, if appropriate trees are present around these waterbodies. Habitat loss and disturbance at this scale represents a medium magnitude of impact on a receptor of medium sensitivity, resulting in a minor-moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Wintering birds

596. The loss of all areas of arable land and the removal of c.18% of hedges at the application site by the proposal would reduce the habitat available for wintering birds. The arable fields are regularly used by 15-20 woodlark over winter (between October and February), but also by meadow pipit, skylark and snipe, and this would be a permanent loss. However, birds that require woodland and shrubs would see an increase in habitat, although this would take 10-20 years to mature. Loss and disturbance at this scale represents a high magnitude of impact on a receptor of medium sensitivity, resulting in a moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Significant.

### Mitigation

597. The mitigation could possibly be provided both on-site as part of the SANG (in part) or entirely off-site at County Farms in the vicinity that provide suitable habitat. This would be secured through a S106 agreement, with the commitment to prepare and implement an off-site compensation strategy for wintering woodlark habitat. This mitigation would also be suitable for the loss of wintering habitat for other wintering birds, with the exception of wintering snipe. The Council's Ecologist recommends that such provision and the phased delivery of such is secured before Phase 2 of the development can commence and would form a suitable trigger point as this phase includes the principal Woodlark habitat. This would be based upon completed winter monitoring which would inform the long term mitigation requirements.

- Invertebrates

598. The main features of importance for invertebrates at the application site are the riparian habitats along the two stream corridors, the species-rich grassland on the steeper slopes and the hedges. A small field in the north west of the application site is being partially retained as wetland due to its importance for invertebrates. The inclusion of ponds and swales within the SuDS has the potential to be beneficial for invertebrates if managed appropriately. However, there would be a loss of grasslands, hedges and bare ground which are all features of importance for invertebrates. This loss of habitat represents a medium magnitude of impact on a receptor of medium sensitivity, resulting in a moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Significant.

#### Mitigation

599. There would be a large loss of invertebrate habitat during construction. However, there are also new habitats being created and retained habitats that would be enhanced. A Landscape and Environmental Management Plan (LEMP) would be controlled by conditions to ensure that the management of these areas achieves the desired biodiversity enhancement. The mitigation measures are secured through the use of planning conditions.

600. Bee bricks would be included within south facing walls of new buildings to provide new nesting habitat for solitary bees and other insects. The delivery of bee bricks is controlled through the Design Code.

#### Operational Phase Assessment of Effects

601. Assuming that all site works during the construction phase, including the establishment of suitable areas of semi-natural vegetation within buffer areas as part of an approved landscape scheme, have been completed the following effects are identified within the ES.

602. Habitat disturbance during occupation of a site (post development) is usually less intense than during the construction phase but can be significant if occurring over the long-term. Species can, however, suffer greatly during the operational phase, due to continued disturbance. Potential impacts include street lighting and security lighting, unmanaged increases in public access, either on foot or on bicycles, causing vegetation disturbance, soil erosion and ground compaction. For the purpose of the ES, in the absence of detailed design and subsequent light spill modelling, it has been assumed that key GI corridors would be kept dark and would not suffer any light spill. The dumping of garden waste into areas of semi-natural habitat may result in the spread of invasive species and would cause localised nutrient enrichment. Dog fouling is a further source of nutrient enrichment that can result in vegetation change within areas of semi-natural habitat. Although likely to protect and enhance the quality of surface

and ground water entering the Langarth and Treliske Streams and provide significant opportunities for biodiversity enhancement, it is likely that there would be discharges of surface water into the two streams, as part of a sustainable urban drainage scheme (SuDS).

- Special Area of Conservation

603. Langarth Garden Village would provide up to 3,800 new residential dwellings (including the extra care and student/key worker units), whose occupants could use the surrounding area for various recreational pursuits. It is likely that all five nearby SACs, (Carrine Common, Fal and Helford, Godrevy Head to St Agnes, Newlyn Downs, Penhale Dunes), would experience increases in visitor numbers. This would mainly be from walkers and dog walkers but for the Fal and Helford would also include various water sports. Within these SACs, the impacts are likely to be concentrated in certain areas, e.g. access points and paths. These impacts would be on-going with peaks in the summer months. A Habitats Regulation Assessment has assessed the potential impacts to these SACs and concludes that likely significant effects would be brought upon Penhale Dunes SAC and Fal & Helford SAC. This conclusion aligns with the strategic assessment undertaken and which informs the European Sites DPD. Disturbance at this level would result in a medium magnitude of impact on a receptor of high sensitivity, resulting in a moderate to major adverse significance of effect. With regard to the EIA Regulations, this effect is considered Significant.

- Broadleaved woodland

604. Many areas of broadleaved woodland are considered to be at potential risk of disturbance during occupation of the development, as there are proposed cycleways / footpaths along the edge of the woodland of both valleys, with the path cutting through part of the woodland of Langarth Farm. While people would mainly stay on the paths, their dogs may not. It is also possible that residents in properties close to the woodland edge would dump their garden waste, which would contain non-natives and possible highly invasive non-native species such as montbretia.

605. However, native woodland would be planted in a number of areas as shown on the submitted parameter plans. Once established, these would provide a significant increase in the area of broadleaved woodland on site. Therefore, while there would be disturbance, the new areas of woodland, once matured, should result in a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Wet woodland

606. All areas of wet woodland are considered to be at potential risk of disturbance during occupation of the development, as there are proposed cycleways / footpaths along the

edge of the woodland of both valleys. While adults would mainly stay on the paths, their children and dogs may not. It is also possible that residents in properties close to the woodland edge would dump their garden waste, which would contain non-natives. The proposed SuDS would likely have a beneficial impact upon wet woodland by improving the quality of water entering the wetlands, but there may be impacts from the release of suspended sediments and hydrocarbons from road surfaces. Disturbance at this scale would result in a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Semi-improved grassland

607. Semi-improved grassland, above the wooded corridor, on both sides of the Treliske Stream would no longer be grazed. Depending on the management regime adopted, this may lead to the grass becoming rank (tall and tussocky), leading to a reduction in species as smaller plants are shaded out. There is also likely to be faster encroachment of scrub from around the edges of the grassland. There is also the potential for an increase in human disturbance as local residents would use these areas for recreation including dog walking, which would lead to an increase in dog fouling and nutrient enrichment.

608. There would however be new areas of species-rich grassland created and existing areas enhanced. A Landscape and Environmental Management Plan (LEMP) would be controlled by conditions to ensure that the management of these areas achieves the desired biodiversity enhancement. Assuming management of these areas is sympathetic to the biodiversity then this would result in a low magnitude of impact on a receptor of low sensitivity, resulting in a minor beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Marshy grassland

609. Small, patches of marshy grassland along the northern boundary of the application site are at potential risk of disturbance from changes in hydrology, inappropriate management of surrounding vegetation and anticipated increases in user pressure. Although likely to be slight to moderate, disturbance at this scale could represent a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Standing water

610. There are several ponds on site, at Langarth Farm and at Willow Green; these would all be retained within well-vegetated stream corridors. These would be affected indirectly through changes in the quality of their inlet water, due to the new SuDS. In addition, the SuDS and enhancement actions would increase the number of ponds



along these stream corridors and throughout the development as a whole, including alongside the NAR, creating new wetland habitat in areas where there is currently no wetland habitat. While not all the new ponds would contain permanent water or be of high biodiversity value, the increase in the number would be beneficial as it would provide a larger network of ponds with the potential to support a more diverse number of species and also reduce the chance of local extinction of a species as any pond that suffers an extinction would hopefully be repopulated from one of the other ponds. This increase in areas of standing water spread throughout the site area would represent a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Running water

611. There are two streams on site, which would be retained within their well-vegetated corridors. In addition, these corridors would be enhanced by buffer planting alongside them, which would include tree and shrub planting and grasslands. There would also be new ponds included as part of the SuDS, which would also include swales. The SuDS should result in an improvement in the quality of water entering the watercourses. There would also be an increase in the area of other wetland habitats, which should lead to an increase in the diversity of wetland species. This would represent a low magnitude of impact on a receptor of low sensitivity, resulting in a minor beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Hedgerows

612. Most retained hedges are being incorporated into green corridors of varying sizes. These nearly all contain swales, footpaths/cycleways and some buffer planting. However, they would also suffer from disturbance from increased public access, which may include cutting through hedges where there is not an official path and dog fouling enriching the soil. It is considered that the benefits of buffers and swales would outweigh the negative impacts of human disturbance, therefore this represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor beneficial significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Higher Plants

613. Retained areas of semi-natural habitat should maintain their plant diversity while habitat creation should lead to an increase in diversity in those areas. However, dog fouling leading to nutrient enrichment may cause a decline in diversity in existing habitats or prevent new habitats from reaching their biodiversity potential. Due to habitat creation the submitted ES considers that the benefits would outweigh the negatives and there would be a low magnitude of impact on a receptor of low

sensitivity, resulting in a minor beneficial significance of effect. A Landscape and Environmental Management Plan (LEMP) would be controlled by condition to ensure that the management of these areas achieves the desired biodiversity enhancement. With regard to the EIA Regulations, this effect is considered Not Significant.

- Badgers

614. Badgers would have suffered the loss of large areas of foraging habitat during construction. However, there would be small gains of foraging habitat during the operational phase, from habitat creation, with green corridors providing links between areas of retained and new semi-natural habitat. Badgers would suffer disturbance from the increase in the numbers of people, street lighting, roads and dogs. However, it is likely that by the time the whole site has been developed, the squeeze on foraging habitat and the increase in disturbance would have led to a decrease in the numbers of badgers on the application site.

615. The NAR would act as a barrier to badgers moving around their territories. There is currently one main sett very close to the A390, which would be isolated from a large part of their territory and two other main setts that would be just to the north of the NAR, but would similarly be divided from parts of their territories. Badgers would be forced to cross the road and risk being hit by moving vehicles. A 20mph limit would limit the traffic collision risk. A number of badger underpasses would be built under the NAR, which would help to minimise the barrier effect. These effects represent a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor to moderate adverse significance of effect. As discussed in the construction phase impacts, above, conditions are recommended which would ensure the recommended mitigation measures included in the submitted ecology reports are followed and that appropriate badger crossings have been delivered within the NAR. With regard to the EIA Regulations, this effect is considered Not Significant. The mitigation measures are secured through the use of planning conditions.

- Bats

616. The ES concludes that the operational phase of Langarth Garden Village and the NAR would potentially create more suitable bat foraging habitat with an increase of woodland, gardens and wetlands, with improved suitability of habitat for many of the bat species found, rather than open arable fields. However, currently the site has very little light pollution apart from around its southern margins and this would change considerably.

617. Common and Nathusius's pipistrelle are light tolerant and would forage in gardens and street lights. The changes in habitats and the increase in lighting represents a negligible magnitude of impact on receptors of medium sensitivity, resulting in a negligible adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

618. Soprano pipistrelle is also light tolerant and would forage within gardens and on insects attracted to lighting. The increase in woodland areas and wetlands would also provide new and improved foraging areas. These changes represent a low magnitude of impact on a receptor of low sensitivity, resulting in a negligible adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
619. Brown long-eared bats forage in closed predominately woodland habitats and close to hedges and therefore the increase in woodland and gardens for foraging would be beneficial. However, this species is light sensitive and therefore many gardens would not be suitable. This represents a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
620. Barbastelle bats are strongly associated with woodland habitats and therefore the increase in woodland would be beneficial, however they are very light sensitive, so much of the site would be lost to this species, although the lighting scheme would be designed to keep the green corridors dark, so this species can still cross the site. Therefore, this impact represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
621. Natterer's bats are associated with woodland edges and hedges for foraging habitat but are light sensitive. The flight corridor between the known nursery roost and the foraging areas along the woodland edges of the valley floors would be retained. This foraging habitat loss represents a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
622. The other two myotis species (whiskered and Brandt's) are also associated with woodland edges and hedges for foraging habitat and are light sensitive. Therefore, they would all suffer a loss of foraging habitat even with the increase in woodland. This foraging habitat loss represents a medium magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
623. Lesser horseshoe bats are associated with woodland and are light sensitive. With an increase in woodland and the green corridors being retained and dark, impacts would be minimised. The impacts on lesser horseshoe bat therefore represent a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.
624. Greater horseshoe bats are also associated with woodlands for foraging but would also forage over cattle-grazed grasslands. There would be an increase in woodland, but

also a loss in the area of currently grazed grassland. These bats are also light sensitive. The retained green corridors being maintained as dark corridors should allow this species to continue to cross the site. These effects represent a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

625. Noctule forage high up in the open and are light tolerant therefore the potential effects represent a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

626. Serotines feed over open grasslands and were mainly recorded in the east of the application site where there would be the greatest areas of retained habitats and the least light pollution. This species is also relatively light tolerant. Therefore, the changes in habitat and increase in lighting represent a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Hedgehogs

627. Currently hedgehogs occur on site in low numbers, as intensively farmed arable land is not a good habitat for hedgehogs, with woodland edges, scrub and hedges providing their preferred habitat. Gardens also provide good habitat with their mix of short grass and shrubs. Therefore, once habitat creation and gardens have matured there would be a significant increase in the potential habitat for hedgehogs on site, although garden boundaries may prevent access by hedgehogs.

628. There would also be an increase in the number of dogs that can harm hedgehogs. Hedgehogs have ranges of up to 20ha, so the NAR would act as a barrier for some hedgehogs moving round their usual foraging ranges. They would be forced to cross a road with the potential of being hit by moving vehicles, though it would be a low speed road (20mph).

629. These impacts represent a low magnitude of impact on a receptor of low sensitivity, resulting in a minor adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Breeding Birds

630. Many of the breeding birds present on the application site are those that are able to adapt to increases in human habitation, such as house sparrow, dunnock and song thrush, so would only face a loss of nesting habitat in the short term until buildings with nest bricks are complete and gardens and new woodland mature. Mature gardens would also provide new foraging habitat. Woodland species, such as willow warbler, should see an increase in habitat as woodland and scrub planting matures,

especially around ponds. There would also be an increase in wetland habitat with new habitat creation and SuDS. The success of newly created habitats in providing suitable habitats for birds would be largely dependent upon the long-term management in place. While there would still be large areas of grassland retained especially in the east of the application site it is unlikely that ground nesting birds would continue to nest here due to an increase in disturbance from dogs and humans. There would also be a large increase in the number of cats and therefore predation on birds. In combination it is considered that there would be a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Wintering birds

631. Once new planting has matured, including that within gardens there would be an increase in wintering habitat available for those species able to adapt to human presence and woodland species. There would also be numerous homeowners that would feed birds during the winter.

632. However, the presence of a large increase in the number of cats which predate birds, and dog walking, which would disturb birds while they are trying to feed, means that there would be a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

- Invertebrates

633. Bee bricks would be built into residential properties and there would be an increase in the quantity of wetland habitat, ponds, marshy grassland and swales and once the new woodland planting and gardens have matured there would potentially be an increase in the diversity of invertebrates. The success of newly created habitats in providing suitable habitats for invertebrates would be largely dependent upon the long-term management in place and would need to include actions specifically aimed at invertebrates such as the retention of standing and fallen deadwood. However, street lighting would impact upon nocturnal invertebrates. Once planting has matured it is considered within the ES that there would be a low magnitude of impact on a receptor of medium sensitivity, resulting in a minor to moderate adverse significance of effect. With regard to the EIA Regulations, this effect is considered Not Significant.

#### Operational Phase mitigation

- Special Area of Conservation

634. Recreational impacts to the Fal and Helford SAC and Penhale Dunes SAC would need to be addressed. In order to identify a mechanism for mitigating such impacts, Cornwall Council has, with input from Natural England, drawn up a list of Strategic Access

Management and Monitoring (SAMM) items for the SAC. The delivery of these items would mitigate the impacts of increased recreational pressure within the 12.5km zone of influences. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

635. The method of mitigation required by the Council's policy guidance is to make a financial contribution (known as SAMM), but the option still exists for the creation of a Suitable Alternative Natural Greenspace (SANG). The objective of a SANG is to provide an alternative open space to reduce the pressure on the designated sites, such as Penhale Sands. To achieve this requires a site of sufficient scale to provide sufficient draw to act as an alternative.
636. The scale of the development of Langarth Garden Village, and the coordinated master planned approach, provides an opportunity to create a strategic scale of green infrastructure. Within the Langarth Garden Village, the Govers promontory provides a strategic scale open space within the site. The location, with the scheduled monument at Penventinnie Round acting as a focus, provides a destination as well as an open area which can provide an amenity for both new and existing residents of the area. The identified area comprises approximately 34ha and provides space and opportunity to create up to 6km of walkways around the site, as well as having opportunities to link into other areas of green infrastructure and the wider network of quiet lanes and green routes in Langarth Garden Village.
637. While this is an outline element of the application, the area of the proposed SANG is identified for delivery within phase 1 of the development. The SANG will be located next to the second primary school at Govers (phase 5) and will include a car park at the site with a proposed route from the NAR; again, to be delivered in phase 1 of the development, to the Govers farm SANG.
638. The development of a detailed reserved matters application for the provision of the SANG area will therefore form one of the first Reserved matters applications for the site. The timing of this design and delivery would provide a clear steer as to whether opportunity for Woodlark mitigation is achievable on-site in the long term or whether it would be solely off-site.
639. Guidance specifies 8ha of SANG to be required for every 1000 of population. These estimates, while derived as a guide from elsewhere in the country, are used to provide a conservative approach to the delivery of SANG. Using the Natural England guidance of 8 ha per thousand population, this would suggest the need for an area of between 66 to 69 hectares at Langarth Garden Village.
640. The proposed SANG at Govers is approximately 34 hectares in area or approximately 49 to 51% of the area of SANG that would be required to meet all of the population growth anticipated by Langarth Garden Village. There are opportunities for further expansion of this SANG within the site, both to the east and along the Bosvisack valley



to the Northwest, to create even longer walking routes. However, the core area at Govers provide a cohesive start for the creation of a SANG which can be managed and monitored to assess its success as it develops.

