IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY


# COUNCIL OF THE ISLES OF SCILLY

Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
Telephone: 01720 424455 – Email: planning@scilly.gov.uk


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

---

# PERMISSION FOR DEVELOPMENT

| | | | |
|---|---|---|---|
| **Application No:** | **P/25/008/FUL** | **Date Application Registered:** | **07 February 2025** |

| | | | |
|---|---|---|---|
| **Applicant:** | **South West Water**<br>**Peninsula House**<br>**Rydon Lane**<br>**Exeter**<br>**Devon**<br>**EX2 7HR** | **Agent:** | **Mr Nicholas Leaney**<br>**Aardvark EM Limited**<br>**Higher Ford**<br>**Wiveliscombe**<br>**Taunton**<br>**TA4 2RL** |

**Site address:** South West Water Pumping Station Little Porth Hugh Town St Mary's Isles of Scilly

**Proposal**: Redevelopment of the Bishop and Wolf Sewage Pumping Station, including the construction of an enlarged wastewater infrastructure building and temporary construction compound on land at Parsons Field (Affecting the setting of a Listed Building.)

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

**C1** **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**C2** **The development hereby permitted shall be carried out in accordance with the approved details only including:**

- **Plan 1 Location Plan 107780-PEF-WW-602-DDR-T-0001 REV P02**
- **Plan 2 Proposed Site Plan 107780-PEF-WW-602-DDR-T-0003 REV P03**
- **Plan 3 Proposed Elevations 4135_02_001 REV D**
- **Plan 3 Proposed Roof and Ground Floor Plan 4135_02_006 REV C**
- **Bat Emergence Survey (Pell Frischmann, Dec 2024)**
- **Ecological Impact Assessment (Pell Frischmann, Jan 2025)**
- **Biodiversity Net Gain Design Stage Report (Pell Frischmann, Jan 2025)**

**These are stamped as APPROVED**
Reason: For the clarity and avoidance of doubt and in the interests of the character and appearance of the Conservation Area, Area of Outstanding Natural Beauty and Heritage Coast in accordance with Policies OE1 and OE7 of the Isles of Scilly Local Plan (2015-2030).

**PRE-COMMENCEMENTCONDITION: Construction Environmental Management Plan**

**C3** **No development shall take place, including any demolition, clearance works or transportation of materials to the site, until an amended Construction Environmental**

**Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The CEMP shall be updated to incorporate the following details:**

I. **A programme and timetable for implementation of works, to take place outside the tourism season;**
II. **The anticipated number, frequency and types of vehicles used during construction, including routing and parking;**
III. **The loading, unloading and storage of plant, materials and waste;**
IV. **A site set-up plan, including compound layout and fencing;**
V. **Any external lighting, including location, height, type and direction;**
VI. **A method statement setting out how the retained the stone wall on the northern boundary will be protected during construction;**
VII. **Details of public engagement both prior to and during the construction works.**

**The works shall be carried out in accordance with the approved details. On completion of the development any contractors' compound(s), temporary access and all plant, machinery, fencing, lighting and any other equipment or structures used as part of the construction process shall be removed from the site and, where appropriate, the land reinstated to its former condition within three months.**

Reason: To protect amenity, highway safety, habitats and the historic environment from adverse impacts during construction in accordance with Policies SS2, SS7 and OE7 of the Isles of Scilly Local Plan 2015-2030. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

**PRE-COMMENCEMENT CONDITION: Flood Resilience measures**

**C4 Prior to the commencement of the development hereby permitted, details of flood resilience measures, including the design of all internal Pumping Station equipment and a flood door/gate on the walled entrance where required, demonstrating that the development will be fully water-compatible and flood resilient to a minimum level of 5.49m AOD shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in full accordance with the approved measures which shall be retained and maintained throughout the lifetime of the development.**

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by flood risk in accordance with Policy SS6 and SS7 of the Isles of Scilly Local Plan 2015-2030 and the NPPF 2024.

**PRE-ABOVE SLAB LEVEL CONDITION: Waste Management Scheme (Operational) Scale/Frequency**

**C5 Prior to development above slab level details of the forecasted waste/defined solids data from the screens, frequency of collection and means of disposal shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme.**

Reason: To ensure adequate consideration is given to the minimisation of unnecessary waste generation, and adherence to the waste hierarchy, in accordance with the requirements of Policy SS2 (2) and Policy OE5 of the Isles of Scilly Local Plan 2015-2030.

