

**Council of the
ISLES OF SCILLY**

**ISLES OF SCILLY LOCAL PLAN REVIEW
2015-2030
Regulation 18 Consultation**

**HABITATS REGULATIONS ASSESSMENT
SCREENING REPORT**

February 2018

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Isles of Scilly Local Plan 2030: Consultation Draft Regulation 18

Habitats Regulations Assessment Screening Report

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1.0 INTRODUCTION

The Local Plan Review (2015-2030)

- 1.1 The Council of the Isles of Scilly is currently undertaking a review¹ of their Local Plan. The previous Local Plan was adopted in 2005 for the plan period up until 2020. The adopted Local Plan is supported by supplementary planning documents such as the Strategic Transport Framework and the Sustainable Energy Strategy. The previous policies from the 2005 Local Plan have been saved until the new Local Plan has been adopted. The new draft Local Plan has been prepared in accordance with relevant national and European legislation, including the National Planning Policy Framework.
- 1.2 The Draft Local Plan comprises an Introduction and explains what has influenced its preparation. The Spatial Portrait for the Isles of Scilly is described with the physical context, an overview of constraints such as the internationally and nationally designated environmental and heritage assets, the population and demography, and economy and employment. The next section explains the key challenges and issues for plan-making and the Isles of Scilly. The Spatial Strategy then sets out the planning framework that underpins the Local Plan to achieve its Vision, Aims and Objectives. The Draft Local Plan then comprises Chapters with Policies as follows:
- 1: Promoting a Sustainable Scilly
 - 2: Our Outstanding Environment
 - 3: Building a Strong Living Community
 - 4: Building a Strong Working Community

Habitats Regulations Assessment (HRA)

- 1.3 The Council is required to undertake a Habitats Regulations Assessment² (HRA) of the Local Plan. The aim of the HRA process is to assess the potential effects arising from a plan against the nature conservation objectives of any site designated for its nature conservation importance. The HRA screening considers if the potential impacts arising as a result of the Plan are likely to have significant effect on these sites either alone or in combination with other plans and projects.
- 1.4 The Council has commissioned specialist consultant Enfusion to progress the HRA of the Draft Local Plan on behalf of the Council in their role as the competent authority. At the same time, Enfusion is also undertaking the Sustainability Appraisal (incorporating Strategic Environmental Assessment) of the Draft Local Plan; this work has been undertaken concurrently, with the two processes informing each other as appropriate.

¹ <http://www.scilly.gov.uk/planning-development/local-plan-review>

² The Conservation of Habitats & Species Regulations 2010
<http://www.legislation.gov.uk/ukSI/2010/490/contents/made>

- 1.5 The HRA process has its own legislative drivers and requirements and, while the different processes can inform each other, it is important that the HRA remains distinguishable from the wider SA process. The HRA process has been undertaken in parallel with the SA process but the detailed methods and findings are reported separately within this HRA Report. Summary HRA findings are incorporated into the integrated SA Report.

Consultation

- 1.6 The Habitats Regulations require the plan maker/competent authority to consult the appropriate nature conservation statutory body. The Habitats Regulations leave consultation with other bodies and the public to the discretion of the plan making authority. In addition to the statutory consultation undertaken with the appropriate nature conservation body (Natural England), this HRA Screening Report is available for wider public consultation alongside the Draft Local Plan.

Purpose and Structure of The Report

- 1.7 This report documents the process and the findings of the HRA screening for the Draft Local Plan. Following this introductory section, the document is organised into a further three sections:
- Section 2 summarises the requirements for HRA, the methods used, and the background to the Draft Local Plan.
 - Section 3 outlines the screening process and the findings of the screening assessment with technical details presented in the Appendices I-IV.
 - Section 4 summarises the findings of the HRA and explains the next steps.

2.0 HABITATS REGULATIONS ASSESSMENT & THE DRAFT PLAN

Requirements for Habitats Regulations Assessment (HRA)

- 2.1 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is applied to all statutory land use plans in England and Wales. The aim of the HRA process is to assess the potential effects arising from a plan against the conservation objectives of any site designated for its nature conservation importance.
- 2.2 The Habitats Regulations transpose the requirements of the European Directive³ that aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under another European Directive⁴. In addition, Government guidance⁵ also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 2.3 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a land-use plan, when considered individually or in combination with the effects of other plans and projects against the conservation objectives of a European Site, would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed.