641. On that basis the delivery of the Govers SANG would be expected to meet the need for around 50 % of the homes, or 1900 homes. Beyond this 1900 homes, the development would be required to make a financial contribution (S106) payment for each further home to be provided, in accordance with the contributions set out in the European Sites DPD.
642. The SANG would be managed initially by the landowner, Cornwall Council, and then by the Stewardship body. As part of that management role, there will be a requirement to monitor the success of the SANG at Govers. To support this, the development will contribute towards the ongoing provision of the Stewardship body, to both manage and monitor the success of the on-site SANG.
643. Natural England have sought further information with respect to how the above will be managed and controlled and primarily the concern regarding housing delivery outside of the Local Plan period and current agreed mitigation measures within the European Sites DPD. Essentially, the approach to securing detail of the SANG and contributions via S106 obligation and/or conditions is agreed by Natural England. The design, delivery and ongoing management of the SANG will be controlled through S106 obligation and, as such, it is concluded that this addresses the concerns of Natural England.
644. With respect to Fal and Helford SAC, the proposal would make the required financial contribution per home, as set out in the European Sites DPD. The financial contributions would be utilised to deliver the mitigation measures as set out within the DPD, at both Penhale Dunes and Fal and Helford SACs respectively.
  - Habitat Creation and Management
645. A Landscape and Environmental Management Plan (LEMP) would be prepared before the operational phase starts for the NAR, as set out within the recommended conditions. The LEMP would set out management and enhancement actions to promote the landscape and ecological biodiversity value of the application site, based on an integrated and complementary approach where possible. This should include management for new and retained habitats, including woodlands, hedges, parks, wetlands and grasslands. Subsequent reserved matters application for the outline element of the application would also secure individual LEMPs as recommended by conditions.

- Lighting

646. The lighting scheme within each phase of the application site would need to be designed as sensitively as possible. Retained woodland, hedges and green corridors should be maintained as dark as possible following the latest guidance. The lighting design would be developed during detailed design for each phase as it is brought forward to Reserved Matters and would need to ensure that the key bat habitats of woodland and hedges are kept dark. Recommended conditions would secure details of lighting at reserved matters application stage.

- Breeding/roosting sites – bats, birds and bees

647. Bat boxes and bird bricks would be incorporated into buildings, at a minimum ratio of one per residential dwelling, and one bee brick in every other dwelling. The details of the locations of boxes would be developed alongside detailed designs for each phase of development. The requirement to include these features is controlled via the Design Code.

648. Bird bricks built into houses would also only be suitable for some woodland birds such as tits, sparrows and robins and also swifts, swallows and martins. Up to 25% of the bat and bird boxes could be located in trees, these would also be constructed of a long lasting material such as woodcrete, rather than wood. Recommended conditions would secure future ecology survey work at reserved matter application stage to inform detailed design and ensure any mitigation required meets with the current ecological circumstances. The mitigation measures are secured through the use of planning conditions.

- Hedgehogs

649. The guidance provided within “Cornwall Planning for Biodiversity Guide” would be followed to provide connectivity and reduce barrier effects of garden fences. To ensure that connectivity is maintained within residential areas, garden fences would be made permeable to hedgehogs by small holes (13cm x 13cm) cut into the base of fences. This matter is controlled by Design Code requirements to reduce barrier effects such as providing openings within garden boundaries.

- Breeding birds – ground nesting

650. There would be a permanent loss of habitat for ground nesting breeding birds, such as skylark and meadow pipit. While there would be some grassland creation, these birds require large open, undisturbed areas of arable or grassland. While there would be some areas of grassland retained, mainly at Govers, these would suffer from increased use and disturbance by people and especially dogs. Therefore, the steeper south facing slopes should have some areas with restricted public access to allow ground nesting birds to nest and raise young, the details of this provision would be set

out within the LEMP recommended at condition.

- Wintering birds – snipe

651. Currently snipe use areas of marshy grass for wintering. While these would mainly be retained, the increase in human activities and dogs would mean that it is highly unlikely that they would continue to use the application site for breeding, even if suitable habitat is present. Therefore, areas of marshy grassland along the valley floor should be fenced off to restrict access and allow snipe to forage and rest undisturbed, the details of this provision would be set out within the LEMP recommended by conditions.

- Invertebrates

652. There would be a loss of grasslands in the east of the application site, which are important to invertebrates. While there would be some grassland creation, this is stated as being insufficient to mitigate for the area lost. There are areas of grassland at Govers, on the top of the ridge, which would be retained and are currently improved grassland, which would be enhanced to create species-rich grassland. Also, in this area there are arable areas that would have grassland creation occurring on them, and these would be managed as species-rich grassland and management would be set out within the LEMP recommended condition.

### Residual Effects

653. There are a number of residual impacts which would remain once the mitigation measures set out above have been implemented. These are set out below, but all are considered to be of minor adverse significance in the submitted ES.

- Construction phase – Breeding Birds

654. Tree and shrub planting would take time to mature enough to be used by nesting birds. It is likely to be a minimum of five years before this type of planting is suitable for nesting birds such as wren and dunnock, while for larger birds it maybe 10-15 years before the planting is mature enough to provide nesting sites.

- Construction phase – Badgers

655. By the completion of construction there would have been a large loss of potential foraging habitat for badgers. This would probably lead to the gradual and long-term loss of several social groups within the application site. However, badgers are a common and widespread animal within Cornwall, and this impact is not significant in terms of ecological conservation.

- Operational phase – Lighting

656. While sensitive lighting schemes would minimise light pollution, there would still be a residual loss of habitat used by light-sensitive species, especially bats and some invertebrates, within parts of the application site.

- Operational phase – Human disturbance

657. The application site currently has very low levels of human activity, but this proposal would substantially increase the numbers of people present within the application site. New residents would want to make use of the areas of woodland and parkland for recreation which would reduce its potential for wildlife. While paths and fencing can be used to guide people around and limit access it is probable that all areas would see an increase in human activity.

- Predation

658. The increase in the number of residential properties would mean that there is a large increase in the number of cats. This would lead to an increase in the predation of small mammals and birds which would be difficult to mitigate.

#### Habitats Directive

659. The species protection provisions of the Habitats Directive, as implemented by The Conservation (Natural Habitats, &c.) Regulations 1994, contain three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species. The three tests are that:

- There are no feasible alternative solutions that would be less damaging or avoid damage to the site.
- The proposal needs to be carried out for imperative reasons of overriding public interest.
- The necessary compensatory measures can be secured.

660. Notwithstanding the licensing regime, the Local Planning Authority must also address these three tests when deciding whether to grant planning permission for a development which could harm an EPS. With respect to the Habitats Regulations *R Morge v Hampshire CC [2011]* established case law that planning permission should only be refused if there is likely to be a breach of the regulations. As the final decision in *Morge* makes clear, regulation 9 (5) does not require a planning authority to carry out the assessment that Natural England has to make when deciding whether there would be a breach of article 12 of the Habitats Directive or whether a derogation from that provision should be permitted and a licence granted. If a proposed development is found acceptable when judged on its planning merits, planning permission for it

should normally be given unless in the planning authority's view the proposed development would be likely to offend article 12(1) and unlikely to be licensed under the derogation powers.

#### Derogation Tests

661. The surveys have identified that birds and bats may be affected by this application.
662. In accordance with Article 12 of the EU Habitats Directive, when adopting a precautionary approach, if there is likelihood that 'disturbance' may occur which in this case there is, the derogation tests must be undertaken as follows.

#### Reasons for Overriding Public Interest

663. There are a number of benefits that the proposal would generate for local communities and the surrounding area. These include economic investment, a sustainable location for a housing development and the benefits associated with the provision of a new link road.

#### No Satisfactory Alternative

664. The site has been identified by the applicant as the most appropriate land parcel to deliver the community benefits associated with the proposal, the local planning authority have tested this assertion under the provisions of the National Planning Policy Framework, and have found that whilst other sites may be available, none of these have been tested in terms of their up-to-date biodiversity/ecological value, so it is not possible to say whether an alternative site may be preferable to the current scheme site or not for this mix of land uses.
665. The degree to which alternative sites are more or less ecologically sensitive is not known and is therefore not material to this assessment. In contrast it has been identified that this site is situated within a main town and close to a range of local facilities and is available and deliverable.

#### Maintaining a Favourable Conservation Status (FCS)

666. In order to assess whether the FCS test is met with regard to bat roosting and bird nesting sites, the Council must be satisfied that a sufficiently detailed mitigation strategy is in place. It is considered that the submitted information and plans showing intended specification for new roosting / nesting sites and the location as part of the building design is an appropriate form of mitigation that strengthens ecological provisions within the development.

667. The timing of works and mitigation will be essential in ensuring maintenance of a Favourable Conservation Status. It is considered that a Favourable Conservation Status can be maintained.
668. The conclusion reached is that the information submitted does provide satisfactory mitigation and it is considered that this mitigation satisfies the duty placed on the Local Authority in context to the relevant legislation on habitat and species protection. The mitigation measures are secured through a mixture of planning conditions and S106 obligations.

### Conclusion

669. Subject to incorporation of ecological mitigation, compensation, enhancement, and management in line with the recommendations of the submitted Ecological Assessment, it is considered that (a) the impact on ecology would be low; and (b) in the event all other matters were considered acceptable, the proposal would satisfy the statutory derogation tests.
670. The construction of the development will provide much needed employment and will directly contribute to the local economy during the construction period. Further, the operational period will result in greater spend through residents and occupants both within the site and the immediate locality. The inclusion of commercial development within the proposals would create employment opportunities for future residents and the communities in the surrounding area. The site is a candidate for development given its location and having been identified in the Neighbourhood Plan as providing further growth and homes to meet an identified need. The provision of adequate alternative roosting provisions required through the Design Code combined with the retention of the valley bottom, green corridors and woodland should ensure the favourable conservation status of the species recorded on the site is maintained. The recommended mitigation measures, as set out in this report, are considered to ensure the favourable conservation status of the species on the site is maintained.
671. Recommended mitigation is to include suitable roosting opportunities and the securing of suitable lighting through a strategy to be agreed via a planning condition. The granting of a licence by Natural England would control the timing of works.

### Habitats Regulations Assessment

672. A Habitats Regulation Assessment has been undertaken by the Local Planning Authority and concludes that there is a Likely Significant Effect on the Fal & Helford and Penhale SACs, through recreational pressure, and a precautionary approach is also taken to assume a likely significant effect on Carrine Common SAC through increased recreational pressure. However, on the basis of the information provided, Natural England does not concur with this view with respect to Carrine Common SAC. Natural England are of the view that the development will not have an adverse effect on the



integrity of Carrine Common SAC. Natura England's position is held on the basis of the location of the development site in relation to Carrine Common meaning that residents will be discouraged from accessing the SAC site due to the need to cross a road and a railway line, and a lack of parking availability near to the SAC. In addition, the green infrastructure and SANG provided within the development site, whilst not measures intended to avoid or reduce the likely harmful effects on this particular European site, will provide a more attractive area for recreation and dog-walking. Furthermore, the evidence suggests there are low levels of recreation at Carrine Common SAC.

673. Mitigation for impacts to the Fal and Helford SAC cannot reasonably be secured through project specific measures; therefore, mitigation for the recreational impacts to the Fal and Helford SAC will follow the Strategic Access Management and Monitoring (SAMM) model as set out within the European Sites Mitigation Supplementary Planning Document. Cornwall Council have specified a list of actions that need to be undertaken in order to mitigate for the impact of increased recreational pressure on the Fal and Helford SAC, in order to secure this, a per dwelling cost will be paid by the developer. This matter is recommended for control via a S106 Agreement.
674. In order to mitigate the impacts to Penhale Dunes SAC, an alternative approach will be adopted, as set out in the above paragraphs. It is known, from studies carried out to inform the European Sites Mitigation SPD, that the dominant reasons for the use of Penhale Dunes for recreation is because it is large, level, dry and dog friendly. It was found to be used year round and is most used by dog walkers.
675. Given the size of the Langarth Garden Village, and the high proportion of green infrastructure, including a large area of green infrastructure at the north-eastern end of the scheme, close to Govers Round, mitigation will be provided on site, by providing Suitable Alternative Natural Greenspace (SANG), which is an acknowledged alternative to SAMM. The SANG will be developed in line with Natural England guidance, and will be designed in detail after outline permission has been granted. The landscape parameter plans indicate that this area of land will primarily consist of open grassland, and as the application site is high and free draining, it will be relatively dry through the year. Consideration will be given to path surfacing during detailed design, to ensure that sufficient areas of it are accessible, and attractive to use, throughout the year. The SANG will be accessible by foot from nearby housing areas, and there will also be a car parking area close to the SANG, allowing people to drive to use the SANG, if it is beyond walking distance. Details of the design management of the SANG form part of the S106 Obligation, and it will be delivered early within phase 1 of the development. These mitigation measures are considered to be sufficient to avoid any impact to the integrity of the SACs.
676. Natural England raise a concern that some of the financial contribution may be made outside of the Plan period, given the timeframe for delivery of this development. Hence the concern is that the financial mitigation secured post the Plan period may

not mitigate impacts identified at that time. The Local Planning Authority can only apply the financial contributions currently set out in the adopted European Sites DPD. It would not be reasonable or meet with the test for obligations as set out within the National Planning Policy Framework 2021 to have an indeterminate future contribution. The provision of an on-site SANG at Govers may result in some of the pressure upon Penhale Dunes from local residents being reduced by visits to Govers. Hence recreational impact upon Penhale Dunes may rise or reduce. As Competent Authority, the Local Planning Authority is content that the broad approach and on-going management, as agreed by Natural England, meets its duties placed on it with regard to the Habitat Regulations. An update on the specific mechanism through the S106 obligation will be provided as part of the update to Committee.

### Assessment of Alternatives

677. As highlighted in this report there are some extant planning permissions within the application site area for development of a similar size and scale. If the current masterplan is not built, then these proposals could be constructed instead or alternative application proposals come forward. The previous permissions did not include SANG as part of the outline applications granted, and therefore the existing permissions would need to either provide a SANG, or provide a financial contribution to the implementation of SAMM measures for minimising impacts to the Penhale Dunes SAC (or a combination of SANG and SAMM payments), in order to provide similar levels of mitigation at Reserved Matters stage. If these schemes only provided a financial contribution to the SAMM, they will not provide any mitigation for Carrine Common SAC (the current application does provide SANG which will be more than sufficient to mitigate any impact to Carrine Common), so there could be a residual impact to Carrine Common SAC from increased recreational pressure, if the extant planning permissions for the site were taken forward, rather than the current proposal.
678. No adverse impacts are considered likely to occur following implementation of mitigation measures as set out above.

### Conclusion on the Environmental Statement

679. The ecology assessment has found that most potential effects would be minimised by the proposed embedded design measures. However, additional mitigation would be required, which includes; a financial contribution to the management of the SACs, off-site mitigation for wintering woodlark, a LEMP to ensure the appropriate management of retained and new habitats, sensitive street lighting schemes and bird, bat and bee bricks built into the new buildings. The embedded design measures and the additional mitigation measures have allowed the assessment to conclude that for both the construction and operational phases, with regard to the EIA Regulations, there would be no significant effects.

### **Impact on residential amenities**

680. The change in character and new uses introduced to the application site will undoubtedly alter the existing circumstances for existing and surrounding residents. An important material planning consideration is the previous planning permissions granted in the application site area and the identification with the Neighbourhood Plan of this area for growth.
681. With respect to noise and odour, colleagues in Public Protection have been consulted and no overriding concerns are raised at this time, given the outline nature of the proposed land uses. Whilst detailed information on issues concerning all possible noise or odour sources relating to the proposed development cannot be provided at this time, Public Protection raise the potential conflicts that could occur between the proposed mixed residential and commercial uses, as well as the potential for existing residential properties to be significantly adversely affected by this proposal, should suitable design and mitigation measures not be provided. Plant/machinery/equipment associated with the proposed commercial/educational/healthcare uses will need further assessment at the detailed planning stage, to demonstrate that noise and odour will not have a significant impact on proposed and existing residential uses and this can be suitably controlled by recommended condition and detailed design at Reserved Matters applications. It is noted that Truro Airfield is in close proximity to this development and so an assessment of the likely impact of this existing source on the proposed development should be included at Reserved Matters stage. However, this needs to be considered in the context of the previous planning permissions in the area; some of which remain extant and could be built out. In principle, given the relatively low usage of the airfield, disturbance from aircraft upon future residents is not considered to result in residential amenity harm.
682. The impact of Construction Noise and Vibration has been assessed for the NAR and working hours suggested by the applicant. Public Protection propose that the working hours for both the NAR and outline planning application parts of the Hybrid application should be Monday to Friday 08:00 to 18:00, Saturdays 08:00 to 13:00 and no working on Sundays or Public/Bank Holidays. The working hours are recommended to be controlled by condition, as set out, below.
683. With respect to matters such as overlooking and loss of privacy, this can be assessed at Reserved Matters when the detailed design is known. In principle, there are no existing properties that would be adversely impacted to a material extent in terms of overlooking or loss of privacy subject to appropriate design. Properties that lie outside of the application site area, but are enveloped by the development proposals, are adjacent to either green space or residential uses, as shown on the parameter plans. In terms of land uses, no adverse harm would be brought. Outside of the application site, properties are distant from the site boundary, or separated by public highway. At Penstraze, to the west of West Langarth Farm, the property known as The Ramblers shares a boundary with the application site area with the land parcels within the site (A1 and A2) identified for residential use on the parameters plan. Given the

commensurate land uses proposed and existing residential development which adjoins The Ramblers, extending to the West, no material amenity harm is considered to be brought, subject to detailed design at Reserved Matters application stage.

684. The mitigation measures are secured through the use of planning conditions. The proposal is considered to accord with the aims of Policies 1 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030, Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 130 of the National Planning Policy Framework 2021.

### **Stewardship**

685. As highlighted by the Government and the Town and Country Planning Association, an integral quality of a Garden Community is the ongoing stewardship and management of the place and community. Cornwall Council, as applicant, is exploring the various options the stewardship body for Langarth Garden Village could entail. Broadly, there are four types of community assets that will require managing; these being:

- Land (green infrastructure, public realm)
- Facilities such as community hubs
- Unadopted highways
- Services and community governance

686. As for any new large development and community, how the elements above are managed over the long term are key in terms of good planning. The ongoing management and stewardship of the development would be controlled by the Local Planning Authority via the S106 obligation. The S106 obligation requires the submission of the Stewardship Vehicle Governance Structure and a Business Plan to demonstrate financial autonomy and how it would enable the Stewardship Vehicle to function for the lifetime of the development. For example, income sources could include public or private grant, ground rent, service charges, rent charges, commercial rents, estate management charges or commuted sums for SUDS, open space or the SANG if those elements of the development become the Stewardship Vehicle responsibility. Importantly, the 106 will require a timely mechanism for this management to be in place.

