

Date: 15 May 2015  
Our ref: 153213  
Your ref: P/15/038/FUL



Isle of Scilly

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

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## BY EMAIL ONLY

Dear Sir or Madam,

**Planning consultation:** Demolition of Incinerator

**Location:** the Incinerator, Moorwell Lane, Hugh Town, St. Marys, TR21 0JY

Thank you for your consultation on the above dated 06 May 2015 which was received by Natural England on 06 May 2015.

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 Lower Moors (St Marys) Site of Special Scientific Interest (SSSI). This SSSI forms part of the Isle of Scilly Complex SAC 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 Isle of Scilly Complex SAC 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 Lower Moors (St Marys) SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

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<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(1) 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 Isle of Scilly AONB. We therefore advise you to seek the advice of the AONB Council. 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.

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 is needed (which is the developer's responsibility) or 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 with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

### **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  
Beth Seale  
Sustainable Development Consultation Team