



Isles of Scilly Local Plan

Including Minerals and Waste

2015 to 2030

Natural Environment Topic
Paper

In support of the Isles of Scilly Local Plan 2015-2030



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Council of the Isles of Scilly
Isles of Scilly Local Plan 2015–2030
The Planning Department
Town Hall
St Mary's
Isles of Scilly
TR21 0LW
planning@scilly.gov.uk



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Purpose & Scope of this Topic Paper

1. This topic paper is one in a series the subject of this topic paper is how we have developed the key natural environment strategy within the Isles of Scilly Local Plan (Regulation 19) Publication Version (August 2019). Each topic paper has looked at the relevant national and local guidance that informs the Publication Draft Local Plan. Topic papers explain how the strategy has developed and the information, evidence and feedback that has informed the choices made in formulating the policies and also sets out what we foresee as the key issues and how these have been resolved.
2. This paper explains how the new Local Plan responds to the core principle that planning should ‘contribute to preserving and enhancing the natural environment’, one of a number of core planning principles in the NPPF. This paper focuses on the particular issue of new development and potential effects on internationally designated sites for nature conservation.
3. The Isles of Scilly contain a significant amount and variety of natural environment assets with a range of internationally and nationally protected biodiversity sites, including European Special Area of Conservation (SAC) Complex and Special Protection Area (SPA) Complex, together with an international Ramsar Complex, all comprising individual sites spread across the archipelago. Natural England has also proposed a large extension to the existing SPA that would add the marine habitats of the islands to the designation. The archipelago contains 26 Sites of Special Scientific Interest (SSSI) designations spread over 25 sites and 16 Priority Habitats, and are renowned for the presence of breeding seabirds. The islands also have 11 Marine Conservation Zones (MCZs) located in shallow reef areas.
4. Environmental protection is a key challenge that needs to be addressed by the new Local Plan. This paper seeks to explain the potential impact of planned development set out in the Isles of Scilly Local Plan 2015-2030, specifically the proposed strategy to maximise the delivery of affordable homes, on sites identified for housing, over the plan period. The Local Plan has identified a need to deliver 105 affordable homes up to 2030.
5. The preparation of the Local Plan has been informed by a Sustainability Appraisal (SA) undertaken to meet with legislative and regulatory requirements, and in accordance with UK planning policy guidance. The purpose of SA is to promote sustainable development through assessing the extent to which an emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
6. The Local Plan must also be subject to Habitats Regulations Assessment (HRA). The Habitats Regulations (amended 2018) afford a high level of protection to sites in a network of internationally important sites designated for their ecological status. These sites comprise European Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), and Ramsar sites. The Council is the competent authority



for compliance with the Habitats Regulations and Natural England is the statutory consultee, providing advice in respect of protected sites and species.

7. In accordance with good practice, the developing HRA was provided for consultation alongside the developing Local Plan at each stage of the plan-making process. The HRA Report accompanying the Regulation 19 Pre-Submission Local Plan concluded that there would be no likely significant effects on protected sites, alone or in combination with other plans or projects, from the new development proposed in the Local Plan.
8. Natural England has, however, expressed some concern that the element of housing associated with market homes, such as supported through Policy LC1 and Policy LC7 on windfall sites, relates to an unspecified amount of growth that could give rise to recreational pressure for the islands and associated effects on the internationally designated sites for nature conservation. Natural England is also concerned that the Local Plan would also not comply with the requirements of the National Planning Policy Framework (NPPF) in paragraph 117 that requires as much use as possible of previously developed land – except where it would conflict with other policies, including causing harm to designated sites of importance for biodiversity.
9. Therefore, this paper seeks to further explain how the development of the Local Plan has considered the identified needs for the local community and taken into account the likely effects of visitors and residents – particularly with regard to recreational impacts on the designated sites for biodiversity.

Context of the Isles of Scilly

10. Every square centimetre of land, without exception, is subject to a natural environment designation. This protects the islands from the pressure of development to an extremely high degree as it makes most forms of development unviable either through additional assessments required or through a lack of scale to deliver much needed homes and infrastructure to sustain the islands.

