



Report to the Secretary of State for Transport

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an Inspector appointed by the Secretary of State

Date: 3 June 2024

HIGHWAYS ACT 1980

ACQUISITION OF LAND ACT 1981

The Cornwall Council (Truro Northern Access Road) (Classified Road) (Side Roads) Order 2022

The Cornwall Council (Langarth Garden Village, Threemilestone) Compulsory Purchase Order 2022

Inquiry Held on 23 January 2024

Sites Inspection was carried out on 30 January 2024

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The Side Roads Orders

- The Side Roads Order was made under Sections 14 and 125 of the Highways Act 1980 and is known as The Cornwall Council (Truro Northern Access Road) (Classified Road) (Side Roads) Order 2022.
- The Order was made on 4 November 2022.
- The Order would provide for the Council to improve, divert, raise, lower or otherwise alter the classified road; the stopping up of highways and private means of access; the provision of new means of access and the construction of new highway including the Truro Northern Access Road.

Summary of Recommendation: That the Order be confirmed.

The Compulsory Purchase Order

- The Compulsory Purchase Order was made under the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 and the Local Government (Miscellaneous Provisions) Act 1976. It is known as The Cornwall Council (Langarth Village, Threemilestone) Compulsory Purchase Order 2022.
- The Order was published on 4 November 2022.
- The Order would authorise the compulsory acquisition of the land and the new rights over land for the purposes of supporting the delivery of a residential led development on land at Threemilestone, Cornwall comprising a mix of uses including new dwellings, local centres, educational facilities, commercial floorspace, open space, health centre, public realm and community farm/allotments together with the delivery of a new central access road with cycle lanes, utility supplies, access junction arrangements onto the A390, new junctions to quiet lanes, energy centre and park and ride extension.

Summary of Recommendation: To be determined following the outcome of the SRO.

1. Introduction

1. The Applicant Council, the Acquiring Authority (AA), is Cornwall Council which is also the Highway Authority for the local road network in the administrative area containing the road scheme known as the Truro Northern Access Road ("the NAR Scheme"). The NAR Scheme comprises a proposed new access road which lies to the west of Truro, connecting the A390, and A30 further westwards, to the site of Truro's Treリスケ Hospital at its eastern end. The Council manages and maintains the public highways directly affected by the NAR Scheme.

2. The NAR is a key part of Cornwall Council's (the Council) intention to enable the successful delivery of the proposed Langarth Garden Village development (the LGV or the Garden Village), as it will facilitate access to that land and as it will improve east-west connectivity.
3. On 23 March 2023 the Secretary of State for Transport (SoS) confirmed that he intended to hold a Public Inquiry into the Side Roads Order (SRO). Concurrent with the SRO the Compulsory Purchase Order (CPO) 'The Cornwall Council (Langarth Village, Threemilestone) Compulsory Purchase Order 2022' was published. On 31 January 2023 it was decided that the CPO should be transferred to an Inspector to confirm whether or not the CPO should be made. I was appointed as the Inspector to conduct the Public Inquiry in order to write a report with a recommendation to be made in respect of the SRO and to decide whether or not the CPO should be confirmed.
4. Given the direct link between the SRO and CPO it is necessary for me to be appraised of the SRO outcome before coming to a conclusive view on the CPO. To ensure that the SoS is made fully aware of the circumstances I shall deal with both matters within this report and it will form the basis of my decision which will be made once the outcome of the SRO is published. The main parties were in agreement with this approach at the Pre-Inquiry Meeting (PIM).
5. The PIM was held on 19 October 2023, with the Inquiry scheduled for 23 January 2024¹. Whilst it was scheduled for two weeks it was apparent before opening that it would not need this amount of time as there were no remaining statutory objectors.
6. After the close of the SRO Inquiry, but prior to the close of the CPO Inquiry which remains open, further correspondence has been received from Spanview who had withdrawn their objections. They appear to want to reinstate their objection on the basis of ownership of land that is not within the SRO or CPO areas before me. On that basis, and on the limited information before me, I do not consider that it would be fair to reinstate their objection which was removed following negotiations in a normal manner.
7. At the PIM and throughout proceedings I have been assisted by Mrs Joanna Vincent who was appointed as the Programme Officer. This included Mrs Vincent's attendance at the site inspection which took place on 30 January 2024 where she accompanied the inspection group as an impartial observer.
8. At the date of the PIM there were five statutory objectors with unresolved objections. Following the PIM negotiations continued with all parties. The consequence of those negotiations was that the substance of objections and number of remaining objections continued to reduce right up until the week before the Inquiry, when it became apparent that there were no remaining objections. At my request a schedule was supplied to set out the position

¹ Notes of the PIM were published on 25 October 2025

in respect of each objection that was withdrawn including an annexe of the formal documentation withdrawing the objection.² Although there were no remaining objectors, at the request of the AA it was decided that the Inquiry should proceed to ensure any other objectors could come forward should they wish given that the Inquiry details had been published. No further person came forward at the Inquiry which only sat on 23 January 2024. No statutory or non-statutory objector appeared at the Inquiry.

9. The AA was represented at the Inquiry and called eight witnesses. There were no modifications requested to the Orders in terms of content. However, some administrative changes to the text of the SRO as sought by the Department for Transport were agreed to by the AA³. Those changes do not alter the substance or intent of the Orders.
10. All of the evidence before me has been taken into account in reaching my recommendation for the SRO and in my reporting contained herein.

Introduction to the SRO

11. The NAR Scheme necessitates a number of alterations to existing highways and rights of way in order to provide a safe and free flowing access arrangement. The Scheme also necessitates footpath alterations and provides for a cycle path. All such alterations are sought through the SRO. The NAR has a roundabout junction at its western end and links through to the location of Treliske Hospital joining the highway network at that point just before the existing roundabout near the hospital site. Construction of the NAR is underway on the Council owned land and at the site visit I saw that the western end roundabout was largely in place.
12. The NAR is deliberately designed to be winding in order to naturally reduce traffic speeds. This design, which also accounts for the varied topography can be seen in Fig 1 below.

Figure 1: The route of the Truro Northern Access Road



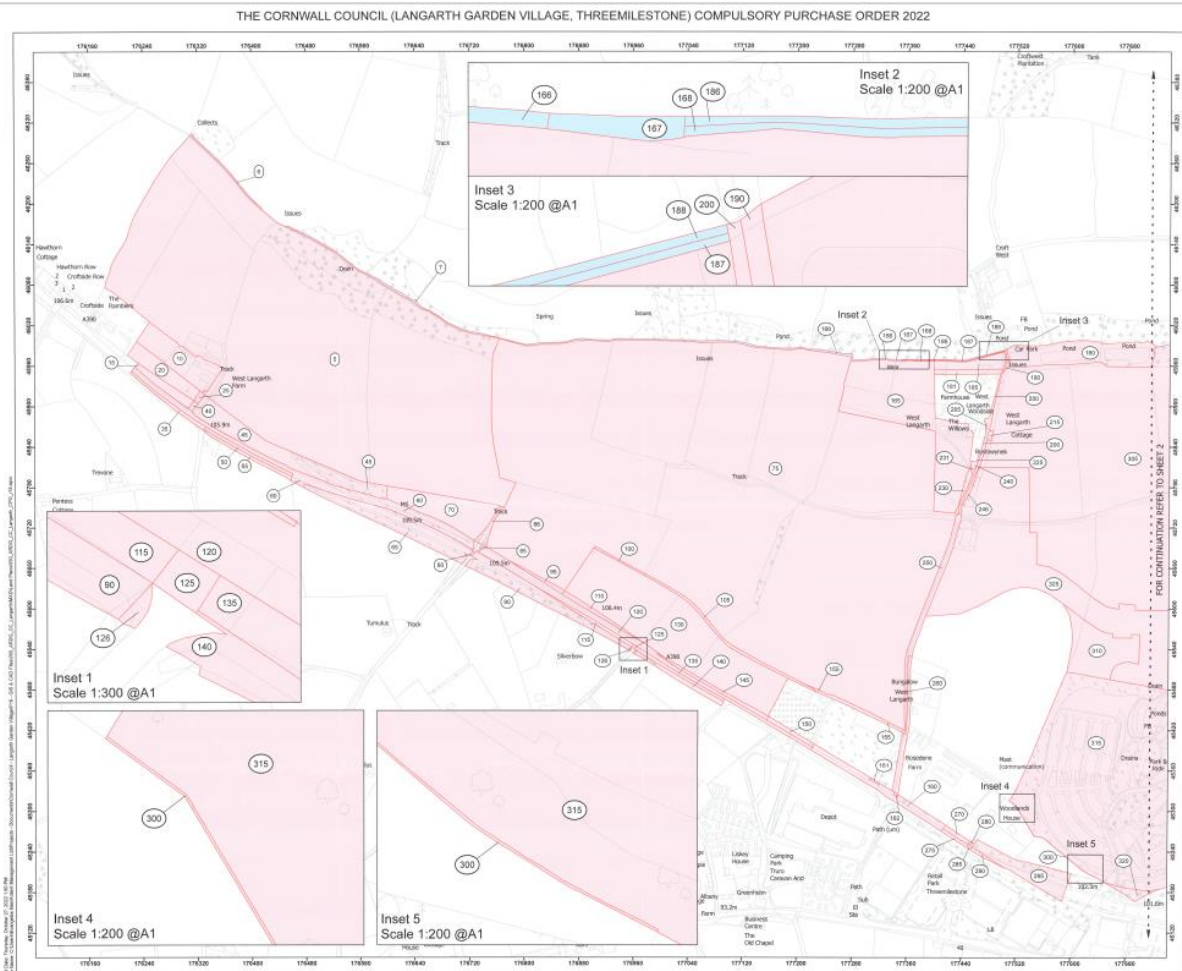
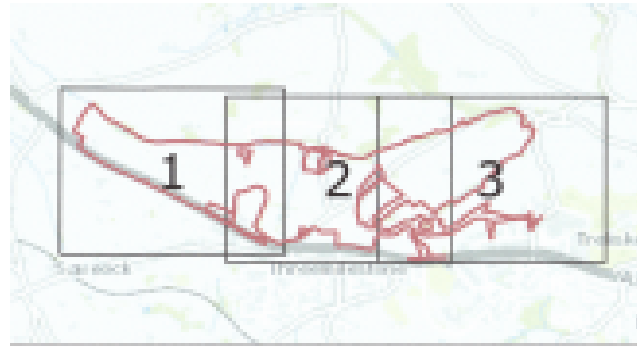
² Core Document 7.13

