

Planning, Design & Access Statement

Temporary use of land as a construction compound with welfare facilities on land to the south of Carn Friars Lane (A3110), St Mary's, Isles of Scilly, TR21 0NG.

Prepared by Fisher German LLP on behalf of South West Water Ltd.

Project Title

South West Water Ltd.

Temporary Welfare Compound

FP121727-001

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1. Introduction

- 1.1 This Planning, Design and Access Statement has been prepared by Fisher German LLP on behalf of South West Water Ltd (SWW) in relation to the provision of a temporary construction compound with welfare facilities on land to the south of Carn Friars Lane (A3110), Hugh Town, St Mary's, Isles of Scilly (IoS), TR21 0NG.
- 1.2 SWW is a regulated business with statutory responsibilities for the provision of water and wastewater services to over 1.7 million people and businesses in Cornwall, Devon, the Isles of Scilly and parts of Somerset and Dorset. SWW started running water and wastewater services on the Isles of Scilly in 2020. SWW are investing to improve resilience and compliance, as well as building up an understanding of water sources and the environment of the Islands.
- 1.3 SWW are investing in improving water quality and resilience to create a stable resource position. The project is also driven by the experienced seasonal population changes and projected increases. To enable programme delivery and effective construction management, the construction of a temporary welfare compound at St Mary's is required.
- 1.4 The proposed development comprises the change of use of land for a temporary period to provide a construction compound with welfare facilities for up to four years. The compound will support a series of upgrade works to the waste and water infrastructure across the Isles of Scilly covering St Mary's, St Martins, St Agnes, Bryher and Tresco. Due to the pressure on local accommodation particularly within the summer months, the proposed compound will provide cabin units for overnights stays with ancillary facilities. Full planning permission is sought for the proposed development.
- 1.5 This application should be read alongside the following plans and documents:
- 107780-PEF-XX-500-D.DR-T-0001_S1_P02 - Location Plan
 - 107780-PEF-XX-500-D.DR-T-0002_S3_P02 - Existing Site Layout
 - 107780-PEF-XX-500-D.DR-T-0003_S3_P02 - Proposed Site Layout
 - 107780-PEF-XX-500-D.DR-T-0004_S3_P02 - Proposed Site Sections
 - 107780-PEF-XX-500-T.RP-EN-0001- Habitat Regulations Assessment (HRA) Stage 1 Screening Report
 - 107780-PEF-XX-500-T.RP-EN-0002 - Sustainability Statement
 - 107780-PEF-XX-500-T.RP-EN-0003 - Noise Assessment
 - 107780-PEF-XX-500-T.RP-GE-0002 - Preliminary Ecological Appraisal
 - 107780-PEF-XX-500-T.RP-GG-0001 - Design Stage Site Waste Management Plan
 - 107780-PEF-XX-500-T.RP-H-0001 - Transport Statement
 - 107780-PEF-XX-500-T.RP-TE_0001_P01- Outline Construction Environmental Management Plan

2. Site and Surrounding Area

- 2.1 The application site is located off Carn Friars Lane (A3110), St Mary's, Isles of Scilly, TR21 0NG, approximately 100m north of the Isles of Scilly Airport at OS Reference: SV 91757 10776 (Easting: 091757, Northing: 010776). The site falls within the jurisdictional area of Council of the Isles of Scilly.
- 2.2 The site is situated within a rural location approximately 500m north-east of Old Town and 1km east of Hugh Town. The Isles of Scilly Airport is approximately 100m south of the Site and there are several farms within the surrounding area. A Site Location Plan is submitted with the application, reference 107780-PEF-XX-500-D.DR-T-0001.