Guidance & Good Practice

- 2.4 The application of HRA to Local Plans has been informed by a number of key guidance and practice documents. Guidance for HRA was published by the Government⁶ based on the European Commission's (2001) guidance for the Appropriate Assessment (AA) of Plans. The UK Government's guidance recommends three main stages to the HRA process:
- **Stage 1:** Screening for Likely Significant Effects (LSEs)
 - **Stage 2:** Appropriate Assessment, Ascertaining Effects on Integrity
 - **Stage 3:** Mitigation Measures and Alternatives Assessment

³ (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive]

⁴ (2009/147/EC) on the conservation of wild birds [the Birds Directive]

⁵ DEFRA, 2012. The Habitats and Wild Birds Directives in England and its seas- Core guidance for developers, regulators & land/marine managers

⁶ DCLG, 2006, Planning for the Protection of European Sites: Appropriate Assessment

Method

- 2.5 If alternative solutions or avoidance/mitigation measures to remove adverse effects on site integrity cannot be delivered, then current guidance recommends an additional stage to consider Imperative Reasons of Overriding Public Interest (IROPI) for why the plan should proceed. For the HRA of land use plans, IROPI is only likely to be justified in a very limited set of circumstances and must be accompanied by agreed, deliverable compensation measures for the habitats and species affected.
- 2.6 The nature conservation regulator Natural England has produced additional, detailed guidance⁷ on the HRA of Local Development Documents that complements the DCLG guidance, and builds on assessment experience and relevant court rulings. In 2012 DEFRA published a Core Guidance⁸ document relating to the Habitats & Wild Birds Directives, providing information on decision making and the HRA process for developers, regulators and land/marine managers.
- 2.7 The approach taken for the HRA of the Draft Local Plan follows the method set out in the formal guidance documents. The key stages of the HRA process and the specific tasks undertaken for each stage are set out in Table 2.1.

Table 2.1: HRA Key Stages

Stages	Habitats Regulations Assessment
Stage 1: Screening for Likely Significant Effects	1. Identify European sites in and around the plan area.
	2. Examine the conservation objectives of each interest feature of the European site(s) potentially affected.
	3. Analyse the policy/ plan and the changes to environmental conditions that may occur as a result of the plan. Consider the extent of the effects on European sites (magnitude, duration, and location) based on best available information.
	4. Examine other plans and programmes that could contribute (cumulatively) to identified impacts/ effects.
	5. Produce screening assessment based on evidence gathered and consult statutory nature conservation body on findings.
	6. If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to Stage 2.
Stage 2: Appropriate Assessment	1. Agree scope and method of Appropriate Assessment with statutory nature conservation body.
	2. Collate all relevant information and evaluate potential impacts on site(s) in light of conservation objectives.
Stage 3: Mitigation Measures and Alternatives Assessment	1. Consider how effect on integrity of site(s) could be avoided by changes to plan and the consideration of alternatives (e.g. an alternative policy/ spatial location). Develop mitigation measures (including timescale and mechanisms for delivery).
	2. Prepare HRA/ AA report and consult statutory body.
	3. Finalise HRA/AA report in line with statutory advice to accompany plan for wider consultation.

⁷ Tyldesley, D., 2009, The Habitats Regulations Assessment of Local Development Documents (Natural England)

⁸ DEFRA, 2012. The Habitats and Wild Birds Directives in England and its seas- Core guidance for developers, regulators & land/marine managers

The Draft Isles of Scilly Local Plan 2030

- 2.8 The Draft Isles of Scilly Local Plan will replace the 2005 Local Plan, and once adopted will become the Development Plan for the Plan period up until 2030. The development of the Draft Local Plan has been influenced by existing local strategies and management plans, and by a number of technical studies⁹ which have been commissioned or completed by the Council. This includes a Housing Topic Paper (2017), a Strategic Housing Market Assessment (SHMA 2016), Strategic Housing Land Availability Assessment (SHLAA 2016), and a Local Flood Risk Management Plan (2017).

Aims and Vision

- 2.9 The Isles of Scilly Local Plan has an identified Vision which is divided into six topics which can be seen below in Table 2.2. The Vision details what the Plan aims to achieve for the Isles of Scilly during the Plan period, and how the communities of the archipelago, and the built and natural environment of the islands, will look in 2030.

