

SOUTH WEST REGION

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Our ref: P00095669

18 January 2011

Dear Mr Content

Notifications under Circular 01/2001 & GDPO 1995
SOUTH QUAY, HAYLE HARBOUR, HAYLE, CORNWALL
Application No PA10/08142

Thank you for your letter of 13 December 2010 notifying English Heritage of the above application.

English Heritage is a supporter of the regeneration of Hayle and has previously contributed two tranches of around £300,000 each to the town through initiatives such as a three year *Heritage Economic Regeneration Scheme*, as well as contributing a grant towards the redevelopment of the Foundry site.

English Heritage has commented on emerging proposals for Hayle over many years. Proposals prior to 2000 were not supported, but since that time an overall master-plan for the wider harbour area was developed; a mixed use proposal, which built upon the historic character of the area, resulting in relatively fine-grain development proposals. Whilst we expressed reservations about a number of elements of the master-plan proposals (see our letter dated 26 November 2008) we recognised that overall the proposals might contribute to the regeneration of Hayle, whilst delivering the repair and sustainable future of key heritage assets, such as the listed South Quay.

English Heritage had raised significant concerns regarding the previous (withdrawn) outline application for a large supermarket on South Quay, (09-1334-ORM) and confirmed our objection (echoing CABE's advice) to the imposition of an out-of-town retail solution in such a sensitive historic location. Those objections related to the scale, massing and layout of the proposals; the surrounding car-park; the sterilisation of the end of South Quay; the unresolved concerns relating to the omission of the heritage benefit of exposing the original in-filled quays; etc. and their effects on the Cornwall and West Devon Mining Landscape World Heritage Site (WHS), Hayle



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Conservation Area and other historic assets.

Following withdrawal of that application, English Heritage has provided further pre-application advice on revisions to the proposals, initially in our letter dated 2 July 2010 to Cornwall Council, as well as in meetings and other communications with ING and Cornwall Council. Whilst, in these current applications, there have been some changes to the pre-application proposals considered in summer/autumn 2010 (mainly to the indicative outline proposals to the tip of South Quay) they fail to address our concerns over the approach to the site.

It should also be noted that in considering proposals at Hayle, we have sought the input of *English Heritage Advisory Committee* (in 2001, 2006 and 2010) who have endorsed our advice at each stage.

Summary

There are three current applications relating to South Quay:

1. A Full Planning Application, for: a retail foodstore with a gross internal area of approximately (c5,230 sqm.), including a cinema (c420 sqm.); 3 retail units adjacent to the viaduct; 2 units between Penpol Creek and the proposed car-park; associated access and car-parking (276 for the supermarket, and a further 43 spaces adjacent to the three units next to the viaduct; a space for the Goonvean Engine; landscaping and public realm works; and flood prevention measures.
2. An Outline Planning Application, for; 30 residential units and a restaurant to the tip of South Quay; 40 associated car-parking spaces; associated landscaping; and a new footbridge over Penpol Creek.
3. A Listed Building Consent Application, for; repairs to South Quay walls, including the breach; construction of a new quay wall in piled steel, with timber additions; flood protection measures (raising the existing ground level of South Quay); and construction of the quayside walkway.

The site is within the Cornwall and West Devon Mining Landscape WHS, contains the listed South Quay, and is within Hayle Conservation Area. The proposals, therefore, have the potential to harm the special interest and significance of those historic assets, as well as their settings.

Policy Context

Since the granting of the outline planning permission for ING's wider Hayle masterplan there have been a number of important material changes in the planning system which need to be taken into account. These are the publication of the Department of Communities and Local Government's *Planning Policy Statement 5: Planning for the*



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Historic Environment (PPS 5) and Planning Circular 07/09, together with their supporting English Heritage Guidance which has been endorsed by Government. In 2010, UNESCO's World Heritage Committee also adopted the *Statement of Outstanding Universal Value* for the WHS.

A key policy in PPS 5 is HE9.1 which says that there should be a presumption in favour of the conservation of designated assets, and that the more significant the asset, the greater the presumption in favour of its conservation. HE9.1 makes it clear that World Heritage Sites are designated heritage assets of the highest significance and substantial harm to them should be wholly exceptional. Policy HE9.2 is also pertinent when considering substantial harm to, or total loss of, significance to designated heritage assets.

