



# COUNCIL OF THE ISLES OF SCILLY

Planning Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

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Sian Scott  
Housing Delivery Project  
Council of the Isles of Scilly  
Town Hall  
St Mary's  
Isles of Scilly  
TR21 0LW

17<sup>th</sup> December 2020

Dear Sian,

**Re: EIA Screening Opinion, Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (SI No 571)**

**Proposal:** Pre-app Screening Opinion for residential development of up to 13 residential units seeking outline planning permission. Access, Landscaping, Layout and Scale are matters for consideration; Appearance is a reserved matter.

**Location:** Land at the west side of Old Town Road, North of Ennor Castle, Old Town, St Mary's, Isles of Scilly

**Applicant:** Nicola Stinson

I refer to the above screening opinion request, which was received at this office on 15<sup>th</sup> December 2020, please find attached the screening opinion now adopted by the Council of the Isles of Scilly, as the Local Planning Authority, which concludes that:

**The development proposed is not considered to be an EIA development within the meaning of the EIA Regulations. The decision is based on the information known at the time and selection criteria for screening Schedule 2 development (Schedule 3) and Planning Practice Guidance (Environmental Impact Assessment). This decision is given without prejudice to any final determination of the planning application.**

The development does not therefore require an Environmental Impact Assessment. In adopting this screening opinion, account has been taken of the applicable provisions of the EIA Regulations 2017 and their purposive nature and relevant Government Guidance.

Should you decide to change the details of your proposed development in any way then please contact me on 01720 424456 or by email: [lisa.walton@scilly.gov.uk](mailto:lisa.walton@scilly.gov.uk) to determine whether or not further screening of the proposal is necessary.

Yours sincerely

**Lisa Walton**  
**Senior Officer Planning and Development Management**



# COUNCIL OF THE ISLES OF SCILLY

Planning & Development Department

Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW

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<b>Application Number:</b> Pre-App	<b>Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (SI No. 571)</b>  <b>Regulation 6: screening opinion checklist</b>  <b>Screening request under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 SI No. 571</b>
<b>Screened by:</b> Lisa Walton Senior Officer: Planning and Development Management	
<b>Date:</b> 17 <sup>th</sup> December 2020	

Request for a formal EIA Screening Opinion		Yes or No
<b>1</b>	<b>Is this a Schedule 1 development?</b>	<b>No</b>
If YES – EIA development, EIA required, If NO – go to Box 2.		
<b>2</b>	<b>Is this a Schedule 2 Development?</b>	<b>Yes</b>
<b>a)</b>	<b>Is it of a description mentioned in column 2 of the table in Schedule 2?</b>	<b>Yes</b>
If YES – go to 2(b) and (c); If NO – not Schedule 2 development, no EIA required.		
<b>b)</b>	<b>Is any part of the site in a ‘sensitive area’?</b>	<b>Yes</b>
(i.e. SSSI, AONB, World Heritage site, SAC, scheduled monument etc)		
<b>c)</b>	<b>Is any applicable threshold or criterion in the table in Schedule 2 exceeded or met in relation to the development?</b>	<b>No</b>
If YES to either 2(b) or (c) – Schedule 2 development – go to Box 3. If NO to both 2(b) AND (c) – not Schedule 2 development, no EIA required.		
<b>3</b>	<b>Would the development site/proposal be likely to have significant effects on the environment because of factors such as its nature, size or location?</b>	<b>No</b>
If YES – EIA development, EIA required. If NO – not EIA development, no EIA required.		

## Screening Opinion - reason(s) for decision:

The development falls within Schedule 2 part 10(b).

**NOTE: Use the following headings taken from Schedule 3 of the Regs to help define the proposal and its potential for generating significant environmental effects.**

