



Penwith District Council

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Date : 5 January 2009

**NEED IN OTHER FORMATS?
PHONE 0800 085 8900
(PLAN.A130109)**

PLANNING COMMITTEE

The next meeting of the Planning Committee will be held as follows:

DATE : TUESDAY, 13 JANUARY 2009

TIME : 7.00 P.M.

VENUE : THE GUILDHALL, ST JOHN'S HALL, PENZANCE

for Head of Corporate Services

To:

Chairman : Councillor Semmens A C

Vice-Chairman : Councillor Maddern W G

Councillors

Bailey Miss A I (Deputy)	Harding R	Ruhrmund J
Cook D J	Mates P E	Thomas S E
Dixon J H	Pascoe A L	Tonkin G E T
Eddy R H	Payne M J	Watson Mrs Y (Deputy)
Goninan C J	Penhaligon Mrs E M	

All other Councillors
CMT
The Press

**If you consider yourself to be a person with a disability
and need further information about the suitability of the venue,
please phone the number given above.**



INVESTMENT IN PEOPLE

QUALITY ASSURED

Substitutes

Bennett J	Mann R A	Tanner Mrs J
Fonk M L C	Nicholas S	Thomas D G
Harry D	Pilcher M E	Thomas J M
Lello R H	Schofield E M	Tovey R J
Lello Mrs T	Smith H H	
Lewarne R	Symons Mrs J	

2025 Vision Outcomes :

Outcome 1	Jobs A prosperous area with job opportunities for all
Outcome 2	Housing An area that has sufficient quality housing for community needs
Outcome 3	Safe, Strong Communities An area that supports safe, empowered and thriving communities
Outcome 4	Health A place where people are healthy and active
Outcome 5	Learning An area that provides learning opportunities for all
Outcome 6	Environment A community that values and protects its distinctive landscape and environment
Outcome 7	Culture and Heritage A community that protects, enhances and celebrates its culture and heritage
Outcome 8	Resources A community that makes best use of its resources
Internal objective	To shape and manage the organisation Internal theme 1 – to have invested in our workforce Internal theme 2 – to have achieved excellence in service delivery Internal theme 3 – meeting future challenges.

PENWITH DISTRICT COUNCIL

PLANNING COMMITTEE

21 OCTOBER 2008

A G E N D A

1. Apologies for Absence/Substitutions

2. Minutes

To pass the following resolution:

RESOLVED - that the Chairman signs as a true and correct record the Minutes of the meetings of the Committee held on 21 October and 18 November 2008.

3. Chairman's Announcements

4. Declarations of Members / Officers Interests

5. PART I - Reports for decision

Pages

1. 08-1666-RM : Construction of dwelling and associated works : Land adjacent to Lansdowne House, Alverton ; BRM Properties Ltd. 1 - 4

2. 08-0613-P : Redevelopment of Harbour and land to north and north east to provide a mixed use development incorporating retail space, business space, residential, general industrial, storage & distribution, creation of marina and commercial harbour & associated access works. (This proposal affects the setting of listed buildings) : Hayle Harbour, Hayle : ING Red UK (Hayle Harbour) Ltd. 5 - 29

6. EXCLUSION OF THE PRESS AND PUBLIC

if necessary, to consider passing the following resolution:

RESOLVED – that in accordance with Section 100A (4) of the Local Government Act 1972, the Press and Public be excluded from the meeting during the consideration of the following matters on the grounds that they involve the likely disclosure of exempt information as defined in the identified paragraphs of Part 1, Schedule 12A of the Act as amended.

HAYLE 08-0613-P ING RED UK (HAYLE HARBOUR) LTD
ST. IVES

REDEVELOPMENT OF HARBOUR AND LAND HAYLE HARBOUR
TO NORTH AND NORTH EAST TO PROVIDE HAYLE
A MIXED USE DEVELOPMENT
INCORPORATING RETAIL SPACE,
BUSINESS SPACE, RESIDENTIAL,
GENERAL INDUSTRIAL, STORAGE &
DISTRIBUTION, CREATION OF MARINA
AND COMMERCIAL HARBOUR &
ASSOCIATED ACCESS WORKS. (THIS
PROPOSAL AFFECTS THE SETTING OF
LISTED BUILDINGS)

Head Nos. 60447, 77600, 89037, 03104, 75100, 06371, 77562, 45098,
30947, 26980, 61180, 42404, 06142, 91609, 44658, 43755,
76609, 24268, 77424, 60260, 00770, 07098, 78097, 79717,
36775, 61107, 01915, 26089, 09974, 05218, 00069
Grid Ref. S553 W378 Officer MR J W CONTENT

MAJOR DEVELOPMENT Target Date 6 AUGUST 2008

EXECUTIVE SUMMARY:

This is an application for outline planning permission with all matters reserved, for the redevelopment of Hayle Harbour and development of land to the north east of the harbour for residential use. The recommendation is that the Committee is "minded to approve" the application but that it be deferred so as to enable consultation with the Secretary of State. Provided the Secretary of State does not call in the application due to the departures from the development plan, which are listed at APPENDIX 'A', then the application be determined by the Planning Committee in February or March subject to the satisfactory completion of the Section 106 Agreements and finalisation of planning conditions.

COMMENTS OF HAYLE TOWN COUNCIL:

The Town Council will formally discuss the application on the 8th of January. The comments of the Town Council will be reported to Members at the meeting on the 13th of January.

PLANNING/ENFORCEMENT HISTORY:

- 89/P/0547: Construction of harbour barrage sluice gates & locks harbour control office, pump house & culverts. Withdrawn.
- 89/P/1103: Construction of barrage, lock, sluices, control buildings, culvert, dredging & associated works. Conditional Approval.
- 98/P/0390: Redevelopment of harbour and adjoining land to include retail, leisure, industrial, residential and business use. Withdrawn.
- 00/P/0436: Redevelopment of harbour and adjoining land to include retail, leisure, industrial, residential and business use. No decision made.

CONSTRAINTS:

- * Area of Great Scientific Value (AGLV)
- * Site of Special Scientific Interest (SSSI)
- * County Wildlife Site
- * Open area of local significance

- * Tree Preservation Order
- * Grade 2/3a agricultural land
- * Conservation Area
- * World Heritage Site
- * Listed Buildings
- * Public Right Of Way (diversion required)
- * Flood Zones 2 and 3a.

DEVELOPMENT PLAN POLICY:

The proposals are subject to the policies within the following development plan documents:

- * RPG10.
- * The draft Regional Spatial Strategy (RSS). The Secretary of State's consultation closed in October 2008. The RSS is due for adoption and as such should be accorded weight.
- * Cornwall Structure Plan (2004).
- * Penwith Local Plan (2004).

GOVERNMENT ADVICE:

The proposals are also assessed in the light of national advice within the following planning policy statements (PPS) and planning policy guidance notes (PPG).