Policy HE9.5 points out that not all elements of a WHS will necessarily contribute to its significance, and acknowledges the desirability of enhancement or better revealing significance of the WHS or Conservation Area.

Circular 07/09 makes it clear (paragraphs 6 and 8) that the agreed Outstanding Universal Value is the key reference for the protection and management of the WHS, and that "that policy frameworks at all levels [should] recognise the need to protect the outstanding universal value of World Heritage Sites. The main objective should be the protection of each World Heritage Site through conservation and preservation of its outstanding universal value".

It should be noted that at the time of inscription of the WHS the UNESCO report stated, of the 2006 proposals, under *Risk Analysis* that "This very large development is justified on the grounds that it will bring much needed development. It does however go beyond the minimal development needed to support restoration and regeneration. The scale and scope of the project would mean that, if built, the new structures would dominate the harbour and compromise its integrity as the main port for the Cornish mining industry". It also noted that "ICOMOS considers that the proposed development at Hayle Harbour would not be consistent with the importance of Hayle as the main port of the mining industry and thus a key part of the nominated landscape."

UNESCO's subsequent *Statement of Outstanding Universal Value* for the WHS (2010) also states (under *Integrity*): "Some of the mining landscapes and towns within the property are within development zones and may be vulnerable to the possibility of incompatible development" and specifically (under *Authenticity*): "The ability of features within the property to continue to express its Outstanding Universal Value may be reduced, however, if developments were to be permitted without sufficient regard to their historic character as constituent parts of the Site. The spatial arrangements of areas such as Hayle Harbour and the settings of Redruth and



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Camborne are of particular concern and these may be vulnerable unless planning policies and guidance are rigorously and consistently applied.”

Due to UNESCO’s concerns about the potential impact of major developments at Hayle on the quality of the asset, the Department for Culture Media and Sport undertook to notify the World Heritage Committee of emerging proposals when sufficient details are available.

Given this sensitive historic location, we are concerned that elements of the proposals are in outline form only; not only does this raise issues with ensuring appropriate design quality of those components, but also as to when, and if, these elements will be delivered. A partially implemented scheme might seriously compromise the ability of proposals on South Quay to deliver wider heritage and regeneration benefits.

English Heritage Advice

We reiterate that English Heritage does not object to the principle of some form of development on South Quay and we consider that heritage led regeneration can play a major role in this area. However, such a sensitive historic site demands a tailored, responsive solution, and we do not consider the imposition of an out-of-town supermarket layout onto the site is appropriate.

The historic significance of Hayle, and South Quay in particular, is acknowledged in the number of listed structures in the immediate area, its designation as a Conservation Area, and its inscription as key part of the Cornwall and West Devon Mining Landscape WHS. Its historical development, significance and special characteristics, all of which contribute to its sense of place, are well rehearsed in documents such as the WHS Inscription Documents, *WHS Management Plan*, the 2005 *Urban Survey: Historic Characterisation for Regeneration-Hayle*, and UNESCO’s 2010 *Statement of Outstanding Universal Value (OUV)*, as well as in other studies.

The inscription criteria and *Statement of Outstanding Universal Value* clearly refer to the importance of the WHS’s infrastructure, docks and ports; specifically noting (p126) Hayle’s “Extensive quays and wharves [which] survive largely intact in a dramatic open estuarine setting flanked by villas for managerial classes and terraced housing for workers.”

The importance of South Quay in its contribution to the OUV of the WHS is undeniable; not just as a physical structure, but in its relationship to the town of Hayle, and its surrounding estuarine location. These documents also show the smaller scale and fine-grain of the historic settlement, and the relationship of quayside and industrial structures to the existing town, which are significant characteristics of the Hayle Conservation Area.



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These studies (along with those provided with subsequent applications) also show that, historically, South Quay was largely free from built form, although some low scale industrial buildings did occupy the south-eastern portion of the site. The existing outline permission does permit buildings on previously undeveloped areas of the South Quay, and whilst it is acknowledged by most parties that the masterplan is capable of further improvement, that built form is of a layout and grain which better integrates with the surrounding area. The outline permission also delivered a wider range of heritage benefits, such as excavation of the spoil dumped into the Harbour in the 1960s.

