



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

COUNCIL OF THE ISLES OF SCILLY

Town Hall, St Mary's TR21 0LW
Telephone: 01720 424455 – Email: planning@scilly.gov.uk

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015

PERMISSION FOR DEVELOPMENT

Application No:	P/23/106/FUL	Date Application Registered:	21st December 2023
Applicant:	Scilly Self Catering 18 Porthmellon Industrial Estate, Porth Mellon, St Mary's, Isles of Scilly, TR21 0JY	Agent:	Mr Mike Bradbury Studio St Ives, 4 Gabriel Street, St Ives, Cornwall, TR26 2LU
Site address:	18 Porthmellon Industrial Estate Porth Mellon St Mary's Isles of Scilly TR21 0JY		
Proposal:	Removal of trees, creation of new parking area and mitigating landscape works		

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the following Conditions:

- C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- C2 The development hereby permitted shall be carried out in accordance with the approved details only including:**
- **Plan 1 Location Plan, drawing number 2038B-P01, dated Sept 2023**
 - **Plan 2 Site Plan, drawing number 2038B-P02, dated Oct 2023**
 - **Plan 3 Proposed Plan, drawing number 2038B-P04, dated Oct 2023**
 - **Plan 4 Ground Level Tree Assessment, document reference 23-10-2, dated 19th November 2023**
- These are stamped as APPROVED**
Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policy OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).
- C3 Prior to the commencement of the development, hereby approved, a scheme including details of the waste material arising from clearance, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.**
Reason: This is a pre-commencement condition that requires details that were not submitted as part of the application but are required to fully understand the impact upon landscape and management of waste, to be submitted and agreed by the Local Planning Authority. This is to ensure those characteristics which contribute to the status of the Isles of Scilly as a Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast are not eroded by uncontrolled mineral extraction or the tipping of waste. In accordance with the requirements of Policies SS2(2) and OE5 of the Isles

of Scilly Local Plan (2015 - 2030).

- C4 Before the car parking spaces are first bought into use, a minimum of one bat box and one bird box, shall be installed in accordance with the recommendations (4.1.2 for bats and 4.2.3 for birds) of the Ground Level Tree Assessment, document reference 23-10-2, dated 19th November 2023. Once installed the features shall be maintained as approved thereafter.**

Reason: To promote measures to improve an awareness of the value of biodiversity on the Isles of Scilly and to enhance features of biodiversity interest in accordance with the requirements of Policies SS1(d) and SS2(g) of the Isles of Scilly Local Plan (2015-2030).

- C5 The scheme for replacement tree planting, hereby approved, as shown on Plan 3 Proposed Plans, drawing number 2038B-P04 dated Oct 2023, shall be implemented within the site boundary, as shown, in the first planting season following the felling of the trees hereby permitted to be removed. The replacement trees shall be a minimum of 8-10cm in girth (a Standard Tree) and shall be maintained for a period of five years, such maintenance to include the replacement of the trees should they die or become diseased.**

Reason: To safeguard the character and appearance of this part of the Islands and to enhance features of biodiversity interest in accordance with policies OE2 the Isles of Scilly Local Plan 2015-2030.

Further Information

1. In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework 2023.
2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. If the proposal relates to a Listed Building you will not be able to apply for a non-material amendment and a new application for a revised scheme will be required. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here:
https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
3. In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. The fee is current £145 for each request to discharge condition(s) where the planning permission relates to any other type of development other than a householder application. The fee is payable for each individual request made to the Local Planning Authority. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied:
https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
4. The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately, and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately, and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

Signed:



Chief Planning Officer

Duly Authorised Officer of the Council to make and issue Planning Decisions on behalf of the Council of the Isles of Scilly.

DATE OF ISSUE: 29th February 2024



COUNCIL OF THE ISLES OF SCILLY

Planning Department
Town Hall, The Parade, St Mary's, Isles of Scilly, TR21 0LW
☎0300 1234 105
✉planning@scilly.gov.uk

Dear Scilly Self Catering

Please sign and complete this certificate.

This is to certify that decision notice: P/23/106/FUL and the accompanying conditions have been read and understood by the applicant: Scilly Self Catering.

1. **I/we intend to commence the development as approved:** Removal of trees, creation of new parking area and mitigating landscape works at: 18 Porthmellon Industrial Estate Porth Mellon St Mary's Isles of Scilly TR21 0JY **on:**
2. I am/we are aware of any conditions that need to be discharged before works commence.
3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

You are advised to note that Officers of the Local Planning Authority may inspect the project both during construction, on a spot-check basis, and once completed, to ensure that the proposal has complied with the approved plans and conditions. In the event that the site is found to be inaccessible then you are asked to provide contact details of the applicant/agent/contractor (delete as appropriate):

Name: _____ **Contact Telephone Number:** _____
And/Or Email: _____

Print Name: _____

Signed: _____

Date: _____

Please sign and return to the **above address** as soon as possible.

For the avoidance of doubt you are reminded to address the following condition(s) before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

PRE-COMMENCEMENT CONDITION(S)

C3 Prior to the commencement of the development, hereby approved, a scheme including details of the waste material arising from clearance, including excess material from excavations, shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme only.

Pre-First Use Condition

C4 Before the car parking spaces are first brought into use, a minimum of one bat box and one bird box, shall be installed in accordance with the recommendations (4.1.2 for bats and 4.2.3 for birds) of the Ground Level Tree Assessment, document reference 23-10-2, dated 19th November 2023. Once installed the features shall be

maintained as approved thereafter.

Replacement Tree Planting Condition

C5 The scheme for replacement tree planting, hereby approved, as shown on Plan 3 Proposed Plans, drawing number 2038B-P04 dated Oct 2023, shall be implemented within the site boundary, as shown, in the first planting season following the felling of the trees hereby permitted to be removed. The replacement trees shall be a minimum of 8-10cm in girth (a Standard Tree) and shall be maintained for a period of five years, such maintenance to include the replacement of the trees should they die or become diseased.



