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Land at Porth Cressa, Hugh Town,
St Mary's, Isles of Scilly;
Heritage Impact Assessment



Cornwall Archaeological Unit

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Heritage Impact Assessment

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Within CAU the Project Manager was Cathy Parkes.

The views and recommendations expressed in this report are those of Cornwall Archaeological Unit and are presented in good faith on the basis of professional judgement and on information currently available.

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Cover photo; HIA site with Porth Cressa beyond it to the west, as seen from the footpath rising up Buzza Hill behind. The boat in the foreground is in the southernmost of the two adjoining enclosures forming the site, the northern enclosure being just beyond the tamarisk hedge on the inland side (right).

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Contents

1	Summary	1
2	Introduction	6
2.1	Project background	6
2.2	Methodology	6
2.2.1	Policy and guidance	6
2.2.2	Scope	6
2.2.3	Aims	6
2.2.4	Desk-based assessment	6
2.2.5	Walkover survey	7
2.2.6	Heritage Impact Assessment	7
3	Location, Designations and Characterisation	7
3.1	Topography and geology (Figs 1, 2, 3 and 4)	7
3.2	Designations (Figs 1, 2 and 13)	7
3.2.1	Scheduled Monuments (SMs)	7
3.2.2	Listed Buildings	8
3.2.3	Conservation Area	8
3.3	Hugh Town Historic Characterisation; Porthcressa Bank	8
4	Heritage Resource; Chronological Summary	8
4.1	Potential for buried archaeology, Medieval and earlier	8
4.1.1	Prehistoric (c10,000 BC–AD 43) and Roman (AD 43–410)	8
4.1.2	Medieval (AD 410–1540)	9
4.2	Building remains; Post-medieval (AD 1540–c1870)	9
4.2.1	North Enclosure and Building; potentially 17th or 18th century	9
4.2.2	South Enclosure and Building; later 19th century	10
4.3	20th Century changes at Porth Cressa; Brief Summary	11
5	Statement of Significance	11
6	Assessment of potential impacts	12
6.1	Summary of proposed works	12
6.2	Summary of potential impacts	12
6.2.1	Physical (direct) impacts	12
6.2.2	Visual and other non-physical impacts	12
7	Options for Mitigation; Concluding Remarks	13
7.1	Mitigation by design	13
7.2	Mitigation by record	13
7.2.1	Building recording, survey and further assessment of north enclosure	13
7.2.2	Targeted research in archives of IoS Council and Duchy of Cornwall	13
7.2.3	Excavation	13
7.2.4	Archaeological Monitoring ('Watching Brief')	13
7.2.5	Field boundary recording	13
7.2.6	Analysis and publication	13
7.3	Concluding Remarks	13

8	References	14
8.1	Primary sources (in chronological order)	14
8.2	Publications	14
8.3	Websites	14
	Appendix 1: Planning Policy and Guidance	27

List of Figures

- Fig 1 Map of Hugh Town and surrounding landscape on St Mary's island, Scilly, showing location of HIA site (outlined in blue), together with SMs (in red) and LBs (yellow).
- Fig 2 Larger scale map of Porth Cressa with part of the Garrison (left) and Hugh Town, showing HIA site (outlined in blue), SMs (in red) and LBs (yellow).
- Fig 3 Aerial photo of 2016 capturing the area shown in Figure 2, with HIA site in blue.
- Fig 4 Client's plan of site extent (outlined in red).
- Fig 5 Proposed site layout and roof plan (north is to left).
- Fig 6 Proposed front elevation of site.
- Fig 7 Proposed side elevations.
- Fig 8 Proposed front elevation.
- Fig 9 Proposed rear elevation.
- Fig 10 1862 map extract, showing north part of site west of Buzza Hill (source; UKHO).
- Fig 11 OS map, c1880. (© Crown copyright and database rights 2022 Ordnance Survey 100049047. © and database right Landmark Information Group; CSHER mapping.)
- Fig 12 OS map, c1908. (© Crown copyright and database rights 2022 Ordnance Survey 100049047. © and database right Landmark Information Group; CSHER mapping.)
- Fig 13 Modern map of area in Figures 10-12, with SM, LBs, and other sites noted in text.
- Fig 14 Aerial photo dated to 1947 (supplied by client).
- Fig 15 Looking north from coast path along front of site, from south of its centre.
- Fig 16 Curving north end of northernmost enclosure, seen from path outside on west.
- Fig 17 West boundary of site, and overgrown boundary between enclosures within.
- Fig 18 Overgrown boundary or other walling on south, with cut bedrock to east (right).
- Fig 19 Gateway to north enclosure, and exposed part of its west front boundary facing.
- Fig 20 Ruined building in north enclosure, seen from boundary within site on its south.
- Fig 21 Ruined building on north, west front with its central doorway, looking south.
- Fig 22 Ruin on north, exterior face of north end wall with masonry visible.
- Fig 23 Stone slab structure forward of south part of west front of building on north.
- Fig 24 Southern enclosure, south part of wall on east (left) with a return running west.
- Fig 25 South enclosure, further north along wall on east, with vertical timbers in possibly secondary rough slots in the stonework (one either side of scale).
- Fig 26 Enclosure on south, looking north, showing grown-out boundaries including tamarisk hedging against the northern enclosure, and overgrown interior with part of a concrete floor visible. The steep slope of Buzza Hill is to the right; the coast is left.
- Fig 27 View east from Upper Benham across Porthcressa to HIA site below Buzza Hill.
- Fig 28 View north west from Buzza Hill entrance grave; HIA site is below slope to left.
- Fig 29 View east across HIA site to Buzza Hill with the top of its tower appearing above.
- Fig 30 View north from inside HIA site into Hugh Town, with LB there marked by arrow.
- Fig 31 Early row east of Porthcressa, HIA site to right, and church beyond (arrowed).
- Fig 32 Approach to Buzza Hill and the coast path from Porthcressa, with HIA site ahead.

Abbreviations

CA	Conservation Area
CAU	Cornwall Archaeological Unit
CIfA	Chartered Institute for Archaeologists
CSHER	Cornwall and the Isles of Scilly Historic Environment Record
CSUS	Cornwall and Scilly Urban Survey
DAS	Design and Access Statement
HE	Historic England
HIA	Heritage Impact Assessment
LB	Listed Building
LPA	Local Planning Authority
MCO	Monument number in Cornwall HER
NGR	National Grid Reference
OD	Ordnance Datum – height above mean sea level at Newlyn
OS	Ordnance Survey
RCG	<i>Royal Cornwall Gazette</i> (historic newspaper)

1 Summary

In May 2022 CAU carried out a Heritage Impact Assessment (HIA) for a proposal to construct two new dwellings at Porth Cressa, Hugh Town, St Mary's, Isles of Scilly. The location is near the beach, on the south side of the historic core of the town which lies on a narrow low 'neck' joining the main part of St Mary's to the Garrison headland.

The site has surface remains of two adjoining enclosures with buildings within them. The plot on the north is oval in plan and has a standing, though roofless, single-storey building. It was recorded in 1862 and may originate from earlier in the post-medieval period. As summarised in a previous urban survey, the shift of settlement focus from Old Town to Hugh Town began after the building of Star Castle (1593-4). Later, in the period between the surveys of 1862 and c1880, a second enclosure featuring a larger building was added to the first one at the present HIA site.

