

Council of the
ISLES OF SCILLY

**ISLES OF SCILLY LOCAL PLAN REVIEW
2015-2030**

**HABITATS REGULATIONS ASSESSMENT
SCREENING & APPROPRIATE
ASSESSMENT REPORT**

**January 2019 &
Updated December 2019**

enfusion 

Isles of Scilly Local Plan 2030: Pre-Submission Draft Regulation 19 Consultation & Examination

Habitats Regulations Assessment (HRA) Screening & Appropriate Assessment (AA) Report

January 2019
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1.0 INTRODUCTION

The Local Plan Review (2015-2030)

- 1.1 The Council of the Isles of Scilly is 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:
- Promoting a Sustainable Scilly
 - Our Outstanding Environment
 - Building a Strong Living Community
 - 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 - Special Protection Area (SPA), Special Area of Conservation (SAC), and Ramsar sites. The HRA screening stage 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. If a risk of Likely Significant Effects (LSEs) is identified, then the process should progress to the Appropriate Assessment (AA) stage.
- 1.4 The Council has commissioned specialist consultants Enfusion to progress the HRA of the 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 Local

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>

Plan; this work has been undertaken concurrently, with the two processes informing each other as appropriate.

- 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 and Appropriate Assessment Report is available for wider public consultation alongside the Draft Local Plan. An initial HRA screening of the Regulation 18 draft Local Plan was provided as part of the Regulation 18 consultation during February-March 2018.
- 1.7 Comments³ made by Natural England were taken into account in the preparation of the revised HRA Screening & Appropriate Assessment Report (January 2019) for Regulation 19 consultation alongside the draft Plan during February – March 2019. A meeting was held with NE in July 2018 to discuss both the plan-making and the HRA; this was followed up with a further telecom discussion in September 2018. These discussions informed the further development of the plan, including specifically a rewriting of Policy OE2 Biodiversity & Geodiversity.
- 1.8 Further comments made by NE in response to the Regulation 19 consultation have resulted in a revision of the Natural Environment Topic Paper (Updated December 2019) and development of a Statement of Common Ground (SoCG) between the IoS Council and Natural England. Such updating primarily relates to the evidence explaining that proposed housing development (site allocations and windfall housing) is for delivery of 105 homes to meet local housing needs. Therefore, the HRA Report has been updated to reflect the updating of evidence and the latest agreed position between the IoS Council and Natural England.

Purpose and Structure of The Report

- 1.8 This report documents the process and the findings of the HRA screening and appropriate assessment for the Draft Local Plan, as follows:
 - Section 1 – this introduction

³ Letter NE to Isles of Scilly Council (June 2018)

- 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 details presented in the Appendices I-IV.
- Section 4 describes the Appropriate Assessment, including avoidance and mitigation measures where necessary.
- Section 5 summarises the findings of the HRA and explains the next steps.

2.0 HABITATS REGULATIONS ASSESSMENT & THE DRAFT PLAN

Requirement for Habitats Regulations Assessment (HRA)

- 2.1 The Conservation of Habitats and Species Regulations 2010 (as amended 2017) [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 Directive⁴ 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 Directive⁵. In addition, Government guidance⁶ 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 (and Ramsar site), would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed. The HRA process must be applied before a plan or project that might affect a protected site can be adopted or authorised.

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 Government⁷ 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

⁴ (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive]

⁵ (2009/147/EC) on the Conservation of Wild Birds [the Birds Directive]

⁶ DEFRA, 2012. The Habitats and Wild Birds Directives in England and its seas - core guidance for developers, regulators & land/marine managers

⁷ DCLG, 2006. Planning for the Protection of European Sites: Appropriate Assessment

- 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 produced additional, detailed guidance⁸ 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 Guidance⁹ document relating to the Habitats & Wild Birds Directives, providing information on decision making and the HRA process for developers, regulators and land/marine managers.

CJEU Judgment on HRA Screening (April 2018)

- 2.7 On 12 April 2018, the Court of Justice of the European Union (CJEU) issued a judgment¹⁰, which ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (referred to in the judgment as measures which are intended to avoid or reduce effects) should be assessed within the framework of an appropriate assessment (AA) and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.
- 2.8 The implication of this judgment is that competent authorities cannot take account of any integrated or additional avoidance or reduction measures when considering at the Habitats Regulations Assessment (HRA) screening stage whether a plan is likely to have an adverse effect on a European Site.
- 2.9 The Initial HRA Screening Report (February 2018) of the emerging draft IoS Local Plan had been prepared before this CJEU was issued in April 2018. It had concluded through the screening process that some European sites were at risk from recreational disturbance and changes to water levels and water quality. However, taking into account the small quantum and location of the proposed development, and that the Plan's policies provide sufficient mitigation such that no significant effects are likely to occur, either alone or in-combination.
- 2.10 Since it is now not possible to take account of any integrated avoidance or other mitigation measures provided through plan policies at the HRA screening stage, it was necessary to revise the HRA process in order to be able to demonstrate procedural compliance. It may be noted here that Natural England issued an internal guidance on assessment of road traffic

⁸ Tyldesley, D., 2009, The Habitats Regulations Assessment of Local Development Documents (Natural England)

⁹ Defra, 2012. The Habitats and Wild Birds Directives in England and its seas-core guidance for developers, regulators & land/marine managers

¹⁰ People over Wind & Sweetman v Coillte Teoranta Case C-323/17

emissions under the Habitats Regulations on 13 July 2018¹¹ and prepared in response to the implications of the CJEU Judgment. This was taken into account in the revised HRA screening (January 2019, published for Regulation 19 consultation alongside the draft IOSLP) and is discussed later in section 3 of this HRA Report.

Method

2.11 The approach taken for the HRA of the Draft Local Plan follows the method set out in the guidance documents. This HRA is being undertaken in accordance with good practice, the available guidance on process, and using principles as follows:

- Use existing information
- Early consultation with Natural England (and ongoing, as necessary)
- Proportionate assessment
- Systematic and as simple as possible whilst retaining clear process robustness

2.12 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.

¹¹ <http://publications.naturalengland.org.uk/publication/4720542048845824>

The Isles of Scilly Local Plan 2030

- 2.12 The 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 Local Plan has been influenced by existing local strategies and management plans, and by a number of technical studies¹² which have been commissioned or completed by the Council. This includes a Housing Topic Paper (2017), a Strategic Housing Market Assessment (SHMA 2016, updated with standardised method 2018), Strategic Housing Land Availability Assessment (SHLAA 2016), a Local Flood Risk Management Plan (2017, and the Infrastructure Capacity Assessment, 2018).

Aims and Vision

- 2.13 The Isles of Scilly Local Plan has an identified Vision which is divided into six topics as set out 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 is a highly desirable place where people are able to live well, work productively, and move freely between islands and the mainland; they can also benefit from excellent education, leisure, health and social care facilities, within a world-class environment in harmony with nature. The distinctiveness and exceptional environment, with the influence of the sea, continue to provide a strong sense of community, identity and belonging; these 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 a 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. Tourism is thriving through the year, with good-quality and value accommodation, and services in harmony with the outstanding environment.</i>
<i>In 2030: The islands' infrastructure is a beacon of sustainability to the UK and beyond; it provides an affordable, innovative and low carbon model for managing energy, water and waste with</i>

¹² <http://www.scilly.gov.uk/planning/local-plan/local-plan-evidence-base-library>

<i>considerable benefits to the environment and residents' quality of life.</i>
In 2030: <i>Residents, businesses and visitors enjoy more affordable, resilient and reliable transport links to the mainland and between islands throughout the year following improvements to transport services and networks.</i>

2.14 The Local Plan also includes seven 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 are set out 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, valued and 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 by building upon its strengths and underpinned by effective infrastructure and an appropriately available and 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

2.15 The Strategic Housing Market Assessment (2016, updated 2018) for the Isles of Scilly has identified an Objectively Assessed Housing Need (OAN) of up to 105 affordable homes 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. The Natural Environment Topic Paper (2019) confirms that such housing is

to meet local housing needs and clarifies that any windfall homes delivered would count towards meeting the identified need for 105 homes.

- 2.16 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.
- 2.17 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

- 2.18 The Plan contains 33 policies that will guide development during the Plan period. The Policies are categorised into four 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.

2.19 Policy LC6 details the 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 contribute towards meeting the identified need for up to 105 affordable homes within the Plan period. The site allocations are set out in Table 2.4, as follows.

Table 2.4: Site Allocations

Policy LC6	Site Name
H1 (A7) 0.54 ha & around 26 homes	Former Secondary School, Carn Thomas, Hugh Town, St Mary's
H2 (A7a) 0.2 ha & around 7 homes	Former Primary School, Carn Thomas, Hugh Town, St Mary's
H3 (A13) 0.53 ha & around 15 homes	Land at to the west side of Old Town Road on the north of Ennor Castle, Old Town, St Mary's
H4 (A14) 0.44 ha & around 13 homes	Land to the north-east side of Ennor close, Old Town, St Mary's
H5 (A15) 0.42 ha & around 12 homes	Land to the south of Launceston Close, Old Town St Mary's
H6 (A17) 0.37 ha & around 11 homes	Land to the south east of Ennor Close, Old Town, St Mary's
H7 (A18) 0.65 ha & around 20 homes	Land to the east of Ennor Close, Old Town, St Mary's
H8 0.4 ha & around 12 homes	Land at Sandy Banks, Porthmellon, St Mary's

2.20 The Plan does not allocate land or make provision for employment, tourism, energy, waste or minerals development. However, where needed and can be shown to promote sustainable development, new employment, tourism, energy or waste management development that might arise through Policies WC3, WC5, SS8 and OE5 respectively will also have to comply with other policies in the Plan.