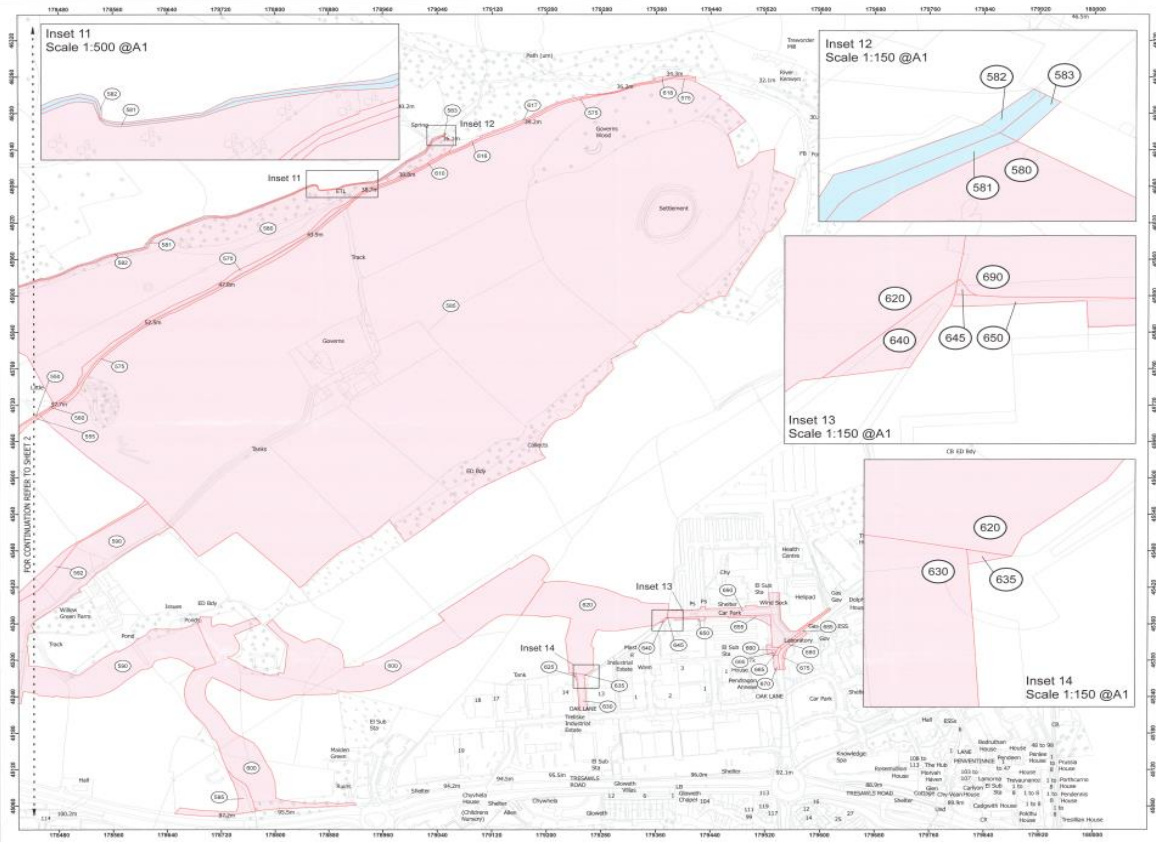
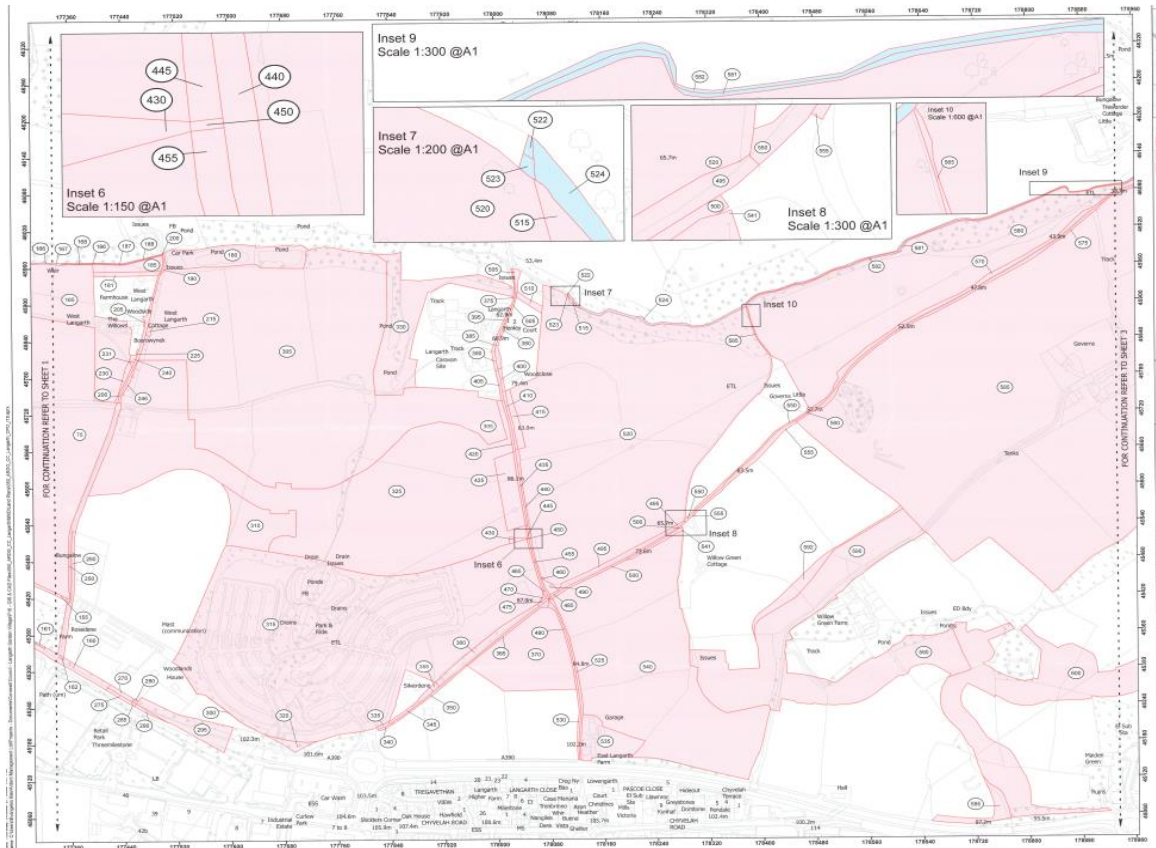
³ Changes as discuss at the Inquiry as had been confirmed in the email from Lucy Thomas dated 19 January 2024

Introduction to the CPO

13. The CPO extends significantly beyond the extent of that required for the SRO and amounts to some 175 hectares sought to create the Garden Village. The site is located at the western edge of Truro near its main facilities including the County's main hospital.

Figures 2, 2a 2b, 2c: The extent of the Langarth Garden Village CPO





14. The LGV comprises a phased development of up to 3,550 dwellings, plus 200 extra care units and 50 units of student/health worker accommodation. The Scheme provides for five local centres, a local health care centre, a centre for emergency services, up to two primary schools, business and commercial space and a public house/brewery. In terms of greenspace the Scheme incorporates policy compliant levels of open space, including a suitable alternative natural greenspace (SANG) and a community farm and allotments. It also makes provision for an energy centre (the Energy Centre) and renewable energy provision, as well as an extension to the existing Park and Ride. As established above it also incorporates a new central access road and access junctions onto the A390, and associated works - collectively known as the NAR.

The SRO and CPO

The CPO

15. The Order Lands are required for the purpose of constructing the LVG, the NAR and implementing the SRO.
16. The CPO individual plots are depicted on the CPO Map and are more fully described in the Schedule⁴. Similarly, the SRO Maps and Schedule set out the details for the SRO.⁵ The CPO Scheme includes plots that are to be acquired on a permanent basis (pink plots) and plots where new rights are required (blue plots). In total there are 152 plots in the CPO 14 of which relate to the acquisition of new rights. The Council instructed land reference agents to compile a schedule of third-party interests, which was added to with other qualifying interests after enquiries, site visits and questionnaires. The 'pink' and 'blue' plots are identified within the CPO schedule and also set out in the Council's evidence⁶.
17. At the time of the Inquiry 114 of the plots were within the existing public highway or are already in the Council's ownership. A further 13 plots comprised unregistered land in unknown ownership and 5 plots are owned by the Royal Cornwall Hospital Trust with whom the Council has reached agreement. The remaining 20 plots are in the ownership of 8 private landowners and agreements had been reached to acquire land and rights with all of them such that all remaining objections had been withdrawn. At that point 90% of the Order Lands by area (amounting to 388 acres) was in the control of the Council through acquisition of freehold interests.
18. The Council explained that it has limited the extent of third-party land included within the Order Lands to only that necessary for delivery of key strategic infrastructure required to facilitate delivery of the Scheme in accordance with the planning permissions. It had arrived at the extent of the Order Lands by identifying the extent of the Scheme and omitting the land not required to meet the key objectives of; being able to directly control the delivery of 68% of the development by housing units, both

⁴ CD4.01 and CD4.02

⁵ CD4.03 and CD4.04

⁶ Table 2 and Table 3 CD6.13

school sites, the SANG and the Park & Ride Extension, and; being able to facilitate the coherent delivery of the remaining mixed use, masterplanned, landscape-led community to be known as LGV. In addition, it omitted any site capable of independent viable delivery by existing landowners that would therefore be likely to come forward without the need for public sector intervention⁷.

19. The 'blue' plots are required principally to: provide the right to enter onto land adjacent to the Site to facilitate the installation and future maintenance of new surface water drainage infrastructure; and, to provide the right for surface water to drain across adjacent land to reach the watercourse. One of these 'blue' plots is unregistered and the Council explains it has not been possible to identify the owner despite press and site notices.
20. It is noted that in respect of 22 plots, the mines and minerals are excluded from the freehold title. It has not been possible to identify the name and/or address of the current owner of the mines and minerals interest and these plots are therefore included within the Order Lands in order to acquire these interests. Further, in respect of 8 plots there are leasehold/occupational interests which it is necessary to bring to an end in order to facilitate delivery of the Scheme. While these plots have been included within the Order to ensure that vacant possession of the land can be achieved, the Council is actively managing these interests to allow the Council to bring the interest to an end by the point in time at which vacant possession is required to allow construction of the Scheme. In respect of one of these (plot 650), agreement has been reached with the leaseholder to amend their leasehold boundary as an alternative to the use of compulsory purchase powers in respect of their interest in the plot.
21. At the time of making the CPO 48 plots were public highway where the freehold is unregistered. In respect of 28 of these highway plots, the Council is presumed to already be the owner of the underlying subsoil beneath the highway crust and/or roadside verges and footpaths under the *ad medium filum*⁸ rule up to the halfway point. Here, the Council is relying on the CPO to both confirm its land ownership position up to the halfway point and to acquire the freehold interest in the remaining half. In total, these highway authority plots account for 8 acres of the Order Lands (less than 2%) by area. A further plot, Plot 565, is a watercourse forming the boundary between plots 520 and 580 where the Council is the freehold owner in both cases and thus presumed to be the owner of the entirety of the watercourse under the *ad medium filum* rule.
22. Additionally, 16 plots comprise land where the freehold title is unregistered and the land is not public highway and so no presumptions can be made as to ownership. It has not been possible to identify the relevant owner despite press and site notices. Here, the Council is relying on the CPO to

⁷ The list of 'excluded' land is set out in Table 1 CD6.13

⁸ *Ad medium filum* – up to the middle line - where the landowner at the side of the highway or non-tidal watercourse presumes ownership up to the middle of that highway or non-tidal watercourse unless there are other established ownership rights

facilitate engagement and acquire the interest. In total 9 plots are owned by the Royal Cornwall Hospital NHS Trust (RCHT / 'the Trust'). Agreement has been reached with the RCHT regarding the construction of Stage 5 of the NAR, including the agreement of RCHT to the dedication of the existing access road as public highway as an alternative to compulsory purchase⁹.

