The background features a light blue gradient on the left and a light green gradient on the right. On the left side, there are several overlapping, wavy, semi-transparent shapes in shades of blue and white. On the right side, there are similar wavy, semi-transparent shapes in shades of green and white.

# Section 3: Our Outstanding Environment

# Section 3: Our Outstanding Environment

## Issues:

- Environment
- Economy

## Aims

1. Maintaining an outstanding and world-class environment and ensuring that its distinctive and significant seascape and landscape, heritage and nature conservation assets are protected, valued and enhanced.
5. Engendering and supporting a strong, vibrant and healthy island community with an improved quality of life for its residents.
6. Adapting to the effects of climate change on people, wildlife and places by increasing resilience, matching the vulnerability of land uses to flood risk, and managing surface water in the most sustainable way.
7. Minimising carbon dioxide and other greenhouse gases and supporting measures that contribute to carbon neutrality and mitigate against the effects of climate change.

# Our Outstanding Environment

## Policies in this Section:

OE1	Protecting and Enhancing the Landscape and Seascape	Page 6
OE2	Biodiversity and Geodiversity	Pages 16-18
OE3	Managing Pollution	Page 20
OE4	Protecting Scilly's Dark Skies	Page 27
OE5	Managing Waste	Page 32
OE6	Minerals	Page 36
OE7	Development affecting Heritage	Pages 54-57



# Our Outstanding Environment

161. The Isles of Scilly has an outstanding world-class environment that underpins the quality of life and the economy of the islands. Consequently, the policies in the Local Plan aim to safeguard the rich environment and heritage of the islands, so as to maintain its world-class quality and distinctiveness, whilst carefully managing and promoting sustainable development, to support a strong and viable community and economy.



# Our Outstanding Environment: Protecting and enhancing the Natural Environment (1)

162. The distinctiveness and richness of the islands' environment is reflected in the plethora of national and international designations. The entire islands are designated as an Area of Outstanding Natural Beauty (AONB) and Heritage Coast, reflecting the quality of the landscape and seascape. The richness and quality of the islands' biodiversity and geodiversity is reflected in the protection afforded to 26 Sites of Special Scientific Interest (SSSI) spread over 25 sites, and the internationally recognised Special Protection Area (SPA), Ramsar Wetland and Special Area of Conservation (SAC). The quality of the historic environment is recognised, as the entire islands are designated a Conservation Area, and Scilly has the densest concentration of archaeology in the UK, with 238 Scheduled Monuments.
163. **Landscape and Seascape** The character of the islands' landscape and seascape is one of outstanding quality and beauty. The outstanding environment and the diversity and distinctiveness of the islands are important both to the quality of life of its communities and the economic prosperity of the Isles of Scilly as a whole. Consistent with the primary purpose of conserving the natural beauty of the AONB, as established through the Countryside and Rights of Way Act, when considering proposals for development great weight will be afforded to the islands' landscape, seascape and scenic beauty and the aims and objectives of the AONB Management Plan. Proposals that contribute towards meeting the economic or social needs of the islands will be supported where they are situated on appropriate sites and of a scale and design that conserves and enhances the natural beauty in accordance with Policy OE1.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (2)

164. The characteristics of the islands' landscape are assessed in detail in 'The Isles of Scilly Landscape Character' (2008), which identified 5 landscape character areas for the Isles of Scilly. Landscape also has a time dimension and the 'Historic Landscape Characterisation Study' (2007) has looked at a range of issues that are impacting on the islands' landscape, some of which are the result of pressures for new development. Other pressures include changes in land management, such as declining fields capes due to abandoned bulb fields, and the removal or deterioration of stone hedges and shelter fences. Similarly, the AONB Management Plan identifies a range of issues that are forcing change to the important landscape and biodiversity of the islands. As well as changes in land management practices, these range from climate change, the introduction and spread of invasive species, to pressure from fisheries and wider recreational and commercial pressures to develop the islands by exploiting their natural beauty.
165. **Heritage Coast** The Isles of Scilly was defined as a Heritage Coastal area in 1974, and covers 64 km of coastline around the islands. The NPPF requires planning policies and decisions in relation to Heritage Coastlines to be consistent with the special character of the area and the importance of its conservation. Major development on the islands is unlikely to be appropriate unless it is compatible with its special character. On the Isles of Scilly there is, in particular, the potential for maritime development to impact upon the purposes of the Heritage Coast.



# Our Outstanding Environment: Protecting and enhancing the **Natural Environment** (3)

166. To protect the distinctiveness and wild landscape and seascape nature of the islands' archipelago, development on the uninhabited islands will not be permitted. Development in such locations could irrevocably compromise the environmental qualities of these islands. Given the Local Plan's focus on ensuring the viability of communities on the inhabited islands, there are no circumstances in which development could be justified on any uninhabited island, without clearly demonstrating it will have no adverse effects on protected sites and provides overriding benefits for the community as a whole.

# Policy OE1

## Protecting and enhancing the landscape and seascape

- 1) Development will only be permitted where it aligns with the statutory purpose of Areas of Outstanding Natural Beauty (AONB), and therefore conserves and enhances the islands' landscape, seascape and scenic beauty. Development must take into account and respect:
  - a) the distinctive character, quality, scenic beauty and sensitivity of the landscape and seascape;
  - b) the undeveloped and special character of the Heritage Coast;
  - c) other qualities, such as important features and views, dark skies and tranquillity, and having regard to the AONB Management Plan; and
  - d) the Isles of Scilly Landscape Character Study and any successor or associated documents.
- 2) Development will not be supported on the uninhabited islands.



## Our Outstanding Environment: Protecting and enhancing the Natural Environment (4)

- 167. Biodiversity and Geodiversity** All biodiversity and geodiversity is important and represents the variety of life, providing us with essential resources. Biodiversity and geodiversity also make valuable contributions to people's well-being and play a key role in climate-change mitigation. The Local Plan aims to prevent harm to these assets and to achieve a net gain for biodiversity and geodiversity wherever possible. A Biodiversity and Geodiversity Supplementary Planning Document (SPD) (2007) provides more information on these matters. This SPD will be updated to reflect the requirements of this Local Plan.
168. Scilly is fortunate that it supports a wealth of biodiversity, including internationally and nationally important habitats, plants and animals. In particular, the islands host a number of rare and declining species, including 13 species of seabird such as the lesser black-backed gull, European shag, puffin, Manx shearwater and storm petrel.
169. Geodiversity is connected and integral to biodiversity and the foundation of our natural environment. Geodiversity is seen in the islands' land-forms; it includes the variety of rocks, minerals and soils that support biodiversity and ecosystems, as well as providing essential resources to sustain life, such as drinking water, a limited amount of recycled materials for construction, and the soils for growing crops.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (5)

