



Draft Local Plan

Including Minerals and Waste

2015 to 2030

Public Consultation Draft (Regulation 18)

16th March – 11th May 2018

Summary of Responses



Council of the
ISLES OF SCILLY



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Contents

Introduction	4
Headline Indicators	6
Summary of responses	8
1. Introduction	16
2. What has influenced the Draft Local Plan?	22
3. The Spatial Portrait for the Isles of Scilly	27
4. Key Challenges and Issues	28
5. The Spatial Planning Vision	29
Strategic Aims and Objectives	31
6. The Spatial Strategy	33
Chapter 1: Promoting a Sustainable Scilly	36
Chapter 2: Our Outstanding Environment	56
Chapter 3: Building a Strong Living Community	77
Chapter 4: Building a Strong Working Community	106
Chapter 5: Monitoring and Implementation	119
Submission Policies Map	121



List of Figures

- Figure 1 Breakdown of numbers of Visitors to Island Drop-in Sessions..... 6
- Figure 2 Overview of written responses and numbers of visitors to drop-in sessions 7
- Figure 3 Photographs from the Drop-In Sessions..... 7
- Figure 4 Written responses received from those who attended a drop-in sessions 8
- Figure 5 Written responses received by type 8



Introduction

1. This report, summarising the consultation responses, was approved at Full Council on the 2nd October 2018. Following on from the June 2015 Public Consultation on the intention to review the Isles of Scilly Local Plan, details of which can be found online here: <http://www.scilly.gov.uk/planning-development/local-plan-review>, the Local Planning Authority commenced a further Public Consultation on the Draft Local Plan: <http://www.scilly.gov.uk/local-plan-consultation-2018>, this took place in the spring of 2018. This consultation was the required Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulation 2012 where 18.—(1) A local planning authority must:
 - a) **notify each of the bodies or persons specified in paragraph (2) of the subject of a local plan which the local planning authority propose to prepare, and**
 - b) **invite each of them to make representations to the local planning authority about what a local plan with that subject ought to contain.**
2. The Draft Local Plan 2015-2030 and accompanying Sustainability Assessment and Strategic Environmental Assessment, including Habitat Regulations Assessment of the draft plan invited representations from the public and statutory consultees over a 7 week period from 16th March 2018 to 11th May 2018.
3. The Draft Local Plan 2015-2030 set out a Spatial Portrait to understand the how the islands were at the start of the Plan period, it set key challenges, a spatial vision with Aims, Objectives and a Spatial Strategy. The document is split into 5 chapters which are identified as:

Chapter 1 Promoting a Sustainable Scilly
Chapter 2 Our Outstanding Environment
Chapter 3 Building a Strong Living Community
Chapter 4 Building a Strong Working Community
Chapter 5 Monitoring and Implementation
4. The consultation included a week of drop-in sessions across each of the inhabited islands. This included:

St Agnes, Island Hall – 4th April 2018 – 3.30 – 7pm
St Mary’s, Old Town Inn – 5th April 2018 – 3.30 – 7pm
St Martins, Island Hall – 6th April 2018 – 3.30 – 7pm
St Mary’s, Town hall – 7th April 2018 – 9.30 – 1pm
Bryher, Island Hall – 9th April 2018 – 3.30 – 7pm
Tresco, Island Hall – 10th April 2018 – 3.30-7pm

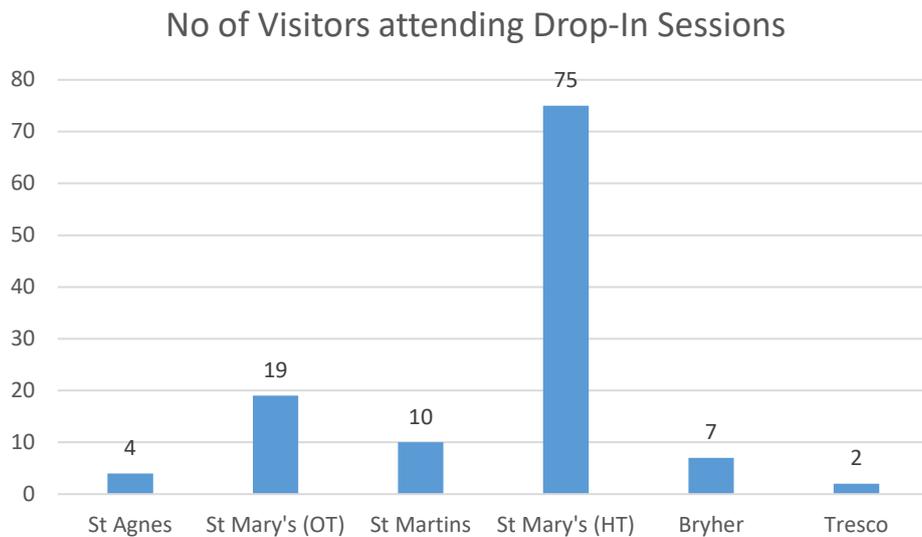


Figure 1 Breakdown of numbers of Visitors to Island Drop-in Sessions

Headline Indicators

5. A total of 118 people came to speak to us during the week of drop-in sessions which were held on each of the inhabited islands. 42 written consultation responses were received, including formal consultation responses from a number of organisations and Statutory Consultees:

- Historic England**
- Natural England**
- Sport England**
- The Woodland Trust**
- Environment Agency**
- RSPB**
- Isles of Scilly Wildlife Trust**
- Cornwall Council**
- Duchy of Cornwall**
- Islands Partnership**
- Tresco Estates**

6. The majority of responses submitted came through on the response forms which enabled us to understand views on the Key Challenges, The Spatial Planning Vision, the Strategic Aims, the Spatial Strategy and Objectives 5 consultation options.



Written Consultation Responses Received

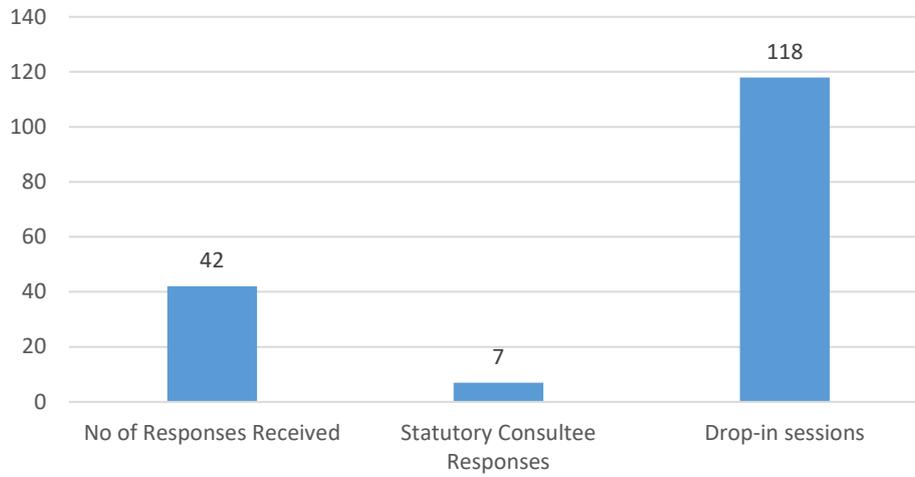


Figure 2 Overview of written responses and numbers of visitors to drop-in sessions

- The responses included 25 individuals of which St Martin's, St Mary's and St Agnes islands were represented. We received no written responses from residents of Tresco or Bryher.



Figure 3 Photographs from the Drop-In Sessions



Respondants who submitted a written response and attended a drop In Session

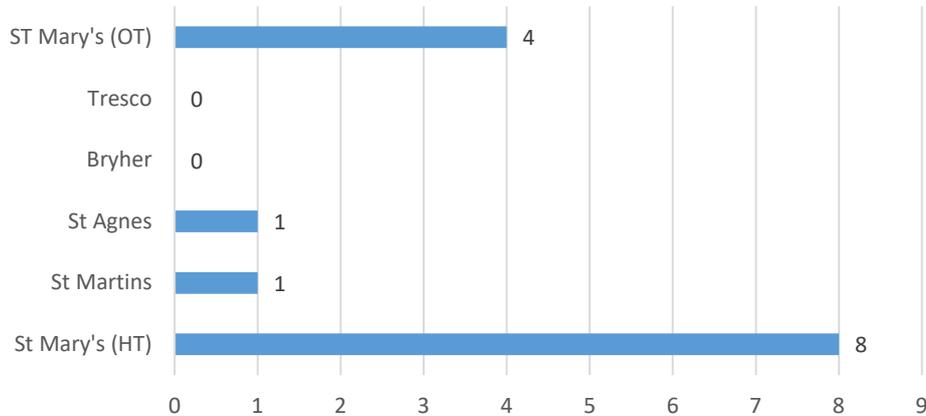


Figure 4 Written responses received from those who attended a drop-in sessions

Summary of responses

- Of the written responses received the majority of people (50%) were responding as a permanent resident on the islands with only a handful of responses from visitors. Responses from organisations or statutory consultees did not always provide a response to this question. Also the response form enabled respondents to tick more than one option for this question.

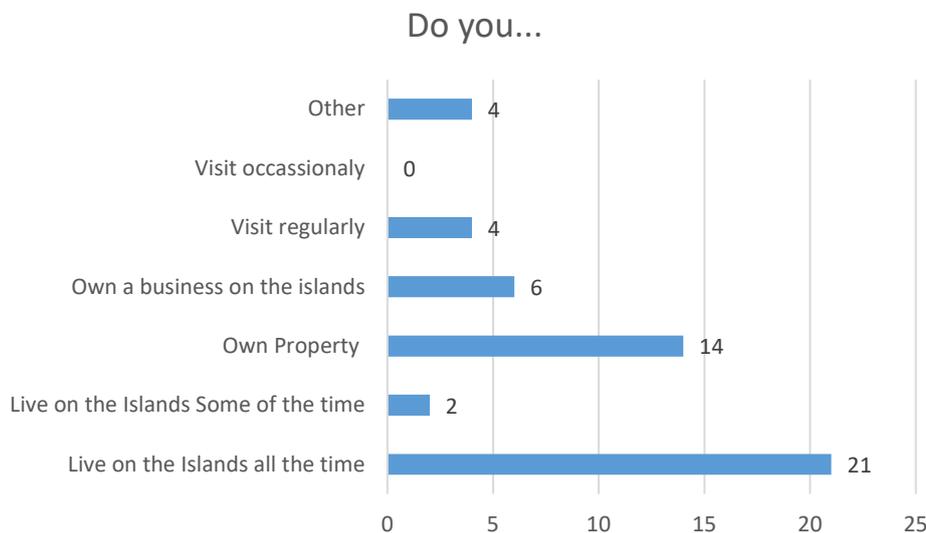


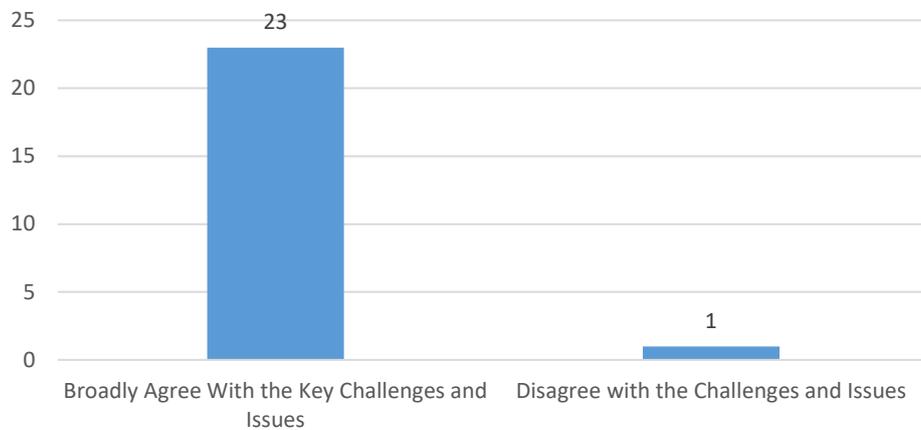
Figure 5 Written responses received by type

Key Challenges and Issues

- The consultation asked people to confirm whether or not they agreed with the Key Challenges and Issues as set out on Pages 18-20 of the Draft Plan. Out of the 42 people who sent in a response, 24 (57%) expressed a preference on the key challenges and issues **96% broadly agreed** with the issues and key challenges as set out in the plan.



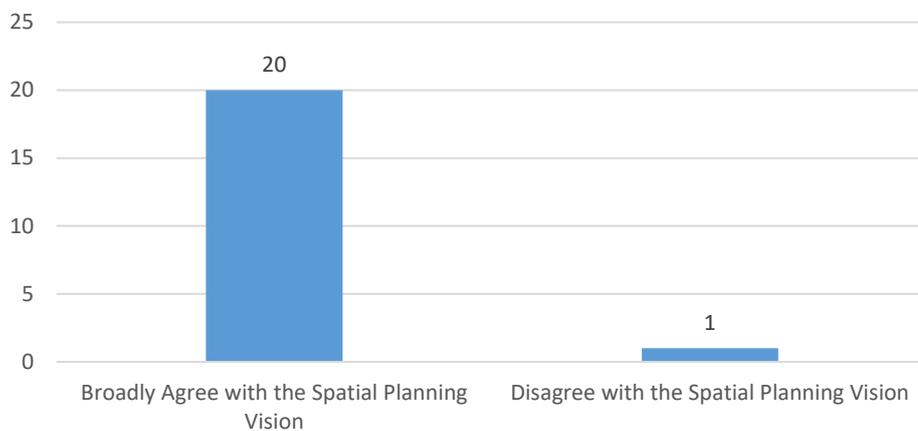
Respondents who expressed a view in relation to the Key Challenges and Issues



Spatial Planning Vision

10. The second question sought to understand views on the Spatial Planning Vision as set out in Pages 21-23 of the Draft Plan. Out of the 42 people who responded, 21 people (50%) expressed a preference and **95% broadly agreed** with the Spatial Planning Vision as set out in the plan.

Respondents who expressed a view in relation to the Spatial Planning Vision

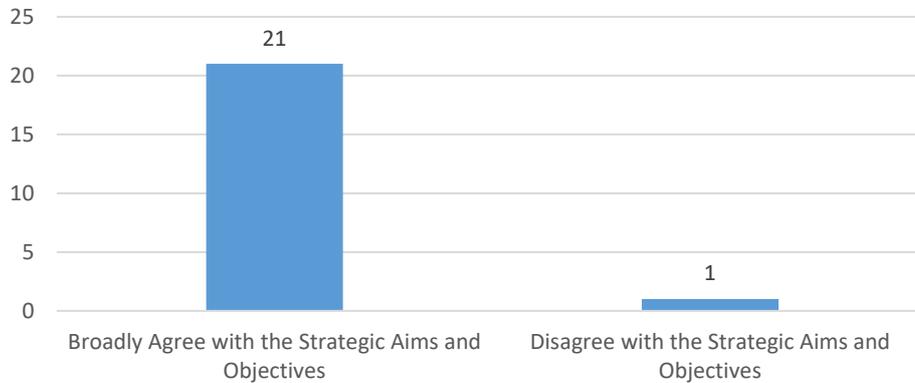


Aims and Objectives

11. The third question asked whether respondent agreed or disagreed with the Strategic Aims and objectives as set out on pages 24-28 of the Draft Plan. Out of the 42 people who sent in a response, 22 people (53%) expressed a view and **95% broadly agreed** with the aims and objectives as set out in the plan.



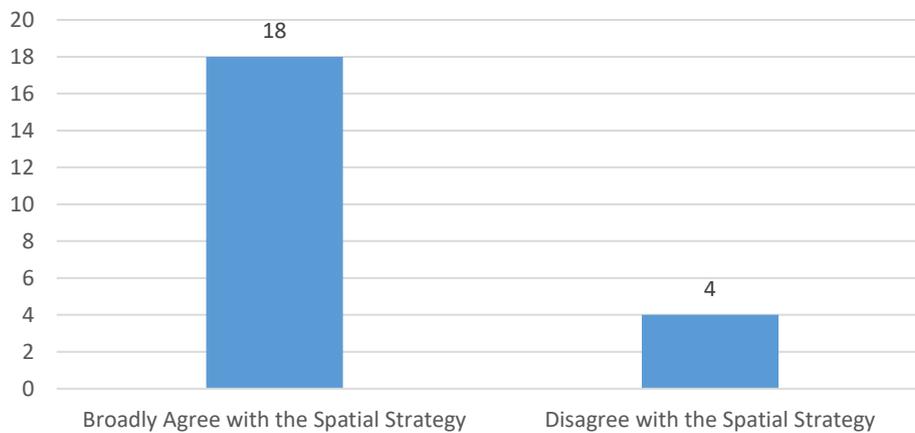
Respondents who expressed a view in relation to the Strategic Aims and Objectives of the Draft Plan



The Spatial Strategy

12. The response form also asked for views on the Spatial Strategy of the Draft Plan as set out on pages 29-31. Out of the 42 people who sent in a response, 22 people (53%) expressed a view and **82% broadly agreed** with the aims and objectives as set out in the plan.

Respondents who expressed a view in relation to the Spatial Strategy of the Draft Plan



Consultation Options

13. The response form also sought respondent's views in relation to 5 consultation options. These questions were multiple-choice and Option 1 proposed to define a Town Centre around Hugh Town or as a secondary option, define smaller areas of primary and secondary retail frontage.

Define a Town Centre

Do you agree that the town centre of Hugh Town or retail areas within Hugh Town should be protected as set out in consultation option 1 on Page 39?

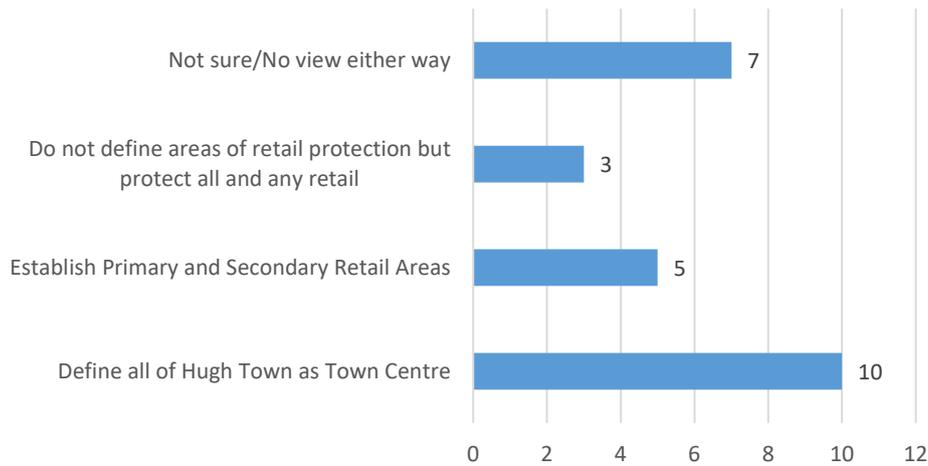
Yes I agree that all of Hugh Town should be protected as the main Town Centre for Scilly.



- Yes I agree that Primary/Secondary retail areas within Hugh Town should be protected rather than the entire of Hugh Town.
- I do not agree that it is appropriate to define any areas of retail protection but that protection should apply to all existing retail and ancillary retail units on all islands.
- Not sure/No View either way

14. Out of the 42 responses received, 25 (59%) expressed a view in relation to Option 1. 28% of respondents expressed the view that they were 'not sure' on whether a Town Centre should be defined. 12% of respondents considered that a town centre 'should not be defined' around Hugh Town but that the policy SS4 should apply to protecting any existing retail units. 20% of respondents agreed with the option to define the primary and secondary retail areas only but not to define the whole of Hugh Town. Most respondents, however, **40% agreed with the proposal to define all of Hugh Town as a Town Centre where Policy SS4 would apply.**

Option 1



Option 2

15. Option 2 was to establish views on whether or not any open market homes, that may be necessary to deliver affordable homes on the islands, should be subject to a condition to ensure that it was only occupied by persons as their principle or primary residence. This would prevent open market homes being used as second homes or holiday letting accommodation.

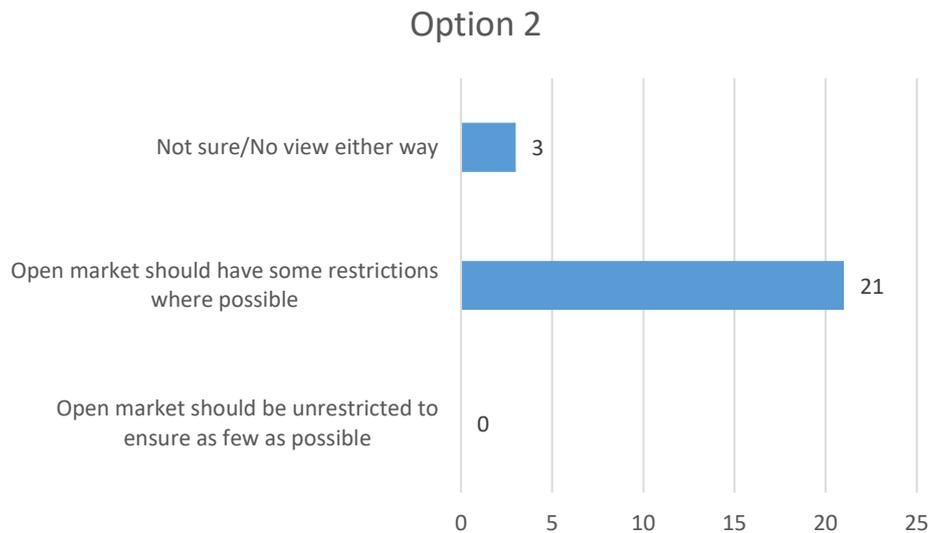
Permitting Open Market Homes with Principle Residence Conditions
 Do you agree that the Local Plan should seek to restrict open market homes, if viable, with a principal residence condition, as set out on Page 79-80?

- Open market homes should be unrestricted to ensure as few as possible
- Open Market homes should have some restrictions, where possible



Not sure/No View either way

16. Out of the 42 responses 24 (57%) expressed a view in relation to option 2 and the use of principle residence conditions. A clear **87% of responses agreed that any open market homes should have some restrictions where possible**. 12% of respondents were not sure or had no view either way.



Option 3

17. Option 3 sought views on re-defining the qualifying criteria for occupying Specific Local Need Homes. This also provided a free-text option to enable respondents to provide their views on what other elements they would like to see changed or added. There were no other alternative criteria added from any respondent.

Redefining qualifications for occupying Affordable Homes

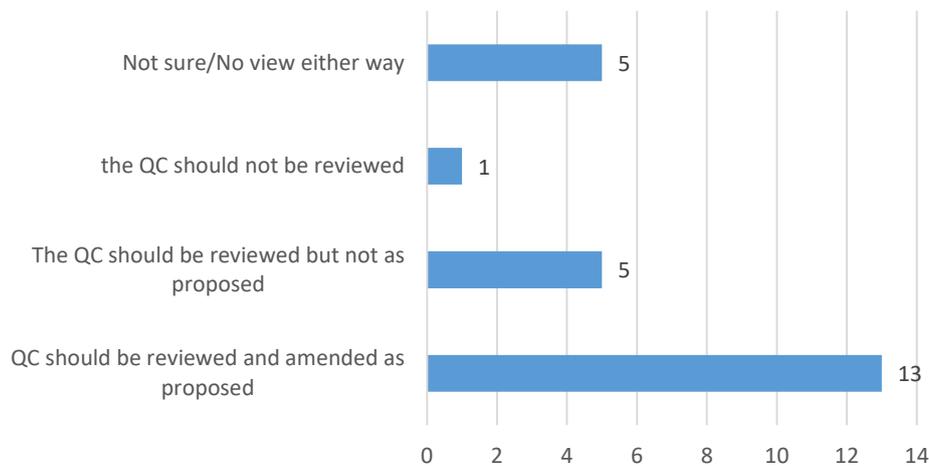
Do you agree that the Local Plan should seek to redefine the qualifying criteria for occupying existing SLN/KW accommodation as well as the occupancy of any new affordable homes built on the islands, as set out on Page 81-82?

- The qualifying criteria should be reviewed and amended as proposed**
- The qualifying criteria should be reviewed but not as proposed**
- The qualifying criteria should not reviewed**
- Not sure/No View either way.**

18. Out of the 42 responses received, 24 (57%) expressed a view in relation to option 3 and the redefinition of the qualifying criteria for the occupation of new affordable homes. Only a single person (4%) expressed the view that 'the criteria should not be reviewed'. An equal number of responses (20%) had 'no view either way or were not sure' and (20%) through that 'it should be reviewed but not as proposed' but gave no suggestions for alternative qualifying criterial. The **majority of responses (54%), who expressed a view on Option 3, considered 'the qualifying criteria should be amended as proposed'**.



Option 3



Option 4

19. Option 4 sought to gauge views on the allocation of ‘settlement’ areas, on St Mary’s. This option explained which settlement areas were selected and why. A total of 7 settlement areas were identified as part of the Draft Local Plan on the basis of the density of these areas having a minimum of 15 existing buildings per hectare. This would ensure that the only parts of St Mary’s that could be subject to windfall homes (that is homes that were not planned strategically) would be those areas where the impact could be minimised and where there is likely to be a greater degree of existing infrastructure and access.

Define Settlement Boundaries of where windfall homes could come forward

Do you agree that the Local Plan should seek to define settlements on St Mary’s as areas where new homes, not otherwise planned for, could come forwards, such as for self-build projects, as set out on Page 88?

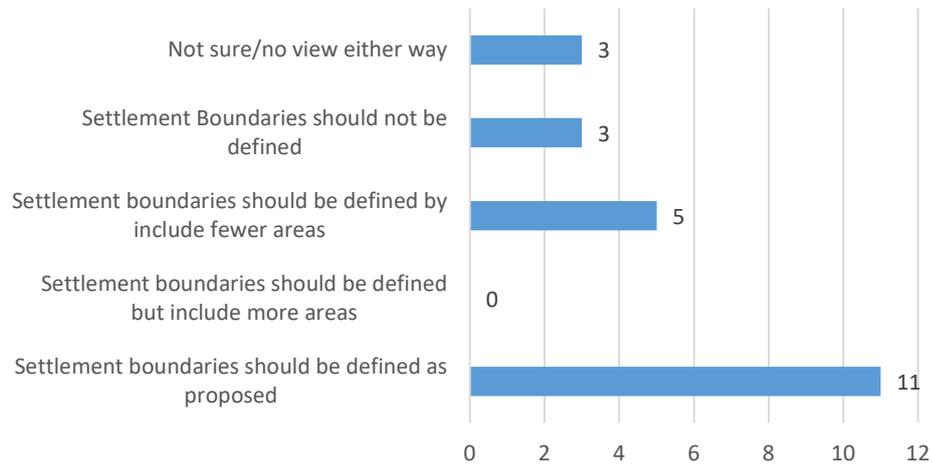
- Settlement Boundaries should be defined as proposed
- Settlement Boundaries should be defined but include more areas
- Settlement Boundaries should be defined but include fewer areas
- Settlement Boundaries should not be defined
- Not sure/No View either way

20. Out of the 42 written responses received, 22 (52%) expressed a view in relation to settlement boundaries. 3 people (13%) who expressed a view on Option 4 felt that ‘settlement boundaries should not be defined’ and 3 (13%) had ‘no view either way’. 22% felt that ‘settlement boundaries should be defined but that it should include fewer areas than proposed’. **50% of respondents who expressed a view felt that ‘the settlements as proposed in the Draft Plan should be defined’.** No respondents thought that more areas should be defined. There were comments that the areas should include the area of Telegraph/McFarlands Down (which is one of the proposed settlement boundary areas) and one respondent who listed Telegraph, Porthmellon, Normandy, Little Porth, Garrison as potential settlement areas and one respondent who noted the ‘off-islands’. Whilst the Draft



Plan did not seek to define settlement areas on the off-islands it does include Telegraph, Normandy and Little Porth (as part of Hugh Town). The Garrison is not included because of the historic nature of the Garrison and limitations but Sally Port, which is just outside the Garrison is included (also as part of Hugh Town).

Option 4



Option 5

21. The final consultation option was to specifically define the existing employment land at Porthmellon as Employment Land where Policy WC4 would apply, in the interests of seeking to retain employment uses at this site. This was a multiple-choice option which enabled the respondents to provide us with their views as to the proposed protection specifically of the Porthmellon Industrial Estate.

Define/Map areas of Employment Land

Do you agree that the Local Plan should seek to identify employment land where greater protection could be applied to enable the Council to control the loss of employment land or buildings, as set out in Page 98?