COUNCIL OF THE ISLES OF SCILLY

Planning Department

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

☎01720 424455

✉planning@scilly.gov.uk

**THIS LETTER CONTAINS IMPORTANT INFORMATION
REGARDING YOUR PERMISSION – PLEASE READ
IF YOU ARE AN AGENT DEALING WITH IS ON BEHALF OF THE
APPLICANT IT IS IMPORTANT TO LET THE APPLICANT KNOW
OF ANY PRE-COMMENCEMENT CONDITIONS**

Dear Applicant,

This letter is intended to help you advance your project through the development process. Now that you have been granted permission, there may be further tasks you need to complete. Some aspects may not apply to your development; however, your attention is drawn to the following paragraphs, which provide advice on a range of matters including how to carry out your development and how to appeal against the decision made by the Local Planning Authority (LPA).

Carrying out the Development in Accordance with the Approved Plans

You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any un-authorised work carried out may have to be amended or removed from the site.

Discharging Conditions

Some conditions on the attached decision notice will need to be formally discharged by the LPA. In particular, any condition that needs to be carried out prior to development taking place, such as a 'source and disposal of materials' condition, an 'archaeological' condition or 'landscaping' condition must be formally discharged prior to the implementation of the planning permission. In the case of an archaeological condition, please contact the Planning Department for advice on the steps required. Whilst you do not need to formally discharge every condition on the decision notice, it is important you inform the Planning Department when the condition advises you to do so before you commence the implementation of this permission. Although we will aim to deal with any application to discharge conditions as expeditiously as possible, you are reminded to allow up **to 8 weeks** for the discharge of conditions process.

Please inform the Planning Department when your development or works will be commencing. This will enable the Council to monitor the discharge and compliance with conditions and provide guidance as necessary. We will not be able to provide you with any written confirmation on the discharge of pre-commencement conditions if you do not formally apply to discharge the conditions before you start works.

As with the rest of the planning application fees, central Government sets a fee within the same set of regulations for the formal discharge of conditions attached to planning permissions. Conditions are necessary to control approved works and development. Requests for confirmation that one or more planning conditions have been complied with are as follows (VAT is not payable on fees set by central government). More information can be found on the Council's website:

- Householder permissions - £43 per application
- Other permissions - £145 per application

Amendments

If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). NMA can only be made to planning permissions and not a listed building consent. They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £43 for householder type applications and £293 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

Appealing Against the Decision

If you are aggrieved by any of the planning conditions attached to your decision notice, you can appeal to have specific conditions lifted or modified by the Secretary of State. All appeal decisions are considered by the Planning Inspectorate – a government department aimed at providing an unbiased judgement on a planning application. From the date of the decision notice attached you must lodge an appeal within the following time periods:

- Householder Application - 12 weeks
- Planning Application – 6 months
- Listed Building Consent – 6 months
- Advertisement Consent - 8 weeks
- Minor Commercial Application - 12 weeks
- Lawful Development Certificate – None (unless for LBC – 6 months)
- Other Types - 6 months

Note that these periods can change so you should check with the Planning Inspectorate for the most up to date list. You can apply to the Secretary of State to extend this period, although this will only be allowed in exceptional circumstances.

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting <https://www.gov.uk/topic/planning-development/planning-permission-appeals> or you can obtain hard copy appeal forms by calling 0303 444 5000.

Current appeal handling times can be found at: [Appeals: How long they take page](#).

Building Regulations

With all building work, the owner of the property is responsible for meeting the relevant Planning and Building Regulations. Building Regulations apply to most building work so it is important to find out if you need permission. This consent is to ensure the safety of people in and around buildings in relation to structure, access, fire safety, infrastructure and appropriate insulation.

The Building Control function is carried out on behalf of the Council of the Isles of Scilly by Cornwall Council. All enquiries and Building Control applications should be made direct to Cornwall Council, via the following link [Cornwall Council](#). This link also contains comprehensive information to assist you with all of your Building Control needs.

Building Control can be contacted via telephone by calling 01872 224792 (Option 1), via email buildingcontrol@cornwall.gov.uk or by post at:

Building Control
Cornwall Council
Pydar House
Pydar Street
Truro
Cornwall
TR1 1XU

Inspection Requests can also be made online: <https://www.cornwall.gov.uk/planning-and-building-control/building-control/book-an-inspection/>

Registering/Altering Addresses

If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department who will be able to make alterations to local and national databases and ensure postcodes are allocated.

