



Planning and Regeneration
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Dear Sir or Madam,

**Hayle – Proposed Development at South Quay
On behalf of ING RED UK (Hayle Harbour) Ltd**

We are instructed to submit the attached outline planning application (Application A) for South Quay:

"To provide a foodstore and unit shops (Class A1 and Class A3), associated car parking, new vehicular access from Carnsew Road to serve the retail development and future development to the north of the Quay, enhanced pedestrian linkage to Foundry and public realm improvements in the form of a promenade to the perimeter of the quay and a raised walkway between the store and the town centre. Improvements to the quayside and the raising of the site level to accommodate climate change".

The application comprises:

- four copies of the planning application forms, duly completed and signed;
- four copies of the Certificate of Ownership;
- a cheque to the sum of £8,785;
- four copies of the application drawings comprising:
 - Location Plan: 0179-SK-01
 - Proposed Development Ground Floor Level Layout Plan: 0179-P-03
- Planning Statement prepared by Planning Perspectives LLP;
- Statement of Community Involvement prepared by Halogen;
- Transport Assessment prepared by Buro Happold;
- Heritage and Viability Statement prepared by Planning Perspectives LLP;
- Retail Planning Assessment prepared by Strategic Perspectives LLP;
- Design & Access Statement prepared by Mountford Pigott;
- Sustainability Statement prepared by Buro Happold; and



- Utilities Assessment prepared by Buro Happold.

The application is also accompanied by an Environmental Statement prepared by Buro Happold. The Environmental Statement is presented in three parts and comprises: Volume 1 – The Main Text; Volume 2 – Technical Appendices; and Volume 3 – Non-Technical Summary. The Environmental Statement comprises the following technical studies:

- Construction;
- Noise and Vibration;
- Landscape and Visual;
- Transport and Access;
- Waste;
- Archaeology and Cultural Heritage;
- Air Quality;
- Ecology;
- Water Resources;
- Ground Conditions;
- Socio-Economics
- Energy; and
- CEMP issues.

As the application affects the setting of a Listed Building (South Quay is a Grade II structure) and proposes repairs to the quay it is necessary to also submit an application for Listed Building Consent (Application B), this seeks permission for:

"Development of the Grade II listed South Quay to provide a foodstore, unit shops and associated car parking and access. The raising of levels across the site to accommodate climate change, public realm improvements and works to repair the existing harbour walls".

Application B comprises:

- four copies of the planning application forms, duly completed and signed;
- four copies of the Certificate of Ownership;
- four copies of the application drawings comprising:
 - Location Plan: 0179-P-01
- the Design and Access Statement prepared by Mountford Pigott.

In order to facilitate the easy handling of the application, it is also available on a CD-rom. Copies of the CD-rom can be provided to the Council for distribution to the relevant consultees on request.



Overview

This planning application needs to be considered in the context of ING's proposals for the regeneration of the wider harbour lands for which the former Penwith District Council resolved to grant outline planning permission on 24 March 2009, subject to the satisfactory completion of a legal agreement under Section 106 of the Planning Act.

The outline planning application (the "*Masterplan Scheme*") promoted the redevelopment of South Quay, East Quay, North Quay, Hilltop and Riviere Fields for mixed use development comprising residential, retail, office, industrial, hotel and leisure uses (reference 08-0613-P).

The outline application was accompanied by an Illustrative Masterplan (the "*Masterplan*") that envisaged a mix of uses on South Quay comprising predominantly residential accommodation, commercial uses at ground floor level, leisure uses and associated public realm improvements with vehicular access taken from Carnsew Road.

With the exception of the development of South Quay, the regeneration area was promoted jointly by ING RED UK (Hayle Harbour) Ltd and the South West of England Regional Development Agency.

History

Whilst Hayle Harbour was once a thriving industrial area that was at the forefront of the industrial revolution in the 19th century, little physical evidence of the town's former economic prosperity remains. The majority of the harbour lands now lie derelict and are, to a large extent, inaccessible to the public. As a result, the link between the town and the coast, along the estuary is unattractive and represents an underutilised resource which if redeveloped would revitalise the ailing local economy.

