

From: John Maggs <jmaggs@gn.apc.org>

Date: Fri, 08 Oct 2010 12:13:29 +0100

To: <jmaggs@gn.apc.org>

Subject: URGENT: Action needed this weekend to help stop Option A

Dear Friends,

The fight to protect the South Pier, seafront and Battery Rock beach goes on and it's time, I'm afraid, for a bit more letter writing.

When the Secretary of State (SoS) gave Cornwall Council listed building consent (LBC) for the harbour works as they affect the South Pier, he also gave them permission to grant themselves planning for the only other aspect of the scheme that requires planning consent, namely the new seawall above the level of reclaimed land. The original planning application for this (No. 09-1118-P) was submitted and first considered by the strategic planning committee (SPC) at the same March 8th meeting as the LBC application - but consent for final approval was required from the SoS.

However, because of developments since the sea wall application was first considered, Cornwall Council has decided that before granting themselves planning permission they will send the application back to the SPC. The most important change of course has been the upgrading of the listed status of the South Pier to Grade II*. The decision to send the application back to the SPC follows advice from the Council's legal department and is designed to head off any future challenge on the grounds that they have not followed the right procedures. It is NOT an indication that they are having second thoughts, and SPC members are being recommended to approve the application.

If you wrote objecting to the sea wall application the first time then you should have had a letter (copy attached) from Cornwall Council explaining what is going on and telling you that you can make a further written representation but not speak at the meeting (unless you spoke previously). If you only objected to the LBC application then you will probably not have got this letter but you can still object now.

In the letter from the Council it explains that any further objections must relate to the following changes of circumstances:

1. the granting of Listed Building Consent with conditions by the Secretary of State for the works described in application reference number 10-0095-LBC;
2. the replacement of national planning policy documents PPG15 and PPG 16 with the new national policy document PPS5 Planning and the Historic Environment;
3. the upgrading in Listed Building status of South Pier from Grade II to Grade II*; and
4. the granting of grade II listed Building status to the Battery and War Memorial.

Please try and find time over the weekend to write a new letter of objection. Include your own observations on the above but you could also usefully mention the following points:

- English Heritage still object to the scheme and believe that alternatives should be investigated. (The issue has been debated and explored since 2003. **(The likelihood of finding a credible solution free of significant objections is remote. Development of a new proposal would be outside the timescale for EU funding meaning that the Government would have to find £11 million to replace the 32% EU contribution to work on the harbours)**)
- The officer's report to the committee accepts that the scheme will cause serious harm to the heritage (and environmental) assets of the town but justifies this by claiming that – in his opinion - the scheme will bring economic benefits that outweigh the harm. (The Council's view is supported by Penzance businesses who support this project by a vast majority) However, better, cheaper, less destructive alternatives exist **(there is no acceptance that a better, cheaper scheme exists except by supporters of FoPH)** , although they were not considered by the SoS (as being outside his remit) and are being ignored by Cornwall Council. The existence of alternatives entirely undermines the rationale for Option A and the logic of the officer's recommendation of approval for the sea wall application **(the ignoring of the need to provide sea defence for the Barbican/South Pier undermines the credibility of representations made by objectors)** .
- The scheme of which the new sea wall is a part is clearly in conflict with the recommendations of the recent AECOM study into the economic regeneration of Penzance **(the AECOM proposals dovetail with Option A because Option A removes the freight handling activity from North Pier and requires no building on the Harbour Front which can be opened up for public access. You can view the AECOM plans [here](#) - click on Exhibition 4 (map) – item 3 is Option A, item 2 is the proposed open harbour front and 4 is the marina/leisure boat berths)**. The harbour area is highlighted as a focus for regeneration with plans to stop through traffic and create

shared pedestrian and vehicle space along Wharf Road. Clearly this cannot be compatible with locating a freight depot and associated heavy goods traffic in the area (**no new freight is involved and no new freight vehicles. What was held on North Pier or brought to vessel at the last minute before sailing will be delivered instead to the new compound. Freight traffic to and from the harbour represents 2% of traffic movements on Wharf Road (~140 out of 13,000) so the harbour freight activity (40 tons a day average) a day) .**

- And please mention again that an overwhelming majority of people in Penzance are against the scheme. The other side are quoting dodgy petition and Facebook figures but the last independent poll (in the Cornishman) showed that 70% were against the Council's plans. (**Only supporters could muster a petition of over 3000 supporters, of these 2500 are filed on line on the Councils website. Every uncorruptable measure of public opinion has shown a very large majority in favour of the project even in Penzance let alone the Isles of Scilly and Penwith as a whole).**

Please use your own words.

The **deadline for objections to be with Cornwall Council is 12:00 noon on 12th October (that's this coming Tuesday!)**. Given the shortage of time your letter of objection should be sent by email to: dave.slatter@cornwall.gov.uk Please also copy your email to members of the strategic planning committee (their email addresses are in a document attached to this email).

The SPC will meet in the Council Chamber at County Hall in Truro on the 14th October (10am start) to consider the application. **A crowd outside to greet councillors would be good; please try and be there and let me know if you are coming. Placards will be available!**

It seems unlikely that the SPC will reverse their original decision but it is nonetheless very important that they continue to see that the public in Penzance firmly object to the sea wall application and to the whole Option A harbour scheme. It may be that the planning process surrounding the harbour scheme is subject to challenge in the future and it will strengthen our case if opposition has remained visibly strong and consistent.

Best wishes and thanks again for all your efforts.

John Maggs
Friends of Penzance Harbour
www.friendsofpzharbour.org