687. Prior to the substantial implementation of the outline application (application B), the applicant will be required to submit details outlined above to the Local Planning Authority for consideration. The development cannot be occupied until the Business Plan has been approved by the Local Planning Authority. In addition, the S106 obligation requires the submission of a welcome pack to future occupiers, explaining the Stewardship Vehicle, its purpose, functions, constitutional structure, the services provided, the quantum of money payable by the owner of each dwelling or commercial occupier towards the Stewardship Vehicle by way of a service charge, estate charge or otherwise and the legal mechanism by which this payment is secured. Also, if

applicable, it will be outlined that the owner and/or occupier may become a member of the Stewardship Vehicle and the rights conferred by virtue of being a member will be set out.

688. Given the requirements of the S106 obligation, it is considered that the proposal would accord with the aims of paragraphs 8, 130 and section 8 of the National Planning Policy Framework 2021.

### **Truro Airfield**

689. When considering earlier application proposals, in 2011/12, the nearby airfield operator raised objections and concerns with proposed development encroaching on the airfield and impacting its operations. The airfield has been notified directly of this application, on two separate occasions (15<sup>th</sup> January 2021 and 8<sup>th</sup> November 2021), but no comments have been received in connection with the current proposals. The Langarth Farm planning permission (PA11/06124), to which objections were raised by the airfield, remains extant. It is not possible to conclude whether the previous objections remain relevant as no representations have been received, however taking a 'worse case scenario' and given there is part of this scheme within the Airfield consultation zone, that there is a potential impact of this scheme on the Airfield and this has been set out below.
690. To provide some historical content to the previous objection, when considering the Langarth Farm application, in 2011/12, separate consultants acting on behalf of the applicant and the Council confirmed that a significant part of the application site would become a congested area as far as the Rules of the Air are concerned and that, as a result, certain aircraft movement from the airfield would no longer be possible without contravening these Rules. The Langarth Farm development therefore had significant implications for the airfield and these impacts were subject of consideration by the then Strategic Planning Committee in 2012.
691. In many planning decisions there are adverse impacts on third party interests to varying degrees. It is the Local Planning Authority's role as arbiter to determine a) whether such impacts are material considerations; and b) If they are, whether, on balance, the benefits of a development outweigh any such impacts.
692. The scale of both the benefits and the adverse impacts on large scale schemes are inherently greater than for other types of application. In 2012, the nature of the airfield had been found to be such that helicopters could continue to operate, albeit to altered flight paths, and normal aeroplanes could continue to use the airfield but only in weather conditions favouring direct approaches from and departures to the northwest. For aeroplanes, the airfield would need to be re-licensed to enable full utilisation to continue, including training. It is understood that the airfield is predominantly used for training, which could continue largely unchanged. Further, the airfield has recently applied for planning permission for the siting of 17 units (16

holiday units + 1 manager's unit) to support the diversification of the airfield (reference PA20/10725). This application was withdrawn in August this year, but the submission suggests that built form in proximity to the airfield would not materially undermine the operation of the airfield. This is considered particularly relevant to this application as Langarth is further away from the airfield.

693. For all of the reasons set out above and when taking a precautionary approach, the possible impacts of the proposed development on the airfield is a negative impact of this proposal which is given appropriate weight in the balance of considerations above for the scheme as a whole..

### **Other matters raised by third parties**

694. It is not uncommon for there to be multiple planning permissions over the same parcel of land and implementation of one permission does not necessarily prohibit delivery of another permission, each case will need to be assessed on its own facts as and when reserved matters applications come forward
695. The Council in its capacity as applicant and landowner intends to continue collaborating with 3rd party landowners with a view to securing agreement to enter into the agreed form section 106 planning obligation which is secured by condition
696. In the event this section 106 planning obligation is not entered into in respect of the 3rd party land, that land will not take the benefit of the Langarth Garden Village planning permission

### **Planning Conditions / Legal Obligations**

697. The approach of the recommended planning conditions and section 106 planning obligations is complicated by both the nature of the planning application and the nature and plurality of land interests in the application site. Members are reminded that this is a hybrid planning application, meaning that planning permission is sought in 'full' for the Northern Access Road, with the remaining Masterplan part of the application site comprising 'outline' in form. Should planning permission be granted, there will be a need to submit ('discharge') planning conditions on each element (full and outline) separately and reserved matter applications will be required for the outline part of the scheme. As such, the recommendation is set out, below, in the form of 'Application A,' the full application for the NAR and 'Application B,' the outline application.
698. Applications of a hybrid nature are not uncommon for large scale developments where it is often expedient and/or necessary to deliver part of the scheme in advance of the remaining parts and to facilitate a degree of flexibility in implementation outcomes for a large-scale proposal, which will take a number of years to build out. Most development schemes and, in particular, larger scale development proposals, like



Langarth Garden Village, are typically accompanied by both planning conditions and a legal agreement (known as a 'Section 106 Planning Obligation') that binds landowners and developers to delivering mitigation, both within and outside the planning application red line, which is necessary to make the development acceptable in planning terms. In the case of Langarth Garden Village, mitigation, which would typically be secured under Section 106 is required, in particular, in connection with the outline element of the scheme.

699. In this case, the application site includes several landowners, including the Council. The majority of the site is now under the control/ownership of Cornwall Council. Other parts of the site are in third party landownership. The Local Planning Authority takes the position that public law and contract law principles prevent Cornwall Council from entering into a legal agreement with itself. In any event, the Council cannot take section 106 enforcement action against itself (usually in the form of an injunction), as this requires separate legal personality. Separately, some of the landowners within the application site may not be in agreement with the terms of the application or the terms of any legal agreement that affects their land.
700. In these circumstances, there are alternative legal mechanisms for securing the mitigation necessary to make this development acceptable in planning terms, which place a slightly stronger reliance on planning conditions than in a more conventional application context. These mechanisms are examined, below:

#### Planning conditions

701. A key feature of the proposed conditions, generally, is the need to separate the matters out from the 'full' and the 'outline' elements of the scheme and on this basis the conditions have been separated to correlate to their various parts. Another key feature is that, wherever appropriate, they facilitate 'phased' discharge as different parts of development come forward. This allows for flexible implementation over time. The planning conditions for both the full and the outline elements can be classified into four broad groups: pre-commencement conditions, construction-period conditions, pre-occupation conditions and ongoing or compliance conditions. The relevant tests for the imposition of planning conditions are examined, below. The specific mitigation measures recommended to be secured by planning conditions are highlighted in the relevant sections of the committee report.

#### Planning obligation

702. In order to constitute a reason for granting planning permission proposed section 106 planning obligations need to meet the CIL Regulation 122 tests; they need to be —
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

703. Discussions on the proposed section 106 planning obligations are ongoing and have reached an advanced stage, which is considered good practice in terms of a scheme which gives rise to the need for mitigation in one form or another, over many years. The proposed section 106 obligations include:

704. Financial contributions towards:

- Strategic transport mitigation including cycle provision, bus service subsidy, off-site mobility hub infrastructure, car clubs, electric vehicles and cycle trails
- Junction improvements
- Sustainable transport bond to support implementation of LGV monitoring and evaluation plan
- Travel plan and monitoring fee
- Air quality
- Education
- Healthcare
- Offsite flood resilience measures
- Protected habitats
- Design code implementation and review
- Offsite sports pitches
- Park & ride extensions
- TRO contribution to control on-street parking
- Contribution towards public realm and highways improvements in Threemilestone to improve connectivity and integration

705. Obligations to secure:

- Affordable housing, in accordance with Affordable Housing Team comments
- Use of local labour and materials
- Biodiversity monitoring and management
- SANG/SAMM
- Stewardship arrangements
- Interim and permanent woodlark mitigation
- Open Space provision, management and transfer/adoption
- SUDS provision, management and transfer/adoption
- Community facilities
- Connections to district heating network if provided

706. Officers are satisfied that these obligations comply with Local Plan Policies 8, 13, 16, 27 and 28 (amongst others) and satisfy the CIL Regulation 122 tests outlined above.

707. In this case, though, there are two novel planning circumstances at play, which requires a more bespoke approach to framing the required section 106 mitigation. The

circumstances relate to the Council being both applicant and majority landowner, and not all the site falling under the applicant's (the Council's) control.

708. The Local Planning Authority's standard position is that all parties with a material interest in an application site must enter into the S106 obligation associated with the application, prior to the grant of planning permission. This ensures that the planning obligations contained within bind the site, such that the Local Planning Authority can enforce the obligations, not just against the original signatories to the agreement, but also against their successors in title.
709. However, in this case the Local Planning Authority considers that the usual approach of entering into the S106 obligation prior to the grant of planning permission is not possible, as large parts of the site are in the ownership of the Council (as landowner) and, as a matter of public law and contract law, the Council (as landowner) cannot enter into an agreement with the Council (as Local Planning Authority) since they are not separate legal entities. In addition, the remainder of the site is in third party ownership, and these third parties are under no obligation to enter into a S106 obligation.
710. In these circumstances, it is proposed that the S106 obligation (or the mitigation which would otherwise be secured by the S106 obligation) are secured by negatively worded planning conditions.
711. The Planning Practice Guidance (PPG) advises that a positively worded condition which requires the applicant to enter into a section 106 planning obligation or an agreement under other powers, is unlikely to pass the test of enforceability. It further advises that negatively worded conditions, limiting any development that can take place until a planning obligation or other agreement has been entered into, are unlikely to be appropriate in the majority of cases. However, the PPG recognises that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, in the case of particularly complex development schemes, such as this, and where delivery would otherwise be at risk. In all circumstances, the 6 tests for imposing planning conditions should also be met.

The six tests are that the planning conditions must be:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

712. Officers consider that this development satisfies the exceptional circumstances criteria in the PPG, given the size of the scheme and the importance of realising its delivery for the County, including in terms of housing supply and place making and that delay to the grant of planning permission on account of third-party landowners could put delivery of these planning benefits at risk. Officers are also satisfied that, given the implementation time given for the development under Application A, there is at least some prospect of the condition being fulfilled in respect of third-party landowners. For these reasons, Officers recommend that a negatively worded condition requiring a S106 Obligation to be entered into before certain development can commence is appropriate in these circumstances. Officers further consider that in these circumstances, the terms of the S106 Obligation need to be agreed prior to grant of permission, without limitation, in the interests of precision and enforceability and transparency, more generally.
713. On this basis, having regard to Development Plan Policies 8, 13, 16, 27 and 28 of the Cornwall Local Plan, the Local Planning Authority has proposed (and the applicant has agreed to) a number of negatively worded conditions, which collectively ensure that the required section 106 mitigation is secured (a) in the event that the Council or a third party landowner or developer implements the planning permission on the land which is currently in the Council's ownership and also (b) in the event a third party landowner elects to implement the planning permission on land which is not currently in the Council's landownership. In high level summary, these conditions provide that to the extent the Council implements the permission, it agrees not to do so until it has entered into a Memorandum of Understanding, underwriting the obligations in the agreed form S106 Obligation, which will accompany the grant of planning permission. To the extent the Council subsequently divests of its land interests to a third party developer for that developer to implement the permission, the Council is required to ensure that such third party developer enters into the agreed form S106 Obligation with the Local Planning Authority before it is permitted to implement the permission on that land; and this obligation will then be enforceable against successors in title in the normal way. Finally, commencement of development is prohibited on the third party land which is not within the Council's ownership or control unless or until the third party landowner has entered into the agreed form S106 Obligation prior to commencement on that land. This means that no implementation scenario 'takes free' of the section 106 mitigation required to make the development acceptable in planning terms.
714. Members are advised that the recommended conditions have been discussed with the Council (as applicant and landowner) in accordance with best practice, who have confirmed to the Council (as Local Planning Authority) that the conditions recommended are acceptable to them.

### Police request for S106 contribution

715. The estates section of Devon and Cornwall Police Force have sought a contribution towards personnel and building infrastructure citing the additional resourcing pressure development places on the Force. As set out above, planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
716. These tests are set out as statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework.
717. It is not disputed that developer contributions could be taken towards police infrastructure and would meet the first two tests outlined above. However, the process to enable this to happen is via an Infrastructure Needs Assessment which would be tested for viability along with other requested developer contributions as part of the local plan-making process. In the absence of this process having occurred with respect to Police infrastructure, it is considered that the contribution sought is not fairly and reasonably related and fails to meet with the third test, set out, above. Further, the current adopted Local Plan sets out the growth for the plan period and this includes the growth associated with Langarth Garden Village. It is noted that Devon and Cornwall Constabulary did not object to the level of growth proposed in the Local Plan, which adds to the view it is unreasonable to seek to address that retrospectively.

### **CIL**

718. The development subject of the outline application will be subject to CIL at the detailed stage of the development proposals. The relevant calculations will be set out for future contributions as required by the regulations as a CIL Charging Authority. Section 70(2)(b) of the Town and Country Planning Act (as amended by Section 143 of the Localism Act 2011) states that any financial sum that an authority has received, will, or could receive, in payment of CIL is a material 'local finance consideration' in planning decisions.

Climate Change Emergency and Biodiversity Issues:
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719. Cornwall declared a climate emergency in 2019. The aim is to become carbon neutral by 2030. In light of the Cabinet unanimously approving the Council's plan to tackle the climate emergency and help Cornwall achieve carbon neutrality, it is necessary to consider the climate change implications of the proposed development. The Council has developed and submitted for Examination in Public a Climate Emergency

Development Plan Document, which provides new policies and additional detail on existing Local Plan policies to address the climate and biodiversity emergencies. The document sets a direction of travel for the Council in addressing climate change within planning decisions and the policies within it can be given some weight, where there are no unresolved objections. This means that positive weight may be given to proposals that comply with their requirements, and some policies which extend our existing Local Plan policies may support a refusal, but the policies are not yet robust as a sole reason for refusal at this stage. Given the strategic importance of the site the applicant has incorporated a range of measures to ensure that net carbon zero homes would be delivered. This is above the requirements of the existing planning permissions in the area should those be built out.

720. The masterplan has been developed to deliver an increase in biodiversity across the site in accordance with Local Plan Policies 2 and 23 and TKNP Policy E5. The Local Planning Authority's policy is to seek a 10% net gain in biodiversity; which the ambition for the Langarth Garden Village exceeds. The application is accompanied by a Framework BNG Strategy which explains how delivery would take place across the development to meet with this policy requirement. It is stated that this is principally achieved through the Landscape and Green Infrastructure Parameter Plan / Landscape Strategy's focuses on enhancing existing green infrastructure and the retention of and creation of new hedgerows, creating species-rich grasslands in areas across the site but with a particular focus on land at Governs Farm providing the setting of the Scheduled Monument, the planting of new woodland areas in areas such as the valley sides of Governs Farm, the creation of new wetlands in areas such as along the valley bottom to the north of the application site, retention of well-vegetated stream corridors, embedded design features in the Landscape Strategy and Design Code including but not limited to SUDS. On this basis, the proposed development achieves a 29% increase in biodiversity for habitat units and 12% for hedgerow units.
721. The application also retains and creates new habitats, wherever possible. For example, the proposed development retains the well-vegetated stream corridors and terrestrial green corridors, which are based along existing hedges, or woodland strips. These will be enhanced by buffer planting, parklands and other new natural spaces. The SUDS would help to create new wetlands across the whole site and enhance the stream corridors.
722. Some habitat loss is inevitable. In particular, the loss of arable land means loss of habitat for wintering woodlarks. This habitat loss will be mitigated, most likely through the provision of offsite compensatory habitat secured through s106 Obligation, in accordance with details to be approved by the Local Planning Authority. Further, the parameter plans, in particular the Landscape and Green Infrastructure plan, combined with elements of the Design Code ensure the delivery of both strategic and plot level biodiversity net gain delivery. These measures have been discussed in the ecology section of this report above.



723. With respect to calculation of BNG, the submission calculates these measurements and provision in the following table.

<b>On site baseline</b>	Habitat units	704.73
	Hedgerow units	453.13
<b>On site post-intervention</b>	Habitat units	916.64
	Hedgerow units	509.97
<b>Total net unit change</b>	Habitat units	+ 202.74
	Hedgerow units	+ 56.83
<b>Total net % change</b>	<b>Habitat units</b>	<b>+ 28.77%</b>
	<b>Hedgerow units</b>	<b>+ 12.54%</b>

Table 4: Biodiversity Net Gain metric calculations

724. Due to the size and complexity of this proposal, and the level of detail on scheme design, there are a number of assumptions that have been made regarding the post-construction biodiversity value. For example, habitats and hedges are assigned a strategic significance within the metric and the mapped boundaries contain insufficient details as to follow field boundaries. Hence, some interpretation of the zone boundaries has had to occur. A further example is for house types, where plots have been divided into three different land cover types for the metric which provide different private garden or communal garden ratios and hence inputs to the metric.

725. In order to ensure that the required BNG is delivered, as promised, each Reserved Matters application will need to be designed in accordance with the requirements set out within the Landscape Parameters Plan and the Langarth Garden Village Design Code. Much of the BNG for the Langarth Garden Village will be delivered through the Strategic Green Infrastructure that will be implemented in Phases 1 & 2. It is anticipated that it will not be possible to deliver a minimum of 10% BNG as part of each individual Reserved Matters application, so the BNG will be assessed over the Langarth Garden Village as a whole. Each Reserved Matters application will need to include a Biodiversity Conformity Statement and Implementation Timetable to demonstrate compliance with this Framework Biodiversity Strategy. Given the controls in the S106 Obligation, Design Code(s) and conditions it is considered that the delivery of the BNG in a strategic manner for this particular development would meet with the BNG delivery requirements. Ongoing management would be controlled through the Stewardship of the site.

726. With respect to energy, a recently completed feasibility study concerning the potential for a geothermal district heat network (DHN) using waste heat from the United Downs Deep Geothermal Project has been undertaken. A geothermal-based district heat network, followed closely by a shared-loop ground source heat pump (GSHP) solution,

are stated as being feasible and more cost effective than the previously proposed air source heat pump (ASHP) solution.