The Layout

Unfortunately, the current proposals fail to respond to the complexity and fine-grain of their context. The simplistic layout fails to integrate with the surrounding urban form, and along with the excessive size of the proposed supermarket, will be an incongruous addition to Hayle. This is especially regrettable given the prominence of the site within the surrounding town and open landscape. Although it is acknowledged that the addition of the cinema will add some degree of life to one corner of the supermarket, this does not offset the lack of animation to almost all but one side of the building.

The bulk of the supermarket building effectively severs the rest of South Quay from the main centre of Hayle, and the intermediate open space, containing a site for the Goonvean Engine, remains dominated by roads and car-parking: it is not a convincing or successful link with the town. The bulk of the supermarket building limits access to the site to a service road to the west and a pedestrian walkway to Penpol Creek: compromising the relationship between the centre of Hayle and the Quay, as well as connectivity with the tip.

The size and disposition of the car-parking on the site contributes to the isolation of the northern end of South Quay. We remain concerned that the character of this space, as a car-park as opposed to a genuine open-space, will dominate this area of South Quay. We are unconvinced that the two commercial units between Penpol Creek and the car-park are effective as a “bridging” element between the supermarket and the residential component of the site, and seek assurances as to their long term viability in such a location.

We acknowledge that some improvements have been made to the layout of the north end of South Quay, such as the more generous open space to the tip. The simplified plan form of the residential units appears to be more convincing than options considered at pre-application stage. Whilst the desire to provide some sort of “destination” at the end of South Quay is recognised, we consider that an “iconic” building could distract and detract from the existing structures of the harbour. We



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would recommend careful consideration of whether the proposed restaurant is too isolated from the rest of the development and the historic core of Hayle, to be effective. We would recommend re-examination of the more mixed-use scheme as set out in the outline permission, rather than the “zoned” approach currently adopted.

The Infilled Harbour

We are also extremely concerned about removal of the intention to reinstate the slipways/harbour to the east of South Quay. Proposals, dating back to (at least) 2005, envisaged the excavation of the harbour and the 2008 Outline Planning Application by ING clearly proposed “To excavate the in-filled slipway to the south-west side of South Quay, and repair/reinstate the buried quayside wall, with the subsequent approach to be decided based on results.” (*Design and Access Statement*, 22 April 2008, p44). This was expanded on in the *Hayle Harbour Environmental Statement*, Volume 3, November 2007, Technical Annex 13G, p18, *Excavation of Harbour at Carnsew Quay/Carnsew Wharf*, which states “The purpose of these works, together with the works of dredging the basin adjacent to the Carnsew Wharf tunnel intake, is to re-establish the harbour at this location, which has been infilled in the past with demolition spoil from the adjacent South Quay.”

The restoration of the historic harbour has previously been acknowledged by ING (*PPG15 Statement and Justification for Change*, April 2008) as something that would greatly enhance the WHS. The archaeological report indicates that the historic quayside and slipways appear to remain *in situ* and the historical research shows that they are a key component in the development of South Quay and of company that ran Harvey’s Foundry. They fall within the timeline of the principle period for which the WHS was inscribed. Other than the dumping of the spoil in the harbour, which can be reversed, there is no clear evidence that they have been substantially altered post-1914.

It is acknowledged that the proposals include that repair of the Quay walls that are currently exposed, but we have seen no clear evidence as to why the exposure of the historic harbour is prohibitively expensive, given the scale of proposed development, both on South Quay and on ING’s wider landholdings covered by the existing outline masterplan area.

We acknowledge that the proposed development on the infilled land adjacent to South Quay is not in an area where its foundations are likely to harm any historic, built fabric, but are concerned that its construction would effectively preclude future reinstatement of the historic harbour. Furthermore, built form on this area of land would be harmful to the understanding and appreciation of the grade II listed harbour, acknowledged as an important historic element within the WHS.



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We recognise that there are issues with the historic harbour extending beyond ING's landholding, but this does not preclude partial excavation of the harbour on their site, nor them working with adjoining landowners to completely excavate the harbour. There may be a role for Cornwall Council to facilitate such a course of action: indeed we have long advocated that a better overall scheme could come forward for both South Quay and the adjacent Jewson's site if the Council were minded to ensure that both sites were considered in an integrated manner.

