

17<sup>th</sup> February 2010  
NEW VERSION

Friends of Penzance Harbour  
[www.friendsofpzharbour.org](http://www.friendsofpzharbour.org)

## How to object to the re-submitted application for LBC

As a result of the recently enacted Harbour Revision Order (HRO) Cornwall Council now consider that they have permitted development rights for most of the Option A scheme to build on Battery Rocks beach (see [www.friendsofpzharbour.org/blog\\_more.php?b=49](http://www.friendsofpzharbour.org/blog_more.php?b=49) for more information)

The only thing standing between them and implementation of the Option A scheme is the need for "listed building consent" (LBC). A first application for LBC was rejected by the Council's Strategic Planning Committee (SPC) on 14<sup>th</sup> December 2009.

**An identical application has now been resubmitted (ref: 10-0095-LBC). A notice for it appeared in *The Cornishman* on 11<sup>th</sup> February and the deadline for objections will be 4<sup>th</sup> March. The application will be considered by the SPC on March 8<sup>th</sup>.**

The LBC application can be viewed at [www.cornwall.gov.uk/default.aspx?page=21669](http://www.cornwall.gov.uk/default.aspx?page=21669). For more information about the importance of the listed South Pier view the application's Historic Building Analysis [www.friendsofpzharbour.org/pdfs/HistoricBuildingAnalysis.pdf](http://www.friendsofpzharbour.org/pdfs/HistoricBuildingAnalysis.pdf).

Any member of the public can object and this can be done either in writing to:

Phil Mason, Planning & Regeneration  
Cornwall Council, St Clare, Penzance, TR18 3QW  
Email: [planning.west1@cornwall.gov.uk](mailto:planning.west1@cornwall.gov.uk)

Or on-line at: [www.cornwall.gov.uk/default.aspx?page=14945](http://www.cornwall.gov.uk/default.aspx?page=14945). The on-line form asks you for an "application site address": just put "Penzance Harbour".

However you object be sure to quote the planning application no: **10-0095-LBC.**

In addition to sending your comments to the above address you might also want to contact members of the planning committee; their contact details are at Annex I. Do not expect them to express an opinion before the meeting.

All or some of the following points should be included in your objection but it will be most effective if it is written in your own words.  
**Point 12 is particularly important.**

### **Key objections to planning application No. 10-0095-LBC "Listed Building Consent"**

The underlined text has been added or amended since the last version in response to earlier changes to the plans and comments made in the officer's report to planning committee members.

1. The works will seriously harm what the applicant's own Historic Building Analysis describes as "among the most sensitive of any archaeological sites in any Cornish urban environment, and, in a national context, as significant an archaeological resource as any harbour or coastal town in the country". The "programme of works" and associated "Conservation Enhancement and Repair Brief" offered by way of mitigation is nothing

more than best practice for any owner of a listed structure and should be undertaken anyway.

2. The demolition works will cause very substantial damage to the fabric of the listed building and in particular the late 18<sup>th</sup> Century parapet wall. English Heritage has said that "the stonework to the 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." The fact that parts of the wall being demolished have been altered is irrelevant; the alterations no-longer serve a purpose and are reversible.
3. The works will irreversibly bury (through infill and rock armouring) large parts - including the oldest parts - of the largest, longest 18<sup>th</sup> century pier in Cornwall, fundamentally changing its character from a free-standing and iconic part of the town's historic landscape into little more than an underground and inaccessible archaeological relic. The applicant's own historic building analysis describes it as "part of an extensive and important harbour complex that puts it on a par with [Grade] II\* [listed] harbour structures elsewhere in Devon and Cornwall", and goes on to say that the current Grade II assessment is inaccurate and the pier should be Grade II\* or "scheduled" which would make it part of the most important 8% of listed buildings in the whole country. It is currently being considered for regrading.
4. The works will fundamentally harm the character of the listed building by removing from view the elvan Portzoden reef on which the pier was built and which provided the original shelter from storms that led to the settlement that became Penzance; by removing the reef from view a key narrative linking the pier to its locality and to the history of the settlement of Penzance is lost.
5. The works will fundamentally alter the public's visual experience of the listed building and in particular the part it plays in views of Penzance from the sea, where the pier's part in the history of Penzance is at its clearest and the visible impact of the works is at their greatest. English heritage have said "it would be preferable if this element [rock armouring] were not proposed", and alternatives have not been properly investigated.
6. The works involve the addition of a new pier head light, and the switching off of the historic 1853 lighthouse will eliminate the utility and seriously harm the character of a key element of the listed building. The light's new position relative to the pier head (some 20m away) will also seriously undermine the integrity and continuity of the listed building.
7. The abutment of a massive modern concrete structure (and rock armour) to an historic building built to different tolerances will inevitably have serious negative impacts on the listed building's fabric and future stability.
8. By drawing heavy goods traffic further into the harbour area (at present they set down at the North Arm) the works will have an adverse impact on the setting and fabric of the listed building.
9. The materials and methods envisaged in the works are entirely out of keeping with the appearance and design of the listed building.
10. The nature of the works and the impact on the listed building is such that meaningful mitigation is not possible; the applicants own planning and heritage statement accepts as much when it describes mitigation in terms of "building recording".

Cornwall Council will almost certainly claim that the damage to the listed building is acceptable because the scheme carries "substantial benefits for the community", so it is important that in addition to items 1-10 (above) you also include the points made in items eleven and twelve (below):

11. The works will not enhance the environment (quite the contrary) and the placing of an industrial development and associated heavy goods vehicles in a leisure area of high historic and amenity values will hinder, not help, the economic regeneration of the area. It must be recognised that the South Pier is the current dividing line between the harbour and leisure areas and that by building on the south side of the pier the development is taking place OUTSIDE the harbour area and encroaching on an important amenity area, destroying a popular and much loved beach in the process.
12. Because there are alternative plans that meet the same objectives without causing harm to the listed building also means that the works carry no special wider "substantial benefits for the community" of Penzance or the Isles of Scilly.

### **General objections to the scheme as a whole**

1. The development is in conflict with a number of policies and objectives contained in the Local Plan and County Structure Plan.
2. The development will damage the listed South Pier and have a serious adverse effect on the setting and character of the historic harbour and of Penzance as a whole.
3. The development will obliterate Battery Rocks beach and seriously harm the landscape, amenity and natural values of the area.
4. The development ignores traffic congestion problems in the harbour area and does nothing to reduce the adverse effects of this on health, the natural and built environment and public safety.
5. The development's form, bulk and general design are not in keeping with the character of its surroundings.
6. By damaging the natural environment and undermining the town's most important heritage assets, the development harms features that are essential to the long-term wellbeing of the tourism industry and local economy.
7. Alternatives, and in particular the out-of-town freight depot proposal, would meet all the developer's objectives, make efficient use of existing sites and buildings, and remove over 250 cars, vans and lorries from the congested harbour area for each freight sailing.

## Annex I

### **Contact details for the Members/Substitutes of the Strategic Planning Committee**

#### **Members**

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