**C6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.**

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in accordance with Policy SS6 of the Isles of Scilly Local Plan 2015-2030 and the NPPF 2024.

**PRE-COMMENCEMENT CONDITION: Archaeological Monitoring**

**C7 A) No groundworks or development shall take place until a project design/Written Scheme of Investigation (WSI) for archaeological recording has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and**

1. **The programme and methodology of site investigation and recording**

2. **The programme for post investigation assessment**
3. **Provision to be made for analysis of the site investigation and recording**
4. **Provision to be made for publication and dissemination of the analysis and records of the site investigation**
5. **Provision to be made for archive deposition of the analysis and records of the site investigation**
6. **Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.**

**B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).**

**C) The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed, and a final report has been submitted to, and approved by, the Local Planning Authority.**

Reason: To ensure that a programme and methodology of site investigation and recording of archaeological features is undertaken before physical works commence on site. This is in accordance with the provisions of the NPPF (2024) Chapter 16, paragraph 211 and Policy OE7 of the Isles of Scilly Local Plan 2015-2030.

**PRE-ABOVE SLAB LEVEL CONDITION: Schedule of Materials**

**C8 Prior to any development above slab level, a schedule of materials shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of:**

- **Gates, doors and windows, including the flood door/gate on the walled entrance;**
- **Roof slate, type of fixing and ridge tiles; and**
- **Rainwater goods.**

**Thereafter the development shall be carried out in accordance with the approved details** and retained and maintained for the lifetime of the development.

Reason: In the interests of conserving landscape character and preserving the character of the conservation area and heritage coast, in accordance with Policy OE1 of the Isles of Scilly Local Plan 2015-2030 and the Isles of Scilly Design Guide SPD (2007.)

**PRE-ABOVE SLAB LEVEL CONDITION: Noise Mitigation Measures**

**C9 Prior to any development above slab level, a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure an operational noise rating level not exceeding 38dB LAr,1hr and 37dB LAr,15m during the daytime (07:00 - 23:00) and night-time (23:00 - 07:00) periods respectively, measured as a free-field equivalent level at the nearest existing noise sensitive residential receptors.**

Reason: In the interests of neighbouring amenities.

**C10 All ecological measures and/or works shall be carried out in accordance with the details contained at Section 5 of the approved Bat Emergence Survey (Pell Frischmann, Dec 2024, Table 9 of the Ecological Impact Assessment (Pell Frischmann, Jan 2025) and in broad accordance with the Biodiversity Net Gain Design Stage Report (Pell Frischmann, Jan 2025.)**

Reason: To ensure that the measures considered necessary as part of the ecological impact assessment are carried out as specified, to avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Conservation of Habitats and Species Regulations 2017, as amended, and to provide a net gain for biodiversity as required by paragraphs 180 and 186 of the National Planning Policy Framework, Section 40 of the Natural Environment and Rural Communities Act 2006.

**PRE-ABOVE SLAB LEVEL CONDITION: Scheme of External Lighting**

**C11 Prior to any development above slab level, a scheme of external lighting designed to reduce harmful light spill and minimise impacts on wildlife shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed, maintained and operated in full accordance with the approved details.**

Reason: In the interests of amenity and to protect the Isles of Scilly Dark Skies and wildlife in accordance with OE4 and OE9 of the Isles of Scilly Local Plan (2015-2030.)

**Biodiversity Net Gain Conditions**

**C12 The Biodiversity Gain Plan shall be prepared in accordance with the approved Ecological Impact Assessment (Pell Frischmann, Jan 2025,) Biodiversity Net Gain Design Stage Report (Pell Frischmann, Jan 2025) and submitted Biodiversity Net Gain Metric.**
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030.)

**PRE-COMMENCEMENT CONDITION: Habitat Management and Monitoring Plan**

**C13 Prior to the commencement of the development hereby permitted, and in addition to (or as part of) the statutory Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:**

- **I. A non-technical summary**
- **II. The roles and responsibilities of the people or organisations delivering the HMMP;**
- **III. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;**
- **IV. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first use of the development;**
- **V. The monitoring methodology in respect of the created or enhanced habitat at years 2, 5, 10, 15, 20, 25 and 30;**
- **VI. Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.**

**The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.**
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030.)

**PRE-FIRST USE CONDITION: Habitat Management and Monitoring Report**

**C14 Prior to the first use of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Local Planning Authority.**
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act and Policy OE2 of the Isles of Scilly Local Plan (2015-2030.)