Table 2.2: Isles of Scilly Vision

<i>In 2030: The Isles of Scilly remains a highly desirable place where people are able to live well, work productively, move freely between islands and the mainland and benefit from excellent education, leisure, health and social care facilities within a world class environment in harmony with nature. The distinctiveness and exceptional environment and influence of the sea continue to provide a strong sense of community, identity and belonging that remain vital assets for the islands economy and well-being.</i>
<i>In 2030: Innovative systems and technologies have taken advantage of the islands location and environment and provided the catalyst for achieving exemplar and innovative sustainable development and a model for how other communities around the world can benefit.</i>
<i>In 2030: The islands communities have access to a range of homes that are more affordable, adaptable and accessible to everyone, including families and older people.</i>
<i>In 2030: The Isles of Scilly is strong, competitive and diverse economy that benefits from inward investment and innovation. Businesses have access to a locally based, highly skilled workforce reflecting high quality learning as well as internships and cultural exchanges through, for example, the Smart Island programme.</i>
<i>In 2030: The islands infrastructure is a beacon of sustainability to the UK and beyond and provide an affordable, innovative and low carbon model for managing energy, water and waste with considerable benefits to the environment and the quality of life to residents.</i>
<i>In 2030: Residents, businesses and visitors enjoy more affordable, resilient and reliable transport links to the mainland and between</i>

⁹ <http://www.scilly.gov.uk/planning-development/local-plan-review>

islands throughout the year following improvements to transport services and networks.

- 2.10 The Local Plan also includes six strategic aims. Each aim has individual objectives designed to help achieve the strategic aims, which in turn are designed to help achieve the overall Vision for the Isles of Scilly during the Plan period. The strategic aims can be seen below in Table 2.3.

Table 2.3: Isles of Scilly Local Plan Strategic Aims

1	<i>Maintaining an outstanding and world class environment and ensure its distinctive and significant landscape and seascape, heritage and nature conservation assets are protected and valued and, where appropriate, enhanced.</i>
2	<i>Ensure the provision of infrastructure and utilities to create a more sustainable, resilient and self-sufficient Isles of Scilly.</i>
3	<i>Creating a balanced local housing market that provides housing choice and meets the existing and future needs of the community enabling economic prosperity.</i>
4	<i>Creating a more competitive, diverse and resilient economy based on an exceptional and inspirational environment that can adapt to change and challenges and maximise opportunities and underpinned by effective infrastructure and an appropriately skilled workforce.</i>
5	<i>Engendering and supporting a strong, vibrant and healthy island community with an improved quality of life for its residents.</i>
6	<i>Adapting to the effects of climate change on people, wildlife, and places by increasing resilience, matching the vulnerability of land uses to flood risk and managing surface water in the most sustainable way.</i>
7	<i>Minimising carbon dioxide and other greenhouse gases and support measures that contribute to carbon neutrality and mitigate against the effects of climate change.</i>

Level and Distribution of Growth

- 2.11 The Strategic Housing Market Assessment for the Isles of Scilly has identified an Objectively Assessed Housing Need (OAN) of 105 affordable dwellings during the Plan period (until 2030) to meet the housing needs of local communities. The Local Plan aims to concentrate housing development on the island of St Mary's, in the two main settlements of Hugh Town and Old Town. The Plan also details the use of windfall sites to allow for specific development outside of the land allocated for housing within the Plan.
- 2.12 The Plan focuses on delivering affordable housing which will meet the need of local communities without resulting in unsustainable or significant growth to the islands' population. The Plan states that open market housing on the Isles of Scilly is unsustainable and will exacerbate existing housing and social issues. However, the Plan acknowledges that some open market housing may be

required to ensure the viability of affordable housing, although any open market housing will be subject to a detailed viability assessment.

- 2.13 Although there is no identified level of employment land required, the Plan aims to strengthen and enhance the economy of the islands, and will support development which achieves this and resist the change of existing employment sites to alternative uses. Tourism is a large and important part of the economy for the islands, and the Plan will support proposals for tourism developments.