1. The characteristics of development must be considered having regard in particular to:

<p><b>a) the size of the development;</b></p>	<p>The site area overall is 0.53 hectares the proposal is outline application for 13 homes with a mixture of detached and semi-detached two storey and single storey dwellings. Access, landscaping, layout and scale are matters for consideration with appearance a reserved matter.</p>
<p><b>b) the accumulation with other development;</b></p>	<p>At the time of writing there are no known major developments within the Isles of Scilly. There are a number of minor household applications. Having regard to other developments it is considered that the proposal would not give rise to significant in-combination impacts.</p>
<p><b>c) the use of natural resources;</b></p>	<p>The land is currently used as agricultural land although the islands are not graded by DEFRA in terms of the Agricultural Land Classification. An informal view is that the land is likely to be Grade 4 (Grade 1 being the highest and Grade 5 being the lowest).</p> <p>The development would lead to the loss of up to 0.5 ha of agricultural land, which would be irreversible.</p> <p>The proposal does not propose to use local natural resources in terms of timber, minerals or granite. The development would involve the importation of materials for the construction of the development, with some potential for the re-use of on-island aggregate/hard core.</p> <p>The redevelopment proposal will result in an increase in demand of water and energy during construction phase and the occupation phase. However water and energy minimisation measures would form part of sustainable design and if not incorporated in the submission details, would be requested either pre-determination or it would be required at the later reserved matters stage or subsequent condition. It is unlikely that other natural resources of the islands would be required to construct the proposed new buildings. There are no active quarries on the islands.</p>
<p><b>d) the production of waste;</b></p>	<p>There would be production of waste during the construction period through removal of materials, including some possible arisings from the construction of the foundations of the buildings and site levels remodelling that may need to be removed from the site. There would be waste arisings from the development once completed and occupied/brought into use.</p>
<p><b>e) pollution and nuisances;</b></p>	<p>It would appear that investigation of the site with respect to potential land contamination has already been undertaken and concludes that no risk to human health have been identified. No further land contamination assessment would be required.</p>

	<p>The development would create emissions from vehicles throughout the construction phase, and both from vehicles on-island as well as on the mainland. Additional emissions are generated through the freighting of goods to get them to the islands. Vehicle movements would also be cumulative with existing vehicular movements of the local highway network on St Mary's. Depending on the construction phase, which could come through at various times, rather than all together, however the scale is considered to be such that it would not cause an unacceptable cumulative impact in the vicinity of the site.</p> <p>Throughout the construction phase the development will generate dust, noise and possible vibration nuisances.</p> <p>As the scheme is anticipated for Self and Custom build, there will be opportunities for sharing the workforce and reducing the construction noise and nuisances as well as, emissions from vehicles.</p> <p>The use of external lighting during construction and to light the buildings and grounds could add to light pollution, sky glow and impacts upon ecology (e.g. bats) if the lighting is not carefully designed and installed and operated correctly.</p>
<p><b>f) the risk of accidents, having regard in particular to substances or technologies used.</b></p>	<p>The likelihood of accidents is minimal, given that no harmful or noxious substances or hazardous technologies are to be used in the development.</p> <p>There is a low potential risk of accidents associated with vehicle movements, particularly during the construction stage, as it is anticipated that there would be movements of large vehicles. The site benefits from good access onto the public highway.</p>
<p><b>g) The risks to human health (for example, due to water contamination or air pollution).</b></p>	<p>The development may give rise to impacts from air quality and contamination land through both the construction and operation of the development.</p> <p>Risks to construction and groundworkers is deemed very low, as well as the risk to end users from contamination.</p>

2. The environmental sensitivity of geographical areas likely to be affected by development must be considered having regard, in particular, to:

<p><b>a) the existing land use;</b></p>	<p>The land is currently undeveloped land and is currently used for grazing.</p>
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<p><b>b) the relative abundance, quality and regenerative capacity of natural resources in the area;</b></p>	<p>In this context ‘natural resources’ has been taken to mean those resources which exist naturally and can be used to attribute or derive value, including biodiversity interests and the natural landscape.</p> <p>The loss of an agricultural field would be irreversible and would permanently urbanise this edge of the Old Town location and would be very unlikely to have a significant regenerative capacity.</p> <p>Having regard to the scale of the development and its proximity to Old Town, it is considered that the impact could be appropriately assessed as part of a planning application.</p> <p>The development has the potential to have a positive impact upon ecology. Given the existing land use the site has some potential to accommodate species protected by law and the level of assessment to be submitted identifies such impacts but recommends mitigation.</p> <p>The development will have impacts upon the water environment in the form of drainage and increased flood risk elsewhere and possible pollution of the water environment through surface water run-off. This can be appropriately assessed by technical reports submitted at the application stage.</p> <p>Outside the site there is a high abundance of high quality natural resources, both coastal at countryside of both designated international importance and local nature reserves.</p>
<p><b>c) the absorption capacity of the natural environment, paying particular attention to the following areas:</b></p> <ul style="list-style-type: none"> <li><b>I. Wetlands;</b></li> <li><b>II. Coastal zones;</b></li> <li><b>III. Mountain and forest areas;</b></li> <li><b>IV. Nature reserves and parks;</b></li> <li><b>V. Areas classified or protected under Member states’ legislation; areas designated by Member States pursuant to Council Directive 79/409/EEC on the conservation of Wild Birds (a) and Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (b);</b></li> </ul>	<p>The absorption capacity of the natural environment is considered to be high. However, the foremost consideration is landscape and visual impacts.</p> <p>The site comprises a small agricultural field visible within the immediate surrounding area.</p> <p>The site is enclosed grazing land adjacent to the existing Old Town settlement which has been subject to 20th Century expansion.</p> <p>Development of the site for the purposes indicated would result in an impact on local character however this matter can be assessed as part of a planning application taking into account the landscape designations and visibility of the site.</p>