3.0 SCREENING

Identification of European Sites

- 3.1 Stage 1 of the HRA process is to identify the designated European sites that 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 judgment was used to determine which sites may be affected by the Local Plan.
- 3.2 Listed below are the protected sites that have been scoped (details are set out in Appendix I) for investigation through the HRA screening for the Isles of Scilly Local Plan:
- Isles of Scilly Ramsar
 - Isles of Scilly SPA & Proposed Extension
 - Isles of Scilly SAC Complex
- 3.3 All of the above are existing sites within the archipelago. In January 2018 Natural England released their proposed plan to extend the existing Isles of Scilly SPA¹³. 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 has conducted scientific research to justify the proposed extension to the SPA and to determine the extent of the new area. When Natural England has developed the initial site recommendations for a draft SPA, and held further discussions with stakeholders, proposals will be submitted as formal advice to Defra¹⁴. Defra will then be responsible for making a decision on the classification of the site.
- 3.5 However, for HRA good practice 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. NE has advised¹⁵ that since all areas within the new marine boundary for the proposed site could already be described as being 'functionally linked' to the existing terrestrial SPA any future planning application or plan proposals will be subject to the HRA

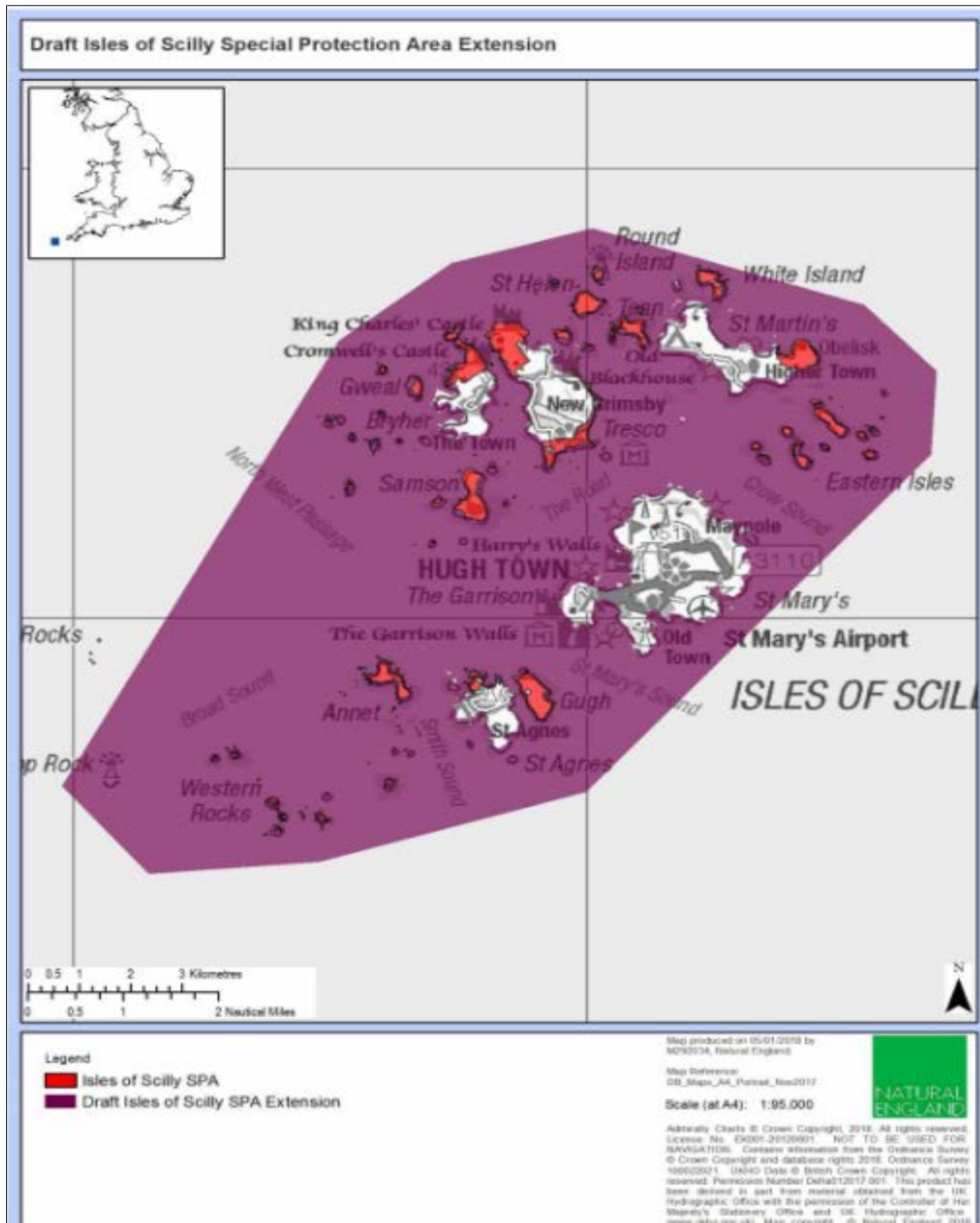
¹³ Natural England (January 2018) Proposals for a marine extension to the Isles of Scilly Special Protection Area

¹⁴ <http://publications.naturalengland.org.uk/publication/6573576605401088>

¹⁵ Letter NE to IoS Council 6 June 2018

process regardless of whether the proposed SPA is formally designated. Natural England already advises authorities to consider the impact of activities on areas outside the current SPA boundary that support the existing features of the SPA. Management is therefore already required in the marine area as necessary to protect the breeding seabird features of the terrestrial SPA.

Figure 3.1: Isles of Scilly Location & SPA Proposed Extension¹⁶



¹⁶ Natural England (January 2018) Proposals for a marine extension to the Isles of Scilly Special Protection Area

Characterisation of European Sites

- 3.6 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.

Likely Effects from Development

- 3.7 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 air pollution, including acid deposition, nitrogen dioxide, ozone ■ Increased emissions from buildings

Other Plans and Projects

- 3.8 A review of other plans and projects in and around the Isles of Scilly Plan area was undertaken to consider the potential for significant in-combination effects (details are in Appendix II of this report). The archipelago is separate from and some considerable distance (approximately 45 km) from the nearest land at Land's End in Cornwall. The HRA for the Cornwall Local Plan (adopted 2016) ruled out the Isles of Scilly SPA, SAC and Ramsar complexes from the HRA screening due to the distance of these sites from Cornwall. Whilst there is the potential for in-combination effects through the closely linked transport infrastructure, specifically ferry links and airport links, new transport links are not proposed in either the IoS or Cornwall Local Plans. Therefore, it is considered that there are no other plans or projects that are likely to have significant in-combination effects with the IoS Local Plan due to the distance of the islands from Cornwall.

Allocation/Policy Screening

- 3.9 The first stage in the screening process considered the potential impacts arising from implementation of the draft policies and proposed allocation sites - and

whether these have the potential to lead to likely significant effects (LSEs). The screening (detailed in Appendix III) identified Policies for which potential impacts could lead to likely significant effects –summarised, as follows:

Table 3.3: IOSLP Policies identified as having impacts that could lead to LSEs

Policy/Allocation	Potential Impacts of the Policy/Allocation
Policy LC1: Isles of Scilly Housing Strategy over the Period to 2030 Policy LC6: Housing Allocations (Policies H1-H7)	The Policy makes provision over the Plan period for an indicative housing delivery of up to 105 affordable homes through the site allocations on St Mary's and windfall sites on any of the islands. The Policy has the potential to result in: <ul style="list-style-type: none"> ▪ atmospheric pollution through increased traffic, which could reduce air quality ▪ increased levels of disturbance - recreational activity, noise and light pollution ▪ 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 ▪ introduction of invasive/non-native species that could lead to loss or fragmentation of habitats and loss of species
Policy LC7: Windfall Housing	This policy could result in new housing development that has the potential for LSEs as set out above in Policies LC1 & LC6.
Policy WC3: New Employment Development	This policy could result in new employment development that has the potential for LSEs as set out above in Policies LC1 & LC6.
Policy WC5: Visitor Economy & Tourism	This policy could result in new tourism development that has the potential for LSEs as set out above in Policies LC1 & LC6.
Policy SS8: Renewable Energy Developments	This policy could result in new energy development that has the potential for LSEs as set out above in Policies LC1 & LC6
Policy OE5 Managing Waste	This policy could result in new or extended waste management facilities that have the potential for LSEs as set out above in Policies LC1 & LC6

3.10 These Policies 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 detailed in Appendix IV.

Screening Assessment

- 3.11 HRA screening good practice (Appendices III & IV) combines both a Plan and a European Site focus. The policy screening (Appendix III) removes from consideration those elements of the plan unlikely to have effects on European sites. The remaining plan elements (summarised above) can then be considered in more detail for their impacts on European Sites (Appendix IV). The site focus considers the impacts and potential effects identified through the policy screening, in the light of the environmental conditions necessary to maintain site integrity for the European sites scoped into the assessment (Table 3.5).

Table 3.4: Screening Summary Key

Likely Significant Effect (LSE)	Yes	Appropriate Assessment required
No Likely Significant Effect	No	No further assessment required
Significant Effect Uncertain	?	Uncertain, precautionary approach taken, and Appropriate Assessment required, as necessary

Table 3.5: HRA Screening Summary

European Sites	Potential Likely Significant Effects (LSEs)							
	Air Quality		Disturbance		Water Levels & Quality		Habitat Loss & Fragmentation	
	A ¹⁷	IC ¹⁸	A	IC	A	IC	A	IC
Isles of Scilly Ramsar	No	No	No	No	No	No	No	No
Isles of Scilly SAC	Yes?	No	No	No	Yes?	No	Yes?	No
Isles of Scilly SPA	No	No	No	No	No	No	No	No
Isles of Scilly SPA Extension	Yes?	No	No	No	Yes?	No	Yes?	No

Air Quality

- 3.12 Natural England advises¹⁹ that usually only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for LSEs from road traffic emissions. Site allocations H1 & H2 are either side of Strand, Old Town – a road that is within some 60-100m²⁰ of the Isles of Scilly SAC and SPA Extension. Also, site allocation H8 adjacent to Telegraph Road, Porthmellon and within 200m of

¹⁷ AA required alone?