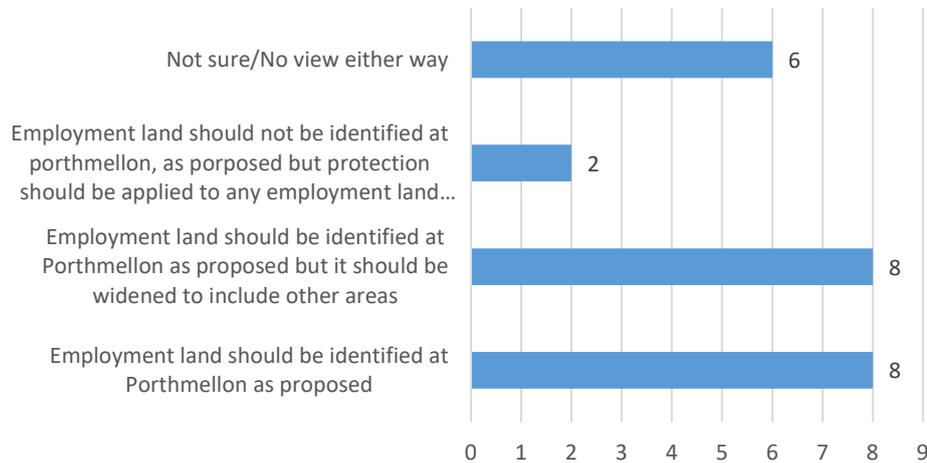
- Employment land should be identified at Porth mellon, as proposed
- Employment land should be identified at Porth mellon, as proposed but it should be widened to include more areas (such as sites on the off-islands)
- Employment land should not be identified at Porth mellon, as proposed, but protection should be applied to any employment land or buildings
- Not sure/No View either way

22. Out of the 42 written responses, 24 (57%) expressed a view in relation to option 5 and the defining of Porthmellon Industrial Estate as employment land where policy WC4 would apply. Only 2 people (8%) thought that 'Porthmellon should not be identified but that Policy WC4 should apply to all employment land and buildings'. 6 respondents (25%) were 'not sure or had no view either way'. 8 respondents (33%) thought that 'it should be defined but



that it should be widened to include other areas'. 8 respondents (33%) considered that 'Porthmellon should be identified and protected as proposed in the Draft Plan'.

Option 5



Specific Reponses

23. The 'response form' provided respondents' with a free-text box for comments but requested that references to a Policy or a Paragraph were provided. Where a respondent has not been specific in relation to which part of the plan they are commenting on then a judgement has been made by the Officer. These have been set out below by chapter, together with the Officer response and notes on proposed changes to the plan.
24. The anonymity of respondents has been preserved by removal of names. Each respondent has been given a reference number. The first column relates to the reference given to the person making the comment in the second column. Errors in the second column reflect the comments as submitted to us. Duplication in the third and fourth columns reflect the Officer's responses, and are provided to show consistency of response on issues that are repeated.



1. Introduction

Pages 3 - 4

1. Introduction			
Ref	Comments as submitted	Officer Response	Amendments to the Draft Plan
4	Broadly speaking I think the proposals present a positive and well considered strategy for the islands' immediate future.	Noted	N/A
20	Omissions/other comments: Green Infrastructure - There appear to be no policies or supporting evidence for provision of Green Infrastructure. The NPPF requires that LPAs take a strategic approach planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. Clarification on this matter is sought. The Plan mixes strategic policies in with development management policies. We suggest that it might be easier for future users of the Plan if strategic priorities and development management policies were set out separately.	Noted	<p>The strategy of the Local Plan is for sustainable growth with an emphasis on meeting the economic and social needs of the islands communities. As such, the Local Plan does not anticipate significant population growth. Coupled with the limited scale of development and in particular the viability issues for providing much needed affordable homes, the provision for securing new green infrastructure will be extremely limited. However there is a strong emphasis on protecting the environment, including safeguarding existing green infrastructure and network of biodiversity.</p> <p>The Local Plan contains a clear section setting out the strategy and vision separate to development management policies. Strategic policies are also set out at the beginning of each section and is considered relevant where it relates to that specific section, particularly given the brevity of the Local Plan which is proportionate to the scale and nature of the Isles of Scilly. However, it is recognised that some development management policies can</p>



			be rationalised by relegating some of the strategic statements into the reasoned justification.
20	General Comments: The plan needs to be accompanied by a HRA. Although the SA states that a HRA screening exercise has been undertaken, no supporting evidence to support the conclusions regarding the need for an appropriate assessment could be found. We will be able to comment formally on Plan policies and proposals when supported by an evidenced HRA.	Noted	The Local Plan is supported by a HRA as part of the sustainability appraisal.
23	We are responding with a degree of scepticism. Our commentary on the 2015 Scoping Report received no acknowledgement or come-back. We regard this report as poorly written; too long and repetitious and full of contemporary 'management speak'. Why, when the community is strapped for money does the document have to be so 'glossy' and so complex? Why was the summary document – which is all that many (most?) people ever read – not properly proof-read? Many sentences do not make sense. If, as we were told by a Councillor, there was no time to do a proper job on the summary because the full document took so much time and effort, why was the summary sent out in such a poor state? – It only alienates the reader and demeans the competence of the Council/Staff. We consider that there are 3 fundamental flaws in the Plan: (1) the concept of growth; (2) the assumption that tourism must remain by far the most important contributor to the Islands' economy and (3) insufficient reference to the cost implications of such an ambitious plan. Regarding growth, it was only 2 years ago that the Council commissioned DCA to compile a Strategic Housing Market Assessment, which considered the implications of 3 strategies: 'decline' (based on a UK Government prediction for the Isles; 'remain static' and 'growth'. Now we are given no choice: it is assumed that any sensible person wants growth. We dispute that assumption. It requires more consideration of the likely effects of growth on the environment and its capacity to spoil the place that attracts most tourists. We shall consider tourism and cost implications under specific parts of the Plan below.	Noted	<p>All comments from the previous scoping report were carefully considered and documented.</p> <p>The Local Plan has been designed and printed in-house to save on costs and not considered to be glossy.</p> <p>The Local Plan is required to cover a raft of spatial planning issues to ensure that it is sound and reflects the NPPF. However, the Local Plan has been tailored to reflect the circumstances of the islands and therefore not considered to be overly complex and is much more succinct than other Local Plans (for example see Exmoor National Park Local Plan in comparison). The Local Plan is also not overly ambitious but acknowledges that it needs to address in particular the acute shortage of affordable homes to address such issues as demographic imbalance and economic and population decline. A key element of the Local Plan is the delivery of development and therefore addresses viability issues.</p>



			<p>The vision, strategy and policies of the Local Plan make it clear that the emphasis is on promoting sustainable growth to meet the economic and social needs of the islands communities' whilst protecting the world class environment.</p> <p>The Local Plan encourages a more competitive and diversified economy whilst recognising that tourism will continue to dominate.</p> <p>The SHMA has followed government guidance is being reviewed to reflect recent changes.</p>
25	<p>Whole Document: I feel the role of agriculture and horticulture play in maintaining the landscape of Scilly and diversifying the economy has been largely overlooked. There are several mentions of this scattered through the plan but when it comes to translating this into outcomes there is a disconnect with no real joined up thinking.</p> <p>Flower growing, and export is a small but significant part of the economy, but it barely gets a mention let alone being quantified as the biggest part of the economy after tourism.</p>	Partially accept	<p>More recognition is required to emphasise the importance of agriculture and horticulture in relation to the management of the landscape and the economy. However, the development management policies have been framed to support such proposals without explicit reference to agriculture and horticulture.</p>
30	<p>Sport England is the Government agency responsible for delivering the Government's sporting objectives. Maximising the investment into sport and recreation through the land use planning system is one of our priorities. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields. The new Sport England Strategy 'Towards An Active Nation' (2016-21) identifies key changes in the delivery of the strategy: • Tackle inactivity: more money and resources • Invest in children and young people to build positive attitudes to sport and activity • Help those currently active to carry on, but at a lower cost to the public purse • Put customers at the</p>	Noted	<p>The strategy of the Local Plan is for sustainable growth with an emphasis on meeting the economic and social needs of the islands communities. As such, the Local Plan does not anticipate significant population growth. Coupled with the limited scale of development and in particular the viability issues for providing much needed affordable homes, the provision for securing new sporting facilities will be extremely limited,</p>



	<p>heart of what we do/be welcoming and inclusive • Help sport to keep pace with the digital expectations of customers • Encourage stronger local collaboration to deliver a joined up experience for customers • Working with a wide range of partners, using our expertise and investment to align • Applying behaviour change principles to encourage innovation to share best practice Sport England has assessed this consultation in the light of Sport England's Planning for Sport: Forward Planning guidance: http://www.sportengland.org/facilities-planning/planning-for-sport/ The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary, new sports facilities should be fit for purpose, and they should be available for community sport. To achieve this, our objectives are to: PROTECT sports facilities from loss as a result of redevelopment ENHANCE existing facilities through improving their quality, accessibility and management PROVIDE new facilities that are fit for purpose to meet demands for participation now and in the future. Sport England believes that sport has an important role in modern society and in creating sustainable and healthy communities. Sport and physical activity is high on the Government's national agenda as it cuts across a number of current topics that include health, social inclusion, regeneration and anti-social behaviour. The importance of sport should be recognised as a key component of development plans, and not considered in isolation. The following comments are provided within the context of: • The National Planning Policy Framework (DCLG, 2012). • Sport England's Planning for Sport webpages (2018).</p>		<p>particularly given the breadth and quality of existing provision in the context of the islands small population base.</p>
30	<p>Omission: Evidence Base Sport England's view is that, in order to meet the requirements of the National Planning Policy Framework (NPPF), this should include a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. DCLG make reference to Sport England guidance on their website in relation to how to assess the need for sports and recreation facilities. The National Planning Policy Framework (NPPF) published in March 2012 states: Paragraph 73 – Access to high quality open</p>	Noted	<p>The strategy of the Local Plan is for sustainable growth with an emphasis on meeting the economic and social needs of the islands communities. As such, the Local Plan does not anticipate significant population growth. Coupled with the limited scale of development and in particular the viability issues for providing much needed affordable homes, the provision for securing new</p>



spaces and opportunities for sport and recreation can make an important contribution to health and well-being of communities. Planning policies should be based on up-to-date assessment of the needs for open space, sport and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required. We raise concern that there does not appear to be a robust and up to date evidence base for sport and recreation for the Isles of Scilly to inform planning obligations. It is important that the Council have an up to-date and robust evidence base in order to plan for the provision of sport both playing fields and built facilities. Sport England recommend that the Council undertake a playing pitch strategy (PPS) as well as assessing the needs and opportunities for sporting provision. Sport England provides comprehensive guidance on how to undertake both pieces of work. Playing Pitch Strategy <http://www.sportengland.org/facilities-planning/planning-for-sport/planningtools-and-guidance/playing-pitch-strategy-guidance/> This guidance document provides a recommended step by step approach to developing and delivering a playing pitch strategy (PPS). It covers both natural and artificial grass pitches. Sport England believes that to ensure there is a good supply of high quality playing pitches and playing fields to meet the sporting needs of local communities, all local authorities should have an up to date PPS. By providing valuable evidence and direction a PPS can be of significant benefit to a wide variety of parties and agendas. Assessing needs and opportunity for sports provision (Indoor and Outdoor) <http://www.sportengland.org/facilities-planning/planning-for-sport/planningtools-and-guidance/assessing-needs-and-opportunities-guidance/> This guide is complimentary with the PPS guidance providing the recommended approach for assessing the need for pitch provision. Sport England believes that providing the right facilities in the right place is central to enabling people to play sport and maintain and grow participation. An assessment of need will provide a clear

sporting facilities will be extremely limited, particularly given the breadth and quality of existing provision in the context of the islands small population base.

A robust and up to date evidence base for sport and recreation for the Isles of Scilly has been produced. Given the size of the population, the amount of existing sport and recreation facilities and the limited development opportunities on the islands, it is considered completely disproportionate and unnecessary to undertake a PPS.

The use of education based sporting facilities is a management issue and therefore not considered appropriate for the Local Plan.



understanding of what is required in an area, providing a sound basis on which to develop policy, and make informed decisions for sports development and investment in facilities. Action – update the sport and recreation evidence base and devise a strategy for the delivery of sport and recreational land (including playing fields) and buildings as per the NPPF.

Omission: Community Use of Education Sites Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports facilities, to help meet the growing demand for more and better places for sport in convenient locations. Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations. Sports facilities provided at school sites are an important resource, not just for the school through the delivery of the national curriculum and extra-curricular sport, but potentially for the wider community.

There are also direct benefits to young people, particularly in strengthening the links between their involvement in sport during school time and continued participation in their own time. Many children will be more willing to continue in sport if opportunities to participate are offered on the school site in familiar surroundings. Many schools are already well located in terms of access on foot or by public transport to the local community and so greater use of the sports facilities outside normal school hours should not add significantly to the number of trips generated by private car. Use Our School is a resource to support schools in opening their facilities to the community and keeping them open. It provides tried and tested solutions, real life practice, tips from people making it



	<p>happen, and a range of downloadable resources. https://www.sportengland.org/facilities-planning/use-our-school/</p>		
31	<p>What/where is any policy regarding the use/conversion of private residential homes for holiday accommodation? Should the Local Plan be setting policies that take account of the growing 'sharing economy' trend (e.g. Airbnb etc.)?</p>	Noted	<p>It is not considered appropriate for the Local Plan to encourage the change of use of residential homes to holiday use given the acute housing shortages on the islands. However, provided a residential home is not subject to a specific occupancy condition, planning permission is not required for a residential homes for holiday use (with the exception of bed & breakfast establishments although what constitutes a material change of use is a matter of fact and degree).</p>
34	<p>It is a deceit to pretend that the plan is a council document, when it is written by government imposed consultants. It is a deceit to pretend that the local authority will have any grounds for refusing development, in spite of fine words about overstretched infrastructure, water being a finite resource. Previously the presumption of council policy has been to curtail development - in this plan the presumption is to encourage, even though curtailment is obviously failing. It is a deceit to pretend the economy is fragile when it is in fact driven by greed, with no thought of sustainability. It is a deceit to pretend that the all-important environment of Scilly can be protected, when there is no local organisation capable of safeguarding it.</p>	Noted	<p>The Local Plan has been drafted in-house in close consultation and engagement with Members and the community. The Local Plan is required to follow Government guidance as set out in the NPPF but has been tailored to meet the particular circumstances of the islands and positively address its economic and social needs whilst protecting the outstanding environment.</p>

2. What has influenced the Draft Local Plan?

Pages 5 - 8

2. What has influenced the Draft Plan			
Ref	Comments	Officer Response	Amendments to the Draft Plan



<p>30</p>	<p>Omission: Evidence Base Sport England's view is that, in order to meet the requirements of the National Planning Policy Framework (NPPF), this should include a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. DCLG make reference to Sport England guidance on their website in relation to how to assess the need for sports and recreation facilities.</p> <p>The National Planning Policy Framework (NPPF) published in March 2012 states: Paragraph 73 – Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to health and well-being of communities. Planning policies should be based on up-to-date assessment of the needs for open space, sport and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required. We raise concern that there does not appear to be a robust and up to date evidence base for sport and recreation for the Isles of Scilly to inform planning obligations. It is important that the Council have an up to-date and robust evidence base in order to plan for the provision of sport both playing fields and built facilities. Sport England recommend that the Council undertake a playing pitch strategy (PPS) as well as assessing the needs and opportunities for sporting provision. Sport England provides comprehensive guidance on how to undertake both pieces of work. Playing Pitch Strategy http://www.sportengland.org/facilities-planning/planning-for-sport/planningtools-and-guidance/playing-pitch-strategy-guidance/ This guidance document provides a recommended step by step approach to developing and delivering a playing pitch strategy (PPS). It covers both natural and artificial grass pitches. Sport England believes that to ensure there is a good supply of high quality playing pitches and playing fields to meet the sporting needs of local communities, all local authorities should have an up to date PPS. By providing valuable</p>	<p>Noted</p>	<p>The strategy of the Local Plan is for sustainable growth with an emphasis on meeting the economic and social needs of the islands communities. As such, the Local Plan does not anticipate significant population growth. Coupled with the limited scale of development and in particular the viability issues for providing much needed affordable homes, the provision for securing new sporting facilities will be extremely limited, particularly given the breadth and quality of existing provision in the context of the islands small population base.</p> <p>A robust and up to date evidence base for sport and recreation for the Isles of Scilly has been produced. Given the size of the population, the amount of existing sport and recreation facilities and the limited development opportunities on the islands, it is considered completely disproportionate and unnecessary to undertake a PPS.</p> <p>The use of education based sporting facilities is a management issue and therefore not considered appropriate for the Local Plan.</p>
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evidence and direction a PPS can be of significant benefit to a wide variety of parties and agendas. Assessing needs and opportunity for sports provision (Indoor and Outdoor)

<http://www.sportengland.org/facilities-planning/planning-for-sport/planningtools- and-guidance/assessing-needs-and-opportunities-guidance/>

This guide is complimentary with the PPS guidance providing the recommended approach for assessing the need for pitch provision. Sport England believes that providing the right facilities in the right place is central to enabling people to play sport and maintain and grow participation. An assessment of need will provide a clear understanding of what is required in an area, providing a sound basis on which to develop policy, and make informed decisions for sports development and investment in facilities. Action – update the sport and recreation evidence base and devise a strategy for the delivery of sport and recreational land (including playing fields) and buildings as per the NPPF.

Omission: Community Use of Education Sites Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports facilities, to help meet the growing demand for more and better places for sport in convenient locations. Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations. Sports facilities provided at school sites are an important resource not just for the school through the delivery of the national curriculum and extra-curricular sport, but potentially for the wider community.



	<p>There are also direct benefits to young people, particularly in strengthening the links between their involvement in sport during school time and continued participation in their own time. Many children will be more willing to continue in sport if opportunities to participate are offered on the school site in familiar surroundings. Many schools are already well located in terms of access on foot or by public transport to the local community and so greater use of the sports facilities outside normal school hours should not add significantly to the number of trips generated by private car. Use Our School is a resource to support schools in opening their facilities to the community and keeping them open. It provides tried and tested solutions, real life practice, tips from people making it happen, and a range of downloadable resources. https://www.sportengland.org/facilities-planning/use-our-school/</p>		
40	<p>When considering the development of the plan adjacent plans need to be considered such as the recently adopted Cornwall plan and the up and coming SW Marine Plan to clarify any cross-boundary issues</p>	Noted	<p>The Local Plan has been produced with regard to other plans and strategies where they are relevant to the Isles of Scilly. Reference to the SW Marine Plan will be included but timing may prohibit reference to any specific policy of that document which is currently only starting to emerge.</p>
31	<p>Through an analysis of the current health agenda and urban design principles and good practice, the term ACTIVE DESIGN has been adopted to describe ways in which master planning can promote healthy environments through creating healthy environments through creating conditions for participation in sport and physical activity and the use of active travel modes (walking and cycling). Three overlapping Active Design objectives (the 3 'As') have been identified that should be promoted by master plans: improving accessibility; enhancing amenity and increasing awareness.</p>	Accept	<p>Revise the Local plan to include reference to Active Design particularly Policy SS2 where social and active elements of design can be controlled.</p>



<p>13</p>	<p>Paragraph 11 and 12: Duty to Co-operate Cornwall Council welcomes the opportunity to respond to the draft Local Plan for the Isles of Scilly and the acknowledgment of the Duty to Co-operate and the close working relationship between our two authorities, which we are keen to sustain.</p> <p>Para 12 refers to our comments on the 2015 Scoping consultation. We stand by these comments and are pleased to see the 2018 consultation draft reflects them.</p> <p>As the draft plan has advanced we provide a more detailed response below. If there are any aspects of our response which you would like clarification on please do not hesitate to contact us for clarification. Cornwall Council is committed to ongoing dialogue as the Isle of Scilly Local Plan Review and the Cornwall Local Plan (partial) Review (commencing this year) progress</p>	<p>Noted</p>	
<p>15</p>	<p>Conclusions: The plan is not therefore positively prepared - the plan is not prepared based on a strategy which seeks to meet infrastructure requirements, where it is reasonable to do so and consistent with achieving sustainable development.</p> <p>The plan is not justified – in that it does not plan for the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</p> <p>The plan is not consistent with national policy – the plan does not enable the delivery of sustainable development in accordance with the policies in the Framework, NPPW or NPPG (as set out above).</p> <p>The plan contains inherent contradictions, omissions and factual errors on the subject of minerals and waste which require correction in order to be found to be ‘sound’.</p> <p>The plan is, at best, vague on construction and waste matters, and lacks any detail. It is silent on very important matters – as set out above.</p>	<p>Noted</p>	<p>The Local Plan addresses the key spatial planning issues facing the Isles of Scilly whilst recognising its world class environment. As such, it is considered that the Local Plan contains an appropriate and proportionate planning policy framework in relation to minerals and waste.</p>



3. The Spatial Portrait for the Isles of Scilly

Pages 9 - 17

3. Spatial Portrait			
Ref	Comments	Officer Response	Amendments to the Draft Plan
38	The spatial portrait of the islands is accurate and rightly places due emphasis on the very special nature of the islands, heritage, environment and landscape. The preservation and, if possible, enhancement of these natural and historic characteristics is a theme which runs through the plan, places consideration of these matters at the forefront of planning decision in the future.	Noted	
20	Spatial Portrait of the isles of Scilly: We welcome the recognition in para 21 that the special environment is the mainstay of the islands' economy.	Noted	
22	AONB Designation 1975: This complex and far-reaching plan needed more than a tick-in-the box response from this community. Even with a copy of the summary document to hand it requires a great deal of thought and a clearer understanding of the issues raised.	Noted	The Local Plan has been subject to extensive and meaningful engagement with the community with all representations carefully considered.
20	Para 26: As the islands' designations are part of their special quality and appeal to residents and visitors it is suggested that "constraints" be replaced with "features of environmental and historic importance".	Accept	Where relevant replace constraints" with "features of environmental and historic importance".
20	Para 35 It is suggested that the sentence starting "It comprises sea inlets.." be replaced with "it includes waters around the islands as well as six component (terrestrial) SSSIs. This avoids using standardised wording taken from the SAC citation which does not accurately reflect site specific characteristics for the Isles of Scilly.	Accept	Amend the sentence beginning ...It comprises sea inlets to "it includes waters around the islands as well as six component (terrestrial) SSSIs.
40	Proposed SPAs are material consideration within the planning system and therefore need to be listed here including the proposed SPA marine extension. Features of the SPA should be listed and included lesser black-backed gulls, storm petrel and the overall sea-bird assemblage (13 species). The marine extension proposes features including shag and great black-backed gull.	Accept	List features of the proposed SPA.



20	Para 38 The sentence stating "They are designated..." is incorrect We suggest it is replaced with the following " The site is designed for European storm petrel and lesser black-backed gull as well as a breeding sea-bird assemblage".	Accept	Amend sentence accordingly.
40	New Paragraph There is no mention of protected species such as bats, birds, etc. which need special consideration in developments so needs to be added.	Accept	Add new paragraph on protected species.
20	Para 39 Ramsar sites and SPA should be referred to in a singular rather than plural. The qualifying features of the Ramsar site are European storm petrel and less black-backed gull but not European Shag. Ramsar is a name rather than an acronym and does not need to be in capitals.	Accept	Amend paragraph accordingly
38	Tourism is quoted as being 'very significant' to the islands. For the Plan period at least stronger emphasis should be put on the fundamental nature of tourism to the local economy	Noted	It is considered that the significance of tourism is reflected adequately and proportionately in the Local Plan.

4. Key Challenges and Issues

Pages 17 – 19

4. Key Challenges and Issues			
Ref	Comments	Officer Response	Amendments to the Draft Plan
38	Tourism is quoted as being one of the 'few business sectors' which dominate the economy. All available data clearly shows that tourism is far and away the most dominant sector by far and this should be recognised in the plan.	Noted	It is considered that the significance of tourism is reflected adequately and proportionately in the Local Plan.



40	<p>The RSPB welcomes the inclusion of this section. However, a number of issues or challenges are not identified that will need to be addressed. There is no reference to the vulnerability of the islands wildlife features and their status. One seabird has become extinct as a breeding bird on the islands (roseate tern), Five others have declined in numbers by more than 20% in just the last nine years; lesser black-backed gulls (-26%), herring gull (-22%), shag (-21%), common tern (-85%) and kittiwake (-72%). In particular kittiwake and common tern are now in danger of being lost as breeding species in Scilly. There has been a 14.3% decline in the SPA population since the SPA baseline and 31.3% decrease in the size of the total seabird population since 1983. It should highlight the need for the plan to address potential impacts it could cause such as increased disturbance, increased risks from non-invasive species and climate change which along with habitat loss are the biggest threats to the natural environment here on the islands.</p>	Partially accept	<p>The Local plan has some but limited scope to address the challenges and issues raised by the RSPB such as climate change and invasive species as is required to concentrate on spatial planning issues. However, some additional text should be added to the Local Plan to include some of these issues around decline and potential impacts on sea bird populations.</p>
13	<p>Vision, Strategic Aims, Policy WC5 and paras 56, 70, 263: Tourism The NPPF (para 28) states local plans should promote a strong rural economy by supporting the provision and expansion of sustainable tourist facilities in appropriate locations not met by existing facilities (similar approach at para 84 of the revised draft NPPF). Accordingly, we support Aim 4: Objective 3 which is to “Provide sustainable growth in tourism...”</p>	Noted	
31	<p>Para 60: States that mainland transport is largely outside scope of Local Plan and makes limited mention of the airport(s), harbour and quays. These are critical hubs for lifeline services and vital to all/any growth or development on Scilly, so just seems a little odd to say this. Policy SS10 also then goes on to cover this.</p>	Noted	<p>The Local Plan does have limited scope in wider strategic transportation issues and would make greater mention of the Airport, harbour and quays if there were firm proposals to develop these facilities.</p>

5. The Spatial Planning Vision

Pages 20 - 27

5. Spatial Planning Vision



Ref	Comments	Officer Response	Amendments to the Draft Plan
39	The Woodland Trust strongly supports the commitments made in the Isles of Scilly Local Plan to 'protect' and 'enhance' the natural environment. Further we welcome the setting out of the objective clearly in Strategic Aim 1.	Noted	
38	The spatial planning vision should be about planning 'space'. However this section seems to be mainly about infrastructure and not about spatial planning. It seems that an important subject such as infrastructure, especially with the huge benefits that the Smart Islands programme can bring, should be contained within another section. Equally the Aims and objectives feature in this section with are strategic planning considerations for the entire plan – not just spatial planning. Again, it seems that they should be in a different section.	Noted	A fundamental part of the spatial planning vision is improvements to essential infrastructure, including the benefits that the Smart Island programme can bring.
31	Para 61-70: The Vision is devoid of any meaningful reference to tourism (the islands' principal economy) or the ambitions set out in the Destination Management Plan and are instead largely focused on the ambitions of the Smart Islands programme. Tourism will continue to play a vital part in the future of these islands, so should be appropriately recognised in this Vision.	Partially accept	Reference to tourism should be set out in the vision but should not be over emphasised given the objective of diversifying the economy.
13	Vision, Strategic Aims, Policy SS1, Policy SS5, Policy SS8 and paras 77, 78: Resilience We support increasing resilience and self-sufficiency of the islands in the interests of long term sustainability. This includes meeting local housing needs, transport, economic development, community infrastructure, energy generation and waste management for example. This is in line with para 14 of the NPPF (and para 11 of the draft Revised NPPF). Which states that local planning authorities "...should positively seek opportunities to meet the development needs of their area..." through their plans.	Noted	
40	We welcome and strongly support the recognition of the world class environment and the need to work in harmony with nature and its importance in supporting a strong sense of community, identify and belonging and as an asset for both the economy and peoples well-being. The role of the natural environment is fundamental to every one	Partially Accept	Add reference to natural alongside cultural and historic distinctiveness and identity.



	of these aspects on Scilly so it is important that it is recognised so would recommend that it is specifically mentioned.		
13	Vision, Strategic Aims, Policy WC5 and paras 56, 70, 263: Tourism The NPPF (para 28) states local plans should promote a strong rural economy by supporting the provision and expansion of sustainable tourist facilities in appropriate locations not met by existing facilities (similar approach at para 84 of the revised draft NPPF). Accordingly, we support Aim 4: Objective 3 which is to “Provide sustainable growth in tourism...”	Noted	

Strategic Aims and Objectives

Pages 23 – 27

Aims and Objectives			
Ref	Comments	Officer Response	Amendments to the Draft Plan
21	<p>Page 24 - First objective under Aim 1: In supporting the apparent primacy of Aim 1, the first objective should surely be not just to “mitigate” environmental impacts but to avoid, or at least minimise, them. After all, Aim 1 is to “protect” conservation assets, and that could not reliably be achieved by mitigation, which would only reduce the severity of the resulting harm. Page 24 - Third objective under Aim 2</p> <p>Whether or not a renewable energy technology is “innovative” should not itself be a reason for supporting it. I suggest replacing this word with ‘environmentally acceptable’ in recognition of the pre-eminence of Aim 1, particularly because some forms of renewable energy, such as wind turbines, can be very damaging to the environment. Page 25 - Third objective under Aim 3 To the end of this objective add: ‘... and where it is on sites allocated in the Plan or on previously developed land’. Sites qualifying as windfall sites should only be used for affordable housing, in order to limit development sprawl and give adequate protection to the environment.</p>	Partially accept	<p>Revise objective 1 and change “innovative” to ‘environmentally acceptable’ in relation to renewable energy.</p> <p>Depending on its size, some windfall sites may also have some open market housing to enable the delivery of affordable homes.</p>



12	Aim 2: We support the objectives set out with Aim 2 and would encourage the Council to work with partners to ensure a viable and realistic strategy, setting out how such improvements and funding will be secured within the plan period.	Noted	The Council is working with a range of partners to implement the policies and proposals set out in the Local Plan.
10	Strategic Aims & Objectives- Aim 4, Page 25 New development which supports agriculture & horticulture “in recognition of its essential contribution to sustainably managing the islands outstanding environment”; some current agricultural & horticultural practices do not promote biodiversity, soil health or water conservation. Any development under this aim should be in line with policies OE1, SS6 & OE5 as set out currently in the Local Plan	Accept	Amend Aim 4 to encourage and support agriculture and horticulture that makes a contribution to sustainably managing the islands outstanding environment.
40	Aim 1 We strongly support this aim particular the need to maintain and enhance the nature conservation assets. Objective 1: The objectives need to include the protection and enhancement of the natural environment. Change to Objective 1: Ensure new development is appropriately located, sited and designed to maintain and enhance the environment, avoiding any significant environmental impacts, or provides appropriate mitigation and enhancements, including the reuse of previously developed land and the more efficient and effective use of all sites and buildings.	Accept	Amend Aim 1 accordingly
40	Objective 2: This needs to include addressing any ongoing management issues that arise as a result of the plan. Change objective to: Improve the quality of the natural environment, including coastal waters, through the provision of better infrastructure and appropriate management. Aim 6 and 7: We welcome the inclusion in these aims to help wildlife adapt to climate change and the aim to be carbon neutral. From reading these aims and objectives it seems that the 2nd objective within Aim 6 would sit better in aim 7 and that the 2nd objective in aim 7 would sit better in aim 6.	Accept	Amend Objective 2 and Aims 6 and 7 accordingly



6. The Spatial Strategy

Pages 28 – 30

6. the Spatial Strategy			
Ref	Comments	Officer Response	Amendments to the Draft Plan
21	<p>Paragraph 75</p> <p>Some of the “existing settlements” as defined in Consultation Option 4 are extremely small, being no more than a group of houses. In the interests of the environment and sustainable development, windfall sites should be well-related not to existing settlements but to the main settlements. On St Marys it is difficult to see how anywhere other than Old Town and Hugh Town would qualify as a main settlement.</p>	Noted	In the context of the Isles of Scilly, it is considered that the smaller settlements identified on St Mary’s do have some potential development opportunities without harming the environment and meeting the interests of sustainability (especially as there are very limited windfall opportunities in Hugh Town).
31	<p>Vision, Strategic Aims, Policy SS1, Policy SS5, Policy SS8 and paras 77, 78: Resilience</p> <p>We support increasing resilience and self-sufficiency of the islands in the interests of long term sustainability. This includes meeting local housing needs, transport, economic development, community infrastructure, energy generation and waste management for example. This is in line with para 14 of the NPPF (and para 11 of the draft Revised NPPF). Which states that local planning authorities “...should positively seek opportunities to meet the development needs of their area...” through their plans.</p>	Noted	



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Para 78-Spatial Strategy, Page 29 The spatial strategy is positive in that points 2-9 start with the word “support” (mainly). Point 1, “protect the integrity of the distinctive and exceptional environment” is instantly negative in development terms as it pre-supposes that protection prevents development. Why not change the rhetoric and “Support the integrity of the distinctive and exceptional environment”? This gives an instant positive feel, showing support for development which is sympathetic and has the natural environment at its heart, rather than seeing it as a barrier.