- PPS1 - Delivering Sustainable Development
- PPS3 - Housing
- PPS6 - Town Centres
- PPS9 - Biodiversity and Geo-conservation
- PPS23 - Planning and pollution control
- PPS25 - Development and Flood Risk
- PPG13 - Transport
- PPG15 - Planning and the Historic Environment
- PPG16 - Archaeology and Planning

DESCRIPTION OF SITE AND PROPOSAL:

The site encompasses the main quays within the harbour and extends north towards the dunes and beaches and north east to include agricultural land to the rear of Clifton Terrace. The harbour is set within an open estuarine environment and is part of the Hayle Conservation Area as well as being one of the ten core areas of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). At present the harbour is under used and the fabric is in poor condition in places and in general has an air of neglect.

The main part of Hayle town is to the east with Foundry Square to the south and Penpol Terrace to the immediate east. To the north are the beaches whilst Carnsew Pool and Lelant Water are located to the west.

Summary of the proposal as set out in the submitted Planning Statement is as follows:

The built components of the scheme include:

- * 1,039 new dwellings of mixed type, and size, of which 175 will be affordable units;
- * a new Fishermen's Harbour, incorporating a new Harbour Master's Office and a fishing support building;
- * 7,755 sq m of employment space on North Quay, adjacent to both the Wave Hub buildings and the proposed Fishermen's Harbour, providing premises for potential fishing-related processes, marine and energy-related activities;
- * 5,150 sq m business space adjoining the Harvey's Foundry, including a multi-purpose building within the 'Shipyard Village' containing a Business Centre for start-ups & small businesses and a FE/HE College facility;
- * space for primary health care facilities;

- * a total of 13,198 sq m of food, drink and retail space;
- * a 60 bed hotel and tourist accommodation;
- * a fitness gym;
- * an information centre;
- * a leisure building to support sailing and other water-based activities; and
- * opportunities for landmark buildings on the northern tip of East Quay and South Quay.

The infrastructure components of the scheme include:

- * refurbishment of existing Listed structures, including all harbour walls;
- * excavation and reinstatement of part of the historic dockyard which served Harvey's Foundry;
- * reinstatement of the historic sluicing system;
- * creation of a new fishing and commercial harbour located at the seaward end of North Quay to serve both the fishing fleet operating from Hayle and vessels supporting the Wave Hub Project;
- * provision of a marina and supporting facilities within a deepened and dredged area at the mid section of the harbour;
- * impoundment of Penpol Creek by the provision of a barrier and locking system to allow deeper draught vessels to operate from Hayle;
- * construction of a new road bridge to access North Quay from Commercial Road;
- * construction of a new road access to South Quay from Carnsew Road;
- * construction of a new road along North Quay, up to Hilltop, through Riviere Fields to connect with Churchtown Road and Phillack;
- * creation of high quality public open space alongside the harbour throughout South and North Quays, incorporating a waterside walkway connecting both Foundry and Merchant Curnow's Quay to the beach;
- * provision of the new cycle connection between Carnsew Road and Copperhouse Pool;
- * incorporation of two new pedestrian bridges over Penpol Creek;
- * incorporation of a new pedestrian bridge between East Quay and North Quay;
- * creation of new pedestrian routes between North Quay and Hilltop; and
- * provision of parking to serve the new development.

The main areas proposed for housing are South Quay (260 units), North Quay (382 units), Hilltop (98 units) and Riviere Fields (300 units). Hilltop is on the higher land above North Quay and between North Quay and the cricket ground and chalet parks. Riviere Fields is the area to the rear of Clifton Terrace.

Submitted Documents

The submitted details are in the form of a masterplan and an Environmental Statement (ES). The masterplan is comprised of a number of detailed documents such as the design and access statement, development framework and design codes as well as supplementary documents such as the planning and sustainability statements. The Development Framework and Design Codes is the main document which gives much of the indicative broad detail of the massing, scale, layout, materials and access around the site but does not address individual buildings. It is this document that will be tied by way of conditions and S106 agreement to ensure that the future reserved matters applications are in accordance with the indicative framework and codes.

The Environmental Statement is a legal requirement for an application of this type and a screening opinion was given by the local planning authority to the effect that an Environmental Impact Assessment (EIA)

would be required. The ES is the document resulting from the EIA and is produced by the applicant to set out the environmental issues surrounding the application proposals and how they will be addressed. In the case of Hayle Harbour this is due to the significant effects on the special character of the area which includes a World Heritage Site, listed buildings, SSSI's, Biodiversity Action Plan habitats and species and the dredging of large quantities of material much of which will be contaminated, thus there is a strong need to ensure that pollution of the water environment does not occur.

The ES is set out in a number of Sections with technical appendices. These allow robust consideration by the statutory consultees upon whose specialist knowledge the local planning authority relies upon to ensure that the proposals meet their requirements which are defined by legislation other than planning.

In accordance with the requirement of Part 1 Section 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (Statutory Instrument 1999. No. 293) the information within the Environmental Statement has been given full attention and has informed the consultation and negotiation processes which have resulted in this report and recommendation.

CONSULTATIONS:

At the time of writing, there is ongoing discussion and negotiation between the applicant, ING and their consultants and the District and County Councils. A number of formal responses have been received from the statutory consultees. These bodies have been closely involved with the application from the outset and have been engaged with the various agents for ING in moving towards a resolution of the issues raised by the application. Discussions are now at an advanced stage and it is anticipated that final responses will be reported to the Committee in January 2009.

Responses to date:

Environment Agency: Objection due to concern over water quality and biodiversity interests. These can be dealt with by way of conditions.

- : Sequential Test with regard to site allocation for a mixed use development in areas at risk of flooding has been passed.
- : Requires additional detail for the flood risk assessment which can be covered by way of a condition.

South West Regional Assembly: Supports proposals but requests higher affordable housing contribution and renewable energy target. Concern expressed regarding the impact on the A30 trunk road.

CABE: Supports the principle of redevelopment but does not support various aspects, namely the layout of the residential estate to the north east at Riviere Fields, impact on existing infrastructure, pedestrian links, parking on the Triangular Spit, design of the new bridge, urban form of South Quay.

English Heritage: Welcomes the proposals, require additional indicative views and a model at the detailed application stage, concern as to whether the multi-storey car park is or is not part of the proposals.

Scale of development: building heights on South Quay too high - should be no more than 3-4 storeys and that the the development should ensure the repair and long term maintenance of heritage assets such as the quay walls. Impact of tall buildings on the listed viaduct and conservation area is a concern as is the amount of development. The increase in ground levels to meet flood mitigation requirements would mean the loss of ground surfaces and features such as railway

lines and cobbles. Requires features be reused or at a minimum, recorded.

Welcomes repairs to quay walls and excavation of the historic dock at Carnsew Quay as well as reinstatement of sluicing. The development adjacent to the harbour master's office is of concern due to the impact on setting of the listed building.