The HIA site is most significant for the rare remains of a single-storey building still in its original plot, interpreted as an early house and garden. The walls are in a good state of preservation with central doorway apparent, and windows are recorded on old photographs. The building interior, together with the surrounding enclosure, appears largely undisturbed. Flooring and associated deposits, and outbuildings, are likely to survive under present ground level. There may be structural evidence or buried deposits indicative of date, past use and development.

This early building enclosure is characteristic of the more organic and vernacular forms of post-medieval settlement in Scilly. It contributes to the low-density, informal historic layout of the area just inland, where cottages address the sea rather than a street and leave space between their plots for reaching the shore, pulling up boats, and the like. This coastal layout has a clear interest for an island community and an aesthetic appeal (enhanced by old traditional, salt-tolerant coastal hedging of tamarisk bushes, and by naturalised more recent garden flora, proliferating on the site).

The second enclosure added to the south of the early one, with its contrasting straighter lines and footprint of a larger building, adds to the time depth of the site as a whole. The main building there is less well-preserved and of a less recognisable type. It is likely to have some significance related to maritime activity at Porth Cressa.

The HIA site also has potential for buried archaeology of earlier periods, particularly perhaps on the slopes around the building footprints. Later prehistoric, Romano-British and early medieval remains are recorded elsewhere around the shores of Porth Cressa, including multi-phase sites, indicating sustained or renewed activity in the Porth Cressa area before the focus of settlement shifted to Old Town and finally to Hugh Town.

Important potential impacts of the proposed development include the removal of the early ruin in the north enclosure. This would mean loss of a rare post-medieval single-storey building. The main building in the south plot is relatively recent but its history is poorly understood at present so the significance of direct impact on its site is less clear. Any buried remains of earlier periods in both plots could also be lost.

Potential indirect impacts on the heritage resource include visual effects on settings of –

- Scheduled Monuments (Upper Benham and Lower Benham batteries, and the approach to Buzza Hill entrance grave);
- Listed Buildings (alleys around Wahroonga, and the approach to Buzza Tower);
- Other heritage assets in the Conservation Area (a cottage row to the north west, and the open ground of Porth Cressa Bank, a historic coastal working area and sea-defence for Hugh Town, with added 20th century promenade character).

The assessment identifies some measures for consideration to mitigate for potential adverse impacts of the scheme should it proceed. Residual effects are also noted, including extension of the present built environment of Hugh Town between Buzza Hill and the coastline; visual intrusion in the settings of heritage assets around Porth Cressa; and loss of potential to experience a rare early type of Scillonian house with its plot, on a piece of the coast relatively unchanged yet close to the core of Hugh Town.

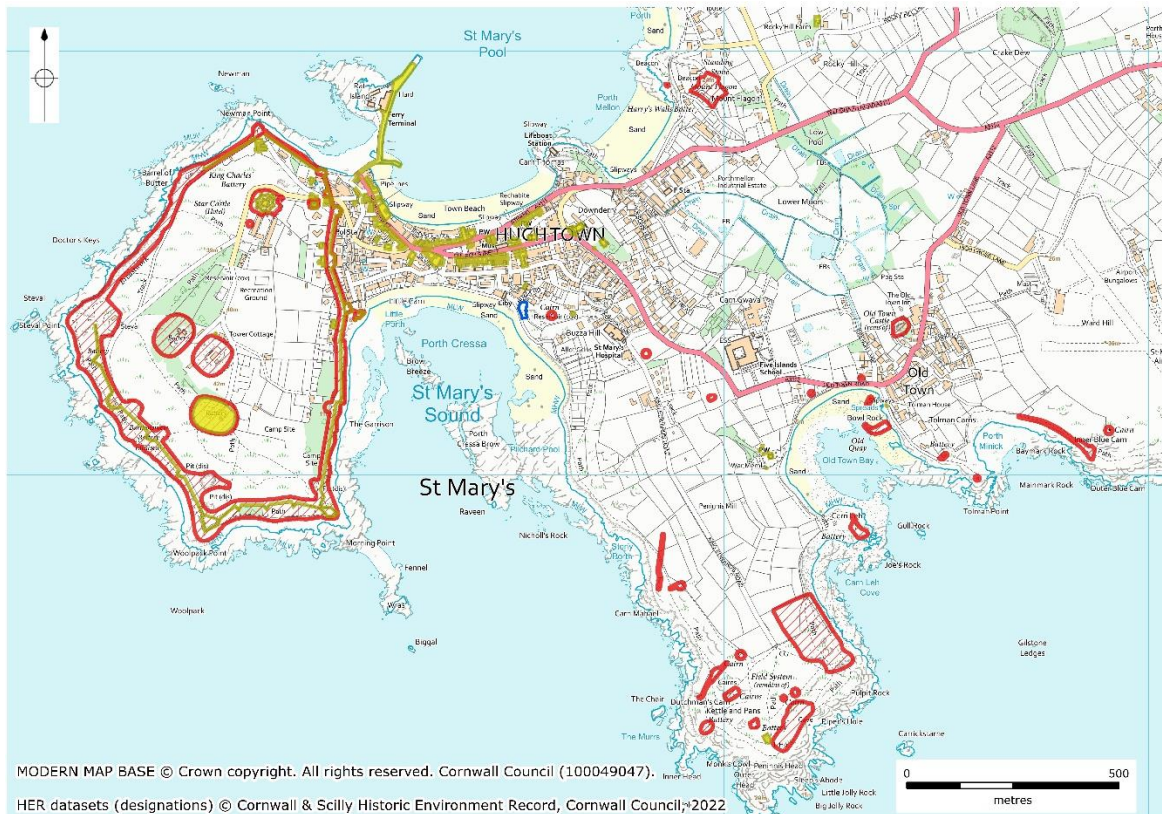


Fig 1 Map of Hugh Town and surrounding landscape on St Mary's island, Scilly, showing location of HIA site (outlined in blue), together with SMs (in red) and LBs (yellow).

