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CONVENTION CONCERNING THE PROTECTION OF THE WORLD
CULTURAL AND NATURAL HERITAGE

CONVENTION CONCERNANT LA PROTECTION DU PATRIMOINE
MONDIAL, CULTUREL ET NATUREL

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Item 7 of the Provisional Agenda: State of conservation of properties inscribed on the World Heritage List and/or on the List of World Heritage in Danger.

Point 7 de l'Ordre du jour provisoire: Etat de conservation de biens inscrits sur la Liste du patrimoine mondial et/ou sur la Liste du patrimoine mondial en péril

MISSION REPORT / RAPPORT DE MISSION

Cornwall and West Devon Mining Landscape
(United Kingdom of Great Britain and Northern Ireland) (1215)

27 to 29 January 2015

This mission report should be read in conjunction with Document:
Ce rapport de mission doit être lu conjointement avec le document suivant:

WHC-15/39.COM/7B

REPORT OF THE JOINT ICOMOS/ICCROM
REACTIVE MONITORING MISSION
Cornwall and West Devon Mining Landscape (UK)
27 - 29 January 2015

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GLOSSARY OF ABBREVIATIONS

AONB	–	Area of Outstanding Natural Beauty
CMWH	–	Cornish Mining World Heritage
CWDML	–	Cornwall and West Devon Mining Landscape
DCMS	–	UK Department of Culture, Media and Sport
EH	–	English Heritage
EIA	–	Environmental Impact Assessment
HIA	–	Heritage Impact Assessment
ICCROM	–	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICMM	–	International Council on Mining and Metals
ICOMOS	–	International Council of Monuments and Sites
NPPF	–	National Planning Policy Framework
OUV	–	Outstanding Universal Value
SOUV	–	Statement of Outstanding Universal Value
TICCIH	–	The International Committee for the Conservation of the Industrial Heritage
WH	–	World Heritage
WHC	–	World Heritage Centre
WHS	–	World Heritage Site

ACKNOWLEDGEMENTS

The mission acknowledges gratefully the kind welcome of the representatives of the Cornish Mining World Heritage Site Partnership Board, the team of the Cornish Mining World Heritage Site Management Office, the representatives of the Cornwall County Council, the local and municipal authorities, including the Mayor of Hayle, as well as the UK national authorities in charge of the implementation of the *World Heritage Convention*, in particular DCMS and English Heritage. The mission appreciated the extensive information provided by these authorities in response to many questions raised. The mission also appreciatively acknowledges the time and availability of the architects involved in the supermarket development at Hayle.

The mission expresses special thanks to the Chair of the Cornish Mining World Heritage Site Partnership Board, Mr Julian German, to the members of the Cornish Mining World Heritage Site Management Office, Ms Deborah Boden, Ms Karen Willows, and Mr Ainsley Cocks, to their advisor Mr Barry Gamble, to Mr Dave Slatter, Mr Phil Mason and Ms Nicola Stinson all from Cornwall Council, as well as to Mr Henry Owen-John and Mr Simon Hickman, English Heritage, for facilitating the work of the mission throughout its visit. The Mission team would like to thank Mr Keith Nichol and Ms Hannah Jones, DCMS for their help.

The mission would also like to acknowledge the letters from DCMS and the Cornish Mining World Heritage Site Partnership Board received after the visit to Hayle, included in the Annexes of this report.

1. EXECUTIVE SUMMARY

Cornwall and West Devon Mining Landscape was inscribed in 2006 as a serial cultural property with 10 component parts. Since the time of inscription, the World Heritage Committee has expressed its concern about the vulnerability of areas including Hayle Harbour on a number of occasions. A joint WHC/ICOMOS/ICCROM reactive monitoring mission was carried out to assess the overall state of conservation of the property and in particular development projects proposed for Hayle Harbour, South Crofty and Callington Road, Tavistock from 3 to 6 October 2013.

The 2013 mission concluded that the planned supermarket on South Quay, Hayle Harbour would negatively impact on the ability of Hayle Harbour to display its role as the main port for the Cornish mining industry. The project would therefore have a substantial adverse impact on the integrity and authenticity of this component part of the property and therefore represents a potential danger to the OUV of the property.

The 2013 mission found that development control mechanisms for large-scale development proposals would need to be enhanced, including adequate consideration of the heritage advice received and the extension of timelines allocated for the review of development applications, to avoid potential impacts on OUV.

Despite requests by the World Heritage Committee at its 36th and 37th sessions (37 COM 7B.89 and 36 COM 7B.94) to halt the Hayle Harbour project and to consider alternative solutions for smaller-scale heritage-led regeneration for the Hayle Harbour site that respect its role as the port and harbour for the mining industry, the State Party went ahead with the construction of the supermarket. At its 38th Session in Qatar June 2014, the World Heritage Committee requested the State Party to invite a joint ICOMOS/ICCROM reactive monitoring mission to evaluate the extent of impacts resulting from the implementation of the supermarket project at Hayle Harbour on the OUV of the property and to identify potential courses of action to address and/or mitigate these impacts.

The joint reactive monitoring mission was carried out by representatives of ICOMOS and ICCROM, from 27-29 January 2015. Following the mission visit, letters were received from DCMS and the Cornish Mining World Heritage Site Partnership Board which reflected on outcomes from mission meetings in Hayle and initiatives for future management within the World Heritage Site (Refer to Annexes).

After consideration of all the material made available and site visits in Hayle, the mission came to the following conclusions and recommendations.

General

The 2015 mission acknowledged significant improvements discussed during the mission and outlined in the subsequent letters mentioned above which sought to address recommendations of the 2013 mission. In particular the mission supports the following initiatives outlined by the State Party:

- Preparation of a Supplementary Planning Document to be adopted by all planning authorities involved with the World Heritage Site;
- Addition of a specialist planner to the Cornish Mining World Heritage Site Management Office;

- Adoption of a formal understanding on the handling of development proposals within the WHS by English Heritage, the Cornwall Council and the Partnership Board; and
 - Other steps to ensure that specialist conservation advice is given due weight and in time to enable protection and management of the World Heritage Site in accordance with the State Party's obligations under the World Heritage Convention.
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.

Hayle Harbour

2. The constructed supermarket and parking lot on the South Quay has a negative impact on the OUV of the property. The extent of the impact of what has already been constructed could warrant a listing on the World Heritage List in Danger, in and of itself, but joined with the fact that more development, considered inappropriate by the mission, is still planned; it represents an ongoing potential danger to the World Heritage property.
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.
4. Taking into account the potential adverse effects of ongoing proposed development in the Port of Hayle on the OUV of the property, and in line with its Decision 38 COM 7B.34, the World Heritage Committee would be advised to consider immediately placing the Cornwall and West Devon Mining Landscape World Heritage property on the World Heritage List in Danger at its 40th session in June 2016 if implementation of the current development proposals continues. In addition, a listing on the World Heritage List in Danger should be considered in the future if the necessary improvements to the planning tools, as outlined in point 1 above, are not instituted by the State Party in order to ensure that future developments are consistent with the OUV of the property.
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 dialogue and negotiation to ensure that the recommendations for the 2013 mission are followed.

2. INTRODUCTION AND BACKGROUND TO THE MISSION

2.1 INSCRIPTION HISTORY

The World Heritage property “Cornwall and West Devon Mining Landscape” was inscribed in 2006 as a cultural landscape under criteria (ii), (iii) and (iv) at the 30th session of the World Heritage Committee in Vilnius, Lithuania (see Decision **30 COM 8B.50**: <http://whc.unesco.org/en/decisions/1012>).

At the time, the nominated site was recommended for referral by the Advisory Bodies (see Advisory Bodies’ Evaluation: http://whc.unesco.org/archive/advisory_body_evaluation/1215.pdf).