Site Allocations & Local Policies

- 2.14 The Plan contains 33 policies which will guide development during the Plan period. The Policies are categorised into 4 sub-topics:
- **Promoting a Sustainable Scilly** (Policies SS1-SS10): These policies focus on supporting sustainable growth through the management of development. Policies in this topic include Sustainable Development, Infrastructure Improvements, Water Management, Flood Avoidance and Managing Movement. Overall the policies will seek to ensure new development is sustainably located, avoids major constraints and positively contributes to the sustainable growth within the archipelago.
 - **Our Outstanding Environment** (Policies OE1-OE7): Policies within this topic aim to protect, and enhance where possible, the existing natural and built environment of the islands. Policies include Biodiversity & Geodiversity, Heritage, Landscape Character, Pollution and Waste Management and Dark Sky Protection.
 - **Building a Strong Living Community** (Policies LC1-LC10): These Policies set out the require housing need for the Plan area, and also the allocations where development will occur. The policies also aim to maintain the existing housing stock. Policies include the Housing Strategy, Housing Allocations, Windfall Housing, Replacement Dwellings, Affordable and Accessible Housing, and Staff Accommodation.
 - **Building a Strong Working Community** (Policies WC1-WC6): These Policies aim to support a strong working community on the islands, focusing on developing a strong and sustainable economy and supporting employment for local communities. Policies include New Employment Development, General Employment Policy, Visitor and Tourism Developments and Home-Based Businesses
- 2.15 Policy LC6 details the proposed housing allocations for the Local Plan. Overall there are 8 proposed allocations, all of which are on the island of St Mary's, and are in the two settlements of Hugh Town and Old Town. The allocations

will meet the identified need for 105 affordable homes within the Plan period. The proposed allocation can be seen in Table 2.4.

Table 2.4: Site Allocations

Reference	Site Name
H1 (A7)	Former Secondary School, Carn Thomas, Hugh Town, St Mary's
H2 (A7a)	Former Primary School, Carn Thomas, Hugh Town, St Mary's
H3 (A13)	Land at to the west side of Old Town Road on the north of Ennor Castle, Old Town, St Mary's
H4 (A14)	Land to the north-east side of Ennor close, Old Town, St Mary's
H5 (A15)	Land to the south of Launceston Close, Old Town St Mary's
H6 (A16)	Land to the south of Ennor Close, Old Town, St Mary's
H7 (A17)	Land to the south east of Ennor Close, Old Town, St Mary's
H8 (A18)	Land to the east of Ennor Close, Old Town, St Mary's

