

**Carlyon Bay
Environmental
Statement (2011)**

Chapter A

Introduction &
Background

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Contents

| | | |
|-------------|--------------------------------------------|-----------|
| A1.0 | Introduction | 1 |
| A2.0 | Background | 3 |
| | Historical Development and Use | 3 |
| | Planning History | 4 |
| | The Current Proposals | 7 |
| | Site Allocation | 8 |
| | Relationship of ES to Planning Application | 9 |
| A3.0 | Structure of the ES | 11 |
| A4.0 | The Team | 13 |
| A5.0 | Availability of the Document | 15 |

A1.0 Introduction

- A1.1 This Environmental Statement ('ES') has been prepared on behalf of Commercial Estates Group ('CEG'). It sets out the findings of an Environmental Impact Assessment ('EIA') of proposals for the development of land at Carlyon Bay near St Austell, Cornwall.
- A1.2 It is submitted with an application for part outline and part detailed planning permission (a 'hybrid' application) for the proposals. The proposals comprise a mixed use development of residential accommodation and commercial leisure floorspace with associated works, sea defences and promenade, works to Sandy River and cliff stabilisation.
- A1.3 CEG is an investment management business which manages complicated long-term commercial, residential, mixed use and regeneration projects throughout the UK on behalf of three investors, the largest of which is Dooba Holdings Limited (Dooba). CEG has significant experience in property and development. It has a proven track record of managing the delivery of urban regeneration projects. It is currently managing over 40 development projects across the country including approximately 20 regeneration schemes.
- A1.4 Further details on CEG can be found at their website (<http://www.ceg.co.uk/home/>).
- A1.5 A plan (ref: PL100) showing the extent of the site is included at Appendix A1 to this ES. The site encompasses an area of 21.6 hectares of land and is located outside of the urban area of St Austell.
- A1.6 EIA is a process undertaken in respect of certain types of development prior to the grant of planning permission. It provides a means of drawing together the findings from a systematic analysis of the likely significant environmental effects of a scheme to assist local planning authorities, statutory consultees and other key stakeholders in their understanding of the impacts arising from the development.
- A1.7 The assessment of the significant environmental effects of the Carlyon Bay proposals has been carried out on the basis that they fall within Sections 10(b), 10(m) and 12(c) of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999 (as amended) ('the 1999 EIA Regulations') as follows: -
- 1 Section 10(b) relates to urban development projects.
 - 2 Section 10(m) relates to coastal work to combat erosion and maritime works capable of altering the coast through the construction (e.g. dykes, jetties and other sea defences works), excluding the maintenance and reconstruction of such works.
 - 3 Section 12(c) relates to the development of holiday villages and hotel complexes outside urban areas and associated developments, where the area of development exceeds 0.5 hectares.

- A1.8 This EIA considers the likely significant effects of the construction and operation of the development. Where significant adverse effects on the environment are identified, the ES proposes mitigation measures to prevent, reduce and, where possible, offset these effects.
- A1.9 As well as an assessment of the effect of the proposals against the current condition of the site ('the baseline conditions'), analysis has also been carried out to review the key differences in effects between the current scheme and those expected from a previously approved and implemented scheme at the site ('the extant scheme').
- A1.10 In addition, an assessment has been carried out of potential cumulative effects which may arise from the development at Carlyon Bay and other nearby development proposals.
- A1.11 This chapter sets out the background to the proposals and the ES.

