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Dear Mr Slatter

**Notifications under Circular 01/2001 & GDPO 1995
PENZANCE HARBOUR, PENZANCE, PENWITH, CORNWALL
Application Nos 09-1118-P & 09-1119-LBC**

Thank you for your letter of 19 October 2009 notifying English Heritage of the above application.

Summary

The current proposals are for alterations and extensions to the listed South Quay in Penzance to enable its use by ships of a greater length and draught, and to provide improved facilities for passengers and freight handling.

English Heritage is supportive of the principle of improved transport links between the mainland and the Isles of Scilly, but has previously expressed concern about similar proposals on the site and has suggested that alternative sites/solutions be considered.

The Quay is acknowledged, by all parties, as an important historical structure, both in its own right and in its contribution to the wider historical townscape (and coastline) of Penzance. It is currently listed grade II, although the *Penzance South Pier Assessment*, submitted by the applicant, suggests that the structure may be of greater significance than first thought. A request has been received, from a third party, to consider the harbour, and adjacent structures, for appropriate designation, including the possibility of upgrading the Quay.

The applicant's own, previously submitted, *Environmental Statement* has stated that: "The stonework to the North Arm and South Pier is a distinctive part of the harbour and creates the setting for the entire area. The loss or concealment of part or all of the harbour walls as part of a scheme may be considered to have a large adverse effect on the heritage asset as a whole."

There are three main elements to the current proposals:

- 1 The linear extension of South Quay
- 2 The reclamation of an area of land to create a passenger and freight terminus, including a new concrete seawall and alterations to the listed Quay to create new openings, etc.
- 3 The use of rock-armour to prevent over-topping of the Quay by waves

With appropriate detailing and materials, we do **not object** to the linear extension of South Quay.

The current proposals to reclaim an area of land and construct a concrete seawall are harmful to the historic environment and English Heritage **objects** to this element on the basis of that harm and a lack of justification for this particular solution. Based on the evidence submitted it has not been proven that alternative locations / solutions, less harmful to the historic environment, could not be utilised. We **strongly recommend** that the applicant works with English Heritage in examining alternative locations/solutions for this aspect of the proposals. We do, however, welcome the proposals to instigate a series of repairs and maintenance to the listed Quay structures.

We understand that the use of rock-armour is the least harmful solution to the problem of over-topping and, therefore, we do **not object** to this aspect of the proposals.

We understand that consideration is being given to at least one alternative solution which would omit the reclaimed land element contained in the current proposals. Given that there is therefore doubt as to whether such a significant, and costly, intervention is justified, and the acknowledged potential harm to the historic environment, we would recommend that this element is at the very least **removed** from the current proposals, whilst consideration be given to alternative solutions. This would also allow the separate consideration over the listed status of the harbour-side to be concluded, and give certainty to all parties as they progress to find a mutually acceptable solution to the mainland link with the Isles of Scilly.

English Heritage Advice

Summary of Current Proposals

The current proposals are for alterations and extensions to the listed South Quay in Penzance to enable its use by ships of a greater length and draught, and to provide improved facilities for passengers and freight handling. The works include the extension in length of the South Quay (clad in granite);

creation of an area of reclaimed land on the seaward side of South Quay (enclosed by a pre-cast concrete seawall); creation of a passenger and freight terminal on the reclaimed land; other alterations to the listed structure, such as breaking through the seawall for both pedestrian and vehicular traffic to access the new terminal area, removal of a toilet block, etc; and the use of rock-armour along a portion of the Quay wall.

Planning Background

Listed Building Consent is required for works impacting on the listed structure; including the linear extension to South Quay, the area of reclaimed land and its enclosing seawall, alterations to the listed structure itself (such as demolition of sections of seawall and a toilet block), and the use of rock-armour, etc. Planning Permission is also required for the seawall to the area of reclaimed land (above reclaimed level).

Certain works, such as the extension to the end of the Quay, the creation of the reclaimed land (up to ground-level) and the use of rock-armour have been established by a Harbour Revision Order (18 September 2009). We understand that the construction of the freight facilities is permitted development under GDPO part 17. It is also our understanding that prior to 2009 there exists a previous HRO, which included the land reclamation element, but not the extension to South Quay. The HRO does not override the need for Listed Building Consent (or planning permission for those works not covered in the HRO).

The Quay is a grade II listed structure and is within the Penzance Conservation Area. It is also in the vicinity of other listed structures, such as the grade II Jubilee Pool. Therefore, in addition to the effect on the historic and architectural significance of the Quay itself, the proposals have the potential to affect the character and appearance of the Penzance Conservation Area, as well as the settings of other listed buildings and structures in the area.