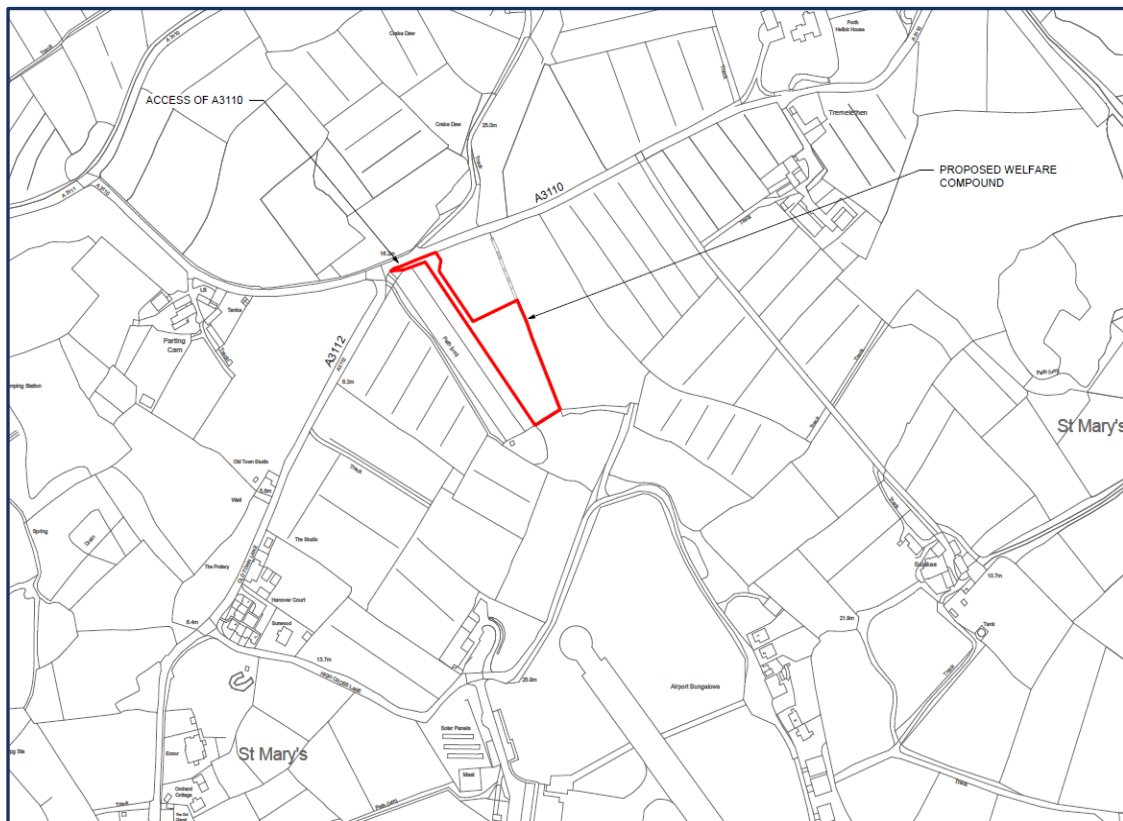


Figure 1 - Site Location

- 2.3 The application site comprises approximately 3900sqm (0.39 hectares) and is bound to the east and south by hedgerow and the west by woodland. Part of the wider site benefits from planning permission for use as a composting site. It is accessed via a track which leads approximately 60m north-west to Carn Friars Lane (A3110).
- 2.4 The nearest designated site is Higher Moors & Porth Hellick Pool Site of Special Scientific Interest (SSSI) which is approximately 275m east of the site. Additionally, Lower Moors SSSI is 375m east of the site. There are no known non-statutory sites in proximity to the proposed works.
- 2.5 The site is located within the Isles of Scilly Area of Outstanding Natural Beauty.

- 2.6 The site is situated within Flood Zone 1 which means there is a low probability of flooding. The site is also in an area with very low surface water flooding.
- 2.7 The nearest residential properties are located approximately 170m to 200m southwest of the site on Parting Carn Lane (the A3110) and Old Town Lane. The Isles of Scilly airport is located 400 m to the south of the application site.
- 2.8 There are no known heritage assets in close proximity to the site. However, the whole of the Isles of Scilly are designated as a Conservation Area and therefore the site is within this.
- 2.9 There are no public rights of way in close proximity to the site.
- 2.10 The access road is located within the Outer Zone of a Source Protection Zone (SPZ).
- 2.11 There are a number of Article 4 Directions in place across the Isles of Scilly as summarised below:
- **IOS Article 4 Direction 1975** this removes the right to enlarge, improve or carry out other alterations to any house on any of the islands including the construction of curtilage buildings. It also removes the right to change the use of land for any purpose. This document also removes all agricultural permitted development rights for agricultural land of more than one acre.
 - **IOS Article 4 Direction 1988** this removes the right to construct swimming pools within the curtilage of any house on any of the islands.
 - **IOS Article 4 Direction 1995** this removes the right to make any alteration to the roof, to paint the exterior or change the windows or doors of any house on any of the islands.
 - **IOS Article 4 Direction 1998** this removes the right to provide a temporary structure (building or movable structure) in connection with a development project. This does not include works, plant and machinery.

Planning History

- 2.12 The site has been used as an arable field and also has planning history. It has previously been used as a temporary construction compound in association with various works across the Isles. Listed below are the planning consents relevant to the site:

- **P/18/014/FUL** – Change of use of agricultural field for the storage and processing of green waste. Conditionally approved 02 May 2018.
- **P/15/016/FUL** – Extension of batching plant site for siting of temporary sleeping cabins for Kier site staff. Conditionally approved on 28 April 2015
- **P/14/004/FUL** – Temporary use of agricultural land for use as a mobile batching plant and construction compound together with temporary residential accommodation for works associated with the upgrade of St Mary's Airport. Conditionally approved on 04 March 2014.

- 2.13 As referenced above, most recently in 2018 the site secured planning permission (ref: P/18/014/COU) to change the use of the agricultural field to the storage and processing of green waste in the form of open windrow composting. The proposal was for the site to receive green waste (not food) from the Moorewell site and process it. The permission was conditional and required the submission of additional information in relation to surface water run off in the context of the potential for impacts on the ground water and the Higher Moors and Porth Hellick Pools

SSSI and Lower Moor SSSI, a plan was submitted to demonstrate that the runoff would be managed and controlled and the condition discharged.

- 2.14 The site has also previously secured temporary planning permission for use as a mobile batching plant and construction compound together with temporary residential accommodation for works associated with the upgrade of St Mary's Airport (P/14/004). This application was submitted by Lagan Construction and the permission expired on 31 December 2014. The compound included site office, welfare, accommodation, concrete and asphalt batching plant, construction material and aggregate storage, and car parking.
- 2.15 Kier then subsequently secured planning permission on the same site for further temporary compound use to support off site works comprising the widening and extension of the quay structures (P/15/016 and P14/057). This included using part of the site for concrete batching and temporary accommodation units.
- 2.16 The site has a history of use as a temporary construction and welfare compound to support infrastructure projects on the islands.

