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**Our Ref: CEC4206**

19 June 2023

**Your Ref: P/22/077/FUL Updated HRA for the Isles of Scilly Sea Defences – St Agnes – Periglis, Porth Coose, Porth Killier**

Lisa Walton MRTPI  
Chief Planning Officer  
Council of the Isles of Scilly

Dear Lisa,

**RE: P/22/077/FUL Updated HRA for the Isles of Scilly Sea Defences – St Agnes, Periglis, Porth Coose, Porth Killier**

Cornwall Environmental Consultants Ltd (CEC) were appointed by the Council of the Isles of Scilly in February 2023 to provide independent advice on the applicant's Shadow Habitats Regulations Assessment of proposed flood defence works on the islands. This letter relates to the Shadow HRA undertaken for the proposed flood defence works at Periglis, Porth Coose and Porth Killier, all on the island of St Agnes.

The documents examined as part of this advice provision include:

- P-22-077 Habitat Regulations Assessment St Agnes - Periglis version 5.0
- P-22-077 Habitat Regulations Assessment St Agnes - Porth Coose version 4.0
- P-22-077 Habitat Regulations Assessment St Agnes - Porth Killier version 4.0
- P-22-077 Biosecurity measures
- P-22-077 – St Agnes BNG Assessment V2
- P-22-077 Periglis embankment investigation trenches report 26 April 2023
- P-22-077 St Agnes 48 and 49 Periglis General Arrangement amended
- P-22-077 St Agnes 48 and 49 Periglis typical section and detail amended
- P-22-077 St Agnes 50 Porth Coose General Arrangement
- P-22-077 St Agnes Porth Coose 50 Typical Section
- P-22-077 St Agnes 51 Porth Killier General Arrangement
- P-22-077 St Agnes Porth Killier 51 Typical Section
- Natural England responses dated 16<sup>th</sup> December, 12<sup>th</sup> January, and 12<sup>th</sup> June

CEC also attended a Teams meeting with Natural England on 22<sup>nd</sup> May 2023 in order to understand their prior concerns and current view of the proposals, especially with regard to the proposals at Periglis.

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## Periglis

The works proposed are at Periglis beach, St Agnes, with the aim of preventing further erosion and reducing the risks of inland flooding of residential and non-residential properties.

The proposed works include:

- Protection of Periglis beach through use of geobags constructed into the rear of the dune ridge (3m landward), laid on a geomat and wrapped in geotextile, and covered with excavated cobble/sand material along most of the bay. The geobags will be filled with dry sand of density around 1600kg/m<sup>3</sup>. If sand material is not available, the geobags may be filled with graded local or imported rocks using high performance nets.
- Crest elevations will be raised to approximately +7.5m, and crest widths increased to reach a minimum of 4m to prevent overtopping. In order to achieve this increase in elevation, the existing dune/bank will be topped up and covered using local materials with biodegradable matting to retain the material whilst the grasses and plants establish. The natural plant fibres will provide a system of erosion control of the material positioned over the top of the dune/bank, while local flora gets naturally established. A local source of recharge sediment will be used for the dunes/banks. If no local material is available, filling material will be imported, possibly from quarries in Cornwall.

The proposed scheme is located within the Isles of Scilly Special Protection Area (SPA) and Ramsar site and 45m from the Isles of Scilly Complex Special Area of Conservation (SAC). A Habitats Regulations Assessment is therefore required to consider whether adverse impacts on these European Designated Sites may arise as a result of the works, either alone, or in combination with the other nine flood defence projects proposed currently within the Isles of Scilly. A Shadow HRA report has therefore been undertaken by the applicant's ecologist, JBA Consulting. The Shadow HRA report has been subject to revisions due to Natural England comments made to versions 1.0, 2.0, 3.0 and 4.0 CEC have looked at version 5.0 of the HRA report and note Natural England have now withdrawn their objection to the proposed works at Periglis Beach, St Agnes.

The findings of the HRA screening concluded that Likely Significant Effects were possible and so the HRA report includes an Appropriate Assessment for Isles of Scilly SPA, the Isles of Scilly Ramsar, and the Isles of Scilly Complex SAC in order to identify whether adverse effects on those sites could arise.