Whilst the Quay is grade II listed, a report (*Penzance South Pier Assessment*, by the Cahill Partnership) previously submitted by the applicant indicates that the harbour wall, and the adjacent battery, are of greater historic and architectural interest than initially thought, and are on a par with similar structures elsewhere in the region which are listed at grade II*. The applicant / Council is aware that a request has been received, from a third party, to consider the harbour, and adjacent structures, for appropriate designation, including the possibility of upgrading the Quay.

It must be stressed that any such consideration of the designated status of the Quay, by our Heritage Protection Department, is completely separate and independent from any statutory advice English Heritage may provide on the current planning and listed building consent applications. It must also be stated that any recommendations the Heritage Protection Department may make regarding the status of the Quay will be in the form of **advice** to the DCMS, who ultimately decide whether or not to take that advice.

Previous Proposals

Similar applications were previously submitted and then withdrawn by the applicant. The comments provided in this letter are, therefore, to be read in conjunction with our comments on those previous proposals (attached).

In summary (although not exclusively) our comments were:

- Regret that the opportunity had not been taken to reassess pre-2009 HRO proposals to produce an alternative scheme which would be less harmful to the historic environment, and that more weight was not afforded to the historic environment when assessing possible solutions.
- Consideration should be given to locating the passenger and freight terminus in an alternative location less harmful to the historic environment.
- We acknowledged the desire to improve transport links between the Isles of Scilly and the mainland, and the subsequent benefits that may bring. We also acknowledged that one might expect to encounter robust engineering/industrial structures in such a harbour-side location, but we agreed with the applicant's own *Environmental Statement* that: "The stonework to the North Arm and South Pier is a distinctive part of the harbour and creates the setting for the entire area. The loss or concealment of part or all of the harbour walls as part of a scheme may be considered to have a large adverse effect on the heritage asset as a whole."
- Recommend that expert advice should be taken to ensure that any adjacent historic assets were not damaged as a consequence of the development (e.g. through wave displacement).
- Recommend that any proposals be well designed and appropriately detailed. This should include the use of natural materials (to match the core elements of the existing structure) and we recommended that the use of pre-cast concrete elements was not appropriate in this sensitive, historic context. The use of high-quality design and materials should also extend to horizontal surfaces / the 'public realm', gates, signage, etc.

- Consideration be given to a reduction in scale of the proposed reclaimed area of land and a reduction in height of the seawall.

Consideration of Alternative Sites

We previously recommended that consideration be given to alternative sites, less harmful to the historic environment. Although the previous applications were withdrawn to enable a further review of alternative locations, it is not evident that this piece of work has been undertaken to a satisfactory degree. English Heritage encourages and welcomes the use of pre-application advice prior to submission (or re-submission) of proposals and it is unfortunate that the applicant did not seek to discuss the potential use of alternative sites with EH before proceeding with a second set of applications for the same location.

Paragraph 3.1 of the *Design & Access Statement* indicates that an additional options appraisal has been carried out on **one** alternative site, but that “the report concluded that the option to construct the reclamation and the seawall remained the preferred option.” It is not clear what criteria the second option appraisal document used, nor who was involved in its preparation, who was consulted on its contents and conclusion, or why only one alternative site was considered.

Although the option of processing passengers in Trinity House and handling freight transfer in an alternative location is discounted in the *Design & Access Statement*, we understand through discussions with Cornwall Council that this is now being re-evaluated. This would enable the area of reclaimed land to be omitted from the proposals and whilst it may not offer all of the operational benefits of the current proposals, it **may** offer a workable, viable alternative; one which seeks to fit in with the existing historic environment of the harbour-side, rather than proposing harmful additions and alterations. We would welcome serious consideration of such a proposal which obviates the need for (and expense of) the construction of the reclaimed land.

Current Proposals

Whilst it is acknowledged that, in comparison with the recently withdrawn proposals, there has been a small reduction in the area of reclaimed land and a reduction in height (and thickness) of the proposed seawall, these are not of such an extent to address our previous concerns (echoed in the applicant’s own *Environmental Statement*) regarding the harm of the proposals on the heritage asset; a significant proportion of the seaward side of the existing harbour wall will remain covered, both physically and visually, by the rock-armour, land reclamation area and concrete seawall of the proposals.

We would not agree with the applicant's current *Planning Statement, incorporating Design and Access Statement* (October 2009, submitted with the Planning Permission application) when it states "it is considered that the harbour development scheme, which includes the proposals for the sea wall, will further enhance the quality of the area's townscape" (paragraph 4.7.3), nor that "there will be no detrimental impact to the environment, townscape, or seascape" (paragraph 5.1). There is no evidence to support these general statements and they contradict the analysis in the applicant's own previously submitted *Environmental Statement*.