In their evaluation, ICOMOS had significant concerns about future development at the property as a whole and specifically Hayle Harbour. The evaluation called the attention of the State Party to the need for sensitive planning at Hayle and other parts of the property. Specifically, ICOMOS stated in the section entitled, “Risk Analysis – Development”:

“Certain urban areas, Camborne, Redruth and Hayle Harbour, have been designed as priority areas for economic regeneration areas by the government, which has had the effect of rapid development of industrial areas around Redruth.

“Given the lack of specific protection (see above) there is concern that in some cases the need for heritage led regeneration may give way to commercial pressures. There is a positive commitment to the former in the management plan, but as yet no case studies to show how unsuitable development will be turned down without added protection.

“A major development planned for the centre of Hayle Harbour could be the test case. On 31st March 2006, the State Party submitted details of a £25 million scheme for 54,000 sq ft of industrial units, 23,000 sq ft of wavehub building, marina, over 800 residential units, shops, pubs, restaurant, two hotels, and leisure facilities. This planning application is apparently to be determined before the World Heritage Committee and has the support of English Heritage and the State Party. 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”

In regard to Authenticity, ICOMOS stated in the evaluation:

“The main threat to authenticity is in terms of development that might compromise the spatial arrangements of areas such as Hayle harbour or the setting of Redruth and Camborne.”

Finally, in their recommendations, ICOMOS stated:

“The management plan stresses the need for heritage-led regeneration and the challenge of balancing development with conservation, both of which ICOMOS strongly support. However there is a need to define the extent and scope of regeneration projects within the nominated area and where they could impinge on it. Development that dominates the landscape, is incompatible with its industrial

patterns, or is out of balance with conservation of existing settlements could compromise the integrity of what has been nominated.

“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 cultural landscape.”

While it is recognized that the supermarket, as built, is much different than the proposal from 2006, it is important to remember that the sensitivity of development at Hayle Harbour was a concern from before inscription of the property.

While the Committee recognized the vulnerability of the property to any future mining activities, it however decided to inscribe the site (see Summary record of the 30th session: <http://whc.unesco.org/archive/2006/whc06-30com-inf19e.pdf>) and formulated the following requests for follow-up by the State Party: (1) that any proposals concerning the re-opening of mines in the nominated areas be forwarded to the World Heritage Committee for debate and scrutiny; (2) that the natural values of the cultural landscape should be fully integrated into the future management of the site in a way that demonstrates the link between biodiversity and landscape protection and that policies should be developed for biodiversity, the protection of natural landscapes, contamination control and for the protection of distinctive habitats and plant communities related to mining.

In 2010, the World Heritage Committee approved the retrospective SOUV of the property (see **34 COM 8E**: <http://whc.unesco.org/en/decisions/4261>; and Annex I), which specifies that “the ability of features within the property to continue to express its Outstanding Universal Value may be reduced [...] 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 Camborne are of particular concern and these may be vulnerable unless planning policies and guidance are rigorously and consistently applied”.

The Committee inscribed this serial property consisting of ten component parts without buffer zones. At the time of inscription and the adoption of the retrospective SOUV, the Committee took note of the State Party’s statement that “a further buffer zone is not required due to the comprehensive mechanism of conservation which shall protect the Cornwall and West Devon Mining Landscape from large scale development that might impinge on its integrity and value”.

2.2 CONSIDERATIONS BY THE WORLD HERITAGE COMMITTEE ON THE PROPERTY’S STATE OF CONSERVATION

The property has been on the Committee’s agenda for its state of conservation at its 36th, 37th and 38th sessions in 2012, 2013 and 2014 respectively. The Committee expressed concern over plans to resume mining as well as several development projects within and outside the boundaries of the property. In particular, the Committee pointed out the planned resumption of mining at South Crofty, Redruth – Poole, and the development project on South Quay, Hayle Harbour.

In reply to the World Heritage Committee’s Decision **36 COM 7B.94** (<http://whc.unesco.org/en/decisions/4755>), the State Party reported in January 2013 (see State Party’s SOC Report of 30 January 2013: <http://whc.unesco.org/en/list/1215/documents/>) regarding the development project on South Quay, Hayle Harbour, that, following the Secretary of State’s decision not to

call-in the development proposal, Cornwall Council had granted consent to the project. It further reported that “while English Heritage maintains its objection to the scale and appearance of the supermarket proposal, Cornwall Council considers that this is the only viable solution for continued sustainable use of South Quay at Hayle Harbour”.

Based on the World Heritage Centre’s and the Advisory Bodies’ report on the property’s state of conservation presented to the World Heritage Committee at its 37th session (see Working Document WHC-13/37.COM/7B.Add:<http://whc.unesco.org/en/soc/1970>), the Committee requested the State Party to invite a joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission to the property. According to Decision **37 COM 7B.89** (see <http://whc.unesco.org/en/decisions/5108>) of the Committee, the objective of the monitoring mission was defined to “assess the overall state of conservation of the property and the strategies in place to address mining exploration and sustainable development within the whole serial property”.

The World Heritage Committee at its 38th session (see Working Document WHC-14/38.COM/7B:<http://whc.unesco.org/en/soc/2838>), noted the information provided by the State Party in January 2014 and the recommendations of the joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission to the property in October 2013 and requested the State Party to give highest priority to the implementation of its recommendations. According to Decision **38 COM 7B.34** (see <http://whc.unesco.org/en/decisions/6021>) of the Committee, the State Party was requested to invite a joint ICOMOS/ICCROM reactive monitoring mission to evaluate the extent of impacts resulting from the implementation of the supermarket project at Hayle Harbour on the Outstanding Universal Value of the property and to identify potential courses of action to address and/or mitigate these impacts.

2.3 MAIN ASPECTS FOR REVIEW AND DISCUSSION AS IDENTIFIED IN THE TERMS OF REFERENCE

Based on Decision **38 COM 7B.34**, the joint ICOMOS/ICCROM reactive monitoring mission was carried out to assess the overall state of conservation of this property and the factors affecting its Outstanding Universal Value, with particular regard to development projects in Hayle Harbour, as well as to assess flood protection measures in Hayle Harbour and the status of implementation of recommendations made by the joint mission of October 2013 (see Terms of Reference in Annexes).

3. IDENTIFICATION AND ASSESSMENT OF ISSUES RELATED TO DEVELOPMENT IN HAYLE HARBOUR

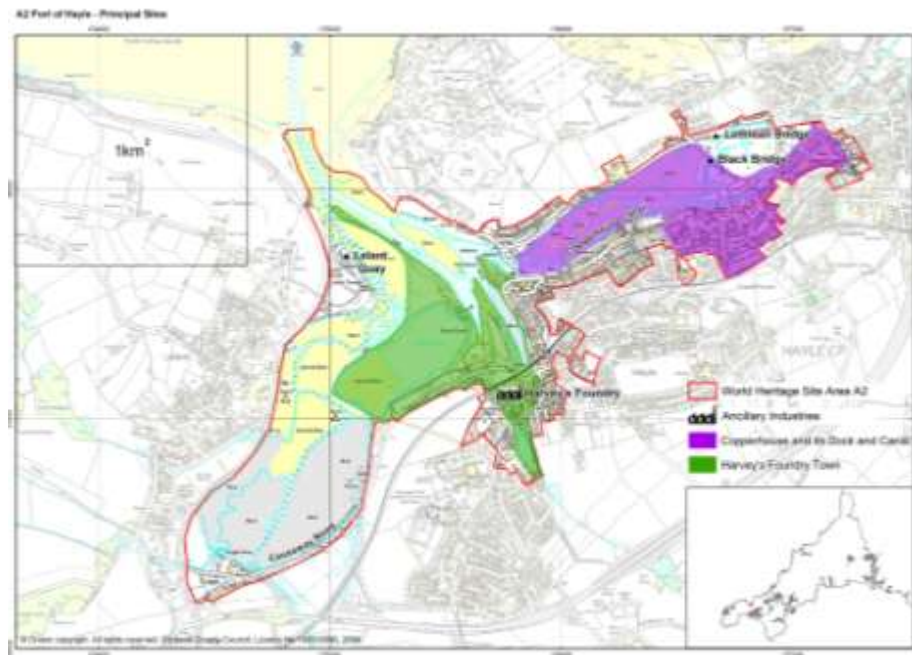
3.1 REVIEW OF THE HAYLE HARBOUR DEVELOPMENT PROJECT IN RELATION TO THE OUTSTANDING UNIVERSAL VALUE