Special Areas of Conservation (SAC)

11. Special Areas of Conservation are sites that have been adopted by the European Commission Habitats Directive and formally designated by the UK Government. The Isles of Scilly Complex SAC designation covers an area of sea around the island archipelago measuring 26848.62 hectares. It includes waters around the islands as well as six component (terrestrial) SSSIs. The SAC is a European Natura 2000 site, with the primary reasons for protection being the sandbanks that are slightly covered by sea water all the time, the mudflats and sandflats not covered by sea water at low tide, reefs, and shore dock plant species. Grey seals are also included, but they are not a primary reason for site selection. The SAC is also known as a European Marine Site (EMS). The special features (habitats and species) of the SAC are listed below:

- (1110) Sandbanks which are slightly covered by sea water all the time;
- (1140) Mudflats and sandflats not covered by seawater at low tide;
- (1170) Reefs;



(441) Shore dock (*Rumex rupestris*); and
(1364) Grey seal (*Halichoerus grypus*) (not primary species).

Marine Conservation Zones (MCZs)

12. The Isles of Scilly Marine Conservation Zone are a collection of inshore sites located around the Isles of Scilly, consisting of 11 separate sites covering a total area of 30 km². The sites were designated in 2013 and span a broad range of physical conditions, which support an exceptionally high diversity of habitats and species. The depth of the seabed varies considerably across the 11 areas, extending from mean high water mark to depths of 70 metres in places. The sites encompass a wide variety of marine habitats and their associated species.
13. The importance of the marine environment has been previously recognised through the designation of the Isles of Scilly Special Area of Conservation (SAC), and 10 of the 11 sites lie within this designated area. The Isles of Scilly MCZ complements the SAC by offering protection to specific species and habitats that are not protected by the SAC.

Special Protection Area (SPA)

14. The purpose of a SPA is designed to protect rare or vulnerable bird species (as listed in Annex I of the Birds Directive); and other regularly occurring migratory bird species. The Isles of Scilly Special Protection Area covers 394 hectares over 26 rocks and islands. The site is designated for the European storm petrel and lesser black-backed gull, as well as a breeding seabird assemblage. SPAs are designated under the European Commission Birds Directive 1979, and are strictly protected.
15. In 2018, the UK Government consulted on a proposed marine extension of the SPA (pSPA) for the Isles of Scilly.¹ The proposed extended SPA would include the additional qualifying species of the European shag and great black-backed gull. At the time of writing this paper, the pSPA has not been formally designated.

Ramsar Site

16. The Ramsar wetland site on the Isles of Scilly encompasses extensive areas of undisturbed intertidal sandflats and sublittoral sandy sediments. The Ramsar Site overlaps with the SPA site and is protected through the Convention of Wetlands (Ramsar, 1971). Although the sites in and around Scilly are sheltered, the shallow sandy sediments include little mud or silt because the surrounding seas have a low suspended sediment concentration, resulting from the islands' isolation and the presence of fully marine oceanic water. The shallow sublittoral sediments are colonised by the most extensive and best-developed eelgrass *Zostera marina* beds in southern England (Hocking & Tompsett 2001). The Isles of Scilly are surrounded by reefs and rocky islets, some only extending into the shallow sublittoral, others extending well beyond 50 m in depth. The qualifying species of the Isles of Scilly

¹ CE04 [Consultation on the Proposed marine expansion of the Isles of Scilly Special Protection Area 2018](#)



Ramsar Site include the protected species of the European storm petrel and the lesser black-backed gull.

Wildlife and Protected Species

17. The islands are home to a range of European protected species and UK priority species (BAP). Wildlife includes mammals such as the lesser white-toothed shrew, also known as the Scilly shrew, which is endemic; Nationally and internationally important numbers of breeding seabirds; species of bats, including the common pipistrelle; birds of prey including owls; and waders such as the greenshank and oystercatcher. The islands host globally endangered species of lichens, and nationally scarce rare flowering plants and ferns.