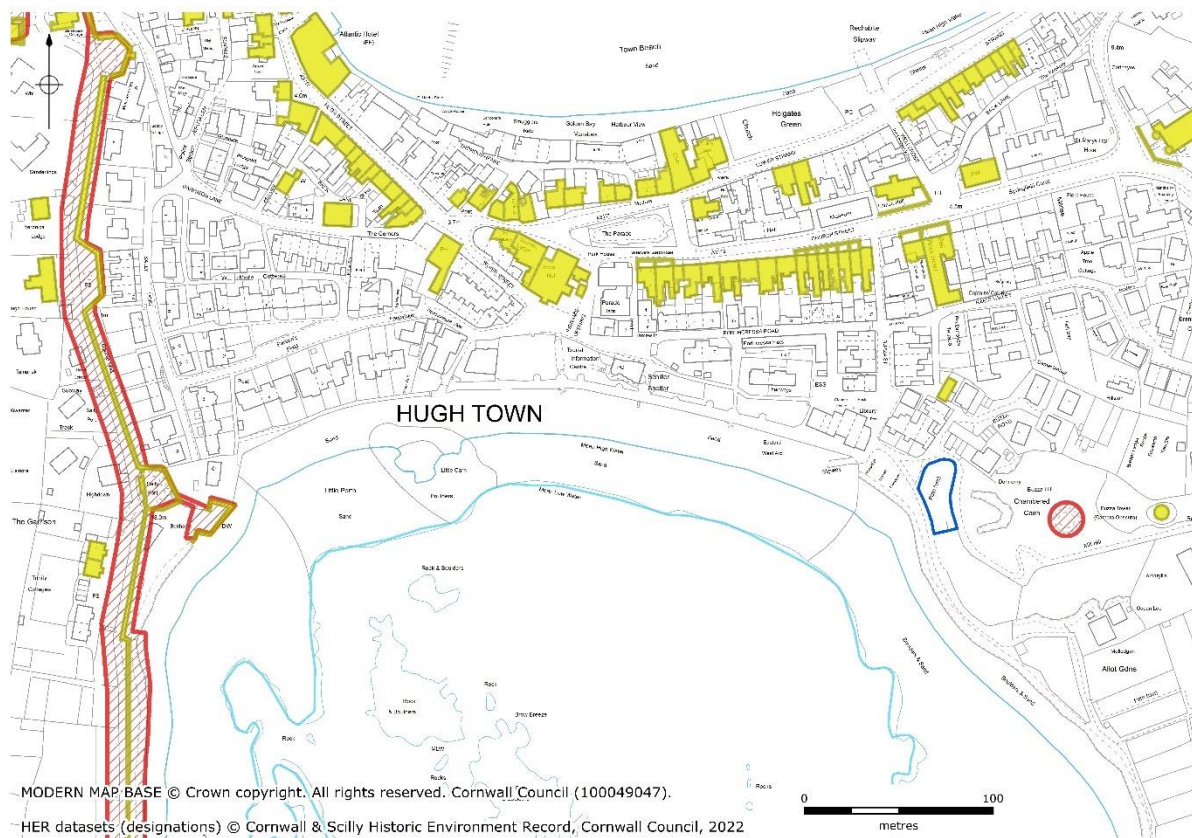
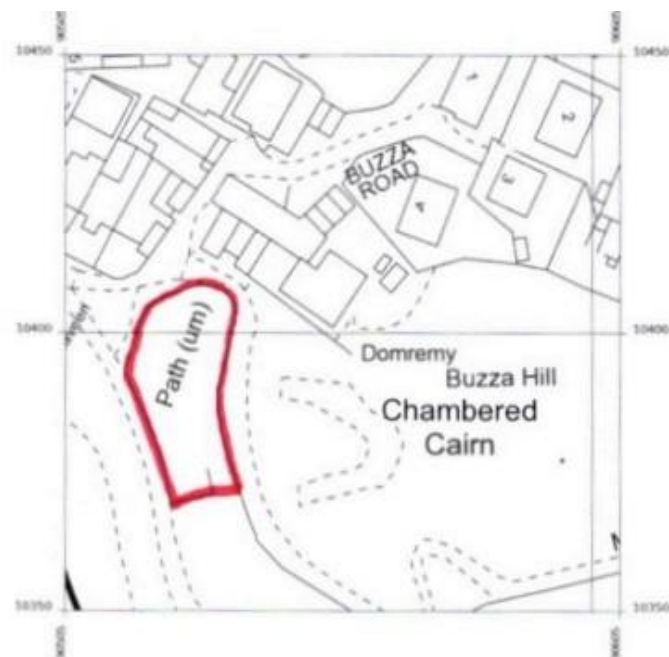


Fig 2 Larger scale map of Porth Cressa with part of the Garrison (left) and Hugh Town, showing HIA site (outlined in blue), SMs (in red) and LBs (yellow).



Fig 3 Aerial photo of 2016 capturing the area shown in Figure 2, with HIA site in blue.



Produced 14 May 2021 from the Ordnance Survey MasterMap (Topography) Database and incorporating surveyed revision available at this date.

Metres
0 10 20 30 40 50

ISLANDS ARCHITECTS
Porthcressa, St Mary's, Isles of Scilly

Fig 4 Client's plan of site extent (outlined in red).

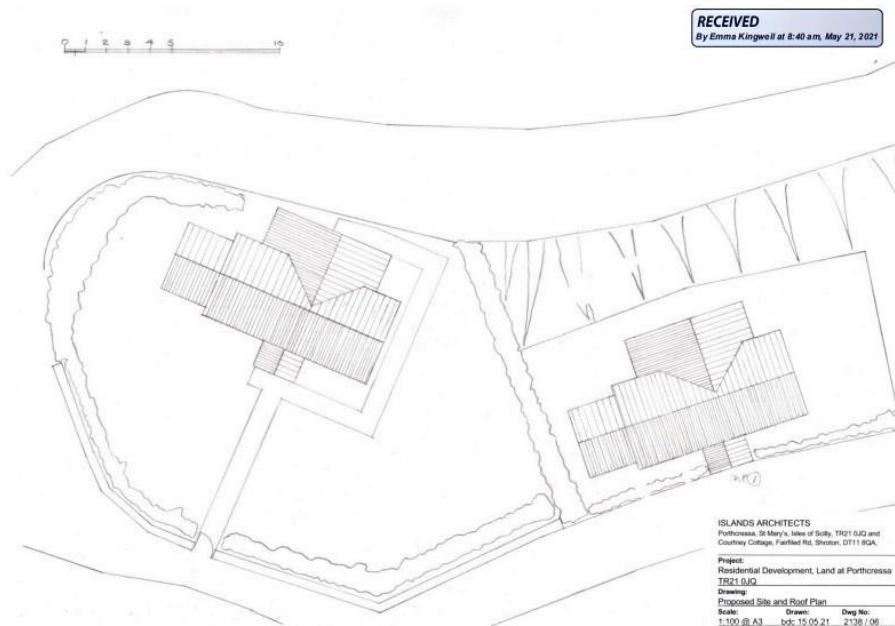


Fig 5 Proposed site layout and roof plan (north is to left).



Fig 6 Proposed front elevation of site.



Fig 7 Proposed side elevations.



Fig 8 Proposed front elevation.



Fig 9 Proposed rear elevation.

2 Introduction

2.1 Project background

This report has been commissioned by Island Architects. It was required by the Council of the Isles of Scilly, the Local Planning Authority (LPA), for an application to construct two new dwellings east of Porthcressa beach at Hugh Town, St Mary's, Isles of Scilly (TR21 0JQ). The plot where the scheme is located is centred at approximately at NGR SV 90526 10389 (Figs 1, 2, 3 and 4). The LPA states in a letter of 2nd July 2021 that;

'I would advise you that a Conservation Area is a designated heritage asset which requires consideration. The above referenced concerns of archaeological impact should be combined with a wider heritage impact assessment to consider the nearby Scheduled Monuments and Listed Building on Buzza Hill as well as the impact of developing this site as one within a Conservation Area. This should include the minimum requirements such as checking the Historic Environment Record for notable records of this site, as well as the impact of groundworks in terms of potential archaeological remains....'

2.2 Methodology

2.2.1 Policy and guidance

This report takes account of various relevant aspects of national and local planning policies and guidance including the following (extracts from which are provided in this report as an Appendix):

- Government guidance on conserving and enhancing the historic environment;
- The National Planning Policy Framework (NPPF) (2021) – specifically policies for 'conserving and enhancing the historic environment' (paragraphs 189-208);
- The Isles of Scilly Local Plan (2015-2030) – specifically Policy OE7;
- Planning (Listed Buildings and Conservation Areas) Act (1990);
- The Hedgerow Regulations (1997).