Pre-application Consultation

- 2.17 Prior to the submission of this application, Andrew King (Planning Officer at Council of the Isles of Scilly) provided pre-application advice under reference PA/23/012. The advice confirmed the surveys required to support the application, the application plans required and also provided details of the planning history of the application site. The advice also explained that it would be important to demonstrate how the nature and use of the site in terms of noise, traffic and visual appearance will not be harmful to the surroundings. This advice has been taken on board in the preparation of this application to ensure that the required information to access the application has been provided.
- 2.18 The ecological consultants appointed by SWW have undertaken pre-application consultation with the Isles of Scilly Wildlife Trust. The outcome of this consultation is summarised below:
- The Lower Moors Site of Special Scientific Interest (SSSI) is not designated for wintering or breeding waders. No specific surveys are required to inform the Planning Application;
 - No specific bat activity surveys are required to inform the Planning Application; and
 - No trees will be removed to facilitate the development. As such, no lichen or bat roosting surveys are required.

3. The Development Proposal

3.1 This planning application seeks full planning permission for the construction of a temporary welfare compound. This development is required to support a series of upgrade works to the waste and water infrastructure across the five main islands.

3.2 The description of proposed development:

“Temporary use of land as a construction compound with welfare facilities to support South West Water upgrade to waste and water infrastructure across the Isles of Scilly for up to four years”.

3.3 The site will predominately be used as a welfare compound for project managers and construction workers delivering the capital delivery programme. It will provide temporary accommodation for construction workers when alternative accommodation on the Islands is scarce. If necessary, materials will be temporarily stored before being delivered to the construction work sites on St Mary’s and the other four islands. It is anticipated that for the majority of the time, materials will be delivered directly to the relevant work site.

3.4 The proposed development includes an extension to the access road, parking and laydown area and units providing overnight accommodation and associated welfare amenities to include canteen, recreation room, toilet facilities and infrastructure.

Detailed Description

3.5 The temporary welfare compound will accommodate the following:

- Parking and Laydown space in the northern section of the site:
 - topsoil will be stripped from the footprint of the carpark and laydown area. The area will then be finished with a compacted Type 1 sub-base (unbound) surface.
 - 6 x car parking spaces
 - Laydown area
 - Vehicle turning space.

- Welfare amenities in the central section of the site:
 - Generator
 - 4 x office units
 - 2 x storage units
 - Meeting room
 - Recreation room
 - 2 x canteens
 - Smoking shelter
 - Drying room
 - Toilet / septic tank.

- Overnight accommodation
 - 10 sleeping units

- 3.6 The sleep units will measure 4.9m in length x 3m in width x 3m in height. They will each sleep 2 people in 2 separate compartments comprising a bed, shower, toilet, storage and microwave. The communal cabins will measure 6m in length x 3m in width x 3m in height. Cabins will be within the grassed portion of the site and units will be raised slightly off the ground on concrete paving style slabs to achieve a level setting. Units will be connected by footpaths interspersed with grassed areas.
- 3.7 A 1.2m high timber post and rail fence is proposed along the access track to a gate at the site entrance. The main compound area will be bounded by a 2.4m high post, rail and hoarded fence to provide site security and screening. Plan reference 107780-PEF-XX-500-D.DR-T-0003 provides further details of the proposed layout of the site.
- 3.8 The proposed boarded post and rail fencing perimeter fencing is to be installed along the edge of the root protection zone, as shown on the Proposed Site Layout Planning Drawing 107780-PEF-XX-500-D.DR-T-0003. This will separate the welfare compound from the RPZ, offering protection to the trees within the Scott's pine woodland at the western field boundary. Consequently no additional tree protection fencing is considered to be required. In accordance with the requirements of the Outline Construction Environmental Management Plan, perimeter fencing alongside the RPZ will be erected at the outset of the development to create an exclusion zone, and protect the trees from construction activities. All-weather warning notices will be attached to the fencing to clearly identify the area as a tree protection exclusion zone into which access is not permitted. This exclusion zone and associate signage will be maintained for until decommissioning of the welfare compound has been completed.

Access

- 3.9 The existing access point will be utilised from Carn Friars Lane (A3110) into the site and the track extended to allow vehicles to access the site. The entrance to the site is located in the north west corner of the application site.
- 3.10 The access track will running north-south parallel to the western field boundary and will measure approximately 150m in length and 4m in width (including a segregated pedestrian walkway). The track will provide access to vehicle parking, laydown area, and for cess pit emptying. A 'hammerhead' style turning head will be constructed adjacent to the cess pit for turning purposes within the site. The northern section of the temporary compound provides space for vehicles to park and turn around so that they can enter and exit the site in a forward direction. The internal access road is to include a vehicle passing place approximately 30m east of the junction with the Parting Carn Lane (A3110) and also includes a turning area for delivery vehicles within the entrance to the car park. The internal access track and carpark / laydown area will be finished with a compacted Type 1 sub-base (unbound) surface. Topsoil will be stripped from the footprint of the access track and carpark/laydown area and a geotextile membrane will be installed, with the Type 1 sub-base to be laid on top.
- 3.11 The entrance to the site runs parallel to the elm hedgerow at the northern site boundary and the pine woodland at the western site boundary. The root protection zone (RPZ) for these habitats are marked as a dashed red line on the Proposed Site Layout Planning Drawing 107780-PEF-XX-500-D.DR-T-0003. The existing field access is located within this (RPZ). The installation of an access track within this area therefore cannot be avoided. This upper section of the RPZ is already subject to regular disturbance from vehicles accessing the site. This is due to the site's current use as