Concern over the change in character of the tidal harbour due to the insertion of a half-tide gate to impound Penpol Creek. The proposed road bridge design and location need revisiting, whilst parking on the triangular spit is not ideal and the need for landmark buildings at the ends of South and East Quays is questioned. Design codes are generic and a recommendation for better materials for the streetscape.

Cornwall County Council Planning Committee resolution:

Penwith District Council be advised that:-

- (a) the County Planning Authority strongly supports the principle of the regeneration of the Harbour and the area in view of its potential to secure significant economic benefits to the town and restoration of its historic fabric (Structure Plan policies 11 and 12, and Draft RSS policies ES1 and ES2;
- (b) with regard to the overall scale and mix of uses, of the proposed scheme, it has not currently been satisfactorily demonstrated that:-
 - (i) the transport impacts of the proposals are acceptable in terms of the need to: reduce the need to travel; increase choice of travel by non car modes; and ensure traffic considerations are not significantly worsened;
 - (ii) appropriate mitigation of impacts on the natural environment can be secured;
 - (iii) the proposals will secure the full restoration of the historic fabric to justify this scale of development in the World Heritage Site; and
 - (iv) adequate attention has been paid to Structure Plan Policy 10 in respect to the sequential approach to development.
- (c) The overall sustainability of the scheme has not been demonstrated and the proposals currently remain in conflict with development plan policies. County Council officers will, with Penwith District Council, continue to negotiate with the applicant with a view to resolving the outstanding issues; and
- (d) Local needs housing be provided as part of the development in line with the Local Plan target of 25%."

With regard to heritage aspects CCC have noted the opportunity to preserve the heritage assets of the site but requires a more robust statement addressing the outstanding universal values of the WHS and that this should be reflected in the Conservation Management Plan. Also required is that all the listed walls are repaired to guarantee demonstrable benefit to the WHS and that archaeological recording is undertaken.

Cornwall Wildlife Trust: Supports the responses of the environmental consultees.

South West Water: Evaluation of drainage system required to establish the level of improvements necessary.

South West Regional Development Agency: Supports proposal which will "contribute to the regeneration and future success of the town". Considers that the proposals would deliver key objectives of "promoting business, strong and inclusive communities and developing an effective and confident region." This support is subject to the early provision of infrastructure (roads/bridges and flood defence), delivery of employment space and demonstration of high standards of urban design and sustainable construction techniques.

Fire Brigade: Object to the proposals unless financial contribution is secured towards a new fire station.

Police Liaison: Involvement will occur at the detailed planning stage.

Public Involvement:

During July and September of 2008 a series of public meetings were held in Hayle to discuss the application. These meetings were kindly facilitated by the Hayle Area Partnership Delivery Groups and allowed the application to be subdivided into more manageable sections relating to the provision of community facilities, traffic and transport, environment and heritage and business and economy. The meetings which involved a presentation by the various specialist consultants were well attended by the public who had the opportunity to question ING consultants and Penwith officers.

Hayle Town Council has also held a number of open meetings where they were updated on the progress of the harbour application and questions of planning officers. Members of the public also had the opportunity to ask questions at these meetings.

The model of the proposal has been available to view at John Harvey House in Hayle and members of the Sustainable Development team were on hand for a number of half days when the public could view the model and discuss the proposals. This was followed later in the month by four evening sessions at the Town Council offices. As much publicity as possible has been given to let the public know when the various meetings would be held and those facilitated by the Delivery Groups saw the greatest attendance with the model of the harbour proposals also attracting significant attention.

REPRESENTATIONS:

157 letters of objection have been received and 2 letters of support. A summary of the objections and a breakdown of the type of objection by the frequency of occurrence in letters are attached at **APPENDIX 'B'**.

The main points of objection are the height of buildings, additional traffic, impact on heritage and design, lack of community facilities and services.

PLANNING ASSESSMENT:

By way of background, the financial viability of the development is a critical factor in bringing forward the proposals and this has been evidenced by the failure of past attempts to come to fruition and the continuing lack of development of a harbour side location during a time when such development opportunities have proved attractive elsewhere. Viability has thus driven, to an extent, the level of housing and other business and industrial floor space required to make the proposal acceptable in business terms to the applicant.

Since the earlier applications in the late 1980s and early 90s the Conservation Area has expanded, the site has gained World Heritage Status and the new requirements for mitigating against the risk of flooding have had a significant bearing on the cost of developing the

site. Added to this, the site has a history of industrial uses which has left a legacy of contamination which will require remediation to higher standards than were required in the 1990s. Also the historic fabric of the site is in poor condition and will be costly to repair in a sympathetic manner, although this is a particular factor that the applicant has been aware of at an early stage and is likely to have reflected this in the valuation when acquiring the site.

Since the submission of the application the global financial market has evidently weakened with a resulting impact on the viability of the proposals as originally submitted. However ING are still engaged and keen to move the application towards an approval but with some modifications to the original masterplan proposal as will be discussed below.

Policy accordance.

Policy TV(D) of the Penwith Local Plan allocates the harbour area for mixed use development and identifies regeneration of the site as the 'most significant opportunity to improve both the environment and economy of the town. The wording of the policy is as follows:-

South Quay/Foundry Yard (6.0 ha), North Quay (7.9 ha) and East Quay (1.0 ha) are proposed for redevelopment for uses within classes A1, A2, A3, B1, B2, B8, C1, C3, D1 and D2 of the town and country planning (use classes) order 1987 (as amended). Proposals for development will be required to:-

- (i) make provision for improved port facilities;
- (ii) make provision for the maintenance of the existing level of industrial and storage facilities;
- (iii) ensure that town centre uses (a1, a2 and a3) are closely integrated with the adjacent town centre in terms of location, orientation and pedestrian movement;
- (iv) provide for at least 400 dwellings with a target for 25% of provision being "affordable" and meeting the requirements of policy H-14;
- (v) be of a scale and design that respects the maritime environment and heritage of these prominent locations in the harbour;
- (vi) retain existing buildings and traditional features which contribute to the character of the area;
- (vii) be compatible with their surroundings; and
- (viii) include provision for the improvement of the junction between Carnsew Road and Foundry Lane.

However, it should be noted that Policy TV(D) does not include aspects of the proposal relating to the residential development at Riviere Fields and Hilltop. The following Sections will address the various aspects of the policy as well as addressing the development plan policies and national policy in more detail.

Housing

For the purposes of RPG10, Hayle is classed as a Market Town. Policies SS19 and SS21 of RPG10 support the development and improvement of the service provision for rural areas provided by market towns. Policy SS21 notes that development should be small scale and take place within or adjacent to the town. No guidance is given as to the definition of small scale or in what context the scale is set.