Introduction

The Port of Hayle is one component (A2) of the 10 part serial World Heritage property of Cornwall and West Devon Mining Landscape. There are no mines within this component part of the property, however it complements the series as it served as “the main port for the Cornish mining industry. Large amounts of coal and timber were imported through the port, and copper ore exported. Extensive quays and wharves survive largely intact in a dramatic open estuarine setting flanked by villas for managerial classes and terraced housing for workers. Hayle also includes the remains of two iron foundries, Harvey’s, where the largest mine steam engines in the world were produced, and the Cornwall Copper company. Both generated substantial, distinguished urban buildings. The port was served by a Copperhouse canal constructed in 1769/87, and a railway constructed from 1834 with a bridge of 1837 and a swinging bridge across the canal.” (ICOMOS evaluation dated April 2006).

According to the nomination dossier, the key attributes of this component part include the quays, Copperhouse Canal, sluicing pools, causeway road, foundry buildings, public buildings, railroad infrastructure (including bridges), and housing.

Map of the Component Part “Port of Hayle” (Area 2)



Source: CWDML WHS Management Plan 2013-2018, page 32

Previous considerations

The sensitivity of this component part of the property was highlighted by ICOMOS in its evaluation report of 2006.

In the statement on Authenticity (2010), the property as a whole was found to have high authenticity however it was highlighted that "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 Camborne are of particular concern and these may be vulnerable unless planning policies and guidance are rigorously and consistently applied".

In 2012 and 2013, the World Heritage Committee requested the State Party to halt approval and implementation of the current proposed development at Hayle.

In 2012, the Committee, in decision 36 COM 7B.94, requested "the State Party to halt the development of Hayle Harbour in the light of its potential impact on the Outstanding Universal Value of the property to allow for smaller-scale heritage-led regeneration".

In 2013, the Committee in decision 37 COM 7B.89, regretted that "that the State Party has not complied with the request expressed by the Committee in Decision 36 COM 7B.94 to halt the Hayle Harbour project, and, given that planning permission has already been granted, strongly urge(d) the State Party to halt the development of Hayle Harbour in the light of its potential impact on the Outstanding Universal Value of the property and to consider, as a matter of urgency, all possible ways to develop alternative solutions for smaller-scale heritage-led regeneration for the Hayle Harbour site that respect its role as the port and harbour for the mining industry".

Reactive Monitoring Mission 2013

A joint World Heritage Centre/ICOMOS/ICCROM reactive monitoring mission visited the property in October 2013 (mission report available at <http://whc.unesco.org/en/soc/1970>). Subsequently, the State Party submitted a state of conservation report on 31 January 2014, which is available at <http://whc.unesco.org/en/list/1215/documents>. At the request of the State Party, a meeting with representatives from the State Party at national and local levels, the Advisory Bodies and the World Heritage Centre took place on 11 April 2014 to discuss issues at the property and identify potential ways forward.

The 2013 mission reiterated the importance of the Port of Hayle for the OUV of the property as a whole, for its role in the import of energy resources and export of mine-produced ore.

It concluded mixed-use heritage-led development on the Hayle quays could be accommodated but that the development, as proposed and approved, would constitute a potential danger to the OUV of the property, because of its monolithic scale, design, and materials that are inconsistent with the historic character of the quay. Local and national heritage advisors, and the World Heritage Committee in its decisions of 2012 and 2013, have given similar advice.

The State Party reported that the proposal had been consented by the local government and any changes would entail substantial monetary compensation since the developer was unwilling to reconsider the design. Work had already begun on the sluicing infrastructure and on the construction of the supermarket building. It also reported that the local Cornwall Council and the Cornish Mining World Heritage Partnership Board considered the impact was minimal. Although the State Party recognised the negative impact on the OUV, it considered that it would affect only a very small part of the overall property and that negative impacts would need to be balanced with positive aspects such as improved flood defences and repaired harbour infrastructure.

Analysis and Conclusions of the World Heritage Centre, ICOMOS and ICCROM

The conclusions supported the findings of the mission that there were strong challenges in controlling large-scale development proposals which can negatively impact the OUV of the property. The approval of projects while questions about their impact on OUV remain outstanding might indicate a need for the State Party to reconsider the process for assessing and approving large-scale development projects at the World Heritage property.

"Concerning the proposed supermarket at Hayle Harbour, it is considered that Hayle Harbour is an integral part for conveying the OUV of the property as a whole and that any development on the South Quay should be compatible with it. It is noted that planning permission was granted notwithstanding the opinion of the State Party's local and national heritage advisors, and the decisions of the World Heritage Committee in 2012 and 2013, which requested that smaller-scale, heritage-led regeneration be considered. It is considered that the development as currently planned has a scale, massing, and design that are inappropriate for the character and sense of the place and for the understanding of the quay as part of the property. While it is possible to have a supermarket development on the quay, it would require that architects work with an innovative design concept comprising smaller and more articulated structures rather than a typical "big box"-style building. It is also noted that the State Party itself recognises the negative impact on the OUV of the property, although it does not consider it significant enough to warrant placing it on the List of World Heritage in Danger. It is considered that the design as it now stands would have a substantial adverse effect on this component part and therefore on the OUV of the property as a whole. It is therefore of particular concern that construction works on the supermarket structure are already ongoing. In line with all previous recommendations and decisions of the World Heritage Committee and the findings of the recent mission, it is recommended that the World Heritage Committee consider immediately placing the property on the List of World Heritage in Danger and request the State Party to immediately halt the already started project on South Quay, and work with the developer to produce an appropriate design and to mitigate impacts that might have potentially been generated by the construction."

38th Session, the World Heritage Committee, June 2014

At Its 38th Session in Qatar June 2014, the World Heritage Committee adopted a decision which included the following points with reference to the Port of Hayle (38 COM 7B.34):

8. Strongly regrets that the State Party did not comply with the requests made in Decisions **36 COM 7B.94** and **37 COM 7B.89** to halt the supermarket development

project at Hayle Harbour, and calls on the State Party to find more appropriate, heritage-led regeneration options for any development at Hayle Harbour, which may be proposed in future;

9. Requests the State Party to invite a joint ICOMOS/ICCROM reactive monitoring mission to evaluate the extent of impacts resulting from the implementation of the supermarket project at Hayle Harbour on the Outstanding Universal Value of the property and to identify potential courses of action to address and/or mitigate these impacts;

10. Further requests the State Party to submit to the World Heritage Centre by **1 February 2015**, an updated report, including a 1-page executive summary, on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 39th session in 2015.

State of Conservation Report submitted by the State Party on 31 January 2015

The State of Conservation Report for the Cornwall and West Devon Mining Landscape noted that there was support for the principle of some form of heritage-led mixed use developments on the Hayle Quays but there was no consensus on how best this could be achieved.

The Partnership Board noted a significant reduction in the scale of the supermarket and stated that the design references the local history of copper production in its surface materials. The Board acknowledged that the timing of planning approvals meant there was no opportunity to secure changes to the design of the scheme.