grazing pasture for livestock. In order to minimise impacts upon roots during the sites use as a welfare compound, a 'no dig solution' is proposed by the contractors for the upper section of the access track located within the RPZ. It is proposed that a geotextile membrane will be laid over the existing site access track. This will be overlain with a geogrid filled with type 1 sub-base.

- 3.12 The proposed routing for the delivery vehicles, construction materials and equipment is set out in the Transport Statement which accompanies this application document reference 107780-PEF-XX-500-T.RP-H-0001_S3_P01.

Construction Phase

- 3.13 A phased mobilisation approach is planned to commence in January 2024 and complete in March 2024. The temporary welfare compound will be in use for up to 4 years, to support the Capital Delivery Programme which is expected to complete in 2027. Upon completion of the project, the compound will be decommissioned. The temporary structures will be dismantled and or recovered and removed, in line with the requirements of the Design Stage Site Waste Management Plan, presented in 107780- PEF-XX-500-T.RP-GG-0001. It is expected that the site will then be reinstated to its former use as grazing pasture.

- 3.14 During the construction and operation phase the operating hours will be:

- 08:00-18:00 Monday to Friday
- 08:00-13:00 on Saturdays
- No Sunday working.

- 3.15 As staff will be staying in off-site accommodation on St Mary's Island during construction of the compound, it is proposed that they will be transferred to and from site via mini-bus. During the compound construction period, it is anticipated that a maximum of two minibuses are expected to enter and leave the compound daily. It is proposed that staff will arrive at the site by 07:30 with construction activities beginning at 08:00 - thus avoiding travel during the typical AM peak period. With daily construction work to conclude at 18:00 it is anticipated that site workers will be transferred from the site to their accommodation between 18:00–18:30 thus also falling outside the typical PM peak period. Once installed the staff will stay on site overnight in the cabins provided.

Utilities

- 3.16 The contractors have indicated that a new power supply application will be raised with national grid (NG) /district network operator (DNO) for a mains connection (individually metered) for the compound. It is likely that the installation will include a pole mounted transformer with the LV supply cable to the site either run overhead or buried to the site compound which will be confirmed by NG/ the DNO. This would be a temporary supply and removed when the compound is demobilised and reinstated. It is noted that power supply applications can take several months, therefore the use of an on-site generator it proposed whilst connection is awaited. The generator and associated fuel storage tanks will be located within the grassed central portion of the site, adjacent to the site storage cabins. It is proposed that a 'super silent' generator is used, which has a standard noise range of 60 dBA to 70 dBA @ approx. 5mtrs. It is expected that spill kits will be located at the generator, fuel tanks and any plant refuelling areas. Fuel storage tanks shall be double bunded. Power cabling is expected to be installed above ground to avoid the need for addition excavation.

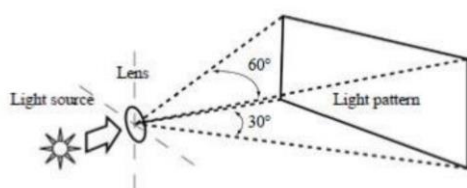
- 3.17 The potable water supply will be installed as an individually metered supply through the existing water supply traversing the north boundary of the site. This is expected to comprise an above ground connection using medium density polyethylene (MDPE) attached to the site fencing running down the access track.
- 3.18 The proposed solution is a cess pit as no nearby sewer has been identified for connection. To allow gravity flows, the cess pit will be located within the central portion of the site down gradient of the welfare units. The cess pit will be fitted with a high-level alarm to prevent overflows and will be regularly emptied and transported to the cess reception facility at Old Town for disposal.

Drainage

- 3.19 To limit silt run-off during construction, top-soil stripping will be limited to necessary areas (access track, parking, and laydown) and drainage ditches with topsoil berms will be constructed perpendicular to the slope to slow and direct flows through silt traps consisting of strawbales/geotextile. Proposed locations for these berms have been added to the site plan. No surface water drainage has been provided as part of the welfare compound design. It is intended that surface water will be allowed to infiltrate into the ground. No construction activities or storage of hazardous chemicals is anticipated as the site is to be used as a welfare compound. As previously stated, fuel storage is to be bunded and spill kits will be available as a standard precautionary measure.

Lighting

- 3.20 During the construction phase it is envisaged that task light will be required especially during winter working and dark hours. Permanent lighting will be essential to ensure the health and safety of the workforce. The proposed location of the accommodation cabins and storage areas is in a slight hollow and there are surrounding trees and hedges which provide a visual screen to the site from the surrounding area. The contractors propose site lighting sets which will be podium lights installed with prismatic lenses which ensure a significant degree of directionality, as demonstrated in Figure below.