The Draft Regional Spatial Strategy (RSS) aggregates Truro, Camborne/Pool/Redruth and Falmouth/Penryn as a Strategically Significant City or Town, but does not mention Hayle which, in my opinion, would fall into Policy B (market towns) as opposed to Policy C (small towns and villages) in classification. However the future classification of Hayle will be a matter to be determined in the emerging Cornwall Core Strategy. The RSS states that for Policy B towns the scale and mix of

development should increase self-containment of the places identified, develop their function as service centres especially in terms of employment and service accessibility, and secure targeted development which can address regeneration needs. Given that the housing allocation for Penwith as set out in the emerging RSS is currently in the order of 7800 dwellings, it is evident that Hayle will realistically be one of the main towns where a considerable proportion of the development would be focussed. The harbour redevelopment proposals, with the mix of residential and business and employment would provide a significant response to this requirement and are in accordance with regional policy.

The proposals would result in the redevelopment of brownfield land in an accessible location with good transport links, whilst the density and mix of development makes good use of the land. Thus, the principle of the proposal is considered to be in accordance with national policy, Cornwall Structure Plan (CSP) policy 3 and Penwith Local Plan (PLP) policies TV1, H3 and H18. However, the proposal also includes housing at Hilltop and Riviere Fields which are greenfield sites currently in agricultural use and are designated by Penwith Local Plan policy TV2 as an Open Area Related to Settlements. The greenfield development would fund the redevelopment of the other parts of the site such as South Quay which will be a particularly expensive part of the overall scheme due to the cost of repairing the quay walls. The proposal for greenfield development is a response to the issue of viability.

The applicant has indicated that South Quay would form the final phase of development and would develop the greenfield sites first. This is of concern, firstly in that sequentially greenfield sites would be developed before an available brownfield site and secondly that the heritage of Hayle would not benefit from the early repair work to the historic fabric of South Quay.

Delivery of greenfield land before an available brownfield site is sequentially inappropriate and contrary to CSP Policy 3 therefore requiring the agreement of the Secretary of State as a departure from the Development Plan. Discussion with the Government Office is ongoing regarding this matter, which as referred to above, has arisen due to the current financial viability and the downturn in the market. The phasing which would deliver South Quay would appear to be reliant upon market conditions which one would hope will improve over the forthcoming years.

Affordable housing provision is below the minimum requirement of 25% set out in Policy TV(D) of the Local Plan. 175 affordable dwellings are proposed of which the applicant would deliver 40, the rest would be in the form of serviced sites which a social housing provider would build out. The low percentage of affordable housing relates to the viability of the overall proposal, to demand the 25% required by the policy would see the scheme fail. Thus, the provision of affordable housing needs to be viewed in the context of the benefits of the overall scheme and whether those benefits justify a policy departure from the required 25%. It is to be borne in mind that should the application be withdrawn or refused then no affordable housing will be delivered in the foreseeable future within the site. Members will be aware that it is common practice to consider the issue of viability when negotiating the percentage of affordable housing which should be provided.

The financial viability of the proposal is a significant material consideration that has had a significant impact in terms of policy accordance. In my opinion, the benefits of the overall scheme outweigh the conflicts with housing policy and justify a decision which departs

from the Development Plan.

Transport

At the time of drafting this report discussions are ongoing between the applicant and County Highways and the Highways Agency. Most recently the Highways Agency have indicated that they are satisfied with the information supplied which has suggested mechanisms for a Section 106 legal agreement to overcome ongoing concerns regarding traffic flows at the Loggans Moor and St Erth roundabouts and the influence of the double mini-roundabouts near the Lidl supermarket which can affect queueing onto and from the A30. The formal response from the Highways Agency will be reported at the meeting.

County Highways are focussing on the traffic flows through Hayle and the strategies proposed to minimise reliance on the car. At present there is concern that the proposals are car dominated and not enough has been done to create a more sustainable pattern of transport use. A planning condition is suggested requiring the submission of a travel plan to cover the site and the individual elements. This will require targets and mechanisms for remediation if targets are not met. The Section 106 agreement will set a framework for the travel plan including a requirement for targets and remediation and require an obligation to be agreed by the developer. However, further discussion is required with the applicant on this matter in order to finalise any Section 106 agreement.

As a result of negotiations, the applicant have agreed to commitment to funding a shuttle bus service for 5 years which would operate within Hayle and the proposed residential areas and has the potential to link to the St Erth Park and Ride. After the funding term it is expected that a private company will take on the operation of the service. Further discussion and details are required and a Section 106 agreement is required for the delivery of this outcome.

As South Quay will not potentially be developed for a number of years, it is suggested that the Section 106 agreement incorporates appropriate mechanisms to enable traffic issues to be addressed afresh at that later date. If no protection is secured regarding this or with the travel plan targets there is a high risk that congestion will result to the detriment of the local community.

The proposals include a new link road from the B3301 near the Royal Standard, this will require a new combined vehicular and pedestrian bridge adjacent to the existing listed swing bridge which currently acts as the main access to North Quay and the beaches. Discussions with the consultees have resulted in consensus that the bridge is appropriate in this location and a design is being drawn up that has regard to preserving the setting of the listed bridge and the need to screen pedestrians from the birds which are a special feature of interest within the adjacent Copperhouse Pool SSSI.

Security will be required by conditions or obligations that the timing of the bridge completion is appropriate to allow construction activity without impacting on the swing bridge or any other accesses. Conditions will also be required to secure appropriate approval of Construction and Waste Management Plans to ensure transport and environmental impacts of construction vehicles and of the use/disposal of waste (including the material arising from dredging of the harbour) are acceptable.

The proposed new road would pass along North Quay and then return at a higher level behind North Quay to serve the residential areas of Hilltop and Riviere Fields. It is proposed by the applicant that a new link road is formed to provide a second access to the site from

Churchtown Road at a point between Phillack and the Towans chalet and holiday parks. This has caused concern as to whether the existing road is capable of safely accommodating the additional traffic and that the current problems at the junction with the B3301 at Copperhouse will be exacerbated. The County Council are asking that this link is not actioned until a satisfactory case is made and the full implications of the effects and mitigation measures are secured. As such a condition could be used to prevent the opening of the route through Phillack until such time as County Highways are confident that a satisfactory outcome can be achieved. However, this is not entirely ideal as it has not been shown that the junction of the new bridge and the B3301 near the Royal Standard is capable of accommodating all the traffic from the North Quay, Hilltop and Riviere Fields developments. The applicant has consistently aimed to achieve two access points, as such further work is required to ensure that two accesses are provided or that traffic can be managed through one junction.

Provided that the matter of traffic flows within Hayle can be resolved to the satisfaction of the Highways Agency and County Highways and that suitable Section 106 agreements/conditions can be imposed to manage the long term increase in traffic then it is considered that the aspect of transport meets policy requirements.

Heritage

Policy EN3 of RPG10 requires local authorities to give the highest level of protection to historic areas and sites. Policy ENV5 of the emerging RSS simply states that the historic environment of the South West will be preserved and enhanced. Policy 2 of the CSP supports the regional policy whilst the saved PLP policies protect the character of conservation areas. Protection of listed buildings and conservation areas is set out in PPG15 - Planning and the Historic Environment.