Whilst Chapter 3 of the *Design & Access Statement* lists a number of concerns raised regarding the previous application, and how the revised proposals address these issues, it omits to mention the serious concerns raised regarding the considerable (acknowledged) harm to the heritage asset and the wider historic environment.

The proposed works can be split broadly into three parts:

- 1) The linear extension of South Quay, and
- 2) The construction of an area of reclaimed land, associated seawall, including works to the listed structure
- 3) Use of rock-armour to prevent over-topping

1 Linear Extension to South Quay

We understand that the extension to South Quay is desirable to enable a larger ship to be berthed alongside it. The Quay itself is a linear pier structure and if detailed, and clad, appropriately this element could be seen as another linear extension to the pier, in line with the historic extensions described in the Cahill Report. Therefore, we do **not object** to this element of the proposals.

The proposal to re-site the existing pier lighthouse on the new end of the pier has been omitted from the current proposals. If the lighthouse could be used in a serviceable manner at the new end of the Quay, there may be a logic to re-siting it, rather than leaving it as a redundant feature on the quayside. The statement that the lighthouse is considered too fragile to move requires substantiation / examination by a suitably qualified and experienced professional.

Whilst granite facing materials for the extension to South Quay are set out in the HRO, we note that it is only proposed to use them above MLWS; the entirety of this section should be granite clad. Clearly the granite samples illustrated in the *Design and Access Statement* (Listed Building Consent) are in need of considerable refinement for them to be acceptable. It is essential that the granite facing is of sufficient strength to resist wave action, etc.

2 Area of Land Reclamation and Works to the Listed Quay

It is proposed to reclaim an area of land to enable the construction of a terminus for processing passengers and freight in a preferred location. It is not, in itself, essential to the berthing of the larger vessel in Penzance Harbour.

As noted above, the area of land reclamation and new seawall will obscure, both physically and visually, a considerable portion of the seaward side of South Quay. In addition to the breaking through of the existing listed seawall, to form vehicular and passenger access points, this would cause considerable harm to the listed structure and to the surrounding coast and townscape. English Heritage **objects** to this element on the basis of a lack of justification for this particular solution. Based on the evidence submitted it has not been proven that alternative locations / solutions, less harmful to the historic environment could not be utilised.

We also wish to re-state our concerns regarding the proposed materials of the seawall. The pre-cast concrete blocks are likely to have highly visible joints and we have been presented with no visual image of how these might appear in reality. The use of large homogenous blocks is likely to contrast crudely, and unfavourably, with the visual texture and interest of the existing listed harbour-wall. The attempt to texture the pre-cast blocks with a stonework pattern might add to the visual contrivance, although it is difficult to come to a view, given the submission of only one small photograph in the *Design & Access Statement*.

We do not object to the demolition of the (latter) toilet block and welcome the fact that apparently the applicant has engaged a conservation specialist to advise on the repair and long term maintenance of the Quays. These works should be informed by the Cahill Report and should include a consideration of historic surfaces, etc, not just the primary structure itself. Repairs and ongoing maintenance are best practice and should be undertaken regardless of whether the current scheme progresses.

As before, we would recommend that any elements of the historic environment (either designated or undesignated) that are either obscured or altered, as part of the proposals, be fully recorded before any works commence. We also recommend that you take expert advice to ensure that any works do not result in physical harm to the other elements of the historic environment, both during and after construction.

3 The Use of Rock-Armour to Prevent Over-Topping

We have previously expressed concern regarding this element of the proposals, in that it obscures a significant element of the listed Quay, when seen from the seaward side. These concerns remain, and it would be preferable if this element were not proposed. However, we understand that the only viable alternative to reduce over-topping would be to raise the height of the existing, listed sea-wall, and in that context do **not object** to the rock-armour, as being a less harmful solution to the problem of over-topping

Recommendation

English Heritage is supportive of the principle of improved transport links between the mainland and the Isles of Scilly; however, certain elements of the current proposals are harmful to the historic environment.

We do **not object** to the linear extension to South Quay, although careful consideration must be given to its cladding materials and detailing. Further consideration should also be given to whether it is possible and desirable to move the existing lighthouse to the new end of the pier.

English Heritage **objects** to the area of reclaimed land, associated seawall and breaking through the existing seawall, as it is harmful to the listed structure and the surrounding historic environment. Based on the evidence submitted it has not been proven that alternative locations / solutions, less harmful to the historic environment could not be utilised, and we do not consider such harm to be justified. We **strongly recommend** that the applicant works with English Heritage in examining alternative locations/solutions for this aspect of the proposals.

We understand that the use of rock-armour is the least harmful solution to the problem of over-topping and, therefore, we do **not object** to this aspect of the proposals.

We would welcome the opportunity to explore those alternatives, to enable a scheme to be developed which takes full account of the historic environment and is acceptable to all parties.

Yours sincerely

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