



INSP. EX02 Matter 4 (PS04)

Other Policies

Council of the Isles of Scilly Position Statement

6th January 2020



**Council of the
ISLES OF SCILLY**



Matter 4a – Promoting a Sustainable Scilly

Policies SS1 – SS10

4.1 Is modification of policy SS1 to reflect NPPF para 149 in respect of mitigating and adapting to climate change necessary for the plan to be sound?

4.1.1 In line with the 2008 Climate Change Act, the NPPF at para 149 requires plans to take a proactive approach to mitigating and adapting to climate change, taking into account of the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure. In accordance with this guidance Policy SS1¹ addresses these issues through:

4.1.2 SS1 (e) which requires development proposals to avoid land at risk from coastal erosion and/or flood risk particularly for vulnerable uses;

4.1.3 SS1 (d) which requires development proposals to promote the value of biodiversity;

4.1.4 SS1 (b) which requires development proposals to design and locate development where it makes a positive contribution to reducing the islands carbon footprint and consumption of natural resources.

4.1.5 In addition to Policy SS1, Policy SS5 seeks to protect the islands water supply by requiring development to not result in a risk to the quality of groundwater or other public or private water supplies. In recognition of para 149; it is acknowledged that Policy SS5 relates specifically to development that requires a new water connection. On this basis it is accepted that Policy SS1 could include a modification to ensure water supplies are protected from development proposals generally.

4.1.6 In addition to Policy SS1(d) and Policy SS2(g), Policy OE1 requires all development proposals to protect the landscape of the islands and Policy OE2 requires all development proposals to take into account impacts upon biodiversity generally.

4.2 Is the identification of a Coastal Change Management Area necessary for the plan to be sound?

4.2.1 No, on the basis that a coastal change management area whilst it is recognized as a possible approach to dealing with coastal change, it is not considered appropriate for the Isles of Scilly as explained below. Paragraph 166 of the

¹ LP-R19/2/004, page 15: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%20202030%20%28Regulation%2019%29%2020_0.pdf



NPPF suggests that an Integrated Coastal Zone Management (ICZM) approach should be pursued across local authority and land/sea boundaries. The Shoreline Management Plan (2) suggests that the Coastal Change Management Area (CCMA) approach is a simple tool and likely to result in an inflexible approach. As such, it was noted that if the Council are to address coastal change in a sustainable manner then a more comprehensive approach would be required following ICZM principles to develop a more collaborative and flexible solution to reflect local needs and characteristics of the Isles of Scilly. For these reasons, a CCMA is therefore not considered necessary for the plan to be sound. The Council has addressed on the consultation response from Natural England (LP-R19/2/004²) and has actively engaged with the Environment Agency and the Council’s Flood Resilience Officer to understand whether the CCMA working group is likely to be a solution to take forward and the response was that a ICZM approach was a preferable approach.

4.3 Does the plan propose adequate mitigation in respect of coastal defences? Is modification of the table at para 157 of the plan necessary to make clear that the indicated enhancements are “possible” or “anticipated” rather than “proposed”?

4.3.1 The NPPF para 157 requires the location of development to take into account the current and future impacts of climate change to avoid flood risk to people and property. Current Environment Agency flood maps for England do not show the Isles of Scilly to be at risk of flooding. The advice is that the islands are in Flood Zone 1 where there is no risk of flooding. The plan does however recognise the flood data produced for the shoreline management plan, which shows areas that could be affected by coastal flooding. These areas generally align with land at or below the 5 m datum. Development in such area is covered by Policy SS7 and is not permitted unless supported by an appropriate Flood Risk Assessment. It is considered that the plan has taken a proportional and adequate approach to coastal defences.

4.3.2 As noted in the response from Natural England³ Paragraph 157 of the Local Plan (SD01) highlights in the table that coastal defences are not proposed in the plan but are shown as areas already identified for flood resilience purposes, where projects are being progressed to reinforce coastal defences. Funding to fully progress these sites is still not fully committed by DEFRA, which is why these are not being formally included as proposals.

4.4 Is it justified for policy SS3 to require “enhancement of” (as opposed to “no adverse effect on”) the setting of buildings to be re-used for commercial uses?