The potential adverse effects on the features of the sites are set out in Table 6.2 of the Shadow HRA, which considers any adverse effects which could remain following the implementation of mitigation measures.

The Shadow HRA concludes that having undertaken an Appropriate Assessment, with mitigation measures in place, the proposed scheme will not have an adverse impact upon the Isles of Scilly Complex SAC and Isles of Scilly SPA and Ramsar, either alone, or in combination, with any other plans or projects, providing that mitigation measures are delivered. These mitigation measures are as per those listed as recommended conditions in Appendix A of the information prepared for the Extraordinary Council Thursday, 15 June 2023 at 10.00 am Council Chamber, St Marys. Provided the development complies with the submitted documents listed therefore encapsulating the mitigation measures detailed within these documents, inter alia, C2 (EIA and HRA mitigation and Biosecurity Measures), C3 (approved CEMP), C4 (dune planting requirements), and C5 (requirement for the geobags removal upon exposure for a period of 2 years) no adverse effects on the European Designated Sites are anticipated.

## Porth Coose

Porth Coose provides protection to Big Pool, important freshwater habitat, wells, aquifers and local infrastructure. Defences have historically been severely overtopped and as such enhanced defences are required.

The proposed works include:

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- Provision of a more robust and wider ridge crest along the entire length of the Porth Coose. The crest elevation would be increased through recharge using local and imported material, with rock bags at the rear filled with site won material to grade to existing levels.
- The bags will be placed on a prepared geotextile surface at the top of the slopes and fill material is to be placed behind to tie in the top of the bags to the ground behind. A geomat will be placed to stabilise this slope and encourage establishment of vegetation.
- The crest elevation will be increased to prevent overtopping and should be at approximately +7.3m.

The proposed scheme is located within The Isles of Scilly Special Protection Area (SPA) and Ramsar site and 40m from the Isles of Scilly Complex Special Area of Conservation (SAC). A Habitats Regulations Assessment is therefore required to consider whether adverse impacts on these European Designated Sites may arise as a result of the works, either alone, or in combination with the other nine flood defence projects proposed currently within the Isles of Scilly. A Shadow HRA report has therefore been undertaken by the applicant's ecologist, JBA Consulting. The Shadow HRA report has been subject to revisions due to Natural England comments made to versions 1.0, 2.0 and 3.0. CEC have looked at version 4.0 of the HRA report and note Natural England have now withdrawn their objection to the proposed works at Porth Coose.

The Shadow HRA concludes that having undertaken an Appropriate Assessment, with mitigation measures in place, the proposed scheme will not have an adverse impact upon the Isles of Scilly Complex SAC and Isles of Scilly SPA and Ramsar, either alone, or in combination, with any other plans or projects, providing that mitigation measures are delivered. These mitigation measures are:

- Industry standard pollution prevention measures, particularly addressing the risks of fuel and concrete spills.
- Biosecurity measures will be put in place to ensure the proposed works do not result in the introduction of Brown rats. Measures include checking of material, plant and vessels for signs and presence of rats before transportation and on arrival at site, the use of rope guards on the vessel transporting construction material and ensuring food and waste onboard are all contained in rodent proof containers. Good waste management will be implemented throughout the works and a toolbox talk highlighting vigilance for rats and the importance of reporting rat activity will be given to all site personnel before works begin. The biosecurity measures outlined above to ensure that the works do not result in the introduction of Brown rats will be adhered to and documented in a biosecurity risk assessment and mitigation strategy.
- An Ecological Clerk of Works will inspect the sites before any material is brought in by barge to assess the most appropriate landing site in order to minimise impacts to intertidal habitats. To minimise disturbance and habitat degradation plant will keep to agreed haul routes and not stray outside of these areas.
- Prior to works commencing each day, the works area and immediate vicinity will be checked for hauled out seals. If any seals are present within 200m of the works, site staff will keep their distance and no works will take place until the seal has moved off of its own accord.

## **Porth Killer**

Coastal erosion and flood risk at Porth Killier presents a risk of inundation and contamination at Big Pool, along with a risk of undermining the road that runs along the southern extent of Porth Killier and residential and non-residential properties and infrastructure in the vicinity.

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The Porth Killier site has been divided into three potential areas of intervention: the sea wall; the eastern end; and the western end. Overtopping has not occurred at the western end and therefore no works are proposed there. The proposed works for the sea wall and the eastern end are outlined below.