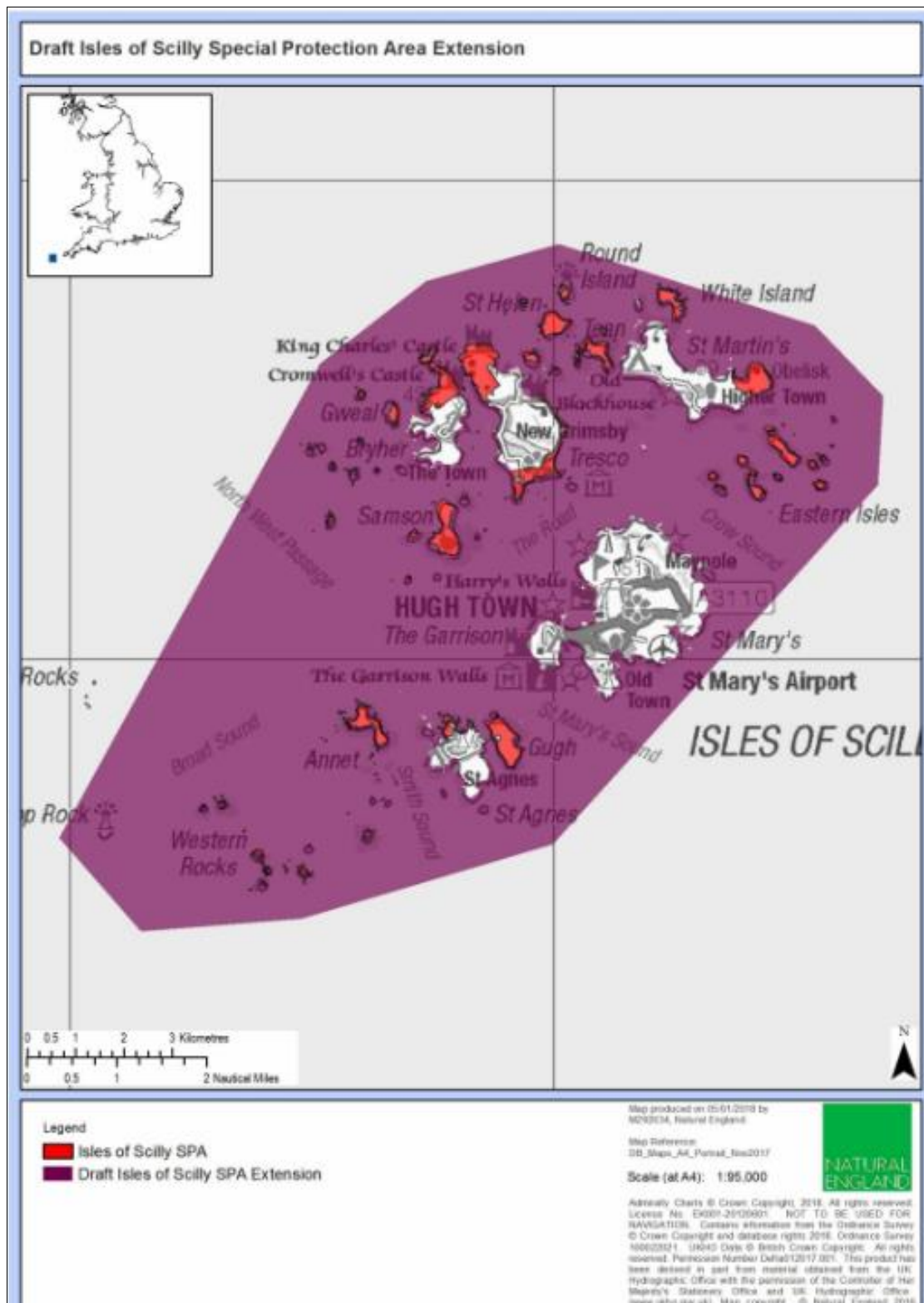
3.0 SCREENING

Identification of European Sites

- 3.1 Stage 1 of the HRA process is to identify designated European sites which have the potential to be affected by the Local Plan. Due to the varying nature of potential effects that a Local Plan could have on a Natura 2000 site, there is no specific distance provided in the relevant guidance at which a designated site is required to be scoped into the HRA. Effects such as recreational pressure and hydrological changes are not always constrained by distance. Therefore, professional judgement was used to determine which sites may be affected by the Local Plan.
- 3.2 Listed below are the key sites that have been scoped (details are set out in Appendix I) into the HRA screening for the Isles of Scilly Local Plan:
- Isles of Scilly Ramsar
 - Isles of Scilly SPA
 - Isles of Scilly SAC Complex
- 3.3 All of the above are existing sites within the archipelago. However, in January 2018 Natural England released their proposed plan to extend the existing Isles of Scilly SPA¹⁰. The current SPA is terrestrial, focusing on the nesting areas of the seabirds which are qualified features for the SPA. The SPA is spread across the islands of the archipelago. The proposal from Natural England would be a significant increase in the overall size of the existing site, as the extension would incorporate the marine areas of the Isles of Scilly. The proposed extension can be seen in Figure 4.1.
- 3.4 The new SPA area will include the marine feeding areas for the seabirds which are qualifying features for the SPA. The extension of the SPA would also add two new qualifying features to the SPA; the European shag and the great black-backed gull. Natural England have conducted scientific research to justify the proposed extension to the SPA and to determine the extent of the new area.
- 3.5 At this stage in time the proposal for the extended SPA is in the early stages. Natural England is planning to go to formal public consultation on the proposal in Spring/Summer 2018, and will submit their final recommendation to Defra. Defra will then be responsible for making a decision on the classification of the site.
- 3.6 However, as per HRA good practise it is considered appropriate to include the proposed SPA extension in the HRA, and potential effects of the Plan will be screened against the proposed extension.

¹⁰ Natural England (January 2018) Proposals for a marine extension to the Isles of Scilly Special Protection Area

Figure 4.1: Isles of Scilly SPA Proposed Extension¹¹



¹¹ Natural England (January 2018) Proposals for a marine extension to the Isles of Scilly Special Protection Area

Characterisation of European Sites

- 3.7 A general overview of the European sites scoped into the assessment is provided below in Table 3.1. More detailed characterisations including conservation objectives and the specific vulnerabilities for each site are provided in Appendix I. The proposed extension to the SPA is in the early stages, and therefore limited information is available at this time.