727. United Downs is located approximately 7km from the heat source in Redruth, Cornwall (7km by road and 5km in the development boundary of the garden village). It will be the first geothermal power plant in the UK to produce power and heat from the hot granite beneath Cornwall. United Downs is expected to operate year-round, excluding a two-week planned maintenance period. It is expected to provide heat after electricity generation at around 80 degrees Celsius. This heat has potential to serve Langarth via a transmissions heat network with approximately 10MWth of heat.
728. Due to the finite amount of heat available from United Downs and the two-week maintenance period, there is a need for some back-up heating through parts of the winter and during maintenance. A permanent energy centre will be needed for back-up for United Downs summer maintenance shutdown. This energy centre would likely use electric boiler(s). At this stage the applicant envisages a 2.5 MWth sized electrical boiler based on the summertime heat demand baseload (i.e., hot water load), which has been provided to allow for the planned maintenance period which is planned to be in summertime over a 2-week period.
729. The available heating capacity from the United Downs project is 10,000 kW, this is not sufficient to fully meet peak heating demand of the proposed Langarth Garden Village site which peaks to about 20,000 kW during the coldest periods. However, the design includes a use of a thermal store which has been optimised to effectively utilise the renewable heat energy that is incoming from the United Downs geothermal plant.
730. Using a thermal store means that additional generating plant is not therefore needed to meet this peak heating demand – it also provides the following benefits:
- Reduces operational carbon dioxide emission by increased utilisation of the available geothermal heat.
  - Reduces embodied carbon dioxide emissions due to reduction in heat generator plant size.
  - Reduces capital cost because an effective thermal storage size is much cheaper than heat generators.
731. Utilising the deep geothermal heat source from United Downs uses energy that would otherwise be wasted. The carbon saved by using the geothermal source would be approximately 9,100 tonnes of CO<sub>2</sub> per year, compared to heating by modern gas boiler. LGV will utilise the waste heat from the geothermal plant at United Downs; therefore, no heat is being produced to serve LGV other than that produced for summer back-up during the maintenance period.
732. The preferred heating options proposed are set out below in table 5 below:

Heating Solution	Summary	Key points
1 <sup>st</sup> - Geothermal DHN	Waste heat from the United Downs Deep Geothermal Project brought to the Langarth site and heat distributed through a site-wide DHN.	<ul style="list-style-type: none"> <li>• Single heat network supplier providing heat to the entire Langarth development.</li> <li>• Requires as much of the site as possible to be connected in order be most cost effective.</li> <li>• Early development plots will require temporary heat supply to local DHN until mains connection to United Downs (potentially by 2026).</li> <li>• Potential to supply Royal Cornwall Hospital as well as LGV.</li> <li>• Will require small solar PV (circa 0.9kW per dwelling) for regulated energy consumption to meet net zero carbon.</li> </ul>
2 <sup>nd</sup> - GSHP DHN	Linked boreholes on site to provide district level GSHP DHN solutions	<ul style="list-style-type: none"> <li>• Single or multiple heat network suppliers providing heat to individual neighbourhoods.</li> <li>• Will require solar PV or other renewable source (circa 3.0 kW per dwelling) for heat pump and other regulated energy consumption to meet net zero carbon.</li> </ul>
3 <sup>rd</sup> - ASHP	Individual ASHP for each building	<ul style="list-style-type: none"> <li>• Single or multiple suppliers providing solar and ASHP solutions.</li> <li>• Will require solar PV or other renewable source (circa 3.8 kW per dwelling) for heat pump and other regulated energy consumption to meet net zero carbon.</li> </ul>

733. Based on the above, the preference is to provide a geothermal DHN for the entire Langarth development site, on the basis that developers will be obligated via S106 Agreement to connect to the heat network if it is available.

(kWh/m <sup>2</sup> )	Geothermal DHN
Heating	1.6
Domestic Hot Water	0.9
Regulated Electricity	5.6
<b>Total Energy Use</b>	<b>8.1</b>
<b>Draft Policy SEC1 Energy Use Target</b>	<b>40</b>

**Table 6: Energy for use by dwellings when served by geothermal DHN**

734. Should for any reason the geothermal DHN does not progress, then the next preferred option for achieving net zero carbon would be GSHP based DHN, followed by ASHP heating. In all three heating solution scenarios, buildings will be required to have solar PV to provide sufficient renewable energy for regulated energy consumption.

735. Should the geothermal DHN not progress a GSHP based DHN would be the next preferred option. This system features individual heat pumps connected to communal borehole fields, which yield the following benefits:

- Fewer boreholes required, reducing the corresponding drilling cost

- Collective depth of boreholes is reduced
- No impact on building footprint – no requirements for a plantroom
- Distribution pipework links the borehole field to each property. All the district pipework is on the 'cold' side of the heat pump, operating in a temperature range of -2 to +10°C, meaning there is negligible distribution losses.
- In summer operation, there will be no heat lost to the risers, avoiding overheating issues. The heat pump will serve a separate hot water cylinder in each dwelling and low temperature distribution system, likely to be either underfloor heating or radiators operating at around 40-50°C.

736. A GSHP can provide a consistent year-round heat supply due to the stable ground temperature, which generally is between 8-10°C all year. This improves upon ASHPs, which are impacted by external fluctuating air temperatures, creating higher bills when heating is required the most.

(kWh/m <sup>2</sup> )	GSHP
Heating	9.9
Domestic Hot Water	10.3
Regulated Electricity	5.6
<b>Total Energy Use</b>	<b>26</b>
<b>Draft Policy SEC1 Energy Use Target</b>	<b>40</b>

Table 7: Energy use for dwellings when served by a GSHP

737. The previous strategy, submitted in December 2020, looked at the implementation of ASHPs being installed in individual homes and the remaining carbon being offset by the inclusion of PV arrays on the roofs of developments. Since the previous strategy, it has been concluded that GSHPs will provide a more economic and environmentally friendly solution. Under an ASHP strategy, individual homes will have independent electric heating (heat pumps), which can achieve COPs of around 2.5, and this strategy would not be reliant on district heating central heating sources. The use of ASHP is not proposed but is shown here for comparison.

(kWh/m <sup>2</sup> )	ASHP
Heating	13.8
Domestic Hot Water	12.9
Regulated Electricity	5.6
<b>Total Energy Use</b>	<b>32</b>
<b>Draft Policy SEC1 Energy Use Target</b>	<b>40</b>

Table 8: Energy use for dwellings when served by a ASHP

738. Aside from planning policy and legislation, the Future Homes Standard (FHS) will complement the Building Regulations to ensure new homes built from 2025 will produce 75-80% less carbon emissions than homes delivered under current regulations. Once the legislation is passed 2025, all new homes will have to be built according to the standards.
739. The FHS should see homes fitted with low carbon forms of heating and will see the banning of fossil fuel heating systems being implemented in new houses. The expectation of the FHS is that heat pumps will become the main source of heating system for most new homes. This will aide in the intention of making homes net zero carbon ready, either through solar panels or through future grid decarbonisation. The applicant proposes that the application incorporates high levels of insulation within buildings through a fabric first approach, to align with the FHS and to meet the requirements set out in Draft Policy SEC1 of the Climate Emergency DPD.
740. For LGV to meet the climate ambitions of Cornwall Council, the development would have to go further than just providing renewable and highly efficient heat sources, therefore, the strategy includes the proposal of roof-top solar PV for every development. A key benefit that could be derived from the geothermal proposal is that only a small array is required to meet the regulated energy use, which means there is potential for roof space that could be utilised for installing larger PV arrays that could start meeting the requirements of unregulated electricity and EV charging.
741. To achieve net-zero carbon, it is proposed that the development is bolstered by the use of PV on both commercial and residential developments.

#### Net Zero Carbon

742. For domestic properties, the proposed development strives to be a beacon for sustainability and becoming zero-carbon is a major aim. The submitted study-based net-zero carbon as space heating, domestic hot water and regulated electricity for the residential developments in-line with Building Regulation Part L (2013) methodology.
743. The energy performance of the proposed commercial developments has been approximated to assess the viability of achieving net zero carbon in the development as final uses and designs are unknown at this time. For both domestic and commercial properties when PV is utilised net zero carbon is demonstrated as being achievable.
744. The feasibility study conducted by the applicant shows the potential of LGV becoming a net-zero development when utilising the opportunity of being heated by deep geothermal heat source as outlined in this report. The core strategy proposed by the applicant is based on the development being heated in a geothermally heated district heating scheme, which aims to be online by Phase 2 of the development.

745. As the geothermal DHN will not be online until Phase 2 of the LGV Masterplan, this submitted strategy proposes the early Phase 1 residential developments be heated by a temporary energy centre. Should the geothermal DHN not progress for whatever reason, the modelling undertaken indicates that a GSHP DHN should be able to comply with Policy SEC1 of the emerging Climate Emergency DPD. It is recommended that the energy strategy for the development is controlled by condition which seeks net zero carbon energy performance. The Design Code requires buildings within the development to meet with the UKGBC Net Zero Carbon Buildings requirements and achieve net zero carbon standards. The Silver standard is based upon the principles of the Future Homes Standard and is the minimum standard to be achieved within Langarth Garden Village. The periodic review of the Design Code combined with the recommended energy strategy condition would ensure that as future design standards can be amended and improved upon to meet changes in legislation or technological advancements.
746. With respect to waste and recycling storage, the Design Code sets out that all new homes must have a designed external structure, with sufficient space to meet with the forthcoming waste and recycling provision within Cornwall. This includes wheeled refuse bin, dry recycling, food waste caddy and garden waste wheeled bin. Flats and apartments must have their own containment, as per homes, which is accessible to residents and no more than a 30 metre walk from their front door.

Recommendation:
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Delegated authority to the Head of Development Management to approve planning permission subject to:

- A) conditions as set out or similar as may be agreed under delegated authority given to the Head of Development Management; and
- B) completion of a draft S106 obligation to deliver the infrastructure and other mitigation, as set out in this report and as may be agreed under delegated authority given to the Head of Development Management.

## **CONDITIONS APPLICABLE TO THE FULL APPLICATION (APPLICATION A)**

### **Compliance**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).



2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall be carried out in accordance with the mitigation measures as set out at Table 19.1 of the accompanying Environmental Statement dated November 2020.

Reason: To ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement.

#### 4. **Staging**

No development shall take place until a construction stages plan for the development which sets out the sequence in which the construction of the Northern Access Road relates to the timing of the delivery of the development in the Masterplan area subject of the associated outline planning permission has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved construction stage plan and for the avoidance of doubt any reference to stage in this permission shall be construed as a stage shown on the plan or plans approved pursuant to this condition 4.

Reason: To ensure the development is comprehensively planned and phased to maximise practical integration between different land uses within and beyond the site in accordance with paragraph 60 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the development on the masterplan area is delivered in a co-ordinated manner and served by the associated key transport infrastructure.

#### 5. **Archaeology**

A) Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a programme of archaeological recording work including a Written Scheme of Investigation shall have been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions, and:

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

- B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) Any stage of the Northern Access Road as agreed by condition 4 shall not be used by the public until the site investigation and post investigation assessment for that stage has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.
- D) The archaeological recording condition for any stage as agreed by condition 4 will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

Reason: To ensure that provision is made to record finds of archaeological interest in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 205 of the National Planning Policy Framework 2021 and. A pre-commencement condition is necessary in this instance due to the need to ensure that a programme and methodology of site investigation and recording of archaeological features is undertaken before physical works commence on site.

## 6. **Groundwater Monitoring**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) the results of groundwater monitoring undertaken at the position of each attenuation and infiltration basin along the route of the Northern Access Road for that stage shall have been submitted to and agreed in writing by the Local Planning Authority. Details must include:

- 1. A plan with the location of the monitoring boreholes shown, each borehole applicable to the relevant stage individually referenced, the below ground depth of the borehole marked, and the position and base depth of the proposed surface water drainage features shown and reference to “each borehole” in criteria 2 to 9 below shall mean each borehole as identified on the plan or plan(s) approved under this criterion 1
- 2. The results of a full 12 months’ continuous monitoring of groundwater levels. The borehole depth, and the depth recorded from the ground surface of each borehole to the surface of the groundwater for each borehole
- 3. The positions of drainage features R1-C, R1-A, R1-B, SR-A, M1-A, M1-B, SR-B, SR-C M1-C, M1-D, SR-D, M1-E, M1-F and M1-G identified on Drawing Ref 1665-CSL-HDG-00MZ-DE-D-0044 Rev P03 must be monitored unless otherwise agreed in writing by the Local Planning Authority

4. The results must demonstrate that the seasonal groundwater peak has been reached and that there has been a continuous fall in the level following the peak for a minimum of 2 months
5. A record of the weather conditions must be maintained throughout the monitoring period and submitted with the groundwater monitoring results
6. The monitoring results for each borehole shall be tabulated and presented in both a table and line graph format
7. All results must be provided including the results for those boreholes which fail
8. Details of the ground investigation result shall be provided for each borehole
9. Details of any proposed “cut and fill” operations proposed by the development

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policy E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167 and 169 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the drainage features proposed are appropriate having regard to groundwater levels.

## **7. Detailed Surface Water Design**

Prior to the commencement of construction works within any stage as agreed under Condition 4 (save for Enabling Works) details of a scheme for the provision of surface water management for that stage shall have been submitted. The requirements of both Part A and B must be provided to and approved in writing by the Local Planning Authority prior to the commencement of construction within any stage.

Part A. Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works), the Local Planning Authority shall have been provided with and approved the results of ground investigations relevant to the stage. Such investigations should:

1. Identify any areas of instability and inform remedial design and construction techniques
2. Provide infiltration test and groundwater monitoring results
3. Inform the surface water drainage design and construction techniques

Part B. Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of a scheme for the provision of the management of surface water drainage for that stage shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include and/or comply with the following criteria (as applicable):

1. A detailed description of the surface water drainage systems operation including how this relates to the wider site Drainage Strategy

2. Greenfield runoff calculations which must be based on the proposed impermeable area and exclude open space, gardens, greenspace etc
3. Details of the surface water drainage design including calculations, layout and bespoke surface water drainage solutions (based on the findings of the site investigations). The surface water drainage solutions incorporated into this drainage design must fully manage the 1 in 100 year peak rainfall event plus a minimum allowance of 40% for the impact of climate change
4. Drainage systems which are designed to ensure that (unless an area is designed to hold/convey surface water) flooding does not occur to any building or part of a building, utility or plant, pumping station, electricity substation during the 1 in 100 year peak rainfall event
5. Under the 1 in 100 year peak rainfall event conveyance systems (including pipework and swales) must aim to hold and convey flows without flooding. Flooding of any part of the site must not occur within any part of the site during the 1 in 30 year rainfall event
6. Infiltration should be used as the preferred method of surface water disposal and only where this method is not viable should an attenuated flow controlled discharge from the site be used
7. Flows rates discharged from the site should aim to achieve the 1 in 1 year greenfield runoff rate but must be no greater than the 1 in 10 year greenfield runoff rate.
8. Flow control systems design and profiles
9. Factors of safety must be applied based on the consequence of failure. A minimum factor of 10 is required for surface water drainage systems offered for adoption by Cornwall Council
10. Construction Surface Water Management Plan
11. Construction Quality Control Procedure
12. Plan indicating the provisions for exceedance pathways and overland flow routes and mitigation measures
13. Timetable of construction including a plan indicating the phasing of development including the implementation of the drainage systems
14. A Drainage Systems Operation and Maintenance Manual must be provided to confirm who will maintain the drainage systems and a plan and schedule for the future maintenance and management, including responsibilities for the drainage systems and any overland flow routes

The approved scheme shall be implemented in accordance with the agreed timetable and shall be managed and maintained in accordance with the approved details for the lifetime of the development. Details of the maintenance schedule shall be kept up to date and be made available to the Local Planning Authority within 28 days of the receipt of a written request.

Reason: To prevent the increased risk of flooding within and off site and minimise the impact of surface water within and resulting from the development on the area and manage the potential pollution risk to surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policies E1 and E2 of the

Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the drainage features proposed are appropriate and that construction surface water management would not give rise to any harm to the environment.

### Informative

The Developer must inform the Local Planning Authority of any variation from the details provided and agree these in writing before such variations are undertaken.

## **8. NAR Construction Period Surface Water Management Plan**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a Construction Period Surface Water Management Plan for that stage shall have been submitted to and approved in writing by the Local Planning Authority. This must include and/or comply with the following details (as applicable):

1. Areas proposed for infiltration systems e.g. basins, soakaways, infiltration trenches must be fenced and protected from compaction during the construction phase. A plan clearly indicating the extent of the fenced areas must be provided.
2. The management plan must clearly identify how surface water runoff from the site and the effects of silt and surface water on land, property, watercourses and the highway will be mitigated and managed throughout the construction period
3. Details of pollution water quality and emergency control measures, including temporary sediment basins, sediment traps, silt fences, bunds and trenches
4. Construction Site Plan showing compounds, material storage areas, temporary vehicle parking areas for the relevant stage

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction surface water management is appropriately managed and would not give rise to any harm to the environment.

## **9. NAR Construction Quality Control Plan**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of a Construction Quality Control Plan shall

have been submitted to and approved in writing by the Local Planning Authority. This must include details of:

1. Procedures used to ensure that the quality of contractors and subcontractors' workmanship is in accordance with the approved design
2. The proposed storage and use of materials which must be in accordance with the manufacture's recommendations and specifications
3. Procedures implemented to ensure that all materials used, including any materials which are substituted, are compliant with the approved design
4. How inspections, non-compliances and corrective actions will be recorded

The development of in each stage must be undertaken in accordance with the details hereby approved.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction of the development hereby approved is appropriately managed and would not give rise to any harm to the environment in particular with respect to surface water control.

#### **10. NAR Surface Water Drainage Systems Operations and Maintenance Manual**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of the NAR Surface Water Drainage Systems Operation and Maintenance Manual for that stage shall have been submitted to and approved in writing by the Local Planning Authority. This must include the following:

1. A brief summary of the SuDS design, how the SuDS components work, their purpose and potential performance risks
2. A plan showing the location of all SuDS components within and serving the relevant stage including inlets and outlets. Each component must have a unique reference
3. Confirmation of who will adopt, operate, manage and maintain each SuDS component and the method of adoption
4. Maintenance trigger requirements, including visual indicators for silt removal, vegetation removal
5. A description of the proposed maintenance activities and a log of the activities
6. Maintenance Schedule identifying regular and occasional maintenance and remedial actions
7. Confirmation of maintenance buffer areas
8. Details of the maintenance access routes and easements
9. Details of the contributing drainage catchment(s)
10. The landscaping and planting scheme



# 11. Details of the management schemes for the habitats and amenity areas created as part of the drainage scheme

The development in each stage must be undertaken in accordance with the details hereby approved.

Reason: To ensure that the implemented surface water drainage systems are managed and maintained for the lifetime of the development in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the drainage system can be appropriately managed, operated and maintained.

## 11. Construction Traffic Management Plan

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a Construction Traffic Management Plan (CTMP) and programme of works for that stage shall have been submitted to and approved in writing by the Local Planning Authority. The approved Plan and programme of works shall be adhered to throughout the construction period of that relevant stage.