A2.0 **Background**

Historical Development and Use

- A2.1 The site boundary encompasses three bays (Crinnis, Shorthorn and Polgaver). The site is man-made, the result of a mid-19th Century diversion of the Sandy River, away from Par Harbour (to the east) via an adit to Carlyon Bay resulting in waste material or 'stent' from the nearby china clay works being deposited at Carlyon Bay rather than at Par Harbour.
- A2.2 Apart from mineral extraction and a rifle range, the first recorded activity on the newly formed beach dates back to the 1920-30s when the Cornish Riviera Club was established at Crinnis Beach which included the construction of outdoor tennis courts in about 1930.
- A2.3 In 1934, Louis de Soissons was commissioned to develop a high-class sports club on the site to be run as a single complex, in conjunction with the nearby Carlyon Bay Hotel and the Golf Course. The scheme was never entirely finished but a partially completed building (now known as 'the Coliseum'), was opened in 1938 and included indoor tennis courts and an Olympic size swimming pool.
- A2.4 The site was closed during the Second World War, although it is understood that parts of the site were used to host concerts for American servicemen; for use by a school and included a gas mask storage area; and the beach was also utilised as a staging post for the D-Day landings in 1944 with Crinnis Woods being used to camouflage tanks and other equipment.
- A2.5 The Coliseum was re-opened in 1952 but, following financial difficulties, only the beach huts and cafeteria remained in operation. In 1960 the main building was renovated and reopened as a concert venue but again hit financial problems and was sold in 1968. A number of planning permissions for various forms of leisure development were secured throughout the 1960s but, until 1976, the site was run solely as a beach complex, open only in the summer.
- A2.6 Shorthorn was for many years the location for a "ride on" railway. This had its terminus and engine shed close to the swimming pool, by the main Coliseum complex. From there it ran eastwards along the dune line onto Shorthorn, where it crossed the river at the northern bridge and ran in a circular route around the entire Shorthorn area, re-crossing the river by the same bridge. There was a small terminus where it ran past Polgaver.
- A2.7 The railway was extended in about 1977 and operated until about 1994/95 when it was dismantled and removed.
- A2.8 The Carlyon Bay site was acquired by Exchange Travel in 1976, who commenced a project to develop the complex and create an auditorium. In 1979 a new roof was fitted, together with air conditioning, heating, false ceiling and seated balconies installed, and in 1980 new seating was installed and the

first fully seated concert held. Further seating was installed in 1981 to bring the maximum seated capacity up to 2,620.

A2.9 During the 1970s and 1980s, several schemes for leisure development at the site were brought forward. The first planning permission issued was for the construction of 101 residential units, with parking and ancillary facilities comprising a new clubhouse and indoor swimming pool. In 1990, planning permission was secured for the development of 511 residential units with leisure and commercial units and the consent was renewed in 1995. This scheme has been implemented and is referred to throughout this ES as the 'extant scheme'. Further detail is provided below.

A2.10 At regular periods, commencing in 1987, the entire site was used for rock/music festivals. The first was a 3-day WOMAD festival in 1987, which was followed by WOMADS in 1988, 1989 and 1993. Other festivals were held in 1997 with two in 1999.

A2.11 Since the 1990s, the site has largely been commercially inactive and the fabric of the built environment has become semi derelict; albeit some initial works have taken place to bring forward the extant scheme including the erection of a marketing suite/information centre on Crinnis.

Planning History

A2.12 Since 1950 there has been a series of planning permissions granted for various forms of development.

A2.13 Of particular note are the following:-

- **18 February 1961:** Cornwall County Council (the planning authority at that time) granted permission for 200 beach chalets (day use) to be erected on Polgaver and Shorthorn (Application ref: 61/15495/SA2).
- **2 June 1981:** Restormal Borough Council ('RBC') granted permission for the construction of 101 units with parking and ancillary facilities, maintenance of a club house and swimming pool (Application ref: 4/20/81/0317/FP).
- **1 June 1988:** RBC granted permission (Ref. 87/210/0314/F) for a holiday village. The development included a hotel and 444 holiday homes, shops, a supermarket, office suite, arcade and storage area and 6 staff residences. It is understood that this consent was 'implemented' by way of six bases for the holiday homes being constructed.

1990 Permission

A2.14 In 1990 planning permission was granted by RBC for "*Erection of 511 holiday dwellings. Refurbishment and extensions to central entertainment and leisure facilities*" (application reference: 89/01942). These proposals included:-

- 511 holiday dwellings comprising 388 flats and 123 houses (on Crinnis and Shorthorn)

- Commercial floorspace (10,436 sq m) broken down to provide retail uses (Class A1 – 440 sq m); bars and restaurants (Classes A3/A4 – 2,600 sq m); and leisure commercial floorspace (Use Class D2 - 7,396 sq m)
- Car parking (511 spaces to serve residential, 311 spaces for day visitors and 18 waiting spaces)
- Site Infrastructure
- Sea wall and diversion of Sandy river

1996 Renewal of 1990 Permission

- A2.15 An application for an extension of the time limit (ref: 95/00966) pursuant to condition 1 of application 89/01942 was granted by RBC on 11 March 1996, extending the time for which the 1990 planning permission could be implemented. This permission is referred to as the 'extant scheme' within this ES.
- A2.16 Condition 14 attached to planning permission reference 95/00966 relates to the stability of the sea defences and was discharged by RBC Planning Committee on 1 June 2005.
- A2.17 Appendix A2 provides copies of the plans and background information associated with the extant scheme.

