

Consultation Representations to SA Report & HRA Report (February to April 2019) accompanying draft Local Plan on Initial Regulation 19 Consultation

SA Report & HRA Report (January 2019)	Consultee & Comments	Enfusion Responses & Action Taken
Natural England		
HRA	<p>We note that the HRA includes an Appropriate Assessment (AA) which we welcome. However we do not agree with the conclusion of the AA that the plan would not result in likely significant effects from recreational impacts. The plan includes site allocations for 104 new dwellings, includes policy allowing windfall development and new staff accommodation in more general terms, and plans for tourist accommodation. Whilst some accommodation will be for people currently living on the islands, the housing strategy will inevitably result in a significant number of additional people on the islands. From the evidence provided we do not accept that this will not bring additional recreational pressures on the internationally designated sites. In accordance with the Habitats Regulations we require that an assessment is made of the impacts of all the planned for new development on these designated sites. We strongly advise you to undertake visitor surveys and to identify what mitigation measures might be needed as well as the means to levy developer contributions to fund any necessary mitigation. We are happy to advise you further on this.</p> <p>We note that the AA considers each housing allocation site individually. Whilst the windfall sites policy does not allocate sites, it does mention the location of these sites on the island of St Mary. We advise that each named windfall site is assessed in the AA similarly to the allocation sites.</p>	<p>Housing Strategy Policy LC1 amended to provide clarity & further guidance on open market and windfall housing.</p> <p>Further refinements to Policy OE2 Biodiversity.</p> <p>HRA updated to consider the amendments to the Local Plan – and conclusions remain that there is sufficient embedded mitigation in Policies to ensure that there will be no adverse effects on the integrity of designated sites, alone or in-combination.</p>
SEA	<p>A consideration of site options for the windfall sites as identified in policy LC7 could not be found in the SEA. We advise that an assessment of options is undertaken as well as an assessment of the sites as identified in the policy is undertaken. The SEA should be amended to address this.</p>	<p>It is not possible to identify and assess windfall sites – as these are bonus sites not yet known. However, the SA determined that the</p>

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	<p>The SEA should incorporate an assessment of <i>all</i> the new housing planned for in the Local Plan. Currently the SEA only considers the allocation sites but does not consider the impacts of windfall housing (policy LC7) on the sites on St Mary's and on the off-islands, nor of new staff accommodation (policy LC4). Seen the number of designated wildlife sites and the AONB it is important that firstly the number of prospective windfall housing is assessed and secondly that an assessment is made of whether the total number can be accommodated on the identified windfall sites and the off-islands without significant impacts on the designated wildlife sites and the AONB and if and how these impacts can be mitigated. These assessments will need to be incorporated into the SEA. The conclusions of the HRA, including those on recreational impacts on the internationally designated sites should also be included in the SEA report.</p>	<p>changes made to the Plan & other Policies provide sufficient mitigation to ensure that there are no significant negative effects and that positive effects remain confirmed.</p>
RSPB		
HRA	<p>We welcome the production of a Habitats Regulation Assessment and the Appropriate Assessment, and the inclusion of both recreational disturbance and non-native species impacts. The islands 'plan' forecasts and supports significant and as yet unquantified levels of growth across a range of social and economic sectors for the period. We are uncomfortable with the lack of assessment of the potential impacts and provision to deal with any that are likely to be significant, as a result of growth over the plan period. In particular, on the rapidly declining seabird population. Details provided in Appendix I of the representation.</p> <p>Therefore we object to the current version of the draft plan but would be happy to work with the council to resolve any outstanding issues to enable the council to plan for a sustainable future for the islands and enhancing and restoring its rich wildlife heritage which supports the islands economy.</p>	As above
	<p>The assessment of likely impacts of the plan on key nature conservation sites (in the Habitats Regulation Assessment) is inadequate because; it still remains unclear what the overall predicted scale of the development will be as a result of the plan due to lack of</p>	As above

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	information on the scale and location of open marketing housing, new staff accommodation and new holiday developments, and the associated infrastructure needs. For example on the mainland, councils have calculated that the amount of open market housing required to support local needs varies anything up to a ratio of four open market houses to one social house. This means that the scale of the overall development and the subsequent increase in the population could be significant.	
	The potential impacts relating to disturbance has not been adequately assessed. This needs to be evidenced by a recreational strategy which quantifies current recreational activity, so that predicted increases in use can be calculated, and a range of suitable interventions can be supported to mitigate for increase in use	Noted with thanks
	We would recommend that a biosecurity risk assessment plan is produced, which highlights the key threats, key pathways, predicted increases in traffic movements as a result of the plan and proposals to mitigate against the individual, in-combination and cumulative effects	Noted with thanks
	We welcome the production of the biodiversity supplementary planning document. However feel it is inadequate in terms of how applicants deal with non-natives species and disturbance. In addition, more detail of what is required for biodiversity to support planners and developers in in the development process to provide net gains in biodiversity, and we would be happy to help further develop the guidance.	Noted with thanks
	<p>There are still three key areas of work we believe need to be completed and/or provided:</p> <ol style="list-style-type: none"> 1 The open market, new workers accommodations and new tourism accommodation and associated infrastructure needs have to be quantified 2 Disturbance study should be undertaken to clarify the potential growth of recreational and transport activity and identify any infra-structure or management needs required to ensure growth is sustainable, especially as a result of the cumulative and in-combination effects with other plans. (Cornwall council have an example) 	Noted with thanks and please see above also.

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	<p>3 With the increase in planned development, the associated transportation of materials to and between islands, and increasing waste management requirements there is an increase in the potential threat to the islands from non-native species. A risk assessment needs to be carried out which highlights key invasive non-native species threats (including pathogens, plants, invertebrates and vertebrates), potential pathways and suitable measures that could be put in place within the plan to address this impact.</p>	
Mulciber Ltd		
SA Reasonable Alternatives	<p>It is not considered that the SA has considered reasonable alternatives.</p> <p>There is no consideration of the effect of small scale mineral extraction (consistent with the remainder of the approach in OE6).</p> <p>There is no consideration in the SA of the social, environmental and economic factors of the various options for the supply of indigenous materials (not met through recycled and secondary materials) through new mineral extraction on the islands.</p> <p>There is no evidential basis for the conclusion that it is "inappropriate to advocate mineral extraction". The point was raised in the Reg 18 consultation and it was stated that the "SA will assess any identified reasonable alternatives", however the SA does not do so. This conclusion is apparently due to "Scilly's exceptional environmental quality", however, we have not seen any assessment of the effect of proposed small scale working of minerals on the islands, and also not specifically in respect of Pendrethan quarry (where waste operations re already lawfully carried out). In fact, NPPW recommends that WPAs should look for opportunities to co-located waste management facilities with complementary activities.</p> <p>Given the draft Plan proposes 105 homes over the plan period (7 per year), the demand for local stone for this purpose will be manageable and not excessive.</p>	<p>The Council decided that it would be inappropriate to promote new minerals extraction on principle and therefore, any such option was not considered to be a reasonable alternative and therefore, was not subject to SA.</p>

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	The SA is deficient in that it does not properly assess reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.	