In assessing whether the supermarket has caused harm to the OUV of the World Heritage property, the State Party considered that the principal attributes of OUV had not been physically harmed by the supermarket development, and that historic views were all lost prior to the component's inscription on the World Heritage List. It found that the limited historically visible links between Foundry Square and the Quay had not been harmed by the construction of the supermarket.

However, the State Party acknowledged *"that the construction of a substantial monolithic building, with copper cladding and an angular overhanging roof at the entrance on the town side, diminishes the ability to understand and appreciate the attributes of the quay as an important component part of OUV. The scale and nature of the design also conflicts with the distinctive historic character and appearance of Hayle. Although it is still possible to appreciate the form and function of the quay from viewpoints such as the North Quay, it is more difficult to do so from within the redeveloped part of the quay itself. On this basis the State Party accepts that, regrettably, the construction of the supermarket has caused some harm to the OUV that this component part of the World Heritage property contributes to the whole."*

The State Party argued that the harm was offset to some extent by repairs to the harbour walls and the Carnsew Pool and sluice system which help keep the Carnsew Channel and the Harbour Approach Channel open to navigation. It stated that the new interpretation scheme will assist in promoting understanding of the World Heritage property. The State Party noted that the beneficial conservation work could not have been funded from sources other than through the supermarket development in the current or foreseeable financial climate.

The State Party noted that in the absence of funding from elsewhere it is necessary for the benefits and dis-benefits of the scheme as a whole to be considered and this is a part of the ICOMOS HIA methodology. The State Party highlighted the economic viability assessment provided with the Department for Culture, Media & Sport 2013 State of Conservation Report as this suggests that other less harmful forms of development favoured by English Heritage and the mission could have been difficult to achieve.

The State Party concluded: *"While the State Party would have wished to see a scheme which caused less harm to the historic environment, it believes that, now the supermarket is built, a judgement needs to be made on the level of harm to OUV that has been caused and the extent to which this harm is offset by the benefits of the development. The conclusion of the State Party is that, while there has been some harm to the OUV of the World Heritage property, this is at least partially offset by the positive benefits that have been derived from the scheme. Lessons have been learned at both local and national level from the issues that have arisen from the development of the supermarket in Hayle. These will be applied in future through enhanced processes for identifying major development that could impact on OUV and ensuring that the procedure set out in paragraph 172 of the Operational Guidelines is followed rigorously, thus ensuring that the risk of harm to the OUV of the World Heritage property in future is reduced."*

Joint ICOMOS/ICCROM Reactive Monitoring Mission January 2015

Terms of reference relating to the Port of Hayle

In accordance with Decision 38 COM 7B.34 taken by the World Heritage Committee at its 38th session (Doha, 2014), the reactive monitoring mission will undertake the following tasks:

- b. Carry out a field visit to the component part of Hayle Harbour and evaluate the extent of impacts resulting from the implementation of the supermarket project at Hayle Harbour on the Outstanding Universal Value of the property;
- c. Identify and discuss with the national and local authorities potential courses of action to address and/or mitigate the impacts on the component part of Hayle Harbour and on the World Heritage property as a whole; and
- d. Discuss with local and national authorities the overall flood protection measures in Hayle Harbour and other proposed projects on component parts and evaluate their potential impacts on the Outstanding Universal Value of the property;

The mission team was based at Hayle Harbour (refer to itinerary in Annexes for the full list of activities and participants). The afternoon of the first day was a review of development at Hayle South Quay since the last mission. This included a presentation by Mr Dave Slatter, Planning, Housing and Regeneration, Cornwall Council, regarding issues facing Hayle Harbour with particular attention to the proposed development on the South Quay, a presentation on flood issues by Mr Greg Kerry of the Environment Agency and a briefing on harbour management and sluicing presented on behalf of Mr Peter Haddock, Hayle Harbourmaster, by Mr Slatter.

The second day included a presentation on the Heritage Impact Assessment by Mr Stephen Levrant (Stephen Levrant Conservation Architects) and the supermarket design by Mr Mike Keys and Mr Matt Williams of Fielden Clegg Bradley Architects. Mr Levrant also discussed the impact of the supermarket as designed. Following this was a site tour of the wider landscape with key viewpoints of Hayle South Quay. In the afternoon, the group toured the supermarket, the South Quay conservation works and planned interpretation locations. The next morning was devoted to discussion of future South Quay development, review of key design parameters and lessons learnt, including proposed and potential changes in working practices and procedures.

The Current Situation at the Port of Hayle

As presented by the State Party, the main issues related to the State of Conservation of the property were:

- A. the problems related to the silting of the harbour;
- B. the problems with flooding in Hayle which will be exacerbated by climate change;
- C. the completed supermarket development on South Quay;
- D. the proposed further development on South Quay; and
- E. other future development at Hayle.

Aerial View of Hayle Harbour with the Development Area of South Quay



Source: PowerPoint Presentation of 27 January 2015 by Mr Dave Slatter (Cornwall Council)

A. *Silting of the Harbour*

As reported in the 2013 mission report, Hayle Harbour is located in an estuary with a significant influence of tides resulting in a tendency for the harbour at Hayle to be filled by silt over time. The result is a waterway that becomes shallower over time, unable to handle ships with large drafts. In order to overcome this natural problem, a system of plough dredging and sluicing via Carnsew sluices was created which allowed for the sand to be flushed out of the harbour. As long as Hayle remained an active port, this system was maintained and ships with up to 4 meters drafts were able to navigate the port. Starting in the 1950's, however, this sluicing became more intermittent and was stopped completely in 1976.

The State Party considers (and the mission agrees) that maintaining Hayle Harbour as a functioning port is an important aspect of safeguarding the Outstanding Universal Value of the property. It argues that it is essential to the character of the Hayle Conservation Area to be able to understand the key role that the port played in the import of energy resources and export of the mining products.

As part of the development of the supermarket, repairs were carried out on the Carnsew sluice and training wall and the sluice gate, as can be seen from the following before and after pictures. The mission was informed that the sluicing would begin again in the spring of 2015, 40 years after it was last carried out.



Before and After photographs of the conservation work done on the sluicing system
Source: State Party briefing document presented to the mission in January 2015

B. Risk of Flooding in Hayle

The mission was presented with the current state of planning for flood risks at the property. The presentation was based on policy recommendations contained in the Cornwall and Isle of Scilly Shore Line Management Plan and the South Devon and Dorset Shoreline Management Plan as they relate to the Cornwall and West Devon Mining Landscape World Heritage Site. The presentation emphasized that the State Party is well aware of the flooding risks to the property, and has developed a number of appropriate strategies to them.

In particular in relation to Hayle and the South Quay, the report recommended to “hold the line” with some managed realignment requiring positive intervention. As discussed during the 2013 mission, the State Party reports that the South Quay is significantly at risk from tidal flooding. The 1 in 200 year still water level is calculated at 4.548m OD (Ordnance Datum) meaning that the South Quay, Foundry Square, and parts of the North Quay are at risk. Taking into account predicted increases in sea level over the next 100 years, a level of 6.17 m OD has been established for new developments.

For this reason, the development of the supermarket and other projects on the South Quay has necessitated the construction of a platform to raise the area above the 6.17 m OD mark. The following pictures illustrate the platform as constructed.





View of flood protection platform on South Quay from various vantage points
Source: J King 28 January 2015

C. Completed Supermarket Development on South Quay

The supermarket is a contemporary, large box design with open-air parking, on South Quay. The height of this building is just below the height of the railway viaduct that separates the quay from Foundry Square. The supermarket is located in the southern part of the quay, closest to the railway viaduct and Foundry Square. The new constructions on the quay are on a platform approximately 6 meters above datum (approximately 2 meters higher than the existing quay) to avoid flood levels (see above).