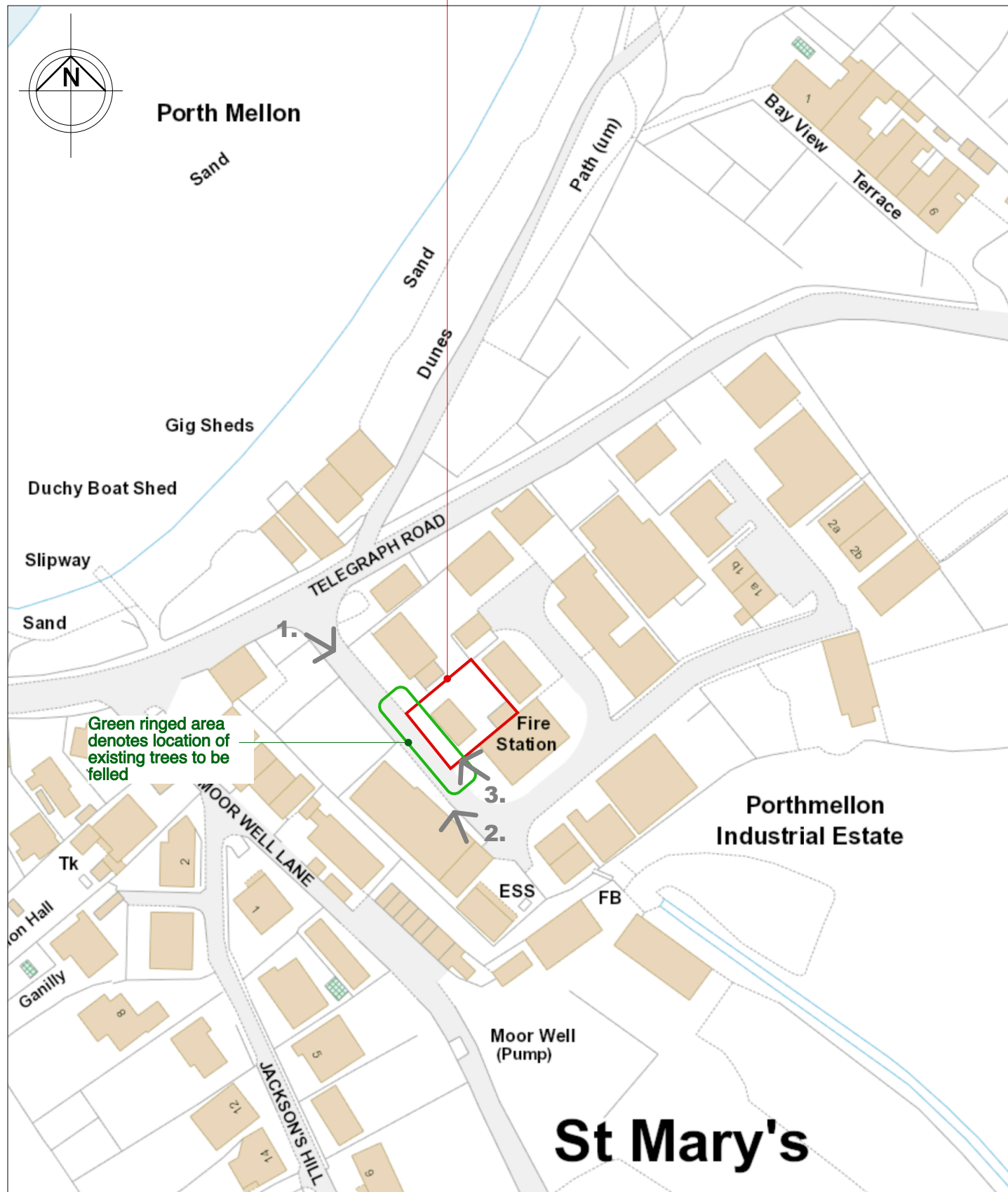
Connections to Utilities

If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 08000831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

Should you require any further advice regarding any part of your development, please contact the Planning Department and we will be happy to help you.

APPROVED

By Lisa Walton at 4:14 pm, Feb 29, 2024



Location Plan
Scale 1:1250 @ A3

Note: OS Map reproduced under 'Landmark'
Paper Map Copy Licence (PMCL) number
670690383.708409



1.



2.



3.

Photos

1. View looking SE into industrial estate from Telegraph Road. Gable of Scilly Self Catering building with double doors is visible on the left
2. View from outside Isles of Scilly Cart Hire
3. Land used for storage between roadside trees and SSC Building

NOTES

- 1 THIS DRAWING IS THE COPYRIGHT OF THE ARCHITECT AND MAY NOT BE REPRODUCED WITHOUT LICENCE
- 2 ALL DIMENSIONS AND LEVELS ARE TO BE CHECKED ON SITE BY THE CONTRACTOR BEFORE COMMENCEMENT OF WORK AND ANY DISCREPANCIES REPORTED TO THE ARCHITECT
- 3 NO RESPONSIBILITY CAN BE ACCEPTED FOR ERRORS ARISING ON SITE DUE TO UNAUTHORISED VARIATIONS FROM THE ARCHITECTS DRAWINGS.

AMENDMENTS

RECEIVED
By Liv Rickman at 3:08 pm, Dec 20, 2023

PLANNING

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

JOB

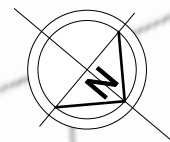
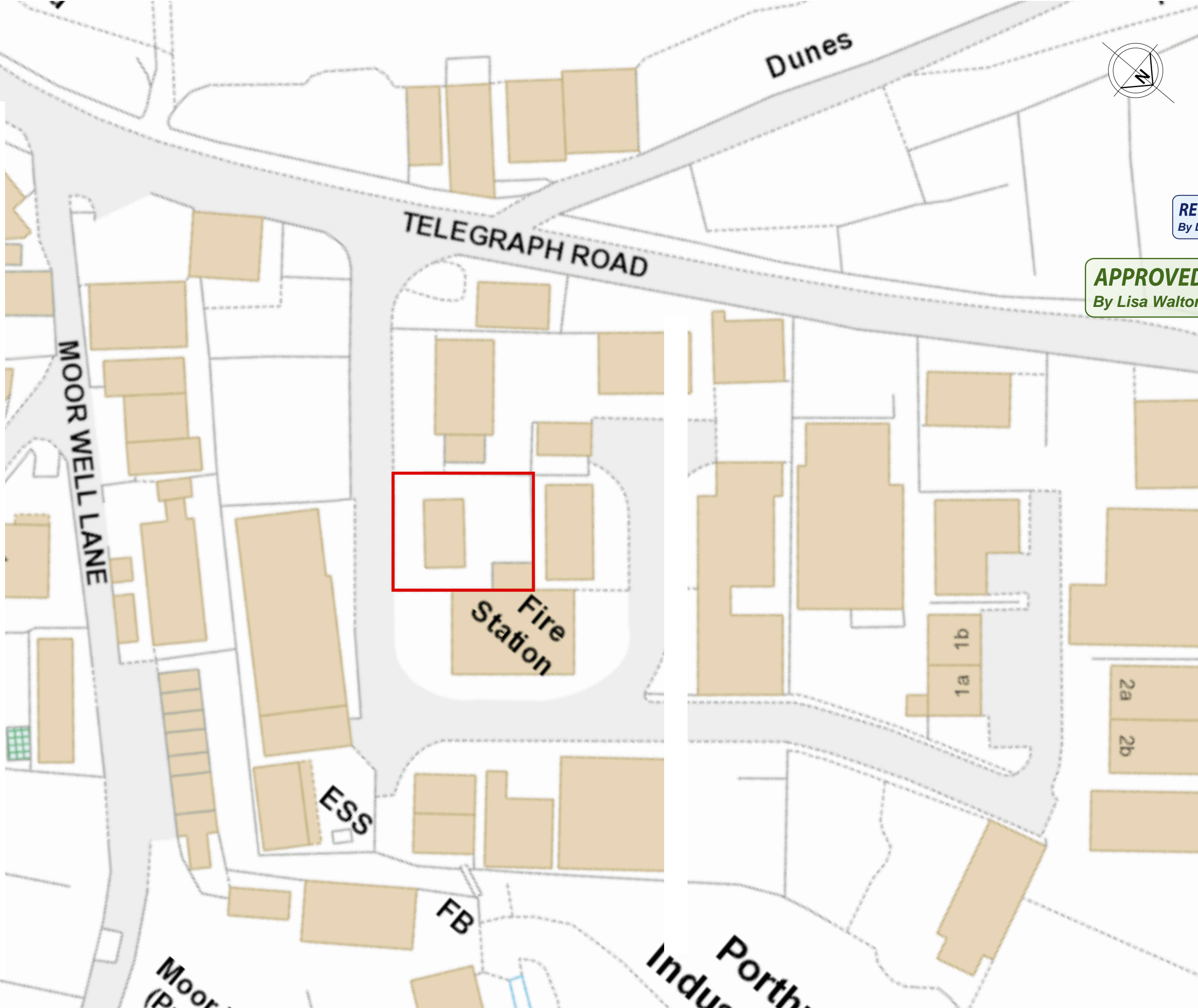
**Removal of Trees at
Scilly Self Catering
Porthmellon Industrial Estate
St Mary's,
The Isles of Scilly**