2001 Certificates of Lawfulness

- A2.18 Two twin-tracked applications (refs: 01/01597 and 01/01599) were submitted to Restormel Borough Council in 2001 seeking a Certificate of Lawfulness to establish that development of the extant scheme had been lawfully implemented pursuant to planning permission ref 95/00966. The Certificate was issued on 13 December 2001.

2003 Revised Sea Defence Scheme

- A2.19 In the period 2003-2005 a scheme for revisions to the sea defences included within the extant scheme were developed in consultation with Restormel Borough Council and statutory consultees and a planning application was submitted in January 2005 by Ampersand Group. Ampersand are a wholly owned subsidiary of Dooba (please see paragraph A1.3 above for a description of Dooba's relationship to CEG).
- A2.20 The application was accompanied by an ES which considered the potential for significant effects arising from the proposals on the following environmental areas: -
- 1 Beach Morphology and Use
 - 2 Water Environment
 - 3 Geology & Land Use
 - 4 Ecology & Biodiversity

- 5 Transport
- 6 Landscape & Visual Impact
- 7 Air Quality
- 8 Noise & Vibration

- A2.21 Consideration was also given to the key issues to be addressed in a Beach Management Plan, Biodiversity Management Plan, Water Management Plan and a Construction Management Plan.
- A2.22 The Non-Technical Summary of the ES (2005) is attached at Appendix A3.
- A2.23 The planning application was called in by the Secretary of State (SoS) for her own determination and was refused. Whilst the application related only to the development of sea defences, the SoS commented on the extant scheme as follows:-
- "...on balance, the availability of finance for the development and the ongoing preparatory works at the site indicate that there is a real possibility, however small, of the applicants building out the extant permission were this proposal to be refused. For this reason, she considered that the extant permission is a fall-back position that constitutes a material consideration in determining this case."* (SoS decision, 18 June 2007, para 34).
- A2.24 Notwithstanding the recognition of a genuine fall-back, the SoS concluded that this was not a sufficient material consideration to outweigh the conflict of the sea defences scheme with the Development Plan. A challenge (under s288) against the SoS's decision has been lodged by the applicant.

Enforcement Notice

- A2.25 RBC issued an enforcement notice on 7 December 2007 in relation to an alleged breach of planning control comprising *"The carrying out of an emergency operation consisting of the erection of a sea defence wall".* This related to works to erect a temporary sea wall including rock armour at the site.
- A2.26 Some works to remove the sea wall and rock armour from Shorthorn were carried out during June and July 2010 and the material located elsewhere within the site. The sea wall and rock armour remain in place at Crinnis.
- A2.27 In November 2010, a planning application was submitted to Cornwall Council for the temporary retention of the Sea Wall and associated rock armour at Crinnis until 31 July 2011. This allows additional time for the consideration of the scheme which is the subject of this ES. It is intended that, should planning permission be granted for the scheme, that the structures and material can be moved to the final and proposed alignment as specified in this ES. This avoids the need and substantial cost associated with moving the structures and materials more than once.

The Current Proposals

- A2.28 In mid 2008, discussions took place between senior officers of the (then) local planning authority (RBC), the strategic planning and highways authority (Cornwall County Council) and CEG about the future of Carlyon Bay. It was agreed to consider the merits of a comprehensive scheme which can better meet current planning policy whilst also providing a commercially viable scheme. The new scheme has also been developed with reference to the 'fallback' position established by the existence of the extant scheme.
- A2.29 Following discussions with RBC, the following vision was agreed for the scheme: -
- “...to create an exemplary development for Carlyon Bay that will involve high quality design and building technology to create a first class year round holiday and residential complex. The complex will broaden the tourism offer in the south-west and reinforce Cornwall as a visitor destination and achieve regeneration and community benefits for the local area.*
- The scheme will address the matters raised by the Public Inquiry (2006/2007) into the revised sea defences and to produce a completely new scheme providing high quality visitor facilities focussed on the existing brownfield site and significantly reducing the impact on the undeveloped coast and secure a more sustainable approach to the provision of the sea defences.”*
- A2.30 The following objectives were also agreed to ensure the vision can be achieved:-
- Objective 1: to be sustainable
 - Objective 2: not to increase either unit numbers or leisure/commercial floorspace from those in the extant scheme.
 - Objective 3: to rebalance the quantum of floorspace on Crinnis and Shorthorn with a minimum of 70% of the residential units to be located on Crinnis along with all commercial facilities.
 - Objective 4: no beach recharge.
 - Objective 5: ensure the sea defences provide protection to dwellings to meet 1:200 year standard.
 - Objective 6: achieve a design that is appropriate for Cornwall.
 - Objective 7: be a benefit to the local economy.
 - Objective 8: good public access and access to all.
 - Objective 9: provide a variety of landscape areas.
 - Objective 10: increase the size of beach without involving beach recharge.
 - Objective 11: to prepare an informal planning brief which will help in the definition and consultation on the parameters for the scheme
 - Objective 12: to achieve an exemplary visitor destination providing social and economic enhancements for the St. Austell area.

