



29 January 2016

Dear Dr Rossler,

State of Conservation of the World Heritage property “Cornwall and West Devon Mining Landscape”

Further to the January 2015 ICOMOS/ICCROM reactive monitoring mission and the World Heritage Committee’s decision 39 COM 7B.86 I am writing to update you on the progress that has been made in following up the matters raised in the advisory mission report and in the Committee decision. In addition I would like to take the opportunity of letting you know in advance that, in response to a request from Cornwall Council, the UK State Party may wish to invite an advisory mission in order to influence constructively the revised planning and design of the proposed housing development on the South Quay at Hayle harbour.

The third paragraph of the Committee decision requests the State Party to implement as a priority the recommendations of the joint ICCROM/ICOMOS reactive monitoring mission of January 2015. In order to report on this the recommendations of the mission and the relevant part of the Committee decision are set out below in italics, together with a report on progress after each recommendation. The mission recommendation is given first, followed by the Committee decision.

*1. It is strongly recommended that the State Party provide information to the World Heritage Centre, **as soon as possible and at the latest by 1 February 2016**, on the improvements to the planning tools that will result in outcomes for development within the World Heritage property that support its OUV.*

7. Notes furthermore the additional information provided by the State Party and the positive efforts in developing new planning tools and requests furthermore the State Party to continue to provide information to the World Heritage Centre on the improvements to the planning and approval processes that will result in better outcomes for development within the World Heritage property that supports its OUV.

The Cornish Mining World Heritage Site Office has produced a draft Supplementary Planning Document to guide development in the World Heritage Site which will be released for an 8 week period of public consultation from 5th February 2016. Comments will be processed and any necessary amendments made, then the final document will be submitted to the three Local Planning Authorities (Cornwall, Devon County and West Devon Borough Councils) for adoption.

A World Heritage Site Planning Advice Officer has been appointed and took up this role with effect from 1st December 2015. This post provides specialist comment and recommendations for consideration of future planning applications and pre application enquiries.

Cornwall Council now requires Heritage Impact Assessments to inform the design of any proposals that have a potential impact on the OUV of the World Heritage property. The council is insisting upon Planning Performance Agreements with developers to allow, where necessary, sufficient time for liaison with the UNESCO World Heritage Centre and Advisory Bodies before planning decisions are taken.

Positive discussions about the introduction of a planning protocol, to formalise timely and effective consultation arrangements between Cornwall Council and Historic England, took place during 2015. It will be referred to as good practice in the SPD referred to above, and included as an appendix for guidance.

3. The mission strongly recommends that the State Party immediately halt the implementation of the consented development on the remainder of the South Quay and re-enter into negotiations with the developer to determine if it is still possible to make the necessary changes to the proposal to bring it more in line with the historic character of the site and limit any further adverse effects to the OUV.

6. Further requests the State Party to ensure that the implementation of the consented development on the remainder of the South Quay remains on hold and to re-enter into negotiations with the developer to make the necessary changes to the proposal to bring it more in line with the historic character of the site and limit any further adverse effects to the OUV.

The remaining development on South Quay has only outline planning consent, with all matters reserved except for access. Until such time as detailed designs come forward the development is in effect on hold.

In order to develop designs that will be sympathetic to the OUV of the World Heritage property Cornwall Council Planning Department arranged a meeting with Arke Property (the developer for South Quay), Historic England, and the Cornish Mining WHS Office on 25 June 2015. The meeting confirmed that the best way forward would be to agree design parameters, which ensure a consistent architectural language, informed by updated Heritage Impact Assessments, or newly commissioned studies where there

were none previously. Outline principles to guide the redesign of the South Quay residential and retail/commercial units were agreed at the meeting and these will form the basis for more detailed pre planning application discussions, which are likely to commence in February 2016. These principles are:

- The redesign should aim to modulate the strong effect of uniformity in the design of the line of residential units illustrated in the plans associated with the outline consent. The aim should be to create a more visually disaggregated appearance, possibly by slightly staggering the units, variance in materials and stepping the roof lines, which should be pitched.
- In terms of design, a quasi- industrial aesthetic would be the most appropriate treatment, with materials such as black timber and render.
- The apartment block at the north end of South Quay needs more substantial redesign. It was thought possible to reallocate quantum from here to within the line of residential units further back along the quay, utilising what was envisaged as gap to allow for a sight line.