The regeneration of the harbour has long been supported but previous attempts to bring forward development have failed. Similarly, ING's Masterplan Scheme has been frustrated by the current recession and in particular the downturn in the residential market. As a result, and despite public sector support, it is unlikely that development will proceed in the short term.

The current delays are frustrating to both Hayle residents and ING, especially given the landowner's considerable financial exposure. For this reason, the phasing of development has been reviewed to see whether a commercially viable proposal exists for South Quay (originally the last phase of the Masterplan Scheme). In this regard, ING has undertaken a financial appraisal of the mixed-use proposals for the South Quay and can advise that the level of development envisaged in the Masterplan would be unable to support the infrastructure improvements associated with the development of the site and the works associated with restoring the historic fabric of the quay (see below).

Against this background, ING has appraised a range of alternative options that seek to respond to the current interest being expressed by the main foodstore operators in securing representation in Hayle. It is considered that only a retail development on South Quay, associated with residential and commercial uses on the north of the quay, in line with the Masterplan, is capable of bringing forward development in the short term. Such a proposal would also demonstrate investor confidence in the heart of Hayle and would potentially act as a catalyst for the regeneration of the wider area by bringing regular footfall back to Hayle to the benefit of local businesses.

Planning Policy Context

This application has been informed by the policies of the Statutory Development Plan that comprises the Regional Planning Guidance for the South West (RPG10) and the saved policies contained within



the Cornwall Structure Plan and the Penwith Local Plan respectively. Regard has also been had to the emerging Regional Spatial Strategy for the South West and the Local Development Documents that were commenced by Penwith District Council, before being put on hold following the creation of the new unitary authority, One Cornwall.

Specific consideration has been given to national planning policy guidance as set out in PPS1 (Delivering Sustainable Development), PPS6 (Planning for Town Centres), Draft PPS4 (Planning for Prosperous Economies, that will ultimately replace the existing guidance in PPG4, PP5 and PPG6), PPS9 (Biodiversity and Geo-Conservation), PPG13 (Transport), PPG15 (Planning and the Historic Environment), PPG16 (Archaeology), the recently published consultation paper on the new PPS15 (Planning for the Historic Environment, July 2009) and PPS25 (Development and Flood Risk). In addition, specific attention has been paid to Circular 07/2009 that relates to the protection of World Heritage Sites.

Other documents to which the applicant has had regard include the Penwith Retail Study (2007), the community led Hayle Area Plan (2005-2025), that helped to inform the emerging Penwith LDF (that was subsequently held in abeyance), and the Management Plan (2005-2007) that was drawn up in accordance with the provisions of Circular 07/2009 to ensure that effective management systems are in place to protect the Outstanding Universal Values of the World Heritage Site.

In summary, the application site is highly constrained, primarily by designations that provide protection to the town's heritage assets. Accordingly, any development proposal must respond positively to the site's:

- World Heritage status;
- location within a designated conservation area; and
- statutory Grade II listing.

In light of the above, the proposed development seeks to protect and enhance the area's existing heritage features and, in particular, the Outstanding Universal Values attached to the WHS designation. In archaeological terms, the proposed development would be constructed so as to preserve *in-situ* existing structures and artefacts of significance for future generations. Where appropriate, further archaeological investigation will take place.

The other planning policies to which the proposal must have regard are set out in detail in the accompanying Planning Statement that confirms that in overall terms the application is considered to be wholly acceptable.

The Proposed Development

The proposed development comprises:

- a foodstore of 6,864 sqm GIA;
- two retail/restaurant buildings (Class A1/A3) comprising a total floorarea of 176sqm GIA, that are capable of sub-division;
- car parking for 341 vehicles;
- a new vehicular access and roundabout on Carnsew Road;
- servicing arrangements for the foodstore and retail units; and
- public realm enhancements to improve access to the quay and linkages with the town centre.



