

CD 6.12

Town and Country Planning Act 1990

Acquisition of Land Act 1981

Local Government (Miscellaneous Provisions) Act 1976

Inquiry into:

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

Summary Proof of Evidence

of

Harald Lewis

Portfolio Director

Langarth Garden Village

2 January 2024

1. INTRODUCTION

- 1.1 I, Harald Lewis, am a Project Director at Treveth Holdings LLP (**Treveth**). I hold a Masters in Property Valuation & Law. I am a Member of the Royal Institute of Chartered Surveyors registered under number 1186001.
- 1.2 I have been with Treveth for almost two years, taking the lead as Portfolio Director for Langarth Garden Village, charged with the setting up and management of LGV Property Holdings LLP (**LGV LLP** or the **Master Developer**) on behalf of Cornwall Council (**Council**) and Treveth.
- 1.3 As Portfolio Director, I lead on the Master Developer coordination aspects of the Langarth Garden Village (**LGV** or the **Scheme**), including community engagement, delivery against section 106 obligations and planning conditions, land disposal/ contracts, management of programme office including administration of Cornwall Council governance and management of programme/ project performance including budget, risk and issues.

2. SCOPE OF EVIDENCE

- 2.1 My proof of evidence sets out how the Scheme is to be delivered should the Cornwall Council (Langarth Garden Village, Threemilestone) 2022 (**CPO**) be confirmed.
- 2.2 In particular, my proof of evidence addresses the delivery of the Scheme where relevant to:
 - 2.2.1 paragraph 106 of the Guidance on Compulsory Purchase Process and The Crichel Down Rules (DLUHC, July 2019) (**CPO Guidance**) and the realisation of the social, economic and environmental benefits to the Council's area that the Scheme will bring and
 - 2.2.2 paragraph 15 of the CPO Guidance and whether the Scheme is likely to be blocked by any physical or legal impediments to implementation including in relation to the programming of any infrastructure accommodation works or remedial work which may be required.
- 2.3 My evidence should be viewed alongside the evidence prepared by and on behalf of the Council in its role as acquiring authority:
 - 2.3.1 Mr Philip Mason (Masterplan and need for regeneration) (**CD 6.1**)
 - 2.3.2 Mr Tim Wood (Highways and Transport) (**CD 6.9**)
 - 2.3.3 Mr Andrew Hector (Land owner negotiations) (**CD 6.13**) and
 - 2.3.4 Mr Anthony Lee (Viability) (**CD 6.15**).

Terminology

- 2.4 In my proof of evidence references to the core documents are made by the abbreviation, for example, "CD1.1".

3. BACKGROUND TO DELIVERY

- 3.1 Initially, delivery of the Scheme was led by the Council acting as the master developer with the Council obtaining hybrid planning consent PA20/09631 for the Scheme (**Hybrid Planning Permission**).
- 3.2 As the Scheme moved through to the next phase of its delivery, the Council reviewed the best delivery model for these next delivery phases. Part of this decision making resulted in the Council identifying the need to appoint a separate master developer.

- 3.3 In January 2022, the Council created the role of “Development Manager” to undertake the delivery of the Scheme in the interim period between the approval of the Hybrid Planning Permission and the appointment of a new master developer for the Scheme and decided that Treveth was best placed to undertake the role of Development Manager on behalf of, and in the interests of, the Council.

4. **OPTIONS FOR DELIVERY STRUCTURE AND THE MASTER DEVELOPER ROLE**

The need to appoint a separate master developer

- 4.1 If acting as the master developer for the delivery of the Scheme, the Council would have been subject restrictions which would have undermined its delivery role, as recognised by the Government in the Localism Act 2011. Creating a separate master developer helps to simplify both the making and implementation of the day to day decisions needed in delivering a significant development scheme such as Langarth.
- 4.2 The Council identified a range of options which were tested by specific legal and tax advice and concluded that an LLP setup would be the preferred option for the delivery of the Scheme.
- 4.3 As a result, in December 2022, the Council’s Cabinet approved the delivery strategy for the LGV. This outlined the need for the LLP to be created which would enable a “master developer” approach to be taken to the delivery of the Scheme.