The Built Form

The general form of the supermarket appears to be more broken up than in previous proposals, although its massing is a significant concern in this location. The overly-dominant nature of the building is compounded by the blank facades, especially to the west side and south-east sides. This will be particularly prominent in views when approaching Hayle along Carnsew Road from the west. As previously noted, the addition of the cinema will add some animation to that corner of the building, but the only other point of interaction would be the supermarket entrance. The stepped plan-form of the supermarket, presented towards the viaduct, fails to address the road layout, leading to an unconvincing form and series of surrounding open spaces.

High quality materials and robust industrial detailing should be employed to respond to context and to avoid a generic appearance; for example, in this regard the elevation of the supermarket to Penpol Creek would benefit from further work. Obviously issues such as signage require careful consideration, in order to avoid their over-dominance of elevations and surrounding spaces.

The same concerns apply to the other commercial units within the scheme, whose elevational treatment also seems to be somewhat bland. It is unfortunate that the two units to Penpol Creek present a blank, metal-panelled elevation to the car-park. I am unclear as to the true appearance of the "natural stone panel system" employed on three units adjacent to the viaduct, as the renderings appear to show coursed stonework.

Whilst it is accepted that the residential and restaurant elements of the proposals are in outline, we are concerned that the indicative elevations eschew the more industrial nature of the quayside in favour of more generic appearance of terraced cottages. Obviously given the prominence of the restaurant, this element would require considerable thought.

Landscaping

The serious concerns relating to the layout of the scheme, resulting in poor connectivity and spaces overly dominated by roads and car-parking, are such that they cannot be overcome by the use of landscaping. The hard landscaping could be much



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improved through the use of natural, local materials, rather than an overreliance on materials such as standard concrete pavements.

There are also concerns regarding the width of the walkway around the Quay edge and the extensive use of concrete; making this a potentially inhospitable and under-used resource. It is not clear whether this space is of sufficient width to enable the quayside to remain in use for maritime/fishing activities, a potential source of animation and life. Previous proposals envisaged a more generous walkway, possibly incorporating other uses (such as fisherman's lock-ups in the retaining banks) to encourage better use of this space. Given our concerns relating to the physical isolation of the residential and restaurant components of the site, one would question whether this walkway would be a desirable route for pedestrians later in the evening when the supermarket and commercial units would be closed.

The *Heritage Interpretation Area* is not integrated about the rest of the scheme and does not appear to be a natural position from which to appreciate the heritage of Hayle. The centre of Hayle will be obscured by the supermarket building and views across Carnsew Pool and along Carnsew Channel will be obscured by anyone occupying the seven car-parking spaces immediately in front of the *Interpretation Area*.

Whilst we have concerns with the size and location of the car-park, we would also advise against a generic, off-the-peg solution for such a space; signage, street furniture and peripheral structures should be kept to a minimum, and a robust pallet of surface materials, should be used to contribute to a real sense of place.

Consideration needs to be given to how the external spaces will be lit during darkness.

Works to the Listed Quay

We obviously welcome the principle of the repairs to the Quay walls and have previously provided detailed comments on the repair methodology; although the inclusion of different options indicates that final repair details would have to be conditioned.

We believe that the removal of the previous undertaking to expose the historic harbour is a significant reduction in the heritage benefits of the proposals, and there are serious concerns over the intention to use metal sheet piling for the new wall: the existence of a section of this material from previous repairs should not be seen as a justification to replicate this approach.

Phasing and Delivery

All repairs to, and maintenance of, the Quay walls must be adequately secured by a



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legal agreement linked to any development on South Quay. The provision of the footbridge must also be secured, presumably prior to occupation of the buildings on South Quay, to ensure that any benefits of the proposals are not partially realised. It is concerning that this element of the proposals is in outline form only, suggesting that it is not the intention to deliver this with the initial phase of works.

Whilst a space has been allocated for the Goonvean engine, it is not clear how the proposals on South Quay will contribute to, or deliver, its erection and long term future. Likewise, we welcome the proposals to pass the Pattern Building and Cart Shed Land to the Harvey's Foundry Trust, although obviously the value of the building must be considered against any repair liabilities taken on by the Trust.

Any development on South Quay must ensure that its historic assets are not just repaired now, but are subject to ongoing maintenance.