## Further Information

1. **STATEMENT OF POSITIVE ENGAGEMENT:** In dealing with this application, the Council of the Isles of Scilly has actively sought to work with the applicants in a positive and creative way, in accordance with paragraph 39 of the National Planning Policy Framework 2024.
2. **DISCHARGING CONDITIONS:** In accordance with the Town and Country Planning (fees for Application and Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 a fee is payable to discharge any condition(s) on this planning permission. You are advised to check the latest fee schedule at the time of making an application as any adjustments including increases will be applied: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf. It should be noted that some of the conditions attached to this consent are required to be complied with prior to the commencement of the development hereby approved, if those conditions are not fully adhered to, then the consent cannot lawfully be implemented, therefore a new application will be requested, and consideration will be given to the expedience of enforcement action.
3. **POST DECISION AMENDMENTS:** In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force on 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment or the submission of a full planning application for a revised scheme. Please discuss any proposed amendments with the Planning Officer. There is a fee to apply for a non-material amendment and the most up to date fee will be charged which can be checked here: https://ecab.planningportal.co.uk/uploads/english_application_fees.pdf
4. **HIGHWAY CONSENT:** The applicant is advised of the requirement to enter into discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These

temporary works may include the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway. A Licence to Occupy will also need to be agreed with the Council before any works begin.

5. **PROTECTED SPECIES:** The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use of being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

6. **BATS:** The Applicant is reminded of the provisions of the Wildlife and Countryside Act 1981 and the E.C. Conservation (Natural Habitats) Regulations Act 1994, the Habitat and Species Regulations 2012 and our Natural and Environment and Rural Communities biodiversity duty. This planning permission does not absolve the applicant from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in part IV B of Circular 06/2005. Care should be taken during the work and if bats are discovered, they should not be handled, work must stop immediately, and a bat warden contacted. Extra care should be taken during the work, especially when alterations are carried out to buildings if fascia boards are removed as roosting bats could be found in these areas. If bats are found to be present during work, they must not be handled. Work must stop immediately, and advice sought from licensed bat wardens. Call The Bat Conservation Trust's National Bat Helpline on 0845 1300 228 or Natural England (01872 245045) for advice.

7. **BIODIVERSITY NET GAIN:** Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the local planning authority before development is begun [and before each phase of development where development is phased] because none of the statutory exemptions or transitional arrangements are considered to apply. The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the condition ("the biodiversity condition") that development may not begin unless:
   I. A Biodiversity Gain Plan has been submitted to the planning authority, and
   II. The planning authority has approved the plan.

   The planning authority is the Council of the Isles of Scilly.
   There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.

8. **COMMENCEMENT NOTICE:** Under Section 93G of the Town and Country Planning Act 1990 (as amended), this decision notice informs you that a 'commencement notice' must be served on the Local Planning Authority - subsections (2) and (3) are set out below:
   (2) Before the development is begun, the person proposing to carry it out must give a notice (a "commencement notice") to the local planning authority specifying the date on which the person expects the development to be begun.
   (3) Once a person has given a commencement notice, the person:
   - may give a further commencement notice substituting a new date for the date previously given, and
   - must do so if the development is not commenced on the date previously given

   The notice should be provided to the Local Planning Authority a minimum of seven (7) days before the development commences.
   Failure to provide the commencement notice could lead to the Local Planning Authority serving notice on them to require information to be provided, and if that is not provided within 21 days, they will be guilty of an offence, as below:
   (5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.
   (7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.
   (9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
   PLEASE NOTE: The requirement under Section 93G of the Town and Country Planning Act 1990 (as amended) is separate from any requirements under the Community Infrastructure Levy Regulations 2010 (as amended) or any requirements for serving notices secured through the signed Section 106 Legal Agreement.

**Signed:**

**Chief Planning Officer**

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

**DATE OF ISSUE:** 30 May 2025

# COUNCIL OF THE ISLES OF SCILLY

Planning Department
Old Wesleyan Chapel, Garrison Lane, St Mary's TR21 0JD
0300 1234 105
planning@scilly.gov.uk


Dear South West Water

## **IMPORTANT**: Please sign and complete this **Commencement Certificate.**

Anyone intending to begin development under a granted planning permission (including permissions varied under Section 73) is required to notify the local authority of the Commencement Date.