² LP-R19/2/004, page 15: EB04: https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf

³ LP-R19/2/004, page 16: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf



4.4.1 The Council would have no objection to amending Policy SS3 (d) to require development proposals to have ‘no adverse effect on’ as opposed to requiring an enhancement. An enhancement was identified on the basis of the AONB and to ensure protection of landscape and to meet NPPF requirements (para 172).

4.5 Is policy SS4 based on robust and proportionate evidence on the need for recreation facilities? Is modification of the plan, in respect of (i) community use of school facilities; and (ii) gig racing necessary for it to be sound?

4.5.1 The Council considered the consultation responses from Sport England (LP-R19/2/003⁴) in relation to the requirements of NPPF (paragraphs 96-101). Overall it was considered that a limited assessment [CE17 page 52-53/para 33-37 and page 201] of the existing facilities was a proportionate approach to determine that no additional open space, sport and recreational provision would be required over the plan period given the scale of sustainable development promoted in the Local Plan and the strategic priority for homes for the local community, rather than for population growth. Policy SS4 (3) was amended to ensure development proposals don’t result in the loss of, or have a prejudicial impact upon, the existing facilities which were defined on the Policies Maps. It is not considered that plan should be modified with respect to the use of the existing school facilities for community use or gig racing in order to be sound, particularly as there is no pressure for alternative uses of these facilities or significant demand for additional facilities.

4.6 Is modification of policy SS6 to take account of the impact of water extraction on habitats and designated sites necessary for the plan to be sound?

4.6.1 Although the Council noted that it would be happy to make the suggested changes to this policy, in response to the representation from Natural England (LP-R19/2/004⁵) the Council would note that Policy SS6(f) requires any new development, where a new water connection is proposed, to not impact upon habitats or designated sites and therefore is not considered to require modification.

4.7 Is modification of policy SS8 to (i) seek to conserve scenic beauty; and (ii) to remove the reference to wildlife from criterion (b) necessary for the plan to be sound?

⁴ LP-R19/2/003, page 12: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf

⁵ LP-R19/2/004, page 17: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf



4.7.1 The Council accept that there is a degree of duplication in SS8(b) and (c)⁶ and reference to wildlife could be removed from (b). The Council did note that the change proposed (EB04) is acceptable.

4.8 In view of the absence of identification of a site suitable for onshore wind energy development is it necessary for consistency with national policy to make clear that policy SS8 does not apply to wind turbines?

4.8.1 As there has been no assessment of sites for on-shore wind, on the basis of the scale of the islands, the Council would support an amendment to Policy SS8 to clarify those renewable energy proposals it covers. Paragraphs 165 and 166 of the Plan clarify this issue and therefore for consistency and clarification it is considered appropriate to make it clear that Policy SS8 does not apply to wind turbines.

4.9 Is policy SS9 sufficiently clear as to whether or not it concerns any specific proposals to improve air and sea links and associated infrastructure? Does the policy relate to the 'Transport Links' shown on the policies map (T1-T12) and, if so, should these refer to policy SS9, rather than policy SS10?

4.9.1 Changes to Policies SS9 and Policy SS10⁷ were made in the last amendments, consulted on in Aug-Sept 2019 (Regulation 19/2). Transport Links on the Policies Maps (T1-T12) should indeed reference Policy SS9. There are no specific proposals to improve air and sea links and associated infrastructure.

4.10 Are policies SS1 – SS10 otherwise justified and effective?

4.10.1 Policy SS1 is a general development management policy that is considered to be compliant with Paragraphs 7, 8, and 11 (a) and (b) of the NPPF. This policy is considered to be effective by requiring consideration to be given to the matters listed in a) to g) and monitoring of this policy will record the number of decisions that are refused as being contrary to this policy.

4.10.2 Policy SS2 is a general development management policy considered to be compliant with paragraphs 83(c), 72, 91, 149, 150(a), 170(a) and (d), 96, 132, 91, 20(d) of the NPPF. This policy is considered to be effective on the basis of ensuring development proposals can both adapt to unavoidable changes to the climate and mitigate against further climate changes. Specifically, the purpose of Policy SS2 is to ensure that development is safe and promotes active lifestyles; protects environmental characteristics or enhances them through biodiversity net-gains; and protects the important landscape character, cultural

⁶ LP-R19/2-004 page 16: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf

⁷ LP-R19/2/004, page 17: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf



identity and historic and natural environment that make the Isles of Scilly a unique place.