<p><b>VI. Area in which the environmental quality standards laid down in Community legislation have already been exceeded;</b></p> <p><b>VII. Densely populated areas;</b></p> <p><b>VIII. Landscapes of historical, cultural or archaeological significance;</b></p>	
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3. The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to:

<p><b>a) The extent of the impact (geographical areas and size of the affected population);</b></p>	<p>The landscape and visual impacts would be experienced by receptors, including those living nearby, by those travelling along local roads and routes and from longer distance views.</p> <p>It is considered that the development would not generate a significant impact with respect to landscape and visual impact in relation to the Regulations as the site would be seen within the context of the settlement of Old Town.</p> <p>Such an assessment of harm could be undertaken as part of the assessment of a planning application.</p>
<p><b>b) The nature of the impact;</b></p>	<p>Impacts upon the highway network could be considered as part of a planning application.</p> <p>Impacts upon the protected species and habitat can be assessed as part of the planning application. Wider impacts upon the European Designated sites have been assessed under the Habitat Regulations and mitigation can be secured.</p>
<p><b>c) The trans-frontier/transboundary nature of the impact;</b></p>	<p>There will not be any trans-frontier impacts, as such, although the proposed development would be visible in some short distance views beyond the boundaries of the site itself.</p>
<p><b>d) The magnitude and complexity of the impact;</b></p>	<p>The impacts from construction on the site would be temporary although other impacts would remain for the lifetime of the development.</p> <p>The intensity of the impact is likely to be relatively limited in terms of a visual envelope.</p>
<p><b>e) The probability of the impact;</b></p>	<p>Construction impacts, although temporary, could result in some impacts upon the locality. This could be appropriately controlled by a condition attached to any planning permission granted.</p>

	As discussed the proposal would have an impact upon the character and appearance of the area however this would not be significant in terms of the Regulations and can be satisfactorily assessed as part of the assessment of a planning application.
<b>f) The expected onset, duration, frequency and reversibility of the impact;</b>	The development of the site for the purposes indicated would be in perpetuity and irreversible, although the site could potentially be redeveloped in the future. The characteristics of the completed development would be unchanging in the broader sense.
<b>g) The cumulation of the impact with the impact of other existing and/or approved development;</b>	There are no major developments taking place currently within the Isles of Scilly. There are a number of small-scale minor and householder applications within the Isles of Scilly that have been granted or permitted and are either under construction extant. Having regard to other developments it is considered that the proposal would not give rise to significant in-combination impacts.
<b>h) The possibility of effectively reducing the impact.</b>	There are a number of conditions that are reasonable to reduce the impact of construction and visual harm, however the possibility of reducing the impact of the irreversibility of the loss of the agricultural land is unlikely.
<b>Q1 Is it a major development which is of more than local importance?</b>	No
<b>Q2 Does it affect a particularly environmentally sensitive or vulnerable location?</b>	Yes
<b>Q3 Does it have unusually complex and potentially hazardous environmental effects?</b>	No
<b>Conclusion</b>	
Having regard to the characteristics, scale and potential impacts of the development, the proposal would not amount to EIA development. The decision is based on the information known at the time and selection criteria for screening Schedule 2 development (Schedule 3) and the indicative thresholds and paragraphs 017, 018, 023 and 027 of Planning Practice Guidance.	
<b>Environmental Impact Assessment</b>	Not Required