There are many useful guidance notes on how to incorporate green infrastructure into new developments to promote biodiversity and one should be used in any new developments agreed. For example; Building with Nature is a new benchmark for the design and maintenance of green infrastructure in both housing and commercial development. It can be applied both to individual developments, and more strategically to development plans. Building with Nature provides an assessment and accreditation service, and consultancy advice is also available. The scheme or plan will be assessed by an accredited Building with Nature assessor, against a set of standards.

There are three levels of award: candidate (for plans and projects that have not been built), achieved and excellent (for completed projects). The award itself is accredited by the Town and Country Planning Association. One of the big strengths of the benchmark is that it includes requirements for monitoring that projects have been completed as per the plans submitted, and it is re-assessed every five years if the client wishes to maintain the accreditation, so the client has to ensure that the green infrastructure is being managed appropriately. Building With Nature <https://www.buildingwithnature.org.uk/> is due to be available within Cornwall this year and so it will be easy to access. The Trust believes that if any new developments are to be agreed, they should be a shining example of sustainability and eco-features, befitting the “world class” environment and the aspirations within the Destination Management Plan for Scilly to become a responsible Eco-Destination.

Partially accept

Amend paragraph 78 accordingly and make reference to the guidance Building with Nature where relevant.



40	RSPB strongly supports point 1 but recommend the following changes: 1. Protect and enhance the integrity of the distinctive and exceptional environment including landscape character, cultural and historical heritage and nature conservation interests of the island.	Accept	Revise point 1 accordingly
38	Point 3 sets out an aim to build 105 affordable homes by 2030. This total has come from the Objectively Assessed Housing Need but the plan should make provision for (and make clear) that the OAN will be regularly reassessed so that the total need can be revised (up or down). Although the current need is great on Scilly, 105 homes in one plan period is a large volume for Scilly and perhaps does not take into account the positive effects of the 'churn' that is envisaged would be created if the policies to deliver new homes are successful.	Noted	The 105 affordable homes has been identified through the SHMA and considered to be an appropriate and realistic target to address the acute housing needs on the islands (and not dissimilar to previous build rates on the islands).
36	The target of 105 new affordable homes is okay (is there a clear identified need for this many?) it's all a bit vague and hidden though on how many open market homes will be needed to deliver this. There is an expressed hope that it will be about 50% resulting in fact in 210 new homes, a number which isn't included anywhere – or maybe I have misunderstood? However researching developments on the mainland the ratio seems often to reach 40:1 open market to affordable homes? How realistic is the 50% aspiration? Also are these new affordable homes and open market homes (with main residence restriction) envisaged to provide for an increase in island population? Have the various impact surveys (services, infrastructure, recreational need) been completed for any supported increase in islands population?	Noted	<p>The 105 affordable homes has been identified through the SHMA and considered to be an appropriate and realistic target to address the acute housing needs on the islands (and not dissimilar to previous build rates on the islands).</p> <p>The precise amount of open market is unknown and will be based on a site by site basis having regard to viability. However, we have undertaken viability testing and therefore consider that the number of open market homes can be limited.</p> <p>The strategy of the Local Plan is on the basis of meeting local needs and therefore very different to mainland based Local Plans which plan for growth. Indeed the strategy of the Local Plan is for sustainable growth with an emphasis on meeting the economic and social needs of the islands communities. As such, the Local Plan does not anticipate significant population growth.</p>



14	Airport incidents/accidents noted as follows: 27th June 2012 - a private plan overshoot the runway at St Mary's airport on the isles of Scilly coming to stop in a field above old town. 20th august 2015 - a plane crash landed at St Mary's airport, old town. Other airport incidents and near misses are unknown and should be obtained from the airport safety records/documentation.	Noted	The Civil Aviation Authority have been consulted and no adverse comments received. In addition further information is being sought from St Mary's Airport.
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Chapter 1: Promoting a Sustainable Scilly

Pages 31 – 54

Chapter 1 Promoting a Sustainable Scilly			
Ref	Comments	Officer Response	Amendments to the Draft Plan
38	In the list of Issues 'economy' is listed but Aim 4 which deals with the economy is not listed.	Accept	Add missing reference to Aim 4
40	New Paragraph 85: To be sustainable the plan needs to address the issues highlighted in the SA for wildlife. It also needs to set out how it would enhance wildlife overall. We would therefore recommended an additional paragraph after 84: 85. To be sustainable the plan will need to address potential effects on wildlife such as habitat loss, and indirect effects such as the introduction of movement of non-native species and increases in disturbance, etc. as highlighted in the SA. The plan will also need to seek to enhance the natural environment where possible. This will be achieved by including relevant principles on a range of policies.	Accept	Paragraph to be added as recommended
40	Policy SS1: RSPB strongly supports this policy.	Noted	



13	<p>Vision, Strategic Aims, Policy SS1, Policy SS5, Policy SS8 and paras 77, 78: Resilience</p> <p>We support increasing resilience and self-sufficiency of the islands in the interests of long term sustainability. This includes meeting local housing needs, transport, economic development, community infrastructure, energy generation and waste management for example. This is in line with para 14 of the NPPF (and para 11 of the draft Revised NPPF). Which states that local planning authorities "...should positively seek opportunities to meet the development needs of their area..." through their plans.</p>	Noted	
23	Sustainable Scilly: SS1-5: We can readily agree with the general principles discussed in sections SS1 to SS5.	Noted	
29	Policy SS1 (c): Sustainable development essential.	Noted	
37	Policy SS1 (e): Needs to recognise the detrimental impact of private more vehicles irrespective of fuel	Noted	
19	SS1e or Para 85 Include "Development that supports the local area approach to protection from coastal flooding or erosion will be encouraged".	Accept	Amend para 85 accordingly
40	<p>New paragraph 96 [97 adjusted for new para 85]. Design and place making is a critical policy where the Council can ensure that the overall plan is sustainable and address a number of the issues highlighted in the sustainability assessment as well as provide enhancements for biodiversity such as the of nest boxes or bat boxes on new builds in line with design policies produced by other Councils. We are happy to help provide design guidance for the Council and developers to support this policy and recommend that it is included in a biodiversity supplementary planning document. We would therefore recommend an additional paragraph after 84 and new line in Policy SS2:</p> <p>96 To be sustainable the plan will seek to maintain and enhance the natural environment by addressing the issues highlighted in the SA. Within the design of buildings next and roost sites for birds or bats can be provided, and properties rat-proofed, open spaces can provide semi-natural features and general principles can support waste management that is rodent and gull proofed to create enhancements to reduce the potential increase in issues arising.</p>	Accept	Add a new paragraph accordingly



39	<p>Policy SS2: The Woodland Trust welcomes the emphasis on sustainable development and the recognition of the need for 'protecting' and 'enhancing' the natural environment. In particular we support the inclusion to 'address opportunities of biodiversity by ensuring that local semi-natural features are created and enhanced as integral elements of design'; and 'environment, climate change and flood risk' as key priorities which the Local Plan is seeking to address. The Woodland Trust believed that trees and woods can deliver a wide range of benefits for place making for local communities, can promote climate change resilience and can help ameliorate flooding. Our guide to Trees and Residential developments may provide some useful information about how trees can be effectively integrated into the design phase.</p>	Noted	
10	<p>Policy SS2, Page 35/36 3, General Principles should be much stronger; rather than "encouraging" sustainable construction and design, there should be a requirement within the policy to adhere to all of points c)I-V otherwise the easy option will be followed and the sustainability of new developments which the Local Plan aspires to, will not be delivered. Grey-water harvesting, renewable energy generation (plugged into the Smart grid), A-rated insulation should all be mandatory in any development within this Local Plan.</p>	Accept	Strengthen Policy SS2 to take into account of these issues where relevant



13	<p>Policy SS2, Policy SS3, Policy SS8, Policy OE6 and paras 66, 78: Waste and energy</p> <p>We welcome the support that the draft Plan gives to the Smart Islands programme. Smart Islands will enable new methods that reduce the environmental impacts of waste disposal and generate energy from the waste, thereby improving energy resilience and help drive waste management up the waste hierarchy and support the proximity principle (ambitions of the National Planning Policy for Waste). We support the requirement of a Site Waste Management Plan through draft Policy SS2 and suggest this is extended to include where buildings are to be demolished and rebuilt.</p> <p>Draft Policy OE6 requires development to "...include waste management solutions that have regard to the waste hierarchy..." We recommend that the wording is strengthened. For example, Cornwall Local Plan Policy 19 states "Proposals must show best solution having regard to the 'waste hierarchy...'. The preference for on-island construction waste management (where appropriate) at draft Policy OE6 is supported. We recommend a policy seeking the provision of recyclable waste storage in relevant new developments is included. Draft Policy SS8 is welcomed in its support for enhancing the resilience of the islands through renewable energy.</p>	Accept	Revise policies SS2 and OE6 accordingly
24	<p>Policy SS2: I note and very much support the statement "incorporate measures to reduce any actual or perceived opportunities for crime or anti-social behaviour and promote safe living environments in Policy SS2" I have no further comments to add.</p>	Noted	
40	<p>Policy SS2a: Add provide one bird and one bat box per unit integrated into the fabric of the property</p>	Partially accept	Maybe considered overly onerous to include bird and bat boxes in all development but should be required wherever appropriate and can be incorporated into Policy SS2.
37	<p>Policy SS2b: Define what is meant by 'sustainable'</p>	Noted	The term sustainable is defined within the Local Plan
37	<p>Policy SS2c: how does the plan to propose to raise standards in areas of low architectural merit?</p>	Noted	The intent of the Local Plan is to ensure all new development is well designed and



			therefore will raise standards in areas of low architectural merit.
19	Policy SS2 1(f) Buildings within flood risk areas would expect to include features to mitigate against or enable quick recovery from flooding events (e.g. the flood repairable house https://floodrepairable.files.wordpress.com/2016/01/flood-repairable-project-leaflet.pdf)	Partially accept	New development should avoid areas of flood risk but useful cross reference that could be included in the Local Plan.
40	Policy SS2 2c: Change this to: Provide opportunities for biodiversity by ensuring that local semi-natural features are created and enhanced as integral elements of the design, and supports the removal of threats to the islands' biodiversity.	Accept	Amend Policy SS2 2c accordingly
37	Policy SS2 3: does this mean new buildings and conversions/major refurbishment projects?	Noted	Yes
40	Policy SS2 3(v): Provide appropriate rat-proof waste and recycling areas appropriate to the scale of development proposed as well as kerbside collection sites in accordance with current collection rounds.	Partially accept	All waste facilities should be vermin proof (including sea gulls)
38	Para 101: Care should be taken to control the increase of mobile trading activity. Although as stated 'demand for retail and ancillary services increased' in the summer months, many of the permanent businesses run unprofitably through the winter months as a service to locals,	Noted	The purpose of the policy is to control mobile trading activity.
40	After Para 101: New Paragraph Existing buildings may currently provide homes for wildlife including nesting birds and roosting bats, or there is potential to enhance these structures when they are reused to provide homes for wildlife which can be integrated.	Accept	Add new paragraph



40

Policy SS3: To achieve the aims and objectives of the plan it is important that the reuse of buildings meet the necessary standards required. We would therefore recommend that reference is made to Policy SS2 in Policy SS3 to ensure that this is achieved.

A number of buildings will currently support wildlife including bats and birds and many nest sites are lost when conversions happen, when there are easy solutions to maintaining nesting sites through building next or roost sites into the design of the re-use. An increasing number of councils are including policies to ensure that bird and bat sites are a requirement of re-use to support the populations that currently use them or at a minimal figure on one bird box/bat box per unit. We are happy to provide design guidance for the council and developers to support this policy and recommend that it is included in a biodiversity supplementary planning document. We would therefore recommend a new paragraph after 102 and a new line in Policy SS3.

Partially Accept

Revise paragraph 100 and cross-reference to Policy SS2 accordingly.



13	<p>Policy SS2, Policy SS3, Policy SS8, Policy OE6 and paras 66, 78: Waste and energy</p> <p>We welcome the support that the draft Plan gives to the Smart Islands programme. Smart Islands will enable new methods that reduce the environmental impacts of waste disposal and generate energy from the waste, thereby improving energy resilience and help drive waste management up the waste hierarchy and support the proximity principle (ambitions of the National Planning Policy for Waste). We support the requirement of a Site Waste Management Plan through draft Policy SS2 and suggest this is extended to include where buildings are to be demolished and rebuilt.</p> <p>Draft Policy OE6 requires development to "...include waste management solutions that have regard to the waste hierarchy..." We recommend that the wording is strengthened. For example, Cornwall Local Plan Policy 19 states "Proposals must show best solution having regard to the 'waste hierarchy...'. The preference for on-island construction waste management (where appropriate) at draft Policy OE6 is supported. We recommend a policy seeking the provision of recyclable waste storage in relevant new developments is included. Draft Policy SS8 is welcomed in its support for enhancing the resilience of the islands through renewable energy.</p>	Accept	Revise policies SS2 and OE6 accordingly
40	<p>Policy SS3: New lines: e) the development will provide suitable nesting and roosting sites for bats and birds incorporated into the design. f) Developments meet the design standards as set out in policy SS2.</p>	Partially Accept	Additional criteria added to Policy SS3. Although Policy SS2 would apply where relevant as the Local Plan should be read as a whole with individual policies avoiding duplication wherever possible.
21	<p>Paragraph 103 Consultation option 1 would I think be more effective and would give greater clarity, particularly if the policy made clear that retail uses, apart from small scale units for local agricultural/horticultural produce, would not normally be permitted outside the defined centre.</p>	Noted	No change required as this relates to a consultation option in the Local Plan



29	Consultation Option 1: Have gone for primary & secondary retail frontage but would like to see a plan for how to promote this and stimulate greater activity. In my naive thinking this would free up other sites for nonretail, higher value use than retail (min wage) and maybe stimulate retail to be a bit more ambitious.	Noted	Support for this option will be considered against other representations and the relevance and benefits of this approach against the policy approach set out in the draft Local Plan
31	Para 105/Policy SS4: With regard to fixed trading sites/mobile trading, there appears to be less information/guidance in here about what criteria/evidence is required in order to permit a new/extend permission for an existing fixed trading site. This is particularly important in relation to potential displacement effect and impact on existing retail/ancillary retail units, which are otherwise being protected in Policy SS4. I.e. the number of fixed trading sites could have a direct impact on the year-round viability of other A1/ancillary retail premises as their trading margins are reduced by lower cost/lower overhead, summer-only fixed trading sites.	Noted	Need to review the policy and consider any additional criteria and guidance required
9	Para 105. Mobile trading - do not agree with this, it lowers the 'tone' of the islands.	Noted	The Local Plan is required to address spatial planning issues that are known and have been identified on the islands. Mobile trading units to provide a retail offer and make a valuable contribution to the economy and tourism.
30	Para 106- 108: Does safeguarding community facilities include open space, sport and recreation as set out in para 74 of the NPPF?	Accept	Need to ensure that this policy covers open space, sport and recreation.
31	Policy SS4: Para 103/Policy SS4: There is a need to be clear that the commercial viability of an existing retail unit (or ancillary) is determined by its viability as a retail unit – not the specific viability of its incumbent use/business. A unit's viability is down to its offer as opposed to whether the unit should still be classed as retail/ancillary retail at all. As stated above, all of Hugh Town should be protected as the main Town Centre for Scilly – however, we feel that the definition of the Town Centre should also include St. Mary's quay.	Noted	Whilst it is accepted that it is important to protect retail units, it is considered that the viability testing will factor in this issue. It may not be appropriate or proportionate to protect all retailing in Hugh Town as suggested.



30	<p>Policy SS4: Omission: Community Use of Education Sites Making better use of existing resources contributes to sustainable development objectives by reducing the need for additional facilities and the potential loss of scarce resources such as open space. The practice of making school sports facilities available to wider community use is already well established and has been government policy for many years, but there are further opportunities to extend this principle within the education sector through programmes such as Academies and to other privately owned sports facilities, to help meet the growing demand for more and better places for sport in convenient locations. Sport England promotes the wider use of existing and new sports facilities to serve more than one group of users. Sport England will encourage potential providers to consider opportunities for joint provision and dual use of facilities in appropriate locations. Sports facilities provided at school sites are an important resource, not just for the school through the delivery of the national curriculum and extra-curricular sport, but potentially for the wider community. There are also direct benefits to young people, particularly in strengthening the links between their involvement in sport during school time and continued participation in their own time. Many children will be more willing to continue in sport if opportunities to participate are offered on the school site in familiar surroundings. Many schools are already well located in terms of access on foot or by public transport to the local community and so greater use of the sports facilities outside normal school hours should not add significantly to the number of trips generated by private car. Use Our School is a resource to support schools in opening their facilities to the community and keeping them open. It provides tried and tested solutions, real life practice, tips from people making it happen, and a range of downloadable resources.</p> <p>https://www.sportengland.org/facilities-planning/use-our-school/</p>	Noted	The use of education based sporting facilities is a management issue and therefore not considered appropriate for the Local Plan.
31	<p>Para 105/Policy SS4: The policy guidance on both the signage for and physical appearance/style of the actual mobile trading units appears to have been removed. This could be a helpful additional guideline/restriction to ensure they are appropriate to the islands' special character and sense of place.</p>	Accept	Add some reference to the signage for and physical appearance/style of the actual mobile trading units



40	<p>Para 110: It is unclear what the scale of the need is and whether it will be accommodated within existing infrastructure sites, in the allocated identified in the documents or whether new land will need to be allocated. To adequately assess the potential impact of the plan more information is required to clarify the scale of infrastructure required to meet the objectives set out in the plan.</p>	Partially accept	<p>Additional information is being compiled to address the issues of infrastructure with the most significant investments required in connection with drinking water and waste water and initiatives arising from the Smart Islands programme</p>
15	<p>Aims 2, 4 and 5 - Infrastructure: Pendrethen has provided recycled aggregates, and Construction and Demolition waste recycling and / or mobile crushing and screening to every significant infrastructure project on St Mary's, and most within the whole island group, in the last 14 years. Projects include the:-</p> <ul style="list-style-type: none"> - off Island Quay reconstruction; - St Mary's Quay extension; - Five Island School construction; - Carn Thomas School demolition; - Porth Minack Sea Defence, St Mary's; - Porthlow slipway reconstruction; - Porthcressa regeneration; and - CIOS' own Moor Well waste site redevelopment. <p>The Pendrethen site has therefore proved to be essential in enabling these works to be carried out in a practical and cost-effective manner using local resources and contributing towards sustainable development.</p>	Noted	
38	<p>Para 110: Policies which support the Smart Island Programme, whilst having regard to the wider Aims and Objectives, are welcome. It is right that Scilly should aim to reduce its carbon intensity and promote environmentally sound practices. However it should be acknowledged the increased difficulty in achieving these goals compared to the mainland with additional freight costs and small scale that pose financial challenges to such initiatives.</p>	Noted	<p>Acknowledge challenges of reducing the islands carbon footprint although this challenge is embedded within the Smart Islands Programme itself.</p>



12	<p>Policy SS5: The provision of physical infrastructure on the islands presents some unique and acute issues. The current state of the islands infrastructure is dated and requires modernisation. Sewerage, waste, flood risk management infrastructure all require attention. We would ask that the plan looks beyond development management policies and sets out how the islands will address the delivery and management of essential infrastructure for the plan period and beyond. It is important to set out how infrastructure provision and improvements will be funded given that the levels of contributions from growth on the islands will be minimal.</p>	Accept	<p>Additional information is being compiled to address the issues of infrastructure with the most significant investments required in connection with drinking water and waste water, coastal protection and initiatives arising from the Smart Islands programme</p>
40	<p>Policy SS6: It is unclear in this section where the existing water and waste management systems are adequate to support the envisaged growth, whether any additional infrastructure is needed and at what scale this maybe. More clarity is required to help determine the potential impact of the plan.</p>	Accept	<p>Additional information is being compiled to address the issues of infrastructure with the most significant investments required in connection with drinking water and waste water and initiatives arising from the Smart Islands programme</p>
23	<p>SS6: This deals with the provision of a good supply of water to homes and businesses. This is a necessity and should be a priority. However, much more stress should be placed on the need to conserve water, directed at residents and visitors. Much more use should be made of rainwater management when so much fee water is available from the sky. Our small roof area catches enough water to keep our two 80 litre water butts full for garden use. If schemes were available to support householders and businesses in installing rainwater harvesting and utilization (e.g. in toilet flushing), much good water could be saved and re-used relatively cheaply.</p> <p>We note that new homes will be required to restrict water usage to 110 litres/p/d. will this be metered and will metering be extended to all households eventually?</p>	Accept	<p>Consider revisions to Policy SS6 and the reasoned justification to add in more information around water conservation measures. Subject to a private water company extending its licence to cover the Isles of Scilly, the expectation is that new development (and indeed existing) will be metered.</p>
19	<p>SS6 (b) and © Waste water management - connections of water and waste water comply with national policy and guidance in relation to flood risk and do not result in a risk to the quality of groundwater. Developments that enhance or strengthen existing management controls or support future plans will be encouraged.</p>	Noted	



37	Policy SS6 d: also needs to include a standard for major refurbishments and conversions.	Partially accept	Need to consider an appropriate standard considered appropriate and relevant
40	Para 122: There is no mention of the impact of climate change, flood risk or storm surges on protected wildlife sites or features.	Noted	This is beyond the scope of the Local Plan.
14	Para 122: Please also note the following documentation, with which in mind, the areas in old town should be removed from the draft plan: Details of all flood incident record forms associated with old town should be included in this draft plan. Infrastructure plan (May 2017) states: the Isles of Scilly Council is directly responsible for maintaining the sea defences at Porthcressa, town beach, old town, and Porth Minack. However, the Isles of Scilly Council is classed as a lead local flood authority under the Flood and Water Management Act 2010, which places a responsibility on the council to ensure the risks from flooding are minimised. Although the council may not own some of the Islands' sea defence assets, it has a responsibility under the act to work with the owner(s) of those assets to ensure that risk from flooding is minimised. And in summary, it states: The key flood risks on the Isles of Scilly are through inundation from the sea. Through 1997 and 2011 research identifies risks at Old Town, Hugh Town, and Porth Hellick on St Mary's, along with water supplies at risk from overtopping of defences. On the off-islands, 'priors' are Appletree Bay and Tresco Flats and Big Pool.	Noted	The housing allocations in Old Town will be subject to review, although it is recommended that only the smallest site is omitted due to flood risk.
40	After Para 122: New Paragraph Both Lower Moors and Porth Hellick SSSIs could be lost as a result of flood risk, and a number of seabirds, including features of the SPA, are being affected, including the loss of boulder beaches on Annet which are nesting sites for storm petrels and the overtopping caused by summer storms of Green and Stoney Island, which has caused the failure of nesting common terns.	Noted	This level of detail is not considered appropriate in the local plan.
19	Para 128 could include reference to the Flood Repairable House: https://floodrepairable.files.wordpress.com/2016/01/flood-repairable-project-leaflet.pdf	Accept	Add reference accordingly



19	Para 129 This project and areas where there are planned improvements to existing coastal sea defences during the life of the plan are detailed in Section E of the Proposals maps at the back of the report.	Noted	
40	Para 131: Add And important wildlife features e.g. nesting sites for storm petrel.	Accept	Add the sentence to paragraph 131 accordingly
19	Para 132 Really pleased to see this section included. This will potentially be a key point towards the end of the plan. Our key form at defence at this time could well be containing flood waters during storm events and then releasing those water during storm events and then releasing those waters during periods of quiescence.	Noted	
40	Policy SS7: We support the conditions identified in this policy.	Noted	
12	Policy SS7: We support the inclusion of this policy and provided that those allocations show on the proposals maps have been sequentially tested then we are of the view that that the policy will broadly comply with the aims and intentions of the NPPF. We would also recommend that all applications for development are submitted with a proportionate and appropriate flood risk assessment and this should be explicit within the policy wording.	Accept	It is not considered appropriate to require all applications to be accompanied by a Flood Risk Assessment.
24	Policy SS7: This mentions the 'Smart Islands Project' (as well as elsewhere) but does not give a reference to the documentation, which would be useful.	Noted	Reference to any current documentation could date the Local Plan especially as the Smart Island programme is evolving
29	Policy SS7: Consideration could be made in future or areas of managed retreat in relation to coastal erosion [note this mentioned for Porthloo]. May overlap with settlement boundaries, e.g. Old Town. General: Really good, thorough, informative & valuable piece of work. Owing to competing demands have not been able to fully explore before submission deadline.	Noted	
37	Policy SS7 (first bullet): What measures will be used here? What sea level rise over what period?	Partially accept	Consider clarifying in the reasoned justification to Policy SS7



40	<p>Para 133: We welcome the inclusion of targets for achieving increases in the use of renewable energy and to move towards a low carbon economy. To address the issue of climate change it is important that the policy reduces the overall carbon emissions for the Isles of Scilly through the development period. A significant proportion of energy is currently wasted in existing infrastructure. It is important that this policy sets out how much of the reduction can potentially be delivered through the reduction of waste from the existing infrastructure and require new renewable energy projects to demonstrate how they will reduce energy consumption in existing buildings or infrastructure to help support the delivery of carbon reduction in this area.</p>	Noted	At this stage it would be difficult to quantify how much can potentially be delivered through the reduction of waste from the existing infrastructure
24	<p>Policy SS8: This supports the Smart Islands Project with some provisos. The 2015 Scoping Report asked the question: “should we encourage all types of renewable energy in all areas?” Our response was: “we cannot afford all and must prioritize”. Although Scilly is amply windy for a great part of the year, this should not be a preferred option on account of cost and infrastructure. Our top option is to extend the use of our (usually!) ample sunlight and use solar power for water heating and electricity generation for homes and businesses. Our experience over 8 years has been extremely positive. These schemes 8 years ago were largely stimulated by enthusiastic individuals getting together and taking the initiative. Perhaps an important role for local authorities is not necessarily to provide ready-made services in all areas but to encourage and support individual initiatives. In this Plan we do not see much evidence of such encouragement. SS8 also refers to power transmission lines below ground but does not indicate if these are only new ones or includes existing ones. The considerable cost implications of this are not mentioned. Priorities again!</p>	Noted	The Local Plan cannot retrospectively impose restrictions on existing development
10	<p>Para 138, policy SS8, Page 51 Following the Habitats Regulations should be mentioned in this policy as a reminder that any potential negative impacts on the special features of the SPA designation must be considered through the HRA process.</p>	Partially Accept	Add reference to the nature conservation interests at paragraph 138 but consider a specific reference to the Habitat Regulations is inappropriate.