23. Following the advice at paragraph 204 in Section 14 of the CPO Guidance¹⁰ the CPO has been drafted to exclude the AA's interests. The Council either acquired its existing interests in the Order Lands for the purpose of the Scheme, or has otherwise appropriated it for such purposes, which allows for the use of the powers in Section 203 of the Housing and Planning Act 2016 to override easements and other third-party rights that affect the Order Lands and might otherwise present an obstacle to the delivery of the Scheme.
24. There are a number of gas, water and electricity undertakers and telecommunications operators with interests in the Order Lands to whom section 16 of the Acquisition of Land Act 1981 would apply. As a result of discussions, no objections to the CPO have been received from any of the statutory undertakers with existing apparatus within the Order Lands.

The SRO

25. The SRO supporting the Scheme is required to:
- Create new public highway – to create the NAR, access tracks to ponds, new side roads and bridleways¹¹.
 - Make changes to existing public highway – where it is severed by the NAR and is reconnected to maintain access for highway users¹².
 - Amend existing private means of access (PMA)– where impacted by the NAR to provide reasonably convenient alternative access to private property¹³.
26. The NAR would be a 3.5km long single carriageway with associated access junction arrangements onto the A390, new junctions to the quiet lanes, Treliske Industrial Estate and Royal Cornwall Hospital. The purpose of the road is to provide access to the new development and to improve access to the Park & Ride, hospital and industrial estate. The proposed character of the NAR, especially compared to the previous permissions, is one of the defining features of the proposals as it is designed to give significant priority to unmotorised movements.
27. The road construction would comprise earthworks, drainage, fencing, diversion of existing and provision of new utility apparatus, carriageway, footways, cycleways, road signs and markings, verges, swales, basins and

⁹ CD5.03

¹⁰ CD5.04

¹¹ CD4.05 para 10.20

¹² CD4.05 para 10.21

¹³ CD4.05 para 10.22 and 10.23

ponds, landscaping, accommodation works, temporary storage of materials and temporary construction offices and compounds.

28. These works, some of which are well underway, comprise construction of:
- Work No.1 – A new at-grade junction at West Langarth with widened and realigned A390 approach roads and connection to the NAR.
 - Work No.2 – Completion of the Interim Link Road surfacing and finishes to create a bus gate and construction of a shared use path alongside the A390 in highway verge to connect to the path at the Langarth Park & Ride.
 - Work No.3 – The NAR incorporating two 2 metre wide footways and a 3 metre wide segregated cycleway, including side road connections to maintain access to the public highway and stub junctions to development parcels.
 - Work No. 4 – New link roads; the eastern link road (connection to A390) and Oak Lane Link, to connect the NAR to the existing highway network and maintaining access to existing premises.
 - Work No.5 – The NAR connection to the public highway at Penventinnie Lane adjacent to the Royal Cornwall Hospital, Treliske, incorporating a 2 metre wide footway and a 3 metre wide shared use path maintaining access to existing premises.
 - Work No.6 – Side road connections from the NAR to relocate and maintain PMA.
29. The Council is satisfied that as respects each length of highway being stopped up pursuant to the SRO, that another reasonably convenient route is available or will be provided before that length is stopped up and as respects each length of PMA to be stopped up pursuant to the SRO, that other reasonably convenient means of access to relevant premises are available or will be provided before that length is stopped up. At the Inquiry all remaining objections to the SRO had been withdrawn.
30. Failure to confirm the SRO would prevent the necessary changes being made to the local highway network to enable the implementation and delivery of the Scheme.

2. Procedural Matters and Statutory Formalities

31. The AA confirmed at the Inquiry that it had complied with all necessary statutory formalities in relation to both the CPO and the SRO. This compliance was not disputed.

32. The AA has submitted a planning application and planning permission has been granted in relation to the proposed Scheme¹⁴. The planning permission was accompanied by an Environmental Statement (ES).
33. The planning application was a 'hybrid application' wherein the first part (Part A) grants full permission for the NAR and the second (Part B) authorises outline permission for the masterplanning of the mixed use Garden Village development.
34. There are known Crown interests within the Order. RCHT has agreed to grant a license over the relevant plots to allow for construction works and for the Trust to dedicate its interests in this land as public highway. The Trust did not object to the CPO. The Department of Health and Social Care (DHSC) has rights in terms of maintaining a water drain (plot 620) and a right of access (plot 690). This latter plot becomes public access following agreement with the Trust set out above and so access is not an issue. The Scheme will not impact on the DHSC right to construct and maintain a water drain across plot 620.
35. The Defence Infrastructure Organisation (DIO) interest relates to an abandoned aviation fuel pipe which originally ran from Falmouth docks to RAF St. Mawgan (now Newquay Cornwall Airport) and which intersects with a section of the NAR (plot 600) and continues northwards through Governs Farm (plot 585). Although originally operated by the Ministry of Defence, it is now managed by the British Pipeline Agency (BPA). The pipeline was subsequently made redundant and decommissioned. While the pipeline is in situ, the DIO does not have any registered legal interest in the land to be acquired. The BPA has confirmed to the Council (through its agent Cormac) that there is nothing to prevent the abandoned pipeline from being removed as required during the Scheme works. The pipeline was capped at the extents of the works on 20 December 2023. The pipe itself will be removed later during the earthworks operation to create the NAR¹⁵.
36. There are two heritage assets situated within the Order Lands. A listed milestone sits within Plot 60. The listed milestone will be relocated to the south side of the A390. Listed Building Consent to relocate the listed milestone was granted by the Council on 5 April 2022¹⁶. Notably the Inquiry was told that the milestone is not in its original location which, given the errors with its relocation, detracted from that key part of its significance and special interest. As such the relocation to a functionally appropriate location was considered acceptable.

¹⁴ CD3.01

¹⁵ See letter from DIO at Andrew Hector's appendices AH3 to his POE CD6.13

¹⁶ CD3.12

37. A scheduled monument (Penventinnie Round, at Governs Farm) sits within Plot 585. No works are proposed to the scheduled monument with the layout and design of the Scheme ensuring provision of strategic open space/SANG at Governs Farm which will serve as the setting of Penventinnie Round and facilitate its ongoing management and maintenance.
38. I have taken all of the documents relating to the planning permission into account in reaching my recommendation.
39. The CPO Scheme as submitted is the published Scheme, without modifications. Minor alterations have been made to the SRO at the request of the Department for Transport. These relate to administrative matters only and do not alter the requirements of the SRO.

3. Description of The Order Lands and Surroundings

40. The Scheme is located within the administrative boundary of the Council which is the relevant highway authority and the local planning authority.
41. The Order Lands are situated in the parish of Kenwyn, to the west of Truro and cover some 175 hectares. Truro is a city with a population of circa 23,000 people (2021 census) and also serves wide rural hinterland. Truro's western suburbs cross the boundary into Kenwyn parish. Leaving Truro on the A390, leads into the settlement of Threemilestone, which has a population of circa 3,000 people (2021 census).
42. The land is predominantly undeveloped farmland and unregistered existing highway. However, the boundary of the planning application for the Scheme excludes the parcels for land earmarked for the former Stadium for Cornwall (now the Truro Sports Hub), Hendra retail development, and a petrol filling station (PFS) and hotel/'drive thru' developments, to the east. These development parcels were not required to deliver the NAR and related enabling infrastructure. The hybrid application boundary incorporates all the land needed to deliver the NAR and the infrastructure for a comprehensive masterplanned Garden Village along with a Park and Ride site.
43. The land, as seen at the site visit, therefore consists mainly of open fields, with some hedgerows and treed areas with a sloping topography where, in general terms, it drops away from the existing main road into a valley to the north-east. This area is traversed by existing roads and footpaths.
44. The most north-eastern area of the site would remain as open space around a historic site of former settlement. The centre of the site is where the existing Park and Ride and its proposed extension are located.

4. Law and Policy

45. The SRO is made under Sections 14 and 125 of the Highways Act 1980. These provisions allow the SoS, by Order, to authorise the stopping up of any highway or PMA and the provision of any improved or replacement

highway, footpath and PMA, or new means of access to premises adjoining or adjacent to a highway. For an Order stopping up a PMA under section 125 of the Act to be approved, the SoS must be satisfied that continued use of the access is likely to cause danger to, or to interfere unreasonably with, traffic on the highway, and either no access is reasonably required, or that another reasonably convenient means of access to the premises is available or will be provided¹⁷.

46. It is a requirement that provision be made for the preservation of any rights of statutory undertakers in respect of their apparatus. As noted at Paragraph 24 above there are no objections in this regard.
47. The CPO was made under the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 and the Local Government (Miscellaneous Provisions) Act 1976.
48. Section 226(1)(a) of the Town and Country Planning Act 1990 enables an AA with planning powers to acquire land if they think that it will facilitate the carrying out of development, redevelopment or improvement on, or in relation to, the land being acquired and it is not certain that they will be able to acquire it by agreement.
49. The CPO would authorise the acquisition of land and rights for the construction and improvement of highways and new means of access to premises in pursuance of the SRO. It would also authorise the acquisition of land to enable the construction of the LGV.
50. In addition to the tests detailed above, the Guidance¹⁸ stipulates that, for land and interests to be included in a CPO, there must be:
 - a compelling case for acquisition in the public interest;
 - that this justifies interfering with the human rights of those with an interest in the land affected;
 - that the AA has a clear idea of how it intends to use the land it seeks to acquire;
 - that the AA can show that all necessary resources to carry out its plans are likely to be available within a reasonable timescale; and
 - that the scheme is unlikely to be blocked by any impediment to implementation.

The Policy Context

51. The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England. At the heart of the Framework is a presumption in favour of sustainable development, which should be considered through both plan-making and decision-taking. The

¹⁷ CD5.05 Local Authority Circular (Department of Transport) 1/97: Highways Act 1980

¹⁸ CD5.04 The Guidance on Compulsory Purchase process and The Crichel Down Rules

Framework is clear that sustainable development includes the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. Economic, social and environmental objectives are set out along with an emphasis on taking local circumstances into account.

52. The Development Plan for the Scheme area comprises the Cornwall Local Plan Strategic Policies 2010-2030¹⁹ (adopted in 2016) and the Truro and Kenwyn Neighbourhood Plan Revision 2015-2030 (approved in May 2023)²⁰. The latter plan shows the LGV site within its policy maps and follows the 2016 Neighbourhood Plan. The Planning Permission is accompanied by a series of Parameter Plans and Design Codes so that the LGV is masterplanned in detail from the outset.²¹
53. A number of Supplementary Planning Documents are referred to which deal with specific matters including climate change.

5. The Case for the Council [Acquiring Authority- AA]

Introduction for the AA

54. This summary contains all material points in relation to the AA case and it is substantially based upon the closing submissions of the AA. It is also taken from the evidence given on behalf of the AA and from other documents submitted to the Inquiry. The SoS is referred to the AA's closing submissions²² which contain details of the AA's case.
55. In total, the Order Lands comprises 152 CPO plots in public and private sector ownership. Of the total 152 plots, 14 are required for the acquisition of new rights.
56. In total 114 of the plots lie within the existing public highway or are already in the Council's ownership. Of the remaining plots, at the time of the Inquiry 13 comprise unregistered land in unknown ownership and 5 plots were owned by the RCHT with whom the Council has reached agreement. The remaining 20 plots are in the ownership of 8 private landowners and agreements have been reached to acquire land and rights with all of them. Therefore, at the date of the Inquiry, the Council owns or has agreed terms to acquire all plots other than those for whom the landownership was not known.
57. The Council has limited the extent of third-party land included within the Order Lands to only that necessary for delivery of key strategic infrastructure required to facilitate delivery of the Scheme in accordance with the hybrid planning permission.

