



# COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

01720 424350

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## 1. Case Details

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (SI No. 571) Regulation 6: screening opinion checklist Screening request under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 SI No. 571			
<b>Case Reference</b>	EIA-21-002-SCR St MARTINS	Brief Description of the project/development.	To address section of low dune and prevent overtopping, works include fencing off 25% of most damaged and weakest section and sensitively restore 200m of dune with in-situ materials, planting and plant transposing, reroute coastal path and protect beach access tracks with boardwalks.
<b>Applicant</b>	Adaptive Scilly Coastal Defense works.		
<b>LPA</b>	Council of the Isles of Scilly		
<b>Date Assessed</b>	25 <sup>th</sup> May 2021	<b>Officer:</b>	Lisa Walton
<b>Start Date</b>	25 <sup>th</sup> May 2021	<b>21-day Expiry Date</b>	

## 2. EIA Details

		Yes or No
<b>1</b>	<b>Is this a Schedule 1 development?</b>	No
If YES – EIA development, EIA required, If NO – go to Box 2.		
<b>2</b>	<b>Is this a Schedule 2 Development?</b>	Yes
	<b>Which category</b>	10 (M) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works.
<b>a)</b>	<b>Is it of a description mentioned in column 2 of the table in Schedule 2?</b>	Yes
If YES – go to 2(b) and (c); If NO – not Schedule 2 development, no EIA required.		
<b>b)</b>	<b>Is any part of the site in a 'sensitive area'?</b>	Yes
	If YES, which area	Within:  Isles of Scilly AONB, Conservation Area

		Close proximity:  ACA Higher Town Bay MCZ, SM of Romano-British Settlement Remains, and IoS Complex SAC and IOS SPA)
(i.e. SSSI, AONB, World Heritage site, SAC, scheduled monument etc)		
<b>c)</b>	<b>Is any applicable threshold or criterion in the table in Schedule 2 exceeded or met in relation to the development?</b>	All works of this nature trigger the requirement for an EIA.
If YES to either 2(b) or (c) – Schedule 2 development – go to Box 3. If NO to both 2(b) AND (c) – not Schedule 2 development, no EIA required.		
<b>3</b>	<b>Would the development site/proposal be likely to have significant effects on the environment because of factors such as its nature, size or location?</b>	Yes
<b>If YES – EIA development, EIA required. If NO – not EIA development, no EIA required.</b>		



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## Screening Opinion - reason(s) for decision:

The development falls within Schedule 2 part 10(m).

NOTE: Use the following headings taken from Schedule 3 of the Regs to help define the proposal and its potential for generating significant environmental effects.

## Relevant questions as defined in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

### 1. Characteristics of the Development

<b>a) the size of the development;</b>	The site area overall spans 13 sites across three of the islands of Scilly for St Martin's this is:  1 site at Higher Town St Martins: which is the western half of Par beach, this includes the fencing off of 25% of the most damaged and weakest sections to allow recovering, as well as the restoration of dunes with in-situ materials supplemented with planting.
<b>b) the accumulation with other development;</b>	Having regard to the number of aspects of works for St Martins, it is considered that the proposal would not give rise to significant in-combination impacts due to remote nature of the proposal, relative to other project aspects.
<b>c) the use of natural resources;</b>	Some re-use of local materials: in situ materials would include sand and aggregate, in addition to planting and plant transposing.

<b>d) the production of waste;</b>	Minimal
<b>e) pollution and nuisances;</b>	<p>The importation and shifting of materials as part of this project could give rise to emissions from vehicles throughout the operational phase, which could impact upon habitats and species, as well as on the resident population and visitor, although extent of works would suggest this would be minimal for St Martins.</p> <p>Additional emissions are generated through the freighting of materials to get them to the islands.</p> <p>Throughout the construction phase such as the re-routing of the coast path, depending on weather conditions could generate dust and noise. If any operations take place overnight, the use of external lighting during operations could add to light pollution, sky glow and impacts upon ecology (e.g. bats) if the lighting is not carefully designed and installed and operated correctly.</p>
<b>f) the risk of accidents, having regard in particular to substances or technologies used.</b>	<p>It is noted that all aspects of the project are above both MH and ML water but as with any maritime or coastal development/construction project there is some risk of incidents and accidents.</p> <p>There is a low potential risk of accidents associated with vehicle movements.</p>
<b>g) The risks to human health (for example, due to water contamination or air pollution).</b>	<p>The development may give rise to impacts from air quality and contamination land through both the construction and operation of the development.</p> <p>Risks to construction and groundworkers is deemed moderate with a low risk to end users from contamination.</p>
<b>2. The environmental sensitivity of geographical areas likely to be affected by development must be considered having regard, in particular, to:</b>	
<b>a) the existing land use;</b>	<p>The land is currently undeveloped land comprising dune and coastal access areas:</p> <p>St Martins (Designations Affected):</p> <p>Higher Town Bay (ACA of Higher Town Bay, close to MCZ, and Scheduled Monument of Romano-British Settlement Remains, close to MCZ and IoS SAC Complex)</p>