Table 3.1- European Site Characterisation Summary

Isles of Scilly Ramsar
The site is spread across several islands within the Scilly archipelago, including both inhabited and uninhabited islands. The site is designated for supporting the European storm-petrel and lesser black backed gull during the breeding season. Other noteworthy species include the European shag and great black-backed gulls.
Isles of Scilly SPA
The islands included within the SPA support a breeding seabird assemblage of European importance. The isolated nature of the islands and rocks, together with their low levels of disturbance and predation, makes them particularly suitable for nesting seabirds such as Storm Petrel and Lesser Black-backed Gull. It should be noted that the SPA boundary only encompasses those areas used for nesting.
Isles of Scilly SAC Complex
The Isles of Scilly archipelago encompasses extensive sublittoral sandy sediments which, between the islands, are contiguous with the intertidal sandflats. They are important in the UK for the extent and diversity of their associated communities. In particular, their isolation and the presence of oceanic water contribute to the special nature of the site, which is characterised by shallow sandy sediments with low silt content and by constant salinity. The SAC complex designated for a range of habitats including mudflats, sandbanks and reefs, as well as species such as shore dock.
Isles of Scilly SPA Proposed Extension
The proposed extension will incorporate the marine waters within the archipelago, which is used by seabirds for feeding and other activities. The extension of the SPA would add 2 new qualifying features which are the European shag and the great black-backed gull.

Effects of the Reg 18 Draft Isles of Scilly Local Plan

- 3.8 The key element of the Plan is the delivery across the plan area of 105 affordable homes. Housing, employment and infrastructure development has the potential to generate a range of environmental impacts that can (depending on their nature, magnitude, location and duration) have effects on European sites. A summary of the types of impacts and effects that can arise from these types of development is provided in Table 3.2, as follows:

Table 3.2: Housing, Employment and Infrastructure Development - Summary of Impacts and Effects on European Sites

Effects on European Sites	Impact Types
Habitat (& species) fragmentation and loss	<ul style="list-style-type: none"> ■ Direct land take, removal of green/ connecting corridors/ supporting habitat, changes to sediment patterns (rivers and coastal locations) ■ Introduction of invasive species (predation)
Disturbance	<ul style="list-style-type: none"> ■ Increased recreational activity (population increase) ■ Noise and light pollution (from development and increased traffic)
Changes to hydrological regime/ water levels	<ul style="list-style-type: none"> ■ Increased abstraction levels (new housing) ■ Increased hard standing non-permeable surfaces/ accelerated run-off ■ Laying pipes/ cables (surface & ground) ■ Topography alteration
Changes to water quality	<ul style="list-style-type: none"> ■ Increase in run-off/ pollutants from non-permeable surfaces (roads, built areas) ■ Increased air pollution (eutrophication) (traffic, housing) ■ Increased volume of discharges (consented)
Changes in air quality	<ul style="list-style-type: none"> ■ Increased traffic movements ■ Increased emissions from buildings

Other Plans, Programmes and Projects

- 3.9 A review of other Plans, Programmes and Projects in and around the Isles of Scilly Plan area was conducted to consider the potential for significant in-combination effects. Due to the nature of the plan area being an archipelago, there are no surrounding Local Plans which would result in development adjacent to the Plan area. Therefore, the relevant plans review focuses on local plans in the Isles of Scilly, and some Cornwall Plans and Policies. The detailed Plans, Programmes and Projects assessment can be found in Appendix II.
- 3.10 Overall, most of the relevant plans were found likely to act in-combination with the Local Plan. The majority of the relevant plans assessed highlighted the need to protect the important biodiversity of the islands, including the Natura 2000 sites, and will therefore have positive effects on the designations. For some of the larger plans that will result in infrastructure there is the potential for those Plans alone to have an effect on Natura 2000 sites, however there are specific requirements regarding the need for separate Appropriate Assessment for each project, which will protect the European designations.