Planning

58. There is no challenge to the Scheme's compliance with the planning framework. As the relevant witnesses explained, planning permission and

¹⁹ CD2.03

²⁰ CD2.07

²¹ CD3.02- 3.03D and associated documents within CD3

²² CD7.12

listed building consent have been granted for the Scheme. The relevant permission and consent are as follows:

- the Hybrid Planning Permission (5 April 2022)²³; and
- Listed Building Consent to relocate listed milestone.²⁴

59. Neither the hybrid permission nor the consent was subject to legal challenge and they remain extant and capable of implementation. As set out in the documentation²⁵ the permission and consent are subject to typical conditions which are all capable of being discharged within the required timeframes.
60. Two non-material amendments (NMA) have been made in relation to the detailed element of the Hybrid Planning Permission and one application is pending in relation to the outline. These are an NMA to clarify the compliance triggers for condition 17 (Cornish hedges) dated 30 August 2022; an NMA to change the alignment of a side road access dated 23 September 2022; and an NMA application to amend the Parameter Plans for West Langarth area validated 7 August 2023. These NMA decisions demonstrate the flexibility of the Hybrid Planning Permission to adapt to changing planning circumstances and delivery needs over time.
61. Considerable progress has been made in terms of discharging conditions and obtaining reserved matters approval. This demonstrates a lack of impediments and a firm intention to deliver the Scheme. In particular:
- LGV LLP submitted and received approval for the development of the SANG at Governs Park, providing 35.92 Hectares of open space and key ecological mitigation and green infrastructure;
 - the Council, via Cormac, has submitted a reserved matters application for the East Langarth Junction which is in line with the positive pre-application advice received;
 - LGV LLP has submitted a reserved matters application for green infrastructure and utilities enabling the first development phase, to provide a framework for future delivery of residential plots;
 - the Council, via its Education Team, has submitted a reserved matters application for the first primary school for Langarth;
 - LGV LLP has also submitted condition discharge applications in respect of the Neighbourhood Design Code for West Langarth, in accordance with the requirements of planning conditions 8 and 9 to the outline element of the Hybrid Planning Permission.

²³ CD3.01

²⁴ CD3.12

²⁵ CD6.06 Appendices Mr Grove White

62. The AA's evidence explains in detail, with reference to the Hybrid Planning Permission²⁶, why the purposes for which the CPO Lands are being acquired fits with the planning framework which consists of:
- the Cornwall Local Plan 2016-2030;
 - the Truro and Kenwyn Neighbourhood Plan 2023 (replacing the former Truro and Kenwyn Neighbourhood Plan 2016 which was extant when the Hybrid Planning Permission was granted);
 - the National Planning Policy Framework; and
 - a number of supplementary planning documents, most notably the Climate Emergency Development Plan Document (21 February 2023).
63. In terms of the Local Plan, Policy 2a sets the Council's housing target and apportions Truro and Threemilestone a target of 3,900 new homes with a further 1,200 new homes targeted in the wider Truro and Roseland Community Network Area residual area. The Scheme constitutes a significant proportion of those homes and is the single largest remaining strategic site.
64. The Scheme was designed with Local Plan Policy 2 firmly in mind and it delivers on all three of the Council's strategic policy objectives of respecting and enhancing quality of place; providing solutions to current and future issues; and generating and sustaining economic activity. The Scheme strives to create a place that respects its environment and heritage, in line with the first strategic objective.
65. The masterplanning process has looked to the future with a view to providing solutions to current and future issues, in line with the second strategic objective. This has included seizing opportunities to address climate change challenges in terms of energy storage and production as well as local food production. It also includes finding opportunities for strategic new areas of green infrastructure, embracing technological change in transport and supporting public transport and active forms of travel. Consistent with the third strategic objective, the Scheme will integrate with neighbouring land uses and promote economic activity by, among other things, incorporating complementary land uses. The Scheme also supports Truro's wider role as an economic and service centre by providing new homes, infrastructure, and facilities where they are needed to service existing economic activity.
66. The Scheme provides a housing mix and 35% affordable housing in accordance with Local Plan Policies 6 and 8 respectively.

²⁶ CD6.05 POE Mr Grove White

67. The design complies with Local Plan Policy 12 which seeks to ensure Cornwall's enduring distinctiveness and to maintain and enhance its distinctive natural and historic character. The masterplan is underpinned by a landscape-led design process, which is informed by extensive consultation and a strong ethos of place-making and sustainability. This process has carefully and sensitively considered the existing natural and historical context and how the Scheme can, through design, contribute to all three dimensions of sustainability. The Hybrid Planning Permission secures a Design Code which carefully considers and responds to each of the limbs in Policy 12, from character, layout, movement, and adaptability, to minimising neighbour impacts and maximising opportunities for private amenity and public open space. The Design Code provides a robust mechanism to ensure the design ambitions of the Scheme are taken through to implementation.
68. In line with Local Plan Policy 25 (Green Infrastructure) the Scheme is structured around a strong framework of green infrastructure. This green infrastructure framework provides the skeleton for the Scheme, joining up parts of the body of the Site. It has multiple functions, from open space, recreation, local food production and providing routes for walking and cycling; to sustainable surface water drainage management and a means by which to promote biodiversity and heritage values. The ongoing management and maintenance of green infrastructure is secured via the section 106 agreement accompanying the Hybrid Planning Permission.
69. Finally, in terms of Local Plan Policy 27 (Transport and Accessibility), the design of the Scheme is based around a number of key movement features which have been developed as a direct response to Policy 27. Among these, the NAR takes centre stage. It provides an essential route across the Site and diverts a proportion of traffic from the A390. The road is designed to provide high quality cycle and walking facilities along its route. Additionally, the Local Transport Plan and accompanying implementation plans, as well as the Infrastructure Delivery Plan, that accompany the Local Plan all highlight the importance of the Park & Ride within the Site in reducing car trips into Truro and list the NAR as one of the schemes proposed during 2015-2019.
70. Turning to the Truro and Kenwyn Neighbourhood Plan 2023, Policy H3 allocates the Site for a mixed use community and provides development plan support for a comprehensively masterplanned approach for the area. Policy H3 provides policy support for the NAR, the development of a series of coherent and comprehensively planned neighbourhoods, early implementation of key strategic infrastructure, development which responds to local character and plans for a coherent network of multi-functional green infrastructure and the creation of wooded landscapes across the Site.
71. The Scheme achieves a strong degree of compliance with Policy H3 and meets its overarching ambition for Langarth being a masterplanned

development which provides benchmarks of good quality development and/or appropriate level of design coding.

72. It is no surprise that the Scheme complies with Policy H3. The Hybrid Application was prepared in response to the then extant Truro and Kenwyn Neighbourhood Plan 2016, the supporting text to Policy EJ2 of which recognised that "recent planning permissions at Langarth will create substantial new communities in the west of the plan area". As such:

- the masterplan was developed following the Government's Garden Community key qualities, in line with Policy E1 (Sustainable Development) of the 2016 Truro and Kenwyn Neighbourhood Plan;
- the masterplan was developed using a landscape-led approach with a focus on the development of a comprehensive network of green infrastructure. This network performs multiple functions, from recreation, movement to drainage, in line with Policies E2 (Sustainable Drainage) and E5 (Green Infrastructure).
- in accordance with Policies E5 (Green Infrastructure), E6 (Character and Setting of Settlements) and E7 (Character of the Highways and Byways), the proposals for the Site are based on an extensive analysis of the area which has sought to work with the historic and natural character and landscape, including, but not limited to, features such as retaining hedgerows and the quiet lanes as part of the fabric of the Scheme.
- the Scheme also capitalises on opportunities for the provision of allotments and a community farm, in line with Policy E5 (Green Infrastructure).
- the detailed design and layout of the new homes will be subject to reserved matters applications, but these will be guided by parameters set by the Parameter Plans as well as the Design Code. The Design Code incentivises the use of high quality, energy efficient design and accessible layouts, in accordance with Policy E4 (Building Quality).
- in line with Policy T3 (sustainable transport), the Scheme follows the movement hierarchy set out in the Truro and Kenwyn Neighbourhood Plan. The Site is well served by public transport and the Scheme is designed to incentivise a modal shift to non-car borne modes of travel through the provision of cycle and walking routes within and from the Site.
- in accordance with Policy T3 (Sustainable Transport), the Scheme incorporates a range of local centres and arrival spaces across the Site to improve accessibility for local residents to services by non-car mode. This approach to accessibility is supported by the Scheme's

approach towards density, with higher densities providing more walkable neighbourhoods. It is also supported by the design approach to the NAR which prioritises pedestrians and cycles and provides regular bus stops within walking distance across the Site.

- contributions towards wider network improvements and other measures to reduce congestion are secured by the section 106 agreement, in line with Policy T1 (Transport Strategy Contributions) and the Truro Sustainable Transport Strategy. The Planning Permission is supported by a Framework Travel Plan. Occupier travel plans are secured through the section 106 which accompanies the Hybrid Planning Permission.

73. The Scheme is also strongly in accordance with the National Planning Policy Framework (2023), most notably because:

- it significantly boosts the supply of new homes and provides a policy compliant level of affordable housing in line with paragraphs 60-68;
- it is designed around the Government's Garden City principles following extensive community engagement thereby meeting the objectives of paragraph 73;
- it will not just provide new homes near existing jobs, it will also create opportunities for local employment to support the new community thereby helping to build a strong, competitive economy as required by paragraph 85;
- it incorporates a mix of uses and neighbourhood and local centres, promotes pedestrian and cycle use and makes provision for safe and accessible green infrastructure, sports facilities, local shops, allotments etc and thereby promotes healthy and safe communities in line with paragraphs 96-97;
- it provides high quality open spaces and opportunities for physical activity in line with paragraph 102. The emphasis placed on the green infrastructure networks as demonstrated by the Council's decision to acquire land at Govers Farm to deliver SANG, demonstrates the depth of the commitment to this aim;
- it promotes sustainable transport in line with paragraph 108; and
- it is focused on a location which is or can be made sustainable in accordance with paragraph 109. The location of the Scheme provides an opportunity to take advantage of existing public transport networks and facilities (including the existing Park and Ride which will be expanded) and the physical proximity of key services and employers

such as the Royal Cornwall Hospital, the Industrial Parks at Treliske and Threemilestone, and Truro and Penwith College.

74. Accordingly, the purpose for which the Order Lands are being acquired fits in with the adopted planning framework for the area and there are no planning impediments to implementation of the Scheme. Indeed, the AA says, this is precisely the type of development that the development plan demands. This alone is a compelling reason for the CPO and SRO to proceed.

Funding, Deliverability and Viability

75. For the reasons set out in Opening²⁷ and explained in the Council's evidence, the funding and viability of the Scheme is clear and there is a reasonable prospect that it will be delivered. There is significant construction work taking place on site, demonstrating the determination the Council and LGV LLP have to bring the Scheme to fruition on time. The CPO and SRO are now required so that the delivery of the Scheme in full, on time and within budget, can take place.