170. Biodiversity net gains will be required in addition to any mitigation and compensation measures across the islands to enhance the environment in line with the objectives of the DEFRA's 25 year plan: A Green Future (2018), A Natural Choice for Securing the Value of Nature (2011) and the NPPF. Net gains will be measured against the metrics published by DEFRA. As part of this commitment to net-gains, regard will be given to the implications of a changing climate, to ensure that habitats are protected and enhanced to support their resilience to such changes.
171. **International Sites** The islands' Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Wetlands receive the highest level of protection for their ecological value, and are subject to the legal tests set out in the Habitat Regulations. These tests do not permit development unless it can be demonstrated that it would not have an adverse effect on the integrity of the designated site, whether direct or indirect, having regard to avoidance or mitigation measures. The presumption in favour of sustainable development, as set out in the NPPF, does not apply to development assessed as likely to have a significant effect on such sites.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (6)

- 172. National Sites** Sites of Special Scientific Interest (SSSI) and Marine Conservation Zones receive protection at a national level. Development inside or outside these protected sites, alone or in combination with other proposals, will only be permitted in exceptional circumstances where the benefits of the development unequivocally outweigh the impacts on the sites' features and on the network of national sites.
- 173. Protected Species** Legislation protects certain species of wild plants, birds and mammals, including bats, largely through the Wildlife and Countryside Act 1981. Protected species known to be present on Scilly include the lesser white-toothed shrew, otherwise known as the Scilly shrew. This mammal is absent from mainland Britain but is found on the Isles of Scilly. It is mostly associated with the seashore and feeds on a variety of invertebrates, including small crustaceans that live amongst rocks on the seashore. It is protected from being killed or taken under the Wildlife and Countryside Act, and is a Cornwall Red Data Book species. As indicated above, the Isles of Scilly supports notable bird populations that are primarily associated with intertidal and marine habitats or semi-natural terrestrial habitats. Protected birds and their nests (while in use or being built) and eggs of all wild birds are protected against taking, damage and destruction. It is also an offence to kill, injure or take any wild bird.
- 174.** Bats are also a protected species. 7 species of bat have been recorded as present on the islands, although only 3 species of bat are resident; the Common pipistrelle bat (*Pipistrellus pipistrellus*), the Soprano pipistrelle bat (*Pipistrellus pygmaeus*) and Brown long-eared bat (*Plecotus auritus*). The Isles of Scilly hold the UK's southernmost population of Common pipistrelle bats.



## Our Outstanding Environment: Protecting and enhancing the Natural Environment (7)

- 175. Trees** Ancient and veteran trees are not precisely defined, but are broadly trees that are of particular importance due to their biological, aesthetic or cultural interest because of their age, and include trees that are relatively old for the species. Although the islands do not have any ancient woodland, there are considered to be ‘veteran’ trees that are irreplaceable on account of their age, size or condition. A particular example is the mature stands of elm trees on St Mary’s, given that the Isles of Scilly is one of the last places where adult elms exist in the UK. Research on specific lichens demonstrates that although they are in decline elsewhere in Britain, the mature elms on Scilly provide a habitat for the rare lichen species *Bacidia incompta* (elm lichen). There are mature lines and small woodlands of elm trees scattered around St Mary’s, including around Carn Friars, Holy Vale and Watermill. Aged veteran trees are of cultural, historical, landscape and nature conservation value; they can be found as individuals or within groups. Development resulting in the loss or deterioration of veteran trees should not be permitted unless there are wholly exceptional reasons, together with suitable compensation.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (8)

- 176. Undesignated Habitats** Much of the biodiversity on the islands is not specifically designated. Nonetheless, undesignated but locally rich wildlife habitats provide a range of social and economic benefits and are important in allowing the natural environment to adapt to climate change through linking and buffering protected sites. These habitats include trees, woodlands, hedgerows and stone walls, as well as features of the landscape that function as wildlife corridors and stepping stones. These help the migration, dispersal and genetic exchange of wild species. Development should not adversely impact on local sites, and should provide the opportunity to strengthen the islands' biodiversity network as appropriate. Where significant harm cannot be avoided, suitable alternative locations should be considered.
- 177. Assessing Development Proposals** Development will be permitted where its purpose is to support the maintenance, enhancement or restoration of existing wildlife sites, and environmental opportunities such as those identified in the Isles of Scilly National Character Area (SE01-SE04) and Natural England's IPEN's report, which is the Improvement Programme for England's Natura 2000 sites, as well as the AONB's Management Plan 2015–2020. In addition, opportunities to incorporate biodiversity in and around developments will be encouraged in accordance with Policy SS1(d) and SS2(g). Policy OE2 follows good practice by adopting an approach that advocates avoidance, mitigation and compensation where development has any adverse effect on biodiversity or geodiversity interests.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (9)

178. Where the natural environment is likely to be affected by development proposals, this should be highlighted at the pre-application stage to determine what level of assessments are required. Development proposals that have the potential to impact upon biodiversity or geodiversity will need to be accompanied by an ecological statement which describes the ecological value of the site, any contribution made by the asset's setting, and the nature and extent of any impact of the proposed development. The level of detail should be proportionate to the asset's importance, in order to understand the potential impact of the proposal on its significance. The statement should outline any mitigation measures and the steps to be taken to enhance biodiversity features (such as the potential to increase impacts from non-native species or disturbance through, for example, noise, lighting, recreational pressure, trampling or domestic pets). Where appropriate, the ecological statement should include measures to manage the biodiversity interests, as part of the proposal.
179. Depending on the development and its location, further searches may be required for wildlife information, to properly assess a proposal. A range of environmental organisations hold data, including the Isles of Scilly Wildlife Trust, the Environmental Records Centre (ERCIS), RSPB and British Trust for Ornithology. Advice will need to be obtained on the level of detail required for wildlife information and any surveys that need to be carried out, with the work undertaken by a competent and accredited ecologist. A Construction Environment Management Plan (CEMP) may be required in some cases, to avoid impacts on, for example, breeding species, and to remove non-native invasive species. Further information on the standard of surveying and reporting required is set out in the Biodiversity and Geodiversity SPD.



# Our Outstanding Environment: Protecting and enhancing the Natural Environment (10)

180. Development should seek to avoid any adverse impacts and maximise the opportunity to enhance and secure measurable net gains in biodiversity and geodiversity, in accordance with Policy SS2. All impacts on the natural environment should be addressed sequentially, in accordance with the principle of the 'mitigation hierarchy':
- Avoid
  - Mitigate
  - Compensate
181. When significant impacts are likely, then the first priority should be to relocate the development to another site. If impacts cannot be avoided, then mitigation needs to be considered. Where mitigation is not possible, as a last resort, full compensation should be provided to replace the lost habitat. All proposals should identify biodiversity and geodiversity enhancements that will be included.
182. The purpose of Policy OE2 seeks to set out a positive strategy to ensure that important biodiversity of the islands is safeguarded; to ensure resilient habitats into the future that support wildlife and species and improve ecosystem functions, whilst respecting the evolution of the cultural landscape of the islands. One of the fundamental aims of the Local Plan is to protect biodiversity, avoid any net-losses, and deliver biodiversity net-gains. Development proposals will also need to avoid or minimise harm to sites of geodiversity interest.