¹⁸ AA required in combination?

¹⁹ NE Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs (June 2018)

²⁰ As measured through Magic Map Application www.defra.gov.uk/magicmap (accessed November 2018)

the Natura 2000 sites. Site allocations H3-H7 are located adjacent or nearby to the Old Town Road that is some 75m at the nearest point to the SAC/pSPA. The allocations are around 2.5km from the Isles of Scilly Ramsar and existing SPA designation²¹, located on different islands. Thus, there is the potential for increased emissions through construction activities, and changes/increases in private vehicle use from housing allocations on the Isles of Scilly SAC and SPA Extension.

- 3.13 Air quality change/pollution from emissions is not identified as a threat for any of the Natura 2000 designations. Although the site allocations are associated with roads that are within 200m of the SAC & pSPA (and therefore need to be considered in line with NE guidance), the screening found that environmental pathways were unlikely due to the small scale of new development relative to the extent and nature of the SAC & SPA where changes in air quality are not a vulnerability. Also, the site allocations are proposed 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 south-westerly wind direction will not disperse emissions across the islands where SPA and Ramsar designations are located. Therefore, no likely significant effects on air quality expected and not investigated further.
- 3.14 The likely effects of policies for non-allocated housing (Policy LC7 Windfall Housing); employment (Policy WC3); tourism related development (Policy WC5); renewable energy development (Policy SS8); and waste management development (Policy OE5) depend upon location, size and precise type of development. However, the likely scale of any such new development is small and as with the site allocations, no likely significant effects on air quality expected and not investigated further.

Disturbance and Recreational Pressure

- 3.15 Recreational pressure with outside sports and leisure activities is an identified threat for all the sites, including the proposed marine extension to the SPA since these waters could be defined as being functionally linked to the existing terrestrial SPA. All 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 which can disturb and destroy habitat. Other recreational activities that could occur include fishing, swimming, snorkelling, scuba diving and jet skiing. All site allocations 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 can be common among residents. There is also the potential for disturbance as a result of noise and light pollution.
- 3.16 The Local Plan is allocating sites to meet the identified housing needs of 105 homes for local people who are already residing on the islands and are likely to be already using the areas for recreational activities. The updated Natural

²¹ Magic Map (accessed 2017)

Environment Topic Paper (December 2019) makes it clear that any windfall housing delivered will be counted within this overall identified need of 105 new homes. Therefore, it is considered unlikely that there will be any significant increase in recreational activities, and no further assessment is required since the level of new development is small and for local people already residing on the islands.

- 3.17 Any new development arising from Policies SS8 Renewable Energy, OE5 Waste, and WC5 Visitor Economy is likely to be proportionately small and relevant to the islands' characteristics; it is unlikely to be associated with any increased recreational disturbance and therefore, no further assessment is required for these 3 Policies.

Water Levels & Quality

- 3.18 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.
- 3.19 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 on the sites allocated for development 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. Although the overall amount of new development proposed at up to 105 homes is small, this was taken forward for further investigation through appropriate assessment.

Habitat Loss and Fragmentation

- 3.20 With regard to the site allocations, 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 allocations, and that the SAC and proposed extension to the SPA are marine based with no habitat loss as a result of proposed new development on St Mary's.
- 3.21 Both the SPA and the SAC are vulnerable to habitat loss and fragmentation through predation from invasive non-native species. There is also some uncertainty about likely significant effects from non-allocated new development, as this depends on upon location, size and precise type of development. Therefore, these factors were taken forward for further investigation through appropriate assessment.

Further Assessment Required?

3.22 The screening assessment identified some uncertainty with regard to the potential for likely significant effects (LSEs), as follows:

- Isles of Scilly SAC: potential effects as a result of changes to water quality, and habitat loss/fragmentation (from invasive non-native species)
- Isles of Scilly SPA & pSPA extension: potential effects as a result of changes to water quality, and habitat loss/fragmentation (from invasive non-native species)

Such potential effects are only likely alone as there are no plans/projects that are likely to act in-combination; these issues are considered in more detail through appropriate assessment.

4.0 APPROPRIATE ASSESSMENT (AA)

Introduction

- 4.1 The assessment considers the characterisation of each identified protected site, including the qualifying features, conservation objectives and vulnerabilities – as detailed in Appendix I and summarised previously in Section 3 of this report. It takes into account the screening assessment for environmental pathways, risk and LSEs – as detailed in Appendix IV and summarised in Section 3 of this report. The potential LSEs are assessed with consideration of integrated avoidance and other mitigation measures provided through the Local Plan allocations and policies, using professional judgment and supported by technical evidence as submitted with the Plan.

Water Quality

- 4.2 The Isles of Scilly SAC and SPA/pSPA sensitive to pollution and changes in water levels with the potential for environmental pathways and significant likely effects.
- 4.3 The Local Plan seeks to protect the water environment, manage water resources, and prevent flooding with mitigation measures, as follows:
- **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. 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:** 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.
- 4.4 Furthermore, the SAC Site Improvement Plan²² sets out measures and funding to address the threat of water pollution, which includes the installation of appropriate sewage treatment systems. NE advise that this is not mitigation in

²² Natural England (2014) Site Improvement Plan: Isles of Scilly SAC Complex

itself but nonetheless it provides a statement of how potential impacts could be managed, giving further advice to developers. Therefore, due to the strong mitigation provided through Local Plan Policies, no significant effects on water quality or levels for the SAC or SPA/pSPA are considered as a result of new development.

Habitat Loss & Fragmentation

- 4.5 The Isles of Scilly SAC and SPA/pSPA would be sensitive to loss or fragmentation of habitat through land take for new development. However, the proposed site allocations (Policies H1-H7) are small and located within the existing urban built environment on St Mary's, avoiding terrestrial SPA designated land protected for nesting areas. Therefore, no likely significant effects were indicated through the HRA screening stage.
- 4.6 Any other new development arising from Policies LC7, WC3, WC5, SS8 and OE5 will have to comply with other Plan Policies, including Policy OE2 that protects biodiversity and Policy OE4 that manages pollution. Both the SAC and the SPA/pSPA are sensitive to invasive non-native species that could then result in habitat loss/fragmentation through predation. However, the quantum of new development proposed is small, mostly on St Mary's, and it will have to comply with other policies - in particular Policy OE2 and OE3 that ensure there will be no adverse impact on the integrity of internationally designated sites and the natural environment. Policy OE2 now includes a specific requirement to "*minimise the impacts of invasive non-native species throughout the lifetime of the development.*" Policy OE5 Managing Waste requires a site waste management plan that should include "*a bio-security plan setting out control measures to prevent the introduction of non-native species.*"
- 4.7 Therefore, due to the strong mitigation provided through Local Plan Policies no significant effects on habitat loss/fragmentation associated with non-native species for the SAC or SPA/pSPA are considered likely as a result of new development – alone or in-combination.

5.0 HRA SUMMARY, CONCLUSIONS & NEXT STEPS

Summary

- 5.1 This report presents the methods used and the findings arising from the HRA 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. The HRA screening was revised to reflect the CJEU Judgment, and updated to take into account recent discussions with Natural England, including the Statement of Common Ground between the IoS Council and NE. An appropriate assessment was undertaken where necessary in respect of potential likely significant effects on water quality, and habitat loss/fragmentation through risk of introducing non-native species.
- 5.2 The Local Plan will deliver new housing of up to 105 new homes within the Isles of Scilly to meet the needs of the residents of the islands. Such new homes will be provided through site allocations on St Mary's; any additional windfall housing delivered will be counted towards this identified housing and as explained in detail in the Natural Environment Topic Paper (Updated December 2019). The Plan also provides appropriate Policies that will guide future development in the area during the plan period, to ensure that development aligns with the Vision of the Plan.
- 5.3 The HRA screening stage identified three established Natura 2000 sites and one proposed extension to a Natura 2000 site that had the potential to be affected by new development. The plans and projects review found that none of the relevant plans would result in in-combination affects with the Isles of Scilly Local Plan due to the mitigation measures within other plans and the distance of the key development plan – the Cornwall Plan – from the islands.
- 5.4 Potential adverse effects associated with water quality, and habitat loss/fragmentation from non-native species, were investigated further through appropriate assessment for the Isles of Scilly SAC and SPA/pSPA. It was found that the selection of site allocations through limited size and appropriate location in/near the existing built environment to avoid effects and the provision of Plan Policies to protect designated sites would ensure that there are no adverse effects on the integrity of the sites.

Conclusion

- 5.5 The mitigation measures provided through the relevant Isles of Scilly Local Plan Policies, including Allocations, are comprehensive such that adverse impacts associated with changes in water quality, and loss of habitat/fragmentation through introduction of non-native species can be avoided – both alone and in-combination.

Consultation and Next Steps

- 5.6 The initial HRA screenings were subject to comments and advice from the relevant environmental body, Natural England, at both the Regulation 18 and Regulation 19 consultation stages. Continuing discussions between Natural England and the Council have informed plan-making and the development of this updated HRA screening and appropriate assessment.
- 5.7 This Updated HRA Screening & Appropriate Assessment Report will be published by the IoS Council on the Local Plan Examination website²³ and considered by the Inspector as the examination process continues through the hearings scheduled for January 2020 and any subsequent modifications and assessments required for the progression of the Local Plan towards adoption.