- 3.21 Site lighting sets will be podiuming lights installed with prismatic lenses which ensure a significant degree of directionality. Low level access lighting will also be used in order to reduce the number of lighting sets required. The contractor will implement the following management measures to ensure site lighting does not cause nuisance and minimise impact on natural receptors.
- 3.22 Lighting will be:

- Safe and suitable for the task.
- Directed towards the working area and away from site boundaries to minimise light spill away from the site.

- Switched off when not required (this will also help to save energy).
- Daily assessments for need and appropriateness.
- Height and direction adjusted to minimise light scatter.

4. Planning Policy

4.1 Planning policy relating to the application site is formed through:

- Local Planning Policy
- National Planning Policy

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development Plan material to the proposal consists of:

- Isles of Scilly Local Plan 2015-2030 (Adopted March 2021)

4.3 In addition to the Development Plan, applications should also have regard to the National Planning Policy Framework (NPPF), National Planning Practice Guidance, which are material considerations in any determination.

Isles of Scilly Local Plan 2015-2030 (Adopted March 2021)

4.4 The Local Plan is the statutory development plan for the Isles of Scilly and forms the basis for decisions on land use planning. The Local Plan sets out a vision, objectives and a planning strategy for development. It includes policies on the type and scale of development that will be supported through criteria-based assessment on a range of planning issues which will be used to determine planning applications.

Policy SS1 Principles of Sustainable Development

4.5 This policy states that development proposals will be permitted where they make a positive contribution to the social, economic and environmental needs of the Isles of Scilly in a manner that does not compromise the ability of future generations to meet their own needs and to enjoy the islands outstanding environment.

Policy SS2 Sustainable Quality Design and Place-Making

4.6 This policy states that development will not be permitted if it is considered to be of poor or unsustainable design. New development must be of a high-quality design and contribute to the islands' distinctiveness and social, economic and environmental elements of sustainability.

Policy SS5 Physical Infrastructure

4.7 Policy SS5 confirms that where development proposals for physical infrastructure comply with other relevant policies it will be supported provided that there is evidence that the existing or planned infrastructure is required to enable its delivery or it is required to make a positive contribution to the sustainability of the Islands.

Policy SS6 Water and waste water management

4.8 This policy requires a new connection to mains or private drinking or waste water systems will be permitted provided that: a) it does not result in the deterioration of, and where possible assists in improving water quality, to b) support the attainment of the requirements of the Water Framework Directive; c) it complies with national policy and guidance in relation to flood risk; d) it does not result in a risk to the quality of groundwater, and there is no risk to public or private water supplies; e) all new homes (including replacement dwellings and conversions) achieve a water consumption standard of no more than 110 litres per person per day; f) all new non-residential developments of 500 sqm or more achieve the BREEAM 'excellent' credit required for water consumption; g) it does

not impact on habitats and designated sites Criteria d) – f) need to be satisfied unless it can be demonstrated that it is not financially viable to do so. If neither a mains nor package waste-water treatment plant is feasible to deliver the requirements of a new development, then a system incorporating septic tanks may be considered, provided there are no adverse environmental or public health effects from the installation.

Policy SS9 Travel and Transport

- 4.9 The islands' transport links are identified on the policies map: a) Development proposals that prejudice the effectiveness and efficiency of the operation of transport links and associated infrastructure will not be permitted. b) Support will be given to proposals that improve the islands' air and sea links and associated infrastructure.

Policy SS10 Managing Movement

- 4.10 This policy states that development that has the potential to generate vehicular movements and car parking will be permitted provided that:
- a) provision is made to support and promote the use of sustainable transport such as walking, cycling and electric vehicles, where appropriate;
 - b) it does not have an adverse impact on the function, safety and character of the local highway network; and
 - c) an appropriate level of off-street cycle and car parking and electric vehicle charging is provided, taking into account the scale and type of development and the accessibility of the location to facilities and services.

Policy OE1 Protecting and enhancing the landscape and seascape

- 4.11 This policy states that 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.

Policy OE2 Biodiversity and Geodiversity

- 4.12 This policy states that 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.

4.13 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.

Policy OE3 Managing Pollution

4.14 This policy states that 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.

Policy OE4 Protecting Scilly's Dark Skies

4.15 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:

- costs to the environment (including the unnecessary use of electricity);
- skyglow (visible glow caused by scattering and reflection from clouds and the atmosphere);
- light nuisance (creating amenity nuisance, highway hazards and restricted views of the night sky); and
- glare (over-bright and poorly directed lights that dazzle or discomfort those who need to see, by concealing rather than revealing).

Policy OE5 Managing Waste

4.16 This policy states that 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.

4.17 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.

4.18 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.

4.19 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.

- 4.20 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.

Policy OE7 Development affecting Heritage

- 4.21 This policy states that 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.
- 4.22 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.