TITLE
Location Plan / Photos

DRNG. NO. REVISION
2038B-P01

SCALE DATE
As shown@A3 Sept 2023

OFFICE USE / PRE-ISSUE



NOTES

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AMENDMENTS

RECEIVED
By Liv Rickman at 3:11 pm, Dec 20, 2023

APPROVED
By Lisa Walton at 4:14 pm, Feb 29, 2024

PLANNING

Studio St Ives
4 Gabriel Street
St Ives
TR26 2LU
01736 798427



**MIKE BRADBURY
DESIGN**



JOB

Removal of Trees at
Scilly Self Catering
Porthmellon Industrial Estate
St Mary's,
The Isles of Scilly

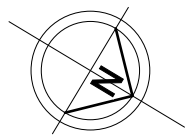
TITLE

Site Plan

DRNG. NO. 2038B-P02 **REVISION**

SCALE 1:500@A3 **DATE** Oct 2023

OFFICE USE / PRE-ISSUE



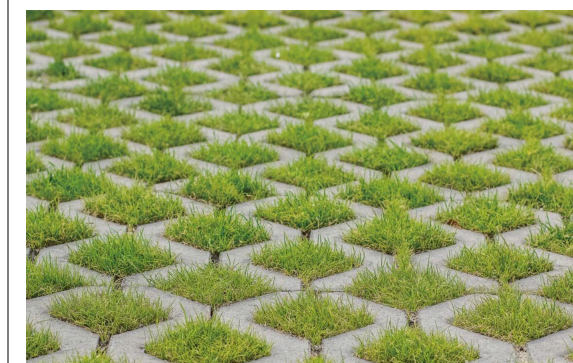
MAIN ROAD

Retain existing trees

Retain and make good section of existing stone hedge

New drop kerb

Site Plan



'GrassPark' permeable paving grid by 'Pavestone' (or equivalent) allowing rainwater to drain between blocks thereby avoiding surface water run-off onto estate road

Low stone boundary wall

Access

Store

Permeable parking area

Bird nesting boxes positioned at high level on gables of existing building as recommended in Tree Assessment by James Faulconbridge

Bat boxes positioned below eaves at back of existing building as recommended in Tree Assessment by James Faulconbridge

Yard

Store

Refuse and re-cycling bins

Additional planting to ensure that there is no net loss in vegetation as recommended in Tree Assessment by James Faulconbridge. Three new trees to be planted (silver birch, crab apple and rowan) and a range of shrubs including hawthorn, holly, hazel and wild privet

Existing palms

0m 5m

NOTES

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- 3 NO RESPONSIBILITY CAN BE ACCEPTED FOR ERRORS ARISING ON SITE DUE TO UNAUTHORISED VARIATIONS FROM THE ARCHITECT'S DRAWINGS.

AMENDMENTS

APPROVED

By Lisa Walton at 4:14 pm, Feb 29, 2024

RECEIVED

By Liv Rickman at 3:13 pm, Dec 20, 2023

PLANNING

Studio St.Ives
4 Gabriel Street, St.Ives
TR26 2LU
01736 798427

**MIKE BRADBURY
DESIGN**

JOB
**Alterations Scilly Self-Catering Building
Porthmellon Industrial Estate
St.Mary's
Isles of Scilly for
Scilly Self-Catering**

TITLE
Proposed Plan

DRNG. NO. REVISION
2038B-P04

SCALE DATE
**1:50 @ A1
1:200 @ A3 Oct 2023**

OFFICE USE / PRE-ISSUE

APPROVED

By Lisa Walton at 4:14 pm, Feb 29, 2024

RECEIVED

By Liv Rickman at 3:57 pm, Dec 20, 2023

GROUND-LEVEL TREE ASSESSMENT (GLTA)

SCILLY SELF CATERING,
PORTHMELLON INDUSTRIAL ESTATE, ST MARY'S,
ISLES OF SCILLY



Client: Scilly Self-Catering

Our reference: 23-10-2

Planning reference: Produced in advance of submission

Report date: 19th November 2023

Author: James Faulconbridge BSc (Hons), MRes, MCIEEM

Contact: ios.ecology@gmail.com

Executive Summary

Bats – Results and Findings

The GLTA survey did not identify any suitable roosting features for bats associated with the trees under consideration. However visibility was limited by the dense ivy cover and therefore a precautionary approach to removal should be taken.

This judgement was reached in accordance with the survey methodologies and evaluation criteria outlined in the Bat Surveys for Professional Ecologists: Good Practice Guidelines 4th edition.¹

Bats – Further Survey Requirements

No further surveys are recommended – the GLTA conclusion does not require further survey information with regards to bats in order to inform a planning application.