Contribution to the Economic, Social and Environmental Well-being of the Area

76. The evidence heard at the Inquiry and set out in the POEs²⁸ explain how the Scheme will promote the economic, social and environmental well-being of the area. Even when objections remained, there appeared to be no serious dispute that the Scheme would promote these matters. The Scheme will directly or indirectly support most aspects of the Council's agreed outcomes for Thriving and Sustainable Communities.
77. The following benefits are of particular note:
- the Scheme will provide an expected 3,800 new homes for a projected population in excess of 8,000 meeting the strategic housing needs set out in the Local Plan and Truro and Kenwyn Neighbourhood Plan 2023;
 - the Scheme will include a policy compliant 35% affordable housing, together with specialist housing;
 - the NAR will deliver significant highways and sustainable transport benefits, including:(a) it will attract approximately one third of the traffic that would otherwise run on the A390 thereby reducing congestion and improving journey times; (b) encourage and support pedestrians and cyclists thereby reducing traffic flow overall; (c) provide a secondary access for Treliske Industrial Estate which will reduce traffic congestion at the A390 Treliske roundabout by allowing

²⁷ CD7.05

²⁸ Phil Mason CD6.01, Tim Wood CD6.09, Gavin Smith CD6.03, Terry Grove White CD6.06

traffic from the Royal Cornwall Hospital and Treliske Industrial Estate to enter and exit the site from the West via the NAR rather than the A390; (d) provide a secondary access for the Hospital which will avoid the Hospital being reliant on a single access to the A390 primary road network, improving the resilience of the Hospital and affording an additional access for emergency vehicles as well as for deliveries, staff and visitors. It should be noted that the Hospital Trust strongly supports the Scheme; (e) it is a considerable improvement on the previous position whereby, landowners adopted the principle of the linking spine road across the Site but their individual development proposals were not well integrated in transport terms, they relied on piecemeal delivery, there were disconnections in the spine road route at site boundaries, the road and footway widths differed along the route, and each development proposed its own primary junction with the A390;

- the Scheme represents a comprehensive and masterplanned approach to development;
- the Scheme will be a high quality Garden Village informed by the Government's community qualities and locally set principles developed and adopted by the Langarth Stakeholder Group;
- the Scheme provides a mix of non-residential uses aimed at creating a self-sustaining connected community and helping to address an imbalance of people commuting to Truro from elsewhere for work, which imbalance has grown over the last 20 years;
- the Scheme promotes linkages to adjoining communities and effective integration to adjoining centres, facilities and employment sites to support the comprehensive planning of the area, including through facilitating extension of the existing Park and Ride;
- the Scheme coordinates and accelerates infrastructure delivery;
- the Scheme provides effective habitat/recreation mitigation via SANG;
- the Scheme provides a network of strategic green infrastructure to support a landscape led development;
- the Scheme provides above policy-compliant levels of Biodiversity Net Gain;
- the Scheme provides economic benefits in terms of construction and end-user period employment, including job opportunities which minimise the need for commuting;

- the energy strategy for the Hybrid Planning Permission will help the Scheme to support the delivery of an exemplar development to showcase low carbon living in line with the Council's commitment to tackling climate change;
- the Scheme delivers vastly superior planning outcomes compared to the previous planning permissions on the Site.

78. However if the Scheme were not to proceed there would be a significant risk:

- to the funding and delivery of the remaining section of the NAR, together with the Eastern Junction and the connecting link road between the NAR and the A390;
- to the delivery of a substantial proportion of the Council's planned housing delivery for the Truro area to the significant detriment of the thousands of Cornish people in need of that new housing; and
- that the substantial social, economic and environmental benefits of the Scheme will not be realised, representing a huge missed opportunity to meet strategic housing need in a truly sustainable and vibrant new community.

Alternatives

79. The rationale for the boundary for the CPO stems from the need to meet the identified engineering and design requirements of the Scheme. All of the CPO Lands is permanently required in order to facilitate delivery of the NAR and other associated infrastructure required to:

- directly control delivery of 68% of the development by housing units, both school sites, the SANG and the Park & Ride extension; and
- facilitate the coherent delivery of the remaining mixed-use landscaped community to be known as LGV.

80. There are no reasonable alternatives. There is no alternative location for the delivery of the Scheme which seeks to meet Truro's housing needs in a sustainable location adjacent to Truro. The principle of a new Garden Village at the Site is enshrined in the development plan, including the recently made 2023 Truro and Kenwyn Neighbourhood Plan. Nobody suggests that there is a reasonable alternative to the Site.

81. Furthermore, in terms of possible alternative forms of the Scheme, there is no evidence that the important objectives of the Scheme could be realised without all of the land included within the CPO.

82. The Council's evidence demonstrates that:

- The Council undertook a significant amount of work to identify the land required to deliver the NAR and associated infrastructure and provide for a comprehensive master plan for the Site. This included the assessment of multiple alternatives, including 16 options for West Langarth Junction, 14 options for the main NAR alignment, as well as six options for the Eastern Junction link and five options for the Oak Lane Link. The ultimate design chosen was selected because it performed best against the following criteria:
 - adherence to the LGV vision promoting walking and cycling for all ages and all abilities in accordance with the Council's Equality Duty;
 - reducing the need for vehicle use and reducing congestion on the A390;
 - creating a road alignment that encourages slower speeds;
 - minimising harm to the environment; and
 - delivering the NAR within the Housing Infrastructure Fund (HIF) funding.
- Where possible, the Council has sought to design the NAR to accommodate the needs of surrounding landowners. For example, the owner of Little Treworder Farm advised that he has numerous heavy goods vehicles and long tractor and agricultural trailer combinations that would need to be accommodated by the side road. Consequently, the side roads at Langarth Square were designed with those particular vehicles in mind and further technical amendments to construction drawings have been made after the SRO was made;
- The Council has taken a proportionate approach to identifying the CPO boundary by designing the Scheme around certain committed development. The Council has deliberately excluded land which is not required to deliver the NAR and enabling infrastructure where third-party developers have either commenced development or sufficiently evidenced a firm intention to commence development. For example, the Council has excluded the parcels earmarked for the former Stadium for Cornwall (now the Truro Sports Hub), the Hendra retail development, and a petrol filling station and hotel/drive through development to the east.

Negotiations

83. In accordance with the CPO Guidance, negotiations have proceeded in tandem with the formal process of pursuing the CPO. Given the large number of interests in the CPO Lands this is the only realistic way in which to proceed. In many instances negotiations have been fruitful and in others negotiations have and will continue. The detail of the negotiations were addressed in opening and the evidence.
84. The objections that were made and the Council's response to them is set out at Section 9 of the Council's Statement of Case. By way of an update, following withdrawal of all of the objections, the position is:
- CPO Objector Number 1: Ashfords on behalf of Mr Walker and associated companies Plots 555, 590, 592, 595, 600, 620 and 635 (permanent acquisition). The objection was withdrawn on 21 December 2023. The objection was withdrawn due to progress made in negotiations of a development agreement between the parties which is close to completion.
 - CPO and SRO Objector Number 2: Carter Jonas on behalf of Mr Ali and Ms Briggs Plots 165, 181, 185, 187 (permanent acquisition). The objection was withdrawn on 21 July 2023. The Council has acquired Plots 165, 181, 185 and 187 by agreement with the owner to facilitate delivery of the Bosvisack Corridor.
 - CPO and SRO Objector Number 3: Michelmores LLP on behalf of Ms Lutey and Ms Jones Plot 620 (permanent acquisition). The objection was withdrawn on 5 December 2023 as they no longer had a legal interest in the land to be acquired. The Council settled the objector's legal costs incurred in the negotiations prior to the objection being withdrawn.
 - CPO and SRO Objector Number 4: Spanview Limited Plot 524 (acquisition of new rights). This objection was withdrawn on 18 October 2023 having not responded to the Council's request for them to prove their interest in Plot 524.
 - CPO and SRO Objector Number 5: Savills on behalf of Mr Treseder and family Plots 166, 186, 522, 524 and 582 (acquisition of new rights). This objection was withdrawn on 5 January 2024. One deed of grant of easement has been completed. A second deed of grant of easement is in the process of being settled. The Council has provided an undertaking confirming access in perpetuity.
 - CPO and SRO Objector Number 6: Lodge and Thomas on behalf of Mrs Biondi Plot 70 (permanent acquisition). This objection was withdrawn on

22 December 2023. Documentation to secure the release of covenant is in the process of being settled.

- CPO and SRO Objector Number 7: Mr and Mrs Gordon Plots 225, 231 and 240 (permanent acquisition). This objection was withdrawn on 21 December 2023. The parties have entered a settlement agreement to secure relevant reciprocal rights across the land.
85. The absence of any remaining objections is testament to the fact that the Council has conscientiously complied with the requirements of the CPO Guidance in relation to negotiations.
86. Despite that (as one would expect with a Site as large and with as many affected interests as this) there is no reasonable prospect of the Council acquiring the remainder of the CPO Lands within a reasonable period of time and so the use of CPO powers is necessary.

Human rights and equalities

87. As set out in opening, the very significant public benefits of the Scheme justifies interference with individual rights. The Council has complied with its duties under the Equality Act 2010 and indeed the Scheme provides real equalities benefits.

Compelling Case in the Public Interest

88. The AA therefore notes that the final and overriding question that arises is whether there is a compelling case in the public interest for the compulsory acquisition. The AA say that can be tested in this way: would this part of Cornwall look, feel and function better with the Scheme in place than it does now, or if the previous planning permissions had been delivered? The AA think the answer is obvious – yes it would and that would bring considerable benefits to the Council’s whole area and indeed the wider region.

Last Resort for the CPO

89. The AA take the view that it has satisfactorily minimised, mitigated and avoided any adverse impacts of the CPO. It has done this by, amongst other things, thoroughly investigating alternatives and minimising the land required to that necessary to realise the Scheme’s objectives, by providing those affected with access to free independent professional advice and by providing full and fair compensation in accordance with the Compensation Code.

The SRO

90. The SRO is required to support the Scheme in order to:

- create new public highway, that is, the NAR, access tracks to ponds, new side roads and bridleways;
 - make changes to the existing public highway where it is severed by the NAR and is reconnected in order to maintain access for highway users; and
 - amend existing PMA where they are affected by the NAR in order to provide reasonably convenient alternative accesses to private property.
91. Section 14(6) of the Highways Act 1980 provides that highways shall not be stopped up unless another reasonably convenient route is available or will be provided.
92. Section 125(3) of the Highways Act 1980 provides that no means of access to premises shall be stopped up unless another reasonably convenient means of access to the premises is available or will be provided.
93. As explained by the AA's witness and the Council's Statement of Case:
- another reasonably convenient route is available, or will be provided, before each length of highway being stopped up pursuant to the SRO is stopped up; and,
 - another reasonably convenient means of access is available or will be provided, before each length of PMA being stopped up pursuant to the SRO is stopped up.
94. At the Inquiry the AA explained each of the specific lengths of highway and PMA to be stopped up and compared the reasonably convenient alternative that would be available. At the Western Junction, the little used pedestrian route will be moved slightly and the new route will be considerably safer with pedestrian crossings provided. The alternative side road route at the centre of the NAR will provide the benefit of enabling exit in both directions which the current arrangement does not. On balance this still results in an improvement even though the route will be slightly longer.
95. The AA explained it has taken care to ensure construction impacts are also minimised. The longest diversion during construction would be a 1.4km alternative route which would be in place for up to 6 weeks.
96. All of the objections to the SRO have been withdrawn and there is no evidence before the Inquiry to contradict the Council's evidence that the statutory tests are fully met.