# Policy OE2 (1)

## Biodiversity and Geodiversity

- 1) Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation, and should:
  - a) Protect the hierarchy of international, national and local designated sites in accordance with their status;
  - b) Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;
  - c) Contribute to the restoration and enhancement of existing habitats and the creation of wildlife habitats and linkages between sites to create and enhance local ecological networks;
  - d) Seek to eradicate or control any invasive non-native species present on site; and
  - e) Be required to contribute to the protection, management and enhancement of biodiversity and geodiversity.

Continued...

# Policy OE2 (2) (3)

## Biodiversity and Geodiversity

- 2) Development proposals must:
  - a) apply the mitigation hierarchy to all proposals;
  - b) demonstrate how they conserve or enhance biodiversity and ecosystem processes;
  - c) follow local guidance on biosecurity to control the spread of invasive non-native species; and
  - d) ensure proportionate and appropriate biodiversity net-gain is secured.
- 3) Development proposals will not be supported where significant and harmful direct or indirect effects on biodiversity and ecosystem processes are identified, unless: a) the need for the development clearly outweighs the harm caused; and b) an appropriate scheme is proposed that will secure compensation and net-increases in biodiversity.

**Continued...**



# Policy OE2 (4) (5)

## Biodiversity and Geodiversity

- 4) Development proposals will not be permitted where a detrimental impact is identified to geodiversity sites unless the need for development outweighs the harm caused.

### **Avoidance, Mitigation and Compensation for Biodiversity and Geodiversity Impacts**

- 5) Development should avoid adverse impacts on existing biodiversity and geodiversity interests as a first principle, and enable measurable net gains by designing-in biodiversity features and enhancements and opportunities for geological conservation alongside new development, in accordance with Policies SS1 and SS2. Where adverse impacts are unavoidable, it must be demonstrated that the development cannot be reasonably located on an alternative site that would result in less or no harm to biodiversity or geodiversity interests; and impacts must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort. Clear arrangements for the long-term maintenance or management of the mitigation and compensation need to be provided.

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (11)

- 183. Environmental Quality** Maintaining an exceptional environment is a prerequisite for the safety, health, well-being and quality of life of the islands' communities. Planning has an important role to play in ensuring that new development does not have, and is not at risk from, adverse environmental effects. It is especially essential that the quality of the environment, including air, soil and groundwater and surface water supplies, is protected from any contamination and pollution.
- 184. Pollution** The impact of pollution is a material planning consideration, as it can result in environmental damage as well as health issues. Of particular relevance to the Isles of Scilly is the damage that pollution can cause to the special qualities of the islands, including their tranquillity, dark night skies and habitats that support a diversity of wildlife.
- 185.** Nationally, among the core land-use planning principles that underpin both plan-making and the promotion of sustainable development is the requirement to reduce pollution. The planning system should ensure that new and existing development does not contribute to, and is not adversely affected by, unacceptable levels of pollution, with land remediated where appropriate. The control of processes or emissions relating to pollution is subject to approval under other pollution control regimes which fall outside the scope of planning powers. The focus of the planning system is on whether development is an acceptable use of land on a particular site, and the impacts of its use.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (12)

186. Although not a particular problem on the islands, applications for development that are either likely to generate, or are sensitive to, pollution will require the submission of the relevant assessment based on current guidance and/or best practice. Advice on which assessment method to use can be obtained from the Council's Environmental Health service. Where mitigation measures are proposed, the Council will need to be convinced that the proposed measures will be effective with respect to human health, water sources and the wider environment. The provision of these measures should be in place at an early stage of the development.
187. The islands are particularly affected by radon gas emissions, which can impact upon human health within unventilated buildings. For new development, this is controlled through the Building Regulations. In order to ensure appropriate design that does not result in long-term harm from radon gas emissions, developers are advised to seek guidance from a Building Inspector.
188. Noise and Vibration Noise pollution is excessive noise created by manmade sources that cause disturbance or annoyance and can affect wildlife and sensitive areas, including areas known for their tranquillity. It often occurs as a result of industrial operations or transportation.



# Our Outstanding Environment: Protecting and enhancing the Natural Environment (13)

189. Development sensitive to noise and vibration, such as residential, will not be permitted in areas where the existing levels of noise or vibration are too high, or could become excessive, unless it can be satisfactorily demonstrated that appropriate mitigation can reduce disturbance to acceptable levels.
190. **Air Quality** Clean air is an essential element of a good-quality life. Clear air is considered to be very good on the islands, as evidenced by the rich diversity of lichen communities present all over Scilly, with 665 species having been recorded since 1970. The importance of protecting lichens is also a strong incentive to minimise air pollution.
191. The three main contributors to air pollution on the Isles of Scilly are petrol and diesel vehicles, the airport and the diesel electricity station. None of these individually or in combination has a significantly adverse impact on air quality, and consequently there are no Air Quality Management Areas (AQMAS).

# Policy OE3

## Managing Pollution

- 1) A development proposal that has the potential to generate pollution, including of ground, water, noise, vibration, light or air, will only be permitted where it can be demonstrated that there would not be any adverse impact on human health, the natural environment or general amenity.
- 2) Where development is proposed on land that is suspected to have historically generated any pollution, then a site environmental survey may be required before development is permitted. The Phase 1 report will identify any potential environmental risks that cannot be mitigated through an environmental management plan. The report will make recommendations as to whether a Phase 2 Intrusive Ground Investigation is required.

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (15)

192. **Light Pollution** Light pollution is artificial light that illuminates areas that are not intended to be lit. The intrusion of overly bright or poorly directed lights can cause glare and wasted energy, can adversely impact on nature conservation, affect people's right to enjoy their property, and harm people's health. Most tangibly, it can also severely affect views of the night sky. The NPPF is clear that planning policies should limit the impact from light pollution on local amenity, intrinsically dark landscapes and nature conservation, primarily through promoting and requiring good-quality design in order to reduce such light pollution and the impacts that it causes.
193. Policy OE5 seeks to reduce light pollution by only permitting essential and appropriate lighting proposals that incorporate good lighting management and design, in order to remove unacceptable adverse impacts on the visual character of the landscape, seascape and historic built environment; on wildlife and habitats; and on local visual amenity and safety.

