

Mr Andrew King  
Council of the Isles of Scilly  
Town Hall  
The Parade  
St Mary's  
Isles of Scilly  
TR21 0LW

Direct Dial: 0117 9750699

Our ref: P01352790

3 February 2021

Dear Mr King

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND TO NORTH OF ENNOR FARM, OLD TOWN LANE, OLD TOWN, ST MARY'S  
Application No. P/21/002**

Thank you for your letter of 14 January 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

This application for residential development is for a site allocated within the Post Examination draft Isles of Scilly Local Plan. Historic England made representations during the draft local plan consultation that the extent of housing allocation should be restricted to the eastern part of the site due to the potential impact upon sensitive views to and from Ennor Castle Scheduled Monument. The whole of the proposed allocation area was nonetheless approved at examination. The Heritage Impact Assessment (HIA) supporting the application recognises the visual sensitivity of the western part of the site and recommends that housing be restricted to the central and eastern parts of the site to avoid impacting upon views to and from the monument. The current application is however for housing development across the whole east-west breadth of the site, which would cause harm to the significance of Ennor Castle through impacting upon its setting. The recommendations of the HIA were reflected in the Initial Site Layout shown in the Design and Access Statement (DAS) which reserves the western part of the site for low-key elements such as allotments, thus conserving these sensitive views and hence the setting of the monument. While a scheme based on the Initial Site Layout would not wholly resolve our concerns it would in our view reduce the level of harm to the low end of less than substantial. It is recommended that the scheme be revised to better reflect the Initial Site Layout.

**Historic England Advice**



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## Background

This application arises from a housing allocation within the not yet adopted draft of the Isles of Scilly Local Plan 2015-2030 upon which Historic England has made representations. We continue to have reservations regarding the development for housing of the whole of the allocated area, due to the impact it would have upon *Ennor Castle, Old Town*, a Scheduled Monument, No. 1014994.

## Significance of Ennor Castle

Ennor Castle lies to the south of the application site and forms the remains of a Medieval shell keep castle, established by at least the 13<sup>th</sup> century when the first written reference is made to it. It is built upon the natural granite outcrop of Castle Rocks and occupies a commanding position over the medieval settlement and harbour at Old Town and Old Town Bay respectively. It is the only known Medieval defensive work on Scilly and is the first phase of a near continuous military presence on the islands up until the end of World War 2, marking the strategic importance of Scilly to the defence of Britain over that time. As a shell keep Ennor Castle was designed to maintain defensive surveillance in all directions, both to ensure a clear view of an approaching enemy but also to reinforce its symbolic power and dominance over the local area. Where clear and commanding views are retained over the surrounding countryside they will contribute towards the overall significance of the castle as part of its setting, as will such views towards the monument.

## Impact of Proposed Development

The Heritage Impact Assessment (HIA) by Portico Heritage, dated January 2021, considers the significant views to and from the castle, and identifies a visual sensitivity in the western part of the application site, as this is one of the viewpoints where there are clear views both to and from the castle. Its relative proximity to the castle makes this an area where housing development would intrude into this sensitive viewpoint and the HIA recognises this (Site Layout, paragraphs 4.4-4.12) whilst also noting that development within the central and eastern parts of the site would have little impact within the setting of the castle. The Initial Site Layout shown in the Design and Access Statement (DAS), page 12, section 4.4, accords with the conclusions of the HIA and shows the western part of the site given over to low key elements of the proposed development such as allotments and orchard. This accords substantively with Historic England's advice during the Local Plan consultation process. However the Proposed Site Plan supporting the application shows housing development extending well into the sensitive western part of the site.

Historic England's concerns relate principally to the conservation of this visual relationship between the castle and its surrounding countryside due to the contribution it makes towards the significance of the Scheduled Monument. We recommend that



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you are guided by the advice regarding the assessment of impact on any potential archaeological remains within the site, that might similarly contribute to that significance, by your authority's own archaeological adviser.

Our concerns regarding the visual sensitivity of the western part of the site were expressed during the consultation on the draft Isles of Scilly Local Plan 2015-2030, most recently in Historic England's responses to the Post-Examination Main Modifications consultation. Our advice in this response and earlier representations was that in order to conserve important views out from and in towards the castle, development should be restricted to the eastern part of the site and a boundary reinstated between the development and the castle.

It is our view that while the initial site layout depicted within the DAS would extend further across the site than we had anticipated in our submissions to the local plan consultations, it nonetheless in leaving the western third of the application site free from housing and proposing a hedged boundary to the western edge of house gardens, goes some way to addressing our concerns regarding the conservation of views important to the setting of the castle and hence its significance.

#### Planning Policy Context

The National Planning Policy Framework (MHCLG 2019) recognises that heritage assets are an irreplaceable resource to be conserved for the enjoyment of this and future generations (paragraph 184). It recognises that setting can contribute towards the significance of a heritage asset (paragraph 189) and that every effort should be made by local planning authorities to avoid or minimise any conflict between a development proposal and the conservation of a heritage asset, including any contribution made by its setting (paragraph 190).

As a Scheduled Monument Ennor Castle is recognised as being one of the most important types of designated heritage asset (NPPF 194b) and great weight should be accorded to its conservation (NPPF 193), including the contribution made by its setting. In relation to NPPF paragraph 190, our advice indicates that the conflict between the development proposal and the conservation of the designated heritage asset could be minimised by pushing development back from the western boundary of the site to the position shown on the Initial Site Layout. In addition the Initial Site Layout within the DAS indicates that the quantum of housing identified in the allocation could be met by less harmful means than that shown in the Proposed Site Layout, better aligning with NPPF paragraph 192.

#### Historic England's Position

Historic England considers that the application as submitted would cause harm to the Scheduled Monument by impacting upon the contribution that the castle's setting



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makes to its significance. Whilst the harm that the development as currently proposed would cause is within the threshold of less than substantial, returning the scheme to the version shown in the Initial Site Layout would significantly reduce the level of harm to a point where your authority may consider that it would be minimising harm to the historic environment in line with NPPF paragraph 196.

### **Recommendation**

Historic England has concerns regarding the application on heritage grounds. Historic England has concerns on heritage grounds. Our concerns relate to the impact the currently proposed site layout would have upon the setting of Ennor Castle Scheduled Monument and the contribution that makes to its significance as one of the most important types of designated heritage asset.

In seeking to conserve the significance of Ennor Castle we recommend that that the outline plans be amended to better reflect the outline site layout depicted on page 12 of the DAS. While this would not be wholly in alignment with our representations to the local plan consultations that development be restricted to the eastern part of the site only, it would ensure that the area of the site within the sensitive field of view from the castle was largely kept free from built development, so that these views were still able to be appreciated. Revising the site layout in this way would in our view mean that the application would address NPPF paragraphs 184, 190 and 193.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Phil McMahon

### **Phil McMahon**

Inspector of Ancient Monuments

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cc: Cornwall Council Strategic Historic Environment Service as archaeological advisers to Isles of Scilly Council



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