<p>13</p>	<p>Policy SS2, Policy SS3, Policy SS8, Policy OE6 and paras 66, 78: Waste and energy</p> <p>We welcome the support that the draft Plan gives to the Smart Islands programme. Smart Islands will enable new methods that reduce the environmental impacts of waste disposal and generate energy from the waste, thereby improving energy resilience and help drive waste management up the waste hierarchy and support the proximity principle (ambitions of the National Planning Policy for Waste). We support the requirement of a Site Waste Management Plan through draft Policy SS2 and suggest this is extended to include where buildings are to be demolished and rebuilt.</p> <p>Draft Policy OE6 requires development to "...include waste management solutions that have regard to the waste hierarchy..." We recommend that the wording is strengthened. For example, Cornwall Local Plan Policy 19 states "Proposals must show best solution having regard to the 'waste hierarchy...'. The preference for on-island construction waste management (where appropriate) at draft Policy OE6 is supported. We recommend a policy seeking the provision of recyclable waste storage in relevant new developments is included. Draft Policy SS8 is welcomed in its support for enhancing the resilience of the islands through renewable energy.</p>	<p>Noted</p>	<p>Revise policies SS2 and OE6 accordingly</p>
<p>13</p>	<p>Vision, Strategic Aims, Policy SS1, Policy SS5, Policy SS8 and paras 77, 78: Resilience</p> <p>We support increasing resilience and self-sufficiency of the islands in the interests of long term sustainability. This includes meeting local housing needs, transport, economic development, community infrastructure, energy generation and waste management for example. This is in line with para 14 of the NPPF (and para 11 of the draft Revised NPPF). Which states that local planning authorities "...should positively seek opportunities to meet the development needs of their area..." through their plans.</p>	<p>Noted</p>	



21

Policy SS8

The second sentence of this policy is vague and confusing. It should be omitted. It is not clear what the “wider” benefits are, and by stating that they will be given significant weight it implies that they would be overriding, since the same is not stated for the other benefits. I can well imagine that it would lead planning decisions needlessly into an interpretation quagmire. If it is thought necessary to retain the reference to ‘wider benefits’ in the policy it should, to avoid confusion, be explained what they could be; and it should be stated that they would be treated as subordinate to criteria (a) to (f) in making decisions.

While renewable energy developments are generally worthy of support, it would be helpful if some more specific guidance was given on the difficulty of acceptably accommodating wind turbine developments. This could perhaps be included in the reasoned justification of the policy. In the special circumstances of the Isles of Scilly, with its limited size, extremely sensitive environment, and environmentally dependent economy, it is difficult to see how wind turbines could be viewed as compatible with the aims of the Plan and with policy SS8 criteria – particularly criterion (b).

Partially accept

Revise parts of Policy SS8 and the reasoned justification to reflect the issues raised although wind turbines cannot be discounted entirely.



20	<p>Chapter 1: Policy SS8 The supporting energy infrastructure plan identifies a number of opportunities for energy related development and a strategy (based on a mix of technologies) for meeting the islands' target of meeting 40% of demand from renewable technologies. The report also identifies some possible sites for wind (fig 6.2.1) and an anaerobic digestion plant at Wet Meadows, Od Town. Clarification is sought on whether the Council are seeking to allocate sites for delivery of renewable energy in the Local Plan. The NPPF at para 97 states that Councils should consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure where this would help secure the development of such sources. The inclusions of sites within the Plan would give the opportunity to assess the suitability of potential sites through the HRA and SA process and give more certainty for developers and the community. Policy SS8 sets out criteria for the protection of the natural environment in relation to energy development. We welcome policies that seek to protect the environment but suggest that protection of biodiversity/geodiversity and landscape interests are set out in one or a number of generic policies which would apply to all development. Criteria in this policy could then relate specifically to policy requirements for renewable energy. This would avoid duplication and the risk of inconsistency. Policy SS8(d) We question whether this clause should require environmental enhancement 'or' community benefits and would urge the Council to seek environmental enhancement on all development. This would ensure that the plan aligns more closely with the Nppf para 109.</p>	Partially accept	<p>If possible the next draft of the Local Plan will identify a site for an AD/gasification plant as identified in the Infrastructure Plan subject to the completion of the feasibility study. However, it is considered that Policy SS8 provides an appropriate and flexible framework to support suitable energy related development's, including renewables.</p> <p>Agree that the as the Local Plan needs to be read as a whole individual policies should avoid repeating issues set out in other policies with any cross reference set out in the reasoned justification. Also agree that environmental enhancements should be sought but only where appropriate, relevant and proportionate to the development being proposed.</p>
37	<p>Policy SS8: This policy needs to be much broader. Renewable energy developments have existed prior to Smart Islands, currently run parallel to smart islands and will continue beyond the lifespan of smart islands. The policy needs to reflect this</p>	Noted	<p>The policy as drafted is considered to provide an appropriate and flexible framework to encourage a broad range of suitable energy related development's, including renewables.</p>
37	<p>Policy SS8 a: this seems particularly strict when compared against the test for other forms of development within the plan.</p>	Partially accept	<p>Given the potential impacts from some forms of renewable energy it is considered to be appropriate. Consideration will be given to ensure that policies are consistent in terms of assessment criteria relative to the different</p>



			forms of development that could take place on the islands.
40	Policy SS8: We welcome the inclusion of specific reference to seabirds under c) and support its continued inclusion.	Noted	
37	Policy SS8 f): The absence of specific metrics does make this section open to different subjective interpretation.	Noted	The policy as drafted is considered to provide an appropriate and flexible framework to adequately determine encourage a broad range of suitable energy related development's, including renewables. Consideration will be given to re-drafting the policy to ensure than any measurable and more specific metrics can be included.
40	Policy SS8: new criteria added after f) g) The contribute directly to energy conservation projects for existing buildings or infrastructure.	Accept	Add additional criteria accordingly
1	Para 139: The Plan fails to address the problems of Hugh Town becoming more and more clogged up with parked cars. Also areas such as Island carriers where lorries are dangerously parked on the highway. It would help the visitor experience if suitable sites could be found to park these vehicles away from public gaze. Why does the community bus have to be parked in the main street all winter? Perhaps those who leave their vehicles permanently on the main street should pay for parking permits. The town should be made easier for out of town shoppers to access short term parking near shops such as the coop.	Noted	Whilst it is recognised that car parking is an issue for Hugh Town, this is an existing traffic management matter that cannot be addressed in the Local Plan. However, the Local Plan does seek to address the amount of vehicles through design and encouraging development to sustainable locations with the potential for walking and cycling.
40	Policy SS9: We welcome this policy and the inclusion of support for walking, cycling and electric car provision. We are however unclear how developments can help support this infrastructure so it would be helpful to have a clear understanding of how you envisage they can support this provision particularly in combination or cumulatively.	Noted	The Local Plan does seek to address the amount of vehicles through design and encouraging development to sustainable locations with the potential for walking and cycling. However it is recognised that not all development will be able to contribute to directly support walking, cycling and electric car provision with essential infrastructure



			sought from other funding sources such as, for example, the Smart Islands programme.
24	<p>Policy SS9: Managing movement refers only to where new development is to be placed. It clearly indicates the desirability of reducing private cars but does not consider those who have no other means of moving around. The potential effect on the meals-on-wheels service should be considered. A proper within-island transport policy for St Mary's is required but we do not see it anywhere in this document. We should be moving towards a full time regular and reliable service that uses electric vehicles.</p>	Noted	<p>The Local Plan has limited scope to managing traffic and supporting a more integrated transport system. These issues should be addressed in a travel and transport strategy although given the scale and limited population of the islands, it will be challenging to provide integrated transport system although the Smart Islands programme may provide such an opportunity through the promotion of electric vehicles.</p>
13	<p>Vision, Strategic Aims, Policy SS8 and paras 60, 65, 70, 71, 79, 80, 140 : Strategic transport links to the mainland</p> <p>Policy 27 of the Cornwall Local Plan states major development proposals should "...Safeguard land for the delivery of strategic transport opportunities including land around existing facilities to allow for expansion and use for future sustainable modes of travel e.g. closed branch rail lines and links to the Isles of Scilly..." Also PP1 Objective 3 for the West Penwith Community Network Area includes to "...Support in principle the long term future of ... the provision of air and sea routes to the Isles of Scilly..."</p> <p>The emerging Cornwall Site Allocations DPD is currently at examination. Para 3.11 of the draft DPD recognises the harbour at Penzance is of strategic importance, with the former providing the only freight and passenger ferry link to the Isles of Scilly. Para 3.22 highlights the economic function of the ferry link. Strategic Aim 7 for Penzance and Newlyn includes "To maintain and improve the area's strategic transport connections with the Isles of Scilly". Para 3.30 specifically states that development must "maintain the efficient operation of the Penzance to Isles of Scilly ferry link."</p> <p>We agree that the Vision should reflect the importance of movement between the islands and the mainland (para 65) including the</p>	Accept	<p>Revise Policy SS10 to strengthen its support for new infrastructure that will enhance the resilience of strategic transport links to the mainland.</p>



	<p>statement at para 70/Vision on affordable, resilient and reliable travel throughout the year to be achieved through improvements. Particular support is given to Strategic Aim 2 and Strategic Aim 5: Objective 5 (para 71) on the basis that they foster strategic transport infrastructure. We agree that “Strategic transport links to the mainland are fundamental to the future sustainability and viability of the islands...” (IoS draft paras 60 and 140) and consider that the Local Plan should include a positive policy approach for infrastructure which will support strategic transport links to the mainland.</p>		
33	<p>Policy SS10: Travel and Transport - the wording on this policy gives me the impression that the council is asking for the right to refuse any competition that might prejudice exiting air and sea services including the off island services. If this is the policy I don't agree that the council should determine competition, but should be determining fixed infrastructure on land associated to the planning application.</p>	Noted	<p>The purpose of this policy is not to stifle completion as this would be counter-productive to encouraging a more resilient, reliable and affordable travel and transport system.</p>
13	<p>Policy SS10 is welcomed and we request that this is strengthened by explicit support for new infrastructure that will enhance the resilience of strategic transport links to the mainland. There is also an opportunity to make a more positive statement in the last sentence of para 80.</p>		<p>Revise Policy SS10 and paragraph 80 to strengthen its support for new infrastructure that will enhance the resilience of strategic transport links to the mainland.</p>
20	<p>Policy SS10: gives commitment to safeguarding the islands' air and sea services. Clarification is sought on whether the Councils proposing to safeguard sites in the Local Plan. The Isles of Scilly Strategic Transport Framework was published in 2011 and is 7 years out of date. We suggest consideration be given to a review of the Framework with a view to identifying matters that need to be addressed through Local Plan policy and associated SA/HRA. The evidence base quoted for policy SS10 on page 53 refers to a 2007 Transport Framework. Presumably this is an error?</p>	Noted	<p>It is not considered necessary to specifically identify the key transport infrastructure sites on the islands. The travel and transport issues remain much the same as in 2011, it is not considered necessary to review the framework prior to the Local Plan. In any event, the Local Plan has limited scope to address strategic transport issues as explained in the document itself.</p>
23	<p>Policy SS10 Transport is mentioned very briefly in SS10 and is disappointingly weak. Effectively it ‘hopes’ that private transport operators will ensure that local transport is adequate but does little to say how it will lean on operators to do a lot better than they do at present – Buzza Bus excepted.</p>	Noted	<p>The Local Plan has limited scope to address strategic transport issues as explained in the document itself, especially as the provision of transport is provided by and therefore reliant on the private sector and therefore influenced by market forces and competition.</p>



Chapter 2: Our Outstanding Environment

Pages 55 – 75

Chapter 2 Our Outstanding Environment			
Ref	Comments	Officer Response	Amendments to the Draft Plan
12	Chapter 2: The aims detailed within this chapter have our full support. The islands maintain a truly world class environment that requires a funded and realistic strategy for its protection and enhancement. The policies within this section will ensure new development protects and works towards enhancement.	Noted	
20	Aim 6 adapting to the effect of climate change on people, wildlife and places...way. We query whether coastal change management areas have been identified (in accordance with NPPF para 106) and whether proposals for wildlife are identified within these areas, so they can be reflected in development of the local plan.	Noted	The Council are working closely with the Environment Agency as part of its strategic responsibility to manage coastal flooding. Additional text will be added to the Local plan to provide more explicit guidance and information on this issue although will not detail proposals for wildlife as this is considered more of a management matter.
38	Comment in relation to Policies OE1, 2 and 3: These policies take a positive approach to the conservation and enhancement to the islands environmental assets. The right balance should be struck between preservation and sympathetic development which helps to pro-long the life of heritage assets particularly.	Noted	
21	Paragraph 141 The first sentence of this paragraph is of critical importance. It must surely follow that Aim 1 of the Plan is the pre-eminent one. For clarity it would be helpful for this to be stated – both here and under the Aims themselves. For it to be left as implicit would give rise to uncertainty and to difficulties in making planning decisions.	Accept	Amend paragraph 141 accordingly
40	Para 143 Landscape Character rename to Protecting and Enhancing landscapes and seascapes. Separate from paragraph and increase type setting to that of Historic Environment Section	Accept	Amend paragraph 143 accordingly



40	<p>Para 145: We welcome the strict control of developments on uninhabited islands. It should be noted that most fall under a variety of designations, which require different tests to be met other than those set out in this paragraph. To avoid confusion we would recommend that this paragraph is reworded to: ...Given the focus of the Local Plan on ensuring the viability of communities on the inhabited islands, there are no circumstances in which development could be justified on any uninhabited islands without clearly demonstrating it will have no adverse effects on protected sites and provides overriding benefits for the community as a whole.</p>	Accept	Amend paragraph 145 accordingly
20	<p>Para 145 states that development on the uninhabited islands will not be permitted. This would appear to be a policy statement. Consideration should therefore be given to inclusion of such a statement in a policy.</p>	Noted	It is not considered necessary to have an explicit policy particularly given the absence of any pressures for new development on the uninhabited islands.
10	<p>Para 145 uninhabited islands Page 56 The Trust objects to the Management Policy to Support our Outstanding Environment in paragraph 145 as it is wholly inappropriate. There will never be a situation when the benefits of development of an uninhabited island outweigh the negative effects. Development on uninhabited islands would be contrary to the ethos of the Local Plan as written. This policy should be removed from the plan as should any reference to development on Uninhabited Islands.</p>	Accept	Amend paragraph 145 accordingly
21	<p>Policy OE1 The reasoned justification of this policy would seem to call for a stronger form of words in the policy itself. I suggest adding the following phrase after the word 'development' and before 'clearly' in the fourth line of the policy: '... are so great as to ...'.</p>	Noted	The term clearly is consistent with policy wording elsewhere and considered to provide sufficient clarity and protection.
23	<p>Outstanding Environment: OE1-3: In general we agree with the proposals in OE 1-3. Much space is given to arguing for conserving our 'outstanding environment', which hardly needs so much wordage considering its obvious importance. By contrast, no mention is made of various eyesores that detract from this outstanding environment and which seem to be increasing in size and number, at least on St Mary's. Examples are near Green Farm, Pelistry and High Lanes, where previously pleasant fields are becoming cluttered with disused vehicles and all manner of refuse. The Pendrathen quarry is also an eyesore. Ever more fields are being occupied by boats, many of which will probably not see the sea again.</p>	Noted	The issues raised are beyond the scope and remit of the Local Plan and are covered by other legislation such as environmental health and waste management.



20	<p>Policy OE1: We welcome the inclusion of a dedicated policy for landscape. We recommend that Policy OE1 makes specific reference to the need to conserve the landscape and scenic beauty to reflect NPPF policy for AONBs (NPPF para 115) and the need to protect and enhance the Heritage Coast to reflect NPPF para 114. The views of the Isles of Scilly AONB Partnership should also be sought on working for this policy. We would be happy to work with you to further develop policy wording on landscape for inclusion in the publication version of the Plan.</p>	Accept	Amend Policy OE1 accordingly
20	<p>Policy OE1 and OE2: Policies for the protection of the environment (OE1 Landscape Character and OE2 Biodiversity and Geodiversity) need revision to ensure they comply with the NPPF.</p>	Accept	Amend Policy OE1 & OE2 accordingly
26	<p>Chapter2; Policies 0e1-oe2: To maintain "an outstanding world class environment that underpins the quality of life and the economy of the islands" is an ambitious but welcome aim. But it will be impossible if the recent introduction of the cruise ship industry remains unregulated. The importance of bio and geo diversity, landscape, seascape, tranquillity and sustainability are all featured in the plan but without mention of how these will be protected from the pollution and intrusion by the cruise ship industry. The issues of cruise ships in sensitive areas have been highlighted by the Daily Telegraph, Guardian, Channel 4 TV and the BBC which the Council have been made aware of. A summary of those affecting the environment of Scilly are: 1. There are few meaningful restrictions on 'grey water' sewage, effluence from showers, laundry, food waste, cooking oils, medical and toiletry applications etc. which can cause significant pollution especially in shallow waters. A 1000 cruise passengers and staff produce 7000 gallons of waste a day. An equivalent hotel on Samson with 1000 residents and staff discharging such a cocktail would not get planning permission. Whilst the impact on wildlife and seascape is considerable, it also effects the quality of fishing and water sports, particularly swimming. Despite MARPOL, instances of illegal raw sewage discharge do happen and can only be prevented where there are effective enforcement agencies. There are no such agencies in Scilly. The pollution from the auxiliary diesel engines powering one of these 'floating towns' using 700 litres of diesel per hour is the equivalent of over 600 heavy lorries parked up with engines running. The type of bunker diesel fuel burnt is particularly toxic. This pollution, if left uncurbed, will overwhelm the positives that would emanate from the Council's green, Smart Island Policy making it a pointless exercise and waste taxpayers' money. To alleviate pressure on the unwelcome hotspots created by cruise ship visitors, Island Partnership has embarked on a</p>	Noted	<p>Whilst the issues resulting from cruise ships is acknowledged and recognised, these matters are beyond the scope and remit of the Local Plan and need to be addressed by the Harbour Authority and through other legislation such as the Habitat Regulations.</p>



	<p>policy of spreading the crowds to quieter locations. Samson etc. This extra footfall in especially sensitive areas will have a particularly damaging effect on flora and wildlife (and the regular tourist business seeking tranquility not Torquay). The Islands precious sea and landscape are drastically altered wh Other local authorities in cruise ship destinations have already regulated to protect their heritage. A BBC journalist reporting on action being taken in Dubrovnik noted, "you don't have to be a genius to understand the impact of 2000 passengers and 2000 crew suddenly arriving in a town of 40,000 people". He should have observed Scilly; 1000 passengers plus 1000 crew in a population of 2,200 rising to 6000 in summer peak. Relatively, many times the impact that Dubrovnik was suffering.en enchanting views of the islands are interrupted by large floating hotels emitting plumes of toxic bunker diesel exhaust. Ships that remain overnight conflict with the Council's Dark Sky project. The Isles of Scilly Council needs to rectify this puzzling oversight in the Local Plan otherwise its environmental aims will be a fantasy. The Local Plan should include urgent proposals to implement (in discussions with the Wildlife Trust, Duchy and others) an embargo on and discourage any further increase in cruise ships whilst it undertakes research to establish the impact and present level of damage and determine the number of ships that Scilly can accommodate sustainably.</p>		
40	<p>Para 146: Rename to Protecting and enhancing Biodiversity and Geodiversity. Separate from paragraph and increase type setting to that of Historic Environment section.</p> <p>We welcome the inclusion of this specific section and recommend changes to provide clarity on the hierarchy of protected sites so people can understand the different levels of protection and how they are considered, what is required in terms of assessments so potential impacts can be adequately assessed in line with levels of protection and set out appropriate principles that will be followed that priorities avoidance, mitigation, compensation and enhancements in line with the threats and challenges highlighted in the supporting documents.</p> <p>In our view the plan requires a Habitat Regulations Assessment and the findings of this needs to be included in this section of the plan when it has been carried out, along with a related planning policy and any supplementary planning guidance required.</p> <p>In addition we strongly recommend that a supplementary planning document is produced for the outstanding natural environment in the Isles of Scilly to support the delivery of this plan. If this is not going to be produced then substantive changes</p>	Partially accept	Amend paragraph 146 accordingly but note that the Local plan is subject to a HRA



	<p>will be required to ensure that the plan can demonstrate that it is protecting and enhancing the natural environment.</p>		
<p>10</p>	<p>para 146 biodiversity, Page 57 It appears that there is much more detail about protection of the historic environment than the natural environment; therefore suggest the following (taken from Historic Env section P.164) is added to P146: Assessing Development Proposals: Where natural assets (those listed in Policy OE2) which are: Sites of Special Scientific Interest (SSSIs); legally protected species; priority habitats and species listed in the national Biodiversity Action Plans; habitats and species of principal importance for the conservation of biodiversity in England; trees, woodlands, including aged and veteran trees and hedgerows and stone walls; and features of the landscape that function or are of importance for the migration, dispersal and genetic exchange of wild species; are likely to be affected by development proposals, these should be identified at the pre-application stage. Applications for development should describe the significance of any natural asset affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance, in order to understand the potential impact of the proposal on their significance. Essentially an application should clearly demonstrate what is significant about any natural asset and how that significance would be affected by the proposal. The relevant authorities (NE/EA) should be consulted and as a minimum the Isles of Scilly Wildlife Trust, to determine whether or not a natural asset is likely to be affected and its significance.</p>	<p>Partially accept</p>	<p>Add some additional detail to paragraph 146 to cover the key issues raised</p>
<p>40</p>	<p>Para 149: To set out the hierarchy of protected sites we recommend that this paragraph is broken into separate paragraphs so that each level of protection is clearly explained: International sites, national and undesignated sites Sites designated for International or European importance (or those proposed for designation) receive the highest level of protection for their ecological value and include SACs, SPAs, RAMSAR site and proposed candidate SPAs and SACs. The presumption in favour of sustainable development does not apply to these sites but plans are subject to legal tests of Habitat Regulation where development will not be permitted unless it can show it will not have an adverse effect on the integrity of the designated site, whether direct or indirect. Sites of Special Scientific Interest (SSSI) and Marine Conservation Zones (MCZ) receive protection at a national level. Developments inside or outside of these protected sites, alone or in combination with other developments will only be</p>	<p>Partially accept</p>	<p>Amend paragraph 149 accordingly, including reference to undesignated sites and a new paragraph on protected species. However, there are no ancient woodlands on the Isles of Scilly.</p>



	<p>permitted in exceptional circumstances, where the benefits of the development unequivocally outweigh the impacts on the sites' features and on the network of national sites.</p> <p>Undesignated or local sites provide a range of social and economic benefits and are important in allowing the natural environment to adapt to climate change through linking and buffering protected sites, and creating new habitats. Sites should be avoided where they link, buffer or provide connectivity and alternative locations should be considered.</p> <p>Protected species</p> <p>A paragraph highlighting the levels of protection afforded to species needs to be included and how they will be assessed in the planning process.</p> <p>Ancient Woodland and Trees</p> <p>A short paragraph on how these will be protected, if there are any.</p>		
20	<p>Para 149 States that development within or outside a SSSI... will not be permitted unless the benefits clearly outweigh any adverse impacts". This would appear to be a policy statement and therefore a matter that should be addressed in Policy OE2.</p>	Accept	Amend Policy OE2 accordingly
40	<p>Para 150: This needs to be broken into a series of paragraphs, explaining the process of assessment and the delivery of mitigation and enhancements. We would recommend the following wording:</p> <p>Developments should seek to enhance biodiversity and avoid any adverse impacts. All effects upon the natural environment should be addressed sequentially in accordance with the principle of the 'mitigation hierarchy':</p> <ul style="list-style-type: none"> • Avoid e.g. site location, buffers, reduce, moderate, minimise. • Rescue e.g. translocation • Repair, reinstate, restore • Compensate or offset <p>When significant impacts are likely then the first priority should be to re-located the development to another site. If impacts cannot be avoided then mitigation needs to be considered. Where this is not possible then as a last resort full compensation should be provided to replace the lost habitat. All plans or proposals should identify what biodiversity enhancements they include.</p> <p>Where the natural environment is likely to be affected by development proposals this needs to be highlighted at the pre-application stage to determine what level of assessments are required. A desktop search of protected sites and priority habitats should be carried out. This information can be found on www.magic.gov.uk. Plans</p>	Partially accept	Amend paragraph 150 to cover the key issues raised, although a proportionate approach is required in recognition of the scale and nature of development on the islands.



	<p>which have the potential to impact on biodiversity or geodiversity will need to be accompanied by an ecological statement. This should outline the ecological value of the site, the nature and extent of the impact of the proposed development on the site as well as any indirect effects (e.g. Such as the potential to increase disturbance effects such as noise, lighting, recreational pressure, trampling, domestic pets, etc. or increase risks on non-native invasive species impacts), and outline any mitigation measures and enhancements proposed. Further searches may be required for wildlife information and a range of environmental organisations hold data including IoSWT, ERCISS, BTO, RSPB and others. Advice will need to be obtained on the level of detail required for wildlife information and any surveys that need to be carried out. This work will need to be carried out by a competent and accredited person. A construction environment management plan may be required in some cases to avoid impacts on breeding species, remove non-native species, etc. Further information on the standard of surveying and reporting required is set out in the biodiversity SPD.</p> <p>Development will be supported where their purposes is to support the maintenance, enhancement or restoration of existing wildlife sites, and environmental opportunities such as those identified in the Isles of Scilly National Character Area (SE01-SE04) and Natural England’s IPENs report and the IoS AONB management plan.</p>		
20	<p>Para 150, clarification is sought on what the first line is aiming to achieve? Is it referring to management of existing designated sites?</p>	Accept	Amend paragraph 150 to clarify its aims
40	<p>Policy OE2: We recommend the following changes are made to provide clarity on the levels of protection afforded to biodiversity and includes the information is required and how it will be assessed.</p> <p>Developments will conserve, and where possible restore and/or provide net gains to, biodiversity and geodiversity commensurate with their protected status and giving appropriate weight to their importance.</p> <p>All developments must ensure that the importance or habitats and species is taken into account when locating, scaling and designing developments, and opportunities for enhancements are included. They should incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats and minimise the impacts of non-native species throughout the lifetime of the development.</p> <p>European sites</p>	Partially accept	Amend Policy OE2 to cover the key omissions but phrased so that it is consistent with the wording of other policies in the Local Plan. However, elements of the proposed changes would be more appropriate if contained within the reasoned justification.



The highest level of protection will be given to potential and existing SPAs, SACs and listed and proposed RAMSAR sites.

Proposals having an adverse impact on the integrity of such areas that cannot be avoided or adequately mitigated to remove those adverse effects will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are: a) no alternatives; b) imperative reasons of overriding national interest; and c) necessary compensatory provision can be secured to ensure the overall coherence of the Natura 2000 network is secured.

Development will only be permitted where the Council is satisfied that the necessary mitigation is included such that, in combination with other developments, there will be no adverse effects on the integrity of the site.

National sites and legally protected sites Development proposals within or outside a SSSI or MCZ which would be likely to adversely affect the site, its features or protected species (either individually or in-combination) directly or indirectly will not be permitted unless the benefits of the development clearly at this site, clearly outweighs adverse impacts on the site and adverse impacts on the wider network of SSSIs and the marine conservation zones.

Local Sites and habitats and Species of principle importance.

Development likely to adversely affect Local sites and habitats and species of principal importance for the conservation of biodiversity in England, trees, woodlands, including aged and veteran trees and hedgerows and stone walls; and features of the landscape that function or are of importance for the migration, dispersal and genetic exchange of wild species will only be permitted where the need and benefits of the development clearly outweigh the loss and coherence of the local network is maintained.

Avoidance, mitigation and compensation for biodiversity and geodiversity.

Development should avoid adverse impacts on existing features. Where this is not possible applications will need to:

- a) Demonstrate that it could not reasonable be located on an alternative site that would result in less or no harm to the biodiversity or geodiversity interests; and
- b) Provide adequate and proportionate mitigation, secured through planning conditions or legal agreements that would avoid, mitigate against or, as a last resort, compensate for adverse effects likely to result from development.

Clear arrangements for the long term maintenance or management of the mitigation and compensation needs to be provided.