15



# Our Outstanding Environment: Protecting and enhancing the Natural Environment (15)

194. Lights should only be provided where needed, and be appropriately shielded, directed to the ground and sited to minimise any impact on adjoining areas. Lights should also be of a height and illumination level that is the minimum required to serve their purpose. The British Astronomical Association, together with the Campaign for Dark Skies (CfDS), has carried out research on the impacts of light pollution. Light pollution has more serious effects than not being able to see stars. Poor lighting can also impact on more intangible health concerns, particularly blue, white and overly bright lights. The impact of artificial light on wildlife can also be very disruptive. Further guidance on lighting will be the subject of supplementary planning guidance, which will guide developments of appropriate lighting and will be a material planning consideration for planning applications.
195. **Dark Skies** The dark sky is important to the islands as an Area of Outstanding Natural Beauty, with Dark Sky Discovery Sites identified for each inhabited island.

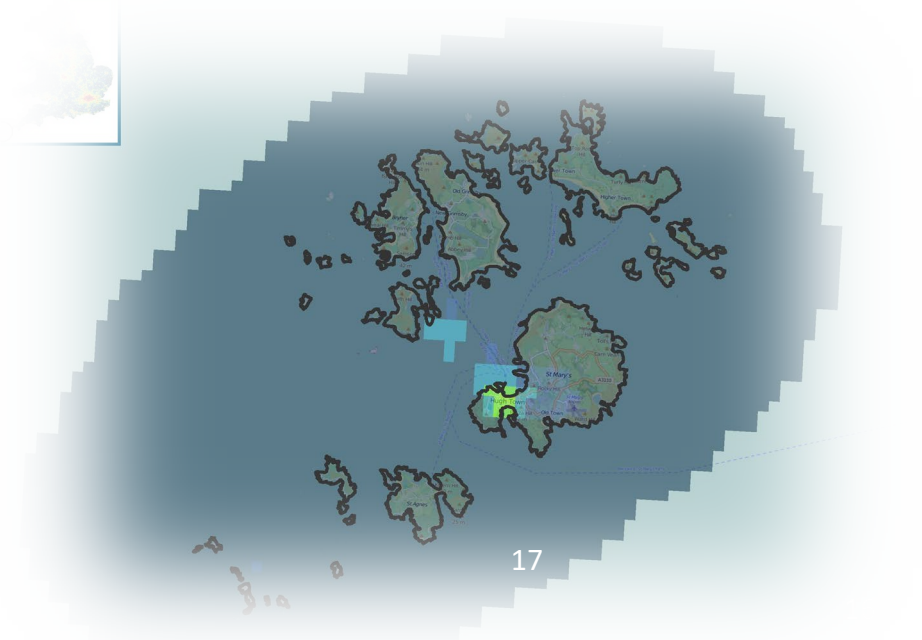
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# Our Outstanding Environment: Protecting and enhancing the Natural Environment (16)

Island	Site	Dark Sky Discovery Site Class
St Martins	Cricket Pitch, Pool Green	Milky Way Class
Bryher	Community Play Park	Milky Way Class
St Agnes	Cricket Pitch	Milky Way Class
St Mary's	The Garrison	Milky Way Class With hosted events
Tresco	Playing fields	Milky Way Class

## Our Outstanding Environment: Protecting and enhancing the **Natural Environment** (17)



196. The Council for the Protection of Rural England (CPRE) produced interactive satellite images, captured at 01:30am throughout September 2015. These show that the Isles of Scilly is England's darkest district. In order to maintain this distinction, it is important to control light pollution, to ensure, as far as possible, that our existing dark skies are protected and maintained.
197. In order to protect the quality of the islands' dark skies for the benefit of residents, visitors and wildlife, planning policies need to ensure that only appropriate and essential lighting is installed. Policy OE4 aims to reduce the installation of unnecessary lighting on building projects and in connection with land use planning. The Council intends to produce supplementary guidance for developers and householders through island specific good practice advice leaflets in order to guide appropriate lighting.

# Policy OE4

## Protecting Scilly's Dark Skies

- 1) Development proposals that include external lighting will only be permitted where it can be demonstrated that the lights are essential for safety, security or community reasons, and where details are provided of attempts to minimise light pollution, including:
  - a) costs to the environment (including the unnecessary use of electricity);
  - b) skyglow (visible glow caused by scattering and reflection from clouds and the atmosphere);
  - c) light nuisance (creating amenity nuisance, highway hazards and restricted views of the night sky); and
  - d) glare (over-bright and poorly directed lights that dazzle or discomfort those who need to see, by concealing rather than revealing).

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (17)

- 198. Waste and Recycling** National waste planning policies are set out in the National Planning Policy for Waste (NPPW) 2014<sup>16</sup> which should be read in conjunction with the NPPF. All Local Planning Authorities should refer to the NPPW when discharging their responsibilities in relation to waste management. It is crucial to understand that waste management policies are based on a proportionate evidence base, to ensure that there is sufficient waste management capacity for development that is proposed over the plan period. This is particularly pertinent when considering the very small scale of the islands, the level of anticipated development, and options for routes to disposal.
- 199.** Responsibility for planning the islands' waste management rests with the Council of the Isles of Scilly. Domestic and commercial waste and recycling collections on St Mary's are undertaken by the Council, whereas the off-island arrangements are secured through private contractors on behalf of the Council. Most domestic and commercial waste and recycling, including that from the off-islands, is taken to the Waste and Recycling Centre on St Mary's. This site has sufficient capacity for the level of development anticipated over the plan period, as a result of the redevelopment of the waste site at Porthmellon. This redevelopment has transformed the site by removing legacy landfill and an aging incinerator to a modern household waste and recycling centre. This redevelopment has enabled extensive recycling rates increasing from 0% in 2014, to just over 27% in 2018. Figures published in Spring 2019 show the islands recycling rates are now over 30%, hitting 30% for the first time in September 2018 and up to 34.8% in January and February 2019.



## Our Outstanding Environment: Protecting and enhancing the Natural Environment (18)

200. Currently, black-bag domestic and commercial waste, as well as dry mixed recycling, are shipped to the mainland for disposal. During the plan period, it is anticipated that further new facilities and management practices will be introduced, for each island that provide an on-island solutions, which could include compositing and thermal treatment. Such facilities and practices will not only reduce the cost of waste disposal, but it could also be used for beneficial purposes, including the generation of energy and heat and compost to enhance the islands soil. Such initiatives are integral to delivering the spatial planning vision of the Local Plan. To ensure all existing waste sites are safeguarded over the plan period, they are shown on the policies maps and protected from prejudicial development under Policy OE5.
201. It is important for the islands' sustainability that the principles of waste and recycling are embedded at the start of any development project. In particular, there is a need to ensure that development projects have the necessary provision for the segregation of waste, so that it can be accommodated by the islands' waste transfer facility and recycling centre at Porthmellon.
202. Given the limited space and density of residential areas, particularly in Hugh Town, it will be important for new developments to provide convenient kerbside collection points for household waste and recycling collections, as well as external storage for recycling and residential waste, in accordance with Policy SS3. 215. Larger-scale developments will need to incorporate adequate and permanent areas for the storage and disposal of waste, potentially including new 'bring-sites' for recyclables, to ensure that public spaces are not used to store such items where they can become hazardous and unsightly.