The proposals would have a significant impact on the characters of the World Heritage Site (WHS) and the Conservation Area. Changes this year to the General Permitted Development Order now mean that World Heritage Sites within England benefit from statutory protection rather than the non-statutory WHS management plan policies, although these policies are material considerations.

Negotiations with the applicant has resulted in an agreement to reduce the heights of buildings on South Quay from up to five storeys to mainly three storey broader blocks with the use of two storeys where an important view needs to be preserved and occasionally four storeys where this would add interest to the urban form. This reduction in height will be important to allow the proposed development to integrate with the existing urban form of Penpol Terrace and Foundry Square in accordance with Penwith Local Plan policy GD1 and Cornwall Structure Plan policies 1 and 2. As the layout of the urban form of South Quay has now altered it is recommended that that new design codes for South Quay are required as part of the section 106 agreement in order to ensure that the scale of the development is suitably limited.

Parking on the triangular spit has now been omitted by the applicant. The deletion of car parking from the spit is welcomed in terms of the historic character of the site, as well as removing a potential disturbance from an SSSI and RSPB reserve.

Much of the in-depth design work will need to be left to the subsequent detailed application stage and cannot be addressed in any great detail at the outline stage. The comments of CABE and English Heritage will feed into the requirements of S106 agreements to ensure the design can be resolved by the detailed applications. The developer

is currently discussing the impact on the WHS with the Historic Environment Service of Cornwall County Council. It is essential that the Outstanding Universal Values of the WHS at Hayle are protected. If this is not achieved there is a risk that the whole World Heritage Site could lose its WHS designation

There are currently four listed building applications awaiting determination. Additional information has been requested and an engineer from English Heritage has visited the site. Two applications will be withdrawn and resubmitted as the proposals regarding the new bridge have now significantly changed. The determination of the listed building applications separately to the outline application is reasonable and it is expected that the listed building applications will be presented to the Planning Committee for determination early in 2009.

At this time there is still need for resolution of outstanding issues concerning the repairs of listed structures such as the South Quay walls, which it is hoped could be covered by way of the Section 106 agreement. However, if this should not prove to be negotiable there are other options potentially available to the local Planning Authority to secure repairs, such as a listed building repairs notice.

Natural Environment

The emerging RSS places strong emphasis on the protection of the natural environment and policies SD3, ENV1 and ENV4 are relevant and reflect the national policy within PPS9. At the County level Structure Plan policy 2 requires development to protect the character, diversity and local distinctiveness of the natural environment. The Penwith Local Plan policies CC1, CC2, CC6, CC7, CC8, CC9, reinforces protection of designated sites and protected species as well as protecting the landscape and its features generally.

The site is within an Area of Great Scientific Value and borders the Carrack Gladden and Hayle Towns Sites of Special Scientific Interest which contain habitats and species identified in the Biodiversity Action Plan for the area. The site also contains a colony of petalwort which benefits from international protection. The emerging RSS identifies the estuary and SSSIs as a Strategic Nature Area, which adds an extra level of protection.

The proposals would result in the loss of intertidal habitat and dune habitat. PPS 9 requires that LPA's will need to be satisfied that the development cannot be located elsewhere where it would result in less or no harm. If alternative sites are not available then mitigation should be put in place and where harm would still occur then compensatory measures should be sought. In the case of the harbour, the environmental consultees are closely working with the applicant's consultants to provide mitigation measures and as habitat will be lost, to identify suitable compensation in terms of replacement habitat and financial contributions to enable the creation and maintenance of the new habitat.

Potential for dune habitat creation has been identified on ING owned land to the east of the site on 2.5 hectares of Grade 2/3a agricultural land, which is currently used for brocolli growing. Cleaned sand from dredging operations would be used to create the habitat. A report has been received from the consultant justifying the loss of agricultural land and evaluating the impact on the farm business. The report is considered acceptable in that it confirms that there would be no significant harm to the existing business or wider resource of agricultural land. Thus, the proposal does not significantly conflict with Local plan policy E5 and Structure Plan policy 3, relating to the protection of agricultural land.

The proposed dune habitat would act as a buffer for the adjacent SSSI and provide an increase in a type of habitat that is internationally recognised as requiring protection. The land would be managed thereby reducing external recreational pressure such as those suffered by the Towans. As such the proposed new habitat would support a greater diversity of species than the habitat it replaces. These factors are considered to satisfactorily balance the loss of the agricultural land.

Options for wetland habitat creation are still being finalised and a potential site adjacent to the Red River at Gwithian has been identified as suitable for wetland recreation. This site would be strategically important as it would provide the link between the Kerrier owned Red River nature reserve and the County nature site at St. Gothian.

The environmental consultees have raised concerns over the increased pressure on the towans and estuary from leisure activities and are discussing measures to mitigate and control the additional pressures. Options at this time include a stronger policing and educational role for the harbour authority, accredited training as a requirement for berth holders, use of harbour bye-laws where planning controls are not possible and the part funding of an estuary officer. Also there is a commitment for continued engagement with the Hayle Towans Partnership and its successors. A formal response has been received in this respect from the environmental consultees which states that provided suitable Section 106 agreements and conditions can be imposed then they will not object to the application. Failure to reach agreement will result in an objection and if the Members are still minded to approve then Natural England will need to be notified and given a period of three weeks in which to decide whether they need to take further action which may result in the application being called in by the Secretary of State for determination.

Provided that the agreement of the environmental consultees is gained during negotiations for Section 106 agreements and conditions then the impacts from the development that have generated the need for environmental compensation and mitigation are considered to be outweighed by the benefits from the development. The long term protection of the environment is considered achievable in line with development plan and national policies relating to environmental protection.

Flood Risk

Parts of the site are within Flood Zones 2 and 3a which are identified from Environment Agency maps. The proposals therefore fall within the remit of PPS25 - Development and Flood Risk which aims to direct development away from areas at risk of flooding. The PPS requires that a sequential test be carried out by the local planning authority to ascertain whether any alternative sites can be found for the proposed type of development. The sequential test found no alternative sites and the Environment Agency have agreed the test has been passed with regard to the type of uses within the site and the level of development proposed. The flood mitigation measures will need to be submitted by the applicant as part of the detailed planning applications and the Environment Agency would be consulted on those measures.

The proposed half-tide gate to be located at Penpol Creek would improve the flood defence for the Foundry part of Hayle, as would any increases in site levels carried out as part of the flood mitigation. The reinstatement of the sluices at Carnsew Pool and Copperhouse Pool will reintroduce a historic element of the harbour and assist in the

removal of sand, although it is expected that maintenance dredging will still be required. The sluicing operation will also reduce the amount of sand entering Lelant Water thus protecting the mud flat habitat relied upon by wading birds.

Operation of the half-tide gate and sluices would be controlled by the Harbourmaster. Although parts of the site are within flood zones, the combination of mitigation and location of more vulnerable uses such as dwellings on upper floors or outside the flood zones means the proposals are in accordance with development plan and national policies.