Bats – Recommendations

Standard good practice and vigilance should be observed by the contractors undertaking the works in acknowledgement that, in the unlikely event of their presence, there is the potential for bats to make use of concealed roosting features. A specific methodology is provided.

The installation of bat boxes on retained trees or adjacent buildings is recommended to enhance the availability of roosting habitat in the local area.

Nesting Birds – Results and Findings

The trees provide suitable nesting habitat for breeding birds.

Nesting Birds - Recommendations

Recommended measures to ensure legislative compliance and Good Practice with regards to nesting birds is outlined in the report. This includes timing of works to avoid impacts; or a pre-commencement nesting bird survey.

In order to mitigate the loss of nesting habitat as a result of the demolition works, nest boxes should be erected either on retained trees or existing building. Guidance on suitable specifications is provided.

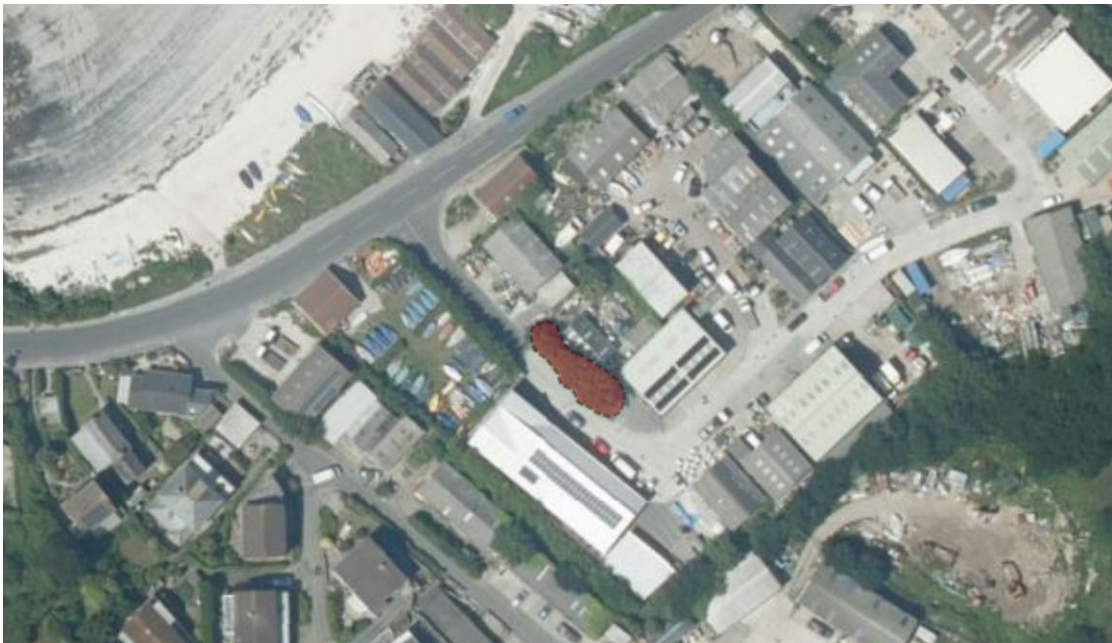
¹ Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London

1. Introduction

1.1. Scope

The trees under consideration were assessed for their potential to support bat roosts at ground level using binoculars and a video endoscope, during daylight hours on 3rd November 2023.

The trees are predominantly a line of elm (*Ulmus sp.*) trees along with individual self-set karo (*Pittosporum crassifolium*) and tree bedstraw (*Coprosma repens*). The canopy is indicated in the red wash in Map 01 below. The central grid reference for the tree line is SV 90844 10666.



Map 01 – Illustrating the location of the tree canopies within the local environs (red wash). Reproduced in accordance with Google’s Fair Use Policy.

1.2. Local Landscape

The trees are situated along the boundary of the Scilly Self Catering building on Porthmellon Industrial Estate in St Mary’s, Isles of Scilly. The land use immediately surrounding the trees is densely developed on all sides, with a range of light-industrial and commercial properties with associated hardstanding and access features. Some green features run through the estate, including the hedge/tree line to the north-west of the building. More residential use dominates to the west.

Beyond the confines of the small industrial estate, there is abundant suitable habitat to the south-east. Approximately 150m to the south-east is Lower Moors SSSI – a topogenous mire with areas of elm woodland and scrub as well as a series of pools and marshy grassland. Records from the Local Bat Group indicate that this is an important foraging resource for bats on the island. The shoreline of

Porthmellon Beach lies approximately 45m to the northwest of the site and the strandline here may provide a valuable foraging resource for bats.

1.3. Historic Records (Bats)

There are three records of bat roosts within 500m of the trees – all relate to common pipistrelle roosts utilising features such as hanging slates around dormer windows in Hugh Town to the west and south-west of the site.

2. Survey Methodology

2.1. Survey Methodology (Bats)

The survey technique with regards to bats followed the guidelines set out in the Bat Conservation Trust's 'Bat Surveys for Professional Ecologists: Good Practice Guidelines' (Collins, 2023) and the Bat Tree Habitat Key (Andrews et al. 2016).

Table 01, below, was used to categorise the bat roosting potential of each tree with regards to potential roosting features (PRF's) present, such as cavities, woodpecker holes and cracks. A confirmed roost is considered present where evidence of roosting bats is found such as droppings, staining or actual bats.

Table 01. Categories of Bat Roosting Potential (BRP) for trees in respect of their Potential Roosting Features (PRF) (Adapted from Collins 2023 & Andrews *et al.* 2016).

Suitability	Description
Negligible	Negligible PRFs likely to be used by roosting bats.
Low	A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only limited roosting potential.
Moderate	A tree with one or more PRF's that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only).
High	A tree with one or more PRF's that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Confirmed	Direct evidence of bat presence such as droppings, bats in situ, or emergence/re-entry from activity surveys.

2.2. Survey Methodology (Birds)

The suitability of the trees and adjacent habitat for use by nesting birds was assessed with regards to the quality and structure of the trees, as well as the location and position within the landscape.