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (19)

203. **Construction and Demolition** Waste from construction and demolition should be minimised, managed and re-used, either on site or elsewhere on the islands, where lawfully compliant, such as Pendrathen Quarry on St Mary's, in accordance with Policy SS3. Where re-use on site or elsewhere on the islands is not possible, due to, for example, expected harmful impacts on the environment, appropriate off-site waste management or disposal will be required.
204. All proposals for development will need to demonstrate the management of waste in accordance with the waste hierarchy: to reduce, re-use and recycle. A Site Waste Management Plan (SWMP) will be required to accompany proposals for development where waste is generated; this includes construction waste, as well as ongoing waste generated by the intended use. This should include the potential for appropriate local re-use of inert materials and top-soils, in order to reduce transport and help reduce construction costs.
205. Whilst the existing waste management sites on the islands, as identified on the policies maps, are considered to be adequate over the plan period, opportunities for land to be utilised for waste management will be considered. Particularly where this presents opportunities for more efficient management of waste or provides facilitates for the co-location of waste sites and energy-from-waste outputs, as part of achieving sustainable communities.

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (20)

206. Depending on the scale and nature of the development, the SWMP should include a waste audit to provide the following information:
- the likely nature and volumes of waste generated through construction;
  - how the design and layout of the development will minimise the amount of waste generated during the construction phase and the steps taken to separate and re-use appropriate wastes on-island, where there will be no harmful impact upon the environment or local amenity;
  - how and where waste that cannot be re-used will be managed in accordance with the waste hierarchy including the potential for local re-use;
  - details of how waste will be managed sustainably once the site is operational e.g. incorporating storage space for recycling materials; and
  - a bio-security plan setting out control measures to prevent the introduction of non-native species.



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# Policy OE5

## Managing Waste

- 1) Existing waste sites are identified on the Policies Map. Development proposals that could prejudice use of these sites for the essential processing of waste for the islands, will be refused.
- 2) All development proposals must demonstrate best practice in addressing waste management solutions, must align with the waste hierarchy, and a site waste management plan (SWMP) must be submitted to support planning applications.
- 3) Construction and demolition waste should be minimised and must be managed and re-used on-island where there will be no harmful impacts. Where re-use on-island would result in an environmental risk to human health, biodiversity, the historic environment, the amenity of neighbouring properties or land uses, or the water environment, then appropriate off-island management or disposal will be required.
- 4) Significant proposals, including for major development, must demonstrate how the construction and operational phases of the development will be consistent with the principle of sustainable waste management, through a waste management plan to include a waste audit, which should be submitted with the application.
- 5) Waste facilities for re-use, recycling, composting and the generation of heat/energy, or the co-location of such uses, will be permitted where they improve the sustainable management of waste on the islands and accord with other relevant policies in the Local Plan.



# Our Outstanding Environment: Protecting and enhancing the Natural Environment (21)

- 207. Minerals** The NPPF requires the Local Plan to facilitate the sustainable use of minerals, and to ensure that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods required. Particularly pertinent for the islands is the requirement to identify as far as possible the contribution that recycled materials would make to the supply of minerals, before considering extraction of primary materials.
- 208.** Currently the Isles of Scilly has no land-won mineral extractions. Known stock-piles or land banks of reclaimed materials are limited to private holdings with only limited supplies directly owned and controlled by the Council. Historically, mineral extraction has taken place on the islands, with known quarry sites at the Garrison, Carreg dhu, Tremelethen, Bishop view, Porthcressa/Buzza, Bay View, Pendrathen and Peninnis on St Mary's. The last of these sites ceased operations in the 1980s, when Pendrathen Quarry stopped extracting granite. None of the sites benefit from extant planning permission to re-commence quarrying activities. Materials for building projects make use of reclaimed and recycled materials or required amounts are imported in specifically as and when demand arises. The site at Pendrathen continues to provide a valuable source of reclaimed and recycled inert materials from construction, demolition and excavation projects, in accordance with a permit from the Environment Agency.



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## Our Outstanding Environment: Protecting and enhancing the **Natural Environment** (22)

209. The islands are heavily designated by natural and historic environmental designations of local and national importance. Whilst it is recognised that some small scale and limited demand may arise over the plan period, the existence of these designations, the limited supply of land and the fact that there are no active quarries currently, underpins the policy position of not promoting the re-establishment of a quarrying on the islands, over the plan period.
210. Modern construction practices have become the common method for development projects on the islands, with only the re-use of traditional and historic building or the repair/construction of traditional stone walls requiring larger amounts of granite. The delivery of affordable homes is not anticipated to require traditional construction methods on the basis of the current lack of supply of materials on-island and the cost of importing sufficient supplies. To overcome some of the barriers to cost-effectively deliver affordable homes, it is expected that off-site construction methods and other modern means of construction will be used, rather than using a more traditional and mineral-heavy, construction methods.

## Our Outstanding Environment: Protecting and enhancing the Natural Environment (23)

211. One of the objectives of the Local Plan is to ensure that the built tradition, character, distinctiveness and historic environment of the islands is conserved and enhanced, so that the cultural heritage of Scilly is protected. As part of this process, encouragement will be given to use locally sourced and sustainable materials, with an emphasis on the re-use of recycled and secondary materials, as advocated by Policies OE5 and OE6 and the requirements for SWMPs. This position represents an appropriate and proportionate approach in the context of the NPPF, which advocates a steady and adequate supply of aggregates. Given the scale of development anticipated over the plan period and the island's exceptional environmental quality, it would be inappropriate to advocate mineral extraction.
212. Of particular relevance to the sustainable approach, adopted through Policies OE5 and OE6, is that SWMPs will be required as part of the Local Validation Checklist. This requirement is in order to provide details of how any excess and usable local materials are to be re-distributed in the case of demolition or excavation works, or sourced in the case of new building projects. It is anticipated that annual monitoring of the Local Plan will create a picture of sources of building materials for development on the islands.

# Policy OE6

## Minerals

Support will be given to the use of construction materials and minerals already on the islands, through the use of recycled and secondary materials to minimise the requirement for any direct extraction. Site Waste Management Plans (SWMPs) will be required to support development proposals, and will include measures to recycle and recover inert construction, demolition and excavation materials for reuse in building works, thereby also reducing transportation costs and carbon emissions.