Isles of Scilly Area of Outstanding Natural Beauty (AONB)

18. All of the islands that make up the archipelago within Scilly fall within the Isles of Scilly Area of Outstanding Natural Beauty. AONBs are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes are conserved and enhanced. There is a legal duty on all relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of AONBs. This includes the conservation of its flora, fauna and geological and physiographical features.
19. Overlaying the specific duties in relation to the AONB, Section 40 of the Natural Environment and Rural Communities Act places a wide duty on the Council to have regard to the purpose of conserving biodiversity.

Key Challenges

20. This section briefly summarises the key Local Plan challenges around the natural environment and relevant to the concern raised by Natural England.

Isles of Scilly Area of Outstanding Natural Beauty (AONB)

21. The key challenges with respect to the AONB are:
 - The NPPF objectives to fully meet objectively assessed housing need and to significantly boost the supply of housing.
 - Ensuring that great weight is given to conserving the landscape and scenic beauty of the AONB (NPPF 115)
 - Ensuring that allocations would not result in major development in the AONB other than in exceptional circumstances AND in the public interest (NPPF 116)
 - Ensuring due regard to the legal duty under S85 of the Countryside and Rights of Way Act.
 - Ensuring both a sound strategy overall and an effective approach to development management.

Minimising impacts on biodiversity and providing net gains in biodiversity

22. The key challenges for the wider biodiversity including green infrastructure planning are:



- The NPPF objectives to fully meet objectively assessed housing need and to significantly boost the supply of housing.
- Ensuring compliance with Section 40 of the Natural Environment and Rural Communities Act 2006.
- Achieving net gains in biodiversity (NPPF 109).
- Ensuring the new Local Plan embraces concepts of ecosystem services and ecological networks.
- Ensuring both a sound strategy overall and an effective approach to development management.
- Working with key partners under the Duty to Co-operate towards a shared approach to these issues, also having regard to best practice elsewhere in England.

Maintaining the integrity of the Isles of Scilly SAC, SPA/pSPA & Ramsar

23. In addition to the wider issue of conserving and enhancing biodiversity discussed above, there is a specific requirement arising from the Habitats Regulations to consider the effect of the Plan on the integrity of the conservation objectives for the internationally designated sites. Habitats Regulations Assessment (HRA) has been undertaken of the emerging new Local Plan and draft HRA reports have accompanied the draft Local Plan at each stage of its development on consultation. Thus, these issues have been visible from an early stage as challenges for the new Local Plan. The HRA was undertaken to meet with regulatory requirements and in accordance with UK planning policy guidance.
24. The HRA screening stage identified that the Isles of Scilly SAC, SPA/pSPA & Ramsar could be affected by new development through potential adverse effects, as follows:
- Habitat (and species) loss and/or fragmentation through land take
 - Atmospheric pollution through increased traffic which could reduce air quality
 - Increased levels of abstraction; surface water run-off and sewage discharge, which could reduce water quality and change water levels
 - Land take that could lead to the loss and fragmentation of habitats and loss of species

Planning Policy Context

National Planning Policy Framework (NPPF)

25. Section 15 of the NPPF 2019,² sets out the general duties of planning with respect to conserving and enhancing the natural environment. Paragraph 170(e) states that planning policies should contribute to and enhance the natural and local environment by:

“preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should,

² NPPF 2019:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf



wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans”.

National Planning Policy Guidance (NPPG)

26. In 2019 the NPPG for the Natural Environment was updated.³ This highlights Section 40 of the Natural Environment and Rural Communities Act 2006,⁴ which places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy making. This requires policies to seek to make a significant contribution to the achievement of the commitments made by government in its 25 year Environment Plan. In addition to managing land sustainably and recovering nature and enhancing landscapes, there is also an element of connecting people with the environment to improve health and well-being

