



Sir/Madam Isles of Scilly Planning  
Isles of Scilly Council

Direct Dial: 0117 9750699

Our ref: P01552527  
7 December 2022

Dear Sir/Madam Isles of Scilly Planning

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

**CHURCH QUAY, NORRAD, BRYHER, ISLES OF SCILLY  
Application No. P/22/076/FUL**

Thank you for your letter of 16 November 2022 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 coastal defence works has the potential to impact upon a number of Scheduled Monuments on Bryher, although as currently proposed, the chief impacts will be upon Scheduled Monument No. 1016173 *Gig shed on the north coast of Great Porth*. The current application would cause substantial harm to this monument through its removal to quarry material for rock revetments. National policy, both the NPPF and government policy for Scheduled Monuments, is clear that planning permission and Scheduled Monument Consent (SMC) for such works should only be granted in wholly exceptional circumstances. At present the clear and convincing case for such circumstances is not made in respect of the gig shed. We understand that the applicant is presently commissioning heritage impact assessments for the proposed works within the Scheduled Monuments and is also exploring other options for the work at Great Porth that avoids or minimises impacts to the scheduled gig shed. We recommend that your authority requests this information as amendments to the present application so that an informed view can be made of the proposed works in respect of the historic environment. However, if you minded to approve the application in its present form please take this as a letter of objection by Historic England.

**Historic England Advice**

This application seeks to develop coastal defence works at vulnerable points on the coast of Bryher to protect low-lying settlements on the coast from the oceanic effects of climate change. Whilst we are supportive of the principle of the works, they lie within the boundaries of three Scheduled Monuments - No.s 1016173 *Gig shed on the north coast of Great Porth, Bryher*, 1014987 *Prehistoric field system and post-medieval quay in Great Porth, Bryher*, and 1014989 *Prehistoric field system and Romano-British cist*



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Telephone 0117 975 1308  
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*in Green Bay, Bryher.* As such Scheduled Monument Consent (SMC) will be required in addition to planning permission.

At present, the application is not supported by heritage impact assessments (HIAs) for the works within the scheduled areas, which will be required to allow an informed consideration of heritage significance and potential impacts, as required by paragraph 194 of the NPPF. As a result your Authority will not be able consider the potential impacts on significance or seek to avoid or minimise harm to the Scheduled Monuments as required by NPPF paragraph 195. In addition to this, any application for SMC for the proposed works would be invalid in the absence of thorough and targeted HIAs for each of the monuments. However we understand that HIAs have been commissioned and should be available in the near future.

As currently proposed, the works impacting upon the scheduled gig shed would cause substantial harm to its significance through the removal of all or much of its masonry fabric and archaeological remains. Both NPPF and government policy on Scheduled Monuments set a high bar for the justification of substantially harmful works affecting these heritage assets, which are recognised as being one of the most important types of designated heritage assets (NPPF 200). Such works would need to be clearly and convincingly justified by demonstrating the wholly exceptional nature of the proposals (NPPF 201) with the impetus being on the applicant to avoid or minimise harm. In their present form the proposed works would not gain SMC and Historic England would be obliged to object to this planning application. However we are aware that the applicant is exploring other solutions which could 'avoid or minimise' harm.

Our recommendation is that your Authority requests that the applicant supplies the necessary HIAs and amended proposals for the gig shed site at Great Porth as amendments to this application. When they have been received and Historic England consulted upon them, we will be able to provide informed advice on these application and their impacts upon the historic environment. Your Authority will also then be able to consider how the application aligns with the heritage policies of the NPPF.

### **Recommendation**

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194, 195, 199, 200 and 201 of the NPPF.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If, however, you propose to





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determine the application in its current form, please treat this as a letter of objection, inform us of the date of the committee and send us a copy of your report at the earliest opportunity.

Please contact me if we can be of further assistance.

Yours sincerely

Phil McMahon

**Phil McMahon**

Inspector of Ancient Monuments

E-mail: [phil.mcmahon@HistoricEngland.org.uk](mailto:phil.mcmahon@HistoricEngland.org.uk)

cc: Ann Preston-Jones, Historic England

Stephen Swabey, Isles of Scilly Climate Change Adaptation Project



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