# Our Outstanding Environment: Protecting and enhancing the Historic Environment (1)

- 213. National planning guidance advises that Local Planning Authorities should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The Isles of Scilly is fortunate to have a wealth of heritage assets that represent a distinctive, unique and irreplaceable resource that make it an exceptional historic place.
- 214. Many of the heritage assets on the islands are statutorily protected by being, for example, designated Scheduled Monuments or Listed Buildings. Additionally, the Historic Environment Record (HER) contains a large number of known non-designated assets that also contribute to the local distinctiveness and heritage of the islands. All of these heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. As such, a positive and proactive strategy should be established for the conservation, enjoyment, and where possible, the enhancement of the historic environment, including those assets considered most at risk of neglect, decay and other threats.

## Our Outstanding Environment: Protecting and enhancing the Historic Environment (2)

215. The Isles of Scilly offer a unique combination of heritage components. The maritime and marine heritage includes a large number of harbours and quays, the remains of a shipbuilding industry, lighthouses, daymarks and lifeboat stations. The islands also have a wealth of intertidal and underwater archaeological sites, including prehistoric remains of over 700 wreck sites, five of which are designated under the Protection of Wrecks Act 1973. The surrounding sea also conceals the submerged landscape of ancient settlements, within the wide expanses of shallow subtidal and intertidal environments that have been flooded by rising sea-levels over the centuries. It has long been thought that the islands in their current form are a result of past marine transgressions that flooded early archaeological sites, making the archipelago a valuable laboratory for studying progressive sea-level rises within an historical context. These submerged and intertidal remains have led to the identification of the Isles of Scilly as the 'lost land of Lionesse' – a legendary, low-lying country that once extended westwards from Land's End to Scilly, as encapsulated in Arthurian legend.
216. On land, the known heritage stretches back to truly ancient remains, including the high number of Bronze Age ritual burial monuments with impressive entrance graves, the Iron Age and Romano-British cist burials, the Romano-Celtic site on Nornour, as well as early Christian foundation chapels and hermitages. In addition to the immense ancient archaeology, the later medieval period also remains visibly apparent on the islands. The ruins of Ennor Castle on St Mary's are a reminder that Old Town was the seat of secular rule during the medieval period, whilst the old church of St Mary dates to Norman times. On Tresco there are the remains of St Nicholas Priory, where the monks of Tavistock Abbey presided over the northern islands, and which now form the core of the world-famous Tresco Abbey Garden, a Grade 1 Historic Park and Garden.

## Our Outstanding Environment: Protecting and enhancing the Historic Environment (3)

217. The Over the last 400 years, a large and complex series of castles, forts, blockhouses, breastworks, walls and other military installations developed, emphasising the strategic importance and position of the islands. As such, the islands boast an unrivalled sequence of fortifications; medieval and Tudor defences; Civil War installations when the islands were the last Royalist stronghold; early 18th-century massive defence works on the Garrison, commissioned and supplemented during the Napoleonic Wars; gun batteries and other innovative defence works from the turn of the 19th century; World War I flying boat stations; and World War II pillboxes and airfield installations.
218. An intrinsic component of the character of the historic landscape is the pattern of settlement, fields and lanes with field boundaries. Together, these reflect the evolution of the islands over 6,000 years of human impact on the land form, starting when the first settlers ventured across the sea from West Cornwall. The lack of development on the islands has enabled whole landscapes to survive in a relatively unaltered state.
219. As well as having landscape value, field boundaries are of archaeological and historic importance, illustrating how the landscape has changed and developed. The islands' walling techniques are distinct from those of the mainland, and in some respects differ from island to island, although there are broad similarities in the suite of boundary types. With the progressive loss of traditional dry-stone walling skills, some field boundaries are losing their original character.



# Our Outstanding Environment: Protecting and enhancing the **Historic Environment** (4)

- 220. In the latter part of the 19th century, the introduction of intensive flower farming produced narrow bulb strips bounded by Cornish hedges, and more particularly, high 'fences' of hardy species, to protect the tender flowers. These bulb strips, which often subdivided earlier fields, are now one of the most distinctive features of the Scillonian landscape.
- 221. The vernacular architecture of the islands is typified by low granite cottages, once roofed with rope thatch; this was later replaced with 'scantle' slated roofs, with small Delabole 'peggies' bedded in lime mortar and laid in diminishing courses. The traditional vernacular also includes box sash windows and sturdy plank doors. Wreck wood was used extensively in buildings throughout the islands.
- 222. Some 16th and 17th-century domestic buildings survive, such as Pier House, together with a few elegant 18th-century and early 19th-century properties, including Hugh House (built as the officers' mess), Veronica Lodge, Newman House, Lyonesse and Lemon Hall on St Mary's, and Dolphin House on Tresco.



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## Our Outstanding Environment: Protecting and enhancing the Historic Environment (5)

223. In the 19th and early 20th century, the influence of the Dorrien-Smith family and the Duchy of Cornwall is evident in the development of a certain 'house-style' of robust and rather severe public buildings. On St Mary's, these include the parish church, Town Hall and Hugh Town post office. On Treco, the Abbey, built by Augustus Smith and situated close to the ruins of the Benedictine priory, is now surrounded by the famous Abbey Garden.
224. Further significant structures of this period are the first glasshouses that were used to produce early flowers in the initial years of the flower industry. Few of these huge timber-framed buildings survive, but those that remain make an important contribution to the economic and architectural heritage of the islands. Often they are attached to older granite buildings roofed with scantle slate or Bridgwater clay tiles brought over as ships' ballast. These once served as animal shelters or hay barns, but were given new life as packing sheds for flowers. A survey of the farm buildings on Scilly has shown that many have become disused and fallen into disrepair, as they no longer fulfil the needs of present-day farming.

## Our Outstanding Environment: Protecting and enhancing the **Historic Environment** (6)

- 225. General approach to protecting and enhancing the historic environment of Scilly.** Heritage assets are irreplaceable and should be retained wherever possible. One of the important aims of the Local Plan is to conserve and enhance the historic environment for the benefit of future generations, and this needs to be achieved through a clear heritage strategy based on the following principles:

# Our Outstanding Environment: Protecting and enhancing the Natural Environment (7)

## Principles

Ensure that the historic environment continues to contribute to the special character, identity and quality of life of the Isles of Scilly.

Ensure the conservation and enhancement of the historic environment of the islands for future generations, including both designated and undesignated heritage assets, their settings and the wider historic landscape.

Ensure that the interplay of the historic and natural environment, which is key to the special character of the islands, is fully understood and considered.

Increase public understanding, awareness and enjoyment of and access to our heritage, for both residents and visitors.

Support the vital tourist economy of the islands, recognising that heritage is a key element.

Ensure that the historic environment is used as a key driver and focus for inward investment, regeneration and re-development, particularly within the islands' settlements.

Explore ways in which new developments can be successfully integrated with the existing historic environment.

Create and support strong partnerships between public, private and voluntary sectors.