Local Policy Context

The adopted Isles of Scilly Local Plan 2005

27. The adopted 2005 Local Plan sets out 6 core policies relevant to all development proposals. Policy 1 is set out below and seeks to ensure that planning decisions result in development proposals that in character with the islands.
28. To ensure that all relevant future development proposals respect and protect the recognised quality of the islands' natural, archaeological, historic and built environment, they will be permitted only where, as applicable, they:
- a) Conserve or enhance the natural beauty, wildlife and cultural heritage of the Area of Outstanding Natural Beauty and protect the unspoilt character and good appearance of the Heritage Coast;
 - b) Preserve nationally important archaeological remains and their settings;
 - c) Preserve or enhance the character or appearance of the Conservation Area and preserve the architectural or historic interest of all listed buildings, including their features and settings;
 - d) Safeguard the integrity and nature conservation objectives of Special Protection Areas (SPAs), Ramsar Sites and Special Areas of Conservation (SACs);
 - e) Protect a statutorily-protected plant or animal species and the wildlife, geological and geomorphological interest and features of designated Sites of Special Scientific Interest; and locally important biodiversity habitats, species and landscape features; and
 - f) Secure the future character, appearance and setting of any Parks and Gardens of Special Historic Interest included in the English Heritage Register.

³ https://www.gov.uk/guidance/natural-environment?utm_source=b2d78b5b-1a6d-4298-b6f6-5a5b32093325&utm_medium=email&utm_campaign=govuk-notifications&utm_content=daily#history

⁴ http://www.legislation.gov.uk/ukpga/2006/16/pdfs/ukpga_20060016_en.pdf



Biodiversity and Geological Conservation SPD

29. In 2008 the Council of the Isles of Scilly together with the Isles of Scilly Wildlife Trust, Cornwall Wildlife Trust and Natural England produced a good practice guidance document to guide development proposals on the Isles of Scilly. This sets out the guiding principles for development proposals and where biodiversity can be taken into consideration as an opportunity not a constraint. This makes it clear that insufficient information submitted to support an application, in terms of a particular site can delay decision making. For example, the requirement to demonstrate whether or not protected species will be affected and whether any mitigation is required could mean the Local Planning Authority would not be able to conclude on a development proposal or the development would be refused.

Isles of Scilly Local Plan 2015-2030

30. The emerging policies of the new Local Plan set out extensive policy constraints in relation to development over the plan period. This includes Policy SS1 (Principles of Sustainable Development), Policy SS2 (Sustainable Quality Design and Place-Making), Policy OE1 (Protecting and Enhancing the Landscape and Seascape) and Policy OE2 (Biodiversity and Geodiversity). All Policies of the emerging Local Plan should be read as a whole and all development proposals will be judged against all relevant policies.
31. It is baked-in to the principle of any development proposal, through Policy SS1, for development to promote the value of biodiversity, geodiversity and soils, including the potential contribution of natural capital and ecosystem services. This is set out in criterion (e) of Policy SS1. In terms of the design of new developments then Policy SS2 (g) requires developments to provide opportunities for achieving measurable net gains in biodiversity by ensuring that natural and semi-natural features are created and enhances as integral elements of the design, through the provision of features such as bird and bat boxes, and by incorporating measures that support the removal of any threats to the islands biodiversity.
32. Policy OE1 seeks to ensure that development also aligns with the statutory purpose of the AONB and Policy OE2 breaks down the hierarchy of designations on the islands and sets out requirements with respect to protecting the important elements of the different levels of designation.
33. The emerging Local Plan 2015-2030 has been through a number of stages of public consultation and the Council have actively engaged with Statutory Consultees throughout the preparation of the Local Plan. However, there is the outstanding issue from Natural England concerned with any unknown amount of new development and any impacts associated with recreational pressures on the designated sites - and which this paper is seeking to address.

Proposed Development over the Plan Period 2015-2030

Infrastructure Improvements

34. The Local Plan acknowledges that there will need to be infrastructure improvements particularly to sewage treatment and associated infrastructure. The plan also



recognises that during the period the co-location of certain community facilities, essential to the islands, is likely to come forward. This proposes the integration of health services and social care which would be the combination, on a single site, of the residential care home at Park House and services such as the hospital.

35. These developments are supported in the plan but would be assessed against the relevant policies at the point an appropriate site comes forward. Given that sites are not currently identified for such development this paper does not intend to take these elements into account, in terms of natural environment implications. They are not about development growth and therefore any impacts, including recreational disturbance, upon the natural environment designations is assumed to be neutral.