View of supermarket on South Quay from Penpol Terrace.
Source: H Lardner 28 January 2015



Closer view of supermarket entrance on South Quay from Penpol Terrace.
Source: J King 28 January 2015



Note that the Fielden Clegg Bradley image above shows the greater impact of the bronze canopy in direct sun. Source: PowerPoint presentation 28 January 2015 by Mr Mike Keys and Mr Matt Williams of Fielden Clegg Bradley Architects.



View of supermarket from entry on South Quay.
Source: H Lardner 28 January 2015



View of supermarket from edge of South Quay at Carnsew Road.
Source: H Lardner 28 January 2015



Closer view of the relationship between the overhang and the viaduct
Source: J King 28 January 2015



View of supermarket through viaduct (scaffold due to unrelated works) from Carnsew Road at Foundry Square.
Source: H Lardner 28 January 2015



View of supermarket from the viaduct.

Source: J King 28 January 2015

D. Proposed Further Development on South Quay

The South Quay was cleared of buildings in the 1980s and has remained vacant ever since. In 2004, the site was acquired by ING¹. In 2010, a Master Plan for the South Quay was approved by Cornwall Council which included 260 residential units, 10,585 square meters of retail space, 5,150 square meters of office space, and 2,000 square meters of leisure and non-residential space. After this plan was considered not viable, a second, so-called “hybrid option” which included only a supermarket and parking lot was proposed but withdrawn by the developer.

In 2011, a third “hybrid option” was proposed including a detailed plan for a supermarket and parking lot along with additional small retail units on Foundry Yard and South Quay. An outline proposal was also made for 30 housing units, a footbridge to Penpol Terrace, and open space along the quaysides. This current plan was submitted to an extensive community consultation process and was eventually given outline consent by the Cornwall Council in 2012. The State Party reports that a full planning application will be submitted in due course. The drawings associated with the outline plan can be found below.

¹ The ING Group is a Dutch multinational banking and financial services corporation headquartered in Amsterdam. Its primary businesses are retail banking, direct banking, commercial banking, investment banking, asset management, and insurance services. (source: Wikipedia)



View of the consented hybrid application for South Quay
Source: PowerPoint Presentation of 6.10.2013 by Mr Dave Slatter (Cornwall Council)



View of the consented development not yet built on South Quay.
Source: PowerPoint presentation 28 January 2015 by Mr Mike Keys and Mr Matt Williams of Fielden Clegg Bradley Architects.



View of the consented development not yet built on South Quay.
Source: PowerPoint presentation 28 January 2015 by Mr Mike Keys and Mr Matt Williams of Fielden Clegg Bradley Architects.

In addition, the State Party reports that developers have made an application for an increased intensity in the retail use which was previously permitted on the former Harvey's Foundry car park opposite South Quay. This application is expected to be submitted shortly.

E. Other Future Development at Hayle

During the mission, the team was also informed about a new, upcoming development, called Linden Homes, which was being planned for a plot adjacent to the World Heritage property along Penpol Road, St. George's Road, and Barview Lane. A landscape plan was provided to the mission team as well as a larger location map. This proposal is still in an outline stage, and not much is known about design, materials, and massing.

In 2013 the mission team had been informed about proposed developments on the North Quay however no further information was made available in 2015.

Analysis by the Mission Team in Regard to Hayle Harbour

Following the presentations, discussions, and site visit, the mission team made the following analysis.

A. General Considerations

1. The mission team reiterates that the Port of Hayle is an important component in understanding the Outstanding Universal Value of the property as a whole. The story of mining in Cornwall and West Devon cannot be understood without understanding how energy resources were imported into Cornwall for mining to take place, and how the ore produced in the mines was exported. In addition to the harbour facilities, the foundries located at Hayle are important attributes of OUV. The Port of Hayle is therefore an integral part of the property's story and this aspect of OUV is not available at other components of the serial property. The conservation of the Port of Hayle is therefore of utmost importance to the World Heritage property.
2. The mission team emphasises that the Port of Hayle should be understood and managed as a cultural landscape in order to conserve the important attributes of OUV. This component of the serial property has high integrity and authenticity in terms of spatial arrangements, form, location and setting of surviving features however it is more vulnerable after construction of the supermarket. The survival and proximity of quays in the estuary, wharves, the sluicing system, Harvey's Foundry Town, Copperhouse and its dock and canal, terrace houses for workers and managers' villas all contribute to the integrity and authenticity of the Port of Hayle as a component of the World Heritage property.
3. The mission team further emphasises that the quays are particularly sensitive elements within this component part of the World Heritage property. The Cornish Mining World Heritage Site Partnership Board's statement that "South Quay is part of one of four surviving industrial harbours within the Site, and one of 991 features of OUV within the whole WHS" would appear to undervalue the importance of both South Quay and the Port of Hayle. When dealing with heritage related issues, it is not a question of quantities of attributes affected, but rather the quality of proposed interventions and their impact on understanding of the OUV as a whole. Taken to an extreme, one could ask how many attributes of OUV is it OK to negatively impact? 10? 50? 100? When it requests an inscription on the World Heritage List, a State Party recognizes that all of the

attributes of OUV are important for our understanding of the overall OUV. The State Party further pledges to safeguard these attributes which contribute to the OUV. It cannot then pick and choose which attributes to protect and which not to protect based on a mathematical formula.

4. The Board's statement that the development "only affects 3% of Hayle and 0.00016% of the Site, a proportionally minute change to the current overall visual landscape character of the ten areas of the CMWHS" undervalues the unique nature of the Port of Hayle as a component of the World Heritage property. It also suggests a lack of appreciation for the cultural landscape of Hayle as the impact on the OUV through the integrity and authenticity is much greater than as a proportion of the physical area. The mission reiterates that all component areas of the serial listing are essential to understanding of the OUV, and that the diminishment of one component results in negative impacts on the whole site's OUV. This point can't be emphasised strongly enough. The fact that there are 10 areas in this World Heritage property does not make the negative impact of development in the Port of Hayle of any less consequence to the OUV of the whole property.
5. The mission team fully agrees with the State Party that keeping the port in working order is important for understanding OUV. The work that was carried out on the sluicing infrastructure, as seen by the mission team, was done with care and the results can be considered as having a positive impact on the protection of OUV of the property.
6. The mission team agrees with previous advice given to the State Party by its heritage advisors that it would have been possible to accommodate some mixed use, heritage-led development on the Hayle quays, provided that such development was of appropriate scale and did not negatively impact on the OUV of the property. This basic opinion has been consistently stated since the ICOMOS evaluation prior to inscription, voiced by English Heritage, as well as reiterated by the three recent decisions of the World Heritage Committee. The question that has therefore been posed to the mission is whether the completed supermarket development and the proposed future development can be considered as heritage-led development at an appropriate scale not negatively impacting on the OUV.

B. The Completed Supermarket Development on the South Quay

7. The State Party has acknowledged that there has been some adverse impact on the OUV of the site (See Annexes for letter DCMS 18 Feb 2015). There have also been some positive outcomes for the town of Hayle which the mission team recognises, including job creation, community programs and infrastructure improvements. There have been some benefits for the World Heritage property such as repair of the quay and sluicing system, as well as an interpretation programme.
8. The 2013 Mission Report stated concerns at the inextricable link drawn by the State Party between the solving of the problems related to silting and flooding with the approval of this particular supermarket development because it suggested that a larger, more intense development was required to pay for these costs. The Mission report pointed out that flood defences benefitted the developer by protecting its investment on the quays.