**What if plans change?**
If development does not start on the stated date, a new notice must be submitted with the revised date.

**What happens if you don't comply?**
The local planning authority (LPA) can serve a notice requiring the information. Failure to respond within 21 days is an offence, punishable by a fine of up to £1,000, unless the person has a reasonable excuse.

**Why is this important?**
It gives LPAs better oversight of when development begins, helping with enforcement, monitoring, and infrastructure planning.

**Relation to other notices:**
This is separate from Building Control commencement notices, though similar in purpose.

This is to certify that decision notice: P/25/008/FUL and the accompanying conditions have been read and understood by the applicant: South West Water.

1. **I/we intend to commence the development as approved:** Redevelopment of the Bishop and Wolf Sewage Pumping Station, including the construction of an enlarged wastewater infrastructure building and temporary construction compound on land at Parsons Field (Affecting the setting of a Listed Building) at: South West Water Pumping Station Little Porth Hugh Town St Mary's Isles Of Scilly **on**:.....'85.....

2. I am/we are aware of any conditions that need to be discharged before works commence.

3. I/we will notify the Planning Department in advance of commencement in order that any pre-commencement conditions can be discharged.

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

**Name:** **Contact Telephone Number:**

**And/Or Email:**

Print Name:

Signed:

Date:

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

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

**BIODIVERSITY NET GAIN CONDITION(S)**

C12 The Biodiversity Gain Plan shall be prepared in accordance with the approved Ecological Impact Assessment (Pell Frischmann, Jan 2025,) Biodiversity Net Gain Design Stage Report (Pell Frischmann, Jan 2025) and submitted Biodiversity Net Gain Metric.

**PRE-COMMENCEMENT CONDITION(s)**

C3 No development shall take place, including any demolition, clearance works or transportation of materials to the site, until an amended Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The CEMP shall be updated to incorporate the following details:

I. A programme and timetable for implementation of works, to take place outside the tourism season;
II. The anticipated number, frequency and types of vehicles used during construction, including routing and parking;
III. The loading, unloading and storage of plant, materials and waste;
IV. A site set-up plan, including compound layout and fencing;
V. Any external lighting, including location, height, type and direction;
VI. A method statement setting out how the retained the stone wall on the northern boundary will be protected during construction;
VII. Details of public engagement both prior to and during the construction works.

The works shall be carried out in accordance with the approved details. On completion of the development any contractors' compound(s), temporary access and all plant, machinery, fencing, lighting and any other equipment or structures used as part of the construction process shall be removed from the site and, where appropriate, the land reinstated to its former condition within three months.

C4 Prior to the commencement of the development hereby permitted, details of flood resilience measures, including the design of all internal Pumping Station equipment and a flood door/gate on the walled entrance where required, demonstrating that the development will be fully water-compatible and flood resilient to a minimum level of 5.49m AOD shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in full accordance with the approved measures which shall be retained and maintained throughout the lifetime of the development.

C7 A) No groundworks or development shall take place until a project design/Written Scheme of Investigation (WSI) for archaeological recording has been submitted to and approved by the local planning authority in writing. The WSI shall include an assessment of significance and research questions, and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
C) The archaeological recording condition will normally only be discharged when all elements of the WSI including on site works, analysis, report, publication (where applicable) and archive work has been completed, and a final report has been submitted to, and approved by, the Local Planning Authority.

C13 Prior to the commencement of the development hereby permitted, and in addition to (or as part of) the statutory Biodiversity Gain Plan, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMMP shall accord with the Biodiversity Gain Plan and include:

I. A non-technical summary
II. The roles and responsibilities of the people or organisations delivering the HMMP;
III. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
IV. The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first use of the development;
V. The monitoring methodology in respect of the created or enhanced habitat at years 2, 5, 10, 15, 20, 25 and 30;
VI. Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

## PRE-ABOVE SLAB LEVEL CONDITION(S)

C5 Prior to development above slab level details of the forecasted waste/defined solids data from the screens, frequency of collection and means of disposal shall be submitted to and agreed in writing with the Planning Authority. The development shall thereafter proceed in strict accordance with the approved scheme.