Housing Development

36. The Local Plan does propose specific housing development over the period 2015-2030, in the form of delivering affordable housing as rural exceptions on sites allocated in the plan. Whilst the plan does not set a target for the number of affordable homes, it does recognise that the Local Housing Need has been identified as 105 affordable homes over 15 years. The total amount of new homes the 8 housing allocations as set out in Policy LC6 could achieve would be in the region of 116 homes, dependent on design, scale, size and density. There is also provision to ensure affordable homes could come forward on the off-islands or on other sites on St Mary's, particularly for self-build projects. This provision is supported through the windfall policy LC7 and seeks to ensure such sites are directed towards already built-up areas.

Allocated Housing Sites

37. As set out above, the Local Plan identifies through Policy LC6, 8 housing sites at Old Town and Hugh Town. Calculations suggest that these could delivery around 116 new homes. Policy LC1 confirms that whilst achieving 100% affordable housing is the preferred outcome, it does recognise that in the absence of government subsidies, the delivery of 100% affordable housing is likely to be difficult to achieve. Where it is demonstrated, through viability assessment on a site-by-site basis, a developer could make the case to fund the delivery of affordable homes through the development of some open market housing.
38. However, Policy LC1 does suggest that wherever possible any open market justified should, in the first instance, be restricted to being permanently occupied principal residence housing. This seeks to restrict such housing from becoming second homes or holiday-lets and thus retains new housing to accommodate identified local need.

Housing Allocation	Details
H1 Land at the former Secondary School, Carn Thomas, Hugh Town	This site is overall around 0.54ha in area on a challenging topography of a granite carn and a promontory of high land in addition to the more accessible front of the site. This former secondary school was demolished in 2017 and



	the site is now retained clear for future development. At a relative density of 30 dwellings per hectare this site could achieve 26 homes.
H2 Land at the former Primary School, Carn Thomas, Hugh Town	This site is overall around 0.2ha that contains a number of older school properties as well as later modern extensions. This site could deliver around 7 homes.
H3 Land to the west side of Old Town Road on the north side of Old Town	This site is 0.53ha in area. This is a large site on the north side of Old Town. It slopes down towards the north west, towards the Lower Moors SSSI. It could deliver around 15 homes.
H4 Land to the north east side of Ennor Close, Old Town	This site is 0.44ha in area. This site sits to the east of Ennor Close and could deliver 13 homes.
H5 Land to the south of Launceston Close, Old Town	This site is 0.42ha in area. This site sits to the south of Launceston Close between Tolman and Launceston Close homes. This site could deliver 12 new homes.
H6 Land to the south east of Ennor Close, Old Town	This site is 0.37ha in area. This site is situated to the south east of the Veterinary Practice on a site that slopes up to the east, and could deliver 11 new homes.
H7 Land to the east of Ennor Close, Old Town	This site is 0.65ha in area. This large site sits between Ennor Close and the Airport, it slopes up to the east and could deliver 20 new homes.
H8 Land to the west of Sandy Banks Farm, Hugh Town	This site is 0.4ha in area and is situated between the farm at Sandy Banks and Porthmellon Industrial Estate. The site could deliver 12 new homes.

39. The above sites, set out in Policy LC6, were identified through a ‘call for sites’ and were assessed through a Strategic Housing Land Availability Assessment (SHLAA). With the exception of site H8, which was identified as suitable in the SHLAA, all of the sites have been through a minimum of 2 rounds of public consultation, including Regulation 18 during 2018 and Regulation 19 during 2019. These allocated sites have also been subject to SA and HRA. A second round of Regulation 19 consultation has since taken place during August/September 2019, which has included all 8 sites.
40. None of the sites are located directly within natural environment designations, although site H3 at Old Town does run close (around 6 metres) at one corner of the southern boundary of the Lower Moors SSSI and the site at H8 runs close to its northern boundary (50 metres).
41. In the interests of understanding potential effects on the natural environment from new housing, especially with regard to recreational disturbance of designated sites,



this topic paper considers the current and projected population of the islands. It also considers historic trends of visitor numbers.

