



Ms Liv Rickman
Council of the Isles of Scilly
Town Hall
The Parade
St. Mary's
Isles of Scilly
TR21 0LW

Direct Dial: 0117 9750699

Our ref: P01589385

18 March 2025

Dear Ms Rickman

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

**WORKSHOP, PORTHLOO, ST MARY'S, ISLES OF SCILLY, TR21 0NE
Application No. P/25/013/FUL**

Thank you for your letter of 4 March 2025 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 is for the construction of a large industrial shed on existing industrial land at Porthloo, St Mary's. The proposed development lies in very close proximity to a scheduled monument, No. 1016517 *World War II pillbox between Thomas' Porth and Porthaloo, St Mary's*. However, the application contains no reference to the scheduled monument or the effects of the proposed development upon it. It is unclear whether the proposed development would directly impact the scheduled pillbox, which is a protected heritage asset of national significance. Nor is there any assessment of the impact of the application upon the historic environment as a whole, as required by national planning policy.

In the absence of an appropriate heritage assessment Historic England is unable to provide informed advice on this application. Your Authority is advised to request such an assessment from the applicant before determining the application. Historic England would be pleased to consider and advise upon the heritage assessment when it is available. If however, your Authority is minded to determine the application in its present form, please take this as a letter of objection from Historic England, given the potential for the application to impact upon a scheduled monument.

Historic England Advice

Scheduled monument No. 1016517 *World War II pillbox between Thomas' Porth and*



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Telephone 0117 975 1308
HistoricEngland.org.uk

Porthloo, St Mary's comprises the substantially intact and well-preserved remains of a WWII coastal defence work, commonly known as a pillbox. The pillbox at Porthloo was part of an integrated suite of coastal defences designed to protect Porthloo and St Mary's Pool from the threat of invasion or raiding from the sea. This suite of defences originally had 27 pillboxes at various locations around Hugh Town and Porthloo. Of these only 9 survive substantially intact and these have been assessed as being of national importance. They are protected as scheduled monuments.

The pillbox between Thomas' Porth and Porthloo survives substantially intact; its position and grouping with the other pillboxes around St Mary's Pool show clearly the tactical thought which underlay the siting of pillboxes. Its role within the overall anti-invasion system on Scilly is amply confirmed by its relationship with the other surviving pillboxes and their remains, and by the detailed documentary sources which bear on both that system and this particular pillbox.

However, the application presently contains no assessment of heritage impacts. Historic England is concerned that the large new industrial shed could impact directly upon and cause harm to the scheduled pillbox. There is no detail showing whether there would be separation between the proposed building and the pillbox or if the proposed development would impact upon it. Similarly there is no assessment of any indirect impacts there might be upon the scheduled structure by impacting within its setting.

Scheduled monuments are protected in law by the Ancient Monuments & Archaeological Areas Act 1979. Any works that fall within the boundary of a scheduled monument must seek prior formal consent from the Secretary of State for Culture, Media and Sport, advised by Historic England through a process called Scheduled Monument Consent (SMC). SMC is not normally forthcoming where proposed works would cause harm to a scheduled monument. Whilst it may be the case that the application works would not stray into the scheduled area, the absence of appropriate supporting information to set out the heritage impacts and/or benefits of the proposal means that an extremely cautious approach should be taken until such time as the situation becomes clear.

Setting is defined in national planning policy as the surroundings within which a heritage asset is experienced and which can contribute towards its significance. In the case of the scheduled pillbox, setting will include its disposition in relation to other military monuments and how it is appreciated within its general surroundings. This will include relevant views within, across, towards and away from it and wider views within which the scheduled monument might be appreciated. However, the setting of a heritage asset is not purely associated with views. The way in which people experience an asset in its setting is also influenced by other environmental factors



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such as activity levels, noise, tranquillity, remoteness, and by our understanding of the historic relationship between places.

The appropriate way to determine whether these issues will cause harm or not is through a formal assessment of heritage impacts, using relevant expertise - the assessment should follow current industry best practice and be compiled either by a recognised, professional heritage consultant. When the assessment has been submitted and circulated to consultees including Historic England, we will be able to provide informed advice on these issues.

Relevant national planning policy

The National Planning Policy Framework (NPPF, MCHLG December 2024) contains clear guidance on the treatment of heritage assets within the planning process. Its focus is on seeking the conservation and enhancement of heritage assets affected by development proposals, recognising that heritage assets are an irreplaceable resource that should be conserved for the enjoyment of this and future generations (NPPF, paragraph 202).

Paragraph 207 of the National Planning Policy Framework (NPPF) is plain in requiring that planning applications describe the significance of any heritage assets affected by a proposal. In doing so NPPF207 makes clear that the setting of a heritage asset contributes towards its significance and that development within the setting of a heritage asset can cause harm to that significance. This assessment of heritage impacts should be undertaken using “appropriate expertise”, which means a recognised heritage professional working to accepted current standards and guidance.

NPPF paragraph 208 states that 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, including the advice of Historic England.

NPPF paragraph 212 requires that “great weight” be given to the conservation of heritage assets affected by development proposals, and the more important the asset the greater that weight should be. Scheduled monuments are recognised as heritage assets of the highest significance (NPPF 213b) and accordingly the conservation of the scheduled pillbox, including any contribution made by its setting, should be accorded very great weight indeed. Any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require a clear and convincing justification (NPPF paragraph 213).



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Historic England Position

In the absence of an appropriate heritage assessment that would allow us to provide informed advice we are unable to give a detailed consideration of the proposal in relation to potential impacts upon the historic environment. Historic England recommends that the applicant be requested to commission or compile an appropriate heritage assessment, which should be circulated by your Authority to relevant consultees for consideration before this application is determined. Considering the presence of a scheduled monument at the site, which may (or not) be affected by the proposed development, it is important that this information is available before determination.

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 202, 207, 208, 212 and 213 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 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

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Inspector of Ancient Monuments

E-mail: phil.mcmahon@HistoricEngland.org.uk