Land Use

At the local level, the principal policy influencing the future development of South Quay is Policy TV-D that relates to the wider harbour area. It promotes a mix of uses falling within Classes A1, A2, A3, B1, B2, B8, C1, C3, D1 and D2 of the Town and Country Planning Use Classes Order 1987 and requires any development to make provision for improved port facilities, existing industrial and storage uses, a significant element of affordable housing and infrastructure improvements. With particular reference to South Quay, any development must ensure close integration with the adjacent town centre and improvement of the junction between Carnsew Road and Foundry Lane. Furthermore, proposals will be expected to respect the maritime environment and heritage of the harbour and to retain traditional features that contribute to the character of the area.

The supporting text to Policy TV-D, at Paragraph 7.3.115 states that in safeguarding the vitality and viability of the town centre, any retail scheme should be complimentary to and integrated with Foundry both physically and visually and the developers will be required to undertake a "needs assessment" if a proposal is to promote any substantial retail development.

The Retail Planning Assessment that accompanies the application has been guided by the provisions contained within PPS6 and draws upon the findings of the Penwith Retail Study that confirms that Hayle town centre needs to be improved to effectively compete with other town centres and out-of-centre developments.

The assessment goes on to confirm the need for additional retail floorspace and having applied the sequential approach to site selection confirms that there is no other more suitable, centrally located, site capable of accommodating a foodstore and its associated car parking. Accordingly, South Quay represents an appropriate edge-of-centre site that, if developed in the manner envisaged, will enhance the town centres of Foundry and Copperhouse to the benefit of existing businesses.

The assessment confirms the considerable interest expressed by the major foodstore operators in developing a store to serve the Hayle catchment area and goes on to confirm that the proposed development will have no adverse implications for the overall vitality and viability of the centre as a whole.

Layout and Design

In response to Policy TV-D the Design and Access Statement sets out the rationale behind the site layout and confirms that particular consideration has been given to the most valued views of the site; the relationship of the proposed built form to the existing viaduct; the urban grain of the existing centre; the need to improve the public realm and pedestrian access to the Quay; the integration of the development with the town centre; and the need to provide the car parking in a location where it is accessible and is capable of encouraging linked shopping trips.

The layout of the development and the siting of the buildings seeks to integrate the development with the existing urban fabric to ensure that the foodstore achieves the transition between the more dense urban grain proposed for the northern end of the quay and the established, finer, grain of Foundry, beyond the viaduct. In townscape terms, this is achieved by siting the smaller scale retail/restaurant units to the south of the site adjacent to the piazza and the car park thereby creating a clearly defined visual break.

Importantly, the contemporary design of the proposed buildings reflects their particular function and their disposition on the site. The proportions of the larger foodstore building can be accommodated in the centre of the quay due to the architectural approach adopted that seeks to articulate the building through the use of a palette of materials and techniques that respond to its location and in



particular the scale of the harbour walls and the adjacent surface level parking. By contrast the smaller retail units take their reference from the more intimate scale of the piazza and the buildings around Foundry Square.

Whilst the appearance of the buildings is reserved for future determination, the Design and Access Statement demonstrates how the buildings could be articulated to provide an active frontage to Penpol Creek. As the promenade will be the area of most prominence and activity, especially when viewed from Penpol Terrace particular attention has been given to making a statement of the entrance of the foodstore with the glazing at ground floor level along the entire frontage and the outside seating to the café adding further visual interest. All the elevations to the store are proposed to be stepped and vary in height along their length to articulate the building's architectural form and through the use of a wide palette of materials throughout the site a quality contemporary building can be secured. The same attention to detail will be given to the smaller units and to the quality of the public realm, including the street furniture, landscaping (reserved for future consideration) and the enclosure of the car park. Where appropriate, the development will embrace the local vernacular and in particular the building materials used in the vicinity of the site.