The seawall:

- Implementation of a rock scour protection at the foundation of the seawall. Wider toe protection of 1 to 3 tonne rock size with a minimum width of 3m is recommended to protect the wall from undermining and failure, and also to reduce overtopping.
- A 30m section of the eastern side of the wall has been identified as the most damaged and as such, a 3m toe-berm of 1 to 3 tonne rock armour is proposed here. In some locations where damage is more severe, local repairs may be required prior to placing the rocks.
- A 35m section on the western side has been identified as the least damaged and as such, the rock toe here will be characterised by 1.9m wide 1 to 3 tonne rocks and 1.1m of cobbles, which will tie into the existing rock headland.
- Rock material will be sourced locally where possible but will need to be imported if unavailable.

Eastern end:

- Construction of a rock structure revetment with 1 to 3 tonne material to reduce ram erosion. The rock revetment would be placed up to the crest of the underside of the ram/outcrop to reduce the cut back towards the road. In order to minimise the volume of rock required, rock armour will be protected by a cobble toe that will make use of existing materials.
- The presence of the revetment will improve the stability of the ram and also act as a reduction to wave overtopping events.

The proposed scheme is located within the Isles of Scilly Special Protection Area (SPA) and Ramsar site and 135m from the Isles of Scilly Complex Special Area of Conservation (SAC). A Habitats Regulations Assessment is therefore required to consider whether adverse impacts on these European Designated Sites may arise as a result of the works, either alone, or in combination with the other nine flood defence projects proposed currently within the Isles of Scilly. A Shadow HRA report has therefore been undertaken by the applicant's ecologist, JBA Consulting. The Shadow HRA report has been subject to revisions due to Natural England comments made to versions 1.0, 2.0 and 3.0. CEC have looked at version 4.0 of the HRA report and note Natural England have now withdrawn their objection to the proposed works at Porth Killier.

The Shadow HRA concludes that having undertaken an Appropriate Assessment, with mitigation measures in place, the proposed scheme will not have an adverse impact upon the Isles of Scilly Complex SAC and Isles of Scilly SPA and Ramsar, either alone, or in combination, with any other plans or projects, providing that mitigation measures are delivered. These mitigation measures are:

- Industry standard pollution prevention measures, particularly addressing the risks of fuel and concrete spills.
- Biosecurity measures will be put in place to ensure the proposed works do not result in the introduction of Brown rats. Measures include checking of material, plant and vessels for signs and presence of rats before transportation and on arrival at site, the use of rope guards on the vessel transporting construction material and ensuring food and waste onboard are all contained in rodent proof containers. Good waste management will be implemented throughout the works and a toolbox talk highlighting vigilance for rats and the importance of reporting rat activity will be given to all site personnel before works begin. The biosecurity measures outlined

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above to ensure that the works do not result in the introduction of Brown rats will be adhered to and documented in a biosecurity risk assessment and mitigation strategy.

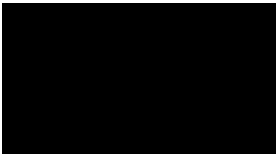
- An Ecological Clerk of Works will inspect the sites before any material is brought in by barge to assess the most appropriate landing site in order to minimise impacts to intertidal habitats. To minimise disturbance and habitat degradation plant will keep to agreed haul routes and not stray outside of these areas.
- Prior to works commencing each day, the works area and immediate vicinity will be checked for hauled out seals. If any seals are present within 200m of the works, site staff will keep their distance and no works will take place until the seal has moved off of its own accord.

### **Recommendation**

Having reviewed the Shadow HRA report and attended a consultation meeting with Natural England on the 22<sup>nd</sup> May 2023 we would recommend that the Council of the Isles of Scilly adopts the findings of the Shadow HRA in their role as competent authority, providing the mitigation works set out in the Shadow HRA documents can be secured via planning condition(s) as detailed above for each site.

This is in line with Natural England advice which concludes they concur with the assessments [Shadow HRA] conclusions, providing works are undertaken in strict accordance with the mitigation measures detailed and these are included within the Construction Environmental Management Plan (CEMP) and appropriately secured in any licence/planning permission issued.

Yours sincerely,



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