Evidence of current or historical nests was recorded where present.

2.3. Limitations

The survey was conducted in November 2023 when the majority of the leaves had fallen from the trees. This allowed a comprehensive inspection of those parts of the trees not clad in ivy – this included the majority of the canopies. Dense ivy covering of the trunks and lower portions of the canopy restricted visibility of any PRF which may be concealed beneath the leaves; however the density of the

coverage makes it highly likely that the ivy cladding would also occlude any PRF they conceal.

This limitation is taken into account in the assessment of the trees and the recommendations provided.

2.4. Surveyor Competence

The site visit and report were undertaken by James Faulconbridge MRes MCIEEM.

James is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM) and has over 15 years' experience undertaking a range of ecological surveys including GLTA and bat activity surveys.

James also holds a Natural England survey licence for bats (Class Licence WML-CL18 Level 2) as well as a CS38 qualification for Tree Climbing and Aerial Rescue and has undertaken aerial inspections of over a thousand trees using aerial ascent and endoscope inspection techniques.

3. Results

3.1. Assessment of Ecological Value - Bats

3.1.1. Roosting Features

The trees did not provide any suitable features for use by bats which were visible at the time of survey.

The ivy covering, which is present on the majority of the trees, does not appear to be sufficiently well-developed to create PRF in its own right. It would serve to conceal any hidden PRF, but the density means that it is also likely to occlude any cavities it conceals.

3.1.2. Foraging Resource

The trees are unlikely to represent a significant foraging resource for local bat populations – the tree line is relatively isolated and only partially connected to other vegetation.

At best, the trees are likely to form a small component of a much wider foraging resource for individual bats.

3.1.3. Commuting Habitat

The trees are unlikely to represent a commuting feature for roosting bats as they do not connect to further vegetation or other suitable habitat. In addition, there is a streetlight adjacent to the tree line which may reduce suitability as a commuting route.

There is a continuous tree line which runs through the Industrial Estate to the south-west – this is more likely to be used as a commuting route by local bat populations.

3.2. Assessment of Ecological Value - Birds

3.2.1. Nesting Habitat

The survey did not identify any historic or current nests in the trees under consideration in this assessment. However the dense ivy would have the potential to support nests, as well as conceal their presence during a GLTA.

The position of the trees within the industrial estate is likely to restrict their suitability to common bird species which are accustomed or acclimated to regular presence of humans and traffic.

For the purposes of this assessment, it should be considered that all trees have the potential to support nesting birds.

3.2.2. Foraging Habitat

The trees are unlikely to represent a significant foraging resource for local bird populations – at best, the trees are likely to form a small component of a much wider foraging resource for individual pairs of nesting birds within the trees themselves or within the near vicinity.

3.3. Assessment of Ecological Value - Trees

The trees represent an established vegetated feature within the Industrial Estate. They have been pollarded in the past with well-healed stubs and other pruning cuts indicating historical management. More recent management has cut the trees in the manner of a hedge on the roadside, with passing vehicles likely to contribute to maintaining the shape. The trees are less managed on the eastern sides and the canopies extend significantly in this direction.

Individual self-set karo (*Pittosporum crassifolium*) and tree bedstraw (*Coprosma repens*) occur within the treeline.

The trees are affected by the wind resulting in an increasing height from north to south. The ivy cover is very dense, covering the majority of boles and preventing comprehensive assessment of the trees. There is dieback in the crown of some trees, and there are standing deadwood stems within the line.

From an ecological perspective, they are likely to represent a habitat and ecological resource for a range of species; however this should be considered within the context of the extensive natural habitat immediately adjacent to the industrial estate. As discussed with regards to bat commuting routes, the trees do not represent a connective feature, nor are they contiguous with other trees or habitats. For this reason, their ecological value is considered to be limited.

An assessment of the landscape and amenity value of the trees is outside of the scope of this assessment.

4. Recommendations

4.1. Bats

4.1.1. Felling Methodology

Trees should be removed with due care and attention to the potential, if highly unlikely event, of bats roosting within concealed features behind the ivy.

The risk does not reach the level which would stipulate a soft-fell or similar approach, however contractors should be made aware of the risk and be vigilant to the potential.

Contractors should be aware of **their own legal responsibility with respect to bats**:

Relevant Legislation regarding Bats

The Conservation of Habitats and Species Regulations 2017, or the 'Habitat Regulations 2017', transposes European Directives into English and Welsh legislation. Under these regulations, bats are classed as a European Protected Species and it is, therefore, an offence to:

- *Deliberately kill, injure or capture bats;*
- *Deliberately damage or destroy bat roosts.*

A bat roost is commonly defined as being any structure or place that is used as a breeding site or resting place, and since it may be in use only occasionally or at specific times of year, a roost retains such a designation even if bats are not present.

Bats are also protected from disturbance under Regulation 43. Disturbance of bats includes in particular any disturbance which is likely:

(a) *To impair their ability -*

- *to survive, to breed or reproduce, or to rear or nurture their young; or*
- *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*

(b) *To affect significantly the local distribution or abundance of the species to which they belong.*

Bats also have limited protection under the Wildlife and Countryside Act 1981 (as amended) and the Countryside Rights of Way Act 2000 (as amended). It is, therefore, an offence to:

- *Intentionally or recklessly destroy, damage or obstruct any structure or place which a bat uses for shelter or protection.*
- *Intentionally or recklessly disturb bats whilst occupying any structure or place used for shelter or protection.*

Contractors should be aware of **the process to follow in the highly unlikely event of finding bats** or evidence indicating that bats are likely to be present:

If bats are identified, works should cease and the licenced bat worker be contacted immediately for advice.

If the bat is in a safe situation, or a situation which can be made safe, they should remain undisturbed.

Only if the bat is in immediate risk of harm can the bat be moved with care and using a gloved hand. This is a last resort and should only be undertaken for humane reasons if the bat is at immediate risk of harm **and** if the ecologist cannot be contacted for advice.

4.1.2. Enhancement

In order to provide biodiversity enhancement, bat boxes could be installed on retained trees or the building.