Assessing Development Proposals



	<p>Where biodiversity and geodiversity is likely to be affected by development proposals this needs to be highlighted at the pre-application stage. The planning department should be contacted to determine the level of information required. Plans which have the potential to impact on biodiversity or geodiversity will need to be accompanied by an environmental statement (or similar), carried out by a qualified person, outlining the sites economical value, the nature and extend of the impact of the proposed development on the site as well as any indirect effects (e.g. such as the potential to increase disturbance or increase risks on non-native invasive species), and outline any mitigation measures and enhancements proposed. This should include construction and post development impacts.</p>		
12	<p>Policy OE2: This policy sets out the conditions that must be met when development has the potential to impact on designations within the biodiversity and geodiversity hierarchy. The policy reflects the requirements of the NPPF and the Natural Environment White Paper 'The Natural Choice' and we support this approach.</p>	Noted	
20	<p>Policy OE2: We advise that this policy be revised to reflect NPPF paras 113 and 118. The policy should set out criteria against which proposals for development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and give appropriate weight to their importance and the contribution they make to wider ecological networks. The policy should also state the need to first avoid, adequately mitigate or as a last resort compensate for significant harm as a general principle for development rather than a matter to be addressed through planning conditions.</p> <p>We welcome reference to net gain in this policy but advise that net gain should be sought on all development where possible, as a matter of principle (Nppf para 109). The last bullet point within the policy refers “features of the landscape that function or are of importance for the migration, dispersal and genetic exchange of wild species.” It would be difficult for users of the planning system to know where these areas are. Where are these areas defined or shown? We welcome the opportunity to work with you to develop policy wording for inclusion in the publication version of the Plan.</p>	Accept	Amend Policy OE2 accordingly but needs to be consistent with the National Planning Policy Framework



21	<p>Policy OE2</p> <p>Some strengthening of criterion (a) of this policy is also required. At least, the word 'clearly' should be inserted before the word 'outweighs'. This would also provide greater consistency with policy OE1.</p> <p>In the final bullet point of the policy the wording is not clear. It would be more comprehensible if the words 'function or' were deleted.</p>	Accept	Amend Policy OE2 accordingly
29	<p>Policy OE2: Have regard to genetic diversity (individual island populations, different varieties of elms on the islands). Have regard to the deliberate or accidental introduction of non-native invasive species (current UK reference list)</p>	Accept	Amend Policy OE2 accordingly
39	<p>Policy OE2: We welcome the references to here to ancient woodland, aged and veteran trees but would welcome a reference to these receiving 'wholly exceptional' protection, in line with emerging NPPF. The Woodland Trust is campaigning for the NPPF to be amended to reflect the irreplaceable nature of aged and veteran trees and that they continue to benefit from equal consideration in planning decisions, and received 'wholly exceptional' protection along with ancient woodland.</p>	Noted	
20	<p>Policy OE2: Net Gains for biodiversity: We recommend that the Council consider the merits of a strategy to help deliver biodiversity net gain. The current NPPF states that net gain should be sought "where possible" but emerging policy would suggest that achieving net gain for biodiversity will become an accepted requirement. This could be realised through net gains on site but the option also exists for the Council to develop a more strategic approach. We would be happy to explore this matter with you.</p>	Accept	Amend Policy OE2 accordingly
37	<p>Policy OE2: Has any thought been given to the implications of Brexit on this? The regulatory landscape could be quite different within the plan period.</p>	Noted	<p>It is considered that the legislation applying to the environment will remain much the same following Brexit and given that most EU legislation relating to the environment originated from UK law.</p>
37	<p>Policy OE2 a): We see this policy as a serious loophole which potentially undermines attempts to protect the Bio- and Geodiversity of these Islands.</p>	Noted	<p>It is acknowledged that Policy OE2 does need revising so it more closely aligns with the NPPF and based on the representations from various environmental bodies. With such revisions it is considered that Policy OE2 provides an appropriate</p>



			framework to protect bio and geo diversity on the islands.
21	<p>Policy OE3</p> <p>This policy introduces an ‘exceptional circumstances’ test for development that would substantially harm heritage “assets of the highest significance”. In view of the several different kinds and degrees of importance of these assets the policy needs to state which heritage assets qualify as being of the ‘highest significance’. Otherwise it will not be clear if this important ‘exceptional circumstances’ test applies.</p>	Accept	Amend Policy OE3 accordingly
13	<p>Paras 187-190: Dark sky</p> <p>Cornwall Council welcomes the inclusion of paras 187-190 on light pollution. Community-led efforts are underway for an International Dark-Sky Association designation for West Cornwall and the Isles of Scilly. This is supported by Cornwall Council. We recommend that para 187 is strengthened by referring to the impact of light pollution on human health. 188 could be improved by including the avoidance of blue-white and overly bright light, use of timers/sensors and only using lighting where it is needed.</p> <p>Para 125 of the NPPF states “By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”. Limiting light pollution is also incorporated into the revised draft NPPF (para 178c). Consideration could also therefore be given to design policy/guidance on windows, skylights and conservatories with respect to light pollution. We recognise however that discouraging certain forms of glazing could potentially conflict with draft Policy SS2.3.c) encouraging “natural light”. Solutions could include the recessing of large areas of horizontal glazing for example. Signposting to further dark sky advice is advisable.</p> <p>Cornwall Local Plan Policy 23 seeks to maintain areas of dark sky and draft IoS Policy OE4 would complement this. We recommend changing the word “spillage” to “pollution” since the colouration of lighting can also be detrimental to the health of humans and wildlife.</p> <p>We would be very happy to discuss our approach and ideas for minimising light pollution with you. In addition we have initiated an email group with other areas seeking international dark sky designations and are pleased you are involved in this conversation.</p>	Accept	Amend paragraphs 187 & 188 and Policy OE4 accordingly



23	Policy OE4: This refers to 'dark skies'. This is important and needs to be preserved but no mention is made of obvious measures that can be taken now to prevent unnecessary lighting, for example near the school, long after the school day has ended. Others might include the industrial estate and the quay. Vigilance in such areas will not only reduce light pollution but also save money on electricity.	Noted	Measures to prevent unnecessary lighting are set out in the reasoned justification to Policy OE4.
5	We are primarily sending an endorsement of your planning objectives set out in OE4. 187-190. re light pollution. It is essential to control light pollution within our local community which boasts the amenity of 'England's darkest district' (CPRE assessment) and of which we plan to make maximum use of. We note your intention to limit the impact of light pollution by only permitting appropriate lighting, of good design. We would hope that any obtrusive lighting already in place will come under the same scrutiny and controls.	Noted	
37	Light pollution from within buildings requires attention. As does the apparent loophole for church buildings and floodlighting of hotels. As with all policies there must be clear evidence of preparedness to enforce. Limiting the policy to new buildings only is too narrow	Noted	The Local Plan can only deal with new development or where existing development is subject to change – it cannot therefore deal retrospectively where existing buildings are causing a concern as beyond its scope and remit.
14	Para 196: To ensure the social, economic and safety aspects of the islands and their inhabitants are met: noise and vibration - clause 196 stipulates development will not be permitted in such areas. For this reason the areas in Old Town should be REMOVED from the DRAFT plan.	Noted	This paragraph relates to development proposals that are likely to cause noise and vibration as a result of the activities being proposed (and not as a consequence of any construction or building). Proposals for new homes would not therefore cause such potential nuisances,
14	Para 197: Air Quality - Clause 197 states the airport to be one of three main contributors within the DRAFT plan, the areas in Old Town should be REMOVED from the DRAFT plan.	Noted	The emissions resulting from the Airport are not considered to be so significant that it would create a problem for the proposed new homes at Old Town given the frequency and size of aircraft
40	Policy OE5: We support the inclusion of this policy	Noted	
23	OE5-7 Agreed	Noted	



40	Para 204: The movement of materials to and around the islands had the potential to transport non-native invasive species which can have an impact on wildlife, health and the economy. This needs to be highlighted and controlled. We recommend that an additional bullet point is added to the information required for waste management plans.	Accept	Amend paragraph 204 accordingly
14	Para 204: Construction and Demolition - Clause 204 refers to waste audits. Waste for construction and demolition should be written into contracts as being the responsibility of the contractor to dispose of away from the islands. New homes what to build - clause 210/Policy LC1 wrongly identifies land specifically allocated for development in Old town on St Mary's. As previously advised and for this reason the areas in Old Town should be REMOVED from the DRAFT plan.	Noted	The management of waste resulting from construction and demolition is included within specific contracts with the Council where appropriate although this is not an issue for the Local plan as beyond its remit and purpose. The allocations at Old Town are considered to be in sustainable locations with limited impact on the environment.
40	Para 204: Depending on the scale and nature of the development, waste management plans should also include a waste audit to provide the following information: e) a biosecurity plan which sets out how the transport of non-native species will be controlled/prevented.	Accept	Amend paragraph 204 accordingly
38	Policy OE6: Strong support is given to this policy and should be applied widely.	Noted	



<p>13</p>	<p>Policy SS2, Policy SS3, Policy SS8, Policy OE6 and paras 66, 78: Waste and energy</p> <p>We welcome the support that the draft Plan gives to the Smart Islands programme. Smart Islands will enable new methods that reduce the environmental impacts of waste disposal and generate energy from the waste, thereby improving energy resilience and help drive waste management up the waste hierarchy and support the proximity principle (ambitions of the National Planning Policy for Waste).</p> <p>We support the requirement of a Site Waste Management Plan through draft Policy SS2 and suggest this is extended to include where buildings are to be demolished and rebuilt.</p> <p>Draft Policy OE6 requires development to “...include waste management solutions that have regard to the waste hierarchy...” We recommend that the wording is strengthened. For example, Cornwall Local Plan Policy 19 states “Proposals must show best solution having regard to the ‘waste hierarchy...’.</p> <p>The preference for on-island construction waste management (where appropriate) at draft Policy OE6 is supported.</p> <p>We recommend a policy seeking the provision of recyclable waste storage in relevant new developments is included.</p> <p>Draft Policy SS8 is welcomed in its support for enhancing the resilience of the islands through renewable energy.</p>	<p>Accept</p>	<p>Amend Policy OE6 accordingly</p>
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15 Aims 2, 4 and 5, Policy OE6 and paras 198 to 204: As set out in the Scoping Report response, waste policies within the local plan should be formulated with appropriate regard to the National Planning Policy for Waste ('NPPW'). The NPPW provides that in preparing Local Plans, waste planning authorities should:-

- undertake early and meaningful engagement with local communities so that plans, as far as possible, reflect a collective vision and set of agreed priorities when planning for sustainable waste management, recognising that proposals for waste management facilities such as incinerators can be controversial;
- drive waste management up the waste hierarchy (Appendix A), recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal;
- in particular, identify the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan...;

...

- consider the extent to which the capacity of existing operational facilities would satisfy any identified need.

Para 5 NPPW advises – "Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against each of the following criteria:

- the extent to which the site or area will support the other policies set out in this document;
- physical and environmental constraints on development, including existing and proposed neighbouring land uses, and having regard to the factors in Appendix B to the appropriate level of detail needed to prepare the Local Plan;
- the capacity of existing and potential transport infrastructure to support the sustainable

Partially accept

Add additional reasoned justification setting out the current and proposed waste management practices on the islands, including the amounts and types of waste currently being produced.



20	<p>Policy OE6: we could not find an assessment for waste management capacity (to identify whether new facilities are likely to be required over the Plan period). The NPPW states that “waste planning authorities should prepare Local Plans which identify sufficient opportunities to meet the identified needs of their area for the management of waste streams (NPPW para 3)” and that “waste planning authorities should identify, in their local plans, sites and/or new areas for new or enhanced waste management facilities in appropriate locations” (NPPW para 4). Where a need for additional facilities is identified the local plan offers the opportunity to consider the location of future development and, through the SA and HRA assessment process, the suitability of potential sites. Impact on air quality will be one of a number of actors that should be assessed as part of that process. Given the environmental constraints across the Isles we feel it is important that the Plan makes a realistic assessment of allocations required to deliver the level of provision sought.</p>	Partially accept	<p>Add additional reasoned justification setting out the current and proposed waste management practices on the islands, including the amounts and types of waste currently being produced. If possible the next draft of the Local Plan will identify a site for an AD/gasification plant as identified in the Infrastructure Plan subject to the completion of the feasibility study.</p>
35	<p>Policy OE6 Tregarthen's Hotel supports draft Policy OE6 and in particular: criterion 4 that supports waste facilities for recycling, composting and the generation of heat/energy will be permitted where they improve the sustainable management of waste on the islands and accord with other relevant policies in the Local Plan.</p>	Noted	
15	<p>Minerals Para 205 is supported.</p>	Noted	
15	<p>Para 206: Aims 2, 4 and 5, Policy OE6 and paras 198 to 204: As set out in the Scoping Report response, waste policies within the local plan should be formulated with appropriate regard to the National Planning Policy for Waste (‘NPPW’). The NPPW provides that in preparing Local Plans, waste planning authorities should:-</p> <ul style="list-style-type: none"> • undertake early and meaningful engagement with local communities so that plans, as far as possible, reflect a collective vision and set of agreed priorities when planning for sustainable waste management, recognising that proposals for waste management facilities such as incinerators can be controversial; • drive waste management up the waste hierarchy (Appendix A), recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal; • in particular, identify the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in their area over the period of the plan...; <p>...</p>	Partially accept	<p>Add additional reasoned justification setting out the current and proposed waste management practices on the islands, including the amounts and types of waste currently being produced, including reference to Pendrethan Quarry as a site that manages inert construction, demolition and excavation waste. However a buffer zone is not considered necessary as there are other policies in the plan that would prevent inappropriate development from locating close to the quarry to the extent it would impact on its permitted activities in accordance with its environmental permit. Whilst reference should be made to existing</p>



- consider the extent to which the capacity of existing operational facilities would satisfy any identified need.

Para 5 NPPW advises – “Waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against each of the following criteria:

- the extent to which the site or area will support the other policies set out in this document;
- physical and environmental constraints on development, including existing and proposed neighbouring land uses, and having regard to the factors in Appendix B to the appropriate level of detail needed to prepare the Local Plan;
- the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport; and
- the cumulative impact of existing and proposed waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential.”

Para 162 NPPF requires that – “Local planning authorities should work with other authorities and providers to:

- assess the quality and capacity of infrastructure for... waste...and its ability to meet forecast demands;”

We repeat that the Local Plan should give due consideration of the requirement for a sustainable supply of local construction materials to underpin the future needs of housing and infrastructure development and where that supply may be best located on the islands.

The local plan states that “All domestic and commercial waste is taken to the Waste and Recycling Centre on St Mary’s”. (para 198) – This is incorrect and is a significant factual mistake. The site at Pendrethen has a certificate of lawfulness for use as an inert and excavation waste recycling facility. The Pendrethen site is the only private Environment Agency permitted site in the islands, and accepts Construction and Demolition waste streams direct from businesses and authorities – including the Local Authority itself.

The Pendrethen facility is a site with a long history of sustainable island building materials production, and is well equipped with modern mobile crushing, screening and handling equipment, including primary breaking of incoming heavy C&D rubble. The Council of the Isles of Scilly site at Porthmellon Moor Well has no equipment or

waste facilities on the islands (Porthmellon waste management site, Pendrethan Quarry and the composting site at Parting Carn as well as the off island waste management sites), it is not considered necessary to specifically identify and safeguard each of them with the Local Plan as none are under threat or likely to be threatened by alternative development proposals.

If possible the next draft of the Local Plan will identify a site for an AD/gasification plant as identified in the Infrastructure Plan subject to the completion of the feasibility study.



facilities for handling, breaking and processing excavation arisings, stone and rubble, and cannot accept any significant volumes or heavy grades of such waste streams. There are currently no other local sites and no other local providers of mobile crushing and screening equipment.

Pendrethen produces granitic aggregates from the granite minerals waste on site, and recycled secondary aggregates from the construction and demolition waste streams incoming. Pendrethen's products are widely used around the islands and over the years have been used in every major civil engineering project carried out locally, from the reconstruction of the Off-island Quays, to the new lifeboat slip, the airport development, the Porthcressa regeneration, the St Agnes roads, and the new Five Islands School.

The need for such a facility as Pendrethen is emphasised within the local plan, e.g. at para 202, yet no reference is made to this facility within the Local Plan, or for its protection from incompatible neighbouring development. Furthermore, paragraph 202 simply says where site re-use of construction and demolition waste is impossible, "appropriate off-site waste management or disposal will be required".

The text, and subsequent paragraphs, make no attempt to define what "appropriate" means nor give any details.

Given the importance of this facility to the islands and to comply with waste legislation and guidance, the site should be safeguarded so as to protect it from incompatible neighbouring development, including an appropriate buffer zone.

The local plan OE6 (4) policy provides that:-

Waste facilities for recycling, composting and the generation of heat/energy will be permitted where they improve the sustainable management of waste on the islands and accord with other relevant policies in the Local Plan.

But it appears that this policy has had no regard to NPPW which states:-

Waste planning authorities should identify, in their Local Plans, sites and/or areas for new or enhanced waste management facilities in appropriate locations. In preparing their plans, waste planning authorities should:

- identify the broad type or types of waste management facility that would be appropriately located on the allocated site or in the allocated area in line with the waste hierarchy, taking care to avoid stifling innovation (Appendix A);

...

- consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together and with complementary activities. Where a low carbon energy recovery facility is considered



as an appropriate type of development, waste planning authorities should consider the suitable siting of such facilities to enable the utilisation of the heat produced as an energy source in close proximity to suitable potential heat customers;

- give priority to the re-use of previously-developed land, sites identified for employment uses, and redundant agricultural and forestry buildings and their curtilages.

Accordingly, the local plan should consider appropriate locations for new waste development to which Policy OE6(4) is envisaged to apply and the provisions of the NPPW should be incorporated into that policy, i.e. the sites at the Waste and Recycling Centre and the Pendrethen inert and excavation waste recycling facility on St Mary's should be considered as the starting point for the elements of the local plan policy required by the NPPW paragraphs.

This is particularly important on the Isles of Scilly given the designation as AONB and the NPPF requirement that planning permission should be refused for major developments in an AONB except in exceptional circumstances and where it can be demonstrated they are in the public interest. Whilst it cannot be certain at this stage that such waste development would be 'major development' for the purposes of the NPPF, it is particularly important that such facilities are included within policies in the Local Plan given para 116 NPPF in order to provide an appropriate level of development plan support would for any planning applications that would be required to come forward within the Plan period to meet the needs of the Isles of Scilly.

The provision of appropriate facilities to address the waste needs of the Isles of Scilly is of particular concern given the extraordinary cost to the residents of dealing with waste ("managing waste is exorbitantly expensive (about five times higher per tonne than the mainland" - para 57 Local Plan)

Without such policy to support any planning applications for this type of infrastructure, investment in such facilities will be likely to be harder to come by.



21	<p>Policy OE7 The second sentence of this policy appears to have some words missing after the word “excavation”. Also, if the intention is to require planning applications to include such management plans this should be clearly stated. More importantly, the policy refers to recycled and secondary materials, but it fails to state how proposals for primary mineral extraction would be dealt with. This appears to be a significant omission, given the fact that such extraction has taken place and the acceptance in paragraph 207 that “the demand for local stone will always exist”. The justification and compliance section beneath this policy is stated as relating to policy OE6!</p>	Partially accept	<p>Revise Policy OE7 to clarify its intentions. However, it is not considered to be appropriate or sustainable to promote primary mineral extraction on any commercial scale given the quality of the islands outstanding environment and the drive to encourage more modern and innovative construction methods, including modular buildings, which will reduce reliance on aggregates and minerals.</p>
13	<p>Policy OE7, para 205: Minerals We welcome the support for the supply of indigenous materials through the use of recycled and secondary materials (according with NPPF para 143) and the requirement to recycle and recover construction / demolition / excavation (material) for reuse. The word “material” (or similar) appears to be missing from draft Policy OE7 however. We recommend “as an aggregate” is removed so that the policy can encompass the reuse of other materials e.g. building stone/quoins or roofing materials.</p>	Accept	<p>Amend Policy OE7 accordingly</p>



15 Aims 2, 4 and 5, Para 129 (and Policy OE7) - Sea Defence and Flood Defence: Pendrethen is an important local source for lighter grades of granite armourstone, rip-rap, and aggregate for sea defence, flood defence and drainage projects. The draft Local Plan emphasises the importance of flood defence and sea defence to the islands (paragraph 122 onwards). The Local Plan seeks the maintenance and strengthening of existing defences, both man-made and natural, stating that it will be important to protect property and critical infrastructure (para 126). Furthermore, at Old Town on St Mary's it shows the potential sites for new housing development within the relatively vulnerable area inland from Porth Minack. Porth Minack's historic sea defences were cost-effectively repaired in 2016 using rock armour and stone from Pendrethen. Pendrethen already stockpiles natural local granite boulders larger than 750kg where possible, for future should be safeguarded as an essential local resource providing further cost-effective rock armour. It is noted that there is likely to be a very significant funding gap between the number and scale of required "Hold The Line" Flood Defence projects in Part E (page 127 – 134) of the draft Local Plan and the budget identified in Para 129 (p.48) of the Plan: £1.4m is a very small amount of funding for the requirements, and only with cost-engineered projects will such budget have a hope of being effective. Procurement of materials from the islands can assist in reducing costs by avoiding transport charges and also benefits the islands' economy.

Noted



20	<p>Minerals OE7 – Para 207 notes that local stone is a key characteristic of the vernacular of the Islands and para 206 that historically mineral extraction has taken place on the Islands. Has the LPA considered the merit of identifying minerals safeguarding areas? Provision for the identification of such sites is set out in the NPPF, para 143.</p> <p>Clarification is sought regarding the need for aggregate required for development (over and above provision from recycled materials) and whether this is likely to be imported or whether a new site or sites are likely to be required. Where a need for additional facilities is identified the Local plan offers the opportunity to consider location of future development and through the SA/HRA assessment process the suitability of potential sites. Given the environmental constraints across the Isles we feel that it is important that the plan makes a realistic assessment of allocations required to deliver the level of provision sought.</p> <p>We suggest rather than including minerals and waste under the chapter on the environment, they have a chapter in their own right.</p>	Noted	<p>It is not considered to be appropriate or sustainable to promote primary mineral extraction on any commercial scale given the quality of the islands outstanding environment and the drive to encourage more modern and innovative construction methods, including modular buildings, which will reduce reliance on aggregates and minerals. As such, it is not considered appropriate to identify minerals safeguarding areas, particularly in the context of no active quarries or extraction points on the islands. Given the limited scope and opportunities for new minerals and waste related developments, it would be disproportionate to have a separate chapter for both of these activities.</p>
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Chapter 3: Building a Strong Living Community

Pages 76 – 92

Chapter 3 Building a Strong Living Community			
Ref	Comments	Officer Response	Amendments to the Draft Plan
38	<p>Provision of a sustainable housing stock is fundamental to resolving some of the wider issues on the islands relating to employment and the economy. Successful delivery of new schemes is key and has been an obstacle in the past – in the current climate of reduced government spending, viability is perhaps</p>	Noted	<p>The Local Plan has been framed to widen the scope of those eligible for affordable homes to meet the varied housing needs of the islands community whilst restricting</p>



	<p>more challenging than ever. The Chapter recognises this challenge and embraces the solution of enabling development from market homes to deliver the homes the community needs.</p> <p>The Draft should also be commended for recognising that by adopting a planning condition for 'principal residence' values will be suppressed an, in the case of the enabling development, this would result in more units being built than if no residency restriction were imposed.</p> <p>Focus is rightly given to affordable homes but there are sections of the community who may not qualify for affordable or social homes but who still cannot afford a homes from the general housing stock. Care should be taken to avoid that there are homes for those who cannot afford the general market homes but also would not qualify for an affordable home.</p>		<p>open market to principal residence will make these homes more affordable to those that do not qualify for affordable homes.</p>
28	<p>Vacant Building Credit: We note that the Local Plan Review is silent on the use of Vacant Building Credit (VBC) within the Authority. As the use and impact of VBC varies greatly, we are of the view that if the Council were minded not to allow VBC in their respective areas, it should be appropriately justified within the Local Plan.</p>	Noted	<p>Due to low vacancy rates VBC is not considered to be an issue that the Local Plan needs to address.</p>
20	<p>Housing provision. It would appear that between 40-50% more homes than allocated will be required to deliver the affordable housing sought and meet the full objectively assessed needs over the plan period (as required by NPPF para 47) unless affordable homes are to be delivered through grant funding. Given the environmental constraints across the Isles we feel it is important that the Plan makes a realistic assessment of sites required to deliver the total amount of homes and that options for delivery are tested through the SA and HRA process.</p>	Noted	<p>The Local Plan provides a good and realistic range of housing sites to meet the requirement for affordable homes together with open market housing to enable its delivery. In addition, the Local Plan provides opportunities for windfall sites on each of the islands. The Local Plan is subject to an SA that incorporates a HRA.</p>
27	<p>Having have read the shma and attended the consultation, I have the following concerns and comments about the local plan: That the shma identified 3 scenarios and only one has been put forward for consultation There is a need to consider a positive growth scenario for population/households as well as a holding steady scenario. (Page 53 of shma)</p> <p>That the oan figure includes a vacancy rate of 28.7% based on current usage of housing stock, therefore 109 units to get 78. Is it right to perpetuate such a high vacancy rate. That a very small sample was used to calculate the oan (30% return from the housing survey). That the proposed open market housing option will not deliver the housing needed: Because the percentage of affordable</p>	Noted	<p>It is considered that the Local Plan sets out a robust framework to deliver affordable homes to meet the needs of the islands communities as established in the SHMA. This strategy makes it clear that open market will only be permitted where it enable and facilitates the delivery of affordable homes and that they will be restricted as a principal residence will make these homes more affordable to those that do not qualify for affordable homes. The</p>



housing using this model will be small (based on figures from other developments e.g. poundberry.). That at 80 % of open market value the affordable units will not be affordable for local need- the shma identified low average salaries particularly amongst concealed households. (74.9% of concealed household earn below the regional average of £26,518)

That there has been churn in the current open market housing -119 sales on the open market over the last 7 years (ref right move). Also the shma identified there had been an increase in unoccupied stock by 83 from 2001 to 2011. Considering the above affordable open market housing would not address problems in the long term. That the council look at alternative solutions to a local problem rather than just following national policy. Policy is meant to evolve to deliver what is needed not set in stone.

high vacancy rates for the islands is considered to be sensible given the significant number of second and holiday homes on the islands.

Under the current methodology it is common practice to implement a vacancy conversion using the difference between occupied household spaces and total household spaces (i.e. non permanently occupied household spaces) as a way of converting a need figure based on the number of households to a dwelling figure. While the Isles of Scilly vacancy rate is high this technical conversion in the modelling is not perpetuating a figure as a policy aim but reflecting that without control not all housing is always retained in permanent use. Under the current methodology it is common practice to implement a vacancy conversion using the difference between occupied household spaces and total household spaces (i.e. non permanently occupied household spaces) as a way of converting a need figure based on the number of households to a dwelling figure. While the Isles of Scilly vacancy rate is high this technical conversion in the modelling is not perpetuating a figure as a policy aim but reflecting that without control not all housing is always retained in permanent use. The SHMA 2016 set out the latest official projections which projected both population and household decline for the Isles of Scilly. A static population and modest population growth scenario were developed and set out in the SHMA. Given arguments around



economic robustness and the sustainability of services the population growth scenario was felt to be the most robust way of setting out the basis for a housing target, consistent with current guidance and best practice.

Status of the SHMA 2016 scenarios

The two scenarios are:

- Modest growth – (linked to a ten-year average of net migration), and
- Static or no overall growth

The official projections showed a decline in population and households for the Plan period.

THE SHMA 2018 update Housing Need reviews the latest available data and migration led scenarios published by the Greater London Authority for all local authorities. It uses best fit data to produce a standardised methodology Local Housing Need figure.

This confirms OAN/LHN at 8-10 dwellings per year (120-150 by 2030).

The SHMA 2016 scenarios are appropriate in the technical modelling to understand the “official” benchmark projections, and the scale associated with a static population and a reasonable (set against past rates) population increase. These are not “options” or alternative targets. The methodology behind local housing need assessment (OAN) is to assume the higher – the Local Plan housing target can be lower but the need figure is taken as the highest of available options.



The Isles of Scilly SHMA and then the Local Plan have based the assessment of need on the only meaningful figure which sets out a positive population, household and therefore dwelling requirements. The static scenario has a slight positive household and therefore dwelling requirement but this would need to be adjusted to meet the newly arising household need higher figure. The approach of the Plan is entirely appropriate given the nature of the Islands, the need to provide a range of housing and support economic and service sustainability, and the need to plan positively for growth in line with longer term (and actual achieved) trends.

The Plan has little option in terms of the expression of the OAN but to use the highest available figure given the declining message of the official projections.

There may need to distinguish between Issues and Options stage consultation and the scenarios in the SHMA (2016). It is not the role of the draft local plan to set out alternative options. The SHMA (2016) is a technical document and while comments can be made on it, there appear to be no sound reasons to pursue housing targets based on a declining population or households, or a static population.