The Plan shall provide for:

- i) construction vehicle details (number, size and type);
- ii) vehicular routes and delivery hours;
- iii) the parking of vehicles of site operatives and visitors
- iv) loading and unloading of plant and materials
- v) storage of plant and materials used in constructing of the development;
- vi) wheel washing facilities' and
- vii) measures to control the emission of dust and dirt during construction.

Reason: In the interests of maintaining a safe and efficient highway network and in accordance with the aims and intentions of Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction process is appropriately managed in the interests of highway safety.

## 12. Construction Environmental Management Plan

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a Construction Environmental Management Plan (CEMP) for that stage shall have been submitted to and approved in writing by the Local

Planning Authority. The Construction Environmental Management Plan shall include the following details:

- A. Risk assessment of potentially damaging construction activities;
- B. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (this may be provided as a set of method statements);
- C. Air quality management measures, including an anti-idling policy and construction traffic management;
- D. Dust management plan;
- E. Community and stakeholder relations and workforce training protocol;
- F. The location and timing of sensitive works to avoid harm to and mitigate the effects on biodiversity features;
- G. The times during construction when specialist ecologists need to be present on site to oversee works;
- H. Responsible persons and lines of communication;
- I. Monitoring, reporting and emergency responses;
- J. The details of and roles and responsibilities of an onsite ecological clerk of works (ECoW) or similarly competent person;
- K. Use of protective fences, exclusion barriers and warning signs;
- L. Measures to mitigate the effects of control of lighting during construction;
- M. Measures to mitigate the construction effects on archaeology and cultural heritage;
- N. Measures for the protection of any European or nationally protected species from activities associated with the authorised development

The development in each stage shall be carried out strictly in accordance with the details hereby approved.

Reason: To ensure that the development is undertaken in a manner which reduces any potential adverse impact upon the residential amenities currently enjoyed by existing and future residents and businesses and features of biodiversity value in accordance with the aims of Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 13 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 159, 167, 169, 174, 185 and 186 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing biodiversity and habitat potential of the site is not harmed through inappropriate actions and that works can be completed safely and reducing amenity impacts so far as possible.

### **13. Landscape Ecology Management Plan**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a Landscape and Ecology Management Plan (LEMP) for that stage shall have been submitted to the Local Planning Authority that will address the implementation, improvement and mitigation of ecology and biodiversity of the development (in accordance with the Environmental Statement dated November 2020 by

Arcadis, Design and Access Statement and the Ecology Reports) and appointment of an ecological clerk of works. The LEMP shall also contain details of the following ecological and landscape mitigation and enhancement measures:

- Physical protection of the retained hedgerows and trees through approved tree protection measures throughout the construction period;
- Avoidance of artificial lighting spill onto the boundary hedges during the construction and detailed lighting strategy for the operational phase of the development to prevent harm to light-sensitive bat species (using directional lighting, careful positioning of lighting and appropriate light levels);
- Incorporation of native species in landscape planting schemes in hedgerow enhancement and landscaping throughout;
- Management of existing and proposed trees and hedges and ecological enhancements for the lifetime of the development;
- Detailing habitat linkage and routes of passage for wildlife, mitigation for loss of habitat and the location.
- Details of the landscape and ecological mitigation, and compensation measures to be undertaken;
- Details of the management and monitoring of landscape and ecological mitigation, and compensation measures to be undertaken.

The development will be undertaken in accordance with the approved details and timing of the LEMP.

Reason: To ensure the habitats and species are safeguarded and where appropriate enhanced to secure the specified habitat net gain in accordance with Policy E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030, advice in paragraphs 17, 130, 174 and 180 of the National Planning Policy Framework 2021, and the requirements of the Conservation of Habitats and Species Regulations 2010.

#### **14. Landscaping**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of treatment of all parts of the relevant stage shall have been submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or the relevant stage of the NAR being open to the public, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing trees and vegetation, Cornish hedges and landscape features to be retained, as well as proposals for new trees, hedge and any planting;
- 2) identification of the root protection areas of retained trees

- 3) location, type and materials to be used for hard landscaping including specifications, where applicable for:
  - car parking (including details of layout);
  - hard surfacing materials, to include permeable paving;
  - street furniture and structures to include play equipment, bus stops, refuse and other storage units, street and road signs, lighting);
  - proposed and existing functional services above and below ground (e.g. but not limited to drainage, power, communications cables and to serve any district heating infrastructure);
  - retained historic features and proposals for restoration or alternative use elsewhere, where relevant;
  - tree pit design, to include where appropriate root barriers and underground modular systems;
  - integration with the sustainable urban drainage system
- 4) a schedule detailing size, number and density of all proposed trees/plants;
- 5) specifications for operations associated with plant establishment and maintenance that are compliant with best practice at the time; and
- 6) means of enclosure, to include types and dimensions of all boundary treatments

During the implementation of the landscaping hereby approved there shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees. Unless required by a separate landscape management or other similar condition to this permission or the conditions attached to Application B, all soft landscaping shall have a written ten year maintenance programme following planting. Any new trees or plants (other than trees) that die, are removed, become severely damaged or diseased within a period of ten years from planting will be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

Reason: To ensure that the development does not have a detrimental impact upon the natural environment in accordance with the aims and intentions of Policies E4, E5 and C3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 174 and 197 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary as there is significant potential for spatial conflict between green, grey and blue infrastructure. Construction and engineering operations have the potential to compromise retained trees, damage soil structure and alter drainage and adversely impact upon the establishment of new planting. In order to ensure the successful delivery and establishment of green infrastructure appropriate and commensurate to the approved scheme, it is critical that from the outset all disciplines involved in implementation are aware of approved landscaping and informed of the constraints this poses to site operations, working areas and both the timing and methods of works.

## Informative

The preparation and delivery of such a scheme should be informed by the relevant British Standards and current industry best practice.

### **15. Arboricultural Supervision**

Prior to the commencement of construction works within any stage as agreed under condition 4 (including any facilitative vegetation clearance, tree works or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist e.g. arboricultural professional with the minimum of a level 4 qualification (as recognised by the Qualifications and Credit Framework) for the relevant stage shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition, construction and landscaping operations, and to protect and enhance the appearance and character of the site and locality. In accordance with the aims and intentions of Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010 – 2030, Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 174 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary because damage to the boundary hedges or trees from construction processes is irreversible. To ensure successful tree retention beyond completion, it is critical that from the outset all disciplines involved in implementation of the approved development are aware of the tree protection required and the constraints the retained trees pose to the timing of operations, working areas and working methods. Having an appointed tree specialist working with the construction team and an agreed scheme of monitoring in place is key to this.

### **16. Tree Protection Plans**

Prior to the commencement of construction works within any stage as agreed under condition 4 (including all preparatory work), a scheme for the protection of retained trees, in accordance with BS 5837, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) for that stage shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development does not have a detrimental impact upon the natural environment in accordance with the aims and intentions of Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010 – 2030, Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 174 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing

trees within the site are not harmed through inappropriate actions and that works can be completed safely and reducing amenity impacts so far as possible.

### Informative

The level of detail to be submitted shall be commensurate to the scale and impact of the approved development. The preparation and delivery of such detail should be informed by BS: 5837:2012 Trees in relation to design, demolition and construction - Recommendations and BS: 3998 Tree work - Recommendations.

#### **17. Cornish hedges**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) a Conservation Statement for Cornish hedge and boundary repairs shall have been submitted to and approved by the Local Planning Authority. The Statement should be informed by an assessment of the character and build of each existing boundary/Cornish hedge to be breached by the NAR (including hedging stone, field gate posts or hedge furniture (e.g. stiles)), with the Statement including the proposed bank material, facing style and stone type to be used to make good each breach. The development shall be completed in accordance with the details hereby approved prior to the relevant stage of the Northern Access Road being brought into public use.

Reason: To retain control over the appearance of the development and these key historic landscape features that contribute to the character of the area in the interests of visual amenities of the locality and in accordance with the aims and intentions of Policies E4, E5 and C3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 174 and 197 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance due to the need to secure and agree a programme and methodology for boundary repairs is undertaken before physical works commence on site.

#### **18. Local forum**

Prior to the commencement of construction works (save for Enabling Works), details of a local forum including membership, terms of reference, frequency of meetings and duration of existence (which shall be at least for the construction period for the development permitted under this Application A) for that forum shall have been submitted to and approved in writing by the Local Planning Authority. The terms of reference for the local forum shall reflect the following objectives:

- to exchange relevant information for the purposes of assisting with condition discharges under this Application A (in particular, but without limitation, details required in connection with the CEMP and CTMP)



- to facilitate community consultation on any proposed amendments to plans (without prejudice to the normal statutory procedures for securing non-material and/or material amendments to plans approved under this Application A),
- to provide a defined route to responding to local comments and taking corrective action where required
- to help maintain good community relations.

The local forum shall meet and operate in accordance with the approved details.

Reason: In order to clarify and control the scope and nature of the use and to protect local amenities in accordance with Policy E1 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 13 and 16 of the Cornwall Local Plan (2016) and paragraphs 8 and 130 in the National Planning Policy Framework 2021.

## 19. **Badger Crossings**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of the proposed badger crossings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details hereby approved prior to the relevant stage of the Northern Access Road being used by the public.

Reason: In order to safeguard species which are specially protected by law, and in accordance with Policy 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and the National Planning Policy Framework 2021, with specific reference to paragraph 180. A pre-commencement condition is necessary in this instance due to the need to ensure that suitable mitigation is designed and installed during the construction period.

## 20. **Earthworks strategy**

Prior to the commencement of construction works within any stage as agreed under condition 4 (save for Enabling Works) details of the proposed earthworks strategy (including the method of soil stripping and storage operations and their location, site levelling) shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the details hereby approved.

Reason: To ensure that the development is undertaken in a manner which reduces any potential adverse impact upon the residential amenities currently enjoyed by existing and future residents and businesses and features of biodiversity value and in the interests of visual amenity in accordance with the aims of Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 13, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 130, 174, 180 and 185 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing biodiversity and habitat potential of the site is not harmed through inappropriate

actions and that works can be completed safely and reducing amenity impacts so far as possible.

## **21. NAR as Constructed Drawings**

Prior to any stage of the Northern Access Road as agreed under condition 4 being used by the public and prior to each sustainable drainage feature or series of features serving a defined catchment area being brought into use, “As Constructed” drawings and supporting information for that relevant stage must be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the implemented sustainable drainage features are accurately recorded to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021.

## **22. Reporting previously unidentified contamination**

Any contamination that is found during the course of construction of any stage as agreed under condition 4 that was not previously identified shall be reported in writing immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development in that stage is resumed or continued.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016 and paragraphs 174, 183, 184 and 185 of the National Planning Policy Framework 2021.

## **23. Hours of construction**

Any construction works within any stage as agreed under condition 4 (save for Enabling Works) shall only take place between the following hours:

Monday to Friday 08:00 to 18:00

Saturdays 08:00 to 13:00

No working on Sundays or Public/Bank/National Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with the aims of Policies 13 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

#### 24. **Helipad wall**

Prior to the Penventinnie Lane stage of the Northern Access Road being accessed by the public as shown on approved plan 1665\_CSL\_GEN\_06MZ\_DE\_CH\_0095 P08, the helipad wall as shown on plan 60571547-ACM-GEN-01-DR-CH-0001 P05 shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the natural stone to be used in the construction of the external surfaces.

Reason: In the interests of visual amenities and highway and pedestrian safety in accordance with the aims of Policies E4 and T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 12, 13 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110, 112 and 124 and 127 of the National Planning Policy Framework 2021.

#### 25. **Ecology mitigation**

The development hereby permitted shall be undertaken in accordance with the mitigation measures identified within section 4.1 of the report titled 'Badger walkover survey along the route of the Northern Access Road, Threemilestone, Truro, Cornwall' by Wheal Grey Ecology Ltd dated May 2021.

Reason: In order to safeguard species which are specially protected by law, and in accordance with Policy 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and the National Planning Policy Framework 2021, with specific reference to paragraph 180.

#### Informatives

1. Masterplan area is defined as outline planning permission PA20/09631 (Application B) comprising a phased development of up to 3550 dwellings plus 200 extra care units and 50 units of student/health worker accommodation, including affordable housing; five local centres comprising local retail (E), offices (E), restaurants and cafes (E), drinking establishments (sui generis), hot food takeaway (sui generis), health and community facilities (F1 and E), a local care health centre (E), a blue light centre for emergency services (sui generis), up to two primary schools (F1), business and commercial floorspace (E), brewery / public house (sui generis) and associated areas of open space to include a suitable alternative natural greenspace as a strategic open space a community farm/allotments, public realm, renewable energy provision and energy centre, park and ride extension (of up to 600 spaces or 2.73 ha), cycle lanes, connections with the existing highway network including crossings of the A390, quiet

lanes, drainage and associated infrastructure, including the demolition of buildings and structures, site clearance and associated earthworks.

2. Enabling works are defined as preparatory works of surveying, testing, sampling, soil tests, pegging out, tree protection, archaeological investigation, construction of temporary boundary fencing hoardings, and any necessary service diversions.

## **CONDITIONS APPLICABLE TO THE DETAILED PART OF THE PLANNING PERMISSION (APPLICATION B)**

### **Timing, phasing and plans**

1. No part of the Development as defined in condition 4 shall take place on a particular phase, sub-phase, or development parcel, other than Enabling Works, until full details of the access, appearance, landscaping, layout and scale within that phase, sub-phase, or development parcel (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. No part of any other development shall be commenced on a particular phase, sub-phase, or development parcel until full details of the relevant reserved matters have been submitted to and approved in writing by the Local Planning Authority.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. A) Application for approval of all the reserved matters for the first phase, the first sub-phase, or the first development parcel of the Development shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Development within the first phase or the first sub-phase or the first development parcel shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last reserved matters to be approved for the first phase or first sub-phase whichever is the latter.

- B) Application for approval of all the reserved matters for the subsequent phases, sub-phases, or development parcels of the Development shall be made to the Local Planning Authority before the expiration of 17 years from the date of this permission. Development within those subsequent phases, sub-phases or development parcels shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved for that phase or sub-phase or development parcel.

Reason: In accordance with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended) and in accordance with the requirements of Articles 1, 2 and 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. The development hereby permitted shall be carried out in accordance with the plans and documents listed below.

- Application Boundary LAN\_02.1-AHR-MP-ZZ-DR-A-93-004 P11 received 03 November 2020
- SUDS Strategy Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-008 P18 received 12 October 2021
- Landscape and GI Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-92-009 P14 received 12 October 2021
- Density Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-010 P14 received 12 October 2021
- Land Use Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-92-002 P15 received 12 October 2021
- Building Heights Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-011 P17 received 12 October 2021
- Movement and Access Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-012 P14 received 12 October 2021
- Phasing Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 REV P13 received 12 October 2021
- Wider Movement Strategy Parameter Plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-026 REV P05 received 12 October 2021
- Buildings of Heritage Value to be Retained LAN\_02.1-AHR-MP-ZZ-DR-A-93-027 P04 received 02 November 2020
- Environmental Statement dated November 2020 and its associated addendums and appendices (the Environment Statement)
- Langarth Garden Village Design Code received 12 October 2021 (the Design Code)

Reason: For the avoidance of doubt and in the interests of proper planning.

4. The Development hereby permitted (the Development) shall comprise no more than:

- 3550 dwellings
- 200 extra care units
- 50 student/health worker bedspaces
- 38,530sqm of non-residential floor space including local retail (E), offices (E), restaurants and cafes (E), drinking establishments (sui generis), hot food takeaway (sui generis), health and community facilities (F1 and E), a local care health centre (E), a blue light centre for emergency services (sui generis), up to two primary schools (F1), business and commercial floorspace (E), brewery / public house (sui generis)
- Park and Ride extension (600 spaces or 2.73 ha)

- Energy Centre incorporating electricity substation, battery storage and associated renewable energy generation

Reason: To clarify the permission, for the avoidance of doubt. The application was submitted and considered on this basis, as were all likely significant environmental effects.

## 5. **Environmental Statement**

The development shall be carried out in accordance with the mitigation measures as set out at Table 19.1 of the accompanying Environmental Statement dated November 2020.

Reason: To ensure that the development takes place in accordance with the principles and parameters contained within the Environmental Statement.

## 6. **Local Forum**

Prior to the commencement of construction works (save for Enabling Works), details of a local forum including membership, terms of reference, and frequency of meetings and duration of existence (which shall be at least for the construction period for the development permitted under this Application B) for that forum shall have been submitted to and approved in writing by the Local Planning Authority. The terms of reference for the local forum shall include the following objectives:

- to exchange relevant information for the purposes of assisting with consultation and agreement of with condition discharges under this Application B (conditions discharging in particular, but without limitation, details required in connection with in respect of the CEMP and CTMP)
- to facilitate community consultation on any proposed amendments to as well as any amended plans (without prejudice to the normal statutory procedures for securing non-material and/or material amendments to plans approved under this Application B),
- should they be required, which should then go through the usual material and non-material amended plans process,
- to provide a defined route to responding to local comments and taking corrective action where required
- and to help maintain good community relations.

The local forum shall meet and operate in accordance with the approved details.

Reason: In order to clarify and control the scope and nature of the use and to protect local amenities in accordance with Policy E1 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 13 and 16 of the Cornwall Local Plan (2016) and paragraphs 8 and 130 in the National Planning Policy Framework 2021.



## 7. **Building retention**

The buildings identified for retention on approved plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-027 P04 shall not be demolished unless prior approval is provided in writing by the Local Planning Authority. Prior to any building identified for retention hereby agreed to be demolished a programme for the recording and analysis of the building(s), known as a Historic Recording Report, shall be submitted to and approved by the Local Planning Authority. No development affecting the buildings identified for retention (including demolition) shall take place until the submitted programme has been approved in writing by the Local Planning Authority and the development shall be undertaken in accordance with the details hereby approved.

Reason: The buildings identified are considered to positively contribute to the character and appearance of the area and are worthy of retention and re-use unless it is demonstrated to be uneconomical, unviable or inappropriate to be re-used. Their retention is in accordance with the aims of Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030, paragraphs 127, 130, 197 and 203 of the National Planning Policy Framework 2021.