<p><b>b) the relative abundance, quality and regenerative capacity of natural resources in the area;</b></p>	<p>In this context 'natural resources' has been taken to mean those resources which exist naturally and can be used to attribute or derive value, including biodiversity interests and the natural landscape.</p> <p>Due to the locations, the impact of the works, if care is taken to avoid non-native invasive species on any due reinstatement elements, would be very unlikely to have a significant impact.</p> <p>The development has the potential to have a positive impact upon ecology. Given the existing land uses there is some potential to enhance habitats and the importance of these to the marine environment particularly in relation to the wider SAC/SPA whilst protecting the terrestrial environment more widely.</p> <p>Outside the site there is a high abundance of high quality natural resources, both coastal at countryside of both designated international importance and local nature reserves.</p>			
<p><b>c) the absorption capacity of the natural environment, paying particular attention to the following areas:</b></p>				
<p><b>I. Wetlands;</b></p>	<p>No</p>	<p>-</p>	<p>-</p>	<p>-</p>
<p><b>II. Coastal zones;</b></p>	<p>Yes</p>	<p>Heritage Coast, AONB, SSSI (St Martins Sedimentary Shore)</p>	<p>St Martins Sedimentary Shore SSSI: 100% in favourable condition. There is almost no freshwater input with associated water-borne pollution and suspended fine sediment. As a consequence there is a range of marine wildlife that is exceptionally undisturbed. Stable oceanic conditions and a wide variation in degree of exposure to wave and current action throughout Scilly produce a high diversity of marine habitats. The mild climate results in an abundance of Mediterranean-Atlantic species. For these reasons the sediment habitats and their marine wildlife are considered to be</p>	<p>Given the scale and location of the project, combined with the predicted short duration of the construction phase, it is unlikely that significant volumes of contaminated sediment would be released into the environment and have a significant impact on human health or that of surrounding flora and fauna.</p>

			nationally and perhaps internationally important.	
III. <b>Mountain and forest areas;</b>	No			
IV. <b>Nature reserves and parks;</b>	No			
V. <b>Areas classified or protected under Member states' legislation; areas designated by Member States pursuant to Council Directive 79/409/EEC on the conservation of Wild Birds (a) and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (b);</b>	Yes	<p>(a) Isles of Scilly Special Protection Area (SPA):</p> <ul style="list-style-type: none"> <li>• A014(B) Hydrobates pelagicus: European storm-petrel Seabird assemblage</li> <li>• A183(B) Larus fuscus: Lesser black-backed gull</li> </ul> <p>(b) Isles of Scilly Complex Special Area of Conservation (SAC):</p> <ul style="list-style-type: none"> <li>• H1110 Sandbanks which are slightly covered by sea water all the time</li> <li>• H1140 Mudflats and sandflats not covered by seawater at low tide</li> <li>• H1170 Reefs</li> <li>• S1364 Halichoerus grypus: Grey seal</li> </ul>	Isles of Scilly Complex SAC and Isles of Scilly SPA have known pressures/threats from invasive species, fisheries impact, habitat fragmentation, public disturbance to wildlife and habitats and water pollution.	<p>The use of in situ materials and transposing of plants will limit the introduction of invasive species and likely. Given the scale and location of the project, combined with the predicted short duration of the construction phase, it is unlikely that significant volumes of contaminated sediment would be released into the environment and have a significant impact on human health or that of surrounding flora and fauna.</p> <p>Sufficient information, however, will be required on the potential impacts of this proposal on these designated sites.</p>

		<ul style="list-style-type: none"> <li>S1441 Rumex rupestris: Shore dock</li> </ul>		
I. <b>Area in which the environmental quality standards laid down in Community legislation have already been exceeded;</b>	No	-	-	-
I. <b>Densely populated areas;</b>	No	Population of St Martins around 136 (2011 census)	-	-
II. <b>Landscapes of historical, cultural or archaeological significance;</b>	Yes	<p>Scheduled Monuments: Romano-British Ritual, Funerary and Settlement Remains on Par Beach, St Martins.</p> <p>Higher Town Bay Archaeological Constraint Area</p>	<p>SM not identified in the SW Heritage at Risk 2020 (was at risk in 2017) but will be vulnerable to rising sea levels and any ground disturbance around the site, as a result of the restoration of 200m of due with in-situ materials. The ACA at this site means there is a high probability for previously unknown archaeological remains to be found and/or disturbed by the works.</p> <p>The area of Par Beach in this scheduling contains a rich and varied survival of remains from the later Neolithic to the Romano-British period (from c.2500 BC to c.AD 400); their association with a sequence of buried soils and peats rich in early environmental data makes a major contribution to our knowledge of developing land use in such low lying terrain of the pre-submergence land-mass of Scilly and has provided a testing ground for sampling techniques designed to enhance</p>	<p>Given the scale, nature and location of the project, it is unlikely to give rise to significant impacts on non-designated heritage assets, Listed Buildings (including their setting); the project does have the potential to impact on buried archaeological remains. Further assessment should be prepared by the applicant to understand and evidence the potential impacts on heritage assets.</p>