Economy

The proposals for redevelopment and regeneration of Hayle are supported by the Regional Development Agency. It should also be noted that 76 of the 157 letters (just under half) of objection specifically mention support for the principle of redevelopment. The proposals would enable and enhance the Wave Hub project which would be the UK's first offshore facility for the demonstration and proving of the operation of arrays of wave energy generation devices.

The Wave Hub project has the potential to create significant skilled employment over the long term and to attract other businesses and research interests. SWRDA estimates that over 25 years Wave Hub is expected to create 1,800 jobs and inject £560 million into the UK economy and that almost 1,000 of these jobs and £332 million would be generated in the region. The proposals would result in a mix of employment opportunities within Hayle with the aim to create a development which aids the self-containment of Hayle, rather than encouraging commuting to other towns. What the proposal does not claim to do is provide an answer to all of Hayle's problems but it does represent a significant opportunity for setting the foundation for Hayle's regeneration. The presence of Wave Hub and the adjacent business park have the potential to act as a catalyst for further investment and to attract marine related businesses as well as create a centre for research and development. All of this would potentially, over time, raise Hayle's profile and increase the town's attractiveness to new enterprise and as a place to live. This aspect represents the most significant potential benefit to the town from the proposals in terms of economic regeneration and is in line with Development Plan policies and wider development aims for the South-West Region.

Retail

Policy 25 of the Cornwall Structure Plan requires development in main towns to be well integrated with or within the built-up areas and support the role and function of centres in meeting the needs of their populations and surrounding areas to reduce the need to travel. Policy 14 places priority on the improvement and enhancement of town centres to meet the needs and aspirations of the whole community but should not be harmful to the vitality of other town centres.

Policy TV16 of the Penwith Local Plan notes that major retail, office, entertainment and leisure or community developments should be located in the town centres of Penzance, St. Ives and Hayle, where the greatest benefit to the community can be provided in terms of accessibility and contribution to vitality. Whilst Policy TV(D) allocates the Harbour area for a mixed use development and requires, amongst other points that town centre uses (A1, A2 and A3) are closely integrated with the adjacent town centre in terms of location, orientation and pedestrian movement.

The Penwith Retail Study has identified the future of the harbour area as being the key driver for the regeneration of Hayle and reports

that Hayle is currently under-performing as a retail centre when compared to Penzance and St. Ives. Hayle only retains 25% of main food shopping trips and this is reflected in the leakage of trips to Truro and Camborne, Pool and Redruth for comparison shopping. The study also highlights the need to protect the ability of Copperhouse to function as an local centre.

Concern has been raised by the Hayle Chamber of Commerce regarding the impact on existing businesses, and whilst it is not for planning to take into account competition, the protection of town centre vitality as a whole is relevant, as set out in PPS6. With regard to the proposals there would be a significant uplift in the numbers of outlets, but this needs to be viewed in the context of the proposed additional housing provision of 1039 dwellings as well as looking to the future housing provision required by the RSS. Another factor to be considered is the potential for a revitalised harbour with links to the existing Foundry town centre to benefit from attracting additional visitors. Thus, the proposals clearly has the potential to benefit a wider area of the town than just the new harbour businesses, especially if it serves to reduce the leakage of shopping trips out of the town.

Currently both centres of Copperhouse and Foundry operate relatively successfully on an equal basis, the proposed harbour development would by virtue of the increase retail and leisure offer, inevitably polarise activity at the Foundry end of Hayle. Copperhouse serves an established residential area the residents of which are anticipated to continue to use the closer retail centre for everyday needs rather than travel unnecessarily to the Foundry and harbour retail area. The response to the Hayle Area Action Plan Issues and Options paper identified some support for residential growth to the south of Hayle, which would also contribute to supporting businesses in Copperhouse in the longer term of the plan period.

It is anticipated there will be effects on the businesses within Copperhouse and the ability of the centre to function as well as at present. However, it is difficult to assess the level of impact or to determine whether factors of rent differentials between Foundry, Copperhouse and the harbour development and the potential expansion of residential areas to the south of Copperhouse will mean this part of Hayle remains an attractive location for its current as well as new businesses. Nevertheless, it is considered that the role of Copperhouse has to be seen in the wider context of the potential for regeneration and expansion of Hayle over the longer term. It is considered that the wider benefits of the proposals to the town as a whole are also likely to benefit Copperhouse which will remain as a secondary centre.

Community Services and Facilities.

The redevelopment proposals provide for contributions to affordable housing, education and health provision. There would also be contributions towards public realm improvements as part of the highways requirements, including the shuttle bus service.

The application originally included the provision of land adjacent to Foundry at the current temporary car park opposite Jewsons for 5,150 sqm business space adjoining the Harvey's Foundry, including a multi-purpose building containing a Business Centre for start-ups and small businesses and a FE/HE College facility and space for primary health care facilities. However, having deleted the car parking area from the triangular spit the applicants have proposed to use of the Foundry land for a permanent car park. As a result the applicant has suggested that the health care facility could be delivered as part of the South Quay or East Quay development. East Quay is not considered suitable for a health facility given that access for vehicles will not

be ideal, also the costs of delivering a high quality building appropriate for the centre of the World Heritage Site may make the location unattractive to the Health Authority. With regard to South Quay; this is the final phase of development so the acceptability of such a late provision is questionable as many of the proposed dwellings would be delivered by this phase, placing additional significant pressure on Hayle's existing health care services. Discussion is ongoing with ING to attempt to resolve this issue which is seen as being key to making the proposal acceptable in terms of provision of community facilities.

Overall the level of provision by the developer for community facilities is low given the scale of the development. This has been justified by the viability of the development. In the future there is the potential for independent operators to take an interest in providing such facilities given the uplift in population and hence demand for services and facilities that Hayle will see over the plan period to 2026. Failure to deliver the community facilities in a timely manner would have the potential to overburden the existing community facilities and thus be contrary to the aim of PPS1 - Delivering Sustainable Development to create sustainable communities. Should the discussions with the applicant fail to resolve the provision of community facilities then the potential harm to current service provision is a material consideration that outweighs the benefits of the scheme which would warrant consideration of refusal of the application.

Residential Amenity.

The main areas affected by the proposals would be Penpol Terrace opposite South Quay, Clifton Terrace and the area around the proposed junction for the new bridge. There are no issues in terms of loss of privacy or overbearing and since the applicant has proposed a reduced height of buildings on South Quay there would be no significant loss of light to properties at Penpol Terrace. The main disturbance will come from the construction phase and additional traffic both during construction and post development. The Section 106 agreement will be required for the submission of a construction and waste management plan which would contain measures to mitigate the unneighbourly aspects of the development. The constructors on site would also be required to sign up to the 'Considerate Constructors Scheme'.

The adverse impacts are considered to be outweighed by the benefits the regeneration could bring to Hayle as a whole. Also it needs to be recognised that the harbour area has been allocated for development thus the principle of the relatively short to medium-term disturbance caused by construction has been accepted.