²³ <https://www.scilly.gov.uk/planning/local-plan/local-plan-examination-library>

Isles of Scilly Local Plan 2015-30: Regulation 19 Consultation

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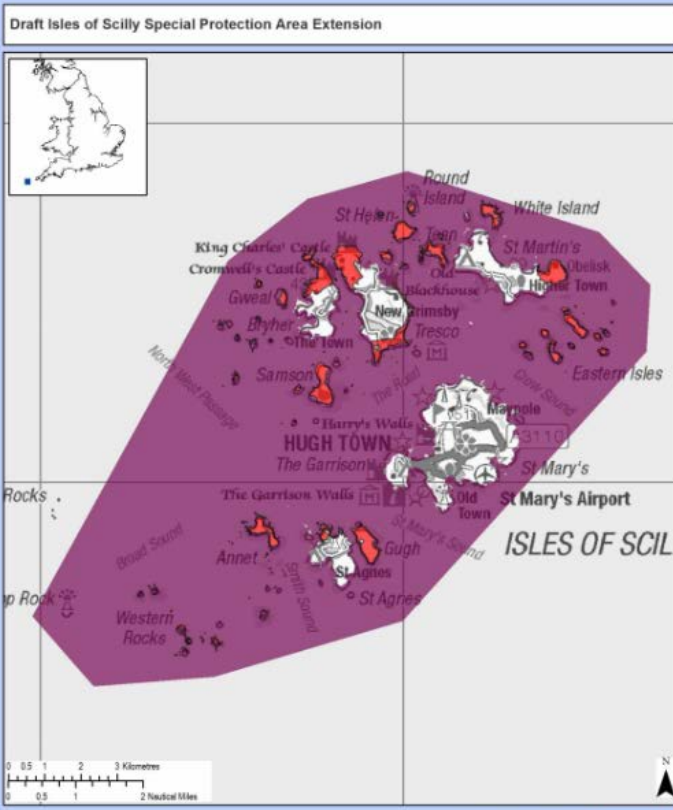
Appendix I: European Site Characterisations

- Isles of Scilly Ramsar
- Isles of Scilly SPA & Proposed SPA Extension
- Isles of Scilly Complex SAC

Site Name: Isles of Scilly Ramsar JNCC Site Code: UK11033 Size: 401.64ha Designation: Ramsar	Habitats Regulations Assessment: Data Proforma
Site Description	<p>The site is within the Isles of Scilly archipelago and mainly consists of many small uninhabited islands but is also partly within several inhabited islands, with habitats including coastal cliffs, boulder beaches, heathland and some dune grassland. Sea cliffs, rocky islets and boulder beaches are relatively devoid of plant communities except for the sparse crevice vegetation with <i>Crithmum maritimum</i> and <i>Armeria maritima</i>. In some places the <i>Armeria</i> cover is dominant, which is a feature peculiar to Scilly. The characteristic 'waved' heathland of the most exposed headlands is dominated by <i>Calluna vulgaris</i> with sheltered areas supporting scrub of <i>Ulex europaeus</i>, <i>Pteridium aquilinum</i> and <i>Rubus</i> spp. Some areas of low-lying land have overlying embryonic dunes developing, dominated by <i>Ammophila arenaria</i> and <i>Carex arenaria</i>. One site has a small pool fringed by beds of <i>Scirpus maritimus</i>. The economy of the Isles of Scilly community depends heavily on the tourist business, which benefits from there being high numbers of breeding seabirds in an attractive environment²⁴.</p>
Qualifying Features	<p>Qualifying Species/populations Species regularly supported during the breeding season:</p> <ul style="list-style-type: none"> ▪ European storm-petrel (<i>Hydrobates pelagicus</i>) ▪ Lesser black-backed gull (<i>Larus fuscus graellsii</i>) ▪ European shag (<i>Phalacrocorax aristotelis aristotelis</i>)
Conservation Objectives	<p>The JNCC Information sheet for the Isles of Scilly Ramsar site does not list any current conservation objectives for the designation.</p>
Vulnerabilities (includes existing pressures and trends)	<p>The JNCC Information sheet for the Isles of Scilly Ramsar site does not list any current vulnerabilities for the designation.</p>

²⁴ JNCC (2008) Isles of Scilly Ramsar Information Sheet

Site Name: Isles of Scilly JNCC Site Code: UK9020288 Size: 394.01ha Designation: SPA	Habitats Regulations Assessment: Data Proforma
Site Description	<p>The Isles of Scilly form an archipelago of over 200 low-lying granite islands and rocks situated in the South-West Approaches 45 km south-west of Land's End at the extreme south-west of England. 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 <i>Hydrobates pelagicus</i> and Lesser Black-backed Gull <i>Larus fuscus</i>. It should be noted that the SPA boundary only encompasses those areas used for nesting. The vast majority of the feeding areas used by the seabirds are marine waters outside the SPA.</p>
Qualifying Features	<p>Species which allow for qualification:</p> <ul style="list-style-type: none"> ▪ Storm Petrel (<i>Hydrobates pelagicus</i>) ▪ Lesser Black-backed Gull (<i>Larus fuscus</i>) <p>Assemblage qualification: A seabird assemblage of international importance (by regularly supporting at least 20,000 seabirds)</p>
Conservation Objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> ▪ The extent and distribution of the habitats of the qualifying features ▪ The structure and function of the habitats of the qualifying features ▪ The supporting processes on which the habitats of the qualifying features rely ▪ The population of each of the qualifying features, ▪ The distribution of the qualifying features within the site.
Vulnerabilities (includes existing pressures and trends)	<p>Threats and pressures which have negative impacts on the SPA include:</p> <ul style="list-style-type: none"> ▪ Outdoor sports and leisure activities, recreational activities- (High Impact- Inside) ▪ Invasive non-native species- (High Impact- Inside & Outside)
Proposed Extension	<p>In 2018 Natural England announced their proposal for a marine extension to the Isles of Scilly SPA. The current SPA designation is land based and dispersed across multiple islands within the</p>

<p>Site Name: Isles of Scilly JNCC Site Code: UK9020288 Size: 394.01ha Designation: SPA</p>	<p align="center">Habitats Regulations Assessment: Data Proforma</p>	
	 <p>Draft Isles of Scilly Special Protection Area Extension</p> <p>Map produced on 05/01/2018 by MCD/2018, Natural England</p> <p>Map References: SD_Ships_A4_Portal_Nov2017</p> <p>Scale (at A4): 1:95,000</p> <p>NATURAL ENGLAND</p> <p><small>Administrative Districts © Crown Copyright, 2018. All rights reserved. License No: 10000-20000001. NOT TO BE USED FOR NAVIGATION. Contains information from the Ordnance Survey © Crown Copyright and database rights 2018. Ordnance Survey 100020201. Geographical Data © British Crown Copyright. All rights reserved. Permission Number Defra12017/001. This product has been derived in part from material obtained from the UK Hydrographic Office with the permission of the Controller of Her Majesty's Stationery Office and the Hydrographic Office. www.ahn.gov.uk. Map copyright © Natural England 2018.</small></p>	<p>archipelago. The proposed extension is a substantial increase to the existing site which will incorporate the marine areas of the Isles of Scilly which are used by seabirds for foraging and other behaviour such as resting and preening. The new designation will also add the European shag and great black-backed gull to the qualifying features for the SPA. Natural England have conducted survey work to determine the proposed extent of the SPA. The proposed SPA extension will be subject to public consultation in spring/summer 2018. The proposed extension can be seen on the left²⁵.</p>

²⁵ Picture Reference: Natural England (2018 Proposals for a marine extension to the Isles of Scilly Special Protection Area (SPA))

Site Name: Isles of Scilly Complex JNCC Site Code: UK0013694 Size: 26848.62ha Designation: SAC	Habitats Regulations Assessment: Data Proforma
Site Description	<p>The Isles of Scilly is a unique and biologically rich archipelago of international importance for its marine conservation interest, including extensive areas of intertidal and subtidal sandflats which support exceptionally rich animal communities and seagrass beds (<i>Zostera marina</i>), with little mud or siltation due to the lack of coastal influence and through flow of oceanic water. Surrounding the Isles lie a myriad of rocky islets and reefs with varying degrees of exposure to Atlantic storms and currents which support a significant colony of grey seals (<i>Halichoerus grypus</i>). The islands themselves are key sites for shore dock (<i>Rumex rupestris</i>), and also a number of species of migratory birds. The south-westerly position of the Isles leads to the presence of some warm water species at the northern limit of their range, such as the sunset cup-coral (<i>Leptopsamnia pruvoti</i>), giving Scilly a unique mix of marine communities.</p>
Qualifying Features	<p>Qualifying Species/populations:</p> <ul style="list-style-type: none"> ▪ Sandbanks which are slightly covered by sea water all the time- The 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 the fully marine salinity. There are rich communities present on the tide-swept sandbanks in the narrow channels between the islands and in the deeper, more stable, wave-sheltered sediments. The fauna of these sediments includes tanaid crustaceans, a diversity of polychaete worms, and various echinoderms. The shallow sublittoral sediments are colonised by the most extensive and best-developed eelgrass <i>Zostera marina</i> beds in southern England (Hocking & Tompsett 2001). These beds have a rich associated flora and fauna of algae, hydroids, sea anemones, molluscs and fish. Fauna with warm-water affinities include the trumpet anemone <i>Anthopleura ballii</i>. ▪ Mudflats and sandflats not covered by seawater at low tide- The Isles of Scilly archipelago supports extensive areas of undisturbed intertidal sandflats in the extreme south-west of the