## 8. **Neighbourhoods**

No development shall take place in any phase identified in the approved Design Code and Parameter Plan (and the words "phase" or "phases" in these conditions shall mean such a phase) until there has been submitted to and approved in writing by the Local Planning Authority a plan detailing the Neighbourhoods and associated green infrastructure for which Neighbourhood Design Codes will be prepared as required by conditions 9 and 10 of this planning permission.

Reason: To ensure that high standards of urban design and comprehensively planned development designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved in accordance with Policies 1 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030, Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraphs 73, 126 and 129 of the National Planning Policy Framework 2021. A pre-commencement condition is required to ensure that the high standards of urban design and a comprehensive development can be co-ordinated.

## 9. **Masterplans and Design Code**

No development shall take place in any Neighbourhood as approved under condition 8 until there has been submitted to and approved in writing by the Local Planning Authority a detailed Masterplan(s) and Neighbourhood Design Code for that Neighbourhood. The Masterplan(s) and Neighbourhood Design Codes for each phase shall accord with the principles and parameters described and illustrated in the approved Design Code and Parameter Plans. No applications for the approval of the reserved matters within a

Neighbourhood shall be submitted until the Masterplan and Neighbourhood Design Code for that Neighbourhood has been approved.

Reason: To ensure that high standards of urban design and comprehensively planned development designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved in accordance with Policies 1 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030, Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraphs 73, 126 and 129 of the National Planning Policy Framework 2021. A pre-commencement condition is required to ensure that the high standards of urban design and a comprehensive development can be co-ordinated.

## 10. **Neighbourhood Design Code**

The detailed Masterplans for each phase, submitted pursuant to condition 9, shall be the plan regulating the development within the relevant Neighbourhood in accordance with the relevant Neighbourhood Design Code. The Neighbourhood Design Code shall include, but not limited to, details of the matters listed below:

- development block types
- building form
- building height
- materials strategy
- architectural language (constructional details and articulation e.g. windows, porches/canopies, bike storage, rainwater goods etc)
- private and public space (including public open space and community gardens)
- green infrastructure
- landscape/public realm treatment
- street typology showing their role and purpose in the Neighbourhood
- local centres – including associated land uses
- community buildings/uses
- interaction with the Northern Access Road
- hard surfacing materials
- street furniture and structures (e.g. but not limited to play equipment, bus stops, refuse and other storage units, street and road signs, lighting)
- functional services above and below ground (e.g. but not limited to drainage, power, communications cables and to serve any district heating infrastructure)
- retained historic features and proposals for restoration or alternative use elsewhere, where relevant.
- lighting schemes where used on all road and routes in the Neighbourhood including technical information
- access and circulation
- car and cycle parking (to include any transport hubs and electric car/cycle charging)
- waste storage and recycling facilities
- boundary treatment

- mix of units and distribution of affordable units
- siting of services and utilities (e.g. but not limited to meter boxes, any vents
- a scheme to show how the Neighbourhood Design Code achieves cultural distinctiveness pursuant to the approved Arts and Culture Strategy
- public art strategy

Reason: To ensure that high standards of urban design and comprehensively planned development designed and phased to ensure maximum practical integration between different land uses within and beyond the site is achieved in accordance with Policies 1 and 12 of the Cornwall Local Plan Strategic Policies 2010-2030, Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraphs 73, 126 and 129 of the National Planning Policy Framework 2021.

### **Conditions requiring details to be provided with reserved matters applications**

#### **11. A390 Highway/crossing works**

Any reserved matters application for any land parcel within phases 1, 2 and 3 as shown on approved plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 P13 shall include details relating to the line, level and layout of the A390 including at grade crossing points and their means of construction (surface finishes), surface water drainage and tree planting. The details hereby approved shall be laid out and completed prior to the first occupation of any part of the development within that land parcel or with respect to tree planting shall be carried out in the first planting and seeding seasons following the first occupation of any part of the development within that land parcel and retained as such thereafter.

Reason: In the interests of maintaining a safe and efficient highway network and facilitating pedestrian links between adjoining the development approved and Threemilestone in accordance with the aims and intentions of Policies E1, E4 and T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1,2, 12, 13 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110, 112, 127 and 130 of the National Planning Policy Framework 2021.

#### **12. Biodiversity Net Gain**

- A. Each application for reserved matters under the Application B shall be accompanied by a Biodiversity Conformity Statement and Implementation Timetable demonstrating compliance with the Strategic Landscape Ecology Management Plan and Framework Biodiversity Net Gain Strategy for Langarth Garden Village dated 12 October 2021.
- B. There shall be no commencement of development in any area to which an application for reserved matters relates (a Reserved Matters Area) until the Local Planning Authority has approved the Biodiversity Conformity Statement and Implementation Timetable in connection with that Reserved Matters Area. The Biodiversity Conformity

Statement shall explain how the development in the Reserved Matters Area conforms with the approved Strategic Landscape Ecology Management Plan and Framework Biodiversity Net Gain Strategy and achieves biodiversity net gain in respect of that Reserved Matters Area (and in the event it does not conform and yields a biodiversity net loss what compensatory measures are proposed to achieve biodiversity net gain in accordance with the objectives of the Strategic Landscape Ecology Management Plan and Framework Biodiversity Net Gain Strategy). The Implementation Timetable shall set out the programme for delivering the biodiversity net gain measures set out in the Biodiversity Conformity Statement.

- C. The biodiversity net gain measures in the approved Biodiversity Conformity Statement shall (subject to criterion D below) be implemented in full prior to first occupation or beneficial use of the development in the relevant Reserved Matters Area.
- D. In the event the Reserved Matters Area relates to infrastructure development only, the biodiversity net gain measures in the approved Biodiversity Conformity Statement shall be implemented in accordance with the approved Implementation Timetable.

Reason: To ensure a minimum net biodiversity gain of 10% over the pre-development site score across the development as a whole in accordance with Policy E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 23 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 174 and 179 of the National Planning Policy Framework 2021.

#### Informative

The minimum 30-year maintenance of the biodiversity net gain implemented pursuant to the approved Biodiversity Conformity Statement and Implementation Plan in each Reserved Matters Area is secured by the Section 106 planning obligation accompanying this planning permission.

### **13. Energy Statement**

Reserved matters applications for layout, scale and/or appearance for a phase, sub-phase, or development parcel (including in respect of commercial and employment uses pursuant to this Application B) shall be accompanied by an Energy Statement, containing at a minimum the following:

- a. a review of the design and technology energy efficiency measures prevailing at the time;
- b. details of how the design of each proposed building provides opportunities to include design and technology energy efficiency measures;
- c. details of the sustainable design measures incorporated into the proposed development, including but not limited to, building orientation, passive solar gain and sustainable landscape design, water conservation and efficiency measures;

- d. details which demonstrate that the proposed development will achieve net zero carbon including how any of its energy needs would be met through the use of decentralised, renewable or low carbon technologies;
- e. details which demonstrate that all opportunities for establishing a district heating network system and site wide network have been taken up and that all of the proposed buildings are designed to enable connection to the proposed ground source shared loop array heating network system (and temporary heat supply until sufficient demand is available);

The details and measures contained in each approved Energy Statement shall be implemented and operational upon the first use or occupation of the buildings permitted by the reserved matters approval to which the Energy Statement relates and shall thereafter be retained in the approved form.

Reason: To ensure an energy efficient and sustainable development in accordance with the aims of Policies E1 and E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2 and 13 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 152, 154 and 157 of the National Planning Policy Framework 2021.

#### **14. Water Efficiency**

Applications for approval of reserved matters for a phase, sub-phase or development parcel shall include a scheme for the provision and implementation of water efficiency measures for the buildings proposed on that phase, sub-phase or development parcel. Such scheme must include plans and specifications for the proposed water efficiency measures. No building on the relevant phase, sub-phase or development parcel shall be first occupied until the measures set out in the approved scheme have been constructed and completed for that building in accordance with the approved plans/specifications. The approved measures shall thereafter be retained in the approved form.

Reason: To ensure that development takes place in an environmentally sensitive way in accordance with the aims of Policies E1 and E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 1 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 8, 154 and 157 of the National Planning Policy Framework 2021.

#### **15. Waste and recycling strategy**

Applications for approval of reserved matters for a phase, sub-phase, or development parcel (including commercial and employment uses pursuant to this Application B) seeking to agree details of layout shall be accompanied by a Refuse Strategy and explain:

- a. The storage and disposal arrangements for refuse and waste associated with the phase, sub-phase, or development parcel to which it relates, including vehicular access thereto;

- b. The storage and disposal arrangements for refuse and waste associated with proposed public realm areas (if any within the phase, sub-phase or development parcel), including vehicular access thereto;
- c. A full waste management strategy with details of the location, size and the design of the residual waste and recycling container storage areas for each residential unit within the phase, sub-phase or development parcel to which it relates.

The approved facilities shall be provided prior to the building that the facility would serve being occupied or brought into use and shall be retained thereafter.

Reason: To ensure the provision of waste collection infrastructure on site and to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with the aims of Policies E1 and E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 12 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 8, 92, 126, 130 and 174 of the National Planning Policy Framework 2021.

## **16. EV charging**

Applications for approval of reserved matters for layout in respect of a phase, sub-phase, or development parcel shall include details of the electric vehicle and cycle charging infrastructure proposed to be installed in connection with that phase, sub-phase and development parcel and shall also include an implementation plan setting out when such electric vehicle and charging infrastructure shall be installed (the EV Strategy). The EV Strategy shall include details of the number, location, technical installation and proposed management of the electric vehicle and cycle charging points, including associated cabling infrastructure. The electric vehicle and cycle charging points shall be implemented prior to occupation within the relevant phase, sub-phase or development parcel and maintained in accordance with the approved EV Strategy.

Reason: To ensure that the development is undertaken in a manner which reduces any potential adverse impact upon air quality and in accordance with Policies E1 and E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 174 and 186 of the National Planning Policy Framework 2021.

## **17. Parking provision**

Applications for approval of reserved matters for access and/or layout in respect of a phase, sub-phase, or development parcel shall include details of cycle and vehicle parking areas to be provided (including any cycle parking that is publicly available) and how continuous provision of such areas for the parking of cycles and vehicles would be ensured. The development in the phase, sub-phase or development parcel shall be completed in accordance with the details approved in writing by the Local Planning Authority and the parking areas shall not thereafter be obstructed or used for any other purpose.



Reason: To ensure adequate parking facilities off the adjoining highway and in accordance with the aims and intentions of Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021.

#### **18. Daylight, Sunlight and Overshadowing**

Applications for approval of reserved matters for each phase, sub-phase, or development parcel for layout and/or scale shall include a Daylight, Sunlight and Overshadowing Assessment as part of the submitted details and approved in writing by the Local Planning Authority.

Reason: To demonstrate that the impacts of the development are acceptable in relation to neighbouring properties, the external and internal amenity and open spaces within the site for the existing and future residential occupiers in accordance with the aims of Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 13, 16 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 8, 92, 126 and 130 of the National Planning Policy Framework 2021.

#### **19. Accessible Housing**

Applications for approval of reserved matters for each phase, sub-phase, or development parcel including dwellings for layout shall include a scheme setting out the arrangements for the delivery of accessible housing for each phase, sub-phase or development parcel which shall include the following details:

- a) A schedule of residential units, together with appropriate plans and drawings, setting out details of the number, layout and location of all units that will comply with Part M4(2) of the Building Regulations 2010 (or the relevant applicable legislation by which it has been amended or replaced).
- b) At least 25% of all new dwellings will meet Building Regulations Part M4(2) standards for 'accessible and adaptable dwellings' the delivery of which should be distributed across market and affordable tenures.
- c) For each phase, sub-phase or development parcel all units specified as M4(2) in the agreed schedule shall be implemented in accordance with the approved scheme for that phase, sub-phase or development parcel and in compliance with the corresponding part of the Building Regulations.

Written verification of implementation of the approved scheme shall be supplied to the Local Planning Authority within 30 days of the practical completion of the relevant phase, sub-phase or development parcel

Reason: To ensure that suitable housing is provided to households in need of accessible or wheelchair housing in accordance with Policies 1 and 13 of the Cornwall Local Plan Strategic

Policies 2010-2030 and paragraphs 61 and 62 of the National Planning Policy Framework 2021.

## 20. **Accessibility Strategy**

Applications for approval of reserved matters for each phase, sub-phase, or development parcel for access and/or layout shall be accompanied by a detailed Accessibility Strategy for the relevant phase, sub-phase, or development parcel. This Strategy shall explain:

- a. How the proposed public realm areas, within each relevant phase (if any), would be accessible to all, including details of finished site levels, surface gradients and lighting; and
- b. How each building would be accessible to all, including details of level access and internal accommodation arrangements and access to car parking

Reason: To ensure the development is accessible and inclusive to all in accordance with Policies 1, 12 and 13 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 92, 126 and 130 of the National Planning Policy Framework 2019.

## 21. **Landscaping**

Applications for approval of reserved matters for landscaping within any phase, sub-phase or development parcel shall include a scaled plan or plans:

- 1) showing all existing trees and vegetation, Cornish hedges and landscape features to be retained, as well as proposals for new trees, hedge and any planting;
- 2) identifying the root protection areas of retained trees;
- 3) showing the location, type and materials to be used for hard landscaping (including specifications, where applicable) for:
  - car parking layout;
  - hard surfacing materials, to include permeable paving;
  - street furniture and structures to include play equipment, bus stops, refuse and other storage units, street and road signs, lighting;
- 4) identifying proposed and existing functional services above and below ground (e.g. but not limited to drainage, power, communications cables and to serve any district heating infrastructure)
- 5) identifying retained historic features and proposals for restoration or alternative use elsewhere, where relevant;
- 6) identifying- tree pit design, to include where appropriate root barriers and underground modular systems;
- 7) identifying how the development on the phase, sub-phase or development parcel integrates with the approved sustainable urban drainage system

- 8) detailed lighting strategy for the operational phase of the development to prevent harm to light-sensitive species (which strategy shall make use of directional lighting, careful positioning of lighting and appropriate light levels and shall be developed in consultation with an ecologist or other suitably qualified profession, and shall be informed by survey information, to ensure that the lighting avoids adverse effects to bats.);
- 9) a schedule detailing size, number and density of all proposed trees/plants;
- 10) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- 11) means of enclosure, to include types and dimensions of all boundary treatments

During the implementation of the landscaping hereby approved there shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees.

Unless required by a separate landscape management condition in connection with Application A or Application B, all soft landscaping shall have a ten year maintenance programme following planting. Any new trees or plants (other than trees) that die, are removed, become severely damaged or diseased within a period of ten years from planting will be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

The phase, sub-phase or development parcel shall be landscaped strictly in accordance with the approved details in the first planting season after completion or any building within the phase, sub-phase or development parcel being occupied, whichever is the sooner.

Reason: To ensure that the development does not have a detrimental impact upon the natural environment in accordance with the aims and intentions of Policies E4, E5 and C3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2 and 23 of the Cornwall Local Plan Strategic Policies: 2010 - 2030 and paragraph 174 of the National Planning Policy Framework 2021.

## 22. Ecology

Applications for approval of reserved matters that are submitted after 2 years of the date of this decision, shall be accompanied by an Ecological Mitigation and Management Plan which must be submitted to and agreed in writing by the Local Planning Authority. The Ecological Mitigation and Management Plan shall:

- A. include the results of comprehensive up-to-date surveys for that phase, sub-phase or development parcel, the type and extent of such surveys to be informed by a preliminary ecological appraisal;
- B. set out the mitigation measures required to protect the species and habitats identified in the surveys during the construction phase; and

- C. set out the mitigation measures required to protect the species and habitats identified in the surveys when the development in the phase, sub-phase or development parcel is brought into use (the occupation phase)
- D. set out the arrangements and measures for ensuring ongoing management and maintenance of the mitigation measures set out in C. for the lifetime of the Development;

The Ecological Mitigation and Management Plan shall be implemented as approved prior to any works, including vegetation clearance, commencing in the relevant phase, sub-phase or development parcel and the mitigation measures set out in B. above shall be managed and maintained throughout the duration of the construction period and the mitigation measures set out in C above shall be managed and maintained for the lifetime of the Development .

Prior to occupation of the relevant phase, sub-phase or development parcel written confirmation from a suitably qualified person that all mitigation measures for that relevant phase, sub-phase or development parcel have been completed in accordance with the approved Ecological Mitigation and Management Plan shall be submitted to the Local Planning Authority for its written approval.

Reason: In order to ensure that the interests of ecology, biodiversity and protected species are addressed in accordance with Policy E1 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 12 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 174 and 180 of the National Planning Policy Framework 2021.

### **23. Maiden Green Link road details**

Reserved matters applications for any land parcel within Phase 3 as shown on approved plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 P13 shall (unless and until the new access road junction and associated access (link) road have been provided) include detailed plans relating to line, level, layout of the A390, the new access road junction and the associated access (link) road which will connect with the Northern Access Road. The new access road junction and associated access (link) road shall be laid out and constructed in accordance with the details approved by the Local Planning Authority.

The new access road junction and associated access (link) road shall be completed prior to any development within land falling within Phases 3, 4 and 5 as shown on approved plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 P13 being occupied or brought into use.

Reason: In the interests of maintaining a safe and efficient highway network in accordance with the aims and intentions of Policies E4 and T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 12, 13 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110, 112, 127 and 130 of the National Planning Policy Framework 2021.

## 24. **Power lines**

All new power lines laid out in connection with the Development shall be sited underground.

Applications for approval of reserved matters for any phase, sub-phase or development parcel shall include the following details

- A. location of existing and proposed power lines
- B. timetable for implementing proposed power lines

The Development in that phase, subphase or development parcel shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that no underground utility services have an adverse impact on the health of trees and mature hedgerows that are an intrinsic part of the landscape character and are identified as being retained within the development site in accordance with Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 127, 130, 174 and 180 of the National Planning Policy Framework 2021.

## 25. **Groundwater monitoring**

Applications for approval of reserved matters for any phase, sub-phase or development parcel shall include details of the results of groundwater monitoring undertaken at the position of each attenuation and infiltration system within the relevant phase, sub-phase or development parcel.

The results shall be tabulated and presented in both a table and line graph format and shall be accompanied by the following details: include:

1. A site plan showing (a) the location of the monitoring boreholes (each borehole individually referenced), (b) the below ground depth of the monitoring boreholes, (c) the position and base depth of the proposed surface water drainage features
2. The borehole depth, and the depth recorded from the ground surface of each borehole to the surface of the groundwater for each borehole
3. A record of weather conditions throughout the monitoring period
4. The results of all testing undertaken including results for those boreholes which fail
5. Details of the ground investigation result for each borehole
6. Details of any proposed "cut and fill" operations proposed by the development

The results must demonstrate that the seasonal groundwater peak has been reached and that there has been a continuous fall in the level following the peak for a minimum of 2 months

7. All results must be provided including the results for those boreholes which fail

The results submitted pursuant to this condition shall be agreed with the Local Planning Authority prior to commencement of construction (save for Enabling Works).