Resident & Visitor Populations

Population

42. The population of the Isles of Scilly fluctuates seasonally, reflecting the influence of tourism. The resident population is around 2,300 but increases to as much as 6,000 in the peak of summer. Much of the population is based on the largest Island, St Mary's with around 1,720 permanent residents. The Off-Islands have smaller resident populations; Tresco 175, St Martin's 136, St Agnes 85 and Bryher 84.
43. According to ONS data the population of the Isles of Scilly peaked in 2008. Any modest future growth proposed with this Local Plan will, in part, return to that peak. The 2017 estimate shows a population of 2259, which is 74 people fewer than the 2,333 population in 2008. This recent decline has fluctuated year on year and diverges from the overall trend since 1991, where there has been a growth of 10 people per year, in contrast with the 2008-2017 average being a loss of 8 people a year. This recent decline has clear and significant implications for the sustainability of the economy and services on the islands, should it continue.
44. The SHMA (2016)⁵ highlighted an ageing population, and that also showed the population to have peaked in 2008 and then falling off. The 2014 estimate being some 53 lower six years later. The working-age population, referring to those between the ages of 16 and 64, is set to decline from the current 65% of the population to 54% by 2030. This decline may have implications for the availability of people to fulfil key roles within the community and economy.

Table 1 2011 Census for the Isles of Scilly, by Island

Island	Population	Area (square miles)
St Mary's	1723 (2011)	2.54
Tresco	175 (2011)	1.15
St Martin's	136 (2011)	0.92
Bryher	84 (2011)	0.74
St Agnes	85 (2011)	0.69
Total	2203 (2011)	6.04

45. On the 22nd March 2019 ONS released revised Mid-Year Population Estimates for the period 2012-2016. This introduced improvements to population estimates for England and Wales from mid-2012 to mid-2016; these revised figures included new estimates of local authority international emigration and foreign armed forces dependants. On the 28th June ONS released their 2017 mid-year population estimates.

⁵ <http://www.scilly.gov.uk/sites/default/files/planning-apps/Isles%20of%20Scilly%20Final%20SHMA%20Report%202016.pdf>



Table 2 Population change 2008 - 2017

Population	2008	2011	2012	2013	2014	2015	2016	2017
Isles of Scilly - original	2,332	2,224	2,264	2,251	2,280	2,324	2,308	
Isles of Scilly - 2018 revisions	2,332	2,224	2,279	2,265	2,292	2,335	2,331	2,259
Difference		0	15	14	12	11	23	
Difference %		0%	1%	1%	1%	0%	1%	

46. The change for the Isles of Scilly is small numerically, but in percentage terms is the 12th highest increase nationally. The new estimates showed 75 more people across the period. This represents a slight reduction in the previous decline as set out in the original estimates.
47. There was a fall in population from 1991-1996, and then broadly consistent population growth from 1996 to 2008. The population fell immediately after this but recovered by 2015 to the 2008 level (+2). The last three years of data shows further decline.
48. The only more recent source of population remains the GP register. This shows an up-and-down trend for persons registering for medical services on the islands.

Table 3 GP Registered Population for the Isles of Scilly 2014-2018

Year	Registered Population	Annual Change
2014	2337	-42
2015	2295	24
2016	2319	-6
2017	2313	42
2018	2355	

49. As the original SHMA highlighted there remains a difference in age structure between the ONS estimates and the GP Register. The GP Register has a younger age profile (more aged 20-40). The two sources show a broadly comparable pattern of fluctuating population.
50. The main focus of this population change has been on St Mary's the largest island, which has seen a decline in population since 2015 of 110. While the 2018 data is not yet available at this finer grain of geography it is likely that there has been further decline 2017/18.

Visitors

51. Visitor to the islands have been monitored by various organisations, including the Tourist Information Office at the Council of the Isles of Scilly, until management of tourism passed to the Islands Partnership in 2014. Data is also still collected by the Council through its management of St Mary's Airport. Finally, the Friends of Isles of



Scilly Travel (FRIST) produce periodic newsletters which contain visitor number figures. In spring 2019, the most recent newsletter,⁶ sets out mainland passenger numbers from 1990 through to 2016. This demonstrates that with the loss of the Helicopter service (BIH) in 2012 there was a significant loss of passengers to the islands. At its peak in 2002 the helicopter service was bringing 133,133 visitors to the islands. The overall visitor numbers using both sea and air transport peaked at 278,692 in 2004 and have reduced to 217,728 in 2018.