Overall Conclusions for the AA

97. These submissions have sought to set out the fundamental reasons why the CPO and SRO should be confirmed along with the context for making the decisions on confirmation.
98. For all the reasons set out above and in the evidence presented to the Inquiry:
- there is a compelling case in the public interest for the confirmation of the CPO which justifies the acquisition and overriding of private rights;
 - there are no material impediments to the implementation of the Scheme other than the confirmation of the CPO;
 - no alternatives to the CPO Scheme as a whole exist;
 - the legal requirements of s.226 the Town and Country Planning Act 1990 and ss.14 and 125 of the Highways Act 1980 are satisfied;
 - there are no new material considerations which would justify a different approach to be taken to that of the Council in granting planning permission;
 - the policy requirements in the CPO Guidance and SRO Guidance for the Scheme are satisfied;
 - the confirmation of the CPO would be entirely consistent with the Framework and development plan;
 - the Council has fully complied with its equalities duties; and
 - confirmation of the CPO would be consistent with, and not breach, the human rights of the landowners affected.
99. The Council respectfully requests that the CPO and SRO be confirmed as sought. These submissions have sought to set out the fundamental reasons why the CPO and SRO should be confirmed along with the context for making the decisions on confirmation.

6. The Representations of Supporters

100. Three letters of support were submitted to the Inquiry. These were from the Town and Country Planning Association (TCPA), Lord Taylor of Goss Moor and the RCHT²⁹.

²⁹ CD7.01, CD7.02, CD7.03

101. In particular the TCPA states “we welcome the fact the Council has proactively sought to intervene and bring forward a comprehensive masterplan. In doing so, we note the strong principles on which the masterplan is founded, including community involvement, its response to the landscape and its reflection of the Council’s strong aspirations to adapt to and mitigate the effects of climate change”.
102. Lord Taylor of Goss Moor, who is chairperson of West Carclaze Garden Village Partnership sets out his view that “Properly planned, large scale development such as at Carclaze and Langarth are vital to Cornwall’s ability to provide good quality housing and infrastructure to address the identified needs of Cornwall. I welcome the fact that Cornwall Council use a range of tools to facilitate the successful delivery of such a scheme, and rightly using direct intervention in land assembly and delivery when necessary to achieve a successful outcome, an approach that the Council has willingly and confidently pursued in the interests of good place making at Langarth.”
103. The RCHT sets out that it “supported the Scheme at planning application stage in 2021 and remains committed to working in partnership with Cornwall Council to secure the benefits of the Scheme for the Trust and the wider community. The Trust welcomes the multiple opportunities presented by the Scheme, in particular, the improved access to the Hospital afforded by the NAR and the prospect of new homes for healthcare staff and students, close to the Hospital.”

7. Withdrawn Objections

104. Prior to opening the Inquiry all remaining objections to the Scheme were withdrawn. The written confirmation for this is set out in CD7.13. Those withdrawing objections are as follows: Mrs Ida Biondi; John and Beverley Gordon; Shirley May Jones and Elaine Nora Lutey as Trustees of Penventinnie Trust; Spanview UK Limited; Andrew Ross Treseder, Pamela Margaret Treseder and Louise Samantha Treseder and Andrew Ross Treseder and James Treseder as executors of the estate of Christopher Paul Treseder; Willow Green Developments Ltd, RJ Walker Ltd, Richard Jonathan Walker and Maiden-Green Limited; and Philip R Ali and Sally Brigg. In each case the withdrawing of the objections related to both the SRO and the CPO. The process of continued engagement throughout the earlier part of the Inquiry and subsequent to the PIM means that agreement had been reached in each instance.

8. Inspector's Reasons and Conclusions

Statutory Provisions and Guidance

105. The CPO seeks to acquire rights and ownership of land shown on the Order Map as detailed in the Order Schedule, for the purpose of securing the carrying out of development of the LGV and NAR. The CPO is made under the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 and the Local Government (Miscellaneous Provisions) Act 1976.
106. The SRO was made under Sections 14 and 125 of the Highways Act 1980. The tests require that the stopping-up of any highway or PMA is justified on the basis that: continued use of the access is likely to cause danger to, or to interfere unreasonably with, traffic on the highway, and either no access is reasonably required, or that another reasonably convenient means of access to the premises is available or can be provided. Full details are set out within the SRO and a list setting out the improvements, new highways, highways to be stopped up, PMA to be stopped up, and PMA to be created can be found in the Statement of Reasons.
107. The Government's most recent and updated Guidance on confirming Orders³⁰ ('CPO Guidance') states that AAs should use compulsory purchase powers where it is expedient to do so, and an Order should be made only where there is a compelling case in the public interest. The AA should demonstrate that they have taken all reasonable steps to acquire land and rights included in the Order by agreement. Compulsory purchase should only be a last resort to secure the assembly of land.
108. The CPO Guidance also states that any decision on whether to confirm an Order will be made on its own merits, but the following factors may be considered:
- whether the purpose for which the land is being acquired fits with the adopted local plan for the area;
 - the extent to which the purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area;
 - whether the purpose could be achieved by other means, such as through alternative proposals; and
 - the potential financial viability of the scheme for which the land is being acquired.

³⁰ CD5.04 The Guidance on Compulsory Purchase process and The Crichel Down Rules

109. Each of these matters therefore needs to be considered. However, first it assists to set out some background to the development of this area.

Background to the development Scheme CPO and SRO

110. This location has historically been designated for the expansion development close to Truro. The undisputed evidence presented sets out that in the early 2010s the landowners in the LGV area adopted the principle of a linking spine road across the Site as a whole. However, the varying status of planning permissions and stages of design development meant the NAR was not fully developed. Nor were the individual development proposals otherwise well integrated in transport terms. There would have been piecemeal delivery, as well as disconnections in the spine road route. At site boundaries, the road and footway widths would have been different, and each development proposal would have had its own A390 primary junction. Thus, in 2018, the availability of the HIF provided the Council with an opportunity to bid for funds to undertake its own design development work on the NAR. In reviewing the NAR design for the HIF bid, the Council considered the link road sections as presented in the then permitted developments but approached the design from the perspective of securing the best possible fit, given the topography and the Council's aspirations for a low-speed environment, ignoring individual land boundaries.
111. The AA explains that as well as incorporating updated planning and transport policy aspirations, the Council's design tried to balance the earthworks across the entire road length, rather than within each landholding. At this stage, the design for the NAR was developed only in sufficient detail for the Council to better determine the delivery constraints and risks such that a competent funding bid could be submitted and, if approved, the Council could deliver the road within the scope of the funding.
112. Following confirmation of the successful bid, in June 2019, the NAR design was reviewed in more detail. In August 2020 a funding agreement with Homes England (at the time trading as the Homes and Communities Agency) was reached.
113. The AA explains that the HIF bid, in 2018, and award, in 2019, were the key catalysts for the Council's decisions to take on a proactive role in planning and delivering the Scheme³¹ and work on the Council's masterplan and planning application for the Scheme (and ancillary consents) began in earnest. This included close liaison with nearby residents, landowners and those with other land interests in the Site³².

³¹ See CD6.01

³² See CD6.05

114. Throughout 2020 the access requirements across the Site were reviewed and, where necessary, changes made to the emerging NAR design to ensure continued safe access to the public highway network and to private land. This led to submission of the now approved Hybrid Planning Permission reflecting the policy position to which I turn to next.

Whether the purpose for which land is being acquired fits with the adopted local plan for the area

115. As set out above, the Development Plan for the Scheme area comprises the Cornwall Local Plan Strategic Policies 2010-2030³³ (adopted in 2016), the Truro and Kenwyn Neighbourhood Plan Revision 2015-2030 (approved in May 2023)³⁴. The latter plan shows the LGV site within its policy maps and follows the 2016 Neighbourhood Plan.
116. In terms of the Local Plan, Policy 2a sets the Council's housing target and sets Truro and Threemilestone a target of 3,900 new homes with a further 1,200 new homes targeted in the wider Truro and Roseland Community Network Area residual area. The CPO Scheme is closely linked to the Truro and Kenwyn Neighbourhood Plan. Its first iteration in 2016 identified a similar area and the 2023 revision reflects the planning approval associated with the Scheme. The housing, including 35% affordable housing, is a matter which the NHS Trust is clearly in support of given pressures in its sector.
117. As should be appreciated, there is planning permission, in hybrid form, for this comprehensive development. That permission is extant, has not been challenged and is in the process of being implemented with conditions being discharged and minor material amendments sought.

³³ CD2.03

³⁴ CD2.07

	The Neighbourhood	No. of residential units	Other uses
1	The Brake	987 new homes	NA
2	West Langarth	743 new homes	3FE School Approximately 34,000 sqm mixed commercial/leisure uses
3	Langarth	702 new homes	Energy Centre Park and Ride Extension 4,273 sqm employment/mixed use
4	Willow Green	222 new homes	Blue light services
5	Governs	503 new homes	2FE School Community Farm Community Hall/Library
6	Penventinnie	643 new homes	Approximately 28,000 sqm employment/mixed use

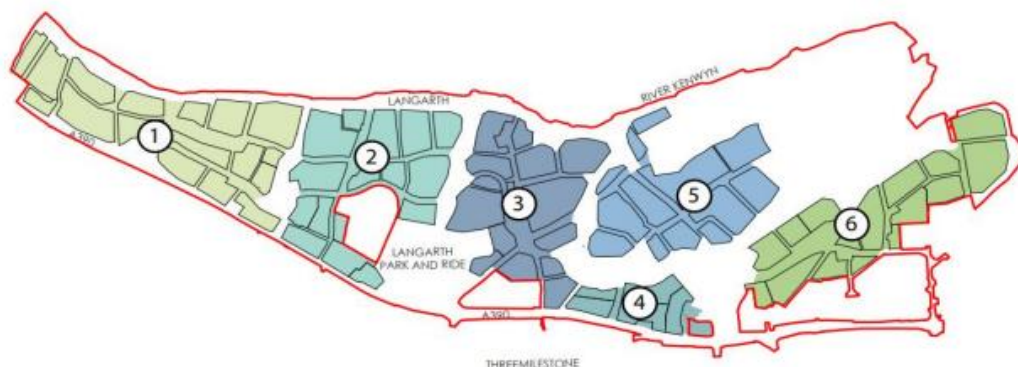


Figure 3: Taken from the Statement of Reasons to illustrate the masterplan

118. Turning to other policies, at the Inquiry there was no dispute around whether or not the Scheme would accord with the development plan. As set out by the AA, there would be accord with Local Plan Policy 12 in terms of Design given the extensive Design Code in place. There would also be accord with Policy 25 in terms of Green Infrastructure and Policy 27 regarding Transport and Accessibility. In particular there would be significant improvements to the cycle path network and the Park and Ride provision would be enlarged.
119. The Truro and Kenwyn Neighbourhood Plan 2023 (the current plan) allocates the Site for a mixed-use community and provides development plan support for a comprehensively masterplanned approach for the area under Policy H3.
120. This masterplanned approach adheres to the previous 2016 Truro and Kenwyn Neighbourhood Plan, in which Policies E1 (Sustainable

Development), E2 (Sustainable Drainage), E4 (Building Quality), E5 (Green Infrastructure), E6 (Character and Setting of Settlements), E7 (Character of the Highways and Byways), T1 (Transport Strategy Contributions) and T3 (Sustainable Transport) were all considered to be complied with in determining the planning permission.

121. Turning to the National Planning Policy Framework, as the AA sets out, there is strong adherence to national policy in terms of housing delivery. Notably, there has been a plan-led approach to identifying this land for homes. Moreover, it forms part of a holistic approach to development of a community. This would incorporate at least one school and be co-located with employment opportunities, commercial development and comprehensive consideration of the transport network, and green infrastructure needs / benefits. The Site clearly benefits from being sustainably located where there is ready access to the city, with its infrastructure, hospital and academic institutions as well as benefitting from public transport links of a main line station. Further detail of local and national planning policy is set out within the AA Statement of Reasons, including compliance with Supplementary Planning Documents (SPD) in respect of The Cornwall and West Devon Mining Landscape World Heritage Site, Housing and, Climate Change.
122. I am therefore satisfied that the land being acquired fits with the adopted local plan for the area and in doing so clearly reflects national planning policy.