Support organisations applying for funding, and maximise the opportunities for external funding to benefit the historic environment.

Ensure that heritage assets and their settings, as well as the wider historic environment, are appropriately managed and maintained, whether in public or private ownership.



# Our Outstanding Environment: Protecting and enhancing the Historic Environment (8)

226. **Assessing Development Proposals** Where heritage assets are likely to be affected by development proposals, these should be identified at the preapplication stage. Applications for development should describe the significance of any heritage asset affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance, in order to understand the potential impact of the proposal on its significance. Essentially, an application should clearly demonstrate what is significant about any heritage, and how that significance would be affected by the proposal, whether a material change of use or physical development.
227. The Cornwall and Isles of Scilly HER should be consulted as a minimum to determine whether or not a heritage asset is likely to be affected, and its significance. The national online repository of historic designations can be found on the Heritage Gateway or the National Heritage List for England, which is available through Historic England's website.



## Our Outstanding Environment: Protecting and enhancing the Historic Environment (9)

- 228. The Planning Department should be contacted to determine the level of information required to support a planning application. In some circumstances, a Heritage Assessment may be required.
- 229. The setting of heritage assets is often essential to their character and legibility. The setting can be the immediate surroundings, but may often include land some distance away, where the context of the heritage asset can be appreciated. Insensitive development or changes to the landscape can affect the significance of the asset and the ability to appreciate it within its surroundings. Proposals for development will need to address their impact on the setting, and seek to preserve those elements that make a positive contribution to the significance of the asset. In considering proposals that affect Listed Buildings, the Council has a statutory duty to consider the impact of development on their setting.
- 230. Development proposals affecting important heritage assets will be permitted provided they do not detract from the significance, character and setting of an asset. Particular support will be given where a proposal better reveals the significance of the asset.

## Our Outstanding Environment: Protecting and enhancing the Historic Environment (10)

- 231. The harm or loss of part or the whole of any heritage asset will need to be justified, on the basis that much of the historic environment is irreplaceable and should be retained wherever possible and feasible. Where the proposal would result in the substantial harm or loss of a designated heritage asset of the highest significance, evidence will be required that there are considerable public benefits to justify its loss, or that there are no other mechanisms for supporting the retention of the asset.
- 232. The merits of an alternative use may be considered where this would retain the heritage asset, provided that it would not result in the loss of its important elements. It would also be important to ensure that any alternative use is capable of funding the conservation of the asset. Should the substantial harm or loss, either in whole or in part, be agreed, a clear indication that there are detailed plans and delivery mechanisms for the proposal's implementation will be required. The condition of an historic asset resulting from deliberate damage and neglect will not be taken into account in any decision.
- 233. In order to advance the understanding of the significance of the asset to be lost, where permission is granted, appropriate conditions and/or planning obligations may be used to ensure that heritage assets are appropriately recorded, conserved or enhanced. Measures secured may include provision for a proportionate recording of assets prior to commencement of any works, and which will be made publicly available.

# Our Outstanding Environment: Protecting and enhancing the Historic Environment (11)

- 234. Conservation Area** The special architectural and historic interest of the islands was recognised in 1975 when all of the inhabited islands were designated as a Conservation Area under the Civic Amenities Act. As a result, it is necessary for the character and appearance of each island to be preserved or enhanced by any development. In considering proposals, account will be taken of how well the design and location of the development has considered:

## Principles:

- The characteristics and context of the site and surroundings in terms of, for example, important buildings, spaces, landscapes, walls, trees and views into or out of the area;
- The form, scale, size and massing of nearby buildings, together with materials of construction.





## Our Outstanding Environment: Protecting and enhancing the Historic Environment (12)

235. Proposals should demonstrate that they will make a positive contribution to the character and quality of the Conservation Area, which will be at least equal to or better than the existing situation. Not all buildings within the Conservation Area contribute to what is important in terms of its character or significance. Proposals that would result in an enhancement of the Conservation Area through the alteration or replacement of those buildings that do not make a positive contribution will be supported.
236. Whilst the current Conservation Area boundary includes all of the islands, there is merit in exploring, through a Conservation Area assessment and management plan, whether there are areas that would benefit from exclusion from this designation. Such an assessment would highlight the importance of those genuinely significant historic elements of the built-up areas of each island. Areas such as the industrial estate and waste site at Porthmellon, for example, do not merit inclusion in a Conservation Area designation. Applying Conservation Area principles to such areas diminishes the value that this designation conveys for genuinely important parts of the islands. The Council will seek to carry out regular reviews of its Conservation Area boundary, as required by the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, which makes it a positive legal duty to assess such boundaries.



# Our Outstanding Environment: Protecting and enhancing the Historic Environment (13)

- 237. Listed Buildings** Listed Buildings are those that appear on the Secretary of States 'List of Buildings of Special Architectural or Historic Interest', prepared by the Department of Culture, Media and Sport (DCMS). The statutory body responsible for maintaining the National Heritage List for England (NHLE)<sup>21</sup> is Historic England.
- 238.** Listed Buildings are grouped into three grades, indicating their relative importance. These are Grade I (one), II\* (two-star) and II (two), with Grade I the most important. The majority (116 out of 128) of Listed Buildings on the islands are Grade II. Contrary to popular misconception, when a building is added to the NHLE, the whole of the building (both internal and external) is listed, as well as its curtilage. All three grades are subject to the same legislation.

# Our Outstanding Environment: Protecting and enhancing the Historic Environment (14)

- 239. The listing of a building confers a significant degree of protection, and special attention must be paid to maintain its character. Permission in the form of Listed Building Consent is required for any works of demolition, extension or alteration that affect the character of the building as one of special architectural or historic interest. This consent is entirely separate from any need to obtain planning permission.
- 240. In assessing either planning or Listed Building applications, proposals should consider factors such as materials, layout, architectural features, setting, scale and design. Proposals that allow for viable uses that are compatible with the conservation of the fabric of the building and its setting will generally be supported.
- 241. The intention is to produce guidance notes on Listed Buildings, which would include details on the responsibilities of owners and how to apply for Listed Building Consent, the implications for development in the Conservation Area, and guidance for householders and property owners on the wide-ranging Article 4 Directions. Existing Article 4 Directions will be reviewed and updated in line with current regulations on permitted development. These will be available on the Council's website and sent to householders as appropriate.