Allocation/Policy Screening

- 3.11 The next stage of the HRA process is to screen the Policies and site allocations within the Draft Local Plan to determine if they would result in likely significant effects.
- 3.12 Overall there are 33 Policies within the Plan which were screened. The detailed screening of the Policies can be found in Appendix III. The screening concluded that the majority of the Policies would not lead to any likely significant effects. This was either due to the fact that the Policies were not proposing any new development and therefore would not result in effects associated with development, or there was strong wording within the Policy which would ensure negative effects on biodiversity did not occur.
- 3.13 However, Policy LC6 (Housing Allocations) was considered to have the potential for likely significant effects on European sites through the allocation of sites where development would occur and therefore there was the potential for effects associated with development.
- 3.14 The screening also considered the 8 site allocations which were within Policy LC6 to assess their potential impacts on European designated sites. All the site options were found to be less than 500m from the Isles of Scilly SAC and the proposed extension to the Isles of Scilly SPA, and on average 2.5km from the Isles of Scilly Ramsar and existing SPA designation¹², which are located on different islands to the site allocations.
- 3.15 Due to the close proximity of the site options to the SAC and proposed SPA extension, the screening concluded there was the potential for likely significant effects through increased recreational pressure and changes to water quality on the Natura 2000 sites. There is also the potential for increased emissions through construction and private vehicle use, and potential habitat loss.
- 3.16 The Draft Local Plan Policies and allocations and their potential impacts were then screened against each of the European sites scoped into the HRA. This included consideration of the environmental pathways and sensitivities of the sites, as well as mitigation provided by other Plan Policies. Appendix IV details the results of the HRA screening process for the Draft Plan and the key findings are summarised, as follows.

Disturbance and Recreational Pressure

- 3.17 Recreational pressure is an identified threat for all of the Natura 200 sites, and is considered to be a potential threat for the proposed extension to the SPA due to the extension being in the same location as the SAC. All of the site options are within 500m of the SAC and the proposed extension to the SPA, both of which are marine based. The SAC Management Plan highlights that recreational pressures are mainly focused on the effects of boat moorings

¹² Magic Map (2017)

which can disturb and destroy habitat. Other recreational activities that could occur include fishing, swimming, snorkelling, scuba diving and jet skiing. All site options are over 2km from the Ramsar and existing SPA site, which are on neighbouring islands. However, there is still the potential for disturbance as travel to neighbouring islands for recreational activities is common among residents.

- 3.18 The screening in Appendix IV concluded that due to the overall cumulative insignificance of development proposed, there are no likely significant effects. Furthermore, the Local Plan is allocating sites to meet the housing needs of local people who are already residing on the islands and would already be using the area for recreational pressure. Therefore, no significant increase in recreational activities is considered likely.
- 3.19 The Draft Isles of Scilly Local Plan also contains a number of Policies which will provide mitigation measures for any potential negative effects, in particular:
- **SS1 Sustainable Development:** The Policy will only permit development where it can meet the set criteria within the Policy, which includes conserving and enhancing the natural environment, and where development positively contributes to environment sustainability.
 - **OE2 Biodiversity & Geodiversity:** Protects biodiversity, including international and European designations, from the effects of development, providing strong mitigation for the site allocations.
 - **OE4 Dark Skies Protection:** The policy will protect the dark skies for the archipelago by managing the external lighting of proposed development.
- 3.20 The mitigation provided above, the small level of proposed housing, and that the housing is for local people who will already be using the islands for recreational activities, means no significant effects as a result of disturbance or recreational pressure on Natura 2000 sites.

Water Levels & Quality

- 3.21 The screening found that there were no environmental pathways for significant likely significant effects on water levels or water quality for the Ramsar and existing SPA sites due to their location away from the site allocations.
- 3.22 The site allocations are all within 500m of the Isles of Scilly SAC, which is sensitive to pollution to groundwater and changes to water quality. The site options are also all within 500m of the proposed Isles of Scilly SPA extension, and although there are currently no identified threats for the site, there is the potential for it to be sensitive to changes in water quality. Development at the site options could lead to the pollution of groundwater or result in increased surface water run-off which could enter the SAC/SPA extension with potential negative effects on water quality.

