

Date: 09 December 2014  
Our ref: 138025  
Your ref: P/14/057



Lisa Walton  
Senior Officer: Planning and Development Management  
Council of the Isles of Scilly  
**BY EMAIL ONLY**

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Dear Lisa

**Planning consultation:** Proposed concrete production and construction storage  
**Location:** Parting Carn Lane, St Marys, Isles of Scilly

Thank you for your consultation on the above which was received by Natural England on 18 November 2014.

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

**The Wildlife and Countryside Act 1981 (as amended)**  
**The Conservation of Habitats and Species Regulations 2010 (as amended)**

### Designated Sites

This application is in close proximity to Higher Moors & Porth Hellick Pool (St Mary's) & Lower Moors (St Mary's) Sites of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981 (as amended)*, requiring your authority to re-consult Natural England.

### Conditions

Should the LPA be minded to grant planning permission Natural England advises that run-off and pollution control measures are secured via a suitably worded planning condition and should be adhered to during both construction and operation of the site.

These conditions are required to ensure that the development, as submitted, will not impact upon the features of special interest for which Higher Moors & Porth Hellick Pool (St Mary's) & Lower Moors (St Mary's) SSSIs are notified.

If your Authority is minded to grant consent for this application without the conditions recommended above, we refer you to Section 28(1) (6) of the *Wildlife and Countryside Act 1981 (as amended)*, specifically the duty placed upon your authority, requiring that your Authority;

- Provide notice to Natural England of the permission, and of its terms, the notice to include a statement of how (if at all) your authority has taken account of Natural England's advice; and



- Shall not grant a permission which would allow the operations to start before the end of a period of 21 days beginning with the date of that notice.

### **Protected landscape**

The development is within the Isles of Scilly Area of Outstanding Natural Beauty (AONB). We therefore advise you to seek the advice of the AONB Partnership. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

### **Protected species**

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

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

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

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

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

### **Other advice**

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity);
- local landscape character; and
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

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

For any queries relating to the specific advice in this letter only please contact Zoë George on [zoe.george@naturalengland.org.uk](mailto:zoe.george@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

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

We also welcome your feedback on Natural England's revised standing advice in terms of its usability (ease of access, presentation), quality of content and, its clarity and effectiveness as a tool in guiding decision-making. Please provide this, with any suggested improvements, by filling in the attached customer feedback form or by emailing your feedback direct to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Zoë George  
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