52. The spring 2019 FRIST Newsletter stated that '*visitor numbers have decreased over the years. Over 10 years from 2009 to 2018 the air traffic is down 36.7%, sea traffic is up 41.4% and the overall traffic is down by 8.2%*'.
53. It is clear that the proportion of visitors at around 200,000 per annum is significantly greater than the resident population of around 2,300. The role of the Local Plan is to plan for objectively identified needs for employment and housing land; it also provides guidance on proposals for new or upgraded tourism development.

How the issues have been resolved in the new Local Plan

Overall Strategy

54. The NPPF natural environment objective feeds directly into the strategic objectives of the new Local Plan, and in particular specifically aims to:
- (1) Maintain an outstanding world-class environment;
 - (6) Adapting to the effects of climate change; and
 - (7) Minimising carbon emissions
55. Strategic policies through the Local Plan promote sustainable development by prioritising the use of previously developed land and buildings, proposing much needed homes in the most sustainable parts of the islands and ensuring that all types of development consider sustainable waste management practices and construction methods. Every proposal will be required to demonstrate sustainable design through materials of construction, waste management, reduced energy and water consumptions as well as biodiversity net-gains. There are 4 further strategic policies which directly relate to the natural environment:
- OE1 Protecting and enhancing the landscape and seascape
 - OE2 Biodiversity and Geodiversity
 - SS1 Principles of Sustainable Development
 - SS2 Sustainable Quality Design and Place-Making
56. The section on supporting a strong living community contains a number of site specific housing allocations policies. These are born out of the overall spatial strategy and the suitability of the sites proposed has been assessed in detail through the Strategic Housing Land Availability Assessment. Sites which were identified as having an unacceptable impact on the natural environment were rejected at that stage. The reasonable site options identified through the SHLAA process were

⁶ <http://c6178098.myzen.co.uk/FRIST/Newsletters/fs190512-FRIST-newsletter-6.pdf>



subject to SA and the findings informed the selection of the proposed site allocations to meet the local identified need.

57. The site specific policies in the living community chapter were drafted having regard not only to the overall NPPF objective, but also to the draft new Local Plan objectives (noted above) and the more detailed requirements of relevant Development Management Policies.

The Isles of Scilly Area of Outstanding Natural Beauty

58. The AONB covers the entire islands and as such there are certain circumstances that would justify major development in the AONB. Whilst it would not be in the public interest to allocate for major development, the islands do not have any sites that are not within the AONB. The new Local Plan has therefore not included potential allocations which would result in major development.

59. The inclusion of sites specifically allocated for housing are a means to seek to deliver 105 affordable homes over the plan period. Both individually and cumulatively the development of these sites, which could include a percentage of open market homes if justified as required on the grounds of viability, is considered necessary and appropriate on the basis of the island-nature of the community.

60. With regards to potential windfall development within the AONB, the policies of the new Local Plan are constructed around the objective to minimise impacts on biodiversity and providing net gains in biodiversity without development being obtrusive or visually harmful. Windfall homes development count towards the delivery of the 105 affordable homes, identified as required over the plan period. They would not be in addition to this figure.

Isles of Scilly – Designated Sites SAC/SPA/Ramsar

61. Local Plan Policies, including site-specific requirements, provide mitigation measures to ensure that there are no adverse effects on air quality, water levels & quantity, or habitat loss or fragmentation from the new residential development proposed through the Site Allocations as set out in Policy LC6. This was confirmed through the HRA process and report (November 2018). Relevant Local Plan Policies:

- 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 environmental sustainability.
- OE2 Biodiversity & Geodiversity: Protects biodiversity, including international and European designations, from the effects of development, providing strong mitigation measures. Development will only be permitted where there is no adverse effect on the integrity of internationally designated sites – alone or in combination with other developments.
- OE3 Managing Pollution: Requires that there will be no adverse impacts from development for pollution – including noise and light -