9. For these reasons, the mission team reiterates that the issues related to keeping the Port of Hayle open to boat traffic and the need for improved flood defences should have been kept separate from whether or not this particular development proposal at South Quay impacts negatively on the OUV of the property. The mission team believes that the design and location of the supermarket should have been subject to more critical scrutiny by the State Party.
10. A careful distinction should be drawn between the offsetting of impacts on significance with gains elsewhere which is applied in some planning jurisdictions but is not in accordance with ICOMOS HIA methodology. The ICOMOS HIA methodology does not use offsets to justify damage to OUV. The question of whether the property itself receives benefits is complex and could have been subject to greater analysis by the State Party.
11. In regard to the constructed supermarket and parking lot on the South Quay, the mission team finds that the development has a negative impact on the OUV of the property and therefore represents a potential danger to the property. The mission team believes that the constructed supermarket realises the concerns previously advised to the State Party (at all levels as outlined above). It does not believe that the current supermarket could be regarded as being a “heritage-led” development.
12. The mission team believes that the size and massing of the supermarket as it is located, is inappropriate to an understanding of the cultural landscape of the Port of Hayle as part of the World Heritage property. Its scale, design, materials, and location make it a landmark building inappropriately visually dominating the historic setting close to the heart of town. The supermarket is a focal point for views from Penpol Terrace, other quays, Foundry Square and other pedestrian, maritime and vehicular routes detracting from the important historic spatial arrangements and components which strongly contribute to the authenticity and integrity of the Port of Hayle.
13. This dominating visual impact is lessened in more distant views, for example from Lelant Station and from the beach near the North Wharf, but will be magnified in distant views by planned development on the end of South Quay which repeats some negative aspects of the design such as the box-like forms and standout materials.
14. The mission team considers that the historic character of the quay was investigated and demonstrated in documentary evidence (PowerPoint presentation by Stephen Levrant 28 January 2015) as small scale, linear development with open areas and smaller buildings of varying uses related to the import and export of materials. There was a greater grouping of buildings near the viaduct and more openness on the end of the quay and the western side. While not proposing any sort of fake historical reconstruction, the mission team believes that any design needed to be sensitive to the characteristic local architecture and should not have tried to compete with, but rather blend into the historical surroundings. The design would have benefitted from more closely relating to the linear nature and scale of previous development on South Quay rather than the massive square (trapezoidal) box that was constructed. The mission believes that the intent of a linear element and a market place in the supermarket as described by both the heritage and design architects is not generally evident in the constructed building.

15. The mission team believes that the supermarket is understood as a big box-like building with the western part of dark masonry and the eastern part dominated by a large sculptural brass element. Such a contemporary, monolithic design is inconsistent with the historical character of the quay and dominates views from Penpol Terrace, Foundry Square through the viaduct and Carnsew Road (see photographs included earlier). In addition, the design, as realized, creates a number of awkward spaces and views, especially at the point where the supermarket entrance overhang comes close to the viaduct.
16. The State Party explained that the community did not want a standard supermarket in appearance and that Cornwall Council had avoided the usual livery associated with the store's operator. While this is appreciated, the mission team believes that greater consideration should have been given to whether a landmark, sculptural design was appropriate in this location, and that such a design approach should have been rejected. The architects argued that their design was an 'honest' expression of the supermarket function and would draw attention to the harbour. However the mission team considers that this approach doesn't fully recognise the intrinsic value of the World Heritage property component and also resulted in lost design opportunities. For example some design issues are that the supermarket has visually cut off South Quay from Foundry Square, there is a jarring relationship between the large overhang of the supermarket entry and the viaduct, limited views are provided to the estuary as the cafe/community space is sited away from the view and much of the west wall that could have provided views to Penpol Terrace is enclosed. Furthermore, the massive brass cladding of the roof, while meant to recall the products of Cornwall's mines, is not a material that is used for buildings in the area, creating a jarring visual impact amongst the smaller buildings on Penpol Terrace.
17. The Cornish Mining World Heritage Site Partnership Board did not undertake a Heritage Impact Assessment but considered the ICOMOS HIA Guidance in their assessment of impacts on OUV. Their approach focussed on the fact that no further discrete heritage items on South Quay were lost, the functional relationship between the foundry and the quay was no longer operable, and that historic views in the period covered by WHS inscription 1700-1914 were already irrevocably altered by the removal of historic elements on South Quay and the loss of the thriving port function.
18. As previously stated, this approach does not provide sufficient weight to the important cultural landscape of the Port of Hayle, for which it was inscribed. The mission team rejects the Board's findings with respect to historic landscape attributes that construction of the supermarket has resulted in "historic sight lines preserved" and "negligible negative" effect on the historic landscape character of the whole site. Indeed if the Board's logic prevailed, any design at all would be permitted in this location and achieve the same assessment because it would involve no further loss to the points outlined in paragraph 16 above. Instead the design of the supermarket has made it a dominating element in the cultural landscape.
19. In assessing intangible cultural heritage attributes or associations, the Board found that the supermarket provided a "minor positive change" in that "the process of development has enabled public access to South Quay for the first time in decades. Associated developer funded interpretation will enhance appreciation of the history and function of the quays and the relationship to Harvey's Foundry, which is currently lacking." Again any building design at all

could have achieved these positive outcomes which are independent of the physical form of development. For this reason, the mission team believe that an assessment of the design of the supermarket and its impact on OUV was not fully achieved.

20. In the letter dated 23 February 2015 (refer to Annexes), Mr Julian German, Chairman, Cornish Mining World Heritage Site Partnership Board, acknowledged that "the principal issue for the supermarket on Hayle South Quay is that of the design of the structure". Mr German outlined initiatives to avoid similar situations occurring again (discussed in a later section). The mission team welcomes this letter and acknowledges that the Board has made significant progress both during the mission visit and subsequently to it.
21. The mission team felt that the Heritage Impact Assessment prepared for the developer (July 2011 Volume 2) had similar shortcomings to the Board's earlier assessment. The HIA consistently stated that the regeneration of the site would have substantial economic and social benefits for the area but the same argument could be made for any form of new development in Hayle. Such benefits cannot offset negative impacts on OUV.
22. The HIA documented benefits in that the supermarket would be "substantially less adverse than the consented outline proposal." While the mission team appreciated that the reduction in the size of the supermarket building was positive, the HIA was required to evaluate effectively the impact of potential development on the OUV of the World Heritage property. An absolute assessment was needed rather than just a comparative one.
23. The HIA outlined temporary benefits of consultation and interpretation but again these measures were independent of the final form of the supermarket. The mission team felt that the impacts of the physical form of the supermarket were sometimes understated, for example in View 4 (shown below), the proposed development from Penpol Terrace which can be compared with the built result in the photographs included earlier.



The red 'wire line' in the second image shows the extent of the proposed development but does not accurately portray the visual impact.
 Source: South Quay Hayle Harbour, Heritage Impact Assessment, Stephen Levrant Heritage Architecture Ltd, July 2011, Vol 2, page 36.

24. The mission team acknowledges that given the supermarket is complete, there is little opportunity to change its strong architectural vocabulary or mitigate its visual impact on key views and the historic cultural landscape. However the State Party has indicated its willingness to address the process that allowed the supermarket to be built and acknowledged that the construction has impacted on OUV of the World Heritage property (refer to Annexes for letter DCMS 18/02/2015). This is essential given the proposed and consented future development within the Port of Hayle component part of the World Heritage property.

C. *The Proposed Development on the South Quay*

While it is not possible to intervene on the already existing supermarket, there is still an opportunity to revisit the proposed further development on the South Quay which would include residential and some office/commercial spaces. Situated after the parking lot of the supermarket, this new proposed development comprises some two and four storey constructions rather densely packed into the end of the quay, using the same materials and architectural vocabulary found in the supermarket design. From the plans and renderings provided, some of the building heights, building orientations, and materials would have as strong a visual impact as the supermarket at the other end of the Quay. This is of particular concern from longer range views of

the quay which, with the addition of the newly proposed structures at the end of the quay, would make both the supermarket and future developments more visible.