CONCLUSION:

The need to regenerate the harbour has long been recognised as a desirable outcome with benefits to Hayle's economy and heritage. The current application represents a significant opportunity to realise the aspirations for the harbour. At this time a number of the significant issues have been resolved to a point where the impacts are acceptable to the statutory consultees provided the necessary mitigation works and safeguards can be agreed and secured by legal agreement and conditions.

Much work and progress has been made towards finding a balance between the requirements of economic regeneration, environmental and heritage protection, transport and community aspirations. However, the financial constraint due to the costs involved with remediating and repairing the site have inevitably resulted in compromises such as the delayed commencement of works to South Quay with the associated lack of immediate benefit to the heritage of Hayle and the loss of

community facilities. In addition, there is still further work needed to ensure that the additional traffic will be accommodated in the existing road network.

Given these fundamental issues the answer to the question of whether the benefits to Hayle from the proposal outweigh the negative impacts is more finely balanced than is ideal at this stage. On the positive side is the opportunity this application gives to regenerate and revitalise Hayle as a sustainable town. A long term view might be one that sees the heritage and community facilities delivered as the town grows and aspirations are met. The Wave Hub facility and associated business and industrial space have the potential to raise Hayle's profile and act as a catalyst in attracting further investment. In my opinion this application represents the most realistic opportunity at this time for the redevelopment of the site. The potential medium and long term benefits to Hayle and its community make the application acceptable subject to the securing of the land at Foundry for the community, education and business facilities and the satisfactory completion of the required Section 106 agreements and conditions.

The recommendation below is made on the basis that, in the interim between drafting this report and the committee meeting, a number of the outstanding issues identified above will have been satisfactorily resolved, and Members will be updated accordingly.

***** RECOMMEND : DEFER**

Minded to grant conditional approval, deferred for the following:

- (1) Advertise as a departure from the development plan.
- (2) Negotiate satisfactory Section 106 agreements covering the following indicative Heads of Terms:

1 AFFORDABLE HOUSING

Affordable housing provision for people with appropriate local connections to be provided either as the sale of sites to affordable housing providers or affordable housing units discounted for sale. 175 units to be provided or 17% of the total number of residential units permitted.

2 PUBLIC TRANSPORT

Contributions to be paid to the County Council prior to commencement of development as follows:
£15,000 for improvements to walking routes;
£20,000 for improvements to cycle infrastructure;
£40,000 for improved platform accessibility and station facilities;

Contributions prior to first residential occupation to be:
£25,000 for bus stop infrastructure improvements;
£50,000 for St Erth park and ride;

Contribution to provision of a "hopper" bus service of £600,000 payable either on first occupation of residential units on Hilltop or Riviere Fields or completion of the through route from North Quay to Riviere Fields and on to Phillack, whichever is earlier. Reservation of strip of land at the rear of Penpol Terrace for a period of 15 years for implementation of a new access to the station.

3 HIGHWAY WORKS AND TRANSPORT PLAN

New junctions to be provided for North Quay access bridge and road

and South Quay access prior to occupation.

New footway providing access from Riviere Fields to the Church Town Road/Phillack junction to be provided with the through route to Phillack.

Signalisation to Loggans Moor and St Erth junctions on the A30 to be provided prior to occupation of the development or an equivalent sum in lieu in respect of the Loggans Moor junction to be provided, at the request of the Highways Agency/County Council.

Secured funding to be provided for improvements to the double mini-roundabout adjacent to the Loggans Moor junction with the ability of the County Council to call for costs within 10 years of occupation. Strategic and individual travel plans to be submitted and adhered to, which will include provisions, inter alia, for monitoring the use of public transport/private cars with a view to introducing further suitable measures (with a fund of [£50,000]) if mode share targets are not reached.

4 PARKING

The operational use of Hilltop car park (including winter boat storage) to be phased to reflect on site development.

5 SOUTH QUAY TRANSPORT ISSUES

Detailed proposals for South Quay development to be accompanied by further transport studies, a reassessment of parking requirements and an identification of any additional measures which may be required.

6 GREEN SPACE AND PUBLIC REALM

Public realm/green space to be identified where relevant for each phase with triggers and thresholds to secure delivery and longer term management plan for the public realm/green space to be submitted for approval.

Repairs to the harbour walls of North Quay and East Quay to be undertaken prior to occupation of more than 100 residential units or 1,000 sq m of development on the North Quay/Hilltop/Riviere Fields area.

No occupation of South Quay until the repairs to the South Quay harbour walls have been completed.

All harbour walls to be maintained in their current condition and no further deterioration to be permitted.

7 ECOLOGY

Dunes

The developer will work with the relevant bodies generally with a view to managing the dunes appropriately.

The developer will pay identified sums (£60,000 + £60,000) to the County Council for the purposes of offsite and future impact on the dune system and the appointment of a dunes officer.

As mitigation for the Hilltop car park, the developer will:

- (1) restore an area of 0.5 ha at the existing car park at Harvey's Towans; and
- (2) undertake a clearance and management scheme for the sea buckthorn in the Hayle Towans area.

By way of mitigation for the Hilltop residential development, an area of 2.5 - 3 ha for the creation/restoration of dune grassland will be provided in the Riviere Farm area.

8 **INTERTIDAL HABITAT**

By way of mitigation for the loss of intertidal habitat (for works in the harbour), the developer will provide a feasibility study and appropriate funds for offsite new wetland habitat. The new Harbour Arm on Fisherman's Harbour will include design features to encourage inter and sub-tidal species.

9 **MARINA**

The developer will introduce measures for marina berth holders to undergo Wise training or a similar programme to educate boat users on ecological conservation.

10 **ECOLOGICAL MANAGEMENT PLAN**

The developer will submit for approval an ecological management plan for each phase of development, which will include mitigation measures during construction, suitable monitoring regimes and other studies for the purposes of assessing and mitigating the ecological impact of scheme construction and operation.

11 **TRIANGULAR SPIT**

No development to be permitted on the triangular spit and ecological management regime to be implemented.

12 **EDUCATION**

The developer to pay the sum of £1,500 per dwelling (excluding affordable units) of two or more bedrooms or such other rate as may then be in force across Cornwall.

13 **SUSTAINABILITY**

The developer will submit an energy strategy for each phase of the development where new buildings are to be constructed to secure the required 10% reduction of CO2 emissions, including a commitment to achieve BREEAM "very good" ratings and/or Code for Sustainable Homes level 4.

The developer will seek means of accessing energy from the wave hub project.

14 **DRAINAGE**

The developer to provide works and/or funding as may be required by South West Water for drainage infrastructure and relief of flooding.

15 **BUSINESS CENTRE**

The developer will seek to locate a business centre within the scheme.

16 **PRIMARY HEALTH FACILITIES**

The developer will pay to the Council a sum (currently £180) per dwelling for primary health facilities or such other rate as may then be in force across Cornwall.