5. **THE LANGARTH GARDEN VILLAGE LLP**

- 5.1 LGV Property Holdings LLP (Partnership Number: OC446121) was incorporated under the Limited Liability Partnerships Act 2000 (**LGV LLP**).
- 5.2 LGV LLP is a partnership between the Council (which will hold 98 percent of the profit share), and Treveth Holdings LLP which will hold the remaining 2 percent. Treveth is itself a partnership between the Council which holds 99 percent of the profit share and Corserv Limited which holds the other 1 percent. Corserv Limited is a company limited by shares with the Council as sole shareholder.

Governance of the LGV LLP

- 5.3 The governance model for the LGV LLP is set out at **Appendix HL2**.

The role of the LGV LLP

- 5.4 The role of the LGV LLP with regard to the delivery of the Scheme is to lead and co-ordinate development activity, including taking on the role of the planning applicant for the delivery of the Scheme and overseeing long-term stewardship implementation.

The role of the Council

- 5.5 The Council remains invested in the Scheme as current landowner, budget holder/funder and majority owner and retains, amongst other things, the following roles:
- 5.5.1 ensuring the place-making ambitions for the Scheme are realised
 - 5.5.2 land assembly
 - 5.5.3 contracting authority and land holder for sitewide strategic infrastructure (where not transferred to the Stewardship Organisation)
 - 5.5.4 local planning authority and highway authority functions with respect to the Scheme.

6. DELIVERY STRATEGY

- 6.1 The Delivery Strategy approved by Cabinet in December 2022 provides for the LGV LLP to manage, and be accountable for, the programme in relation to phasing, viability, risks and satisfaction of section 106 agreement obligations.
- 6.2 The Delivery Strategy provides for the Scheme to be delivered based on an 'infrastructure first' approach providing for serviced parcels of land that then can be marketed and sold to developers, under appropriate contracts to ensure that agreed obligations are met across the Scheme. The 'infrastructure first' approach not only benefits development proposed by the LGV LLP, but also those development land parcels within the redline boundary of the Hybrid Planning Permission which have been retained by the existing developer land owners.
- 6.3 The Delivery Strategy further provides for the LGV LLP to oversee long-term stewardship implementation, likely through the setup of a subsidiary vehicle.
- 6.4 The LGV LLP will be required to undertake monitoring and reporting against benefits and associated KPIs, allowing a feedback mechanism to adapt the Scheme as required to maximise benefits realisation within the financial and commercial constraints set by the Delivery Strategy.

7. DELIVERY OF HOUSING AND INFRASTRUCTURE

Phasing

- 7.1 The LGV LLP will be responsible for monitoring and managing the phasing plan and schedule in cooperation with the LPA, so that planning conditions and section 106 obligations can be monitored and so that the Council has up to date information on development progress.

Development programme

- 7.2 The delivery programme for the Scheme spans approximately 25 years.
- 7.3 Of the 3,800 homes permitted across the Site by the Hybrid Planning Permission, approximately 2,600 will be located on Council owned land parcels. The LGV LLP will continue to work with neighbouring developers that exist within the red line boundary of the Hybrid Planning Permission to ensure a co-ordinated and strategic release of land and property into the open market.
- 7.4 The current development programme envisages housing construction to commence in Phase 1a in 2024/25 with the first delivery of homes from 2026.

Affordable Housing

- 7.5 35% of the homes to be provided within the Scheme will be affordable homes, 70% affordable rented or social rent and 30% as intermediate units. Affordable housing is expected to be delivered consistently within each residential phase of development throughout the life of the Scheme.

Social Infrastructure

- 7.6 The Scheme delivers a significant level of social infrastructure including new schools and community centres. These are to be provided in line with the anticipated needs as projected in line with the population growth forecasts.

Education

- 7.7 The development of the first primary school will be delivered early in the Scheme (September 2026). The development of the second school will be dependent upon the rate of development and growth in pupil numbers.
- 7.8 The delivery of the school will be led by the Council through its Capital Projects team. The Community Centre/ Mobility Hub will be delivered by the LGV LLP.

Green Infrastructure

- 7.9 The Scheme comprises approximately 48% green space (excluding gardens) and so the expectation is that accessible green spaces will be provided as plots and phases are delivered.
- 7.10 The only exception to this plan for steady delivery is the Govers Park which is planned for delivery during Phase 1 of the Scheme.

Integrated Transport

- 7.11 Transport elements within, and external to but reliant upon, the Scheme are coordinated to be delivered in phases as they are required.
- 7.12 A key target of the transport strategy is to create a modal shift towards the use of public transport for local residents to travel into and around Truro.