Policy LC4 Staff Accommodation

- 4.23 New staff accommodation for businesses and organisations will be permitted where it a) an appraisal is submitted demonstrating that there is a functional and operational need for the proposed accommodation that cannot be met by existing suitable accommodation available in the area; and b) the size and type of the proposed accommodation is appropriate to the functional and operational needs of the business or organisation; and c) on St Mary's the proposed accommodation is within or adjoining an existing settlement unless it involves the re-use of an existing building in accordance with Policy SS3; or d) on an off-Island the proposed accommodation is located within an existing building or adjacent or well related to the existing business consistent with Policy LC7. All staff accommodation permitted will be subject to occupancy restrictions. In addition to the above, seasonal staff accommodation will only be permitted where it: a) is located in an area that relates well to the business where possible, with the exception of the re-use of buildings; and b) does not cause harm to residential amenity through staff working unsociable hours. Where staff accommodation is required for a new business, the development will only be supported where it is demonstrated that the business is viable in the long term, supported by a business plan for a minimum of five years.

National Planning Policy Framework (2023)

- 4.24 National policy is set out in the NPPF which was updated in September 2023. This framework seeks to ensure sustainable forms of development and good design, alongside the protection and enhancement of the environment.
- 4.25 [Paragraph 8](#) states the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The first of these is an economic objective, to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and co-ordinating the provision of infrastructure.
- 4.26 [Paragraph 11](#) states there should be a presumption in favour of sustainable development. Local plans should positively seek opportunities to meet the development needs of their area and

development proposals which accord with and up-to-date development plan should be approved without delay. Where there are no relevant development plan policies, or the policies are out-of-date, permission should be granted unless policies in the Framework that protect areas or assets of particular importance prove a clear reason for refusing the proposed development, or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 4.27 [Paragraph 12](#) states where a planning application conflicts with an up-to-date development plan Local Planning Authorities may take decisions that depart from an up-to-date development plan where material considerations in a particular case indicate that the plan should not be followed.
- 4.28 [Paragraph 20](#) states strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:
- b. infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk, coastal change management and the provision of minerals and energy.
- 4.29 [Paragraph 25](#) states authorities should collaborate to identify the relevant strategic matters which they need to address in their plans and should engage with infrastructure providers.
- 4.30 [Paragraph 26](#) states effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary.
- 4.31 [Paragraph 28](#) outlines non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include the provision of infrastructure.
- 4.32 [Paragraph 81](#) states planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt.
- 4.33 [Paragraph 82](#) states planning policies should seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment.
- 4.34 [Paragraph 111](#) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.35 [Paragraph 124](#) states planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement.
- 4.36 [Paragraph 153](#) confirms plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

- 4.37 [Paragraph 176](#) confirms that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.
- 4.38 [Paragraph 177](#) when considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - (b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - (c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 4.39 [Paragraph 183](#) relates to ground conditions and pollution and states that planning policies and decisions should ensure that:
- (a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
 - (b) after remediation, as a minimum, land should not be capable of being determined as contaminated land, and
 - (c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.
- 4.40 [Paragraph 186](#) relates to air quality and states that planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

National Planning Practice Guidance (NPPG) - Water supply, wastewater and water quality (July 2019)

- 4.41 The NPPG provides guidance on water supply, wastewater and water quality. It states that adequate water and wastewater infrastructure is needed to support sustainable development. A healthy water environment will also deliver multiple benefits, such as helping to enhance the natural environment generally and adapting to climate change.

5. Planning Policy Assessment

5.1 The description of development for which planning permission is sought is as follows:

“Temporary use of land as a construction compound with welfare facilities to support South West Water upgrade to waste and water infrastructure across the Isles of Scilly for up to four years”.

5.2 The application is supported by a comprehensive set of reports and surveys which have considered the potential impact of the proposed development upon the site and its surroundings. An assessment of the proposed development has been made against the relevant planning policy framework for the site, and other material considerations in accordance with Section 38 (6) of the 2004 Planning and Compulsory Purchase Act.

5.3 The assessment considers the following matters:

- Need for Development
- Principle of Development

Technical including:

- Noise
- Lighting
- Air Quality
- Amenity
- Flood Risk and Drainage
- Ecology and Habitat Regulations
- Trees and Landscaping
- Heritage
- Ground Conditions
- Access and Construction Management
- Waste Management

Need for Development

5.4 The temporary compound is required to provide welfare facilities comprising overnight accommodation and ancillary services, vehicle parking and construction related storage to support South West Water’s plan to improve water infrastructure and wastewater treatment across the five main islands.

5.5 Due to the remote location of the Isles of Scilly and extent of the works required to provide the improvements necessary it is considered necessary and appropriate for SWW to provide facilities for construction workers and space for the storage of equipment and vehicles required to undertake the works. There is insufficient accommodation across the Islands to accommodate the workforce particularly during the summer period when most tourists visit the site. The proposed development therefore accords with Policy LC4 of the adopted Local Plan and is

required to enable SWW to deliver the scale of works required in relation to the improvements to the infrastructure across the main Islands.

- 5.6 The works required form part of SWW programme of works to be delivered prior to the end of Asset Management Period 7 (AMP7) scheduled for April 2025.