The box should be positioned to face away from traffic and sources of artificial light, and at a height of at least 3m from the ground to minimise the risk of predation. An open-based box design would ensure that it would not require cleaning. The location would be appropriate for bats such as common pipistrelle which is the dominant species present on the island and the most likely species to use the environs for foraging and roosting.

A suitable box could be purchased or constructed following freely available plans. Kent Bat Box style boxes are slim and easy to construct from appropriate timber using the plans provided at:

<http://www.kentbatgroup.org.uk/kent-bat-box.pdf>

4.2. Birds

There are two approaches which can be taken to ensure that the proposed tree works do not impact on nesting birds. These are:

- avoidance of impacts through timing of works; and
- pre-commencement inspection.

This methodology should apply all of the trees and shrubs within the site.

4.2.1. Timing of Works

Works affecting the trees and shrubs can be undertaken without constraint if completed outside of the breeding season which runs from March – September inclusive.

4.2.2. Pre-commencement Inspection

If the recommended timing of works is not practicable then a nesting bird survey would need to be carried out by a suitably qualified person prior to the commencement of works.

Careful observation would be required to ensure that the parent birds are not constructing a nest or provisioning the young. Nests are only protected if they are active (i.e. being used to rear young) or in the process of being built.

- Where active nests are identified, works affecting these must be delayed until the chicks have fledged the nest.
- Once it is confirmed that nests are absent or no longer active, the tree works can proceed.

4.2.3. Enhancement Measures

It is recommended that enhancement measures are designed to provide replacement nesting habitat for breeding birds. This could be achieved through the erection of bird boxes on retained trees or on the building.

Nest boxes could include those suitable for hole-dwelling species such as blue tits, or open-fronted boxes for species such as blackbird and robin.

Boxes should be mounted on a wall or tree if possible, at a height of at least 3m above the ground with an entrance clear of vegetation/other features which may put them at risk of predation from cats.

Boxes can be sourced online, or can be constructed on site using methodology and specifications provided by the RSPB:

<https://www.rspb.org.uk/fun-and-learning/for-families/family-wild-challenge/activities/build-a-birdbox/>

4.3. Trees

Recommendations are provided below for strategies to ensure that there is no net loss of vegetated habitat in the long term. The approach taken will depend on the specific site requirements and may include partial adoption of two or more strategies outlined below. For example, partial retention of key individual trees (4.3.1) combined with additional shrub planting within the alternative area on site (4.3.3).

4.3.1. Retention

It is recommended that, where practicable, those trees which are healthy and in good condition are managed in such a way as to allow their retention. This might include measures such as pruning, pollarding or coppicing to allow them to be

retained in an appropriate form within the landscaping of the site. Thinning out dead, dying or poorly formed trees would assist this.

It is however acknowledged that the tree line is very dense, contains a number of dead or deteriorating trees, and is not well-suited to their position within an active industrial estate. Retention of individual trees may be practicable but removal and re-planting with more appropriate species may be more advisable for others.

4.3.2. Re-planting

The location where trees have been removed, shown in red in Map 02, could be re-planted with species suitable for the location which would grow into a manageable hedge or boundary feature.

The shrub species indicated in Table 02 would be suitable for this purpose.

4.3.3. Additional Planting

There is an area in the southern corner of the site which is currently overgrown with bramble and has individual Cornish palms (*Cordyline australis*). This is indicated in green on Map 02. The area of this is equivalent to the area within which the trees are planted and could therefore be used for replanting.

The density of trees should not aim to replicate the density of the existing tree line as these are tightly packed – the density of replanting should reflect an appropriate spacing for the species selected.

There are few tree species native to the Isles of Scilly which would be appropriate for the small space and the setting in a built-up area of the industrial estate. However the Lower Moors Extension situated close to the site has a number of trees planted which would be suitable and could be used in this site.

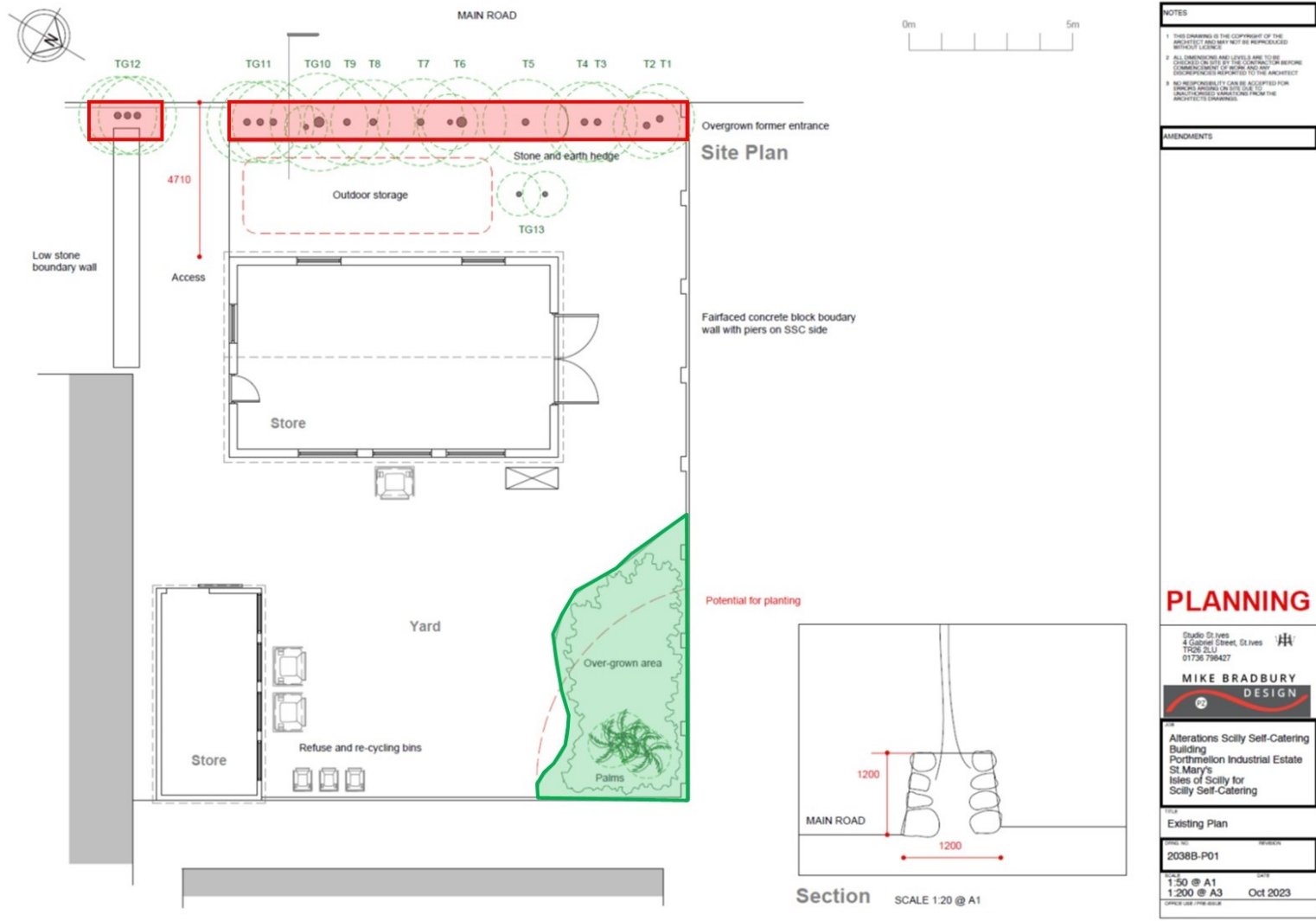
Whilst a number of small tree species are listed, it is recommended that only one tree is planted in this space, along with a number of shrub specimens which are more appropriate to the location and would provide berries or nuts which would enhance their ecological value.

