

CD 6.21

Town and Country Planning Act 1990

Acquisition of Land Act 1981

Local Government (Miscellaneous Provisions) Act 1976

The Highways Act 1980

Inquiry into:

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

Summary of Proof of Evidence

of

Patrick Valvona

2 January 2024

1. INTRODUCTION

- 1.1 My name is Patrick Valvona and I'm the Operations Director at Services Design Solution (SDS). I hold a BEng (Hons) in Civil Engineering and I am a Chartered Engineer (CEng) and a Fellow of the Institution of Civil Engineers (FICE).
- 1.2 Prior to joining SDS in May 2023, I was a Technical Director at Arcadis. I have over 35 years' experience as a civil engineer, gained through a wide range of infrastructure projects in the UK and overseas.
- 1.3 In 2019, I was asked to prepare an infrastructure strategy for Langarth Garden Village (**LGV** or **Scheme**) in support of the masterplan design and planning application. I was subsequently retained as Programme Manager for the Technical Infrastructure Programme for Langarth Garden Village. I held this position until May 2023.

2. SCOPE OF EVIDENCE

- 2.1 My proof of evidence relates to the Council's case in support of the following two paragraphs of the CPO Guidance:
 - 2.1.1 Paragraph 13: That the Council has a clear intention of how the land acquired by the CPO is to be used; and
 - 2.1.2 Paragraph 15: That the Council is satisfied that the Scheme is unlikely to be blocked by any physical impediments to delivery including the programming of any required infrastructure works.
 - 2.2 The scope of evidence within my proof of evidence is as follows:
 - 2.2.1 The approach taken to the assessment of the drainage and utilities requirements for the Scheme.
 - 2.2.2 The development of the strategy and a description of the drainage and utilities provision for the Scheme.
 - 2.2.3 A description of the programme and delivery strategy for utilities and drainage for the Scheme and how this relates to the test at paragraph 15 of the CPO Guidance.
 - 2.2.4 Explanation of the land requirements for construction and operation of the drainage and utilities strategy for the Scheme and how this relates to the test at paragraph 13 of the CPO Guidance.
 - 2.2.5 Response to objections.
 - 2.2.6 Summary and conclusion, based on the evidence provided
 - 2.3 As part of the development of the surface water drainage strategy for LGV, I worked closely with colleagues who were responsible for the Flood Risk Assessment, Sustainable Drainage Strategy (**SuDS**) and the Utilities and Drainage Strategy for LGV.
- ## 3. APPROACH TO ASSESSING THE DRAINAGE AND UTILITIES REQUIREMENTS FOR THE SCHEME
- 3.1 It was recognised at an early stage of the masterplanning process that there was no overall strategy for the provision of key utilities and drainage infrastructure within the previous planning applications. Each developer had to provide their own solution for their land parcels,

with the result that there were no economies of scale or integration gains to be had through combining utilities provision in a strategic way.

- 3.2 By undertaking the utilities and drainage strategy in parallel with the masterplan design process, it was much easier to align with the strategic aims of LGV and to identify land areas required for the strategic infrastructure outside of the development plot boundaries. The approach allowed best use to be made of topography, ground infiltration and the Northern Access Road (**NAR**) for the main utilities spine.
- 3.3 A key objective of the utilities strategy was to incorporate the Council's net zero carbon pledge. This has resulted in the omission of gas heating by providing a resilient local energy grid and allowance for a potential geothermal district heating network.

4. THE DEVELOPMENT OF THE DRAINAGE AND UTILITIES STRATEGY

- 4.1 The Utilities and Drainage strategy was created over a period of 20 months, starting in March 2019. During this period, regular input was sought from Cornwall Council, Parish Councils, existing developers, regulators and other stakeholder groups.
- 4.2 Prior to the Council's land purchases, the previous separate planning applications presented little detail on surface drainage, with no overall strategic approach. This would have presented several challenges for surface water management and disposal, given that the ultimate disposal point for LGV is the stream which runs along the northern boundary of the Site. For example:
- Land held by a developer which was not immediately adjacent to the northern boundary stream would need to have rights to lay pipes or channels across third party land, either through negotiation or through surface water sewer requisitions.
 - Attenuation features, such as ponds and infiltration basins, would be required for each developer on their own land, which would have been inefficient and would not have made best use of topography for the whole of the site.
 - To overcome topographical and geographical constraints on steep sites, it is likely that surface water management proposals would have required more use of buried crates and pipes, which are the least desired solutions for SuDS systems.
- 4.3 Similarly, with power, water and telecoms, each developer would have been putting in place their own infrastructure to suit their needs, resulting in duplication and additional costs. For example, both Inox (previous landowner) and Walker Developments Limited were proposing to have their own primary sub-stations to serve their land parcels, rather than a single substation, as currently proposed.
- 4.4 The strategy also enabled a site-wide solution to be developed with South West Water (**SWW**) for foul sewerage, with flows being collected by gravity and pumped off-site to SWW's upgraded Newham Wastewater Treatment Plant, some 4km ESE from LGV.
- 4.5 The approach also allowed a strategic plan to be prepared for water supply, by identifying the locations for future networks expansions as LGV grows.

5. NO IMPEDEMENTS TO DELIVERY

- 5.1 The programme for the delivery of utilities and drainage for LGV is ongoing, with a focus on enabling all critical infrastructure to be ready for first house connections for Phase 1 by 2025. Initial trunk mains have already been laid as part of the construction of the Interim Link Road in 2020/21, with works ongoing for other utilities as construction of the NAR progresses.

- 5.2 Further works are planned for 2024 onwards to complete the utilities and drainage works for Phase 1, with contracts in place for design and construction and planning permissions secured where needed.

6. THE NEED FOR THE LAND INCLUDED IN THE CPO

- 6.1 The utilities and drainage networks for LGV are extensive and cover numerous areas which fall outside of the ownership of Cornwall Council.
- 6.2 These networks have been designed where possible to be within public highway (e.g., the NAR) or away from developable areas and outside the LGV plot boundaries.
- 6.3 Where necessary, new rights are being sought to facilitate surface water drainage discharge, or land acquisition to provide corridors for strategic utilities infrastructure.

7. OBJECTIONS TO THE ORDER

- 7.1 Two parties submitted objections in relation to utilities and drainage:

Name	Objection	Response Summary
AR Treseder, PM Treseder, and C Treseder	This objection has been withdrawn and is therefore not considered further in my proof of evidence.	N/A.
Walker Developments Ltd	This objection has been withdrawn and is therefore not considered further in my proof of evidence.	N/A.

8. CONCLUSION

- 8.1 Within the limits of my knowledge and areas of expertise, I have sets out the rational for the strategies which have been adopted, and the design and planning processes that have been undertaken leading up to making the CPO.
- 8.2 In terms of applying policy tests:
- 8.2.1 I have set out how the Council intends to use the land identified within CPO for acquisition for drainage and utilities infrastrucutre (paragraph 15 of the CPO Guidance); and,
- 8.2.2 I have set out, to the best of my knowledge, the intentions and programme for the Council to deliver the utilities and infrastructure requirements for LGV, avoiding physical or legal impediments to implementation of the Scheme (paragraph 13 of the CPO Guidance).
- 8.3 I have identified where the Council has aimed to minimise the use of CPO powers through design and consultation during the development of the drainage and utilities strategies.
- 8.4 I have confirmed that there are no remaining objections relating to drainage and infrastructure.

9. STATEMENT OF TRUTH

- 9.1 I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to

be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

Patrick Valvona BEng CEng FICE

A handwritten signature in blue ink, appearing to read 'P. Valvona', with a stylized flourish at the end.

2 January 2024