2.2.2 Scope

The HIA is focussed on heritage assets identified within the proposal area itself (referred to as the 'site'). The assessment also identifies relevant heritage assets and historic landscape in the surroundings of the site, and considers potential impacts on this wider 'study area'.

2.2.3 Aims

The HIA aims to provide:

- Identification and description of the heritage resource.
- Evaluation of the significance of historic buildings, archaeological sites and landscape.
- Assessment of potential impact of the proposal on features' importance and integrity.
- Options to avoid, minimise or mitigate for potential adverse impact where possible.

2.2.4 Desk-based assessment

This study was undertaken in accordance with the Chartered Institute for Archaeologist's (CIfA) guidance on undertaking desk-based assessment (CIfA 2017).

Significance

In determining the significance of heritage assets CAU have followed guidance issued by Historic England (English Heritage 2008). The following criteria have been used to measure significance:

- Evidential – 'the potential of a place to yield evidence about past human activity';

- Historical – 'derives from the ways in which past people, events and aspects of life can be connected through a place to the present';
- Aesthetic – 'derives from the ways in which people draw sensory and intellectual stimulation from a place';
- Communal- 'derives from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory'.

Settings

In evaluating aspects of the settings of heritage assets CAU have followed Historic England's guidance on the subject (2017).

Sources

During the desk-based assessment historical databases and archives were consulted in order to obtain information about the history of the site and study area and the structures and features that were likely to survive. The main sources consulted were as follows:

- Cornwall and Scilly Historic Environment Record (CSHER), as accessible via the Heritage Gateway.
- GIS data accessible to CAU.
- Early maps, records, and photographs (see Section 8.1).
- Histories and other publications, and unpublished reports (see Section 8.2).

2.2.5 Walkover survey

A site visit was undertaken on May 2nd 2022. Weather conditions were favourable for the purpose of the HIA with good visibility. Site conditions varied with much of it particularly in its southern enclosure being overgrown. However, the ground and structures were sufficiently visible to allow satisfactory general assessment of the heritage resource and archaeological potential.

2.2.6 Heritage Impact Assessment

Following the site visit results were combined with those of the desk study in order to generate interpretation of features on site and in the surroundings, and assess their significance and sensitivity to the proposed scheme.

3 Location, Designations and Characterisation

3.1 Topography and geology (Figs 1, 2, 3 and 4)

The HIA site is located just beyond the end of Buzza Road, at the edge of Hugh Town, the principal settlement of the Isles of Scilly. It is close to the historic core of the town which extends along a narrow 'neck' of low-lying land between beaches, joining the main part of St Mary's to the Garrison hill promontory on the south west of that island.

On the west of the site is the bay and beach of Porth Cressa. The small but prominent coastal hill, Buzza Hill, rises from the inland edge of the site. The slope on this side of the hill is steep, with a large 'step' in it formed by a quarry (now disused as such and largely overgrown). The bedrock here is granite, and soils are the Moretonhampstead series of typical brown podzols.

3.2 Designations (Figs 1, 2 and 13)

3.2.1 Scheduled Monuments (SMs)

No SMs lie within the site. Approximately 50m to the east is a prehistoric round cairn with stone chamber on Buzza Hill, SM ref. 1010174 (Fig 28). To the west c365m away across Porth Cressa are the Benham batteries, the nearest part of the large Scheduled post-medieval defensive complex of the Garrison hill, ref. 1018370 (Fig 27).

3.2.2 Listed Buildings

The Benham batteries, along with other elements of the Garrison west of Porth Cressa, already mentioned as SMs, are also LBs at Grade I.

Around 100m east of the site, beyond the Scheduled cairn on Buzza Hill, is the Grade II Listed Buzza Tower, a former windmill converted to a commemorative monument, ref 1291886 (Figs 29 and 32).

Hugh Town contains many further Listed Buildings at Grade II. Those nearest to the HIA site include the house known as Wahroonga or Clemmie's Cottage some 30m north, ref 1141181 (Fig 30); with the Bell Rock Hotel 1141214 another 50m or so beyond that, and the Victorian church of St Mary's 1328823 c200m north east (Fig 31).

3.2.3 Conservation Area

The Isles of Scilly are included in a Conservation Area.

3.3 Hugh Town Historic Characterisation; Porthcressa Bank

The Cornwall and Scilly Urban Survey (CSUS) study of the historic urban landscape of Hugh Town presents an account of its development and identifies distinctive character areas within it including that named 'Porthcressa Bank' (Kirkham 2003). The coastal slope of Buzza Hill, where the present HIA site lies, is identified as defining this distinct area on the east (Fig 32). 'Heathy vegetation and the windmill tower and disused quarry on Buzza Hill form a strong eastern boundary to the character area' (*op cit*, 48).

The CSUS description of this area adjoining the present site (*op cit*, 47-48) notes it is;

'Historically an open area behind the foreshore, used for shipbuilding in the 19th century but with earlier small-scale settlement at the eastern end. The present character derives from a low density mix of residential, commercial and leisure uses which developed in the later 20th century. An informal 'promenade' is set behind a popular bathing beach and there are fine views to seaward....The cottages at the seaward end of Buzza Street, successors to the earlier settlement in the area, have an informal, 'unplanned' quality, not least because of their orientation to the shoreline rather than to the rectilinear street layout.

Short cottage rows on Buzza Street and the east side of Ingram's Opening may have been linked to the development of shipbuilding in the area; the substantial outbuildings surviving on some of the rear plots of houses on the south side of Church Street were probably also to serve this or other maritime activities. These buildings, set gable to the street with substantial rubble walls between them along Porthcressa Road and the west end of Rams Valley, are a distinctive element of this area. Historic photographs and maps show a number of boatsheds along the shoreline, one of which survives'.

4 Heritage Resource; Chronological Summary

4.1 Potential for buried archaeology, Medieval and earlier

The earliest remains visible on the surface at the HIA site are post-medieval in character. However, there is potential for survival of any below-ground remains of activity of earlier periods. The ground within the site's north enclosure, in particular, appears relatively undisturbed, rising gently, and the site as a whole may retain buried deposits, around or under the post-medieval building platforms (noted in Section 4.1.3). The main indications of archaeological potential in the area are outlined below.

4.1.1 Prehistoric (c10,000 BC-AD 43) and Roman (AD 43-410)

The area being moderately sloping and sheltered is likely to have been a cultivated and settled landscape from prehistoric times. It was also near a navigable coast, although sea-level rise in later prehistory has considerably changed the shorelines of the archipelago especially around its 'inner' shores (Charman *et al*, 2016). There is specific archaeological evidence of early life in the vicinity, notably –

- **Prehistoric ritual- and settlement-related activity.** The nearby Early Bronze Age cairn near the top of Buzza Hill (Fig 28) has already been mentioned as a Scheduled Monument. Also within around 300m to the south east from the HIA site are roundhouses and numerous other remains exposed in the low cliffs (MCOs including 31123 and 53362). At a comparable distance to the west of the HIA site, Porth Cressa's mid-20th century housing development area, investigated after building works encountered Roman period cist graves (discussed below), also revealed lynchets (step-like sculpting of the ground by cultivation) associated with prehistoric flint flakes and cores (Ashbee 1974, 234).
- **Romano-British burial or settlement.** The islands' first Council estate, a development of 19 Council houses and bungalows built at Porth Cressa in the late 1940s, encountered (on the projected site of No. 13) a cist or stone slab-built grave, initially thought to be Bronze Age, and then recognised as Romano-British. On further investigation cists were found to lie end-to-end in three parallel lines running south west-north east, thought likely to continue further in each direction than was yet known (*Western Morning News* 17th November 1949, 3). Eleven cists were excavated and found to contain remains of inhumations in contracted positions with goods including bronze brooches (Ashbee 1974, 134-145). Others were found further from the shore on the Hugh Town 'neck', again near the west end of Porth Cressa, in 1960 (*op cit*, 35).