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policy E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167 and 169 of the National Planning Policy Framework 2021.

## **26. Infiltration Testing Condition**

Applications for approval of reserved matters for any phase, sub-phase or development parcel shall include details of the results of infiltration testing (undertaken at the vicinity of and at the relevant depth of proposed infiltration systems). The results shall be accompanied by the following details:

1. A site plan showing (a) the location of the trial pits (each trial pit individually referenced) (b) the trial pit depth and (c) the position and base depth of the proposed surface water drainage features
2. The Trial Pit Logs
3. The results of three consecutive tests for each trial pit in accordance with BRE Digest 365
4. A note of whether groundwater water was found
5. Calculated infiltration test results
6. The results of all testing undertaken including tests for those trial pits which fail
7. The date when tests were undertaken
8. A record of the weather conditions at the time of testing

The results submitted pursuant to this condition shall be agreed in writing by the Local Planning Authority prior to commencement of construction save for Enabling Works.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021.

## **27. Detailed Surface Water Design Condition**

No construction works (excluding Enabling Works) shall commence on any phase, sub-phase or development parcel until the details set out in Part A and B below have been submitted to and approved by the Local Planning Authority.

Part A.



Details of ground investigations carried out in connection with that phase, sub-phase or development parcel which should:

1. Identify any areas of instability and which shall subsequently inform (a) remedial design and related construction techniques and (b)
2. Cross refer to the infiltration test and groundwater monitoring results submitted to and agreed with the Local Planning Authority under conditions 27 and 26 above surface water drainage design and related construction techniques

#### Part B.

Details of surface water drainage design and management which shall include:

1. A comprehensive description of the surface water drainage system, how it is proposed to operate and how it relates to the Drainage Strategy and complies with the system requirements identified at (a) to (f) below.
2. Greenfield runoff calculations which must be based on the proposed impermeable area and exclude open space, gardens, greenspace etc
3. Details of the surface water drainage design including (a) calculations (b) layouts (c) and any bespoke surface water drainage solutions (based on the findings of ground investigations carried out under Part A) .
4. Flow control systems design and profiles
5. Construction period surface water management plan
6. Construction period quality control procedure
7. Plan identifying the provision made for exceedance pathways, overland flow routes and associated mitigation measures
8. Construction timetable which cross refers to the latest phasing and delivery details for the Development at that time
9. Drainage systems operation and maintenance manual c which shall at a minimum (i) identify who is proposed to maintain and manage the drainage systems (including any overland flow routes) (ii) contain the proposed maintenance schedule and (iii) explain how ongoing maintenance and management will be secured for the lifetime of the Development

Details of the maintenance schedule approved as part of the drainage systems operation and maintenance manual shall be kept up to date and be made available to the Local Planning Authority within 28 days of receipt of a written request.

The surface water drainage systems (including any bespoke drainage solutions) submitted for approval under this Part B must comply with the following minimum requirements.

- (a) Fully manage the 1 in 100 year peak rainfall event plus a minimum allowance of 40% for the impact of climate change

- (b) Be designed to ensure that (unless an area is designed to hold/convey surface water) flooding does not occur to any building or part of a building, utility or plant, pumping station, electricity substation during the 1 in 100 year peak rainfall event
- (c) Under the 1 in 100 year peak rainfall event conveyance systems (including pipework and swales) must aim to hold and convey flows without flooding.
- (d) Flooding of any part of the phase, sub-phase or development parcel (as appropriate) must not occur during the 1 in 30 year rainfall event
- (e) Use infiltration as the preferred method of surface water disposal and only where this method is not viable should an attenuated flow controlled discharge from the site be used
- (f) Flow rates discharged from the site should aim to achieve the 1 in 1 year greenfield runoff rate but must be no greater than the 1 in 10 year greenfield runoff rate
- (g) Factors of safety must be applied based on the consequence of failure. A minimum factor of 10 is required for surface water drainage systems offered for adoption by Cornwall Council

The Development in each phase, sub-phase or development parcel shall be carried out in accordance with the approved ground investigations, surface water drainage scheme and drainage systems operation and maintenance manual for that phase, sub-phase or development parcel.

Reason: To prevent the increased risk of flooding within and off site and minimise the impact of surface water within and resulting from the development on the area and manage the potential pollution risk to surface water by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021.

## **28. Drainage Strategy Compliance**

Applications for approval of reserved matters shall include details setting out how the surface water drainage systems for the phase, sub-phase or development parcel subject of the reserved matters application accords with the principles set out in the Langarth Garden Village – SuDS Modelling Technical Note Ref LGV3\_04-ARC-XX-XX-TN-Z-0001-P1 (dated 30/09/21) and the Langarth Garden Village – Drainage Strategy Addendum Ref LGV3\_05-ARC-XX-XX-TN-Z-0001-P1 (dated 30/09/21).

Drainage catchments must remain as defined on Drg ref and designed so that:

1. Drainage catchments A, C and G discharge at or near to the 1:10 greenfield runoff rate
2. Drainage catchments B, D and H discharge at or near to the 1:1 greenfield runoff rate
3. Drainage catchment E discharges at a rate less than the 1:1 greenfield runoff rate

4. Drainage catchment F discharge at a runoff rate between the 1:1 and 1:10 greenfield runoff rate
5. Discharge flow rates for each catchment shall be no greater than those specified in Langarth Garden Village – SuDS Modelling Technical Note Ref LGV3\_04-ARC-XX-XX-TN-Z-0001-P1 Table 2 – Drainage Catchment Overview and Table 4 – Outfall Summary by Catchment (dated 30/09/21)
6. Catchment and sub-catchment references and proposed surface water drainage features shall accord with the Langarth Development SuDS Strategy Details Drg Refs LGV3\_04-ARC-XX-XX-DR-Z-0001 P01, LGV3\_04-ARC-XX-XX-DR-Z-0002 P01, LGV3\_04-ARC-XX-XX-DR-Z-0003 P01 (dated 30/09/2021)
7. Landscaping and green infrastructure associated with surface water drainage infrastructure shall accord with the Landscape and Green infrastructure Parameter Plan Ref LAN\_01.1-AHR-MP-ZZ-DR-A-92-009 P09 (dated 27/04/2020)

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 13 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167 and 169 of the National Planning Policy Framework 2021.

## 29. Cornish Hedges

Applications for approval of reserved matters for any phase, sub-phase or development parcel shall include a conservation statement for Cornish hedge and boundary repairs. The statement should be informed by an assessment of the character and build of each existing boundary/Cornish hedge to be breached by the phase, sub-phase or development parcel (including hedging stone, field gate posts or hedge furniture (e.g. stiles) 'related features'). The statement should also set out the proposed bank material, facing style and stone type to be used to make good each breach and the timing for the completion of works affecting hedges and related features. The Development in each phase, sub-phase or development parcel shall be carried out in accordance with the details hereby approved.

Reason: To retain control over the appearance of the development and these key historic landscape features that contribute to the character of the area in the interests of visual amenities of the locality and in accordance with the aims and intentions of Policies E4, E5 and C3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2, 23 and 24 of the Cornwall Local Plan Strategic Policies 2010 - 2030 and paragraphs 174 and 197 of the National Planning Policy Framework 2021.

## Pre-construction conditions

### 30. Section 106 Obligation – Council Land

If, at the point of commencement of any Development (save for Enabling Works ) in any phase, sub-phase or development parcel, the Cornwall Council owns a relevant legal interest

in the land comprised in that phase, sub-phase or development parcel, no Development (save for Enabling Works) shall take place in that phase, sub-phase or development parcel unless and until a Memorandum of Understanding has been submitted to and approved in writing by the Local Planning Authority which:

- (a) Details how the obligations in the Section 106 Obligation accompanying this planning permission will be complied with in respect of that phase, sub-phase, or development parcel; and
- (b) Includes an undertaking that the Cornwall Council will not (unless the obligations in the Section 106 Obligation have been fully discharged in respect of that land) dispose of any relevant interest in that phase, sub-phase or development parcel unless and until the disponent has entered into a planning obligation with the Local Planning Authority pursuant to Section 106 of the Town and Country Planning Act 1990 substantially in the form of the Section 106 Obligation accompanying this planning permission (with the intent that all of the covenants, obligations and restrictions contained therein will be enforceable not only against the disponent but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in that land).

The obligations in the S106 Obligation accompanying this planning permission must thereafter be delivered in accordance with the approved Memorandum of Understanding.

Reason: Cornwall Council as landowner of part of the application site cannot enter into the Section 106 Obligation with itself. The condition will allow the timely issuing of the planning permission whilst ensuring the development will accord with the aims of Policies 1 and 28 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 55, 56, 57 and 58 of the National Planning Policy Framework 2021.

### **31. Section 106 Obligation – Other Land**

If, at the point of commencement of any Development (save for Enabling Works) in any phase, sub-phase or development parcel, any party other than the Cornwall Council owns a relevant legal interest in the land comprised in that phase, sub-phase or development parcel, no Development (save for Enabling Works) shall take place in that phase, sub-phase or development parcel unless and until every party with a relevant legal interest in the land comprised in the phase, sub-phase or development parcel has entered into a planning obligation with the Local Planning Authority pursuant to Section 106 of the Town and Country Planning Act 1990 substantially in the form of the Section 106 Obligation accompanying this planning permission (with the intent that all of the covenants, obligations and restrictions contained therein will be enforceable not only against the disponent but also their successors in title and any person corporate or otherwise claiming through or under them an interest or estate in that land).

Reason: The condition will allow the timely issuing of the planning permission whilst ensuring the development will accord with the aims of Policies 1 and 28 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 55, 56, 57 and 58 of the National Planning Policy Framework 2021.

### **32. Phasing**

No Development (save for Enabling Works) shall take place until a construction stages plan for the Development which sets out the sequence in which the construction of the associated Northern Access Road pursuant to Application A relates to the timing of the delivery of the Development in the Masterplan area pursuant to Application B has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved construction stage plan.

Reason: To ensure the development is comprehensively planned and phased to maximise practical integration between different land uses within and beyond the site in accordance with paragraph 60 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the Development in the masterplan area is delivered in a co-ordinated manner and served by the associated key transport infrastructure.

### **33. Non-residential uses**

No Development (save for Enabling Works) within any Neighbourhood as approved under condition 8 above shall take place until a strategy which sets out the quantum of non-residential floor space and the timing or phasing of its the delivery within that Neighbourhood has been submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved strategy.

Reason: To ensure the development is comprehensively planned and phased to maximise practical integration between different land uses within and beyond the site in accordance with paragraph 60 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the masterplan area is delivered in a co-ordinated manner and served by the associated key transport infrastructure.

### **34. Construction Traffic Management Plan**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase, or development parcel, a Construction Traffic Management Plan (CTMP) and programme of works for that phase, sub-phase, or development parcel shall be submitted to and approved in writing by the Local Planning Authority. The approved CTMP shall be adhered to throughout the construction period of that phase, sub-phase or development parcel. The Plan shall provide for:

- i) construction vehicle details (number, size and type);

- ii) vehicular routes and delivery hours;
- iii) the parking of vehicles of site operatives and visitors;
- iv) loading and unloading of plant and materials;
- v) storage of plant and materials used in constructing of the development;
- vi) wheel washing facilities; and
- vii) measures to control the emission of dust and dirt during construction.

Reason: In the interests of maintaining a safe and efficient highway network and in accordance with the aims and intentions of Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction process is appropriately managed in the interests of highway safety.

### **35. Construction Environmental Management Plan**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase, or development parcel pursuant to the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- A. Risk assessment of potentially damaging construction activities;
- B. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- C. Air quality management measures, including an anti-idling policy and construction traffic management;
- D. Dust Management Plan;
- E. Arrangements for community and stakeholder relations and workforce training;
- F. The location and timing of sensitive works to avoid harm to biodiversity features;
- G. The times during construction when specialist ecologists need to be present on site to oversee works;
- H. Responsible persons and lines of communication;
- I. Monitoring, reporting and emergency responses;
- J. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- K. Use of protective fences, exclusion barriers and warning signs;
- L. measures to mitigate the effects of control of lighting during construction;
- M. measures to mitigate the construction effects on archaeology and cultural heritage;
- N. measures for the protection of any European or nationally protected species from activities associated with the authorised development

The development phase, sub-phase, or development parcel shall be carried out strictly in accordance with the approved Construction Environmental Management Plan.



Reason: To ensure that the development is undertaken in a manner which reduces any potential adverse impact upon the residential amenities currently enjoyed by existing and future residents and businesses and features of biodiversity value in accordance with the aims of Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 13 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 159, 167, 169, 174, 185 and 186 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing biodiversity and habitat potential of the site is not harmed through inappropriate actions and that works can be completed safely and reducing amenity impacts so far as possible.

### Informative

The CEMP should reflect upon updated ecology survey reports and information gathered under condition 22.

### **36. Landscape Ecology Management Plan**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase, or development parcel pursuant to the development until a Landscape and Ecology Management Plan (LEMP) shall have been submitted to the Local Planning Authority that will address the implementation, improvement and mitigation of ecology and biodiversity of the development (in accordance with the Environmental Statement, Design and Access Statement and the Ecology Reports) and appointment of an ecological clerk of works. The LEMP shall also contain details of the following ecological and landscape mitigation and enhancement measures:

- Physical protection of the retained hedgerows and trees through approved tree protection measures throughout the construction period;
- Avoidance of artificial lighting spill onto the boundary hedges during the construction
- Management of existing and proposed trees and hedges and ecological enhancements for the lifetime of the development;
- Detailing habitat linkage and routes of passage for wildlife, mitigation for loss of habitat and the location.
- Details of the landscape and ecological mitigation, and compensation measures to be undertaken;
- Details of the management and monitoring of landscape and ecological mitigation, and compensation measures to be undertaken.

The development will be undertaken in accordance with the approved details and timing of the LEMP.

Reason: To ensure the habitats and species are safeguarded and where appropriate enhanced to secure the specified habitat net gain in accordance with Policy E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010-2030, advice in paragraphs 17, 130, 174 and 180 of the National

Planning Policy Framework 2021, and the requirements of the Conservation of Habitats and Species Regulations 2010.

### Informative

The LEMP should reflect upon updated ecology survey reports and information gathered under condition 19.

## **37. Tree Protection Plans**

Prior to the commencement of construction works within any phase, sub-phase or development parcel (including Enabling Works), a scheme for the protection of retained trees for the relevant phase, sub-phase or development parcel, in accordance with BS 5837, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) for that phase, sub-phase or development parcel shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the development does not have a detrimental impact upon the natural environment in accordance with the aims and intentions of Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010 – 2030, Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 174 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing trees within the site are not harmed through inappropriate actions and that works can be completed safely and reducing amenity impacts so far as possible.

### Informative:

The level of detail to be submitted shall be commensurate to the scale and impact of the approved development. The preparation and delivery of such detail should be informed by BS: 5837:2012 Trees in relation to design, demolition and construction - Recommendations and BS: 3998 Tree work - Recommendations.

## **38. Arboricultural Supervision**

Prior to the commencement of construction works within any phase, sub-phase or development parcel (including any facilitative vegetation clearance, tree works or construction), details of all tree protection monitoring and site supervision by a suitably qualified tree specialist e.g. arboricultural professional with the minimum of a level 4 qualification (as recognised by the Qualifications and Credit Framework) for the relevant phase, sub-phase or development parcel shall be submitted to and approved in writing by the Local Planning Authority. The Development in that phase, sub-phase or development parcel shall thereafter be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition, construction and landscaping operations, and to protect and enhance the appearance and character of the site and locality. In accordance with the aims and intentions of Policies 2 and 23 of the Cornwall Local Plan Strategic Policies 2010 – 2030, Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030 and paragraph 174 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary because damage to the boundary hedges or trees from construction processes is irreversible. To ensure successful tree retention beyond completion, it is critical that from the outset all disciplines involved in implementation of the approved development are aware of the tree protection required and the constraints the retained trees pose to the timing of operations, working areas and working methods. Having an appointed tree specialist working with the construction team and an agreed scheme of monitoring in place is key to this.

### 39. **Archaeology**

- A) Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel a programme of archaeological recording work and historic building work including a Written Scheme of Investigation for that phase, sub-phase or development parcel shall have been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions, and:
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation
- B) No development within any phase, sub-phase or development parcel shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C) No phase, sub-phase or development parcel shall be occupied or brought into use until the site investigation and post investigation assessment for that phase, sub-phase or development parcel has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Note: The archaeological and historic building recording condition for each separate phase, sub-phase or development parcel will normally only be fully discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed.

Reason: To ensure that provision is made to record finds of archaeological interest in accordance with the aims and intentions of Policy 24 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 205 of the National Planning Policy Framework 2021 and. A pre-commencement condition is necessary in this instance due to the need to ensure that a programme and methodology of site investigation and recording of archaeological features is undertaken before physical works commence on site.

#### **40. Contaminated Land – Risk Assessment**

No Development within any phase, sub-phase, or development parcel shall commence (save for Enabling Works) until an assessment of the risks posed by any contamination for that phase, sub-phase or development parcel shall have been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) the potential risks to:
  - human health;
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
  - adjoining land;
  - ground waters and surface waters;
  - ecological systems; and
  - archaeological sites and ancient monuments.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2021 with specific reference to paragraphs 174 and 183 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016. A pre-commencement condition is required in this case because it is essential to establish, before any works takes place, the nature and extent of any ground contamination in order to safeguard the health of workers

taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

#### **41. Contaminated Land – Remediation Scheme**

Where (following the risk assessment carried out pursuant to condition 40) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, no Development in that phase, sub-phase or development parcel shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an appraisal of remediation options and shall identify the preferred option(s). It shall also set out the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed to ensure that upon completion of the relevant Development the land comprised in the relevant phase, sub-phase or land parcel will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2021 with specific reference to paragraphs 174 and 183 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030, Adopted November 2016. A pre-commencement condition is required in this case because it is essential to establish, before any works takes place, the nature and extent of any ground contamination in order to safeguard the health of workers taking part in the development of the site and to ensure the appropriate design and subsequent safe occupation of the development.