Site Name: Isles of Scilly Complex JNCC Site Code: UK0013694 Size: 26848.62ha Designation: SAC	Habitats Regulations Assessment: Data Proforma
	<p>UK. The islands are particularly important for exceptionally rich communities occurring in coarse sediments, including clean sand, a substrate that is usually poor in species. Although sheltered, the sediments include little mud because the surrounding seas have a low suspended sediment concentration, resulting from the islands' isolation and the presence of oceanic water. The sandflats exposed at low tide between the northern islands are of international marine nature conservation importance, owing to their extent and diversity and the presence of species rarely found elsewhere in the intertidal. The lower shore sandflats are particularly notable, for they include the fringes of the most extensive and diverse beds of eelgrass <i>Zostera marina</i> known in southern England (Hocking & Tompsett 2001), with an unusually species-rich associated biota, including various seaweeds and fish and rich sediment communities of anemones, polychaete worms, bivalve molluscs and burrowing echinoderms. These include many species restricted to the sublittoral elsewhere in the UK. Many southern species are present, often in large numbers, including some, such as the hermit crab <i>Cestopagurus timidus</i> and the spiny cockle <i>Acanthocardia aculeata</i>, that are recorded only rarely in the UK</p> <ul style="list-style-type: none"> ▪ Reefs-The Isles of Scilly are surrounded by reefs and rocky islets, some only extending into the shallow sublittoral, others extending well beyond 50 m depth. The location of the islands, exposed to the full force of the Atlantic, leads to the development of extremely exposed communities on west-facing reefs, whilst on the east-facing coast, more sheltered and silted reefs occur. The south-westerly position of the islands leads to a range of warm-water species being present, including sunset cup-coral <i>Leptopsammia pruvoti</i>, pink sea-fans <i>Eunicella verrucosa</i>, and Weymouth carpet-coral <i>Hoplangia durotrix</i>. <p>Annex II species:</p> <ul style="list-style-type: none"> ▪ Shore dock (<i>Rumex rupestris</i>)- There are historical records of shore dock <i>Rumex rupestris</i> from seven of the larger islands, as well as from several small rocky outcrops and the eastern isles. Recent surveys suggest that it may now be restricted to just four islands (Tresco, Annet, Samson, Tean). Despite recent losses (and possibly earlier over-estimates of its abundance),

Site Name: Isles of Scilly Complex JNCC Site Code: UK0013694 Size: 26848.62ha Designation: SAC	Habitats Regulations Assessment: Data Proforma
	<p>the Isles of Scilly remain an important stronghold of the species at the south-western limit of its UK range. It is thought likely that the species is in long-term decline here, probably due to sea-level rise, increased storminess and 'coastal squeeze'. Recent population data are lacking for some colonies, but it is thought that the total population, estimated in 1994 to be 165 plants, may now be rather less than this, perhaps fewer than 100 plants.</p> <ul style="list-style-type: none"> ▪ Grey Seal (<i>Halichoerus grypus</i>) ▪ Harbour Porpoise (<i>Phocoena phocoena</i>) ▪ Bottle-nosed Dolphin (<i>Tursiops truncatus</i>)
Conservation Objectives	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> ▪ The extent and distribution of qualifying natural habitats and habitats of qualifying species ▪ The structure and function (including typical species) of qualifying natural habitats ▪ The structure and function of the habitats of qualifying species ▪ The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely ▪ The populations of qualifying species ▪ The distribution of qualifying species within the site.
Vulnerabilities (includes existing pressures and trends)	<p>Threats and pressures which have negative impacts on the SAC include:</p> <ul style="list-style-type: none"> ▪ Pollution to groundwater (point sources and diffuse sources)- (High Impact- Inside & Outside) ▪ Fishing and harvesting aquatic resources- (High Impact- Inside) ▪ Other ecosystem modifications- (High Impact-Inside & Outside) ▪ Invasive non-native species- (High Impact- Inside & Outside) ▪ Outdoor sports and leisure activities, recreational activities- (High Impact- Inside)

Appendix II: Plans and Projects Review

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
International		
EU Marine Strategy Framework Directive (2008)	The EU Marine Strategy aims to protect and preserve marine waters of member states with the aim of maintaining biodiversity and keeping marine waters in a clean and healthy ecological state. The Framework outlines that member states with marine waters shall produce a marine strategy. The marine strategy shall identify measures to achieve or maintain good environmental status of the member states marine waters.	The Marine Directive will help protect and enhance the environmental status of the waters around the Isles of Scilly, with benefits for wildlife and the marine environment. The directive will not have any in-combination effects with the Isles of Scilly Local Plan.
EU Biodiversity Strategy (2011)	The EU Biodiversity Strategy aims to halt the loss of biodiversity and ecosystem services in the EU and help stop global biodiversity loss by 2020. The strategy has 6 targets: <ul style="list-style-type: none"> ▪ Protect species and habitats ▪ Maintain and restore ecosystems ▪ Achieve more sustainable agriculture and forestry ▪ Make fishing more sustainable and seas healthier ▪ Combat invasive alien species ▪ Help stop the loss of global biodiversity 	The Biodiversity Strategy provides protection to the biodiversity and wildlife of existing EU member states, and aims to reduce negative effects impacting biodiversity and ecosystem services. The strategy helps protect the Isles of Scilly biodiversity, and will not have any in-combination negative effects for the islands Local Plan, but will have positive effects for biodiversity.
Water Framework Directive (2000)	The Water Framework Directive introduced a comprehensive river basin management planning system to help protect and improve the ecological health of our rivers, lakes, estuaries and coastal and groundwater's. This is underpinned by the use of environmental standards to help assess risks to the	The Water Framework Directive aims to protect water bodies from environmental harm and therefore there are no likely pathways for in-combination negative effects to occur with the Isles of Scilly Local Plan.

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
	ecological quality of the water environment and to identify the scale of improvements that would be needed to bring waters under pressure back into a good condition.	
National		
The National Planning Policy Framework (NPPF) (2018)	The NPPF is the overarching planning framework which provides national planning policy and principles for the planning system in England.	The NPPF sets out planning policy for England with requirements for plan-making and conservation/enhancement of biodiversity set out in paragraphs 174-177. The interactions of biodiversity with other factors and climate change is set out in paragraph 149.
National Infrastructure Plan (2014)	<p>The National Infrastructure Plan outlines the governments vision for major infrastructure investment. Some of the major infrastructure projects include:</p> <ul style="list-style-type: none"> ▪ A £2.3 billion programme of flood investment investing in over 1,400 schemes ▪ Continued support for digital infrastructure ▪ An ambitious programme of investment in science infrastructure. 	The National Infrastructure Plan will provide benefits to transport, flood defences and digital infrastructure. Local Transport Plans for Cornwall and the Isles of Scilly and the Isles of Scilly Infrastructure Plan will deliver more local based infrastructure development. The Cornwall and Isles of Scilly Shoreline Management Plan and the Isles of Scilly Local Flood Risk Management Strategy will provide local flood risk management to address coastal flooding risks. The Infrastructure Plan will not result in negative in-combination effects with the Isles of Scilly Local Plan, as no schemes are proposed for the Isles within the Plan.
The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (2007); Defra new Clean Air Strategy published 2019.	The Air Quality Strategy sets out air quality measures to reduce levels of the nine main atmospheric pollutants with the objectives of major health and environmental benefits through the reduction of these pollutants.	The strategy aims to reduce harmful levels of atmospheric pollutants which would result in damage to both human health and environmental health. Therefore, the strategy will not have any harmful in-combination effects with the Isles of Scilly Local Plan.
Air Quality Plan for Nitrogen Dioxide in the UK (2017)	The Plan details the proposed method for the UK government to address the levels of nitrogen dioxide. The strategy includes funding for local authorities including a Clean Air Fund, the promotion of low emission buses and retrofitting existing vehicles to reduce emissions.	The Plan will result in positive effects for biodiversity throughout the UK through improving air quality by reducing levels of nitrogen dioxide. Therefore, the strategy will not have any harmful in-combination effects with the Isles of Scilly Local Plan.

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
<p>Future Water- The Government's Water Strategy for England (2011)</p>	<p>Recognises that poor surface water management can cause water quality problems. The Government vision for water policy and management is one where, by 2030 at the latest, we have:</p> <ul style="list-style-type: none"> ■ Improved the quality of our water environment and the ecology which it supports, and continued to provide high levels of drinking water quality from our taps ■ Sustainably managed risks from flooding and coastal erosion, with greater understanding and more effective management of surface water ■ Ensured a sustainable use of water resources, and implemented fair, affordable and cost reflective water charges ■ Cut greenhouse gas emissions and ■ Embedded continuous adaptation to climate change and other pressures across the water industry and water users 	<p>The Government's water strategy aims to protect and enhance water quality within England and help reduce flood risk. Therefore, no negative in-combination effects with the Isles of Scilly Local Plan are likely to occur.</p>
<p>UK Marine Policy Statement (2011)</p>	<p>The Marine Policy Statement is the framework for marine planning systems. It provides the high-level policy context within which national and sub-national Marine Plans will be developed, implemented, monitored, amended and will ensure appropriate consistency in marine planning across the UK marine area. The MPS also sets the direction for marine licensing and other relevant authorisation systems.</p>	<p>The Marine Policy Statement provides high level policy and sets out a number of strategic marine objectives which includes ensuring biodiversity is protected and conserved and to use the marine environment in a sustainable fashion. The Marine Policy will inform the South West Marine Plan which will interact with the Local Plan, and therefore there is the potential for in-combination effects. However, it is considered that in-combination effects are likely to be positive through the management of the marine plan areas which will protect biodiversity from significant negative effects.</p>

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
Defra Biodiversity 2020 (2011)	<p>The mission for this strategy, for the next decade, is to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people.</p> <p>The outcomes will be delivered in four areas:</p> <ul style="list-style-type: none"> ▪ a more integrated large-scale approach to conservation on land and at sea ▪ putting people at the heart of biodiversity policy ▪ reducing environmental pressures ▪ improving our knowledge 	The Biodiversity plan aims to protect and enhance existing Biodiversity in England. Therefore, no in-combination effects will occur which will result in negative effects for European designated sites in the Isles of Scilly.
Defra Waste Management Plan (2013)	The Waste Management Plan outlines the current waste management practices in England and the policies in place to encourage recycling and reduce waste production.	The Waste Management Plan for England will inform the local waste management strategy for the Islands, with potential positive in-combination positive effects on biodiversity through reducing waste and promoting recycling. No in-combination negative effects considered likely.
Defra A Green Future: Our 25 Year Plan to Improve the Environment (2018)	<p>Goals: By adopting this Plan we will achieve:</p> <p>1. Clean air. 2. Clean and plentiful water. 3. Thriving plants and wildlife. 4. A reduced risk of harm from environmental hazards such as flooding and drought. 5. Using resources from nature more sustainably and efficiently. 6. Enhanced beauty, heritage and engagement with the natural environment.</p> <p>In addition, we will manage pressures on the environment by:</p> <p>7. Mitigating and adapting to</p>	The 25 Year Plan will deliver environmental improvements that are likely to have potential positive in-combination positive effects on biodiversity; no in-combination negative effects considered likely.