Special efforts will need to be taken by the State Party, the Cornwall Council, and the developer to ensure that any further development of the South Quay has as “light a touch” as possible and does not worsen the strong visual impact already found in the supermarket.

For this reason, the mission strongly recommends that these designs (approved in outline) be reopened for discussion and revision prior to final consent. This could also be considered as a test of any new process that the State Party has for considering impacts of new developments on the property.

The same would be true for any new developments proposed for the former Harvey’s Foundry car park opposite South Quay and for development on the North Quay, within and in the immediate setting of the property.

D. Other Future Developments at Hayle

As mentioned above, the mission team was informed about the Linden Homes development, being planned on a plot adjacent to the World Heritage property. As the proposal is still in an outline stage, not much is known about design, materials, and massing. It was therefore not possible for the mission team to make a judgement at the time. However, as with the future developments on the South quay, this project may provide a test of the new process promised by the State Party for dealing with new developments. While not in the property itself (with the exception of a small part as indicated on the plan), it would fall in what would normally be considered the buffer zone.

The same is true for the ongoing development on the North quay of the marine renewable business park and wave hub, which is partly in the property and partly in the immediate setting, where care will need to be taken that the new construction does not have an impact on the OUV of the property.

This is particularly important since at the time of inscription, the State Party argued that there was not a need for buffer zones around the component parts of the property since there were strong development controls in place.

The mission would recommend close collaboration between the State Party, World Heritage Centre and Advisory Bodies as this and other proposals continue through the planning process.

4. OVERALL STATE OF CONSERVATION OF CORNWALL AND WEST DEVON MINING LANDSCAPE

In 2013, the mission found that the World Heritage property was vulnerable to incremental changes and was facing potential threats from the effects of town planning and regional planning projects as a result of limited enforcement of legal and regulatory provisions that exist and should guarantee the protection of the World Heritage property and the goals set out in the World Heritage management.

Since then, the construction of the supermarket at Hayle has impacted on OUV and future development proposals are likely to lead to further serious impacts.

The 2015 mission included a 'Lessons Learnt - proposed and potential changes in working practices and procedures' session on the final day with stakeholders from the Cornish Mining WHS Management Office, Cornwall Council, English Heritage and DCMS. The session centred on a discussion of the strengths and weaknesses of the architectural design of the supermarket, the overall planning of the quay, and the implementation of the works carried out. Most importantly, it touched on the planning and architectural process used to arrive at the design. During this session, it appeared that the representatives of the State Party, the Cornwall Council, and the WHS Management Office all recognized that the process had not resulted in a design with no negative impacts on the OUV of the property. As such, there was a need to rethink the process that led to the construction of the supermarket despite continued warnings from the World Heritage Committee.

Following the mission, letters were received from DCMS and the Cornish Mining WHS Management Office (include in Annexes) which responded well to the "Lessons Learnt" session of the mission.

The 2015 mission considers that there has been significant progress in responding to the 2013 mission general recommendations on processes which were:

"The State Party, Cornish Mining World Heritage Site Partnership Board, the Cornish Mining World Heritage Management Office, and the 3 local councils that make up the serial property are strongly encouraged to work together to develop the necessary development control mechanisms for large-scale development proposals. Given the World Heritage status of the property, these control mechanisms should include paying special attention to the heritage advice received. If necessary, early consultations with the World Heritage Centre and Advisory Bodies should be carried out."

"The mission suggests considering to define a longer review period for any development application that concerns a World Heritage property in order to ensure that the responsible local authorities can fulfil the requirement of a thorough review of planning documentation. It is further considered beneficial to include the principles of a heritage impact assessment as part of the required EIA for any large-scale development projects that may have potential impact on a World Heritage property."

"The State Party may wish to reconsider the application of the call-in policy as set out in the Written Ministerial Statement of 26 Oct 2012 as a tool for implementing its responsibility for the protection of World Heritage on its territory. It may further consider taking into account the suggestions included

in the English Heritage Consultation Paper of 2008 regarding protection of World Heritage properties at the national level."

The 2015 mission acknowledges significant improvements discussed during the mission and outlined in the subsequent letters mentioned above which sought to address recommendations of the 2013 mission. In particular the mission supports the following initiatives outlined by the State Party:

- Preparation of a Supplementary Planning Document to be adopted by all planning authorities involved with the World Heritage Site;
- Addition of a specialist planner to the Cornish Mining World Heritage Site Management Office;
- Adoption of a formal understanding on the handling of development proposals within the WHS by English Heritage, the Cornwall Council and the Partnership Board; and
- Other steps to ensure that specialist conservation advice is given due weight and in time to enable protection and management of the World Heritage Site in accordance with the State Party's obligations under the World Heritage Convention.

The mission team recommends 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.

South Crofty

As part of the terms of reference of the mission, a brief discussion was also held on the subject of the proposed mining at South Crofty. As explained in the State Party's SoC report of 2014, plans to resume mining have been halted for the time being, due to financial constraints. The mining company remains in Administration. The State Party reports that given the lack of funding, the company does not have the resources to review its proposals. For this reason, to date no detailed discussions or progress has been made on modifying the proposals as suggested in the recommendations of the 2013 mission. The mission was informed, however, that the mining company was still actively pursuing investors. The planning permission already granted will lapse in November 2016 if work is not started by then. The State Party through the Cornwall Council are maintaining a "watching brief" on the site and will intervene with the mining company should the proposal be reconsidered before that time.

The mission takes note of the situation as presented by the State Party. Its only concern is that if the necessary financing to restart mining happens too close to the November 2016 deadline, it would not give much time for the necessary negotiations with the mining company. While the mission realizes that nothing formal can be done in this regard, it is worth highlighting the need for proper consultation to take place before any proposal for mining goes forward, in order to take into account the recommendations of the 2013 mission.

Tavistock

Similarly to South Crofty, the mission did get a brief update from the State Party on the Tavistock development. It was explained that the recommendations of the 2013 mission were being taken into account as continued planning of the housing development moves forward.

5. MISSION'S CONCLUSIONS AND RECOMMENDATIONS

The joint reactive monitoring mission carried out by representatives of ICOMOS and ICCROM, from 27-29 January 2015, came to the following conclusions and recommendations after review of the documents provided as well as on-site visits and meetings with stakeholders.

General

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.

Hayle Harbour

2. The constructed supermarket and parking lot on the South Quay has a negative impact on the OUV of the property. The extent of the impact of what has already been constructed could warrant a listing on the World Heritage List in Danger, in and of itself, but joined with the fact that more development, considered inappropriate by the mission, is still planned; it represents an ongoing potential danger to the World Heritage property.
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.
4. Taking into account the potential adverse effects of ongoing proposed development in the Port of Hayle on the OUV of the property, and in line with its Decision 38 COM 7B.34, the World Heritage Committee would be advised to consider immediately placing the Cornwall and West Devon Mining Landscape World Heritage property on the World Heritage List in Danger at its 40th session in June 2016 if implementation of the current development proposals continues. In addition, a listing on the World Heritage List in Danger should be considered in the future if the necessary improvements to the planning tools, as outlined in point 1 above, are not instituted by the State Party in order to ensure that future developments are consistent with the OUV of the property.
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.