The extent to which the purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area

123. LGV is intended to be a comprehensive and inclusive development designed with mixed uses to promote sustainable living and the well-being of its residents.
124. It would provide the infrastructure for the housing provision. That housing provision would include policy compliant affordable housing. This would include 200 extra care units and 50 units of student/health care worker accommodation. Within the housing and community areas there would be open space in addition to the SANG. The masterplan seeks to create walkable neighbourhoods with encouragement of walking and cycling and an integrated transport strategy, including extending the Park & Ride.
125. The site is located close to Truro which has seen an expansion including in employment which, in part, contributes to traffic congestion. The site is in close proximity (almost adjoining) two employment areas, the Threemilestone Industrial Estate and the Royal Cornwall Hospital site – Treliske. In addition, the Scheme seeks to create community work hubs

in Local Centres as part of the Garden Village ethos and to reflect greater home working.

126. The Scheme seeks to provide a sport and wellness quarter focused around the new stadium. This aims in turn to create a focus for facilities such as a gym, climbing wall as well as the stadium, creating a positive civic space and encouraging activity sought by the greenspace network including an approach to accessibility other than just by private car. Whilst there would be space for private vehicles, this would be integrated along with pedestrian and cycle use and to improve the environmental conditions electric vehicle charging would be a feature of the development. Public transport and the Park & Ride would further assist in managing transport requirements in an environmentally conscious way. This would not only benefit occupiers of the site but those using the road network in this part of Cornwall.
127. The Cornish hedges, a historic landscape feature of the site, would be retained and reinforced where possible in the interests of local character and creating wildlife habitat. The sustainable drainage systems would also provide for some bio-diversity. The existing semi-natural character would be retained near to the River Kenwyn and Penventinnie watercourse, while the landscape setting to the Penventinnie Round Scheduled Monument would be enhanced.
128. In addition, the Scheme provides scope for two schools and an energy centre to provide low cost green power to residents.
129. For these reasons, noting there is much greater detail within the Statement of Reasons and masterplan, I am satisfied that the Scheme would significantly and demonstrably contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of those future occupiers of the Scheme and the wider Truro and Kenwyn area.

Whether the purpose could be achieved by other means, such as through alternative proposals

130. The AA sets a clear rationale for the CPO in terms of the land required and that it is required permanently. In this regard the CPO provides for the majority, but not all, of the housing, the SANG, schools sites and the NAR.
131. The development is clearly established in principle through the plan led process and a development of this size could not be readily located elsewhere and certainly not in the sustainable location found here where it would be co-located with commercial uses, the hospital, educational facilities, and the mainline station. There is no-one suggesting it could go elsewhere.

132. At the Inquiry the clear starting point for the vision for the LGV was explained along with the history of this area with piecemeal permissions failing to deliver the housing requirement for the location. The CPO boundary reflects this by designing of the Scheme around committed development.
133. In terms of the CPO, the need for utilities, drainage and flood risk mitigation³⁵ for the LGV are, understandably, extensive. It also encompasses areas which fall outside the current ownership of Cornwall Council. The AA explains the networks have been designed, where possible, to be within public highway (including the NAR and existing road networks) or away from developable areas and outside the LGV development parcel boundaries. New rights are therefore being sought to facilitate surface water drainage discharge, or land acquisition to provide corridors for strategic utilities infrastructure. In limited areas, the CPO seeks to secure land to ensure that there is sufficient space for utilities and drainage to provide the necessary interconnectivity as part of the site-wide strategy for LGV. The AA notes that this is particularly important for strategic infrastructure where there are limited or no rights by statutory undertakers to cross third-party land, such as is the case for sustainable draining systems features and district heating.
134. I am mindful that this Scheme is ambitious in its objectives. The utilities and drainage strategy seek to make good use of the NAR as a 'spine' for the strategic power and telecoms network thereby minimising land-take. I agree that creating an accessible integrated infrastructure corridor is important for the success of the LGV and accept that this needs to be holistic to make use of good infiltration on the higher ground to the south of the NAR and to use attenuation features (ponds and basins) at the northern edge of the Site where infiltration is poor. This would result in a more environmentally sustainable use of land.
135. It is important to acknowledge that this Scheme seeks to be forward-thinking. Amongst other things, the AA points out the following: An Energy Centre is located at the centre of the Site on Council-owned land, comprising a single 24MVA primary substation, sized to serve the entire LGV, with capacity to support the Royal Cornwall Hospital to the east. It would provide for future (aimed for 2027-28) critical grid reinforcements between the Energy Centre and the main National Grid substation at Shortlanesend. Furthermore, three-phase local networks are intended for all household connections in order to cater for increased electrical demands due to decarbonisation and rooftop solar export. The aim is that this would sit alongside provision for battery storage and solar canopies over the Park & Ride. It also seeks to provide for geothermal and low carbon district heating for the LGV and potentially for the hospital.

³⁵ CD3.05 and 3.06

136. A single solution for foul sewerage has been designed, with flows being collected by gravity and pumped off-site to South West Water's upgraded Newham Wastewater Treatment Plant, some 4km east south east of the LGV. There is also a strategic phased approach to water supply by identifying the locations for future networks expansions as the LGV grows.
137. In all, the land and rights required to provide for the NAR and the LGV are necessary and proportionate to their delivery in the interests of proper planning of the area.
138. Other than land required to deliver the NAR and enabling infrastructure, the AA has been pragmatic about the CPO requirements. This is demonstrated where other developers have either commenced development or sufficiently evidenced a firm intention to commence development so that it need not form part of the CPO. Examples of this are the Truro Sports Hub (formerly Stadium for Cornwall), the Hendra retail development, and a petrol filling station and hotel/drive through development to the east of the Order area.
139. The AA has evidenced the significant amount of work in developing the route for and identifying the land required to deliver the NAR and associated infrastructure. It has provided for a comprehensive masterplan for the Site. In terms of the NAR alternatives, the AA looked at 16 options for West Langarth Junction, 14 options for the main NAR alignment, as well as six options for the Eastern Junction link and five options for the Oak Lane Link.
140. The final design selected for the SRO (with its direct link to the CPO) performed best against a number of criteria as set out by the AA above. In particular it; promotes walking and cycling for all reflecting the Public Sector Equality Duty; will help improve conditions on the A390 westwards out of Truro particularly during peak flow traffic times by creating an alternative route and by creating greater opportunities to cycle, walk and use public transport including the Park and Ride. In addition, the route has been created with a deliberately winding configuration, partly as that is appropriate in character and respects the environment and partly because it naturally reduces traffic speeds. Finally, it would deliver the NAR within the HIF funding.
141. The AA explains it has also sought to design the NAR to accommodate the needs of surrounding landowners. For instance, the side roads at 'Langarth Square' were amended in their configuration to accommodate the tractor/trailer/HGV sizes used at Little Treworder Farm making access better for that landowner. This positive engagement to get good outcomes for all is, no doubt, part of the reason why there were no outstanding objections to the SRO.

The potential financial viability of the Scheme for which the land is being acquired

142. As set out by the AA in November 2017, Cabinet approved a £70 million increase to the capital programme to support the development of the Scheme. In June 2019, the Government announced that the Council had been successful in its bid for £47.5 million of HIF towards the cost of delivering the infrastructure for the Scheme.
143. A review of the viability of the development of the 2,600 homes to be delivered on Council owned land (inclusive of the land to be acquired via the CPO) demonstrates that it is viable for the Council to deliver this significant element of the Scheme via land sales alone i.e. through the disposal of serviced parcels to third-party developers to take forward. However, there is further potential for additional revenue and profit to be achieved later on through a variety of joint ventures or build to rent schemes.
144. I am therefore satisfied that the land to be acquired is for a scheme where the potential financial viability has been considered and should be deliverable under anticipated circumstances.
145. Given the extant hybrid planning permission, the listed building consent and the energy centre permission, along with the progress on the NAR to date and the funding arrangements, it seems that the Scheme is unlikely to be blocked by any impediment to implementation. Moreover, and noting the ambitious size and scale of the Scheme along with its integrated Garden Village objectives, development would be managed through progress with the NAR and an associated phased approach to development. In essence, as set out in the Statement of Reasons, 'the delivery of the Garden Village Vision will be achieved through the implementation of infrastructure, the provision of serviced parcels and the subsequent sale of a number of separate but interlinked development plots promoted by a mix of public and private sector bodies. The overarching aim of the Scheme is to expand the choice and quality of housing within the area, together with the delivery of a range of higher value employment opportunities that together create an attractive and sustainable place for people to live, work, learn and spend leisure time'.

Conclusions

146. The CPO includes a schedule and plan of the land the AA seeks to acquire outright and that land over which it seeks to acquire rights. In accordance with the Guidance the CPO is accompanied by a Statement of Reasons. The AA's case in relation to the CPO is set out within that document.

147. The overall benefits in terms of providing the infrastructure necessary to facilitate the delivery of LGV with its housing, and other mixed uses including school facilities, SANG and Park & Ride, in a sustainable and plan-led settlement together with its infrastructure including the NAR with its improvements to the local highway network, when taken together, represent a compelling case in the public interest for the acquisition of the land.
148. I am satisfied that the AA has taken reasonable steps to acquire the land and rights as set out in the Statement of Reasons³⁶ by agreement. Negotiations with landowners have continued and all objections have now been withdrawn. The acquisition of the land represents an interference with the human rights of those affected but when balanced against the need for the land to facilitate the overall benefits of the Scheme, I conclude that the interference is proportionate and justified. The landowners will be able to claim compensation.
149. There is a clear purpose for the acquisition of the land and the necessary resources are available. The hybrid planning permission is in place and listed building consent granted in respect of the related milestone. I am further satisfied that there are no physical or legal impediments which are likely to block or delay the Scheme which, in part, is currently under construction.
150. Having regard to the Equality Act 2010 the Council has undertaken a review of the impacts of the decision to make both the CPO and the SRO together with the delivery of the Scheme on those with protected characteristics as part of its decision making process. The review concluded that there are unlikely to be any material adverse impacts on those with protected characteristics compared with those without that characteristic arising out of either the decision to make the CPO or the SRO or that would result from the delivery of the Scheme.
151. No residential or business occupiers are required to relocate as a result of the implementation of either the CPO or the SRO. Any PMA to be stopped up pursuant to the SRO are to be re-provided by an alternative reasonably convenient means of access to relevant premises before the stopping up takes place.
152. I consider that the purposes for which the CPO is promoted justifies interfering with the human rights of those with an interest in the land affected, having regard to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and the Human Rights Act 1998.

³⁶ CD4.06

153. I have found above that the AA has a clear intention as to how the land to be acquired would be used and a reasonable expectation that the necessary resources would be available to carry out its plans within a reasonable timescale. I conclude that there is a compelling case in the public interest for the CPO.

Recommendation for the SRO and notification of anticipated decision on the CPO

154. I recommend that The Cornwall Council (Truro Northern Access Road) (Classified Road) (Side Roads) Order 2022 should be made.