We are also concerned that the residential and restaurant elements are not to be delivered as part of the initial works. No information has been provided on the viability of the scheme and whether residential development of this scale, and in this location, would be of interest to a commercial developer; again raising concerns that only the supermarket and car-park would be delivered. As noted previously, a partially implemented scheme might seriously compromise the ability of proposals on South Quay to deliver wider heritage and regeneration benefits.

UNESCO has previously raised concerns that development in Hayle should be the minimum necessary to support restoration and regeneration, and whilst the applications commit to certain works beneficial to the historic environment we have not seen convincing evidence that the proposed development is the minimum necessary to deliver those works, nor that an alternative, more acceptable form of development might deliver similar benefits. Whilst each application must be judged on its own merits, we understand that there may be the possibility of other sites in the vicinity contributing towards the repair and restoration of historic assets in Hayle, indicating that policy HE9.2(i) of PPS 5 has not been met.

We believe that a better scheme, one with genuine, wider regeneration rewards and benefits for the historic environment, could be delivered by considering South Quay and the adjacent Jewson's site in a holistic and integrated manner; rather than considering competing applications on either site. Such an approach could not only ensure the repair of South Quay walls, but could offer the possibility of enhancing the WHS by exposing the entirety of the historic harbour. It could also provide a single point of access to both sites, and enable a coherent plan for this important settlement to be brought forward.



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Recommendation

Hayle is recognised as an area which would benefit from investment and its surrounding area is one of great potential for heritage-led regeneration. It is an important town within the Cornwall and West Devon Mining Landscape WHS, and contains a number of substantial listed structures, in need of repair. In addition to its international and national designations, it is also within Hayle Conservation Area, and contains other undesignated historic assets.

We recognise the genuine desire of the Council and the residents of Hayle to resolve the long running issue of the development of South Quay, but feel that the current proposals are not the appropriate solution. We also acknowledge the desire to provide a supermarket in the area, but feel that there are more appropriate solutions, as clearly we do not feel that the current proposals have successfully located a supermarket of the given scale on South Quay.

It is disappointing that the applications have not taken into account our previous advice and comments, and have continued to propose a scheme with a scale of supermarket, and a layout, which we are unable to support. The proposals do not respond to, or integrate with, the surrounding historic settlement and its wider landscape setting, and would be an incompatible and incongruous element within the WHS and Hayle Conservation Area.

We do not believe that the proposals have been designed with sufficient regard to the historic character and spatial arrangement of Hayle Harbour and, as such, reduce the ability of Hayle to continue to express its Outstanding Universal Value within the World Heritage Site. The size and location of the supermarket building are such that they disrupt the spatial relationship between the settlement of Hayle with its historic harbour and the estuary beyond. We do not believe that the application assesses the impact of the proposals on the Outstanding Universal Value of the WHS with sufficient rigour, and as a consequence the proposals are flawed.

We welcome the commitment to repair the Quay walls and the intention to provide a community benefit, in the form of a new cinema. However, the intention not to reinstate the historic harbour, as per ING's outline permission, is a significant diminution to the heritage benefit secured. Building on this area of spoil would also frustrate the possibility of exposing the harbour in the future, and harm the understanding and appreciation of the harbour.

We are also concerned by the nature of the applications, suggesting that development on South Quay may be only partially delivered.



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Unfortunately, the current proposals have failed to overcome our concerns regarding harm to the Hayle Conservation Area and OUV of the Cornwall and West Devon Mining Landscape World Heritage Site. They are contrary to advice in PPS5 and Circular 07/09, and, therefore, we object to these proposals.

English Heritage supports the repair and reuse of historic assets and the regeneration of Hayle. We do not object to the principle of some form of development on South Quay. We recognise the possibility of this, and adjacent sites, contributing to genuine regeneration, based on the historic importance of Hayle and its real sense of place. By considering South Quay in its wider context, and in conjunction with adjacent development sites, we believe a more appropriate solution could be brought forward; one which delivers the heritage and regeneration benefits desired by all, but without harm to World Heritage Site and the wider historic environment. We are happy to contribute towards such a discussion to ensure that any proposals are of the highest quality and meet the aspirations of all concerned.

Please contact me if we can be of further assistance. We would be grateful to receive a copy of the decision notice in due course. This will help us to monitor actions related to changes to historic places.

Yours sincerely

Simon Ramsden

Team Leader/Historic Environment Advisor

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cc

CABE (via email only)

Mr Nick Cahill, Cornwall Council (via email only)



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