C8 Prior to any development above slab level, a schedule of materials shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of:

- Gates, doors and windows, including the flood door/gate on the walled entrance;
- Roof slate, type of fixing and ridge tiles; and
- Rainwater goods.

Thereafter the development shall be carried out in accordance with the approved details and retained and maintained for the lifetime of the development.

C9 Prior to any development above slab level, a detailed scheme of noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall ensure an operational noise rating level not exceeding 38dB LAr,1hr and 37dB LAr,15m during the daytime (07:00 - 23:00) and night-time (23:00 - 07:00) periods respectively, measured as a free-field equivalent level at the nearest existing noise sensitive residential receptors.

C11 Prior to any development above slab level, a scheme of external lighting designed to reduce harmful light spill and minimise impacts on wildlife shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed, maintained and operated in full accordance with the approved details.

## PRE-FIRST USE CONDITION(S)

C14 Prior to the first use of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Local Planning Authority.

# COUNCIL OF THE ISLES OF SCILLY

Planning Department
Old Wesleyan, Garrison Lane , St Mary's, Isles of Scilly, TR21 0JD
01720 424455
planning@scilly.gov.uk


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

Dear Applicant,

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

**Carrying out the Development in Accordance with the Approved Plans**
You must carry out your development in accordance with the stamped plans enclosed with this letter. Failure to do so may result in enforcement action being taken by the LPA and any unauthorised work carried out may have to be amended or removed from the site.

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

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

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

- Householder permissions - £86 per application
- Other permissions - £298 per application

**Amendments**
If you require a change to the development, contact the LPA to see if you can make a 'non material amendment' (NMA). They were introduced by the Government to reflect the fact that some schemes may need to change during the construction phase. The process involves a short application form and a 14 day consultation period. There is a fee of £44 for householder type applications and £298 in all other cases. The NMA should be determined within 28 days. If the change to your proposal is not considered to be non-material or minor, then you would need to submit a new planning application to reflect those changes. Please contact the Planning Department for more information on what level of amendment would be considered non-material if necessary.

If the scale of change is not considered to be 'non-material' you may be able to make a 'minor material amendment' which would require to you apply to vary the conditions (providing the change is not contrary to a specific condition). The fee for a householder variation of condition application would be £86, for other non-major (other than householder) development applications the fee would be £586 and for major development the fee would be £2,000.

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

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

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

You find more information on appeal types including how to submit an appeal to the Planning Inspectorate by visiting https://www.gov.uk/topic/planning-development/planning-permission-appeals or you can obtain hard copy appeal forms by calling 0303 444 5000. Current appeal handling times can be found at: Appeals: How long they take page.