The developer will make a site or space available at open market value within the scheme for the relocation of the existing Hayle GP practice if it so requires.

17 **DESIGN FRAMEWORK AND DETAILED DESIGN CODES**

The parameters of the development will be fixed by reference to the submitted design framework and detailed design codes for

North Quay, East Quay and Hilltop.

- (3) Subject to the application not being called in by the Secretary of State and to the satisfactory completion of the Section 106 agreement, that the application be returned to the Planning Committee for determination.

REASON FOR APPROVAL

The development is considered to be in accordance with the policies of the Development Plan detailed above, and there are no material considerations of such weight as to warrant refusal.

Background papers - 08-0613-P

Hayle Harbour redevelopment.

Departures from Development Plan that may require approval of the SoS.

Development Plan Document	Policy	Detail
Penwith Local Plan	TV2	Open Area - Development of residential estate at Riviere Farm.
	E5	Irreversible loss of Grade 2 agricultural land at Riviere Farm.
	H8	Residential estate outside Hayle on greenfield land.
	TV-D (iv)	Target of 25% affordable housing.
	TP13	New car parks not permitted.
Cornwall Structure Plan	3	Agricultural land is an important resource.
	10	Housing to be integrated with or within existing towns. Focus on brownfield sites.

Approved

Additional Traffic 109	Air Pollution 62	Access to emergency services 8	Highway & pedestrian safety 13	Height of buildings 130	Fail to integrate / Not in keeping 109	Impact on existing retail 5	Loss of trading harbour 1	Heritage 105	Loss of light 8	Loss of view 5
Multi-storey car park 5	Need slip road at A30 - Tolroy 4	Inadequate road network 20	Right of Way 3	Density 2	Overdevelopment 4	Parking inadequate 1	Selling of sand 1	Impact on listed bridge due to new bridge 25	Noise 2	Loss of privacy 2
Pro development in principle 76										
Affordable housing 27	Provision of schools & community services - Fire Station 70	Lack of community leisure and exercise facilities 49	Greenfield development at Riviere Fields (TV2) 34	Second homes 3	Loss of property value 8	Should PDC deal with an Unitary 1	Probity 2	Drainage 3	Low wage jobs 6	Lack of public consultation 2
Loss of Cockle Bank 2	Loss of habitat 1	Impact on SSSI 10	Flood risk 2	Landscape impact 15	Loss of farmland 3	Marina 2	Inadequate fishing fleet facilities 1	Planning need not demonstrated 1		

Incidence of type of objection – This breakdown totals the number of times a particular objection appears out of the total representations received. One letter will contain a number of points, for example, of the 157 letters of objection received, 130 of those letters contained concerns about the height of the proposed buildings.

Summary - Hayle Harbour Consultation responses from members of the public.

Main points of objection.

Traffic and Infrastructure

Existing roads unable to cope with added traffic. (1000+ vehicles)

Air pollution caused by traffic.

Access for emergency vehicles restricted by increased traffic.

Additional traffic on Churchtown Road at Phillack too much for the road which has no pedestrian footpath. Severe traffic congestion already occurs in summer along this road.

Back roads used as rat runs to detriment of highway safety. e.g. King George V Memorial Walk.

Affect a public right of way.

Multi-storey car park would create noise and fumes detrimental to residential amenities.

Parking arrangements are inadequate.

Additional traffic will cause gridlock.

Adverse impact on the character of Phillack due to additional traffic.

Bridlepaths used by vehicles as a shortcut.

Restricted visibility at junction of the proposed bridge and Fore Street due to nearby blind corner and a redeveloped Hawkins Mill site.

Existing drains system causing problems.

No fire station.

Proposed dredging and sluicing inadequately address navigation needs.

New junction needed at Tolroy to reduce need to travel through Hayle to get to Helston.

"With a development of this size, it would be imperative for a slip road onto the A30 at Tolroy.

Character

Scale of development too large for Hayle.

Buildings too large - 4, 5, 6 storey - out of character.

Proposal should complement the town not change it.

Spanish Costa developments of high-rise are being demolished! They realise they have squandered their birthright. We do not want similar despoliation of Hayle, its individuality and identity".

Fail to integrate.

Self contained.

Earlier proposals would suit Hayle better.

Construction on greenfield land.

Infill of land between chalets and Clifton Terrace.

Density of development is out of keeping.

Lack of information and artist's impressions of views.

Overdevelopment - visually harmful.

Hotel will cause noise and odour nuisance to existing nearby residents.

Economy

Adverse impact on existing local shops.

Should reinstate fishing harbour.

Flood risk and difficulty in getting insurance.

Need for sea defences in the future - costly.

Loss of farmland.

Congestion on roads within Hayle would put off visitors to the detriment of local business and convenience.

Loss of opportunity to use the harbour as a trading port. Port needed to replace road haulage.

Inadequate facilities for the existing fishing fleet and harbour users.

Heritage

Adverse impact of proposed development on conservation area, listed structures and WHS.

"Any proposal of this magnitude should fully compliment Hayle and not stand in complete contrast".

Adverse impact of new bridge adjacent to listed bridge at Merchant Curnow's Quay. Existing bridge could be opened for two way traffic.

1500 cars parked on ground level would be detrimental to visual amenity.

Loss of views would harm attractiveness to tourists.

Environment

Removal of the Cockle Bank would dissipate the effect of sluicing operations.

Sedimentation of Copperhouse Pool means that water holding has been reduced thus increasing reliance on Carnsew Pool for sluicing.

How do boats at the marina stay afloat at low tide.

Proposal conflicts with PPS 25.

Guarantees needed to ensure dredging carried out should the harbour operator become bankrupt.

Loss of habitat due to green field development at Riviere Fields.

Access to towans restricted.

Impact on SSSI.

Proposal for barrier across the estuary to control flooding, generate electricity and provide a footpath / cycle route. Such a barrier would allow Hayle to operate as a commercial harbour with safe navigation and benefit Hayle as a destination for larger non-commercial vessels all of which creates employment. Also could provide a base for a catamaran ferry to South Wales and Ireland. Selling of sand is harming beach levels at Gwithian.

Social

Second homes do not benefit Hayle.

Additional pressure on community infrastructure such as schools and healthcare.

Lack of provision of leisure services such as cinema, bowling alley or attention to promotion of healthy lifestyles.

Loss of light to Penpol Terrace especially in winter.

Inadequate affordable housing provision.

Detail of affordable provision needs to be tied down at the outline planning stage.

Flats in blocks are not suitable for young children.

Youngsters sitting on quays and drinking alcohol will cause residents to create gated communities excluding other Hayle residents from the harbour.

Should dwellings remain unseized then the developer would lease the properties to provide accommodation for "poor and unemployed people" from large cities.

Many of the new jobs would be low wage.

Loss of privacy.

Financial

Why is PDC dealing with this major application when the unitary authority is due.

Personal gain in terms of officer status over the future of Hayle residents.

Lack of public consultation.

Planning need not demonstrated.