#### **42. Construction Phase Surface Water Management Plan Condition**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel details of a Construction Phase Surface Water Management Plan must be submitted to and approved in writing by the Local Planning Authority. This must include:

1. Areas proposed for infiltration systems e.g. basins, soakaways, infiltration trenches must be fenced and protected from compaction during the construction phase and should include a plan clearly indicating the extent of the fenced areas.
2. A Management Plan for each phase or sub-phase of construction. This must clearly identify how surface water runoff from the phase sub phase or development parcel and the effects of silt and surface water on land, property, watercourses and the highway will be mitigated and managed throughout the construction period
3. Evidence that all necessary Land Drainage consents and Environmental Permit applications have been submitted

4. Details of pollution water quality and emergency control measures, including temporary sediment basins, sediment traps, silt fences, bunds and trenches
5. Construction stages plan for that phase, sub-phase or development parcel
6. Construction Site Plan showing compounds, material storage areas, temporary vehicle parking areas

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction surface water management is appropriately managed and would not give rise to any harm to the environment.

#### **43. Construction Quality Control Plan Condition**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel details of a Construction Quality Control Plan must be submitted to and approved in writing by the Local Planning Authority. This must include:

1. Procedures used to ensure that the quality of contractors and subcontractors workmanship is in accordance with the approved design
2. Details of the proposed storage and use of materials which must be in accordance with the manufactures recommendations and specifications
3. Procedures implemented to ensure that all materials used, including any materials which are substituted, are compliant with the approved design
4. Details of how inspections, non-compliances and corrective actions will be recorded

The development of any phase, sub-phase or development parcel must be undertaken in accordance with the details hereby approved.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the construction of the development hereby approved is appropriately managed and would not give rise to any harm to the environment in particular with respect to surface water control.

#### **44. Surface Water Drainage Systems Operations and Maintenance Manual**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel details of the Surface Water Drainage Systems



Operation and Maintenance Manual is required and must be approved in writing by the Local Planning Authority. This must include the following:

1. A brief summary of the SuDS design, how the SuDS components work, their purpose and potential performance risks
2. A plan showing the location of all SuDS components within and serving the development including inlets and outlets. Each component must have a unique reference
3. Confirmation of who will adopt, operate, manage and maintain each SuDS component
4. Maintenance trigger requirements, including visual indicators for silt removal, vegetation removal
5. A description of the proposed maintenance activities and a log of the activities
6. Maintenance Schedule identifying regular and occasional maintenance and remedial actions
7. Confirmation of maintenance buffer areas
8. Details of the maintenance access routes and easements
9. Details of the contributing drainage catchment(s)
10. The landscaping and planting scheme
11. Details of the management schemes for the habitats and amenity areas created as part of the drainage scheme.

The development of any phase, sub-phase or development parcel must be undertaken in accordance with the details hereby approved.

Reason: To ensure that the implemented surface water drainage systems are managed and maintained for the lifetime of the development in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary in this instance to ensure that the drainage system can be appropriately managed, operated and maintained.

#### 45. **Land stability**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel an assessment to identify any ground instability shall have been submitted to and approved in writing by the Local Planning Authority. If instability is identified, a scheme for on-site investigations, an assessment to identify the extent of unstable ground and the measures to be taken to avoid risk to buildings when the land is developed, shall also be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented and completed before the Development in that phase, sub-phase or development parcel is first occupied.

Reason: To ensure that potential adverse ground conditions are fully investigated and remediated prior to the commencement of development; in the interests of public safety and to secure the residential amenities of future occupiers and in accordance with Policy 13 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 183 in the National Planning Policy Framework 2021. A pre-commencement condition is necessary because the risk of ground instability needs to be assessed before any site works take place in the interest of the safe development and subsequent occupation of the site.

#### **46. Earthworks strategy**

Prior to the commencement of construction works (save for Enabling Works) within any phase, sub-phase or development parcel details of the proposed earthworks strategy (including soil stripping and storage, site levelling) for that phase, sub-phase or development parcel shall have been submitted to and approved in writing by the Local Planning Authority. The Development in that phase, sub-phase or development parcel shall be undertaken in accordance with the details hereby approved.

Reason: To ensure that the development is undertaken in a manner which reduces any potential adverse impact upon the residential amenities currently enjoyed by existing and future residents and businesses and features of biodiversity value and in the interests of visual amenity in accordance with the aims of Policies E4 and E5 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 12, 13, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 130, 174, 180 and 185 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure that the existing biodiversity and habitat potential of the site is not harmed through inappropriate actions and that works can be completed safely and reducing amenity impacts so far as possible.

#### **47. Foul drainage**

No development within any phase, sub-phase or development parcel shall be commenced (save for Enabling Works) until a scheme for the disposal of sewage and foul drainage for that phase, sub-phase or development parcel has been submitted to and approved in writing by the Local Planning Authority. The Development in that phase, sub-phase or development parcel shall be carried out in accordance with the details hereby approved prior to the occupation of any buildings in the relevant phase, sub-phase or development parcel.

Reason: In the interests of water quality and the residential amenities of future occupiers and in accordance with the aims and intentions of Policies E1 and E3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2, 13 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 174 of the National Planning Policy Framework 2021. A pre-commencement condition is necessary to ensure appropriate foul drainage infrastructure is available to serve the development approved.

**48. Gas pipeline**

No development (save for Enabling Works) shall be commenced within the developable plots A4, A5, A6 and A7 as shown on approved plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 REV P13 until a scheme for modifying the High Pressure Gas pipeline within the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme and no development within the aforementioned developable plots shall be occupied or brought into use until the required modifications to the pipeline have been carried out.

Reason: In the interests of public safety and in accordance with Policy E1 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 1 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 8 and 45 of the National Planning Policy Framework 2021.

**Post commencement and pre-occupation conditions****49. Construction hours**

Any construction works shall only take place between the following hours:

Monday to Friday 08:00 to 18:00

Saturdays 08:00 to 13:00

No working on Sundays or Public/Bank Holidays.

Reason: In the interests of the residential amenities of neighbouring properties in accordance with the aims of Policies 13 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

**50. Noise Impact Assessment**

Prior to the occupation or use of any building used other than as individual residential premises the following details shall be submitted to and approved in writing by the Local Planning Authority:

- (a) a noise impact assessment;
- (b) a scheme for the insulation of any building(s), and associated plant/equipment; and
- (c) a scheme setting out any noise mitigation measures to minimise the level of noise emanating from the said building(s) and/or plant or arising as a consequence of all permitted uses for that building and/or plant. The approved details shall be implemented before occupation or use of any building used other than as individual residential premises and shall thereafter be maintained in strict accordance with the approved details.

Reason: To protect the amenity of nearby properties in accordance with Policy E4 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 1, 2 and 16 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 174 and 185 of the National Planning Policy Framework 2021.

#### **51. Car Club**

- A) Prior to occupation in any phase, sub-phase or development parcel, detailed drawings shall be submitted to and approved in writing by the Local Planning Authority showing the size, position, method of delineation and signing of designated car club parking spaces serving that phase, sub-phase or development parcel and the approved spaces shall be laid out prior to occupation in that phase, sub-phase or development parcel and shall thereafter at no time be used for any other purpose.
- B) Prior to occupation in of any phase, sub-phase or development parcel, a car club implementation and management scheme for that phase, sub-phase or development parcel shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall set out the method of operation, timing of provision, and the arrangements for securing the maintenance and management of the approved car club spaces`. The scheme shall be carried out in accordance with the approved details.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with the aims of Policy E1 and T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021.

#### **52. Contaminated Land – Verification Report following Remediation Scheme**

The approved remediation scheme referred to in condition No. 41 shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the Local Planning Authority before first occupation in the relevant phase, sub-phase, or development parcel.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2021 with specific reference to paragraphs 174 and 183 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

### 53. **Contaminated Land – Reporting of Unexpected Contamination**

Any contamination that is found during the course of construction of the Development that was not previously identified shall be reported in writing immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the relevant phase, sub-phase, or development parcel is resumed or continued.

Reason: To ensure that the health risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the aims and intentions of the National Planning Policy Framework 2021 with specific reference to paragraphs 174 and 183 and Policy 16 of the Cornwall Local Plan Strategic Policies 2010 - 2030.

### 54. **A30 dualling**

Occupation of the residential component of the Development shall be limited to 2,500 dwellings until the Highways England A30 Chiverton Cross to Carland Cross improvement scheme junction has been completed and open to traffic.

Reason: To mitigate against the impact of development traffic upon the strategic road network and ensure the safe and free flow operation of the A30 trunk road network in accordance with Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 112 of the National Planning Policy Framework 2021.

### 55. **Pedestrian /cycle link**

Prior to the occupation of any residential unit within Phase 1 as shown on phasing parameter plan LAN\_02.1-AHR-MP-ZZ-DR-A-93-005 P13 a pedestrian/cycle footway (forming part of the access junctions and to the North of the A390) so as to provide a connection to or a means of connecting with existing pedestrian/cycle footway infrastructure, shall have been made available for use by the public in accordance with details that will have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of providing safe and suitable non-vehicular access along the A390 in accordance with the aims of Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 13 and 27 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021.

## 56. Roads

No building on any phase, sub-phase or development parcel shall be occupied or brought into use until the estate road carriageways and footways necessary to provide access from a County Road to that building have been completed (except for the application of the final wearing course) in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory means of access is provided to each dwelling before it is occupied in accordance with the aims and intentions of Policy T3 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 13 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 110 and 112 of the National Planning Policy Framework 2021.

## 57. As Constructed Drawings Condition

On completion of construction of any phase, sub-phase or development parcel, and prior to each sustainable drainage feature or series of features serving a defined catchment area being brought into use “As Constructed” drawings and supporting information must be provided to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the implemented sustainable drainage features are accurately recorded to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water control and disposal during construction and implementation in accordance with the aims of Policies E1 and E2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policies 16, 23 and 26 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraphs 167, 169, 174 and 180 of the National Planning Policy Framework 2021.

## 58. Restricted uses

Notwithstanding the uses hereby permitted by this development no part of the Development shall be used as a Theatre(s) or Cinema(s).

Reason: To enable the Local Planning Authority to retain control over other uses that might harm the vibrancy and vitality of Truro City Centre in accordance with Policies EJ2 of the Truro and Kenwyn Neighbourhood Plan 2015-2030, Policy 4 of the Cornwall Local Plan Strategic Policies 2010-2030 and paragraph 86 of the National Planning Policy Framework 2021.

## Informative

1. Masterplan area is defined as outline planning permission PA20/09631 (Application B) comprising a phased development of up to 3550 dwellings plus 200 extra care units and 50 units of student/health worker accommodation, including affordable housing; five local centres comprising local retail (E), offices (E), restaurants and cafes (E), drinking establishments (sui generis), hot food takeaway (sui generis), health and community



facilities (F1 and E), a local care health centre (E), a blue light centre for emergency services (sui generis), up to two primary schools (F1), business and commercial floorspace (E), brewery / public house (sui generis) and associated areas of open space to include a suitable alternative natural greenspace as a strategic open space a community farm/allotments, public realm, renewable energy provision and energy centre, park and ride extension (of up to 600 spaces or 2.73 ha), cycle lanes, connections with the existing highway network including crossings of the A390, quiet lanes, drainage and associated infrastructure, including the demolition of buildings and structures, site clearance and associated earthworks.

2. Enabling works are defined as preparatory works of surveying, testing, sampling, soil tests, pegging out, tree protection, archaeological investigation, construction of temporary boundary fencing hoardings, and any necessary service diversions.

**PA20/09631 - Land North of A390 Threemilestone, Threemilestone, Cornwall**  
**Appendix 1**

**Design Review Panel Design Code**

**APPENDIX A: RECOMMENDED FORWARD PROCESS for Langarth Design Code.**

(NOT TO RE-COMMENCE THE DRAFTING OF THE CODE, BUT TO DRAW ON THE WEALTH OF EXISTING RESEARCH / KNOWLEDGE / WORK, AND TO CLARIFY AND RE-ORDER IT WITH CLEAR PURPOSE):

**GARDEN VILLAGE 'CO-ORDINATING CODE' (SITE-WIDE):**

Confirm the Green Infrastructure strategy for the whole site in sufficient detail so that those features that are to be retained and/or enhanced and any new elements can be plotted accurately on the Regulatory Plan. Include any offsets necessary as root protection zones or for access. maintenance, etc.

Any other significant constraints (for instance utilities infrastructure, areas of flood risk, etc.) should be included on a clear summary plan which therefore identifies the remaining land that is available for development.

Develop codes (in plan and section) for the crossing points of the Green Infrastructure by the NAR, secondary and tertiary streets where they will have to intersect with hedges and any other types of green corridor. These can be generic solutions, but establishing clear principles that must later be pursued and adapted to each specific situation as part of the layout design associated with Neighbourhood Codes.

Confirm the extent / boundaries of Neighbourhoods within the overall site.

Establish more clearly defined locations for Local Centres acting as the 'heart' of each Neighbourhood and at a point of maximum connectivity within the local movement network (streets and non-motorised routes) to ensure good accessibility from/to all parts of the Neighbourhood served whilst maintaining a positive relationship to the NAR.

Develop realistic quantum for non-residential use associated with each Local Centre and consider the relationship to schools.

Establish the necessary local street network in the vicinity of each Local Centre that, in turn, determines the necessary junctions with the NAR and provides the initial branches of the street network that serves each wider Neighbourhood.

Establish the core parcel(s) for each Local Centre, to include the key positions for non-

residential uses (normally as part of mixed-use apartment buildings), parking and open space, together with the associated local street network as described in the last step. Developable plots creating the Local Centre may be associated with adjacent residential parcels but should be shown on the Regulatory Plan as potentially sub-divided from them.

Confirm location of bus stops serving Local Centres, on-street parking on the NAR, strategic design and layout of urban space (movement routes, places of rest/congregation, spaces that should be kept open/flexible for temporary uses, key planting - esp, trees). The scale and degree of enclosure /shelter as defined by the enclosing built form needs close consideration. Building Lines and heights of frontages (perhaps expressed as minim and maxima?) should be denoted on the Regulatory Plan.

Confirm the feasibility of secondary streets (especially with regard to gradients) linking all parcels in each Neighbourhood and determine approximate alignments (which may later be varied +/- a few metres by Neighbourhood Codes / RMAs) so that viable development blocks can certainly be created within each parcel. Secondary streets which link to adjacent Neighbourhoods should also be identified and firmly required by the Code to avoid Neighbourhoods becoming 'pods' accessed solely from the NAR.

Test this emerging street network for legibility and efficiency and adjust as necessary before confirming on the Regulatory Plan.

Determine an appropriate Street Hierarchy (some secondary streets may deserve to have a stronger presence than others, or possess a special character, even though their functionality in terms of highway standards may be similar to others?) in order to create a legible network of routes. Denote the street types on the Regulatory Plan.

Develop codes for each street type in the hierarchy, leaving greater flexibility in the lesser streets but establish generic urban design (not highways design) principles for each – eg street cross section, building lines, allowable set back/set forward, min/max height, acceptable parking formats, degree of continuity and enclosure to be achieved by the frontage, amount of variety / consistency in building types deployed, boundary treatment, etc.

The Co-ordinating Code must set out the specification for Neighbourhood Codes (see below) which, whilst adhering to the Co-ordinating Code, will then extend the design into matters of greater detail.

The Co-ordinating Code should contain (as an Appendix) general site-wide principles, standards and palettes to which subsequent Neighbourhood Codes must adhere. This should include a range of standard Development Block Types (perimeter blocks of different types depending on parking formats, density) Guidance on allowable materials / colours palettes from which a more restricted range for each Neighbourhood should be chosen. A clear

statement/direction on the general architectural approach and character being aimed for (presumably, contemporary and locally- distinct – supported by the current aspirational imagery?). The specific architectural quality and distinctiveness should arise as a result of a careful procurement process to appoint strong design teams to draft each Neighbourhood Code. The master developer should be invited to play a strong part in the selection of these teams – enforced through a development agreement rather than a planning condition and it should be ensured that each Neighbourhood Code should be subject to an independent design review process before being finalised /presented for adoption.

#### **‘GARDEN NEIGHBOURHOOD’ CODES (FOR EACH NEIGHBOURHOOD):**

These should be very clearly required to be submitted and approved in advance of the preparation of any Reserved Matters Applications for each Neighbourhood as a Planning Condition that may grant Outline Consent and approve/adopt the Coordinating Code. If a Neighbourhood is being developed by more than one developer, then they need to jointly commission a single, shared Neighbourhood Code to which they will all then adhere. The drafting of Neighbourhood Codes will take the form of a collaborative negotiation with the master developer and/or their appointed agents, as facilitated by a development agreement rather than a planning condition. Each Neighbourhood Code should be expected to be scrutinized by an independent design review process before being finalized / presented for adopted.

A Neighbourhood Code should ‘code’ for:

The Development Block Types and Urban Structure, including any Tertiary Streets that may need to be fixed within each Parcel.

Any innovative or special building types that may be proposed in order to make particular plots within the layout work (eg split-level, mixed-use, types that may occupy a ‘half-block’,etc.) where standard residential ‘perimeter blocks’ do not seem possible or desirable. These codes need only explain the basic typology (organisation, form, access, relation to plot, public routes and landform, etc.) which the detailed design of RMAs must then follow.

The design of Highways and the adopted Public Realm within the Neighbourhood (probably as a detailed design, rather than a generic Code). Highways Design should adhere strictly to Manual for Streets principles, giving priority to pedestrians and other non-motorised users, aim to reduce junction radii and visibility splays to minimum dimensions and avoid an ‘engineered’ appearance, etc.

Additional coding that is necessary to enable the delivery of any Local Centre situated within the Neighbourhood.

The design of specific Green Spaces that are part of the Neighbourhood (not strategic green infrastructure)

Neighbourhood Character – NB **Code for the character of streets rather than parcels** – ie any significant local variations in character should NOT occur across streets, but through the interior of development blocks. This will consist of:

- A 'Materials Strategy' (submit a separate layout plan as an overlay indicating the proposed approach together with a written explanation of the compositional principles) that may have local variety and contrasts whilst possessing some principles that will generate a coherent character across the whole Neighbourhood by deploying a distinct palette selected from the options in the Co-ordinating Code.
- 'Architectural Language' – establish a suite of constructional details and an approach to the articulation of secondary building elements (eg bay windows, porches/entrance canopies, bike storage, rainwater goods, etc.) that may again have localised variety and contrasts within the Neighbourhood but will be sufficiently related in their design in order to create a coherent overall character.