6. ANNEXES

Annex 1: Terms of Reference

TERMS OF REFERENCE for the Joint ICOMOS/ICCROM Reactive Monitoring Mission to Cornwall and West Devon Mining Landscape (C 1215) 27th to 29th January 2015 In accordance to Decision **38 COM 7B.34** taken by the World Heritage Committee at its 38th session (Doha, 2014), the reactive monitoring mission will undertake the following tasks:

- a. Assess the overall state of conservation of the World Heritage property of Cornwall and West Devon Mining Landscape and identify potential factors that might impact adversely on its Outstanding Universal Value;
- b. Carry out a field visit to the component part of Hayle Harbour and evaluate the extent of impacts resulting from the implementation of the supermarket project at Hayle Harbour on the Outstanding Universal Value of the property;
- c. Identify and discuss with the national and local authorities potential courses of action to address and/or mitigate the impacts on the component part of Hayle Harbour and on the World Heritage property as a whole;
- d. Discuss with local and national authorities the overall flood protection measures in Hayle Harbour and other proposed projects on component parts and evaluate their potential impacts on the Outstanding Universal Value of the property;
- e. Discuss with local and national authorities the status of implementation of all the recommendations made by the joint mission of October 2013, in particular regarding solutions for mining exploration projects and a heritage impact assessment for South Crofty;
- f. Prepare practical recommendations and identify measures to ensure the conservation and protection of the Outstanding Universal Value, authenticity and integrity of the property;

Prepare a joint mission report in English that incorporates the above findings and recommendations to be presented to the State Party and to the World Heritage Committee for review at its 39th session in 2015.

Annex 2: Mission Itinerary

All meetings held at John Harvey House, Hayle

Day 1 Tues 27th January - Discuss Mission ToR and overview of progress since last Mission visit (October 2013)

Day 2 Wed 28th January - Hayle presentations and tours of Hayle landscape, South Quay and supermarket

Day 3 Thurs 29th January - Discussion workshop – future developments at South Quay and Harvey's Foundry car park

Annex 3: Letter from DCMS dated 18 February 2015

- included with permission from Mr Keith Nichol, Head of Cultural Diplomacy



Department
for Culture
Media & Sport

Cultural Diplomacy Team
Department for Culture,
Media and Sport
100 Parliament Street
London
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To Helen Lardner and Joseph King
by e-mail

18 February 2015

Dear Helen and Joe,

It was very good to meet you both during the recent UNESCO Mission to the Cornish Mining World Heritage Site. I thought it might be useful to record some thoughts prompted by the Mission, on behalf of the UK Government, as the State Party to the World Heritage Convention.

This being the first such Mission in which I have participated, it struck me as a very useful means of bringing together the key stakeholders, and the tour of the site, bookended by presentations and our discussions, crystallised the issues very effectively.

On the central issue of the building of a supermarket on the South Quay of the Town of Hayle, within the perimeter of one of the ten sites which comprise the serial WHS, I was struck that there has been some adverse impact on the OUV of the site. While the impact has been mitigated to some extent by various factors, such as the creation of a community asset which includes interpretation of the WHS, reducing the dimensions of the building, the creation of over 220 jobs, and the repair of the quay itself, the design and location of the building have had some adverse impact on the character of the site. It seemed to me that there was an increasing element of consensus on this over the course of the three days.

The acknowledgement and understanding that development can pose a threat to the OUV of this or any other World Heritage Site - just as serious as the threats posed by climate change or other factors - was particularly useful on the third day of the mission, when we turned our attention to the prospect of further development on the



South Quay. I came away with the strong impression that all the principal stakeholders have absorbed some invaluable lessons from the Mission and I have confidence that will be properly reflected in the assessment, planning and decision-making processes of any future development on or around the quay. I welcome the explicit recognition by Cornwall County Council that the process could have been improved by seeking UNESCO's opinion at an earlier stage. The preparation of Supplementary Planning Guidance and the addition of a specialist planner to the WHS Partnership team also provide reassurance for the future. It will also be important to ensure that the specialist conservation advice within the Council is fed fully into the planning process.

I know English Heritage will also be working in partnership with the Council and the Partnership Board to ensure the OUV is safeguarded in a manner which UNESCO, ICCROM and ICOMOS would find befitting. In order to cement this constructive relationship I have asked English Heritage, the Council and the Partnership Board to consider entering into a formal understanding on the handling of development proposals within the WHS. I will be happy to keep you updated on progress in this respect.

More broadly, I am keen that the learning which will be embedded in Cornwall as a result of the Mission is shared effectively with other World Heritage Sites for which the UK is responsible. My Ministers want the UK to be seen as an exemplar in caring for its heritage, and while each World Heritage Site has unique qualities and challenges, there are lessons from Cornwall which have a resonance for them all (the first three recommendations from the Joint Monitoring Mission of 2013 also need to be borne in mind by all of the UK's sites). Together with English Heritage, as our statutory advisers, I would hope we might be able to draw on the expertise of ICOMOS, ICCROM and other sources of counsel as we look to demonstrate that ambition through deeds as well as words.

As I noted during the Mission, in reflecting on the collective importance of our World Heritage Sites, the whole currently feels less than the sum of the parts, but with effective direction, collaboration and communication, I believe we could redress that state of affairs. This will not be easy, or quickly done, but the Cornwall mission has for me crystallised the potential for the UK's World Heritage Sites to be a national and international asset of which we can be proud. Many thanks for helping to illuminate that potential.

If there is any aspect of follow-up to the Mission with which I, or my colleagues can help at all, please do not hesitate to ask.

Department for Culture, Media & Sport

I am copying this letter to Matthew Sudders (UK Del UNESCO), Henry Owen-John (English Heritage) and to Julian German and Deborah Boden (Cornish Mining WHS).

Yours,
Keith

Keith Nichol
Head of Cultural Diplomacy

Annex 4: Letter from Cornish Mining World Heritage Site Partnership Board dated 23 February 2015

- included with permission from Mr Ainsley Cocks, Cornish Mining World Heritage Site Management Office



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Ms Helen Lardner
The Australia ICOMOS Secretariat
Deakin University
221 Burwood Hwy
Burwood VIC 3125
Australia

23rd February 2015

Dear Helen

Cornish Mining World Heritage Site

Further to your recent Mission visit to Cornwall, I am writing on behalf of the Cornish Mining World Heritage Site Partnership Board to pass on their thanks for the time and attention you have given to our Site. I do hope that you had a smooth homeward journey.

The Mission visit has helped all parties involved in the protection of our Site to achieve a clear focus that the principal issue for the supermarket on Hayle South Quay is that of the design of the structure. Whilst the developer's agents demonstrated their attempts to take the special nature of the location and its history into account, it is clear that their efforts did not deliver a final building that meets with approval from all the heritage agencies, which would have preferred a design reflecting the historic precedent of previous structures on the Quay.

I am confident that, through the measures that we debated on the final day of the Mission, we can avoid similar situations occurring again. Whilst the Partnership cannot itself make decisions on planning cases, we advise those that do on how to meet the obligations of the World Heritage Convention and Operational Guidance. In the case of Hayle Harbour, our advice was not given sufficient influence to enable a final design that all found satisfactory. To address this, the Supplementary Planning Document that we are now in the process of drafting will be adopted by all our partner planning authorities and used to improve their determination processes.

The document will benefit from the lessons learned during our discussions and include clear guidance on how major planning cases affecting the WHS should be processed, including when to involve statutory and local heritage agencies and how to ensure sufficient time to address their views.



World Heritage Site Office

Cornwall Council, Economic Development and Culture,
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To ensure that the emerging SPD achieves this, the Partnership will continue to seek advice and input from the UK Government, UNESCO, and their specialist advisers. The early draft consultation version of the SPD will be available by the end of April, and I would be very pleased to share this with you should you be able to find the time to review it.

Once again, many thanks for your continuing interest.

Yours sincerely

Julian German
Chairman, Cornish Mining World Heritage Site Partnership Board



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