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
	<p>climate change. 8. Minimising waste. 9. Managing exposure to chemicals. 10. Enhancing biosecurity</p> <p>Policies: We have identified six key areas around which action will be focused. These are: • Using and managing land sustainably (chapter 1). • Recovering nature and enhancing the beauty of landscapes (chapter 2). • Connecting people with the environment to improve health and wellbeing (chapter 3). • Increasing resource efficiency, and reducing pollution and waste (chapter 4). • Securing clean, productive and biologically diverse seas and oceans (chapter 5). • Protecting and improving the global environment (chapter 6).</p>	
Regional		
South West River Basin Management Plan (2015)	<p>This RBMP provides a framework for protecting and enhancing the water environment in the South West of England, which includes the Isles of Scilly. The RBMP outlines a number of management strategies and measures to achieve environmental objectives, including managing pollution, water abstraction management and flood risk management.</p>	<p>The RBMP should aid protection of the SAC, SPA and Ramsar complexes in the Isles of Scilly by reducing pollution, managing water abstraction and preventing the environmental deterioration of local water bodies. The RBMP has the potential for positive in-combination effects, through providing a framework to protect the water environment which the Local Plan will comply with and will be beneficial for the marine based Natura 2000 designations within the archipelago.</p>
South West Marine Plan- Iteration1 (February 2017)	<p>The iteration is the early stages of the development for the South West Marine Plan Area and details the vision and objective of the Marine Policy Statement, and also contains some draft policies which are currently being developed.</p>	<p>The Plan will protect the environmental, cultural and historical value of the marine area, whilst ensuring a strong sustainable maritime economy through renewable energy, recreational activity and fishing. The Plan will act in-combination with the Local Plan, however negative in-combination effects are not expected as details on future projects are not known, and both Plans have the protection of biodiversity within their Policies, with potential positive in-combination effects on Natura 2000 sites.</p>

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
Local		
<p>Cornwall Local Plan (Adopted 2016)</p>	<p>The Local Plan for Cornwall will set out a vision for growth and identify the quantity and broad location and key sites, for new housing, community facilities, shops and employment. Its policies will be the basis for planning decisions, and the Plan period will last until 2030. The Plan has set out targets of:</p> <ul style="list-style-type: none"> ▪ A minimum of 52,500 homes at an average rate of about 2,625 per year to 2030 ▪ To provide the space and conditions to support 704,000 sq m of employment floorspace and provide 38,000 jobs over the Plan period. ▪ At least 318 permanent pitches for Gypsies and Travellers ▪ The provision of 2,550 bed spaces in communal establishments for older persons, including nursing and specialist accommodation. 	<p>The Isles of Scilly are geographically separated from Cornwall, however there is the potential for in-combination effects through the closely linked transport infrastructure, specifically ferry links and airport links, which are safeguarded in both Local Plans.</p> <p>However, the HRA for the Cornwall Local Plan ruled out the Isles of Scilly SPA, SAC and Ramsar complexes from the HRA screening due to the distance of these sites from Cornwall, and the Local Plans are not proposing any new transport links, but will safeguard future opportunities. Therefore, significant negative in-combination effects between the two Plans are not considered likely.</p>
<p>Cornwall Mineral Safeguarding Development Plan (Pre-submission 2016)</p>	<p>There is a need to provide specific detailed information and policy on mineral safeguarding. The purpose of the Minerals Safeguarding Development Plan Document is to expand on the strategic policies and safeguard mineral resources for future use. Key aspects that the Plan covers includes safeguarding china clay, aggregates, building stone and metals; and mineral infrastructure.</p>	<p>The Isles of Scilly are geographically separated from Cornwall; it is unlikely that the Cornwall Local Plan will have any in-combination negative effects with the Isles of Scilly Local Plan or on any European designated sites. No potential in-combination effects with the Isles of Scilly Local Plan.</p>

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
<p>Connecting Cornwall 2030- Moving towards a green peninsula LTP3 (2017)</p>	<p>Connecting Cornwall is the Local Area Transport Plan for Cornwall. The Transport Plan aims to enhance Cornwall's existing transport network and develop new network to improve the quality of life for everyone who lives or works in Cornwall. This includes promoting healthier transport methods (walking and cycling) and promote economic prosperity through better transport links.</p> <p>The Transport Plan also makes specific mention to transport connections with the Isles of Scilly. Access to the Isles of Scilly is available via ferry or airplane from Cornwall, and the Transport Plan has a policy aimed at protecting and improving transport connections between the islands and Cornwall.</p>	<p>The HRA of the Plan concluded that significant effects on European designations in the plan area could not be ruled out. However, as the plan is at a strategic level, appropriate project level environmental assessments will be required at a project level, which will ensure the protection of Natura 2000 sites as mitigation will be provided where appropriate.</p> <p>The Isles of Scilly Sea Link is mentioned within the Plan, and is a project which will improve ports, harbours and transport methods to improve connections between the Isles of Scilly and Cornwall. There is the potential for in-combination effects with the Isles of Scilly Local Plan as improvements to transport Links could affect the Isles of Scilly SAC and the proposed extension to the SPA.</p>
<p>Cornwall and Isles of Scilly Shoreline Management Plan (2011)</p>	<p>The shoreline management plan provides a large-scale assessment of the risks associated with coastal evolution and presents a policy framework to address these risks to people and the developed, historic and natural environment in a sustainable manner.</p> <p>The management plan for the Isles of Scilly proposes a number of actions to protect and sustainably manage the shoreline. The Plan also provides objectives with long-term and short-term timescales indicated.</p>	<p>The shoreline management plans proposed may have an impact on the Isles of Scilly Complex SAC, which contains Annex 1 habitats of sandbanks, sandflats and mud banks which are all marine based. The alteration of the shoreline through management strategies could result in the level of seawater cover for the mudflats, sandflats and sandbanks changing. These changes could result in negative effects for the SAC. However, a HRA and Appropriate Assessment was undertaken, and the implementation of any management strategies will be subject to environmental impact assessments to ensure European sites are not affected.</p> <p>The Shoreline Management Plan will provide policy context which will inform the Local Plan and therefore the Plan will act in-combination with the Local Plan. There is the potential for synergistic positive in-combination effects through sustainable management of the shoreline.</p>

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
Isles of Scilly Local Flood Risk Management Strategy (2017)	The strategy focuses on reducing the number of people who are at risk of flooding, reducing the impact of flooding and becoming more resilient to flood risk. The strategy identifies current and future flood risks and the methods to manage flood risk and increase resilience.	The Strategy does not propose any development that will affect European sites, as the Strategy only outlines the current flood risk situation and the proposed methods to manage this, with no specific projects identified. No likely in-combination effects with the Isles of Scilly Local Plan.
Cornwall Maritime Strategy- 2030 (2012)	The Maritime Strategy covers the period 2012-2030 and provides a unifying and long-lasting policy framework for the planning of Cornwall's land, sea and coast well into the 21st century. The Strategy will be used by the Council to guide the development of policy and programmes across its operations and in its work with other organisations, stakeholders and the community.	The Maritime Strategy for Cornwall uses a sustainable approach to manage the maritime environment. The strategy does not incorporate the Isles of Scilly, but acknowledges the link between Cornwall and the Islands. The Marine Strategy and the Isles of Scilly Local Plan are not likely to act in-combination and result in negative effects for the designated sites.
The Isles of Scilly Strategic Transport Framework (2011)	The study aims to address travel and transport issues on the islands, between the islands and between the islands and mainland in a comprehensive, creative and sustainable manner to the benefit of the community, environment and the economy. The study also aims to provide a detailed framework setting out the measures required to deliver the Framework, including a feasibility assessment, funding opportunities and a programme of implementation and phasing.	The Transport Framework provides a proposed action plan to address current transport issues facing the Isles of Scilly, with a focus on sustainable transport, which would be beneficial for local wildlife by combating climate change and reducing air pollution. The Framework will aim to improve the road infrastructure, specifically on St Mary's, and maintain the existing inter-island transport links. The Framework includes requirements that the special natural environment of the islands will be protected, and therefore no negative in-combination effects are considered.
The Isles of Scilly Sustainable Energy Strategy (2007)	<p>The sustainable energy strategy is designed to encourage and develop sustainable energy sources for the Islands, thus reducing their current dependence on receiving energy via an ageing underwater cable connecting to the mainland.</p> <p>The strategy also aims to make the islands an eco-friendlier location, reducing the overall carbon footprint of island residents and therefore reducing</p>	The Islands plan to become a more sustainable community by reducing their dependence on mainland energy and developing renewable sources for their benefits will help the islands protected sites by possible reducing the potential impacts of climate change effects. The Strategy specifically outlines that the use of renewables will not compromise the natural environment or wildlife of the local islands, and the strategy will work with respective authorities and organisations including Natural England to ensure the