Table 02. Recommended species for planting to replace those trees to be removed.

Species	Growth Form	Notes
Silver birch	Small tree	Fastigate variety
Crab apple	Small tree	Dwarfing rootstock
Rowan	Small tree	Fastigate variety
Hawthorn	Shrub	-
Holly	Shrub	-
Hazel	Shrub	-
Wild privet	Shrub	-

Tree Reference Number	Area	Tree species	Alive? Y/N	Tree height (m)	DBH (m)	Description of Potential Roost Feature (PRF)	PRF on (S)tem/(B)ranch	Height of feature (m)	Orientation of feature (e.g. NW)	Assessment of roosting potential				Roost Type - T(ransient), M(aternity), S(mall colony) H(ibernation)	Additional surveys required?	Photo Ref	Notes	Recommendations	
										Confirmed (Cat 1)	High (Cat 2a)	Moderate (Cat 2b)	Low (Cat 2b)						Negligible (Cat 3)
WPH = Woodpecker Hole, KH = Knot Hole, FC = Flush Cut, TO = Tear Out, DL = Double Leader, WC = Wounds and Cankers, BR = Butt Rot, HB = Hazard Beam, FC = Frost Crack, SSH = Subsistence, Shearing or Helical Split, LS = Lightning Strike, IS = Impact Shatter, DF = Desiccation Feature, TS = Traverse Snap, LB = Lifting Bark, U = Union and I = Ivy																			
T1	Main Line	Elm	✓	6.5	0.3	N/A	N/A	N/A	N/A					✓	N/A	*	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T2	Main Line	Elm	✓	6.5	0.3	N/A	N/A	N/A	N/A					✓	N/A	*	/	Dieback in crown, visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T3	Main Line	Elm	✓	7.5	0.3	N/A	N/A	N/A	N/A					✓	N/A	*	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T4	Main Line	Elm	*	5.5	0.25	N/A	N/A	N/A	N/A					✓	N/A	*	/	Appears to be dead, visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T5	Main Line	Elm	✓	7.5	0.3	N/A	N/A	N/A	N/A					✓	N/A	*	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T6	Main Line	Elm	✓	4	0.3 – 0.4	N/A	N/A	N/A	N/A					✓	N/A	*	/	Three boles, visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.

Tree Reference Number	Area	Tree species	Alive? Y/N	Tree height (m)	DBH (m)	Description of Potential Roost Feature (PRF)	PRF on (S)tem/(B)ranch	Height of feature (m)	Orientation of feature (e.g. NW)	Assessment of roosting potential					Roost Type - T(ransient), M(aternity), S(mall colony) H(ibernation)	Additional surveys required?	Photo Ref	Notes	Recommendations
										Confirmed (Cat 1)	High (Cat 2a)	Moderate (Cat 2b)	Low (Cat 2b)	Negligible (Cat 3)					
T7	Main Line	Elm	✓	8	0.15	N/A	N/A	N/A	N/A					✓	N/A	×	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T8	Main Line	Elm	✓	4	0.08	N/A	N/A	N/A	N/A					✓	N/A	×	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T9	Main Line	Elm	✓	4	0.08	N/A	N/A	N/A	N/A					✓	N/A	×	/	Visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
T10	Main Line	Elm	✓	4.5	0.35 + 2x 0.08	N/A	N/A	N/A	N/A					✓	N/A	×	/	Three boles, visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
TG11	Main Line	Elm	✓	10	0.4 – 0.5	N/A	N/A	N/A	N/A					✓	N/A	×	/	Several smaller stems also; visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
TG12	Main Line	Elm	✓	10	0.3	N/A	N/A	N/A	N/A					✓	N/A	×	/	3x stems, possible from a single base, visibility restricted by ivy cover, no apparent features.	Incomplete inspection due to ivy cover – caution during felling.
TG13	Set back	Elm + Pitt.	✓	2	0.05	N/A	N/A	N/A	N/A					✓	N/A	×	/	Self-set pittosporum and elm saplings.	No further consideration required with regards to bats.



Map 02 – Annotated site diagram showing the tree numbers used in the Tree Schedule. The area indicated in the red wash identifies the main tree line where replanting with an appropriate hedge species could be considered. The area indicated in the green wash is the alternative area where replacement planting could be considered. These are detailed in Section 4.3 of the report.