- 4.10.3 Policy SS3 is a general development management policy that is justified on the basis that there are a number of redundant traditional agricultural buildings across all of the islands and relates to paragraphs 79, 83(a) and 84 of the NPPF. This policy is considered to be an appropriate and effective policy that would ensure the protection of rural and traditional buildings but also enable them to be brought into use.**
- 4.10.4 Policy SS4 is a general development management policy that is justified on the basis of setting out protection for a number of important aspects of social sustainability for an island community, and relates to paragraphs 85 (b), 92 and 97 of the NPPF. This policy is considered to be an appropriate and effective policy designed to enable the development of new retailing, community and recreational facilities where appropriately sited. It also would ensure adequate friction to resist the unnecessary loss of retail and ancillary retail uses within the islands' main town of Hugh Town in order to protect vitality and viability of the long term provision of shops and other community facilities, which are also vital for the tourism industry.**
- 4.10.5 Policy SS5 is a general development management policy that is justified on the basis of paragraph 72 of the NPPF to ensure developments come forward only where the existing infrastructure or proposed infrastructure is able to support the proposal and enable delivery. The policy is considered to be effective as it would ensure that any development proposal is supported by appropriate evidence that infrastructure connections and capacity can be achieved or provided.**
- 4.10.6 Policy SS6 is a general development management policy that is justified on the basis of needing to protect the islands water supply for the existing community and to ensure that there is no harm to habitats and the environment. Paragraphs 149, states that development proposals need to be take into account the long term implications for water supplies. This policy is considered to be effective as it would ensure that development proposals demonstrate the impact where new connections are required and ensure that water usage has been considered. It also requires there to be no harm to water quality standards or increases to flood risk as a result of any development proposal.**
- 4.10.7 Policy SS7 is a general development management policy that is justified on the basis of ensuring that areas of the islands susceptible to sea-water ingress and coastal change are not developed with vulnerable uses. The policy reflects paragraph 155 and 157 of the NPPF. The policy is considered to be effective as it requires developments, in such areas, to be supported by a proportionate flood risk assessment.**
- 4.10.8 Policy SS8 is a general development management policy that is justified on the basis of providing a framework to consider renewable energy developments. This policy reflects the requirements of paragraph 148 of the NPPF, which requires policies to support renewable and low carbon energy infrastructure. This policy is considered to be appropriate and effective as it provides a**



positive policy framework in which such developments can be considered in the context of the islands.

4.10.9 Policy SS9 is a general development management policy that is justified on the basis of ensuring adequate support can be given to development proposals that improve air and sea links to and between the islands and accords with paragraph 104 (b) of the NPPF. It is considered that this policy is appropriate and effective to ensure positive support can be given to such development proposals in the absence of a strategic policy or proposal for transport infrastructure.

4.10.10 Policy SS10 is a general development management policy that is justified on the basis of identifying existing transport links on the islands and ensuring they are protected from harmful development. This accords with paragraph 104(c) of the NPPF and is considered effective as it relates to identified areas on the policies maps.

Matter 4b – Our Outstanding Environment

Policies OE1 – OE4 and OE7

4.11 Is policy OE1, in particular the “unless the benefits of the proposals are demonstrated to clearly outweigh any harm” clause, consistent with NPPF para 172? Is deletion of “where appropriate” from policy OE1 necessary for the plan to be consistent with para 170 of the NPPF? Can a development proposal both “conserve” and “enhance” the landscape, seascape and scenic beauty?

4.11.1 The Council considered that there are unlikely to be any circumstances where harm to the landscape character and AONB would be acceptable and would agree to amend this part of Policy OE1. In reference to the consultation response from Natural England⁸, the use of the term ‘conserve’ would more broadly align with paragraph 170 c) of the NPPF, which requires policies to maintain the character of the undeveloped coast. The Council consider that either ‘where appropriate’ could be deleted, or preferably the sentence would read better as ‘or where appropriate, enhances...’ to comply with para 170 of the NPPF. Alternatively the policy could perhaps be amended to ‘...and therefore contributes to and enhances...’.

