

Date: 20 August 2014  
Our ref: 129079  
Your ref: P/14/038



Council of the Isles of Scilly  
Town Hall  
St Mary's  
Isles of Scilly  
TR21 0LW

Sustainable Development  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Sirs,

**Planning consultation:** Erection of storage shed.  
**Location:** Lower Town Barns, Lower Town, St Martins.

Thank you for your consultation on the above dated 11 August 2014 which was received by Natural England on 11 August 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**The Wildlife and Countryside Act 1981 (as amended)**  
**The Conservation of Habitats and Species Regulations 2010 (as amended)**  
**The National Park and Access to the Countryside Act 1949**

Natural England's comments in relation to this application are provided in the following sections.

**Statutory nature conservation sites – no objection**

This application is in close proximity to the St Martin's Sedimentary Shore, Tean and Plains & Great Bay Sites of Special Scientific Interest (SSSIs). St Martin's Sedimentary Shore SSSI forms part of the Isles of Scilly complex Special Area of Conservation (SAC).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Isles of Scilly Complex has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.<sup>1</sup>

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the St Martin's Sedimentary Shore SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

---

<sup>1</sup> This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010 (as amended)*, (The Habitat Regulations) and Section 28(l) of the *Wildlife and Countryside Act 1981 (as amended)*.

Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

### **Protected landscapes**

Having reviewed the application Natural England does not wish to comment on this development proposal.

The development however, relates to the Isles of Scilly AONB. We therefore advise you to seek the advice of the Council of the Isles of Scilly. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

### **Protected species**

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us at with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

### **Local sites**

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

### **Impact Risk Zones for Sites of Special Scientific Interest**

Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs and developers to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. Further information and guidance on how to access and use the IRZs is available on the [Natural England website](#).

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours faithfully

James Hughes  
Sustainable Development Consultation Team