4.1.2 Medieval (AD 410-1540)

Cornish language place-names indicate Scilly had an outer coastline comparable to that of today in the medieval era, while studies of peats now submerged show the area between the islands was salt-marsh, a resource of watery grazing (Charman *et al* 2016). Although the main urban settlement on St Mary's was at Old Town before the late 16th century, the HIA site has potential for buried medieval remains, again associated with known archaeology nearby -

- Early medieval settlement. Extensive midden material including grass-marked pottery was deposited above the earlier fields at the cist burial site behind the west end of Porth Cressa (MCO 31030). Limpets and some 2lb of bones mostly from wrasse were recovered, so it is likely that Porth Cressa was used as a base for fishing (Ashbee 1974, 262, 267) with seasonal or sustained occupation.
- Medieval settlement or cultivation. Pottery of medieval as well as 18th century date has been recorded in the section exposed in the cliff around 300m south east of the HIA site, above the prehistoric roundhouses (MCO 31124). This may reflect settlement on the coast, or manuring of the land from a farming base inland.

4.2 Building remains; Post-medieval (AD 1540-c1870)

4.2.1 North Enclosure and Building; potentially 17th or 18th century

The north part of the HIA site is a roughly oval enclosure with a rectangular building inside it, recorded on a map of 1862 (Figs 10, 16 and 20). The plot measures up to around 25m across. The boundary around the north and west of it has much dense cover of ivy and other vegetation, but is visible in places as a traditional hedge bank with facing of pitched small stones (Fig 19). The ground is currently used as an informal garden.

The building in this plot, now roofless, stands with its longer axis along the contour. It measures c9m by 4.5m overall and has overgrown walls c1.5m high (Figs 21 and 22). A central doorway in the west front is apparent. There are garden beds or similar forward of it, made of stone slabs one of which has a drilled hole at a low level which may mean the slab was re-used (Fig 23). A photograph of Porth Cressa in 1870 (Larn and Banfield 2013, 28) captures this building in the rear ground. It had one storey and had a window either side of the central door. The roof profile as seen at the gable appears to have been a slightly convex, indicating that it was thatched. The 1870 photo and also the OS map of c1880 depict a narrower rectangular structure apparently added to the building's SSW end and some walling of this appears to survive under bushes. Several small outbuildings also appear on the maps of c1880 and c1908 (Figs 11 and 12).

The northern building enclosure was originally surrounded by rough ground. The map of 1862 depicts it without the later enclosure to the south which forms the rest of the HIA site. The St Mary's Tithe map of c1840 does not show it, but this map – like those of the earlier, less detailed surveys readily available for consultation – is not a useful source for most dating purposes as it omits most buildings and farming hamlets on the island.

The historic mapping and photograph of the building in the north enclosure indicate that it is a dwelling of an early type once characteristic of Scilly and now extremely rare, the 'single-storey house' (Berry 2011, 14). It is possible that this is among the earlier houses of Hugh Town. The town was established gradually after 1593-4, when the fortifications of what was to be named the Garrison were begun with Star Castle on the hilltop, a curtain wall across the inland side of the headland, and other batteries including Lower Benham at the opposite end of Porth Cressa from the HIA site. The earliest part of St Mary's Quay was built in 1601, and there were around 30 houses at Hugh Town, some around Buzza Hill, by 1652 (Kirkham 2003, 15-16).

This site would have offered good access to the natural landing and fishing station of Porth Cressa; while being to the side of the beach, and also towards the rear of its own gently sloping plot, so that it was less exposed to the risk of flooding which affected the early development of Hugh Town. Sea defences were made at Porth Cressa after a major flood event in 1771 (Kirkham 2003, 20). In the early 19th century 'great part' of Hugh Town was considered liable to be swept by the sea at spring tides as it had been 'only a few years ago', and funds were raised to increase the height of Porth Cressa Bank by three feet (*Royal Cornwall Gazette* February 17th 1821, 3).

4.2.2 South Enclosure and Building; later 19th century

The early building enclosure was added to in the period between the surveys of 1862 and c1880, with a second one featuring a larger building (Fig 11). The secondary enclosure was straight sided, as one would expect at this date (Figs 15 and 17). It was partly cut into bedrock on the inland side, to accommodate the larger, rectangular building which stood on it on the south with its longer axis running east-west. The main building and/or lesser one/s beside it may retain some standing walling on the edges of the south enclosure and also floors at least partly of concrete within; although this part of the site is less used and more overgrown, and may have been adapted in places with what appear to be a few driftwood uprights in walls (Figs 18, 24-26, cover photo).

The southern building appears in the foreground of an aerial photograph which has been dated to 1947 (Fig 14). Its character is not known at present, but as it survived until relatively recently this could probably be determined through research drawing on records of the Council of the Isles of Scilly or Duchy of Cornwall as well as photographic archives. The structure appears to have addressed Porth Cressa, and its function may have been associated with the maritime trade and industry carried on from there.

Porth Cressa was among the main locations on Scilly used for shipbuilding which continued until c1891 (Larn and Banfield 201). In 1870 the building of the *David Auterson* in the Porth was photographed (Plymouth Archives, The Box, ref. 1386/55). The map of 1862 defines the area of shipyards on Town Beach on the opposite side of Hugh Town, but not at Porth Cressa (Fig 10). However, on the Porth Cressa side this map, like those of c1880 and 1908 (Figs 11 and 12), does show around the centre of the beach clusters of long sheds end on to the sea -indicating boatsheds, saw houses and stores which, with the intervening open areas left for the actual ship building sites, may suggest that the industry was a predominant activity here too in the later 19th century. The large building on the HIA site, if related to this industry, would have had an ancillary function, being to the side of the shipbuilding area.

The beach here was also the site of 'fish-sharing', considered to be the distribution of fishing crew men's shares and of any tithes on these shares (still levied in parts of Cornwall in the later 19th century, Noall 1972 60-74). This was mentioned in 1879 when unusual very large monk fish were seen 'while a large number of people were on the beach at Porthcressa at the fish-sharing' (*Cornish Telegraph* 23rd September 1879, 5).

4.3 20th Century changes at Porth Cressa; Brief Summary

Construction of a promenade 'along Porthcressa Bay' was considered at a Council meeting in 1892 (*Cornishman* May 12th 1892, 6) and taken up as a cause for fundraising by the Scillonian Club in London (*Cornishman* 11th July 1895, 4). Clearance of disused structures from the era of shipbuilding and ground levelling is said to have been undertaken in 1902 (Johns and Sturgess 2013), although the revised OS map made around that date shows little change since the survey of c1880 (Figs 11 and 12).