- OE4 Protecting Scilly's Dark Skies: The policy will protect the dark skies for the archipelago by managing the external lighting of proposed development.
62. Potential significant effects on recreational disturbance were investigated through appropriate assessment as the second stage of the HRA process. The Isles of Scilly SAC and SPA/pSPA may all be considered to be vulnerable to threats and pressures from outdoor sports, leisure and recreational activities. Vulnerabilities for the Isles of Scilly Ramsar are not listed but it is assumed that the seabird species that are qualifying features (European storm-petrel; Lesser black-backed gull; and European shag) could be disturbed by increased recreational pressures.
63. The Local Plan has integrated mitigation measures through selection of site allocations (Policies H1-H8 within Policy LC6) to meet local need, of a limited size and located adjacent to the existing urban built form on St Mary's. Therefore, the HRA concluded that there would be no adverse effects on the integrity of the designated sites from the housing proposed in Policy LC6 due to its small size and location within the existing urban form. Fundamentally the housing proposed in the Local Plan is intended for local people who will already be using the islands for recreational activities, so this means there would be no significant effects as a result of disturbance or recreational pressure.
64. Other new housing development that could arise elsewhere on the 5 inhabited islands through Policy LC7 Windfall Housing are required to meet with Policies LC1-3 and other Policies in the Plan. Thus, whilst specific numbers of houses are not indicated within Policy LC7, the requirements to ensure that such housing is to meet local housing needs of the islands, limits the amount of housing that could be promoted through open market and prevents the development of second or holiday homes. Therefore, there is effectively a limit to housing development and the minimal growth remains a relatively known quantity that is very small compared to the visitor numbers and the existing disturbance of designated sites.
65. As explained above, the housing development that is likely to be proposed and built is limited and the Local Plan through Policy LC1 and Policy LC7 does not permit unlimited unknown growth. In contrast to past higher population and visitor numbers, the disturbance from new housing does not factor compared with the existing disturbance from visitors which, as highlighted above, is lower overall than numbers visiting historically.

Conclusions

66. This paper has sought to explain how the challenges of developing a Local Plan to accommodate the limited identified new housing for local needs has addressed issues for protecting the wider natural environment and the designated biodiversity. The overall Local Plan Strategy and Strategic Policies that comprise the core of the Plan promote sustainable development and aim to protect and enhance biodiversity.



67. The site-specific housing allocations (Policy LC6) have been investigated and allocated such that potential negative effects are minimised, and the most positive effects promoted. The site-specific housing allocations have been selected in order to meet the needs for local people, identified to be some 105 new dwellings over the plan period. Windfall housing (Policy LC7) is limited through the requirement to meet with other Local Plan Policies, especially LC1 and LC2 ensuring that housing is only to meet with local housing needs. The new housing – allocated and windfall – is only for local people and will not result in significant increase in recreational disturbance of the designated sites.
68. The LPA have been unable to identify objective data which links recreational activities to the population decline of seabirds, cetaceans etc., and cannot conclude that the plan, to provide 105 new homes primarily for the existing population, would result in a significant impact upon the natural environment. It is recognised however, that recreation activities can impact upon behaviour, increase stress and cause disturbance, but it is unknown how human activities and trends may change over the course of the plan period. Consequently it is not possible to conclude on whether any increase in recreational pressure on the designations is likely to be as a result of Local Plan proposals or coincidental or as a consequence of other external factors.
69. There is good spatial data on where main recreational areas are on Scilly as well as a good insight into current numbers. If necessary these could be worked up, through working with the Inshore Fisheries Conservation Authority for the Isles of Scilly (IFCA) and Natural England, into a reasonable ‘threshold’ or trigger points; that might trigger an assessment. This could establish baselines and enable monitoring of impacts more carefully. This would require Natural England to come up with ‘triggers’ or ‘thresholds’ for the numbers of craft per km²/hour for example that they consider to be tolerable for different areas around the island. This would need to be based on ‘expert view’. This could be a way forward once the Local Plan is adopted and assist in the effective monitoring of the Local Plan and its policies.