These principles seek to ensure that the design will flow from those elements of the historic character of the South Quay and adjacent town that contribute to OUV whilst not seeking to replicate them.

Cornwall Council, in its capacity as the local planning authority, wishes to invite input from UNESCO's advisory bodies to guide the development of the design, prior to a detailed planning application being made. The State Party suggests that this can best be achieved by the submission of a paragraph 172 notification to the World Heritage Centre, when preliminary designs have been developed and before a planning application is submitted. We would welcome views from the World Heritage Centre and the advisory bodies on whether they have a preference for an advisory mission at this stage or whether they will wish to provide written advice. If the preference is for a mission the State Party will be pleased to issue an invitation. The developer's agent has arranged a meeting with Historic England and Cornish Mining WHS on 25 February to discuss pre-application consultation arrangements and if it were possible to have an indication of the preferred means of engagement by the Centre and advisory bodies by then it would be much appreciated

5. In regard to the South Crofty mine, the mission recommends that the State Party continue its vigilance of the property and ensure that if the proposal to restart mining begins to move forward, that there is sufficient time to allow for the necessary dialog and negotiation to ensure that the recommendations for the 2013 mission are followed.

7. requests moreover the State Party to ensure that, in line with Paragraph 172 of the Operational Guidelines, details for the current proposed developments (Hayle Harbour, South Crofty and Tavistock) and for any substantial new development which

may affect the OUV of the property be submitted, together with respective HIAs, to the World Heritage Centre.

South Crofty

Western United Mines are still in administration, and we have no indication that a buyer has been found, so resumption of mining at South Crofty is still in abeyance. If the current permission is not pursued by November 2016 it will lapse. The planning tools referred to above will be applied should proposals to restart mining be re-activated after that point.

Callington Road, Tavistock

Outline planning consent was issued for Callington Road Tavistock on 22nd October 2015, subject to an associated Section 106 (legal) agreement, which contains a series of obligations relating to the re-instatement of the railway, local highways improvements, affordable housing, open space provision, etc. The developers now wish to engage with West Devon Borough Council prior to the next stage of the planning consent process that will involve the submission of a reserved matters application. This will deal with those matters that have been reserved for consideration that include design, layout, landscaping, etc of this area that lies outside the boundaries of the World Heritage property. The reserved matters process will allow provisions to respect the OUV of the property and ensure the future conservation of the canal, in line with the advice of the 2013 reactive monitoring mission.

Foundry Car Park, Hayle

The small scale development of the Foundry car park in Hayle, which was considered briefly by the 2015 mission, is likely to proceed to the planning stage in 2016. The advice of the mission will be taken into account during the planning process, but, as there is unlikely to be any impact on OUV it is not anticipated that this proposal will be the subject of any further notification under paragraph 172.

Residential Development, North Quay, Hayle

With the exception of the uplift area of the North Quay, to provide flood protection, which the January 2015 Reactive Monitoring Mission has seen, the remainder of the proposed residential development in this area lies outside the WHS and within its setting. Although it is the initial view of Historic England that there is unlikely to be any significant adverse effect on the OUV of the World Heritage property, Historic England is in agreement with Cornwall Council that an HIA will be required to demonstrate how the development will comply with the emerging Supplementary Planning Document and the policies in the WHS Management Plan. The developer was informed in June 2015 that an HIA will be required.

Development South-South East of Penpol School, Hayle

Two planning applications have been submitted for this area within the setting of the WHS, to the south of Hayle. The first scheme was refused by Cornwall Council partly on the basis of historic environment objections from Historic England which referred to the potential adverse impact on the World Heritage property. The developer has lodged an appeal against this decision, which is likely to be heard in March, with a decision later in the year. The second application was also rejected, again citing adverse WHS impacts as a reason, following representations from Historic England, the WHS Partnership and Cornwall Council's historic environment planning adviser.

I hope you will find this letter helpful. If you require further information or clarification do please do not hesitate to contact me.

Kind regards,

Hannah Jones
World Heritage Site and Underwater Policy Advisor