## Our Outstanding Environment: Protecting and enhancing the Historic Environment (15)

- 242. Scheduled Monuments** The islands contain a wealth of Scheduled Monuments which constitute an irreplaceable resource for, and record of, the Isles of Scilly's evolution. These are remains, buildings or structures of national importance, protected under the Ancient Monuments and Archaeological Areas Act 1979. Any works affecting a monument will require Scheduled Monument Consent from the Secretary of State for the Department of Culture Media and Sport (DCMS), in addition to any permission or consents required from the Council under the Planning Acts. To protect the integrity of monuments, including the below-ground archaeological remains, preservation should take place in situ wherever possible.
- 243. Archaeology** Areas that have multiple heritage assets (both designated and non-designated) have been defined as Archaeological Constraint Areas (ACA). All of the ACAs on the islands have been identified on the Policies Map. In these areas it is likely that development proposals may also require archaeological monitoring, guided by a Written Scheme of Investigation (WSI) that sets out how archaeological findings are managed, recorded and published. The ACAs were defined in 1995 through funding by English Heritage (Historic England) and the Council of the Isles of Scilly. Their purpose is to indicate the location of recorded archaeological remains and historic sites and structures. For non-designated heritage assets, development proposals should take into consideration any impact upon archaeology within these areas.

## Our Outstanding Environment: Protecting and enhancing the Historic Environment (16)

- 244. Development that would involve ground disturbance in areas of known archaeological potential should be sensitively designed and located. A desk based archaeological assessment and, in certain circumstances, a field evaluation will be required. Where appropriate, archaeological remains should be preserved in situ with development being sensitively designed and located to allow their retention or minimal harm. Where this is not possible or feasible, a programme of archaeological investigation, excavation and recording prior to commencement will be required.
- 245. Where an application affects or has the potential to affect heritage assets with an archaeological interest, including Scheduled Monuments, within the curtilage of a Listed Building or archaeological constraint area, applications must include an appropriate desk-based assessment and, where necessary, a field evaluation which may need to include full excavation, examination and recording.



# Our Outstanding Environment: Protecting and enhancing the Historic Environment (17)

- 246. Registered Parks and Gardens** The islands contain one Registered Park and Garden: Abbey Garden on Tresco, which is designated as Grade I. The site dates back to the mid-19th century and comprises 6 hectares of gardens and around 24 hectares of ornamental plantations, through which a series of walks pass an ornamental lake. The site occupies a ridge of high ground that drops north to the Great Pool, south of which stands the principal building of Tresco Abbey. The designation includes the principal building of the Abbey, kitchen gardens, as well as a series of terraced gardens and pleasure grounds.
- 247. Non-Designated Assets** Non-designated heritage assets do not have statutory protection, but have a degree of significance which merits consideration in planning decisions. These assets include locally important and traditional buildings, and non-scheduled archaeological remains. These assets and features make an important contribution to the historic character of that area. The merits of a development affecting an undesignated heritage asset will be balanced against the scale of the harm or loss, either directly or indirectly, to the significance of that heritage asset.
- 248. Heritage at Risk** The Council will monitor buildings or other heritage assets at risk through neglect, decay or other threats. Deliberate neglect of a heritage asset is not sufficient justification for development resulting in harm or complete loss. Solutions will be sought for assets 'at risk' through discussions with owners and, where appropriate, encouraging development schemes that would ensure the repair, restoration and maintenance of the asset. As a last resort, the Local Planning Authority would use its statutory powers to protect the asset.

# Policy OE7 (1) (2)

## Development affecting Heritage

- 1) Great weight will be given to the conservation of the islands irreplaceable heritage assets. Where development is proposed that would lead to substantial harm to assets of the highest significance, including undesignated archaeology of national importance, this will only be justified in wholly exceptional circumstances, and substantial harm to all other nationally designated assets will only be justified in exceptional circumstances. Any harm to the significance of a designated or non-designated heritage asset must be justified.
- 2) Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal, and whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long-term use of the asset.

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# Policy OE7 (3) (4) (5)

## Development affecting Heritage

- 3) In those exceptional circumstances where harm to any heritage asset can be fully justified, and development would result in the partial or total loss of the asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that asset, and archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard in a public archive.
- 4) Proposals that will help to secure a sustainable future for the islands' heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

### 5) **Conservation Area**

Development within the Isles of Scilly Conservation Area will be permitted where:

- a) it preserves or enhances the character or appearance of the area and its setting;
- b) the design and location of the proposal has taken account of:
  - i. the development characteristics and context of the area, in terms of important buildings, spaces, landscapes, walls, trees and views within, into or out of the area; and
  - ii. the form, scale, size and massing of nearby buildings, together with materials of construction.

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# Policy OE7 (6) (7)

## Development affecting Heritage

### 6) Listed Buildings

Development affecting Listed Buildings, including alterations or changes of use, will be supported where:

- a) it protects the significance of the heritage asset and its setting, including impacts on the character, architectural merit or historic interest of the building; and
- b) materials, layout, architectural features, scale and design respond to and do not detract from the Listed Building; and
- c) a viable use is proposed that is compatible with the conservation of the fabric of the building and its setting.

### 7) Scheduled Monuments and Archaeology

Proposals that preserve or enhance the significance of Scheduled Monuments or Archaeological Sites, including their setting, will be supported where measures are to be taken to ensure their protection in situ based upon their significance. Where development would involve demolition or removal of archaeological features, this must be fully justified, and provision must be made for excavation, recording and archiving by a suitably qualified person(s) prior to work commencing, to ensure it is done to professional standards. Development within the Garrison on St Mary's (i.e. any land or building within the Garrison Wall Scheduled Monument) and its setting should accord with the Garrison Conservation Plan 2010 (or any successor plan). Proposals that would result in harm to the authenticity and integrity of the Garrison as a strategically important coastal defensive site should be wholly exceptional. If the impacts of a proposal are neutral, either on the site's significance or setting, then opportunities to enhance or better reveal significance should be taken.

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# Policy OE7 (8) (9) (10)

## Development affecting Heritage

### **8) Registered Parks and Gardens**

Planning permission for development that preserves or enhances the special historic landscape character and interest of the Tresco Abbey Garden, including its setting, will be granted where:

- a) It is demonstrated that the proposal seeks to protect original or significant designed landscapes, their built features and setting; or
- b) The proposal includes restoration or reinstatement of historic landscape features to original designs using appropriate evidence, or that the proposed works better reveal their setting.

### **9) Non-designated Local Heritage Assets**

Development proposals that positively sustain or enhance the significance of any local heritage asset and its setting will be permitted. Alterations, additions and changes of use should respect the character, appearance and setting of the local heritage asset in terms of the design, materials, form, scale, size, height and massing of the proposal. Proposals involving the full or partial demolition, or significant harm to a local heritage asset will be resisted unless sufficient justification is provided and the public benefits outweigh the harm caused by the loss of the asset.

- 10) All development proposals should be informed by proportionate historic environments assessments and evaluations (such as heritage impact assessments, desk-based appraisals, field evaluation and historic building reports) which identify the significance of all heritage assets that would be affected by a proposal, and the nature and degree of any effects; and which demonstrate, in order of preference, how any harm will be avoided, minimised or mitigated.