Porth Cressa Bank, the old sea defence forming a grassy rise behind the beach, was damaged by a severe storm of 1962 and subsequently had timber facing (TNA ref. HLG 51/1238). Ground was washed out from the shore again in storms of 1989-1990, and in 1994-1995 concrete sea defences were built; further landscaping of the area for leisure use followed in 2012 (Johns and Sturgess 2013). Stratigraphy within Porth Cressa Bank can be seen in photographs of cuts to it made in 2012, and some of this may relate to raising of the Bank recorded in several phases from the 18th to the 19th centuries (Section 4.2.1) as well as to natural sand blows.

Historic seafront buildings on Porth Cressa of relevance to the present assessment include the former lifeboat house converted to a library MCO 64418 (Fig 32), and nearer to the HIA site, a small post-medieval row of houses MCO 64417 (Fig 31).

5 Statement of Significance

The proposed development site on the east of Porth Cressa is most significant for its resource of upstanding archaeology, in particular, for the remains of a rarely-surviving traditional Scillonian type of single-storey building still in its original plot. This is interpreted as an early house and garden. The building has lost its roof, probably formerly covered in thatch, but retains its walls although these are now overgrown. The central doorway is apparent, and windows are recorded on old photographs. Other features of the walls are expected to survive beneath the vegetation covering the structure, which although dense would be capable of careful removal. The interior, together with the surrounding enclosure, appears largely undisturbed. Flooring and associated deposits, and outbuildings, are likely to survive under present ground level.

The early building enclosure is characteristic of the more organic and vernacular forms of post-medieval settlement in Scilly. It contributes to the low-density, informal historic layout of the area at the end of Buzza Road just inland, where cottages address the sea rather than a street and leave space between their plots for reaching the shore, pulling up boats, and the like. This coastal layout has a clear interest for an island community and an aesthetic appeal (enhanced by old traditional, salt-tolerant coastal hedging of tamarisk bushes, and by naturalised more recent garden flora proliferating on the site).

This dwelling and plot may contain structural evidence or buried deposits indicative of their date, and of their past use and development. As an unusually unaltered survival in the area of Hugh Town, the site is of historical importance – it may help address questions such as how people adapted to live in the vicinity of the post-medieval castle and other fortifications and harbour.

The second enclosure added to the south of the early one, with its contrasting straighter lines and footprint of a larger building, adds to the time depth of the site as a whole. The main building here is much less well-preserved and of a less recognisable type than that on the north, though it is probable that further study could identify it. In this location it is likely to have some significance related to the maritime economic activity at Porth Cressa recorded in late Victorian times.

The HIA site also has potential for buried archaeology of earlier periods, particularly on the slopes around the later buildings. Remains of later prehistoric, Romano-British and early medieval date are recorded elsewhere around the shores of Porth Cressa, including multi-phase sites, indicating sustained or renewed activity in the Porth Cressa area before the focus of settlement shifted to Old Town and finally to Hugh Town.

6 Assessment of potential impacts

6.1 Summary of proposed works

The scheme is for two detached two-storey houses, one in each of the two adjoining enclosures, facing seaward (Figs 5-9). Building elevation drawings and the Design and Access Statement (DAS) indicate some elements of traditional design, including granite walling, timber sash windows, part glazed central porches, and pitched roofs; and also wings with other materials, timber framing and cedar cladding.

From the site elevation drawing it appears that ground in the plots would be levelled. This might involve cutting into bedrock as well as excavating foundations, service trenches etc. The DAS states that 'granite walls that exist will be maintained, along with any natural hedge planting', so it would seem that retention of the existing site boundaries is proposed. There would be small timber stores for each house.

6.2 Summary of potential impacts

6.2.1 Physical (direct) impacts

- **Removal of early ruin in north enclosure.** The DAS refers to proposed development on the footprints of historic buildings and it would appear that the roofless ruin currently standing on the site would not be retained. This would mean loss of a well-preserved rare post-medieval single-storey building.
- **Removal or truncation of buried remains in both enclosures.** Groundworks could result in loss or disturbance of buried flooring or deposits associated with the main buildings and outbuildings. The main building in the south plot is relatively recent but its history is poorly understood at present so the significance of direct impact on its site is not clear. Any potentially significant buried remains of earlier periods in both plots could be similarly impacted.

6.2.2 Visual and other non-physical impacts

The proposed houses would be generally visible, with limited hedge screening possible if mature bushes are left on boundaries, from the following areas around Porth Cressa;

- Porth Cressa and the coast of Hugh Town alongside the beach;
- The coast path approaching Porth Cressa from the south east, below Buzza Hill;
- Part of the path up the west side of Buzza Hill, where this passes above the site;
- Parts of the coast of the Garrison on the west side of Porth Cressa.

Visual impacts on the heritage resource include those affecting SMs or their settings;

- Visibility from Upper Benham and Lower Benham batteries, SMs and Grade I LBs, standing on the west of Porth Cressa, in a position relative to the end of the beach comparable with that of the HIA site on the east side (Figs 3 and 27).
- Close-up visibility on the main path from Porth Cressa and Hugh Town to the entrance grave on Buzza Hill, a SM (cover photo and Fig 16).

Other visual impacts are to Listed Buildings or their settings;

- Visibility from several approaches to the nearest LB, Wahroonga or Clemmie's Cottage, on alleys or paths between there and the sea which convey the historic permeable character of the coastal edge of Hugh Town. Limited visibility in this direction from the rear of Wahroonga/Clemmie's Cottage itself (Fig 30).
- As in the case of the Scheduled entrance grave on Buzza Hill, close-up visibility on the main path from beach and town to Buzza Tower, a Grade II LB (Fig 29).

Visual impact would also affect undesignated heritage assets;

- Close-up visibility from the row just across the lane to the north west (Fig 15).
- Visibility from the open ground along Porth Cressa Bank, a historic coastal working area and sea-defence for Hugh Town, with 20th century promenade character; re-development of the outer end of this ground, currently defined by the heathy ground of Buzza Hill (Figs 20 and 32).

7 Options for Mitigation; Concluding Remarks

This section offers options to reduce or mitigate the potential adverse impacts on the resource of below-ground archaeology which might result from the scheme in the event that it proceeds. These options are provided for guidance, and any actual requirements for archaeological recording would be set by the LPA.

7.1 Mitigation by design

Some design measures to mitigate for the potential adverse visual impact of the scheme may be identified. These could include redesign to include further traditional features (construction of chimneys to the ends of the buildings) and avoid non-traditional ones (the large asymmetrical gable form of the rear wings, and the timber cladding to the side wings).

7.2 Mitigation by record

7.2.1 Building recording, survey and further assessment of north enclosure

A programme of historic building recording, to Historic England's level 2 standard, is likely to be required in advance of any works affecting the standing building remains. This would need to be preceded by careful vegetation control, involving monitoring by an archaeologist (see further Section 7.2.4 below). The building record would be expected to be accompanied by a measured survey of the associated plot together with the apparent planting beds and other associated structures or earthworks.

7.2.2 Targeted research in archives of IoS Council and Duchy of Cornwall

Further study would be desirable to search for any more documentation of the history of the site.

7.2.3 Excavation

Archaeological excavation might be appropriate for the single-storey building on the north if this is to be disturbed. This would need to be undertaken before any other groundworks on the affected part of the site.