4.12 Is the scale of development proposed in plan “limited” as required in an AONB by NPPF para 172? Is any of the development proposed in the plan likely to be “major development” which para 172 states should only be permitted in exceptional circumstances?

⁸ LP-R19/2/004, page 17: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf



4.12.1 In relation to paragraph 172⁹, the Council would note that the Isles of Scilly AONB is unique to any other AONB in the United Kingdom in that every part of the district/authority area is within the AONB. The Council therefore have to plan for all activities within this designated landscape to meet the economic and social sustainable development needs of its community. If major development does come forward to support the essential services of the island (for example, transport, economic development, infrastructure or healthcare) then full consideration will be given to the impact upon the wider AONB Landscape, Conservation Area and Heritage Coast (and the general policies will be applied to cover the various aspects). Cumulatively the delivery of homes as proposed in Policy LC1 and at sites in Policy LC6 and any necessary infrastructure improvements will amount to ‘major development’. It is considered however, that there are exceptional circumstances for the Council of the Isles of Scilly to have to plan to meet the objectively assessed needs of the community over the plan period wholly within its boundary. There are no options to relocate any development outside of the islands given its remote and isolated location. The issues of viability and logistical difficulties of large scale developments, as evidenced with recent projects (including the extension of St Mary’s Quay, improvements to St Mary’s Airport and the development of a new school) would suggest it is highly unlikely that multiple large scale projects would come forward at the same time, given funding, accommodation and storage limitations of the islands.

4.13 Is modification of policy OE2, to refer to “protect and enhance” necessary for consistency with para 170 of the NPPF? Is modification of policy OE2, to make explicit that the requirement for a net gain in biodiversity applies to all development, necessary for the plan to be sound?

4.13.1 Policy OE2 (1) has been modified during the preparation of the plan to address comments by statutory bodies and the advice of the Wildlife Trust. These modifications have included removal of ‘where appropriate’ from ‘between and, restore’, which perhaps results in the policy not being achievable and thus unlikely to be considered sound. In reflecting the consultation response¹⁰ (EB04) the Council would therefore propose, in agreement with the Inspector, to amend this policy to ‘Development proposals will be required to protect and enhance biodiversity through measures to ensure no net-loss or providing biodiversity net-gains. All development or changes of use of land must ensure that the importance of habitats, designated sites and species are taken into account and that the impacts of non-native invasive species through the lifetime of the development, are minimised’.

⁹ LP-R19/2/008 page 28: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf

¹⁰ LP-R19/2/004 page 27: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf



4.14 Is policy OE4 likely to be effective in protecting dark skies? Are more demanding requirements in terms of dark skies necessary for the policy to be sound?

4.14.1 The Council has noted the consultation response¹¹ (EB04) on the HRA with respect to whether there are adequate mitigation measures within the plan including through measures set out to protect the dark night sky. It is considered that new housing developments would not have a significant impact upon the dark night sky as this policy does contain criteria to ensure the ‘darkness’ of the night sky of the islands is considered with any planning application. As set out above all development that will take place throughout the plan period will be within the AONB. With respect to development proposals more generally then it is important to ensure that other essential functions that need to take place, including the operation of a harbour and airport, are able to have illumination for safety reasons. Policy OE4 has been developed to ensure the dark sky of the islands, which is an integral part of the special qualities of the AONB, is given appropriate consideration when assessing development proposals. Paragraph 180(c) of the NFFP seeks to ensure planning policies limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Whilst the scale and nature of sustainable development promoted in the Local Plan is unlikely to significantly impact on the quality of the islands dark sky, the Council accept that more greater detail on what is appropriate could be considered through a supplementary planning document, to promote more widely the Council’s requirements to protect the dark night sky.

4.15 Are policies OE1 – OE4 and OE7 otherwise justified and effective?

4.15.1 Policy OE1¹² is considered to accord with Policy 172 of the NPPF on the basis that is seeking to ensure the landscape and scenic beauty of the islands is safeguarded from visually harmful developments. As such, there is adequate justification for this policy. The measure of effectiveness will be understood through the monitoring set out in MI-OE1.