Note Paragraph 6.1.5 of the SHMA (2016) references people when it should reference households. This mistake is repeated in 6.1.10



7	para 210- Delivery of 7 affordable homes each year - we welcome with this proposal but would like this to include at least 2 further plots set aside in each phase for qualifying Self-Builders in the designated areas.	Noted	Due to the limited number of specific housing sites being identified and to ensure that they are used to maximum efficiency, it is not considered appropriate to set aside a couple of plots for custom or self-build homes as this would be speculative and may not necessarily be built. Opportunities for custom and self-build will arise through windfall sites, which is considered to be a more appropriate and flexible approach in the context of the islands.
7	Para 211 - Affordable Homes - Intermediate housing - we welcome this approach but would like to see a pro - rata based discount scheme for potential buyers, perhaps based on length of residency or tenancy on the islands, (subject to maximum and minimums).	Noted	This level of detail is not considered appropriate for inclusion in the Local Plan and will be considered in supplementary guidance.
40	Para 213: On the mainland affordable housing requires three open market houses to be built for the development to be economically viable. The plan needs to provide a figure on the potential scale of open market houses required and identify potential areas of allocation along with additional infrastructure requirements so the plan can be adequately assessed.	Noted	The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site and will depend on any additional funding sources that might be available meaning that it is not considered appropriate to specify an open market housing target.
38	Para 218: Preserving homes for use by those employed in or having lived a long time in the islands is positive and the sequential test is noted. It is not clear how a 'sufficient amount of affordable homes' will be objectively assessed.	Noted	The sufficient amount of affordable homes has been identified through the SHMA



7	<p>Para 219 - Type & Mix of housing tenures - this should include the opportunity for qualifying residents to self - build. If reType & Mix of housing tenures – This should include the opportunity for qualifying residents to self – build. If residents are willing to invest their own monies into their future on the islands, this should be acknowledged and supported by the Local Plan – subject to relevant qualifying criteria.</p>	Noted	<p>The Local Plan does provide opportunities for custom and self-build (see para 232) and does not need to be specifically mentioned in paragraph 219</p>
38	<p>Policy LC1: The tests set out at the end of this policy should be objective. How will the necessary thresholds be determined for viability? What is an excessive number of additional houses?</p>	Noted	<p>Viability will assessed on a case by case basis as set out in paragraph 216. What constitutes an excessive number of additional houses would be objectively assessed on a case by case basis having regard to any impact on the environment and available or planned infrastructure.</p>
7	<p>Policy LC1- The proposed policy is most welcome and it is really pleasing to see that the 'gap' in our local housing situation is being acknowledged, specifically in relation to the increasing need for intermediate housing. However- in order to offer a genuine 'choice' of housing tenure and to achieve a balanced local housing market, self-build plots should also be made available for long standing residents such as ourselves who cannot afford to buy on the open market but want to invest in our future on these islands. This could be similar to the original self build scheme at Trench lane and would potentially free up much needed social housing whilst at the same time enabling residents, who are committed to the islands to have a realistic chance of home ownership and the security that brings them in the future.</p>	Noted	<p>The Local Plan does provide opportunities for custom and self-build (see para 232) through windfall developments in accordance with Policy LC7.</p>
15	<p>Chapter 3, Policies LC1, OE6 and OE7 - Housing developments The local plan identifies the construction of 105 new local homes within the plan period. Pendrethen has provided recycled aggregates, and Construction and Demolition waste recycling and / or mobile crushing and screening to every significant housing project on St Mary's in the last 14 years. Projects include the Normandy houses "Barnes Acre" development. The Pendrethen site therefore has proved to be essential in enabling these works to be carried out in a practical and cost-effective manner using local resources and contributing towards sustainable development.</p> <p>The development boundary at McFarlands Down/Telegraph is supported in terms of seeking to prevent any further residential development to the north of</p>	Noted	<p>Developments boundaries are only being considered as an option and it is unlikely that they will form part of the Local Plan. Development in the smaller settlements will therefore be assessed against Policy LC7 although the proposed development boundaries could be used as part of any assessment. Furthermore, in recognition of the established use of Pendrethan Quarry in relation to inert construction, demolition and excavation waste any proposals for new housing in the vicinity would need to</p>



	<p>that area – which would be incompatible with the waste and potential mineral uses of Pendrethen.</p>		<p>take account of any potential disturbance resulting from such activities.</p>
<p>20</p>	<p>Policy LC1 allocates sufficient land (3.25ha) for up to 105 affordable homes and support the approach of allowing market homes where they enable the delivery of affordable housing. The Housing viability assessment recognises that “Housing development on Scilly would not be able to deliver schemes of purely affordable housing without significant levels of grant funding. In order to deliver affordable homes without grant, around 40% to 50% of dwellings will need to be market housing. Local Plan Policy LC1 supports the approach of allowing market homes where they enable the delivery of affordable housing”.</p> <p>It would appear that between 40-50% more homes than allocated will be required to deliver the affordable housing sought over the plan period and meet the full objectively assessed needs over the plan period and meet the full objectively assessed needs (as required by the NPPF para 47) unless affordable homes are to be delivered through grant funding. Given the environmental constraints across the islands we feel it is important that the plan makes a realistic assessment of site required to deliver the total amount of homes, as projected and that allocation options are tested through the SA/HRA process. In particular an assessment should address how the projected need for housing could be delivered without having a significant impact upon the AONB or its setting.</p> <p>Clarification is also sought regarding the provision of tourism related accommodation. We would welcome the opportunity to discuss this issue with you in more detail in order that we can fully understand factors influencing housing supply and deliverability on the islands. The strategy for housing and any sites identified should also be assessed through the HRA process in order that avoidance and/or mitigation measures can be identified and reflected in the SA and Plan policy. The impacts from recreational activities associated with development will need to be assessed as part of this process.</p>	<p>Noted</p>	<p>The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. It is not therefore considered appropriate or possible to specify the amount of open market housing that will be permitted. However, the environmental impact of any detailed residential proposal will be assessed through the planning application stage although it is envisaged that the majority of new homes will be built on the specific sites identified in the Local Plan and therefore subject to a Sustainability Appraisal that incorporates a HRA.</p> <p>Similarly it would be difficult to predict the precise amount of tourist accommodation that will come forward as a result of the Local Plan. However, given the criteria based approach of the Local Plan in relation to tourism developments the environmental impact of any detailed proposal will be assessed through at the planning application stage and would take</p>



			into account any in combination/cumulative impacts.
21	<p>Policy LC1 With regard to criterion (b) the inclusion of open market housing should surely be limited to the allocated sites, since the windfall sites would be limited to small scale proposals. I question whether the evidence would justify open market housing on windfall sites when so much land has been allocated for residential development. Open market housing on such potentially widespread windfall sites would encourage development sprawl and risk damaging the very sensitive environment of the islands. It should be made clear that the third sentence of the policy relates only to policy LC6 and not to policy LC7 as the size of windfall proposals, as indicated in paragraph 231, should be very limited and should not be subject to a requirement to include a mix of house types, sizes and tenures.</p>	Noted	Open market housing may be required to facilitate some affordable homes on windfall sites depending on the scale and type of affordable homes being proposed.
22	<p>Policy LC1: Housing Strategy to 2020: Page 78: In delivering up to 105 'affordable homes' how many 'open market' homes will need to be built to ensure (covered) the cost of the former?</p>	Noted	<p>The amount of open market housing required to enable and facilitate affordable homes is unknown and will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. In the last three 15 year periods there has been population changes: 1992-2007 310 change 1997-2012 371 change 2002-2017 89 change The Local Plan is based on a SHMA scenario which increases population over the plan period by 150 compared to the Sub National Population Projections (SNPP) 2012 which forecast a -175 decline. The SNPP 2014 had a decline of -119 and the SNPP 2016 forecasts a reduction of population -127. The Local Plan is based on a realistic population increase scenario which is modes compared to historic</p>



			<p>growth, but which responds to recent population decline and the exaggerating effect this as had on recent projections.</p>
<p>23</p>	<p>Living Community LC1: We agree that restrictions on ‘open market’ housing are necessary but the aims do not go far enough. Ideally, there should be – in the longer term – a policy for no second homes and no open market housing. This is ultimately the only way in which housing problems for local people, especially young people, with relatively low incomes will be able to afford to live here. In the shorter term, we think that open market housing should be only for existing residents or incomers intending to be resident here. It should NOT be for second home owners. Without knowing the legal restraints about curbing second home ownership, every legal strategy to prevent or discourage second homes should be employed. Probably this will mean hitting their pockets hard.</p>	<p>Noted</p>	<p>Occupancy restrictions can only apply to new homes that require planning permission and cannot be applied retrospectively to existing homes that are not subject to any restrictions.</p>
<p>28</p>	<p>Policy LC1 - Isles of Scilly Housing Strategy to 2030: Smaller sites often form a considerable proportion of windfall delivery and as a result can significantly increase affordable housing delivery. This is due to the fact that these types of sites generally take less time to be build out and consequently will be available to the market sooner than provision on larger schemes. We therefore support the Council’s continued approach of a zero-dwelling threshold across the Authority. By implementing an affordable housing threshold of this nature, the Council can boost its supply of affordable housing through the contributions made on smaller sites and ensure the delivery of the Council’s affordable homes target. The Local Plan should seek to drive change across the Authority through a pragmatic and ambitious approach to affordable housing, encouraging greater diversity to meet all needs.</p>	<p>Noted</p>	<p>The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. It is not therefore considered appropriate or possible to specify the amount of open market housing that will be permitted. However, the amount of open market housing will be kept to a minimum with any impact of any detailed residential proposal will be assessed through the planning application stage</p>



31	<p>Policy LC1: It is unclear how the proposed policy for restrictions on new open market housing (principal residence only) relates to any related policy on the number of second homes and/or holiday lets in existing properties. Does this not mitigate against any net growth in new residential homes.</p>	Noted	<p>Occupancy restrictions can only apply to new homes that require planning permission and cannot be applied retrospectively to existing homes that are not subject to any restrictions, including existing second homes and holiday lets.</p>
32	<p>Policy LC1: Affordable homes – the number of affordable homes has been specified but there is no mentioned “cap” to the number of open market homes that will deliver this. Scilly’s infrastructure would not support an increase in number of residents, and natural landscape would not support an increase in the number of houses that may be required to deliver this – even the increase of 105 new homes will put a strain on resources. It is essential that a) we look to alternatives first for funding affordable homes (such as community land trust) and that this is specified in the plan and b) only if this is non-deliverable would open-market homes be considered, and at a set maximum rate of one open market home to five affordable homes. It is essential that the Local Plan is not vague on this point, and if the target is not deliverable the plan should be modified at a later date (in line with the government recommendations on Local Plans). To leave this point open, as currently set out in the draft plan will allow the “easy route” to be taken and any number of houses to be built as long as it was justified by a supporting report (with the current wording of “the minimum amount of open market homes necessary to enable the delivery of the affordable homes target”). This is unacceptable.</p>	Noted	<p>The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. It is not therefore considered appropriate or possible to specify the amount of open market housing that will be permitted. Paragraph 213 provides sufficient guidance to control the number of open market housing to the minimum number to secure affordable through the requirement of a detailed viability assessment. The amount of affordable homes (and open market) will be reviewed every five years with any targets and policies reviewed.</p>



<p>29</p>	<p>Policy LC1: Affordable homes – the number of affordable homes has been specified but there is no mentioned “cap” to the number of open market homes that will deliver this. Scilly’s infrastructure would not support an increase in number of residents, and natural landscape would not support an increase in the number of houses that may be required to deliver this – even the increase of 105 new homes will put a strain on resources. It is essential that a) we look to alternatives first for funding affordable homes (such as community land trust) and that this is specified in the plan and b) only if this is non-deliverable would open-market homes be considered, and at a set maximum rate of one open market home to five affordable homes. It is essential that the Local Plan is not vague on this point, and if the target is not deliverable the plan should be modified at a later date (in line with the government recommendations on Local Plans). To leave this point open, as currently set out in the draft plan will allow the “easy route” to be taken and any number of houses to be built as long as it was justified by a supporting report (with the current wording of “the minimum amount of open market homes necessary to enable the delivery of the affordable homes target”). This is unacceptable.</p>	<p>Noted</p>	<p>The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. It is not therefore considered appropriate or possible to specify the amount of open market housing that will be permitted. Paragraph 213 provides sufficient guidance to control the number of open market housing to the minimum number to secure affordable through the requirement of a detailed viability assessment. The amount of affordable homes (and open market) will be reviewed every five years with any targets and policies reviewed</p>
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29	<p>Policy LC1, LC2 (others?): That the decisions made by professional staff are respected and not subverted by the process of democratic oversight.</p>	Noted	
37	<p>Policy LC1: This is one suggestion taken from the SHMA and has been picked over two much lower targets, with no explanation why. Furthermore there needs to be interim targets presented, because the SHMA needs to be redone every three years so a target to 2030 is not even achievable.</p>	Noted	<p>The SHMA is being updated and reviewed to take into account the latest Government guidance and may therefore result in a revised target. It is not considered necessary to have interim targets as the Local Plan will be subject to monitoring and review. The SHMA 2016 set out the latest official projections which projected both population and household decline for the Isles of Scilly. A static population and</p>



modest population growth scenario were developed and set out in the SHMA. Given arguments around economic robustness and the sustainability of services the population growth scenario was felt to be the most robust way of setting out the basis for a housing target, consistent with current guidance and best practice.

Status of the SHMA 2016 scenarios

The two scenarios are:

- Modest growth – (linked to a ten-year average of net migration), and
- Static or no overall growth

The official projections showed a decline in population and households for the Plan period.

THE SHMA 2018 update Housing Need reviews the latest available data and migration led scenarios published by the Greater London Authority for all local authorities. It uses best fit data to produce a standardised methodology Local Housing Need figure.

This confirms OAN/LHN at 8-10 dws per year (120-150 by 2030).

The SHMA 2016 scenarios are appropriate in the technical modelling to understand the “official” benchmark projections, and the scale associated with a static population and a reasonable (set against past rates) population increase. These are not “options” or alternative targets. The methodology behind local housing need assessment (OAN) is to assume the higher – the Local Plan housing target can be



lower but the need figure is taken as the highest of available options. The Isles of Scilly SHMA and then the Local Plan have based the assessment of need on the only meaningful figure which sets out a positive population, household and therefore dwelling requirements. The static scenario has a slight positive household and therefore dwelling requirement but this would need to be adjusted to meet the newly arising household need higher figure. The approach of the Plan is entirely appropriate given the nature of the Islands, the need to provide a range of housing and support economic and service sustainability, and the need to plan positively for growth in line with longer term (and actual achieved) trends. The Plan has little option in terms of the expression of the OAN but to use the highest available figure given the declining message of the official projections. There may need to distinguish between Issues and Options stage consultation and the scenarios in the SHMA (2016). It is not the role of the draft local plan to set out alternative options. The SHMA (2016) is a technical document and while comments can be made on it, there appear to be no sound reasons to pursue housing targets based on a declining population or households, or a static population. Note Paragraph 6.1.5 of the SHMA (2016) references people when it should reference households. This mistake is repeated in 6.1.10



37	<p>Policy LC1: This target is wide open and would lead to a minimum of 105 open market homes. In reality it could be more like 210 open market. Work has to be undertaken to present a realistic figure to the community, failing that a maximum figure has to be imposed.</p>	Noted	<p>The strategy and policy framework has been established to meet the specific housing issues facing the islands and is based on an affordable need based approach - which is a different approach to mainland Local Plans. The amount of open market homes required to deliver the affordable homes will vary from site to site depending on the scale and type of affordable homes being proposed and any additional funding sources that might be available. It is not therefore considered appropriate or possible to specify the amount of open market housing that will be permitted. Paragraph 213 provides sufficient guidance to control the number of open market housing to the minimum number to secure affordable through the requirement of a detailed viability assessment. The amount of affordable homes (and open market) will be reviewed every five years with any targets and policies reviewed</p>
37	<p>Policy LC1: Options other than Principle Residence should not be offered. All evidence points to opt out options being vigorously pursued by owners and local authorities failing to resist these challenges.</p>	Noted	<p>Preference will be given to restricting open market homes for principal residence only but there may be occasions when this approach is not acceptable for the reasons set out at paragraph 216.</p>
13	<p>Policy LC1: Principal Residence Clause Whilst not a direct comment on your policy, we would be interested in working with you to study the impact of the principal residence clause in St Ives to gather evidence and market intelligence. We expect it would be useful learning for both authorities.</p>	Noted	



3	<p>Policy LC1: We own (and have done since 1997) a flat on Jacksons Hill (Lower Ganilly) which is NOT a second home. It is let more than 30 weeks of the years to holiday makers as well as our own occupation of 2-3 weeks. It is also available as a winter let. This means that the flat, as well as providing for a modest supplement to our pensions, actually generates considerable income for the islands every year. I am not 100% clear from the plan whether properties such as this which could be sold on the open market would thus become subject to the residential restrictions which the plan proposes. We have very sympathy with the islands and their moves to offer permanent homes for islanders and essential employees (both long term and seasonal) but the self-catering industry is essential to the economy of the islands and care needs to be taken that properties which are used for this purpose are not subject to restrictions which might damage the tourist industry in the long term</p>	Noted	<p>Occupancy restrictions can only apply to new homes that require planning permission and cannot be applied retrospectively to existing homes that are not subject to any restrictions, including existing second homes and holiday lets.</p>
17	<p>Policy LC1 Exhaust all avenues for the funding of affordable homes internally before making open-market homes a possibility. Modern (crowd) funding methods, joint ventures or cooperatives could enable the reduction of the 1:1 ratio that has been (optimistically)</p>	Noted	<p>All funding sources will be used to facilitate the delivery of affordable homes although in reality open market housing will also be required</p>
16	<p>Policy LC1 Exhaust all avenues for the funding of affordable homes internally before making open-market homes a possibility. Modern (crowd) funding methods, joint ventures or cooperatives could enable the reduction of the 1:1 ratio that has been (optimistically)</p>	Noted	<p>All funding sources will be used to facilitate the delivery of affordable homes although in reality open market housing will also be required</p>
7	<p>Para 220 Policy LC2 – Qualifying for Affordable homes - We would welcome a relaxation on the current, highly restrictive section 106 criteria. It has thwarted us and many other genuinely committed long-standing residents from being able to invest our own monies in our future on these islands.</p>	Noted	
37	<p>Policy LC2: These are all fine in principle, but no details are given about enforcement. Without robust enforcement of these rules there is little point in having them.</p>	Noted	<p>The Local planning Authority would enforce any breaches where it would be considered expedient through Section 106 of the 1990 Planning Act, This section allows for injunctions with any costs charged back to the person against whom the Agreement is enforceable.</p>



21	Policy LC6 As proposed, it is in the interests of sustainable development that the allocated housing sites are located at Hugh Town and Old Town.	Noted	
28	Policy LC2 - Qualifying for Affordable Homes: We encourage the Council to be mindful of the proposed changes to the definition of affordable housing put forward in the draft NPPF; proposed and any future changes to the definition should be appropriately reflected within the policy. Therefore, in order to operate as intended recommend the Council amend the Policy LC2 footnote to read: Eligibility for social affordable housing will be subject to separate qualifying criteria in accordance with the Councils housing policies.	Accept	Amend Policy LC2 accordingly
38	Policy LC2: It is not clear how/whether Section 106 agreement will work alongside 'affordable' homes. Policy is directed at affordable homes, is this at the exclusion of Section 106 type homes?	Accept	Section 106 Agreements will be used for all affordable homes other than social rent. This needs to be clarified in the reasoned justification to Policy LC2 and therefore requires some revision,
23	Policy LC2: Much mention is made of 'affordable housing' but what does 'affordable' mean? What is affordable by well-off people on the mainland is not affordable by most local people, especially those in the above categories. Let us assume that an average open market price of a three bedroom home here is about £400,000. If, 'affordable' is officially defined as 80% of market value (NPPF – 'see glossary at the end' would have been helpful!), then clearly few, if any, people in this low wage economy, who need such a home, will be able to afford one. This is not a problem that can be solved overnight but we fear that this Plan's aims will not solve it.	Noted	The terms affordable housing is defined in the Local Plan and based on the definitions set out in the NPPF.
37	Policy LC3: This is to be welcomed.	Noted	
28	Policy LC3 - Accessible Homes: We support the Council's implementation of the Nationally Described Space Standards and optional Building Regulations Part M4(2) across all tenures, subject to the appropriate viability testing.	Noted	
23	Policy LC3: It is not clear how 'accessible homes' are defined.	Accept	Add a definition of accessible homes into the reasoned justification for Policy LC3.



40	Para 225: The plan needs to identify the scale of the need and potential locations where this could be delivered so that any impacts and additional infrastructure requirements can be adequately assessed.	Disagree	The draft local plan sets out a criteria based approach to the delivery of staff accommodation. There are no specific allocations to deliver staff accommodation as this will depend on the private sector identifying where staff accommodation is required to suit individual business needs. It is not for the local plan to specify where this needs to be. The policies seek to ensure that this would be located in an appropriate location and would be of a scale that is adequately justified without giving rise to harm.
35	Policy LC4 Tregarthen's Hotel supports draft policy LC4 for staff accommodation in general, however an additional criteria that supports the re-use of heritage buildings at risk, where the balance of public benefit for the heritage asset outweighs the harm. The policy should support the sustainable re-use of existing buildings in preference to new buildings accepting that this may have slight disadvantage in terms of criterion d and e.	Accept	Amend Policy LC4 accordingly
23	Policy LC4: Staff accommodation. It is not clear here whether provision of staff accommodation refers to conversion of existing buildings now used for other purposes or to new build.	Accept	Amend Policy LC4 accordingly
37	Policy LC4: We trust that any such developments will be subject to the building and sustainability standards set out elsewhere in the plan.	Noted	The Local plan should be read as a whole so building and sustainability standards set out elsewhere will apply.
37	Policy LC5: Due to previous drafts of the plan emphasis has to be given to the fact that surplus staff accommodation has to go into the community housing stock and not into holiday accommodation. This needs to be unambiguous and enforceable.	Noted	Where staff accommodation is no longer required and to provide an element of flexibility, it is considered appropriate and acceptable that Policy LC5 permits its alternative use for both holiday use (and which may be more appropriate depending on the size, layout and location etc. than for permanent residential living) or to meet the housing needs of the community.
23	Policy LC5: Agreed	Noted	



18	<p>Para 230: Considerations submitted following questions raised at the Old Town Drop-in Session: My first question to Planning Officers and Councillors: Why were there no plans to build at Telegraph, as had been proposed years ago? Their reply was that: a) they would have to build another sewerage system to accommodate it and b) they wanted to build near the school so people would not use cars to take their children to school. My reply was: a) The sewerage system across the whole island is antiquated and needs renewing. To build add to the existing hamlet at Telegraph/High Lanes would be the start of a much needed project. It would save throwing money down the drain as Ennor Close has an area of pitch fibre pipes which are slowly being reduced in size by these pipes slowly collapsing. This results in the workforce being called out to unblock the drains. So yes our waste pipes at Ennor will need replacing but why even contemplate overloading them when another site would ease the burden. b) If this is such an issue then why not operate an electrically run school bus? This could pick up school children from all over the island if need be. I also pointed out that many people in and around Ennor Close have cars, some will drop their children at school on their way to work in the car. Some more houses will mean more cars and more congestion.</p>	Noted	<p>As set out in the spatial strategy, Old Town is considered to be a much more sustainable location for new housing than Telegraph as along with Hugh Town is considered to be the most sustainable location on St Mary's. Concentrating new homes in Old Town (and Hugh Town) will meet the aim of supporting existing and new facilities and services, improving infrastructure and reducing unnecessary vehicle movements. In particular, significant investments are planned to improve the sewerage system for both Hugh Town and Old Town to meet the impending legislative requirements that will be applied to the Isles of Scilly.</p>
18	<p>Policy LC6; Housing allocations - I don't agree with these sites but I am aware of more appropriate sites at telegraph 2 high lanes, Normandy, parting carn, longstone, sandy banks, beyond hanover court.</p>	Noted	<p>As set out in the spatial strategy, Old Town is considered to be a much more sustainable location for new housing than Telegraph as along with Hugh Town is considered to be the most sustainable location on St Mary's. Concentrating new homes in Old Town (and Hugh Town) will meet the aim of supporting existing and new facilities and services, improving infrastructure and reducing unnecessary vehicle movements. In particular, significant investments are planned to improve the sewerage system for both Hugh Town and Old Town to meet the impending legislative requirements that will be applied to the Isles of Scilly. The alternative sites being proposed are considered to be less sustainable and potentially more harmful to</p>



			<p>the islands outstanding environment and would not facilitate or take advantage of planned investments in improving its infrastructure.</p>
14	<p>Para 230: national planning policy framework (NPPF) states; Public safety form major accidents, planning policies should be based on up-date information on the location of major hazards and on the mitigation of the consequences of major accidents. With this in mind, the areas in Old Town should be removed from the Daft plan.</p>	Noted	<p>It is not clear what hazards are identified with the only potential hazards considered to be potential flooding and the proximity of St Mary's Airport to some of the proposed housing sites. Both the EA and Civil Aviation Authority have been consulted (along with St Mary's Airport) to identify any potential risks and mitigation measures.</p>
14	<p>Policy LC6: New Homes where to build - Clause 230/Policy LC6 Wrongly identifies land specifically allocated for development in Old Town on St Mary's and are located adjacent to the Airport and within a flood zone area. As previously advised and for these reasons the area in Old Town should be Removed from the DRAFT plan.</p>	Noted	<p>As set out in the spatial strategy, Old Town is considered to be a much more sustainable location for new housing than Telegraph as along with Hugh Town is considered to be the most sustainable location on St Mary's. Concentrating new homes in Old Town (and Hugh Town) will meet the aim of supporting existing and new facilities and services, improving infrastructure and reducing unnecessary vehicle movements. In particular, significant investments are planned to improve the sewerage system for both Hugh Town and Old Town to meet the impending legislative requirements that will be applied to the Isles of Scilly. Both the EA and Civil Aviation Authority have been consulted (along with St Mary's Airport) to identify any potential risks and mitigation measures.</p>



18	<p>Policy LC6: Also a couple of the proposed sites are closer to the airport in view of the fact that there have been planes overrunning into the field would it not jeopardising people's homes I realise some extra homes are needed and agree with sites H1, H2 (school sites) and H3 & H4. I am against the overdevelopment of ennor and loss of open aspect (garden grabbing).</p>	Noted	<p>Both the Airport Operator and the Civil Aviation Authority have been consulted in relation to the plan and the housing allocations specifically. The respondent's recognition that there is a need for homes for the community is welcome and absolutely sites within the Council's control such as H1 are preferable for development. However the scale of identified need suggests that these sites alone would not be sufficient to deliver the housing need over the plan period. There is no suggestion or intention to 'grab' gardens for development. All sites considered have been submitted to us for assessment for housing by the land owner.</p>
29	<p>Policy LC6: A Housing allocations: Would not want to see viability of a local farm business compromised through loss of land to housing.</p>	Noted	<p>The housing allocations have been assessed following a submission of the land by the land-owner. The control over whether an allocated site is developed or not would be within the control of the landowner and not the Council.</p>



14	<p>Policy LC6: We refer to the isles of Scilly water interests survey/report on sea defences in this regard Draft plan 2005 - policy 3 housing states (1) To endeavour to ensure that housing is available to meet the needs of the community in perpetuity and to promote sustainable communities on the inhabited islands, no general open market housing will be permitted. (2) To ensure that suitable housing is available to meet the long term needs of the community, residential development will only be permitted where it is required to meet: (a) an identified and recognised local need or to accommodate a key worker whose needs cannot be met by the existing housing stock; (b) the provision of staff accommodation for businesses on or near the where possible and where it can be demonstrated that there is no other accommodation available and it is not possible to recruit staff already housed on the islands. (3) All new residential development will be subject to secure arrangements to ensure that it remains permanently available to meet the specific identified need that justified its original permission. (4) In the case of any new dwelling, it must be sited adjacent to or integrated within an existing settlement or established group of dwellings. With this in mind, the areas in old town should be removed from the draft plan.</p>	Noted	<p>The quoted policy is from the current adopted Local Plan and will be replaced by the new Local Plan 2015 – 2030. The policies of the adopted Local Plan do not impose any restrictions on the emerging draft Local Plan. The local plan has to be based on up to date evidence not the policies of the local plan, which it is to replace. It would be inappropriate to not consider land for housing because it is contrary to the current [2005] local plan. The respondent’s comments in relation to flood risk are noted and the sites have been considered in light of coastal erosion and flood risk. Any sites that are considered to be significantly at risk, as a result of consultations with the Environment Agency and the Local Flood Risk Authority, then they would be removed as a housing allocation.</p>
23	<p>Policy LC6: The first listed item refers to land on which the old secondary school stood. Has the idea of sheltered residential accommodation for the elderly been shelved? Sheltered housing, linked to a functioning integrated health/care system, for the increasing elderly population is a priority. If, as was suggested to us, this option has been proposed because of doubts about funding the original plan, then surely there must be equal doubts about funding new ‘affordable’ housing there?</p>	Noted	<p>The draft plan does not specify the type of homes on any of the housing allocations. The secondary school site at Carn Thomas is a Council-owned land and it will be up to the Council to work with a developer on the best use of this site. The plan does not seek to restrict any housing allocation to any particular type of home.</p>