Principle of Development

- 5.7 The temporary compound is proposed on land previously utilised as a construction compound. In principle the site has been considered suitable for this temporary compound use in the past provided the site is fully reinstated on completion of the construction works. It is therefore considered a suitable site to utilise for a further period of temporary use.
- 5.8 The site is not subject to any site specific allocation or designation in the adopted Local Plan. The site is however covered by the blanket designation of the entire Isles of Scilly as an Area of Outstanding Natural Beauty (AONB) and Conservation Area. Therefore, it would not be possible to identify a site outside these designations as they cover the five main islands. In accordance with policy OE1 and paragraph 176 of the NPPF, which seek to protect and enhance the scenic landscape, there are no sites outside the AONB and the site selected has previous use as a temporary compound, benefits from natural screening, and as a temporary use will be fully reinstated to ensure no long term legacy impact upon the AONB. There are exceptional circumstances to justify the temporary development in the AONB, as required by paragraph 176, as the proposed development supports improvements to water and waste water infrastructure which is in the public interest.
- 5.9 In accordance with policy SS1 of the adopted Local Plan and paragraph 11 of the NPPF, the principle of sustainable development has been incorporated into the scheme design for the temporary compound and the compound will support sustainable development by improving water quality and resilience across the Islands in the longer term. The project also accords with policy SS5 by supporting improvements to the physical water and waste water infrastructure across the main islands. A sustainability statement (107780-PEF-XX-500-T.RP-EN-0002) has been prepared and is submitted with this application.
- 5.10 The extant use of the wider site is as a green waste open windrow composting site and this use can continue whilst the temporary compound is in situ. The compound utilises the southern section of the field and the north-eastern section is understood to be utilised for green waste processing purposes.
- 5.11 It is anticipated that the construction works will be completed prior to the four year period sought in this planning application. As soon as the compound is not required the temporary structures, fencing and ground works will be removed and the land reinstated to its original use.

Technical Assessment

Noise Impacts

- 5.12 A noise assessment has been undertaken to determine the noise arising from the use of the site as a temporary construction compound. This report is submitted as part of the application (ref 107780-PEF-XX-500-T.RP-EN-0003).

- 5.13 The prediction methodology given in BS 5228 was implemented and the resultant noise levels assessed against criteria levels given in BS 5228 ABC method and the National Planning Policy Framework and Noise Policy Statement for England.
- 5.14 All predicted levels fall below the SOAEL assessment criteria for the daytime. The compound setup and demobilisation activities are within the lower limit of the LOAEL for receptor group E. However, considering the duration of the activities to be undertaken and the use of Best Practicable Means measures, it is anticipated that adverse effects from these activities will be minimal.
- 5.15 With regards to the predicted noise levels for evening and night-time, the use of the generator outside daytime hours falls well below the LOAEL criteria. No adverse effect is expected from this activity. Therefore, the proposed compound is considered to be in line with Policy OE3 of the adopted Local Plan.

Lighting

- 5.16 Lighting on site is required for safety purposes. There are limited residential and amenity receptors in proximity to the site. Site lighting sets will be installed with prismatic lenses, to ensure a significant degree of directionality. Management measures will be implemented to ensure site lighting does not cause nuisance and minimise impact of natural receptors. The proposed development is considered to accord with adopted Local Plan policy OE3 by minimising light pollution and policy OE4 protecting dark skies as it is required for site safety purposes.

Air Quality

- 5.17 It is understood that the site is not located within an Air Quality Management Area (AQMA). There are limited air quality receptors surrounding the proposed scheme, with the closest residential receptors approximately 200m from the site. During construction sources of emissions will include dust and exhaust emissions from construction plant and vehicles. It is important to manage dust air pollution, odour and exhaust emissions during construction in accordance with Best Practicable Means (BPM) and other legislation and guidance. Significant air quality impacts are unlikely. Mitigation measures for air quality impacts during construction are set out in the Outline Construction Environmental Management Plan (report ref.107780-PEF-XX-500-T.RP-TE-0001). and updated by the Principal Contractor in the Final CEMP. During operation the sources of emissions will be from occasional vehicle movements to and from the temporary compound. As the movements are occasional, there is not likely be a significant effect on air quality. The proposed development complies with paragraph 186 of the NPPF.

Amenity

- 5.18 The proposed temporary compound is positioned in a rural location with trees and hedgerows along the boundaries providing substantial natural screening. The nearest residential property is approximately 170-200m from the application site and is well screened by existing vegetation. The expected impact on amenity is considered to be minimal given the relatively small scale of the proposed site, the distance between the site and the nearest properties and the intervening features and therefore accords with Policy OE3 of the adopted Local Plan.

Flood Risk and Drainage

- 5.19 The site is located entirely within Flood Zone 1 and is therefore not considered at risk from flooding. The application boundary is below 1ha in size and does not require a flood risk assessment. The proposed works are therefore considered to be in line with Paragraph 153 of the NPPF.

- 5.20 It is noted that the site is underlain by a Secondary A aquifer that has been designated as a Groundwater Source Protection Zone. Measures have been included Construction Environmental Management Plan (CEMP) to minimise the risk of pollution to groundwater as a result of planned activities at the proposed welfare compound, both during construction and operation. This includes the bunding of the generator and its fuel tank. Pollution prevention controls, as detailed in the Outline CEMP (report ref. 107780-PEF-XX-500-T.RP-TE-0001).
- 5.21 To limit silt run-off stripping back will be limited to necessary areas (access track, parking and laydown) and drainage ditches with topsoil berms will be constructed perpendicular to the slope to slow and direct flows through silt traps consisting of strawbales/geotextile. It is not anticipated that the works will increase the risk of flooding on the site or in the surrounding area.