			<p>this knowledge. The stone row, a form of ritual monument dating from the later Neolithic to early Bronze Age (c.2500 - 1500 BC), survives well as a rare example of this class of monument in the far south west of England and one of the earliest structural features known on Scilly. The scheduling also includes one of the few locations with extant remains of prehistoric or Romano-British cist burials wholly or largely preserved beneath present shore sand, the survival of examples partly excavated being confirmed by subsequent photography of the intact cist walling. The cists from these successive periods show the development of their distinctive burial structure while their proximity to broadly contemporary settlement sites and field systems demonstrates the physical relationships between religious and domestic activity at this low level of the early landscape. The features of this scheduling are given wider relevance in understanding the organisation of the early landscape by their proximity to the broadly contemporary settlement and funerary remains at higher levels on eastern St Martin's and on the coast behind English Island Point. Analysis has shown this monument to include buried and sub-marine peats which range in date from the 5th millennium BC to the early 1st millennium AD.</p>	
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<b>3. The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to:</b>	
<b>a) The extent of the impact (geographical areas and size of the affected population);</b>	<p>The landscape and visual impacts would be experienced by those living nearby, those travelling between the islands and to some limited extent from longer distance views.</p> <p>It is considered that the development would not generate a significant impact with respect to landscape and visual impact in relation to the Regulations as the site would be seen within the context of the coastal environment of St Martins island</p>
<b>b) The nature of the impact;</b>	<p>Impacts likely to be mainly visual from the changes to the dunes, fencing off sections of dune and installation of boardwalks,</p> <p>Impacts upon the protected species and habitat can be assessed as part of the planning application. Wider impacts upon the European Designated sites have not been assessed under the Habitat Regulations and mitigation can be secured.</p> <p>The level of ground works is unclear and details will need to be provided to understand impacts upon the archaeological constraint area and scheduled monument but the description of the proposal. The application would be expected to contain an examination of the potential impacts upon all heritage assets likely to be affected,</p>
<b>c) The trans-frontier/transboundary nature of the impact;</b>	<p>The works fall above both mean high (MHWS) and mean low (MLWS) but impacts from the terrestrial and into the marine environments could arise through materials being washed down the beach, either during periods of high rainfall or through high tides.</p>
<b>d) The magnitude and complexity of the impact;</b>	<p>The intensity of the impact is likely to be relatively limited in complexity and magnitude</p>
<b>e) The probability of the impact;</b>	<p>High</p>
<b>f) The expected onset, duration, frequency and reversibility of the impact;</b>	<p>Gradual onset as works progress along High Town Bay, particular the fenced off section of dunes. Duration would be limited and frequency would be a one-off to secure the coastline and protect fresh water, and prevent overtopping from the low section of dune. The works would be reversible.</p>
<b>g) The cumulation of the impact with the impact of other existing and/or approved development;</b>	<p>Having regard to other developments it is considered that the proposal may give rise to significant in-combination impacts.</p>

**h) The possibility of effectively reducing the impact.**

The schedule of proposed works includes a number of options which will have varying degrees of effectiveness in terms of achieving long term aims. It is considered that the main effective way of reducing the visual impact of the works would be for them to not take place and allow the coastline to naturally change. This is not a viable option. There are a number of conditions that are reasonable to reduce the impact of construction and visual harm, this includes the type of fencing erected, its height and degree of permanence. The construction and position of any new boardwalks. In relation to historic environment impacts then an archaeological impact assessment will need to be undertaken at an early stage in the planning process to enable informed advice to be provided on this scheme by Historic England and Cornwall Council's Archaeology Service. The archaeological assessment should take a particular (though not exclusive) focus on the potential for buried prehistoric land surfaces, inter-tidal remains and peat deposits which may contain early prehistoric archaeological remains and preserved palaeo-environmental evidence.



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## Conclusions – According to EIA Regulations Schedule 3

<b>Q1</b>	<b>Is it a major development which is of more than local importance?</b>	<b>N/A</b>
<b>Q2</b>	<b>Does it affect a particularly environmentally sensitive or vulnerable location?</b>	<b>Yes</b>
<b>Q3</b>	<b>Does it have unusually complex and potentially hazardous environmental effects?</b>	<b>No</b>

### Conclusion

Having regard to the characteristics, scale and potential impacts of the development, the proposal would not amount to EIA development. The decision is based on the information known at the time and selection criteria for screening Schedule 2 development (Schedule 3) and the indicative thresholds and paragraphs 017, 018, 023 and 027 of Planning Practice Guidance.

<b>Environmental Impact Assessment</b>	<b>Required</b>
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