155. I will determine The Cornwall Council (Langarth Garden Village, Threemilestone) Compulsory Purchase Order 2022 as it has been transferred to me, and anticipate that this should be made expeditiously in the event that the SoS accepts my recommendation in respect of the SRO. However, and importantly, I am mindful that a late claim has been made in respect of additional plots for whom there was no identified owner in respect of the CPO only, although I do not have full details of these but those areas appear to be outwith the SRO and CPO Order Lands. As such, there is nothing in those representations to suggest this should delay the CPO. Notwithstanding my notification of the likely outcome of the CPO, should it be necessary to resume the CPO proceedings which have been held open awaiting the outcome of the SRO, I shall do so.

ZHR Hill

Inspector

Appendix A- APPEARANCES AT THE INQUIRY

FOR THE ACQUIRING AUTHORITY, CORNWALL COUNCIL:

Mr Richard Moules of Counsel

He called

Mr Philip Mason	Statutory Requirements
Mr Tim Wood	Highways
Mr Terry Grove White	Planning
Mr Gavin Smith	Planning
Mr Patrick Valvona	Drainage and Utilities
Mr Anthony Lee	Viability
Mr Harry Lewis	Valuation
Mr Andrew Hector	Negotiations

INTERESTED PERSONS:

No interested persons appeared at the Inquiry.

Appendix B – CORE DOCUMENTS

1. Full Council and Cabinet Reports

1.01	15 November 2017 Cabinet Report endorsing the vision and objectives for a proposed Investment Programme for Cornwall and approves a £70 million increase to the capital programme to support the development of a number of schemes, including the Threemilestone programme
1.02	2 May 2018 Cabinet Report approving strategy to take on a proactive role in planning and delivering the new integrated community at Langarth
1.03	20 June 2018 Cabinet Report approving the acquisition of land at Langarth Farm
1.04	10 July 2018 Full Council Report formally ratifying Cabinet decision to acquire land at Langarth Farm
1.05	18 December 2018 Cabinet Report approving recommendation to full Council to increase capital programme to support the development of Langarth Garden Village scheme
1.06	22 January 2019 Council Report taking formal decision to take on proactive role in the Langarth Garden Village project and allocates £159m to the scheme to support development of masterplan and key infrastructure
1.07	13 November 2019 Cabinet Report to invest in community projects in Threemilestone and Highertown, reflecting the need for wider investment in the local community to support the scale of change in a sustainable manner
1.08	4 November 2020 Cabinet Report to approve, inter alia, the masterplan for the Scheme, the wider Threemilestone community investment projects and funding for the delivery of the first primary school and energy centre at Langarth Garden Village
1.08(a)	15 December 2021 Cabinet report to approve that Community Infrastructure Levy monies collected from the development of the Scheme be retained and applied to infrastructure in the geographical areas of Truro, Kenwyn, Chacewater, Kea and St Clements
1.09	16 December 2021 Report to Strategic Planning Committee to approve planning application reference PA20/09631 for the Scheme subject to conditions and completion of a section 106 agreement, (including (a) Committee Report, (b) Appendix to Committee Report, (c) Supplemental Update Report, (d) Appendix to Supplemental Update Report and (e) Delegated Officer Report for the 2022 Permission)
1.10	15 June 2022 Cabinet Report resolving to make the CPO and the SRO and to appropriate Council owned land interests within the boundary of the Site for the purposes of delivering the Scheme.
1.11	14 December 2022 Cabinet Report to approve the delivery strategy for Langarth Garden Village, including the Delivery Strategy at appendix 1
1.12	22 March 2023 Cabinet Report to Cabinet approve the key principles of the outline business case for the establishment of a stewardship organisation for managing and maintaining the green infrastructure, public realm, cycle and walking routes, SUDs networks and unadopted highways network for Langarth Garden Village and resolves to progress to full business case and establishment of the stewardship organisation

2. Planning Policy

2.01	NPPF 2021
2.02	NPPF December 2023

2.03	Cornwall Local Plan (Strategic Policies) 2016 (Local Plan)
2.04	Truro and Kenwyn Neighbourhood Development Plan 2016
2.05	Not used
2.06	Land North of the A390 Truro/Threemilestone Development Brief 2012
2.07	Truro and Kenwyn Neighbourhood Development Plan 2023
2.08	Planning Practice Guidance ('PPG') on viability (2019)
2.09	Not used
2.10	Climate Emergency Development Plan Document (21 February 2023)
2.11	The Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document (2017)
2.12	Housing Supplementary Planning Document (2020)
2.13	The Department for Transport, "Gear Change a Bold Vision for Cycling and Walking"
2.14	The Department for Transport's Local Transport Note LTN 1/20 'Cycle Infrastructure Design'

3. Planning Permissions and other consents

The 2022 Permission and associated application / approved documents	
3.01	Planning Permission reference PA20/09631, dated 5 April 2022 (the "Hybrid Planning Permission")
3.02	Parameter Plans (a) Proposed building heights (b) Landscape green infrastructure (c) Density (d) Proposed wider movement strategy (e) Proposed SUDs Strategy (f) Proposed phasing (g) Proposed movement and access (h) Proposed land use
3.03	Design Code
3.04	Not used
3.05	Flood Risk Assessment
3.06	Utilities and Drainage Strategy
3.07	Draft Section 106 Agreement
3.08	Statement of Community Involvement
3.09	Strategic Landscape Ecology Management Plan (LEMP)
3.10	Letter of approval of application for non-material amendment to condition 17 (Cornish hedges) of the 2022 Permission issued on 30 August 2022 (reference PA22/07415).
3.11	Letter of approval of application for non-material amendment to the approved drawings for the 2022 Permission (alignment of a side access road) issued on 23 September 2022 (reference PA22/07413).
3.11A	Design Options Review - Main Alignment and Western Junction 1665-CSL-HGN- 00MZ-RP-CH-0001 P05
3.11B	Design and Access Statement – Appendix 1
3.11C	LGV Hybrid Application Transport Assessment (Part 1)
3.11D	LGV Hybrid Application Transport Assessment (Part 2)
Other planning permissions and other consents:	
3.12	PA20/09610 - Listed building consent for the re-siting of a listed milestone to facilitate proposed works to the highway granted on 5 April 2022

3. 13	PA20/09599 - Full planning permission for the development of the energy centre forming part of the Scheme adjoining the Park and Ride granted on 21 January 2021
3. 14	Not used
3. 15	PA22/07093 - Reserved matters approval for 35.92 hectares of open space, associated road, and parking to SANG at Governs Park, dated 23 February 2023
3. 16	PA22/02098/PREAPP - Pre application advice response, dated 5 April 2023
3. 17	PA20/00009 - Construction of interim link road to provide access from the A390 to the proposed NAR, dated 6 March 2020
3. 18	PA22/09111 - Proposed New Pumping Station, land NW of Governs, Threemilestone, dated 8 May 2023
3. 19	PA23/02209 - Proposed new pumping station, Land Adjacent Penventinnie House, Penventinnie Lane, 8 May 2023
3. 20	PA21/06047 - Petrol filling station permission (variation to permission reference PA18/11022 dated 12 September 2019), dated 20 September 2021
3. 21	PA22/09016 - Non-material amendment in relation to decision notice PA21/06047: Amendment to condition 12 - Hard landscape, dated 1 November 2022
3. 22	PA22/09017 - Non-material amendment in relation to decision notice PA21/06047: Amendment to condition 8 - Mitigation measures, 3 November 2022
3. 23	PA19/07921 - Hotel/Drive Thru permission, Land at Maiden Green, Threemilestone, dated 30 November 2020
3. 24	PA23/04870 - Non-material amendment to decision notice PA19/07921 to amend the description of development, dated 10 July 2023
3. 25	PA11/00703 - Willow Green permission
3. 26	PA14/10755 - Maiden Green permission

4. Order Documents

4.01	CPO and Schedule
4.02	CPO Map
4.03	SRO Schedule
4.04	SRO Maps
4.05	Combined Statement of Case
4.06	Combined Statement of Reasons

5. Other Documents

5.01	Langarth Garden Village Retail Impact Assessment (October 2020), Lichfields
5.02	GVA Retail Impact Assessment, 2015
5.03	Deed of highway works and dedication entered into between The Royal Cornwall Hospitals NHS Trust and The Cornwall Council on 6 June 2023
5.04	CPO Guidance
5.05	SRO Guidance

6. Evidence for the Acquiring Authority

6.01	Proof of Evidence of Philip Mason
6.02	Appendices to Proof of Evidence of Philip Mason
6.03	Proof of Evidence of Gavin Smith
6.04	Appendices to Proof of Evidence of Gavin Smith
6.05	Proof of Evidence of Terry Grove White

6.06	Appendices to Proof of Evidence of Terry Grove White
6.07	Proof of Evidence of Patrick Valvona
6.08	Appendices to Proof of Evidence of Patrick Valvona
6.09	Proof of Evidence of Tim Wood
6.10	Appendices to Proof of Evidence of Tim Wood
6.11	Proof of Evidence of Harry Lewis (including Appendices)
6.12	Summary Proof of Evidence of Harry Lewis
6.13	Proof of Evidence of Andrew Hector (including Appendices)
6.14	Summary Proof of Evidence of Andrew Hector
6.15	Proof of Evidence of Anthony Lee (including Appendices)
6.16	Summary Proof of Evidence of Anthony Lee
6.17	Glossary of Key Terms used in Acquiring Authority Evidence
6.18	Summary Proof of Evidence of Phil Mason
6.19	Summary Proof of Evidence of Gavin Smith
6.20	Summary Proof of Evidence of Terry Grove White
6.21	Summary Proof of Evidence of Patrick Valvona
6.22	Summary Proof of Evidence of Mr Tim Wood

Appendix C – INQUIRY DOCUMENTS LIST

7. Miscellaneous

7.01	REP-1 Town and Country Planning Association
7.02	REP-2 Lord Taylor of Goss Moor
7.03	REP-3 Royal Cornwall Hospitals - NHS Trust
7.04	Langarth Garden Village CPO and SRO Compliance File 19 Jan 2024
7.05	Council's Opening submissions Langarth Garden Village
7.06	Certificate in relation to Consecrated Land
7.07	General Certificate in Support of CPO submission
7.08	Protected Assets Certificate in relation to listed buildings and conservation areas
7.09	Slides presented during Evidence of Mr Tim Wood
7.10	Slides presented during Evidence of Mr Patrick Valvona
7.11.1	Summary Status of Objections submitted 23 Jan 2024
7.11.2	Summary Status of Objections submitted 28 Jan 2024
7.12	Council Closing Statement
7.13	Redacted full set of withdrawal of objections

Appendix D – INQUIRY DOCUMENTS LIST

AA	Acquiring Authority/Cornwall Council/the Council
BPA	British Pipeline Agency
Cornwall Council	The Council/AA
CPO	Compulsory Purchase Order
DHSC	The Department of Health and Social Care
DIO	Defence Infrastructure Organisation
ES	Environmental Statement
Garden Village	LGV
HIF	Housing Infrastructure Fund
LGV	Langarth Garden Village/Garden Village
NAR Scheme	The Truro Northern Access Road
NMA	Non-material Amendments
PIM	Pre-inquiry Meeting
PMA	Private Means of Access
RCHT	Royal Cornwall Hospital NHS Trust/ The Trust
SANG	Suitable Alternative Natural Greenspace
SoS	Secretary of State for Transport
SRO	Side Roads Order
The Framework	National Planning Policy Framework
The Trust	Royal Cornwall Hospital NHS Trust/ RCHT