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
	<p>their impact on climate change. The strategy notes a number of renewable energy actions which includes examining different potential renewable energy sources, targeting businesses energy usage reduction and improving energy efficiency in the transport sector.</p>	<p>island's environment is protected. No in-combination effects likely.</p>
<p>Isles of Scilly Marine Special Area of Conservation Management Scheme (2010)</p>	<p>The management scheme is designed to help protect and manage the SAC complex of the Isles of Scilly. This is done in line with the Habitats Regulations and Habitat Directives.</p>	<p>The SAC management scheme aims to protect the Isles of Scilly SAC complex, and therefore will not result in any negative effects against any of the islands designated sites. The scheme will have positive effects on the SAC, with the potential for positive in-combination effects with the Isles of Scilly Local Plan.</p>
<p>Isles of Scilly Biodiversity and Geological Conservation (2008)</p>	<p>The document sets out guidance and good practice for the submission and assessment of planning applications for the Isles of Scilly. The document aims to ensure that local biodiversity, protected sites and geodiversity is protected from the negative effects of local development. The document encourages the view of seeing development as a way to enhance biodiversity and geodiversity within the islands.</p>	<p>No negative impacts against the islands designated sites will occur as a result of the guidance outlined in this document, as it aims to protect biodiversity and geodiversity in the Isles of Scilly. No potential in-combination effects with the Isles of Scilly Local Plan.</p>
<p>Isles of Scilly Design Guide (2006)</p>	<p>The document outlines a design guide for future development on the islands. This includes a strong focus on sustainability, with an emphasis on using renewable materials, energy efficiency and enhancing the local landscape and natural ecosystem.</p>	<p>The design guide should not have any negative effects on the designated sites, as the guide states that developments should aim to enhance the area's biodiversity and fit with the natural landscape. No potential in-combination effect with the Local Plan.</p>

Plan/Programme/Project	Proposal	Potential impacts that could cause 'in-combination' effects
Isles of Scilly Infrastructure Plan (2014)	<p>The Infrastructure Plan document examines the current Infrastructure of the Isles of Scilly and provides examinations of the future opportunities and challenges for infrastructure on the islands. Infrastructure investigated includes:</p> <ul style="list-style-type: none"> ▪ Highways ▪ Public Transport ▪ Waste Management ▪ Energy Supply ▪ Water Supply ▪ Sewerage 	<p>The Infrastructure Plan only provides recommendations for future Infrastructure for the islands, with no actual development proposed. The opportunities put forward in the Plan have the potential to provide benefits for local Natura 2000 designations by promoting sustainability, improving water quality and waste management. Therefore, there is the potential for positive in-combination effects with the Local Plan which will protect biodiversity, and no likely negative in-combination effects considered.</p>
Isles of Scilly AONB Management Plan 2015-2020	<p>The Management Plan outlines the issues and the strategies proposed to protect and enhance the key assets of the AONB, including the historic environment, the natural environment and the landscape.</p>	<p>The Management Plan will be beneficial for the local area including local designated biodiversity and will not act-in-combination with the Local Plan.</p>
Future of Tourism on Scilly (April 2011)	<p>Report recognises the importance of tourism to Scilly and acknowledges that visitor numbers are falling; makes plans for a changing market with a sustainable visitor economy without damaging the special nature of the islands.</p>	<p>New tourist development will need to be in compliance with the new Local Plan, so no in-combination effects.</p>

Appendix III: HRA Screening of Policies & Site Allocations for Likely Significant Effects (LSEs)

Preferred Option Policy/ Allocation	Potential impacts of the Policy/ Allocation	Potential for LSE?
Policy SS1: Principles of Sustainable Development	The policy outlines the need for development to meet sustainability requirements with set criteria which development will be screened against. No development is being proposed and the protection of biodiversity is addressed in the policy, with no likely significant effects.	No
Policy SS2: Sustainable Design	The policy expects development to be of high quality design with respect to local distinctiveness and that positively contributes to the existing built environment. The policy also outlines criteria for development to meet, including providing opportunities to enhance biodiversity. No development is being proposed and no likely significant effects are considered for the policy.	No
Policy SS3: Re-use of Buildings	Promotes the re-use of buildings for commercial and residential use, with no likely significant effects likely as new development is not being proposed.	No
Policy SS4: Retail & Community Facility Protection	The policy will protect existing retail and community space, and any development leading to the loss of existing community and retail facilities will be required to meet criteria detailed in the policy. No development is being proposed and therefore significant effects are not expected.	No
Policy SS5: Physical Infrastructure	The policy specifies that development will be permitted where the required physical infrastructure is present to support its delivery. No specific development proposed, with no likely significant effects.	No
Policy SS6: Water Management	The policy requires new development to be connected to mains water as long as negative effects to the water environment do not occur, and that new development must achieve water consumption standards outlined in the policy. The policy will not have negative effects on the Natura 2000 sites and clearly states that development should not deteriorate water quality, and if septic tanks are required that there will be no adverse effects on environmental health. Therefore, no likely significant effects are considered.	No

Policy SS7: Flood Avoidance	The policy ensures development will not be permitted within areas at risk of flooding or coastal erosion unless a Flood Risk Assessment details how any flood risk will be managed. No likely significant effects on Natura 2000 sites.	No
Policy SS8: Renewable Energy Developments	Proposals for renewable energy schemes.	Yes
Policy SS9: Travel and Transport	The policy will support and safeguard transport infrastructure on and between islands, including to the mainland. No significant effects are considered as no development is being proposed.	No
Policy SS10: Managing Movement	Development must meet set criteria with regards to vehicular movements and car parking, and provision should be made for the use of sustainable transport. No likely significant effects on Natura 2000 sites.	No
Policy OE1: Landscape Character	Development which does not negatively affect the landscape quality of the distinct landscape areas will be permitted, unless the benefits of development outweigh the potential impacts. No likely significant effects as development is not being proposed.	No
Policy OE2: Biodiversity and Geodiversity	The policy resists the erosion/negative effects on biodiversity, and states that development which has alone or in-combination effects on international and European sites will not be permitted. The policy will promote development that will conserve or enhance biodiversity. The strong policy wording ensures that the islands biodiversity designations will be protected from any potential effects as a result of the Local Plan, and therefore no likely residual effects are considered.	No
Policy OE3 Managing Pollution	The policy ensures development will not be permitted if there is the potential for pollutants to affect human health, general amenity or the natural environment. This provides policy mitigation for the protection of biodiversity, with no likely significant effects.	No
Policy OE4 Protecting Scilly's Dark Skies	The policy addresses external lighting for properties, with no likely effects on Natura 2000 sites.	No
Policy OE5 Managing Waste	The policy will manage waste produced by construction and demolition and ensure that development includes waste management solutions.	Yes

	Waste facilities will be supported such that there could be new development and potential for likely significant effects.	
Policy OE6: Minerals	The policy will promote recycled and secondary materials to restrict the need for direct extraction, with site waste management plans required. Therefore, no significant effects are expected.	No
Policy OE7: Development affecting Heritage	Heritage assets will be protected from the negative effects of development, and the policy outlines the requirements for any planning applications which have the potential to effect heritage assets. No likely significant effects on Natura 2000 sites.	No
Policy LC1: Isles of Scilly Housing Strategy over the Period to 2030	The development of housing could lead to effects on the Natura 2000 designated sites in the area.	Yes
Policy LC2: Qualifying for Affordable Homes	The policy aims to ensure affordable housing is occupied by person or persons with an identified requirement for affordable housing. No likely significant effects considered.	No
Policy LC3: Balanced Housing Stock	The policy focuses on the provision of accessible homes for older people, with no development proposed and no likely significant effects.	No
Policy LC4: Staff Accommodation	The policy provides criteria for the permission of new staff accommodation, with no development proposed there are no significant effects.	No
Policy LC5: Removal of Occupancy Conditions	The policy states that a dwelling with occupancy conditions will only have the conditions removed if it meets the criteria outlined in the policy. No likely significant effects.	No
Proposal LC6: Housing Allocations	See below for the assessment of the housing allocations within this policy.	Yes
Policy LC7: Windfall Housing	The policy will permit small scale development outside of allocations within the Local Plan where it is well located to existing development and to meet local housing needs – potential for likely significant effects considered.	Yes
Policy LC8: Replacement Dwellings	The policy addressed the replacement of existing dwellings, which will be permitted if the set criteria are met. If the replacement dwelling is an increase of 40% or more of the original, it will be classed as a new dwelling. No likely significant effects as no new development is being proposed.	No

Policy LC9: Residential Extensions and Ancillary Accommodation	Extensions to residential development must respect the scale design and proportions of the property, with no damage to local landscape/townscape. No likely significant negative effects on biodiversity.	No
Policy LC10: Homes in Multiple Occupation	The policy provides criteria which must be met for the application of a building to become a house of multiple occupation. No new development proposed, and no effects considered.	No
Policy WC1: General Employment Policy	The policy focuses on employment on the islands, with development that will enhance the economy will be permitted in accordance with other Local Plan policies. No likely significant effects as specific development is not proposed.	No
Policy WC2: Home-Based Businesses	The use of residential property or ancillary buildings for small-scale home-based business will be permitted as long as no adverse impacts occur. No likely significant effects.	No
Policy WC3: New Employment Development	New employment development will be permitted where it meets the criteria outlined; no likely significant effects.	No
Policy WC4: Alternative Uses for Employment Land and Buildings	The policy addresses changes to existing employment sites, which will only be permitted where the set criteria are met. No likely significant effects.	No
Policy WC5: Visitor Economy & Tourism	Development relating to tourism will be permitted if it is sustainable and supports the tourism sector of the islands; potential for likely significant effects are considered.	Yes
Policy WC6: Safeguarding Serviced Accommodation	The policy will retain existing serviced accommodation. No likely significant effects as no development is being proposed.	No
Site Allocations		
Policy LC6 H1 Site Reference: A7 Site Address: Former Secondary School, Carn Thomas, Telegraph Road Site Size: 0.54ha Dwelling Capacity: 26	The site is less than 200m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 2.5km from the existing Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality for the sites.	Yes