7.2.4 Archaeological Monitoring ('Watching Brief')

Archaeological monitoring involves a qualified archaeologist attending, recording and helping guide groundworks as they proceed. Here this may be required to include any vegetation control on the sites of historic buildings. During any works, time should be allowed for the archaeologist to carry out excavation, recording (at an appropriate level which may include description, photography, or drawing in plan or section), recovery of any artefacts or samples, and identification of any further investigation needed.

7.2.5 Field boundary recording

The historic criteria of the Hedgerow Regulations may apply to the surviving historic boundary bank forming the northern enclosure in particular. Recording by section drawing, photography, and soil sampling as appropriate, would be likely to be recommended should it be proposed to disturb this boundary or part of it.

7.2.6 Analysis and publication

Should the results merit it a programme of post-excavation analysis and publication may be required by the LPA.

7.3 Concluding Remarks

It is considered that several adverse impacts could not be effectively mitigated;

- Extension of the present built environment of Hugh Town onto the side of Porth Cressa Bay beyond its modern limits below Buzza Hill;
- Visual intrusion in the settings of designated assets around Porth Cressa, including the Benham batteries and the Buzza Hill entrance grave and tower;
- Loss of potential to experience a rare early type of Scillonian house with its plot, on a piece of the coast relatively unchanged yet close to the core of Hugh Town.

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8.3 Websites

<http://www.heritagegateway.org.uk/gateway/> Online database of Sites and Monuments Records, and Listed Buildings



Fig 10 1862 map extract, showing north part of site west of Buzza Hill (source; UKHO).



Fig 11 OS map, c1880. (© Crown copyright and database rights 2022 Ordnance Survey 100049047. © and database right Landmark Information Group; CHER mapping.)

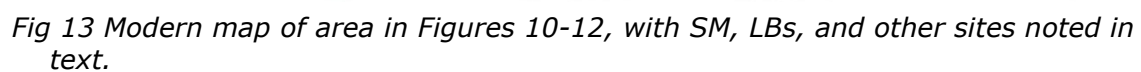
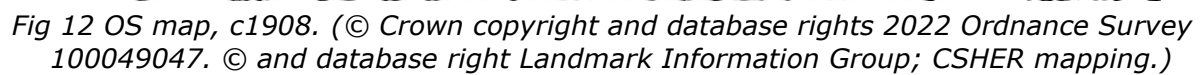




Fig 14 Aerial photo dated to 1947 (supplied by client).



Fig 15 Looking north from coast path along front of site, from south of its centre.



Fig 16 Curving north end of northernmost enclosure, seen from path outside on west.



Fig 17 West boundary of site, and overgrown boundary between enclosures within.



Fig 18 Overgrown boundary or other walling on south, with cut bedrock to east (right).



Fig 19 Gateway to north enclosure, and exposed part of its west front boundary facing.



Fig 20 Ruined building in north enclosure, seen from boundary within site on its south.



Fig 21 Ruined building on north, west front with its central doorway, looking south.



Fig 22 Ruin on north, exterior face of north end wall with masonry visible.



Fig 23 Stone slab structure froward of south part of west front of building on north.



Fig 24 Southern enclosure, south part of wall on east (left) with a return running west.



Fig 25 South enclosure, further north along wall on east, with vertical timbers in possibly secondary rough slots in the stonework (one either side of scale).



Fig 26 Enclosure on south, looking north, showing grown-out boundaries including tamarisk hedging against the northern enclosure, and overgrown interior with part of a concrete floor visible. The steep slope of Buzza Hill is to the right; the coast is left.



Fig 27 View east from Upper Benham across Porthcressa to HIA site below Buzza Hill.



Fig 28 View north west from Buzza Hill entrance grave; HIA site is below slope to left.



Fig 29 View east across HIA site to Buzza Hill with the top of its tower appearing above.



Fig 30 View north from inside HIA site into Hugh Town, with LB there marked by arrow.



Fig 31 Early row east of Porthcressa, HIA site to right, and church beyond (arrowed).



Fig 32 Approach to Buzza Hill and the coast path from Porthcressa, with HIA site ahead.

Appendix 1: Planning Policy and Guidance

Government guidance on conserving and enhancing the historic environment <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>

Overview: historic environment

What is the policy for the historic environment?

Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in paragraphs 6-10). The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (paragraph 17 bullet 10) that underpin the planning system. This is expanded upon principally in paragraphs 126-141 but policies giving effect to this objective appear elsewhere in the National Planning Policy Framework.

What is the main legislative framework for planning and the historic environment?

In addition to normal planning framework set out in the Town and Country Planning Act 1990:

- the Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest
- the Ancient Monuments and Archaeological Areas Act 1979 provides specific protection for scheduled monuments
- the Protection of Wrecks Act 1973 provides specific protection for protected wreck sites

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

What is meant by the conservation and enhancement of the historic environment?

The conservation of heritage assets in a manner appropriate to their significance is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified, the aim then is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past, and make that publicly available.

Plan making: historic environment

What is a positive strategy for conservation and enjoyment of the historic environment?

In line with the National Planning Policy Framework, local authorities should set out their Local Plan a positive strategy for the conservation and enjoyment of the historic

environment. Such as a strategy should recognise that conservation is not a passive exercise. In developing their strategy, local planning authorities should identify specific opportunities within their area for the conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the heritage asset.

The delivery of the strategy may require the development of specific policies, for example, in relation to use of buildings and design of new development and infrastructure. Local planning authorities should consider the relationship and impact of other policies on the delivery of the strategy for conservation.

What about the evidence base for Local Plan-making?

Policy on this is set out in paragraph 169 of the National Planning Policy Framework.

Should non-designated heritage assets be identified in the Local Plan?

While there is no requirement to do so, local planning authorities are encouraged to consider making clear and up to date information on their identified non-designated heritage assets, both in terms of the criteria used to identify assets and information about the location of existing assets, accessible to the public.

In this context, the inclusion of information about non-designated assets in Local Plans can be helpful, as can the identification of areas of potential for the discovery of non-designated heritage assets with archaeological interest.

How should heritage issues be addressed in neighbourhood plans?

Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.

Where it is relevant, designated heritage assets within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.

The local planning authority heritage advisers should be able to advise on local heritage issues that should be considered when preparing a neighbourhood plan. The local Historic environment record and any local list will be important sources of information on non-designated heritage assets.

Further information on:

- Neighbourhood planning generally can be found in the neighbourhood planning section
- Heritage specific issues and neighbourhood planning is provided by Historic England.

Decision-taking: historic environment

What is "significance"?

"Significance" in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework.

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of the identified heritage asset's significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.

Why is 'significance' important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals (see How to assess if there is substantial harm).

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What is a historic environment record?

Historic environment records are publicly-accessible and dynamic sources of information about the local historic environment. They provide core information for plan-making and designation decisions (such as information about designated and non-designated heritage assets, and information that helps predict the likelihood of current unrecorded assets being discovered during development) and will also assist in informing planning decisions by providing appropriate information about the historic environment to communities, owners and developers as set out in the National Planning Policy Framework. Details of how to access historic environment records can be found on Historic England's website.

How do Design and Access Statement requirements relate to heritage assessments?

A Design and Access Statement is required to accompany certain applications for planning permission and applications for listed building consent.

Design and Access Statements provide a flexible framework for an applicant to explain and justify their proposal with reference to its context. In cases where both a Design and Access Statement and an assessment of the impact of a proposal on a heritage asset are required, applicants can avoid unnecessary duplication and demonstrate how the proposed design has responded to the historic environment through including the necessary heritage assessment as part of the Design and Access Statement.