Fordh Langarth (Northern Access Road or the NAR)

- 7.13 The Council has received £47.5m of Housing Infrastructure Fund grant funding to build the NAR. As at the time of writing, significant works have already started on the western stages of the NAR.

Technical Infrastructure

- 7.14 The key elements of Technical Infrastructure and their delivery strategy as it relates to those 2,600 new homes proposed for delivery via the LGV LLP are as follows:
- 7.14.1 Electrical Power: The new Energy Centre acts as the local distribution hub for the Scheme's power.
 - 7.14.2 Sewerage: South West Water (**SWW**) are in the process of being contracted to deliver a new pumping main and gravity trunk sewer to the site. Individual collector sewers that connect to the gravity sewer will then be delivered as each phase requires.
 - 7.14.3 Telecommunications: BT Openreach are due to deliver a fibre connection to each new residence within the Scheme.
 - 7.14.4 Water: SWW are going to provide water to the site on a phase by phase basis.
 - 7.14.5 District Heating: The Scheme is planning for district heating to be provided to each residence within the Garden Village; feasibility assessments are ongoing as at the date of this proof. Heat sources supplying the Scheme may be either a deep geothermal scheme or another local heat generation scheme.
 - 7.14.6 Photovoltaic Cells (**PV**): The Scheme enables developers (in conjunction with Energy companies) to deliver PV cells on every rooftop, and the park and ride extension is also projected to include PV cells in order to generate up to 17.5 MB of Photovoltaic energy overall.

- 7.14.7 Drainage (Sustainable Urban Drainage solutions - **SUDs**): A site wide SUDS model has been produced to satisfy the requirements of the Hybrid Planning Permission. The LGV LLP (as master developer) is planning to coordinate the provision of the 'strategic' SUDS requirements which includes both the NAR and the secondary highways drainage.

- 7.15 See further the proof of evidence of Mr Patrick Valvona (**CD 6.7**).

Asset Management and Monitoring

- 7.16 Once the various assets have been created these will need to be managed for the long-term benefit of Scheme. It is envisaged that the LGV LLP will be responsible for establishing appropriate asset management mechanisms in consultation with, and with input from, the Council.
- 7.17 A stewardship organisation has been assessed as the optimum means by which to enable the community management of LGV and is proposed to be established by the time the new residents move in. A full business case to determine the preferred legal structure for the stewardship organisation will be subject to consultation and engagement with relevant stakeholders.

Funding and Viability

- 7.18 I refer to the proofs of evidence of Mr Philip Mason (**CD 6.1**) and Mr Anthony Lee (**CD 6.15**) which together explain the Scheme's overall funding and viability position.
- 7.19 The key method of creating income and ensuring delivery of the Scheme is through the sale of serviced parcels of land to third parties including developers. Current modelling suggests that over approximately 25 years, the land under the Council's ownership will deliver housing (approximately 2,600 units) through a phased approach designed to assist viability and to reduce peak debt and with a view to providing a long term return to the Council.
- 7.20 Infrastructure funding requirements are currently designed to be sourced through Council channels (including Homes England funding) and section 106 monies raised from contributions from those developing the Scheme, including the LGV LLP's own contributions where the LGV LLP will deliver parcels of development within the Scheme. See further the proof of evidence of Mr Philip Mason (**CD 6.1**).
- 7.21 Although not critical for the funding for the Scheme, the LGV LLP is also intended to create income streams through its investments e.g. third-party connections to the power infrastructure (via rebate payments).

8. OBJECTIONS TO THE ORDER

- 8.1 I have reviewed the objections received to the CPO. The only objection relevant to my scope of evidence was submitted by Mr Richard Walker and associated companies. This objection has been withdrawn and I therefore do not consider it further in my proof of evidence.

9. CONCLUSION

- 9.1 In my role as Portfolio Director for the Master Developer I am satisfied that the Council has a clear strategy for delivering the Scheme and so realising the social, economic and environmental benefits to their area that the Scheme will bring relevant to paragraph 106 of the CPO Guidance.
- 9.2 Further, in my role as Master Developer, I am satisfied that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation including in relation to the programming of any infrastructure accommodation works or remedial work which may be required relevant to paragraph 15 CPO Guidance.

10. STATEMENT OF TRUTH

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

A handwritten signature in black ink, appearing to read 'Harry Lewis', with a long, sweeping horizontal stroke extending to the right.

Harry Lewis
2 January 2024