20	<p>Housing site allocations</p> <p>Where the SA identifies site specific measures for avoidance or mitigation of impacts on landscape or biodiversity these should be reflected in site specific policy.</p> <p>A number of the sites allocated for housing benefit from Higher Level Stewardship agreements in which funding is given for habitat improvement. We question whether it is reasonable to assume that these sites are deliverable within the term of the stewardship agreement. We suggest this issue is explored in more detail.</p>	Noted	<p>The respondent is asked to clarify which of the sites are benefitting from the HLSA. The housing allocations have been submitted to the LPA by the landowner for consideration for housing development. It is not considered that a Higher Level Stewardship scheme is an absolute barrier to future development if the site or sites are demonstrated to be optimal and give rise to minimal impact when compared to other potential sites. The plan has to demonstrate it is meeting the islands' future needs and that alternative allocations have been considered. The LPA have considered all potential housing sites carefully and these have been subject to Sustainability Appraisal.</p>
14	<p>Policy LC6: Draft plan 2005-Policy 1- - Air Travel infrastructure, st mary's and tesco states; future development proposals should not impede or inhibit the continued operation, expansion or improvement of either St Mary's Airport or Tresco Heliport. Any enhancement of passenger or freight-handling capacity may be made subject to planning conditions, undertakings or agreements that vary or limited hours or times of operation and resultant ambient noise levels within the surroundings of the tow terminal facilities. Air links are a vital component of the year round lifeline links between the islands and the mainland. We need to safeguard their operation and provide scope for their future improvement. With this in mind, the areas in old town should be removed from the draft plan</p>	Noted	<p>The policy referred to, Policy 1 Air Travel Infrastructure, is from the adopted 2005 local plan and not the emerging Draft Local Plan 2015 – 2030. The policies of the adopted Local Plan do not impose any restrictions on the emerging draft Local Plan. The local plan has to be based on up to date evidence not the policies of the outgoing local plan, which the draft plan is to replace. It would be inappropriate to not consider land for housing because it is contrary to the current [2005] local plan. The respondent's comments in relation to housing allocations on the activity of the airport are noted. All sites have been subject to public consultation which includes consultations with the Airport as well as the Civil Aviation Authority. Should the allocation of housing at Old Town been</p>



			harmful to the operation of St Mary's airport, and the CAA or airport operator set out clear rationale for this then the LPA would review any housing allocation on this basis.
37	Policy LC6: Carn Thomas should exclusively be used for local needs, and a fair proportion as sheltered housing. It's a prime site with excellent access to the centre of the community activities and must be held as such.		The draft plan does not specify the type of homes on any of the housing allocations. The secondary school site at Carn Thomas is a Council-owned land and it will be up to the Council to work with a developer on the best use of this site. The plan does not seek to restrict any housing allocation to any particular type of home.
37	Policy LC6: All the Old Town sites in the SHLAA are made to look artificially good in the SHLAA due to the mis-scoring of the proximity of the shops – this requires a proper review.	Disagree	There has been no attempt to make any site artificially better than any other site. There is a convenience store located within Old Town and services within Hugh Town within 1 mile, sites within Old Town are considered far more sustainable than sites elsewhere on St Mary's. With the housing allocations at Old Town this is more likely to be greater support for improved services specifically within Old Town than any other location. Should an update to the SHLAA be required, which would be the case should additional land be submitted then we can give further consideration to the sustainability score. This was certainly not intended to present an artificial picture of the sustainability of sites in Old Town.
18	Policy LC6: I am totally against some of your proposed sites, especially south ennor H6. Besides being in a previously flooded area and an area the council said they would not consider building on. It would have an adverse effect on the neighbourhood. For myself there would be loss of privacy and overshadowing. Plus blocking access to the rear of my property preventing us from removing	Noted	The site referred to is not currently known to be subject to flooding particularly since the coastal defences at Porth Minack were improved. Should the site be retained as a housing allocation then it would be necessary for the layout and design of any



	<p>large items of furniture via the back field. Also this is the access field for the workforce when they have to unblock the 2 man hole drains in our back garden.</p>		<p>housing proposed to address issues of overshadowing or loss of privacy. Indeed these would be reasons for refusing a development scheme. The housing allocations at Old Town will be reviewed to ensure that they are acceptable from a Flood Risk perspective before the next public consultation.</p>
<p>22</p>	<p>Para 213: Windfall housing (Page 78) What protection for the environment if green-field sites are not reserved? Also SSSI, Heritage Coastal footpath etc.? Will our sewerage system cope with a population explosion and our water supply be sufficient?</p>	<p>Noted</p>	<p>There are very limited opportunities for developing previously developed land for housing. All of the sites submitted to the Council for consideration were greenfield sites. The preference is absolutely for consolidating and avoiding building on greenfield land. The policies set out in the plan work together as a whole and as such any development considered to be harmful to the natural or historic environment would be considered unacceptable and would be resisted. There is a balance to strike between meeting the needs of an island community and creating a sustainable future for Scilly. Windfall housing currently has to be located close to existing built-up areas or groups of buildings. The windfall policy seeks to go further and only permit windfall housing in clearly defined areas where there are already a number of dwellings. The plan seeks to address the modest housing needs of the existing community and does not plan for any significant growth of the population. Regardless of the amount of housing proposed there are already significant infrastructure issues which have to be addressed. The investment required to</p>



		<p>address these existing problems far exceeds the impact of the proposed housing.</p> <p>In the last three 15 year periods there has been population changes: 1992-2007 310 change 1997-2012 371 change 2002-2017 89 change</p> <p>The Local Plan is based on a SHMA scenario which increases population over the plan period by 150 compared to the Sub National Population Projections (SNPP) 2012 which forecast a -175 decline. The SNPP 2014 had a decline of -119 and the SNPP 2016 forecasts a reduction of population -127. The Local Plan is based on a realistic population increase scenario which is modes compared to historic growth, but which responds to recent population decline and the exaggerating effect this as had on recent projections.</p>
21	<p>Policy LC7 Apart from Hugh Town and Old Town the proposed 'existing settlements' are no more than limited groups of houses and it is very doubtful that they could be considered as sustainable housing locations even in the context of the Isles of Scilly. Hugh Town and Old Town provide a good deal of scope for windfall housing and there appears to be no sound evidence to justify the designation of other 'existing settlements' on St Marys.</p> <p>To limit the impact of new development on the off islands it would seem appropriate and consistent to designate the main settlement on each island as an 'existing settlement' for the purpose of considering windfall proposals.</p> <p>With regard to Consultation Option 4 it seems to me that the 'Alternative' of not defining any existing settlements would be potentially very damaging to the environment of the Isles of Scilly in that in circumstances of sufficient demand it could result in a largely uncharacteristic scatter of new development, the beginnings of which can already be seen in certain parts of the islands.</p>	<p>Noted</p> <p>The respondent is correct but Policy LC7 seeks to impose greater degree of control than the current 2005 Local Plan. The majority of housing delivered in the last few years has been through windfall sites, rather than housing allocations. Currently development has to be well located to an existing group of buildings, with no scale of what constitutes a 'group'. The identification of settlements seeks to only permit 'windfall' housing within or adjacent to parts of St Mary's that are sufficiently developed in order to minimise the wider landscape impact of such development.</p>



	Requiring proposals to be well-related to existing dwellings would not be sufficient to prevent a significant erosive effect on the landscape over the period of the plan.		The plan and its policies need to be read together so if a development proposal is considered detrimental in terms of landscape harm then it would not be acceptable and other policies would kick-in.
7	Policy LC7 – We welcome this approach but would re-iterate that the Local Plan should also facilitate Self-Build schemes either by a staged release of plots to compliment the proposed housing development and / or release a designated site, similar to the original Trench Lane self – build development in the 1980’s. The proceeds from the sale of these plots would provide an additional source of income; enabling the building of proposed affordable homes.	Noted	The windfall policy would absolutely facilitate self-build and the Council has a statutory duty to ensure the self-build demands are facilitated through the local plan. The primary way to achieve this is through the windfall policy. The difficulty is that the majority of land is not within the Council’s gift to sell for housing plots and further work is needed to ensure that such developments can come forward.
16	LC7 Proposed windfall sites should be greatly reduced to stop increasing the density and mismatched nature of current housing on St. Marys. A few larger, and well planned developments of affordable housing would remove the need to fill tiny gaps with odd houses.	Noted	The respondent’s comments are noted. The plan does seek to have a strategic approach to development, particularly for new housing. The housing allocations seek to address the majority of the islands’ known housing needs. There will, however, always be development opportunities that come up during the plan period and it is appropriate to ensure that ‘windfall’ housing developments are both facilitated and managed to ensure minimum harm to the character of the landscape.
17	LC7 Proposed windfall sites should be greatly reduced to stop increasing the density and mismatched nature of current housing on St. Marys. A few larger, and well planned developments of affordable housing would remove the need to fill tiny gaps with odd houses.		The respondent’s comments are noted. The plan does seek to have a strategic approach to development, particularly for new housing. The housing allocations seek to address the majority of the islands’ known housing needs. There will, however, always be development opportunities that come up during the plan period and it is



			<p>appropriate to ensure that 'windfall' housing developments are both facilitated and managed to ensure minimum harm to the character of the landscape.</p>
38	<p>Para 238: Clarification is required as to whether 40% increase relates to footprint or volume.</p>	Noted	<p>The 40% increase would relate to any increase of 40% or greater. This could be footprint or volume but is a measure designed to enable some flexibility as certain increases may have less impact than others whereas some increases may be particularly prominent. It would therefore depend on the property and its location.</p>
21	<p>Policy LC8 In criterion (c) it could be added that such proposals should also avoid causing damage to the character of the locality, which may not be adequately covered by the reference to the 'landscape'.</p>	Noted	<p>The Draft Local Plan needs to be read as a whole so even where a policy is not specific about the need to avoid causing damage to the character of the locality, then other policies would be used should any development be considered to be harmful to landscape character. Policy OE1 of the draft plan give clear policy weight to the importance of development not harming the landscape. It is accepted that policies should be consistent and further consideration will be given to ensure that the format and detail of any criteria is adequate to ensure protection of issues of acknowledged importance, such as the wider or local landscape.</p>



35	Policy LC10 Tregarthens supports draft policy LC10 generally for homes in multiple occupation as this recognises the need for a variety of accommodation. It should be recognised in the policy that such HMOs can provide for the needs of staff accommodation. However the legality of stating that a change to the use class order as set out in legislation through a planning policy is questionable and inappropriate for the Local Plan. This policy may fail the test of soundness in respect of legal compliance.	Noted	The Policy LC10 would only kick in where such a change is not permitted development. It is not intended to apply where a change of use to a HMO is permitted. We will review the wording on this policy or text about HMOs to make sure this is clear.
29	Policy LC9 (THINK THIS SHOULD BE LC10): Ensure that HMOs do not lead to a 'rookery' / workhouse environment, nor become a byword for a multi-occupied shed. People should not be living in sheds at exorbitant cost.	Noted	Policy LC10 on Homes in Multiple Occupation would apply where a house is converted to a large HMO. This would not override the need to comply the Housing Act 2004. The Council retain a register of Houses in Multiple Occupation and as such the accommodation has to be licensed. Such homes are inspected by the Council through its Environmental Health function. This is separate to the Planning issues that Policy LC10 seeks to control.

Chapter 4: Building a Strong Working Community

Pages 93 – 103

Chapter 4 Building a Strong Working Community		Officer Response	Amendments to the Draft Plan
Ref	Comments		



23	<p>Working Communities: The main thrust of this chapter is to make the case for a diverse economy and this can only be applauded. We agree with the main thrust of WC 1-4. However, it is not clear to us that what is proposed will have the desired effect. There is clearly concern about the complete dominance of the tourism industry and we think that most people will agree that an economy based almost entirely on one 'industry' is a dangerous thing. Yet there are many sections of this chapter that discuss 'new and upgraded tourist accommodation'. Certainly, there is always a need to upgrade but do we need more? This comes back to the whole policy of growth, which we have discussed and criticized above. If we want to diversify the economy, and we think we do, then do not allow more tourism but encourage the development of other entrepreneurial businesses. This has already started to happen; there is much talent in Scilly and the availability of social media and universal communications devices enables it to flourish.</p>	Noted	<p>The respondent's comments are noted. Whilst there is a policy on new tourism developments, which would include tourism accommodation this is one policy out of 6 policies within the economy chapter. There is no escaping tourism as a basis for the economy and there would be significant backlash from the many existing and future businesses who depend on tourism for a living, if we were not supportive of this industry. There is certainly an encouragement to diversify the economy and the draft local plan seeks to find the balance between tourism and any economic diversification.</p>
25	<p>Para 253 + 255: Here reference is made to 'high value/ low bulk goods', of which flowers are a prime example yet in par 255 there is no specific reference to flowers but a stated intention to support local food production. Local food production is very unlikely to diversify the local economy in any significant way. It is a laudable aim that is likely to improve land management, improve the tourism offering and reduce the need to import some food stuffs with their resultant carbon footprint and waste issues. But it is likely to be best delivered as a secondary product of economically viable farms. Those farms will only be viable if they have another, often primary, income stream be that: flowers, environmental outcomes and/or tourism. I feel it would be ineffective to aim support solely or mainly at local food production and overlook support for other farm income streams. It needs to be remembered that it is viable farms that will be best placed to deliver the good land management that is a stated aim of this plan. Ideally, I would like to see agriculture, horticulture and even fishing have their own section in the plan as all these activities are key to managing the environment of Scilly, currently play a role in diversifying the economy and could be well placed to diversify the economy further.</p>	Partially accept.	<p>Full consideration will be given to ensuring the plan and its policies give similar levels of support for the flower growing elements of the economy. It was certainly not intentional to favour food production initiatives over flower growing, which is an important and very traditional element of the local economy.</p>



37	Policy WC1: There is an assumption that Growth is Good. This is not necessarily the case. Who has decided it is? Negative environmental impacts of fiscal growth are apparent everywhere in the world...	Noted	The local plan has to comply with the National Planning Policy Framework, which is the Governments' growth agenda for the UK of which the Isles of Scilly are a part of. It would not be possible or prudent to plan for decline and whilst this is not what the respondent is suggesting, the levels of growth set out in the draft local plan are very modest and are designed to ensure the islands remain a sustainable and viable into the future.
37	Policy WC1: There is no mention in the whole section about agriculture, horticulture or fishing which are both established and important elements of the economy. Not just in financial terms but in terms of landscape management, seasonal employment, food production and diversification away from tourism.	Noted	There has been no intention to disregard agriculture, horticulture or fishing and it is agreed that these are an important aspect of the economy and land management. Full consideration will be given to addressing these within Policy WC1
37	Policy WC2: This is welcomed.	Noted	



23	<p>WC2-3: We think that there is potential to grow the economy in food/agriculture, especially in horticulture, to increase self-sufficiency in the Islands. An example is in regard to vegetables and herbs (culinary herbs and essential oils for flavourings, colourings and medicinal uses). Some farmers/horticulturalists are already in this business but the scale could be increased, possibly with the aid of an organization such as employed by Mainland Marketing for the Narcissus industry.</p> <p>IT support is an area in which many people, who use computer-based systems but are not themselves particularly ‘computer literate’, would welcome more support. The service provided at the Library can be quite helpful but is limited to one day in the week and the people involved, although knowledgeable, are not always well enough versed to tackle the most difficult problems. There are several people with professional knowledge who undertake freelance advice but who have other employment that always takes priority. There is, therefore, room for young enthusiastic, capable, IT consultants to take it on full-time. We are sure they could make a living, especially given the ever increasing reliance on IT systems.</p>	Noted	<p>The employment/economy chapter is designed to be supportive of both development that supports and/or enhances/expands existing businesses as well as new business ventures, providing there are no adverse impacts as a result.</p> <p>The examples given by the respondent would all be considered favourably within the draft local plan providing they did not give rise to adverse impacts.</p>
37	<p>Policy WC3: There’s nothing here about sustainability standards for the building or renewable energy installations or water use.</p>	Noted	<p>The draft local plan should be read as a whole. If a development is assessed under Policy WC3 and is considered acceptable but it did not include any sustainability standards then Policy SS1 would be applied requiring consideration to be given to sustainable quality and design. Full consideration will be given to ensure a consistent approach to all policies.</p>
20	<p>Policy WC3: New Employment Development. There does not appear to be an assessment of employment floorspace needs or an assessment of the land availability through a Housing and Economic Land Availability Assessment (HEELA). The NPPF states (para 16) that LOAS should prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market” and para 161 that LPAs should use this evidence to assess the need for land or floorspace for</p>	Noted	<p>The scale of the islands and population are smaller than a mainland neighbourhood plan and it is considered that the requirement for a HEELA is a disproportionate piece of work. The 2014 Islands Futures report included a business survey which did not suggest there is a demand for new employment</p>



	<p>economic development... Including retail and leisure development” If sites are to be identified to meet needs then these need to be subject to SA/HRA.</p>		<p>land or buildings. The Council manages the Porthmellon Enterprise Centre which has delivered high-end managed business spaces to meet a variety of start-up business needs. There are a number of vacant units within the enterprise centre. The draft plan seeks to support employment developments on a criteria based approach and if there is otherwise no adverse harm then acceptable new employment development will be supported, provided there is no other conflict with policies elsewhere in the plan.</p>
<p>29</p>	<p>Policy WC3: Not against further employment development, in an appropriate location, if there is an identified justification. May be necessary if going to have sustainable year-round economic growth.</p>	<p>Noted</p>	
<p>31</p>	<p>Para 031: Para 262 – 272: The specific sections which cover the islands’ tourism industry again lack a direct reference to the Destination Management Plan in the narrative and therefore, at times the language isn’t always as consistent and aligned to the DMP as it could be.</p>	<p>Noted</p>	<p>The draft plan has to comply with the National Planning Policy Framework and address all land use and development needs over the plan period. The DMP is one part of the background evidence base which sets out the islands’ ambitions in relation to the tourism market and how the economy can move forward to meet changing demands of visitors. The draft plan has to address all of the development and land use issues of the islands which goes beyond tourism demands and find a balance between supporting the right development in the right locations and protecting the delicate and important environment. It is not considered</p>



			appropriate to align the draft plan with the DMP.
13	Vision, Strategic Aims, Policy WC5 and paras 56, 70, 263 : Tourism The NPPF (para 28) states local plans should promote a strong rural economy by supporting the provision and expansion of sustainable tourist facilities in appropriate locations not met by existing facilities (similar approach at para 84 of the revised draft NPPF). Accordingly, we support Aim 4: Objective 3 which is to “Provide sustainable growth in tourism...”	Noted	
40	Para 266: The Destination management plan sets out ambitious increases in tourism figures during the period of the plan. It is unclear in the plan what the new visitor accommodation and associated infrastructure needs will be, and where they are likely to occur. This needs to be clarified to assess the potential impacts of the plan.	Noted	The DMP is one part of the background evidence base which sets out the islands’ economic ambitions in relation to the tourism market and how the economy can move forward to meet changing demands of visitors. The draft plan has to address all of the development and land use issues of the islands which goes beyond tourism demands and find a balance between supporting the right development in the right locations and protecting the delicate and important environment. It is not possible to know where new visitor accommodation will come forward but assess each application on a case by case basis with a criteria based policy approach that seeks to support that which is justified whilst ensuring no wider harm to the environment. For the size of the islands this is considered to be an acceptable approach to address future tourism developments.



29	<p>Para 267: P267: Disagree that loss of tourist accommodation needs to be justified as stated. And 'required' is irrelevant? If alternative use is to strengthen sustainable year-round economic growth – including greater residential capacity - this should be promoted. Tourism is a fragile yet dominant sector that distorts the economy of the islands.</p>	Partially agree	Amend paragraph 267 with the deletion of 'required'.
21	<p>Policy WC5 The purpose of criterion (c) of the policy is not clear. Given the presence of criterion (d), why is (c) necessary? If it is necessary for reasons other than those covered in criterion (d) then these should be made clear in criterion (c). As it stands the criterion does not state the grounds upon which the activity, scale and design of a proposal will be judged to be “appropriate”.</p>	Noted	<p>The purpose of WC5 (c) provide safeguards as to appropriate scale and design, whereas (d) seeks to ensure development does not give rise to unacceptable impacts upon the environment or on amenity. It would be possible for a low impact development (in terms of environmental impacts or amenity impacts) to be out of scale or inappropriately designed relative to the context of the site. It is therefore considered necessary to retain WC5 (c) and (d). The assessment of what is 'appropriate' will very much depend on the site and it is considered inappropriate set this out within the policy.</p>
35	<p>Policy WC5 Tourism Policy, Tregarthen's Hotel supports policy WC5 that supports new or upgraded tourist accommodation and facilities but would comment as follows on the policy detail. Once of the criteria suggests particular support for proposals that "build on links with Cornwall". What does this mean in practice? This prescription is so vague as to be potentially unworkable as a policy test. There is nothing in the text of the Local Plan to explain this.</p>	Noted	<p>Policy WC5 (3) is not an essential qualifying criteria but is incorporated into the policy to ensure some consideration is given to 'links' with Cornwall given the strong reliance on Cornwall for transport links to Scilly. It is accepted that incorporating this into most developments will be difficult but as this is not an essential criteria then it is acceptable to retain it. Consideration will be given to providing some examples of how this could be achieved, within the supporting text to this policy.</p>



<p>11</p>	<p>Para 264 and Policy WC5: Cruise ships: An absent elephant? Para 264 of the Draft Local Plan states “New tourism development should enrich and enhance the islands assets and resources rather than harming the very character, quality and beauty that makes them attractive to visitors and residents.” I am therefore concerned that nowhere in this document is there any mention of the notable increase in cruise ship numbers. Whilst I am not opposed to cruise ships per se, their impact has been significant and the risk they pose to Scilly’s fragile environment self-evident to anyone who takes a precautionary approach to risk management. As far as I can ascertain no cost-benefit analysis has been undertaken with respect to short-term gain versus long-term cost. Indeed, my efforts to engage with the Island Partnership on this issue have not been successful. Their position appears to be “Cruise visitors are critical to Scilly – those on board sample the islands and they spend on the islands – and many come back specifically to holiday here as a result of coming for a day”. But I have seen no evidence to support this. An alternative view, expressed on a cruise ship website, captures the dilemma well “Peter Müller New Mexico State University I spend regularly my holidays on the Scillies. When a cruise ship is there, everything is clogged with people - tearooms, pubs, shops.. And we, as regular visitors have to share them with this crowd. Next year looks already terrible, right into September ...It cannot continue like that - there will be a stiffening opposition in the coming years.” In the absence of any mention of cruise ships in the Draft Plan, and a similar absence in the Isles of Scilly Guide 2018, which extols the Islands’ ‘Unspoilt, untouched, and truly peaceful’ nature I am beginning to wonder if the cruise ship market is something of a dirty secret. So inconsistent with the image that Scilly is trying to preserve and portray, that nobody ever mentions it. Regulation of the cruise ship market would seem to me to be critical to the Draft Local Plan.</p>	<p>Noted</p>	<p>Cruise Ships docking around and visiting the islands does not require planning permission. There is therefore no guidance or policy requirements to include within the draft plan to address the respondent’s issues.</p>
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13	<p>Vision, Strategic Aims, Policy WC5 and paras 56, 70, 263: Tourism The NPPF (para 28) states local plans should promote a strong rural economy by supporting the provision and expansion of sustainable tourist facilities in appropriate locations not met by existing facilities (similar approach at para 84 of the revised draft NPPF). Accordingly, we support Aim 4: Objective 3 which is to “Provide sustainable growth in tourism...”</p>	Noted	
23	<p>WC5: The Plan argues for more visitor accommodation. Rather than encouraging more tourism, we should perhaps think more about the type of tourists we want to encourage. Do we want more day visitors? Cruise ships? No! Our answer is to concentrate on those whose main interest is in our natural environment.</p>	Noted	<p>The draft plan does set out a positive policy provision for new forms of tourist development. It is crucial that Local Plans plan positively for development. Policy WC5 is not aimed at encouraging or discouraging any particular group or type of visitor. It is clear, however that if a developer is seeking to deliver new tourist accommodation then it is not the ‘day visitor’ that this is aimed at. The plan cannot specify that the only types of tourism development considered acceptable would be that which encourages a certain type of visitor such as those with an interest in the natural environment, however much this is considered preferable. The plan seeks to ensure that development proposals are supported where they are delivering the right type of development in the right locations and do not give rise to any adverse impacts, which includes impacts upon the natural environment.</p>



26	<p>CHAPTER 4</p> <p>Policy: WC5 An unregulated cruise ship industry is not compatible with an economy that is dependent on tourists who come to 'get away from it' and enjoy peace and tranquillity in an unspoilt environment with wildlife and uninterrupted sea and landscapes. Cruise ship visitors come with an all-inclusive package so spend relatively little on food and services compared with resident visitors (or even Scillonian/Skybus day trippers) and nothing at all on accommodation. Our visitors will become increasingly reluctant to 'pass the word on' and recommend Scilly to others, seriously undermining the marketing of the islands. The Local Plan needs to reflect this and have policies designed to stop damage being inflicted on the islands prime source of income by cruise ships. Strict regulation in conjunction with Island Partnership, the Wildlife Trust, Duchy and cruise operators lead by the Council is urgently needed to protect and sustain both the environment and a vibrant economy. The arrival of the cruise ship has been one of the biggest, if not the biggest change that Scilly has seen in recent years. The impact of this in the Local Plan is a major omission and one that needs rectifying.</p>	Noted	Cruise Ships docking around and visiting the islands does not require planning permission. There is therefore no guidance or policy requirements to include within the draft plan to address the respondent's issues.
37	<p>Policy WC5 a: This is a divergence from the current local plan which places strict limits on the provision of tourism accommodation. As with housing there does need to be a target setting exercise to guard against over development. The plan diverges from the current clear link between new accommodation and farms. This is not necessarily a good think and could lead to proliferation of developments.</p>	Noted – partially disagree	Policy 4 of the adopted Local Plan 2005 does set out a criteria-based policy assessment for proposals that support the existing economy. It does not set strict limits on the provision of tourist accommodation as a development proposal can be assessed under any criteria within this policy. The existing adopted plan does set strict limits in relation to self-catering units and farms but that would not prevent an application from being considered and assessed under other parts of Policy 4.
37	<p>Policy WC5 1: Some recognition is needed of the high levels of self-employed.</p>	Noted	Policies WC1 (general employment) and WC4 (home-based businesses) both recognise and support new business which includes self-employment.