A2.31 In June 2010, a Planning Performance Agreement ('PPA') was signed between Cornwall Council and CEG to formalise a commitment to ongoing discussions ahead of submission of a planning application for the revised proposals. The PPA included a commitment to carry out an EIA of the proposed development

A2.32 Since the PPA was signed there have been numerous pre-application discussions with Council officers, statutory consultees and other consultation events (further details of which are contained in Chapter B and the Statement of Community Involvement which accompanies the planning application) which led to the development of the proposals subject to this hybrid planning application.

Site Allocation

A2.33 The Development Plan for Carlyon Bay comprises: saved policies from the Cornwall Structure Plan and the Restormel Borough Council Local Plan (RLP) (August 2001).

A2.34 The Development Plan policy designations which directly affect Carlyon Bay and its immediate surrounds are: a) Coastal Zone (Policy 28) and b) RIGS.

Coastal Zone (Policy 28)

A2.35 The site is located within a designated Coastal Zone where development will only be permitted where:-

"1. A coastal location is operationally necessary and no alternative locations exist within a development envelope adjacent to the coast.

2. The proposal does not prejudice policies for the conservation of the countryside or introduce an unacceptably intensive use in a generally quiet area.

3. The proposal is consistent with Policies 3 and 9¹.

4. The proposal maintains existing or provides new public access to the coast."

RIGS (Policy 23)

A2.36 There are two Regionally Important Geological Sites ('RIGS') at Carlyon Bay both of which are partially located within the site. One is located at the eastern end of the site and one at the western end, the latter including Crinnis Rock. Policy 23 states: -

"Developments will not be permitted that would cause harm to the features or characteristics of Regionally Important Geological/Geomorphological Sites unless the benefits of the development outweigh the harm."

¹ Policy 3 of the Local Plan relates to development envelopes and policy 9 relates to energy demands and transport.

Relationship of ES to Planning Application

- A2.37 The ES accompanies the hybrid planning application for the mixed use development at Carlyon Bay. The application comprises the following documents: -
- 1 Plans, drawings and illustrations
 - 2 Planning Statement
 - 3 Design and Access Statement
 - 4 Economic Statement
 - 5 Statement of Community Involvement
 - 6 Utilities Statement
 - 7 ES (this document)
- A2.38 The appendices to the ES (Volume III) also include a range of documents including: -
- 1 Flood Risk Assessment and drainage strategy
 - 2 Transport Assessment and Travel Plan
 - 3 Framework for Landscape and Ecology Management Plan, tree survey and ecological surveys
 - 4 Sustainability Statement and Waste Strategy
 - 5 Preliminary Contaminated Land Report
- A2.39 The planning application is being submitted for consideration by Cornwall Council.

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A3.0

Structure of the ES

A3.1

The findings of the EIA are set out in this ES which comprises three volumes: -

- 1 Volume 1 – Non-technical summary
- 2 Volume 2 – Main technical assessments
- 3 Volume 3 – Appendices to the main technical assessments

A3.2

As well as the technical assessments, the ES includes a consideration of relevant policy and legislation contained within individual chapters. It also summarises the form and nature of consultation which has taken place with stakeholders, consultees and the local community in relation to the EIA. The inter-relationship of the effects, the construction methodology and programme and issues identifying how the scheme contributes to sustainable development are identified.