4.15.2 Policy OE2¹³ is considered to be justified in that is requires the conservation of wildlife, biodiversity and geodiversity, which is required by paragraph 8(c) and 170(a) of the NPPF. The measure of effectiveness will be understood through the monitoring set out in MI-OE2.

¹¹ LP-R19/2/004 page 20-21: EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf

¹² LP-R19/2/004, page 17 EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf

¹³ LP-R19/2/004, page 18, 21, 22; LP-R19/2/008, page 28; LP-R19/2/009, page 34 EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%202_0.pdf



4.15.3 Policy OE3¹⁴ is considered to accord with paragraph 8(c) and 170(e) of the NPPF and as such is justified in the interests of ensuring development proposals do not give rise to issues of pollution. The measure of effectiveness will be understood through the monitoring set out in MI-OE3.

4.15.4 Policy OE4¹⁵ is considered to be justified on the basis that the islands have intrinsically dark skies as a result of their isolated island nature, remote from large scale urbanisation. Paragraph 180(c) requires planning policies to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The measure of effectiveness will be understood through the monitoring set out in MI-OE4.

4.15.5 Policy OE5¹⁶ which relates to managing waste is considered to be justified on the basis of the significantly higher costs for the islands, per head of population, to dispose of waste as well as to achieve the spatial strategy of reinforcing a sustainable island community. One of the 'aims' of the Local Plan is that by 2030 the islands' are a beacon of sustainability by achieving a model for managing energy, water and waste which is of benefit to the environment and the resident's quality of life. This accords with the National Planning Policy for Waste that seeks to ensure that waste management is considered alongside other spatial planning concerns. The measure of effectiveness will be understood through the monitoring set out in MI-OE5.

4.15.6 Policy OE6¹⁷ supports the use of local materials from secondary and recycled sources, which is considered justified on the basis that there is no primary extraction of minerals on the islands. This approach complies with both the Duty to Co-operate and the proportionate approach to plan preparation as advocated in the NPPF. The effectiveness of this policy would be monitored through the requirement for development proposals to be supported by a site waste management plan, which will be monitored through MI-OE6.

4.15.7 Policy OE7 is considered to be justified on the basis of the wealth of heritage and designations on the islands. The policy is considered to accord with paragraphs 172 and 185. The measure of effectiveness will be understood through the monitoring set out in MI-OE7.

¹⁴ LP-R19/2/004, page 21; LP-R19/2/009, page 34 EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf

¹⁵ LP-R19/2/004, page 21; EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf

¹⁶ LP-R19/2/005, page 26; LP-R19/2/008, page 28; LP-R19/2/004, page 18 EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf

¹⁷ LP-R19/2/009, page 30; EB04 https://www.scilly.gov.uk/sites/default/files/planning-apps/EB04%20Consultation%20Responses%20IOS%20Draft%20Local%20Plan%202015%20-%202030%20%28Regulation%2019%29%2020_0.pdf



Matter 4c – A Strong Working Community Policies WC1 – WC6

4.16 Does policy WC6 appropriately balance the need for serviced accommodation with the need for other types of tourism facilities?

4.16.1 The Council accept that Policy WC6 gives more weight to preventing the loss of ‘serviced accommodation’ when compared to other types of tourism facilities, supported under Policy WC5. This Policy was considered necessary on the basis that the islands has seen a gradual shift away from serviced accommodation towards self-catering. The Council would accept that there is perhaps insufficient evidence on to justify the emphasis of resisting the loss of serviced accommodation as opposed to any other types of tourist accommodation, particularly in light of the policy requirements of Policy WC6. The Council understands the growing trend that has seen residential properties that operate as informal B&B becoming more formal guesthouses and eventually multiple self-catering units. As such, it is considered that there is a requirement to operate a policy to control the loss of housing stock to holiday let accommodation. The Council would therefore propose to delete policy WC6 and amend Policy WC5 to cover this issue but in a manner that is more proportionate to the considerations of other types of tourism accommodation considered in WC5. The proposed amended Policy WC5 is set out in Appendix A below.