Ecology and Habitat Regulations

- 5.22 A Preliminary Ecological Appraisal (PEA) (ref 107780-PEF-XX-500-T.RP-GE-0002) has been prepared for the application site and is submitted as part of this application. The recommendations within the submitted ecology report will be followed as appropriate and therefore the development will be in line with Policy OE2 from the adopted Local Plan. Initial consultation with the Isles of Scilly Wildlife Trust has been undertaken to inform the recommendations.
- 5.23 Habitats Regulations Assessment (HRA) stage 1 screening report has also been prepared for the application site. Overall, it is considered unlikely that the site compound primarily for accommodation, welfare and material storage will have a significant effect upon the Isles of Scilly Complex SAC or the Isles of Scilly SPA, or the relevant qualifying features (habitats and species). No significant cumulative effects with other nearby schemes have been identified. Whilst it is possible that there could be some localised impacts in the surroundings of the site compound, these are not likely to affect the European sites which are located at the coast. The qualifying features of the designations are also focused on a more coastal location than where the Proposed Scheme is located which reduces potential for interactions and disturbance for the majority of the qualifying habitats and species. This means that the HRA does not need to progress onto Stage 2: appropriate assessment.

Trees and Landscape

- 5.24 The entrance to the site runs parallel to the elm hedgerow along the northern site boundary and the pine woodland at the western site boundary. The root protection zone (RPZ) for these habitats are marked as a dashed red line on the Proposed Site Layout Planning Drawing 107780-PEF-XX-500-D.DR-T-0003. The existing field access is located within this (RPZ). The installation of an access track within this area therefore cannot be avoided. This upper section of the RPZ is already subject to regular disturbance from vehicles accessing the site. This is due to the site's current use as grazing pasture for livestock. In order to minimise impacts upon roots during the sites use as a welfare compound, a 'no dig solution' is proposed by the contractors for the upper section of the access track located within the RPZ. It is proposed that a geotextile membrane will be laid over the existing site access track. This will be overlain with a geogrid filled with type 1 sub-base.
- 5.25 The trees, hedgerows and boundary planting will remain as part of the proposed development and provide screening for the proposed development.

Heritage

- 5.26 There are no heritage assets on or adjacent to the application site, however the site is within a designated Conservation Area. The nearest assets are in excess of 500m from the application

site. Given the scale and design of the proposed site and the distance from the nearest heritage asset, it is not considered that the proposed works will have a detrimental impact on any known designated heritage assets, in line with Policy OE7 from the adopted Local Plan.

- 5.27 The proposed scheme is highly unlikely to uncover undisturbed archaeological remains as the site has been previously used as a welfare compound and there will be limited excavation on site. The excavation will be localised for installing services such as power to the site.

Ground Conditions

- 5.28 The contractor has confirmed that following consultation with the Isles of Scilly Council, it has been agreed that there is a low potential of contamination on site and therefore acceptable for the development proposed in accordance with paragraph 183 of the NPPF. This has been agreed as the site has limited previous industrial use and excavation on site will be limited. Pollution prevention measures are identified within the Outline CEMP (report ref 107780- PEF-XX-500-T.RP-TE-0001).

Access and Construction Management

- 5.29 A Transport Statement (ref 107780-PEF-XX-500-T.RP-H-0001) has been prepared by the contractor which is submitted as part of this application. This statement includes details of the construction traffic routing, vehicular access arrangement and construction traffic management measures. Development on an island setting presents a unique situation that has required careful consideration in terms of material / vehicle transportation during the compound's construction. The Transport Statement demonstrates that the proposals can be safely accommodated and managed to ensure that there are no significant impacts on the local highway network. Therefore, the proposed works are considered to be in line with Policy SS10 from the Isles of Scilly Local Plan.

Waste Management

- 5.30 A Site Waste Management Plan (report ref. 107780-PEF-XX-500-T.RP-GG-0001) has been produced to manage waste more effectively, reducing potential harm to the environment and human health. This has followed the waste mitigation hierarchy, where the top priority goes from waste prevention, re-use, recycling, recovery to disposal. Municipal waste generated from the operation of the welfare compound will be collected and disposed of appropriately. It is currently anticipated that an agreement will be reached with the Isles of Scilly council, where they will collect municipal waste from site. The proposed development therefore accords with the principles of adopted Local Plan policy OE5.

6. Conclusion

- 6.1 This planning application seeks consent for the temporary use of land as a construction compound with welfare facilities to support South West Water upgrade to waste and water infrastructure across the Isles of Scilly for up to four years on land to the south of Carn Friars Lane (A3110). The need and principle of development has been established and there are exceptional circumstances to support the development. This development is required to facilitate a series of upgrade works to infrastructure across the five main islands.
- 6.2 The proposed works are not considered likely to result in any significant adverse impacts on ecology, heritage assets, highways, local amenity and landscape.
- 6.3 The proposed development is considered to accord with the main aims of both local and national planning policy. It is therefore respectfully requested that planning permission be granted.