<p>Policy LC6 H2 Site Reference: A7a Site Address: Former Primary School, Carn Thomas, Telegraph Road Site Size: 0.2ha Dwelling Capacity:</p>	<p>As above</p>	<p>Yes</p>
<p>Policy LC6 H3 Site Reference: A13 Site Address: Land at Ennor Castle Farm to the west side of Old Town Road Site Size: 0.53 ha Dwelling Capacity: 15 dwellings</p>	<p>The site is approximately 300m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 3km from the Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality.</p>	<p>Yes</p>
<p>Policy LC6 H4 Site Reference: A14 Site Address: Rear of Ennor Close, Old Town Site Size: 0.44ha Dwelling Capacity: 13</p>	<p>The site is approximately 300m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 3km from the Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality.</p>	<p>Yes</p>
<p>Policy LC6 H5 Site Reference: A15 Site Address: Land to the south of Launceston Close, Old Town Site Size: 0.42ha Dwelling Capacity: 12</p>	<p>The site is approximately 140m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 3km from the Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality.</p>	<p>Yes</p>
<p>Policy LC6 H6 Site Reference: A17 Site Address: Land to the south east of Ennor Close Site Size: 0.37ha Dwelling Capacity: 11</p>	<p>The site is approximately 140m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 3km from the Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality.</p>	<p>Yes</p>
<p>Policy LC6 H7 Site Reference: A18</p>	<p>The site is approximately 200m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and 3km from the Isles of Scilly SPA</p>	<p>Yes</p>

<p>Site Address: Land to the east of Ennor Close, Old Town Site Size: 0.65ha Dwelling Capacity: 20</p>	<p>and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality.</p>	
<p>Policy LC6 H8 Site Address: Land at Sandy Banks, Porthmellon, St Mary's Site Size: 0.4ha Dwelling Capacity: around 12 homes</p>	<p>The site is located approximately 250m from the Isles of Scilly SAC and the proposed Isles of Scilly SPA extension, and around 2.5km from the existing Isles of Scilly SPA and Ramsar. The site may result in an increase in recreational use of areas located within the SAC and the SPA, which is an identified threat for both designations. The proximity of the SAC and the proposed SPA extension to the site also means there is the potential for effects on water quality for the sites.</p>	<p>Yes</p>

Appendix IV: Draft Isles of Scilly Local Plan HRA Screening - Updated

Screening Summary Key

Likely Significant Effect	Yes	Further Appropriate Assessment required
No Likely Significant Effect	No	No further Appropriate Assessment required as no pathways identified
Significant Effect Uncertain	?	Precautionary approach taken and further Appropriate Assessment required

Isles of Scilly Ramsar						
Potential impacts of the Plan	Environmental Pathways	Is the site sensitive/ vulnerable to these impacts?	Risk?	LSE alone?	Potential impacts of other plans and projects	LSE in-comb?
Increased disturbance - recreational activity and noise and light pollution. <i>Policies LC1, LC6 & LC7</i> <i>Policies SS8, OE5, WC5</i>	All site allocations are over 2km from the Isles of Scilly Ramsar. There is the potential for residents of new development to access neighbouring islands where the Ramsar sites are located for recreational purposes. This could lead to disturbance of seabirds at the Ramsar site. However, allocated housing is for existing residents such that new development will not result in increased recreational uses. Due to the distance away, increased noise and light pollution as a result of proposed new development are not considered to be a threat to the Ramsar.	Vulnerabilities not listed but assumed that seabirds could be disturbed by recreational pressures.	Yes?	No	None as the Cornwall Plan is so distant.	No
Changes to Water Quality and Levels through increased surface water run-off, discharges and abstraction.	Due to the distance away, there are no environmental pathways which would lead to effects on water quality or levels at the Ramsar sites from new development on the Isles of Scilly.	No	No	No	None	No
Habitat loss and fragmentation as a result of proposed development.	The Ramsar site is not located on the same island as the proposed new development. Therefore, there will be no resulting habitat loss or fragmentation as a result of development.	No	No	No	None	No
Reduced air quality through increased traffic and emissions from buildings.	NE advise ²⁶ that usually only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for LSEs from road traffic emissions. As the Ramsar site is not on the same island & over 2km distance, no LSEs.	No	No	No	None	No

²⁶ NE Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs (July 2018)
<http://publications.naturalengland.org.uk/publication/4720542048845824>

Isles of Scilly SAC						
Potential impacts of the Plan	Environmental Pathways	Is the site sensitive/ vulnerable to these impacts?	Risk?	LSE alone?	Potential impacts of other plans and projects	LSE in-comb?
<p>Increased disturbance - recreational activity and noise and light pollution.</p> <p><i>Policies LC1, LC6, LC7</i> <i>Policies SS8, OE5, WC5</i></p>	<p>The site allocations are all within 500m of the Isles of Scilly SAC. There is the potential for all sites to result in an increase in recreational use of the SAC. However, allocated housing is for existing residents such that new development will not result in increased recreational uses.</p> <p>Recreational activities could include, swimming, snorkeling, scuba diving, kayaking, canoeing, fishing and jet ski use.</p>	Yes	Yes	No	None as the Cornwall Plan is so distant.	No
<p>Changes to Water Quality and Levels through increased surface water run-off, discharges and abstraction.</p>	<p>The site allocations are all within 500m of the Isles of Scilly SAC. There is the potential for site allocations at both Hugh Town and Old Town to result in surface water-run off which could lead to pollutants entering the SAC. New development could also result in the release of effluent into the water environment if septic tanks are not sealed or not operating efficiently.</p>	Yes	Yes	Yes?	None	No
<p>Habitat loss and fragmentation as a result of proposed development.</p>	<p>The SAC is a marine based designation. The development of the proposed site allocations on St Mary's will not result in the loss or fragmentation of habitat associated with the SAC.</p>	<p>Habitat loss unlikely but the SAC is vulnerable to invasive non-native species – potential to arise through the implementation of the Local Plan?</p>	Yes?	Yes?	None	No

Reduced air quality through increased traffic and emissions from buildings.	NE advise ²⁷ that usually only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for LSEs from road traffic emissions. Site allocations H1 & H2 are either side of Strand – a road that is within some 60-100m ²⁸ of the SAC. Site allocations H3-H7 are located adjacent or nearby to the Old Town Road that is some 75m at the nearest point to the SAC.	Yes, the site is sensitive to changes in air quality	Yes	Yes?	None	No
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Isles of Scilly SPA						
Potential impacts of the Plan	Environmental Pathways	Is the site sensitive/vulnerable to these impacts?	Risk?	LSE alone?	Potential impacts of other plans and projects	LSE in-comb?
Increased disturbance - recreational activity and noise and light pollution. <i>Policies LC1, LC6 & LC7</i> <i>Policies SS8, OE5, WC5</i>	All site allocations are over 2km from the Isles of Scilly SPA. There is the potential for residents of new development to access neighbouring islands where the SPA sites are located for recreational purposes. This could lead to disturbance of birds which are the qualifying feature for the designation. However, allocated housing is for existing residents such that new development will not result in increased recreational uses. Due to the distance specified increased noise and light pollution as a result of proposed are not considered to be a threat to the SPA.	Yes	Yes	No	None as the Cornwall Plan is so distant.	No

²⁷ NE Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs (June 2018)

²⁸ As measured through Magic Map Application www.defra.gov.uk/magicmap (accessed November 2018)

Changes to Water Quality and Levels through increased surface water run-off, discharges and abstraction.	Due to distance, there are no environmental pathways which would lead to effects on water quality or levels at the existing SPA site from any of the site options.	No	No	No	None	No
Habitat loss and fragmentation as a result of proposed development.	The SPA site is not located on the same island as the proposed development. Therefore, there will be no resulting habitat loss or fragmentation as a result of development.	No Risk of SPA affected by invasive non-native species unlikely due to distance.	No	No	None	No
Reduced air quality through increased traffic and emissions from buildings.	NE advise ²⁹ that usually only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for LSEs from road traffic emissions. As the SPA is more than 2 km from any new development, no LSEs.	No	No	No	None	No

Isles of Scilly SPA Extension (pSPA)						
Potential impacts of the Plan	Environmental Pathways	Is the site sensitive/vulnerable to these impacts?	Risk?	LSE alone?	Potential impacts of other plans and projects	LSE in-comb?
Increased disturbance - recreational activity and noise and light pollution. <i>Policies LC1, LC6 & LC7</i> <i>Policies SS8, OE5, WC5</i>	The site allocations are all within 500m of the proposed extension area to the Isles of Scilly SPA, which will incorporate the marine environment around the islands. There is the potential for all site options to result in an increase in recreational use of the SPA. However, allocated housing is for existing residents such that new development will not result in increased recreational uses.	Yes	Yes	No	None as the Cornwall Plan is so distant.	No

²⁹ NE Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs (June 2018)

	Recreational activities could include, swimming, snorkelling, scuba diving, kayaking, canoeing, fishing and jet ski use.					
Changes to Water Quality and Levels through increased surface water run-off, discharges and abstraction.	The site allocations are all within 500m of the proposed extension area to the Isles of Scilly SPA, which will incorporate the marine environment around the islands. There is the potential for site allocations at both Hugh Town and Old Town to result in surface water-run off which could lead to pollutants entering the SPA. New development could also result in the release of harmful effluents into the water environment if the site options use septic tanks which can result in seepage.	Yes	Yes	Yes?	None	No
Habitat loss and fragmentation as a result of proposed development.	The proposed extension to the SPA will incorporate the marine environment around the islands. The development of the proposed site allocations on St Mary's will not result in the loss or fragmentation of habitat within the SPA extension.	Habitat loss unlikely but both the SPA and the pSPA are vulnerable to invasive non-native species – which could arise through the implementation of the Local Plan.	Yes?	Yes?	None	No
Reduced air quality through increased traffic and emissions from buildings.	NE advise ³⁰ that usually only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for LSEs from road traffic emissions. Site allocations H1 & H2 are either side of Strand – a road that is within some 60-100m ³¹ of the pSPA. Site allocations H3-H7 are located adjacent or nearby to the Old Town Road that is some 75m at the nearest point to the pSPA.	Yes, the SPA is sensitive to changes in air quality	Yes	Yes?	None	No

³⁰ NE Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs (June 2018)

³¹ As measured through Magic Map Application www.defra.gov.uk/magicmap (accessed November 2018)