- 3.23 However, the screening found that there was strong mitigation provided through Draft Local Plan policies which will protect water quality. Policy mitigation includes:
- **SS1 Sustainable Development:** The Policy will only permit development where it can meet the set criteria within the Policy, which includes conserving and enhancing the natural environment, and where development positively contributes to environment sustainability.
 - **OE2 Biodiversity & Geodiversity:** Protects biodiversity, including international and European designations, from the effects of development, providing strong mitigation for the site allocations.
 - **OE5 Managing Pollution:** The policy states that where development has the potential to result in pollution (including water), it must be demonstrated that there will be no adverse effects on the natural environment.
 - **SS6 Water Management:** New development which requires new connections to mains water must demonstrate no significant effects on water quality will occur and that if septic tanks are required it must be shown that there will be no negative environmental impacts.

- 3.24 Furthermore, mitigation is provided through the SAC Site Improvement Plan¹³ which sets out measures and funding to address the threat of water pollution, which includes the installation of appropriate sewage treatment systems. Therefore, due to strong mitigation provided through Draft Local Plan Policies no significant effects on water quality for the SAC or proposed SPA extension are considered as a result of development at the site allocations.

Air Quality

- 3.25 Air quality was not identified as a threat for any of the Natura 200 designations. The screening found that environmental pathways were unlikely due to the location of development on St Mary's where the reliance on private vehicle use is likely to be reduced due to the close proximity of services and facilities, and the prevailing wind direction which is south-westerly and therefore will not disperse emissions across the islands where SPA and Ramsar designations are located. Therefore, no likely significant effects on air quality expected.

Habitat Loss and Fragmentation

- 3.26 The screening concluded that there were no environmental pathways for the loss or fragmentation of habitats associated with the Natura 2000 sites. This is due to the SPA and Ramsar sites being located on different islands to the site options, and that the SAC and proposed extension to the SPA are marine based with no habitat loss as a result of development on St Mary's.

¹³ Natural England (2014) Site Improvement Plan: Isles of Scilly SAC Complex

Further Assessment Required?

- 3.27 The screening assessment in Appendix IV found that the mitigation provided through Draft Local Plan Policies, including location of proposed Site Allocations, was sufficient such that there were no likely significant effects alone or in-combination as a result of the Plan. Therefore, an Appropriate Assessment is not required for this HRA.

4.0 HRA SUMMARY, CONCLUSIONS & NEXT STEPS

Summary

- 4.1 This report presents the methods used and the findings arising from the HRA Screening of the Draft Isles of Scilly Local Plan. The HRA has been undertaken in accordance with extant guidance and good practice, and has been commissioned by the Council of the Isles of Scilly, as the competent authority.
- 4.2 The Draft Local Plan will deliver new housing within the Isles of Scilly to meet the needs of the residents of the islands. The Draft Plan will also provide appropriate Policies which will guide future development in the area during the plan period, to ensure that development aligns with the Vision of the Plan. As required, the Draft Plan has been subject to a Habitats Regulations Assessment to determine the potential likely significant effects on Natura 2000 sites.
- 4.3 The screening of the HRA identified three established Natura 2000 sites and one proposed extension to a Natura 2000 site which had the potential to be affected by the Draft Local Plan. The plans, programmes and projects review found that none of the relevant plans would result in in-combination affects with the Draft Plan due to the relevant mitigation within the relevant plans which will protect the Natura 2000 sites.

Conclusion

- 4.4 The screening of the Draft Local Plan Policies and site allocations against the European sites found that one Policy, allocating sites for development, had the potential for likely significant effects. None of the other Policies were found to have the potential for significant effects.
- 4.5 The screening of the site allocations found that all were less than 4km from the Natura 2000 sites. It was considered that the site options could result in increased recreational pressure on the Natura 2000 sites, and potential effects on the water quality of the Isles of Scilly SAC and proposed SPA extension.
- 4.6 However, the screening found that mitigation measures provided through the Draft Local Plan, and taking into account the small quantum and location of the proposed development, to conclude that there would be no likely significant effects, alone or in-combination, on any of the Natura 2000 sites as a result of the Draft Isles of Scilly Local Plan.

Consultation and Next Steps

- 4.7 These findings will be subject to further consultation comments and advice from the relevant regulator, Natural England. HRA is an iterative process and

further work will be undertaken alongside the Isles of Scilly Local Plan to inform its development.

- 4.8 The findings of this plan level HRA do not obviate the need to undertake HRA for lower level, project scale/ implementation plans where there is potential for significant effect on one or more European sites. The findings of this HRA should be used to inform any future assessment work.