What is the setting of a heritage asset and how should it be taken into account?

The "setting of a heritage asset" is defined in the Glossary of the National Planning Policy Framework.

A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation.

Should the deteriorated state of a heritage asset be taken into account in reaching a decision on an application?

Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset (National Planning Policy Framework paragraph 130). Local planning authorities may need to consider exercising their repair and compulsory purchase powers to remedy deliberate neglect or damage.

What is a viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

The optimum viable use may not necessarily be the most profitable one. It might be the original use, but that may no longer be economically viable or even the most compatible with the long-term conservation of the asset. However, if from a conservation point of view there is no real difference between viable uses, then the choice of use is a decision for the owner.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The policy in addressing substantial and less than substantial harm is set out in paragraphs 132 – 134 of the National Planning Policy Framework.

What evidence is needed to demonstrate that there is no viable use?

Appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in paragraph 133, bullet 2 of the National Planning Policy Framework. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

How to assess if there is substantial harm?

What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the

degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.

Policy on substantial harm to designated heritage assets is set out in paragraphs 132 and 133 to the National Planning Policy Framework.

What about harm in relation to conservation areas?

An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.

How can proposals avoid or minimise harm to the significance of a heritage asset?

A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such studies can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way.

What is meant by the term public benefits?

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Designated heritage assets

How do heritage assets become designated?

The Department for Digital, Culture, Media and Sport is responsible for the identification and designation of listed buildings, scheduled monuments and protected wreck sites.

Historic England identifies and designates registered parks, gardens and battlefields.

World Heritage Sites are inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

In most cases, conservation areas are designated by local planning authorities.

Historic England administers all the national designation regimes. Further information on selection criteria and processes can be found on Department for Digital, Culture, Media and Sport's website.

What is a listed building?

A listed building is a building which has been designated because of its special architectural or historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

- any object or structure fixed to the building
- any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

What is a conservation area?

A conservation area is an area which has been designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

What do planning authorities need to consider before designating new conservation areas?

Local planning authorities need to ensure that the area has sufficient special architectural or historic interest to justify its designation as a conservation area.

Do local planning authorities need to review conservation areas?

Local planning authorities must review their conservation areas from time to time (section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990).

A conservation area appraisal can be used to help local planning authorities develop a management plan and appropriate policies for the Local Plan. A good appraisal will consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change or the need for planning protection.

Non-designated heritage assets

What are non-designated heritage assets and how important are they?

Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.

What are non-designated heritage assets of archaeological interest and how important are they?

The National Planning Policy Framework identifies 2 categories of non-designated site of archaeological interest:

(1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework paragraph 139). They are of 3 types:

- those that have yet to be formally assessed for designation
- those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State has exercised his discretion not to designate usually because they are given the appropriate level of protection under national planning policy
- those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature

The reason why many nationally important monuments are not scheduled is set out in the document Scheduled Monuments, published by the Department for Digital, Culture, Media and Sport. Information on location and significance of such assets is found in the same way as for all heritage assets. Judging whether sites fall into this category may be

assisted by reference to the criteria for scheduling monuments. Further information on scheduled monuments can be found on the Department for Digital, Culture, Media and Sport's website.

(2) Other non-designated heritage assets of archaeological interest. By comparison this is a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision and move it from this category to the first

Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.

Decision-taking regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated following an initial assessment of archaeological interest only a small proportion – around 3% – of all planning applications justify a requirement for detailed assessment.

How are non-designated heritage assets identified?

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

It is helpful if Local Plans note areas of potential for the discovery of non-designated heritage assets with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area. In judging if non-designated sites of archaeological interest are demonstrably of equivalent significance to scheduled monuments, and therefore considered subject to the same policies as those for designated heritage assets, local planning authorities should refer to Department for Digital, Culture, Media and Sport's criteria for scheduling monuments.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list. For non-designated heritage assets with archaeological interest, local planning authorities should refer to 'What are non-designated heritage assets of archaeological interest and how important are they?'

How should Neighbourhood Development Orders and Community Right to Build Orders take account of heritage conservation?

The policies in the National Planning Policy Framework, and the associated guidance, which relate to decision-taking on planning applications which affect the historic environment, apply equally to the consideration of what planning permission should be granted through Neighbourhood Development Orders and Community Right to Build Orders.

Neighbourhood Development Orders and Community Right to Build Orders can only grant planning permission, not heritage consents (ie listed building consent or scheduled monument consent).

Historic England must be consulted on all Neighbourhood Development Orders and Community Right to Build Orders to allow it to assess the impacts on the heritage assets, and determine whether an archaeological statement (definition in regulation 22(2) of the Neighbourhood Planning (General) Regulations 2012) is required. This, and other consultation requirements relating to development affecting heritage assets, are set out

in regulation 21 of, and Schedule 1 to, the Neighbourhood Planning (General) Regulations 2012.

Further information on making these Orders can be found:

- in the Neighbourhood planning section of guidance
- in the When is permission required? section of guidance on Historic England's website

Conserving and enhancing the historic environment

Paragraphs 189 to 208

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value ⁶⁶. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations ⁶⁷.

190. Plans 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. This strategy should take into account:

- (a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
- (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- (d) opportunities to draw on the contribution made by the historic environment to the character of a place.

191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

192. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- (a) assess the significance of heritage assets and the contribution they make to their environment; and
- (b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

193. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

Proposals affecting heritage assets

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of

a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

196. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

197. In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.

198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

Considering potential impacts

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional ⁶⁸.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

204. Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

205. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible ⁶⁹. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

207. Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under [paragraph 201](#) or less than substantial harm under [paragraph 202](#), as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Footnotes

(66) Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

(67) The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#), as well as to plan-making and decision-making.

(68) Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

(69) Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

Council of the Isles of Scilly Local Plan (2015-2030)

POLICY OE7 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.

- (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.
- (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 Information Classification: PUBLIC are neutral, either on the site's significance or setting, then opportunities to enhance or better reveal significance should be taken.
- (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.

Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/contents>

This is an Act to consolidate certain enactments relating to special controls in respect of buildings (Listed Buildings) and areas of special architectural or historic interest (Conservation Areas).

The Hedgerows Regulations 1997

<http://www.legislation.gov.uk/uksi/1997/1160/contents/made>

A hedgerow may be deemed important if it

- (a) has existed for 30 years or more; and

- (b) satisfies at least one of the criteria listed in Part II of Schedule 1, as follows:

1. The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose "historic" means existing before 1850.
2. The hedgerow incorporates an archaeological feature which is—
 - (a) included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Archaeological Areas Act 1979; or
 - (b) recorded at the relevant date in a Sites and Monuments Record.
3. The hedgerow—

- (a) is situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and
- (b) is associated with any monument or feature on that site.

4. The hedgerow—

- (a) marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in a Sites and Monuments Record or in a document held at that date at a Record Office; or
- (b) is visibly related to any building or other feature of such an estate or manor.

5. The hedgerow—

- (a) is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts; or
- (b) is part of, or visibly related to, any building or other feature associated with such a system, and that system—
 - (i) is substantially complete; or
 - (ii) is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act, for the purposes of development control within the authority's area, as a key landscape characteristic.

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