4.17 Are policies WC1 – WC6 otherwise justified and effective?

4.17.1 Policies WC1 and WC3 are considered justified as they accord with paragraph 80 of the NPPF and are designed to support economic-based proposals that enhance and diversify the islands limited economy. The measure of effectiveness will be understood through the monitoring set out in MI-WC1 and MI-WC3.

4.17.2 Policy WC2 is considered to be justified as it accords with paragraphs 82, 83 and 84 of the NPPF and reflects the limited employment opportunities and access to broader range of services for islanders. It enables a greater range of innovative businesses to be established without the need for extensive investments in new buildings. This is critical in such a rural and isolated environment. The measure of effectiveness will be understood through the monitoring set out in MI-WC2.

4.17.3 It is considered that Policy WC4 accords with paragraphs 80 and 81 of the NPPF. This is on the basis that in the absence of proposals for new employment land and buildings, this policy seeks to protect the islands existing industrial estate on St Mary’s from uses that could constrain existing businesses and operations. Carrying out a full employment land review that would be required to justify identifying additional land for employment purposes, was considered to be a disproportionate approach given the scale of development proposed over the plan period and the position of seeking to retain a sustainable population (in the context of projected population decline and a rapidly aging demography).



4.17.4 Policy WC5 is considered to accord with paragraph 83 of the NPPF as it promotes a prosperous rural economy in terms of sustainable rural tourism, which is considered to be a vital part of the islands economy. This policy seeks to balance the needs and demands of this sector, whilst ensuring development proposals do not give rise to unacceptable harm in terms of the character of the islands.

4.17.5 Policy WC6 is addressed in the response to the answer to question 4.16 above.



Appendix A

POLICY WC5 Visitor Economy and Tourism Developments

(1) Providing a development proposal does not result in the loss of accommodation essentially required for staff, or housing that is restricted for a local housing need, proposals for new or upgraded tourism development will be permitted where they:

- a) make a positive contribution to the provision of high quality sustainable tourism on the islands; and
- b) are located in sustainable and accessible locations; and
- c) are appropriate to the site and its surroundings in terms of activity, scale and design; and
- d) do not result in an unacceptable impact on the environment or residential amenities, in accordance with other relevant policies in the Local Plan; and
- e) in the case of conversions, do not result in the loss of homes that would otherwise be available for permanent occupation, unless there are wider public benefits demonstrated to offset the loss of permanently available homes.

(2) Proposals for tourism developments will be particularly encouraged subject to a) – e) above, and where it is demonstrated that they would:

- a) extend the tourism season and increase productivity and wages in tourism;
- b) support the promotion and interpretation of the islands' heritage; and
- c) provide a viable and appropriate use for under-used buildings where they can be converted and are worthy of retention, and in accordance with Policy SS3.

(3) In relation to serviced accommodation (hotels or guesthouses) development proposals that would involve the loss of existing and lawfully operating serviced accommodation, either in whole or in part, will only be permitted where:

- a) an alternative form of tourism accommodation, including self-catering accommodation, where it is demonstrated that the loss of serviced accommodation is necessary to improve the overall quality and offer of tourist accommodation and an element of owners or staff accommodation is retained; or
- b) it is for another economic, community or mixed economic and community uses (including retail, leisure, restaurant or café) providing it complies with (1) a)-e).

(4) Proposals for a change of use of lawfully operating serviced accommodation to residential dwellings will only be considered where the accommodation is for permanent occupation by staff or is otherwise meeting a local housing need, in which case an occupancy restriction will be imposed.

(5) Proposals for a change of use of a dwelling where informal Bed and Breakfast has been operating (which was not subject to formal planning approval) or for any additional holiday letting accommodation within the curtilage, will not be permitted under (1) above, unless a certificate of lawful use has been obtained to demonstrate that the use of the property as a C1 guesthouse is now lawful.



(6) In all cases, proposals must demonstrate their improved sustainability by incorporating environmental improvements to reduce waste, water and energy consumption, supported by clear sustainable design measures, in accordance with Policies SS1 and SS2. Applications will need to be supported by justification as to how the above is being addressed by the proposal.