37	<p>Policy WC5 3: We are unsure as to what build on links with Cornwall means?! What are the implications for the community?</p>	Noted	<p>Policy WC5 (3) is not an essential qualifying criteria but is incorporated into the policy to ensure some consideration is given to 'links' with Cornwall given the strong reliance on Cornwall for transport links to Scilly. It is accepted that incorporating this into most developments will be difficult but as this is not an essential criteria then it is acceptable to retain it in the policy. Consideration will be given to providing some examples of how this could be achieved, within the supporting text to this policy. We do not consider there to be any negative implications for the community.</p>
21	<p>Paragraph 269 As well as the speed of expansion of tourism sites there is a case for explicitly recognising the need to limit the size of such sites. On such a small land area, and bearing in mind the small-scale landscape of the islands, large developments and the activity they generate would endanger the special character of the environment. This would ultimately be to the detriment of the tourism economy, since it is this special character that gives the Isles of Scilly its competitive advantage. Apart from this, the last sentence should be re-worded: it should (I suspect) refer to the small scale of the landscape; and for obvious reasons the word "adverse" should be deleted.</p>	Noted	<p>Paragraph 269 does seek to ensure large development are restricted due to the potential harm that could arise as a result. Consideration will be given to re-word the last sentence to make this clearer</p>
35	<p>Policy WC6. Tregarthens Hotel OBJECT to Policy WC6 as the policy and in particular Criterion 2 is unworkable as currently drafted. In a situation like Tregarthen's hotel where partial loss/change of services accommodation is anticipated the proposal could not meet clause 2 as it would not be possible to market just the part of going concern that proposed for a change from serviced accommodation for 12 months. This policy cuts across WC5 and the support for upgrading the tourist facilities. Clause 3c) is also supportive of partial changes of use and this is in conflict with Clause 2. This policy</p>	Noted	<p>The respondents' comments and concerns are understood and it is likely that larger hotels on the islands are primarily affected by the requirements of this policy. Full consideration has been given to the respondent's suggestions.</p>



	<p>needs to be redrafted as 'either/or' policy rather than a cascade policy as currently drafted. The policy needs to make allowance for partial redevelopment where this supports policy WC5. The policy is not positively prepared and is not justified as drafted.</p>		
<p>21</p>	<p>Policy WC6 The first phrase of paragraph 2 of the policy is poorly worded and will lead to confusion. Because proposals for the change of use of serviced accommodation will by definition lead to the loss of such accommodation, paragraph 1 of the policy will apply to all such proposals. Therefore for paragraph 2 to state “where clause 1 does not apply ...” does not make sense. The wording of the policy should be reconsidered.</p>	<p>Noted</p>	<p>Full consideration will be given to the rewording of Policy WC6. The intention behind this policy is to seek to add ‘friction’ to the loss of hotels and other serviced accommodation which form part of the variety of choice of accommodation types. There is an increasing trend to convert to self-catering which is considered to reduce options for visitors.</p>
<p>23</p>	<p>WC6 Agreed</p>	<p>Noted</p>	
<p>31</p>	<p>Policy WC6: With regard to Policy WC6 and the safeguarding of Serviced Accommodation specifically – as per previous feedback, this would benefit from some additional wording/rationale in order to justify such a policy focusing on serviced accommodation only. The general context for this and the desire to safeguard against the loss of further tourist accommodation is understandable of course – however, we do need to be forward looking and mindful therefore of the growing market trend away from traditional serviced accommodation and towards more flexible, self-catering or larger, shared house styles of accommodation (which are equally in demand for short break stays).</p>	<p>Noted and agreed</p>	<p>Full consideration will be given to the rewording of Policy WC6. The intention behind this policy is to seek to protect the loss of viable hotels and other serviced accommodation which form part of the variety of choice of accommodation types. There is an increasing trend to convert to self-catering which could be considered to reduce options for visitors and impact on the economy.</p>
<p>23</p>	<p>Postscript: In our opening remarks on ‘Sustainable Scilly’, we referred to what we considered to be the three main flaws in the plan: Growth; Dominance of tourism; Cost implications. So far, we have not considered cost implications, mainly because we are not in any way economists; they all disagree anyway. Nevertheless, we feel distinctly uneasy that, in such an ambitious and far-reaching plan, little reference has been made to how it is to be funded. Little, if anything, has also been said about priorities. We think that there should be a hard-nosed attempt to determine costs of the principal aspirations and come to</p>	<p>Noted</p>	<p>A local plan cannot assess the cost implications of the plan overall. The LPA cannot force any development to come forward and certainly cannot dictate when development should come forward. Hugh Town sewerage – this will be addressed ahead of the Water Framework directive being amended to</p>



conclusions about what the priorities should be. If, as seems likely, the total programme is difficult to fund, what will be the priorities? Which bits will be lost? This is our own list:

- Hugh Town sewerage: (a) it is a legal requirement; (b) as we understand it, the present system allows untreated sewage to be released into the sea at Morning Point. Tests have shown that currents can take this around into the harbour. This is a scandal and must be rectified on health & safety as well as environmental grounds –effects on marine biology.
- Protection of the natural environment
- Housing for young active people and elderly people (in conjunction with an integrated health/care system).
- Energy-saving systems that currently exist, are proven and relatively inexpensive, plus support/encouragement from the Council for go-ahead individuals to install and use them.
- Water-management systems, such as rainwater harvesting, again with appropriate systems of support and encouragement.
- Provision of opportunities for enterprising people to supply services (plumbers, electricians, IT specialists, gardeners) that are not constrained by their necessity to work for large public schemes.
- Encouragement for people to diversify horticulture/agriculture to produce a range of vegetables and herbs that will aid self-sufficiency in the Isles.
- More reliable all-year-round transport facilities

cover the Isles of Scilly. The Water Company (South West Water) has set out a £36 million investment into the islands water infrastructure to address non-compliant aspects of the system, including the untreated discharged into the coastal waters around the islands. The impact of delivering affordable homes would not change this investment requirement and would not add significantly to this. Fundamentally the new homes will generally accommodate existing residents and will not lead to any significant population growth that will lead to demonstrable impacts on existing infrastructure with new developments providing opportunities to incorporate more sustainable measures (population on the islands has remained largely static).

It is not possible to calculate the costs of protecting the natural environment. Energy/water saving systems are being delivered through the Smart Island Programme which are in part funded through European Funding. The viability of incorporating water management systems would be a consideration for a developer or individual and not for the local plan to specify costs, which would be subject to price fluctuations over the 15 year plan period. Issues such as the long-term costs of more reliable all-year-round transport, Provision of opportunities for enterprising people to supply services



that are not constrained by their necessity to work for large public schemes and Housing for young active people and elderly people are not quantifiable elements of the plan. The issues to which you refer go beyond the requirements of a local plan. The Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered. This can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development. There is not requirement to include a full cost consideration of the implications of the plan.

Chapter 5: Monitoring and Implementation

Pages 104 – 106

Chapter 5 Monitoring		Officer Response	Amendments to the Draft Plan
Ref	Comments		



40	<p>It would be helpful for the council to explain the purpose of the monitoring what the legal monitoring requirements are, the method or approach the council is taking, and the schedule it is following in this section.</p> <p>We would recommend annual monitoring of the plan. This annual monitoring report should include monitoring of the core policies and also information relating to the Sustainability Appraisal. Actions required to address policy performance against the strategic objectives should then be considered.</p> <p>Appropriate monitoring and implementation is critical to ensure that the delivery of the plan meets its strategic objectives. There is existing data available for biodiversity and the Council should speak to NE for advice on what they have available. We have included examples below of suitable targets and indicators that could be adopted by the council for monitoring against the policy and strategic aims.</p>	Noted and agreed	The plan will be amended to clarify the purpose and mechanisms for monitoring the policies of the Plan. The suggested examples will be reviewed and sustainable targets will be included where necessary.
21	<p>Chapter 5</p> <p>At the beginning of this chapter it needs to be explained over what periods the achievement of targets is to be assessed. If they are variable, then each target should itself state the period over which it is aimed to be achieved.</p>		The plan will be amended to clarify the purpose and mechanisms for monitoring the policies of the Plan.
19	<p>Page 104 Chapter 5: Monitoring and Implementation: Policy SS7 Target to include Flood Risk Assessment to accompany applications to build below the 5m contour.</p>		The plan will be amended to clarify the purpose and mechanisms for monitoring the policies of the Plan.
40	<p>Policy Name: Maintaining and enhancing Biodiversity and Geodiversity. Strategic Aim: Maintaining an outstanding and world class environment to ensure its distinctive and significant landscape and seascape, heritage and nature conservation assets are protected and valued and, where appropriate, enhanced. Target: Net increase in biodiversity or geodiversity through development. Indicator: Amount of biodiversity habitat/species gained through mitigation and enhancement agreements. Contextual Indicators: %of protected sites in favourable or recovering condition. Change in area of local sites.</p>		The plan will be amended to clarify the purpose and mechanisms for monitoring the policies of the Plan. The suggested examples will be reviewed and sustainable targets will be included where necessary.



Submission Policies Map

Pages 107 – 134

Submission Policies Maps			
Ref	Comments	Officer Response	Amendments to the Draft Plan
40	Proposal H3: we are concerned about this proposed allocation because of its proximity to the Lower Moors SSSI. In light of the predicted still water flood events providing a buffer of undeveloped land around the low lying SSSI sites on St Mary's will be critical allowing them to adapt to climate change. The extent of buffers should be discussed and agreed with Natural England.	Noted	The respondent's comments in relation to the housing allocation at H3 are noted. Should this allocation be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site with any appropriate measures being discussed with Natural England
19	Page 110 H3 land to the north of Old Town Sustainable Drainage required to mitigate impacts of surface water on adjacent SSSI, reduce impact of tidal flooding and protect the freshwater sources in the area.	Noted	The respondent's comments in relation to the housing allocation at H3 are noted. Should this allocation be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site.
18	My second question was: what do the air traffic controllers and pilots think about the field leading up to the airport, which is in the flight path of one of the runways, being used for building more houses? Thus bringing houses closer to the runway. The officers reply was that: he didn't think the runway was used very much but on consideration his thought was that that they could build bungalows instead of houses! My reply was: so rather than build elsewhere, rather than not completely over-develop Ennor Close and spoil the remaining open aspect of the neighbourhood, you would compromise on safety? I have to wonder why there is this	Noted	Both the Airport Operator and the Civil Aviation Authority have been consulted in respect to the plan and housing allocations, in particular. No issues have been highlighted as a result of the proposed land being identified for housing. There are design and layout solutions that could mitigate impacts for flights as well as minimising



	<p>adverse reaction to building another hamlet somewhere else out of town? Somewhere there isn't a safety or flood issue. To remind you, in 2012 a private plan overshot the runway at St Mary's airport coming to a stop in a field above Ennor Close (image attached).</p>		<p>amenity issues for future residents. There would be significant issues associated with developing a brand new settlement, including significant infrastructure costs as well as potentially encouraging greater car ownership/use. The plan seeks to consolidate land around existing settlement areas to both minimise the visual impact and to ensure development is as viable and sustainable as possible</p>
<p>19</p>	<p>Page 111 H4 NE side of Ennor Close: Include Sustainable Drainage to mitigate impacts of surface water runoff and adjacent area and properties.</p>	<p>Noted</p>	<p>The respondent's comments in relation to the housing allocation at H4 are noted. Should this allocation be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site.</p>
<p>16</p>	<p>Proposals Map B, Page 112 and 113. H5 and H6 A15 and A16: Land to the South of Ennor Close and to the South of Launceston Close- The flooding risk associated with this land is too high to sanely build housing on the site. Current flood defences are insufficient to protect this area as they stand and, with the 5m contour only just brushing the highest end of the site, they should not be considered for housing development while other areas are available. A significant increase to the width and height of defences would be necessary (on top of the current proposed strengthening) to protect additional properties in even closer vicinity to the coast. As all other proposed areas for development within Old Town are at higher elevations I suggest these low lying sites be removed from the plan. Additionally the field to the South of Ennor Close currently provides access for emergency services to the southern Ennor Close properties which do not have direct vehicular access (Numbers 20 to 26). Any development would obviously have to take this into account, which</p>	<p>Noted</p>	<p>The respondent's comments in relation to the housing allocation at Old Town (H5 and H6) are noted. Should these allocations be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site. Access for emergency vehicles would absolutely need to be addressed, should any of the housing allocations be taken forward for development. Without compliance with the Building Regulations for standards, for both the proposed as well as existing residents</p>



	<p>would significantly reduce the number of homes that could be built on the proposed site.</p>		<p>be safe, then development would not be considered acceptable.</p>
<p>19</p>	<p>Page 112, 113 and 114 Sites H5/6/7: Include Sustainable Drainage to reduce impacts of Surface Water and tidal flooding.</p>	<p>Noted</p>	<p>The respondent's comments in relation to the housing allocation at Old Town (H5, H6 and H7) are noted. Should these allocations be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site.</p>
<p>17</p>	<p>Proposals Map B, Page 112 and 113. H5 and H6 A15 and A16: Land to the South of Ennor Close and to the South of Launceston Close- The flooding risk associated with this land is too high to sanely build housing on the site. Current flood defences are insufficient to protect this area as they stand and, with the 5m contour only just brushing the highest end of the site, they should not be considered for housing development while other areas are available. A significant increase to the width and height of defences would be necessary (on top of the current proposed strengthening) to protect additional properties in even closer vicinity to the coast. As all other proposed areas for development within Old Town are at higher elevations I suggest these low lying sites be removed from the plan. Additionally the field to the South of Ennor Close currently provides access for emergency services to the southern Ennor Close properties which do not have direct vehicular access (Numbers 20 to 26). Any development would obviously have to take this into account, which would significantly reduce the number of homes that could be built on the proposed site.</p>	<p>Noted</p>	<p>The respondent's comments in relation to the housing allocation at Old Town (H5 and H6) are noted. Should these allocations be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the site. Access for emergency vehicles would absolutely need to be addressed, should any of the housing allocations be taken forward for development. Without compliance with the Building Regulations for standards, for both the proposed as well as existing residents be safe, then development would not be considered acceptable.</p>
<p>19</p>	<p>Page 115 H8 Land to east of Ennor Close: Include Sustainable Drainage to mitigate impacts of surface water run off on adjacent area and properties.</p>	<p>Noted</p>	<p>The respondent's comments in relation to the housing allocation at Old Town (H8) are noted. Should this allocation be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood</p>



			mitigation measures are incorporated into the site.
20	<p>Settlement boundaries Clarification is sought regarding the policy for development within settlement boundaries. If new development is supported within settlement boundaries and these boundaries include undeveloped land, these sites will need to be assessed as part of the SA & HRA process.</p>	Noted	<p>Should the identified settlements be taken forward for adoption and be allocated as 'settlements' within the new local plan then it would be acceptable in principle for any undeveloped site within or adjoining these settlements to be considered for new development. The SA/SEA and HRA has reviewed the potential settlement boundary allocations and as such this has already been considered. It is not proposed to allocate specific sites within these 'settlement areas' for housing or other development and they are designed to be areas in which new development that could come forward, outside of other allocations, to ensure any adverse impacts are minimised. The criteria based approach ensures that all development proposed will be assessed against any relevant policy within the plan.</p>



35	<p>Settlement Boundary Map B Hugh Town. Tregarthen's Hotel Ltd Object to the Settlement Boundary Map B as currently drafted for Hugh Town. All the area within the Garrison SAM should be excluded from the settlement boundary in view of its Grade I listed and scheduled ancient monument status that would generally exclude harmful development. In addition the Town stopes at the Garrison Boundary and the nature of the settlement changes in character and townscape terms- this is supported by the landscape and townscape heritage studies. The western boundary should stop at the Tregarthen's Hotel Boundary. This policy as drafted fails the soundness test based on the fact that the proposed settlement boundary is not justified by credible evidence.</p>	Noted	<p>The settlement boundary of Hugh Town could be drawn to exclude the Garrison and anything beyond the wall boundary. Full consideration will be given to re-drawing the settlement boundary map B.</p>
40	<p>Settlement Boundary Map Old Town: We are concerned about this proposed allocation because of its proximity to the Lower Moors SSSI. In light of the predicted still water flood events providing a buffer of undeveloped land around the low lying SSSI sites on St Mary's will be critical allowing them to adapt to climate change. The extent of buffers should be discussed and agreed with Natural England.</p>	Noted	<p>The Settlement boundaries have been drawn to encompass existing built-up areas. The boundary around Old Town takes into account the potential housing allocations which, if taken forward and adopted, would require sufficient mitigation measures to both protect the SSSI designation and enable a sufficient buffer to be included to allow for flood events. Any appropriate measures being discussed with Natural England</p>
29	<p>Flood Maps E: E known flood risk areas: Look forward to Council executing its statutory scrutiny for flood management and coastal erosion to plan for protection of livelihoods, services, historic and environment and ensure appropriate funding in place to meet needs of all islands.</p>	Noted	
19	<p>Page 127 Section E. Suggest "Flood and Coastal Erosion Risk Management" as new title for the section.</p>	Noted and Agreed	<p>Modify the section E as suggested</p>



18	<p>Areas at risk of flooding: Old Town: To summarise I am objecting to part of the proposed sites. Certain areas in Ennor close should be removed from the draft plan, as they are located adjacent to the airport and within a flood zone area. Not to build in this flood zone has been previously advised by IOS Council.</p> <p>(http://www.scilly.gov.uk/sites/default/files/document/planning/local%20Flood%20Risk%20Management%20Strategy%20FINAL.pdf) see Figure 29: Inundation of the land behind Porth Minick (December 1989 taken from Arup 2011 report). I realise that the defences at Porth Minick have been built up a little since then but let us remember tides are becoming bigger. We have been lucky that since the 1980's there hasn't been a combination of a very big sea and storm winds from a southerly direction at high tide. Also why would the council want to put more money into building them higher when you build elsewhere and not have to build a flood defence in the first place?</p>	Noted	The respondent's comments in relation to the housing allocation at Old Town are noted. Should these allocations be taken forward then additional policy requirements will be considered to ensure that adequate buffers and flood mitigation measures are incorporated into the sites.
19	Page 132 Suggest Sub-title "Current Situation" for this subsection.	Noted	Modify the section as suggested
19	After Page 134 Add following section to give an overview of proposed works during the life of the plan. This is all proposed subject to funding along with any and all necessary planning and licence /permit approvals (table attached)	Noted	Modify the section as suggested

Sustainability Appraisal

Consultation Representations to Initial SA Report & HRA Screening Report (February 2018)
 accompanying draft Local Plan on Regulation 18 Consultation



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
Natural England		
HRA	The HRA should be considered in the light of our comments on the Local Plan. If the Council is proposing allocations for provision of housing, employment uses, waste & minerals, these will need to be addressed as part of the HRA.	Understood with thanks. The Plan does not intend to make allocations for employment, waste or minerals.
HRA method	<p>The Council should consider the need to address mitigation measures within the framework of an Appropriate Assessment rather than as part of the screening assessment – based on the recent EU Court of Justice Judgment (People over Wind & Sweetman v Coillte Teoranta Case C-323/17). 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.</p> <p>This is particularly relevant to the mitigation measures discussed briefly in paras 3.11 to 3.27 of the HRA Report.</p>	<p>Agreed. It is proposed to take the following steps:</p> <ol style="list-style-type: none"> 1. Revisit the screening and revise the screening eliminating the mitigation relied upon – this is Appendix IV in the HRA. 2. Identify whether likely significant effects – answer yes - as before. 3. Undertake an Appropriate Assessment (AA) 4. Take into account mitigation at that stage - using the LP Policies to mitigate



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
		<p>5. Conclusions ought to be exactly the same as before – with mitigation, there are no likely significant effects.</p> <p>6. Prepare HRA Supplementary Report: AA</p>
<p>HRA Report paras 2.22-2.12 Level & Distribution of Growth in the Plan</p>	<p>Please see our comments in relation to Local Plan provision for housing (letter 9 May). We consider that the Plan makes a realistic assessment of sites required to deliver housing to meet identified needs and that options for delivery are tested through the SA and HRA process.</p>	<p>Noted. This is a matter for plan-making. The SA is required to test “reasonable alternatives”; we are not aware of any similar requirement for the HRA process.</p>
<p>HRA Para 2.13</p>	<p>If employment sites are to be allocated to meet employment needs these will need to be assessed within the HRA.</p>	<p>Agreed. This is a matter for plan-making.</p>
<p>HRA Para 3.3 Isles of Scilly SPA</p>	<p>It should also be noted in this para that since all areas within the new marine boundary for the proposed site could already be described as being are ‘functionally linked’ to the existing terrestrial SPA any future planning application or plan proposals will be subject to the HRA 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.</p>	<p>Noted with thanks. Additional information and clarification regarding the pSPA and management in the marine area will be included in the HRA report.</p>



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
HRA Report Para 3.7	<p>It would be useful if the conservation objectives and vulnerabilities for each of the designated sites could be set out within the main body of the text.</p> <p>Similarly it would be useful if the impact types/pathways could be identified for each designated site. We recognise that there may be overlaps between designations but it would make the HRA report easier to follow.</p>	<p>Detailed information on conservation objectives & vulnerabilities provided in Appendix I and characterisation summarised in Table 3.1.</p> <p>Impact types associated with small housing developments summarised in Table 3.2.</p>
HRA Appendix III Allocation/Policy Screening Policy LC1	<p>Appendix III identifies policy LC1 as having the potential for likely significant effects. However there is no reference to policy LC1 in this section. Policy LC1 which makes provision for market homes to enable the delivery of affordable homes should be assessed as part of the Appropriate Assessment. It would appear that between 40 – 50% more homes than allocated will be required to deliver the affordable housing sought over the Plan period and meet the full objectively assessed needs over the Plan period (as required by NPPF para 47). In particular we ask whether the need for accommodation to meet tourism needs has been taken into consideration given the Plan’s aspiration to “support the Islands’ ambition to be an internationally competitive visitor destination, capitalising on the Island’s exceptional environment” (Plan para 262). Clarification is therefore sought regarding the level of provision for housing which will inform the need for revision to the HRA/need for appropriate assessment.</p>	<p>A meeting was held with NE & EA & RSPB on 2nd July where clarification was provided in relation to limited housing to address existing need, not future demand.</p> <p>There are no proposals allocated for future tourism developments for staff accommodation. These would be dealt with by criteria based policies to assess the impacts.</p> <p>A full HRA appropriate assessment will be carried out to inform the plan.</p>



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
HRA Report Para 3.17	We do not consider recreational pressure to be an issue for the SPA extension in particular. As mentioned above, all the waters within the proposed extension boundary could be defined as being functionally linked to the existing terrestrial SPA and therefore require protection in that they are linked to the existing designation.	Noted with thanks and understood. Paragraph will be amended.
HRA Para 3.18	Please see comments regarding housing provision above	
HRA Report Para 3.18-3.19	<p>Para 3.18 concludes that no significant increase in recreational activities is considered likely. We question this conclusion on the basis that the Plan is unclear about the overall level of housing provision required to meet needs.</p> <p>There is no mention here of disturbance as a result of noise and light pollution although such disturbance factors are referred to in table 3.2.</p>	<p>Noted.</p> <p>Additional text to explain.</p>
HRA Report Para 3.22	Refers to pollution of groundwater arising from site allocations. More information is sought on the nature of potential pollution and any site specific mitigation measures proposed. These measures should then be reflected in the SA and Plan policy. Also, and as referred to against para 3.17 above, all the waters within the proposed extension boundary could be defined as functionally linked to the existing terrestrial SPA and therefore would require protection for the existing designation.	No site specific mitigation needed as the scale of development small and Policies provide sufficient mitigation measures (see para 3.23).
HRA Report Para 3.24	We do not consider that the Site Improvement Plan for the Special Area of Conservation (SAC) provides any mitigation. It is merely a statement of key threats/recommendations of how an impact could be managed. This issue will need to be addressed at the appropriate assessment stage.	Noted with thanks



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
HRA Report Para 3.25	<p>The Local Plan is unclear about the need for new waste or employment facilities. If sites are to be allocated for such uses, impacts on air quality will need to be considered.</p> <p>Also is the assumption that there will be a reduction in private vehicle use in St Mary's supported by evidence?</p>	<p>Noted</p> <p>Based on proximity of new development to services – see SA</p>
HRA Report Para 3.26	<p>Table 3.2 refers to the potential impact arising from introduction of invasive species. However this issue is not referred to in this section of the report.</p>	<p>Agreed and additional text to be provided</p>
HRA Report Para 3.27	<p>As referred to above, following the Sweetman Judgement, Appropriate Assessment will be required to assess potential impacts flagged up at the screening stage and to address potential mitigation measures. Where mitigation measures are proposed these should also be reflected in the Sustainability Appraisal and Plan policy (including in relevant site allocation policy)</p>	<p>Noted and action as set out previously.</p>
SA	<p>Although the Sustainability Appraisal (SA) report states that a screening exercise has been undertaken, no supporting evidence to support the conclusions regarding the need for Appropriate Assessment could be found. We will be able to comment formally on Plan policies and proposals when supported by an evidenced HRA.</p>	<p>HRA Screening Report (Feb 2018) was made available for consultation comments May-June 2018; NE provided formal comments on the HRA in June 2018 and as presented above in this SA appendix. Although good practice for early consultation, there is no formal requirement to consult on the HRA until the final draft Plan.</p>



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
Plan Policies OE1 & OE2	Policies for protection of the Environment (OE1-Landscape Character and OE2 – Biodiversity and Geodiversity) need revision to ensure they comply with the National Planning Policy Framework (NPPF).	This is a matter for plan-making although it is acknowledged that these Policies provide mitigation measures for potential negative effects on SA objectives.
	It would appear that between 40 – 50% more homes than allocated will be required to deliver the affordable housing sought and meet the full objectively assessed needs over the Plan period (as required by NPPF para 47) unless affordable homes are to be delivered through grant funding. Given the environmental constraints across the Isles we feel it is important that the Plan makes a realistic assessment of sites required to deliver the total amount of homes and that options for delivery are tested through the SA and HRA process.	This is a matter for plan-making. The proposed housing allocations demonstrate sufficient housing land to accommodate both the affordable homes and any additional open market, which would be around 157/8 homes in total over the plan period.
Policy LC1 Housing Provision	It would appear that between 40 – 50% more homes than allocated will be required to deliver the affordable housing sought and meet the full objectively assessed needs over the Plan period (as required by NPPF para 47) unless affordable homes are to be delivered through grant funding. Given the environmental constraints across the Isles we feel it is important that the Plan makes a realistic assessment of sites required to deliver the total amount of homes and that options for delivery are tested through the SA and HRA process.	The SA/SEA is required to consider “reasonable alternatives”. There is no definition in the SEA Regulations but for SA/SEA in the UK this assumed to be realistic and deliverable within the timescale and scope of the Plan.



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
Non-Housing Allocations	Provision for employment use, minerals and waste. Clarification is sought regarding the need for additional provision for these uses over the Plan period. Where sites are to be allocated these, and potential alternatives, will need to be assessed through the HRA and SA process.	For plan-making; the SA will assess any identified reasonable alternatives. The SA and the HRA will assess any proposed sites for allocation.
Environment Agency		
SA	No comments received at this Regulation 18 consultation stage	Noted
Historic England		
SA	No comments received at this Regulation 18 consultation stage	Noted
RSPB		
SA/HRA	The assessment of likely impacts of the plan on key nature conservation sites (in the Sustainability Assessment) is inadequate because; it is unclear what the overall predicted scale of the development will be as a result of the plan due to lack of information on the scale and location of open marketing housing, new staff accommodation and new holiday developments, and the associated infrastructure needs, and we are not comfortable with the analysis of the potential impacts (there is	HRA Report (Feb 2018) made available in May after these initial comments on the SA Report (Feb 2018). The SA Report had been informed by the HRA.



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
	<p>no HRA provided and some impacts are missing e.g. disturbance), and disagree with the conclusions.</p> <p>We believe that there is potentially likely significant effects that could result from the planned growth particularly from in-combination indirect effects such as disturbance, and increases in the threat of non-native species, which need to be assessed through the Habitats Regulations Assessment process.</p>	<p>Disturbance, Habitat Loss & Fragmentation were considered through the HRA (Table 3.2; paras 3.17-3.20; and 3.26). The potential for increases in the threat of invasive species was not considered to be a key issue for the IOSLP.</p>
SA Mitigation through LP Policies	<p>It is very unclear how the core policies will address all the wildlife issues as stated in the SA and grow biodiversity so additional information is required in the Policies (OE2, SS1 & SS2).</p> <p>The current biodiversity policy (OE2) is confusing and lacks detail; it needs to clearly set out the levels of protection for wildlife in a hierarchy, with detailed information against each, and provide clearer information on what is required by the planning process.</p> <p>We recommend that a biodiversity supplementary planning document is produced to explain in more detail what is required for biodiversity to support planners and developers in the development process to provide net gains in biodiversity.</p>	<p>For plan-making.</p> <p>Policies such as OE2 can provide mitigation measures for certain predicted negative effects.</p> <p>The SA recommended (para 5.101) that Policy OE5 is strengthened to include a requirement for net gain – to be incorporated at the next stage of plan-making.</p>
SA Report Table 2.1	<p>Add line: Prevent unacceptable levels of disturbance by managing or controlling activities</p>	<p>Table 2.1 comprises the SA Framework of Objectives & Sub-Objectives/Decision-Aiding</p>



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
SA Framework		Questions – consulted upon & agreed through the SA Scoping process (final report July 2016). Disturbance has been considered within the HRA.
SA/HRA	The plan highlights significant (unquantified) growth for the islands, especially when considered in-combination with other plans. We are uncomfortable with the findings because there is a lack of information/evidence relating to the scale of the potential impacts being assessed, the lack of a Habitats Regulation Assessment (HRA) and the lack of inclusion some important potential impacts such as disturbance. We believe that the draft plan potentially has likely significant affects and that an Appropriate Assessment under the Habitats Regulation Assessment (HRA) maybe required.	HRA Report (Feb 2018) made available May 2018. Scope of HRA now needs revision in the light of the recent EU CJ Sweetman – as explained previously.
	The open market, new workers accommodations and new tourism accommodation and associated infrastructure needs have to be quantified.	This is for plan-making.
	Disturbance study should be undertaken to clarify the potential growth of recreational and transport activity and identify any infra-structure or management needs required to ensure growth is sustainable, especially as a result of the in-combination effects with other plans.	In-combination effects considered by the HRA Report (Feb 2018).
	With the increase in planned development, the associated transportation of materials to and between islands, and increasing waste management requirements there is an increase in the potential threat to the islands from non-native species. A risk assessment needs to be carried out which highlights key invasive non-native species threats	Not identified as a key issue in the SA or plan-making



Initial SA Report/ HRA Screening Report	Consultee & Comments	Enfusion Responses & Action Taken
	(including pathogens, plants, invertebrates and vertebrates), potential pathways and suitable measures that could be put in place within the plan to address this impact.	
Mulciber Ltd		
SA Table 2.1 SA Framework	<p>Unrealistic to expect all materials required for the islands' development can be met through recycled and secondary materials.</p> <p>This is confirmed by para 5.107 of the SA which refers to "minimising the need for extraction of new materials".</p>	<p>Agreed.</p> <p>SA Objective No 10A Waste & Minerals aims for sustainable use of minerals.</p>
SA Report paras 5.101-116	<p>The SA is deficient in that it does not properly assess reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme. In particular, the SA should consider:</p> <ul style="list-style-type: none"> • the effect of not safeguarding mineral resources of local importance in contravention of the NPPF and NPPG; • the effect of not allocating a site for the extraction of minerals in contravention of the NPPF and NPPG. • the effect of not allocating areas for new or enhanced waste management facilities in appropriate locations in contravention of the NPPW 	<p>For plan-making; the SA will assess any identified reasonable alternatives.</p>



End