A3.3

The ES includes all the information in Part I of Schedule 4 of the 1999 EIA Regulations that can reasonably be required to assess the environmental effects of the development and at least the information contained in Part II of Schedule 4. It has been carried out with reference to best practice.

A3.4

The location of information reasonably or at least required by Schedule 4 is identified in the table below: -

Table A3.1 Schedule 4 of the 1999 EIA Regulations - Location of Information in the Carlyon Bay ES (2010)

| Requirements of Schedule 4 of the 1999 EIA Regulations for Inclusion in Environmental Statements | | Location of Information in the Carlyon Bay ES (2010) |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| PART I | | |
| 1 | Description of the development, including in particular:- (a) a description of the physical characteristics of the whole development and the land use requirements during the construction and operational phases; (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used; (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development | Chapter C |
| 2 | An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice taking into account the environmental effects. | Chapter C |
| 3 | A description of the aspects of the environment likely to be significantly affected by the development including, in particular, population, fauna, flora, soil, water, air, climatic | Chapters D - N |

| Requirements of Schedule 4 of the 1999 EIA Regulations for Inclusion in Environmental Statements | | Location of Information in the Carlyon Bay ES (2010) |
|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| | factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors. | |
| 4 | A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from: - (a) the existence of the development; (b) the use of natural resources; (c) the emission of pollutants, the creation of nuisances and the elimination of waste, and the description by the applicant of the forecasting methods used to assess the effects on the environment. | Chapters D - N |
| 5 | A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment | Chapters D - M |
| 6 | A non-technical summary of the information provided under paragraphs 1 to 5 of this Part | Separate document |
| 7 | An indication of any difficulties (technical deficiencies or lack of know how) encountered by the applicant in compiling the required information. | Chapter B |
| PART II | | |
| 1 | A description of the development comprising information on the site, design and size of the development | Chapter C |
| 2 | A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects | Chapters D - M |
| 3 | The data required to identify and assess the main effects which the development is likely to have on the environment | Chapters D - M |
| 4 | An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for his choice, taking into account the environmental effects | Chapter C |
| 5 | A non-technical summary of the information provided under paragraphs 1 to 4 | Separate document |

A4.0

The Team

A4.1

CEG has assembled an experienced team to undertake the EIA of the proposals. The team and their roles are identified below: -

Table A4.1 The Carlyon Bay EIA Team

| Chapter | | Team Responsibility |
|---------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| A | Introduction & Background | Nathaniel Lichfield & Partners |
| B | Approach to the EIA | Nathaniel Lichfield & Partners |
| C | Site Description and the Proposals | Nathaniel Lichfield & Partners (with inputs from ORMS – design; Davis Langdon – construction; Buro Happold – sustainability) |
| D | Water Resources | MLM (with inputs from HR Wallingford - coastal issues) |
| E | Biodiversity | Baker Consultants |
| F | Socio-Economics | Nathaniel Lichfield & Partners |
| G | Transportation | Steer Davies Gleave (with inputs from Bryan G Hall) |
| H | Air Quality | Buro Happold |
| I | Noise & Vibration | Buro Happold |
| J | Visual & Landscape Effects | Nathaniel Lichfield & Partners (with inputs from ORMS – design and GMJ – visualisations; Baker Associates – ecology and landscape) |
| K | Geology & Ground Conditions | MLM (with inputs from Baker Associates – RIGS) |
| L | Waste | Buro Happold |
| M | Heritage | Nathaniel Lichfield & Partners (with inputs from AB Heritage) |
| N | Cumulative and Residual Effects | EIA team |

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A5.0

Availability of the Document

A5.1

A paper copy of the full ES can be obtained for a cost of £250 or an electronic copy (CD Rom) for a cost of £5 from: -

- Nathaniel Lichfield & Partners
14 Regent's Wharf
All Saints Street
London N1 9RL
- Tel: ++44(0)20 7837 4477

A5.2

The complete ES can also be viewed at <http://www.carlyonbeach.com/> and at The Information Centre, The Beach, Carlyon Bay, St Austell PL25 3RG.

A5.3

Alternatively the ES and associated hybrid planning application can be viewed at <http://www.cornwall.gov.uk/> or during the opening hours of Cornwall Council at the following address: -

- St Austell One Stop Shop
39 Penwinnick Road
St Austell PL25 5DR
- Tel: ++44(0)300 1234 151

A5.4

All comments on the ES (and planning application) should be issued to Cornwall Council.