It is envisaged that a Design Guide will be drawn up in consultation with the local planning authority to inform any future reserved matters application; in the event that planning permission is forthcoming. This will confirm ING's commitment to a sustainable design where the use of new technologies will be encouraged to achieve a "very good" BREEAM rating by providing, inter alia, energy efficiency measures and achieving a reduction of CO₂ emissions. The sustainable nature of the proposed development is addressed in further detail in the Environmental Statement. Overall, the Guide will take its lead from the Masterplan Design Guide to ensure a continuity of approach throughout the harbour area.

Vehicular and Pedestrian Access

In terms of access, a new roundabout on Carnsew Road will provide vehicular access to the whole of the quay, including the future development to the north. The 341 space customer car park will be accessed off the main service road at a point that will ensure that queuing back to the highway does not occur. Disabled parking and Parent and Child spaces are located immediately in front of the foodstore with additional spaces sited adjacent to the piazza.

The main pedestrian access will take the form of a promenade around the perimeter of quay that will link through to the town centre via Isis Gardens. However, in order to protect against flooding (and the need to take into account climate change), the development itself will be set at a higher level, 6.35m, and will be accessed via a raised walkway that will be suitably linked with the main promenade.

The new piazza at the southern end of the site will provide a focal point to the development adjacent to Carnsew Road and a vibrant setting for the new retail/restaurant units that will also overlook the promenade and Penpol Creek. The promenade will be provided with focal points along its length to ensure a vibrant and active link between the foodstore entrance and the town centre; especially in the peak seasonal periods when temporary activities can be accommodated in designated areas; such as market stalls, entertainment booths and specialist catering kiosks. The integration with the centre will be further enhanced by improvements to ISIS gardens and the pedestrian route to Penpol Terrace.

Access to the fishing boats that moor up to the quay will be maintained and lockers will be provided under the raised walkway for the storage of equipment. The existing access to Carnsew Dock and the Pool will also be improved.



Heritage

In relation to maintaining and enhancing the heritage assets of the site the proposed development will secure the necessary repairs to the quayside and in particular the breach to the harbour wall. The harbour furniture along the quay will also be repaired and replaced. A new harbour wall will be created to enclose the area of the Carnsew Dock to the south west of the quay that was in-filled in the 1960/70s. The same conservation approach that has been agreed with the Council and English Heritage for the other parts of the harbour will be adopted for these works. Similarly, ING is committed to ensuring that, with the increased level of public access, the heritage of the site and wider area is full appreciated through the introduction of information boards. In line with accepted policy advice, it is intended that all such works, and all additional heritage investigations will be undertaken in line with best conservation and archaeological practice.

All aspects of the development will be the subject of extensive discussions with the Council's conservation officers and representatives of English Heritage to ensure that due consideration is given to the listed nature of the quay, its location within the conservation area and the Outstanding Universal Values of the World Heritage Site.

Conclusions

Whilst this application differs from the land-uses proposed for South Quay in the Masterplan Scheme, the proposed development is seen to represent the only viable alternative that will bring investment to Hayle in the short term. This approach is considered to be important as it will not only address the current need for additional retail floorspace in Hayle, but will also ensure that the foodstore is located on the most suitable site that will bring wider benefits to the town centre. In this regard, South Quay meets the planning policy objectives set out at national and local level that seek to direct new retail investment to town centres or, should an appropriate town centre site not exist, to an edge of centre location. The application site satisfies this sequential approach to site selection and is considered preferable to any out of centre alternative.

The proposed development will also act as a catalyst for the regeneration of the balance of South Quay and the wider harbour area, to which ING and the Council are committed. Accordingly, should the application be approved it will bring significant socio-economic benefits to the area that will result in the rejuvenation of Hayle and bring back into beneficial use the harbour side areas and importantly deliver the extensive and costly range of heritage and infrastructure improvements that were identified at the Masterplan Scheme stage.

Overall, the applicant has sought to respond positively to the site's World Heritage status and in this regard will adopt the approach to conservation that was previously been agreed with English Heritage in relation to the Masterplan Scheme.

For the above reasons, it is considered that outline planning permission granted along with the approval of the associated application for Listed Building Consent.

Yours sincerely

Partner
For and on behalf of Planning Perspectives LLP
Encl.