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

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

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

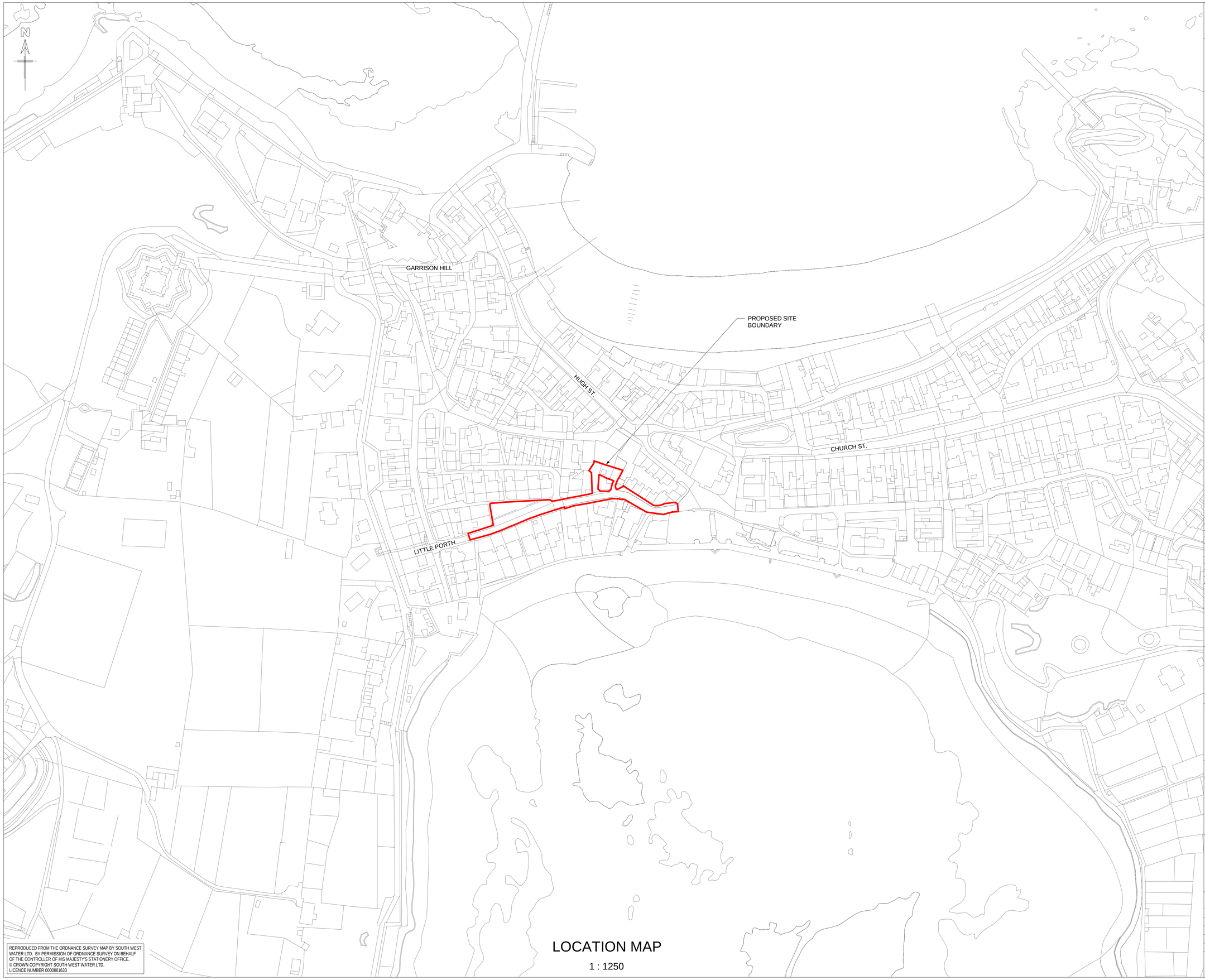
Building Control
Cornwall
Council Pydar
House Pydar
Street Truro
Cornwall
TR1 1XU

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

**Registering/Altering Addresses**
If you are building a new dwelling, sub dividing a dwelling into flats or need to change your address, please contact the Planning Department by email: planning@scilly.gov.uk who will be able to make alterations to local and national databases and ensure postcodes are allocated.

**Connections to Utilities**
If you require a connection to utilities such as water and sewerage, you will need to contact South West Water on 0800 0831821. Electricity connections are made by Western Power Distribution who can be contacted on 08456012989.

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




LOCATION MAP

1 : 1250





## NOTES

1. APPROXIMATE BOUNDARIES ARE SHOWN AND WILL NEED TO BE CONFIRMED IN DESIGN DEVELOPMENT.

**RECEIVED**
*By Liv Rickman at 5:36 pm, Jan 23, 2025*

**APPROVED**
*By Lisa Walton at 1:28 pm, May 30, 2025*

LEGEND

DEVELOPMENT SUBJECT TO A PLANNING APPLICATION (1700 m²)

0m 25m 50m 75m 100m 125m

SCALE 1:1250 @ A1

| REV | DESCRIPTION | DRN | DSN | CHK | APP | DATE |
|---|---|---|---|---|---|---|
| P02 | BOUNDARY LINE UPDATED | IC | IC | LMC | LJW | 20.11.24 |
| P01 | INITIAL PLANNING DRAWING | IC | IC | LJW | LJW | 21.08.24 |

Pell Frischmann

BURRATOR HOUSE, PENINSULA PARK, RYDON LANE EX2 7NT
Telephone +44 (0)1392 444 345
Email: pfexeter@pellfrischmann.com
www.pellfrischmann.com

Client

South West Water

Contractor

TRANT

TRANT Engineering Ltd.
Head Office: Rushington House, Rushington, Southampton SO40 9LT.

Telephone: (023) 8066 5544 E-Mail: Engineering@trant.co.uk
www.trant.co.uk

Project Status: OUTLINE DESIGN

Project: ISLES OF SCILLY CAPITAL DELIVERY PROGRAMME

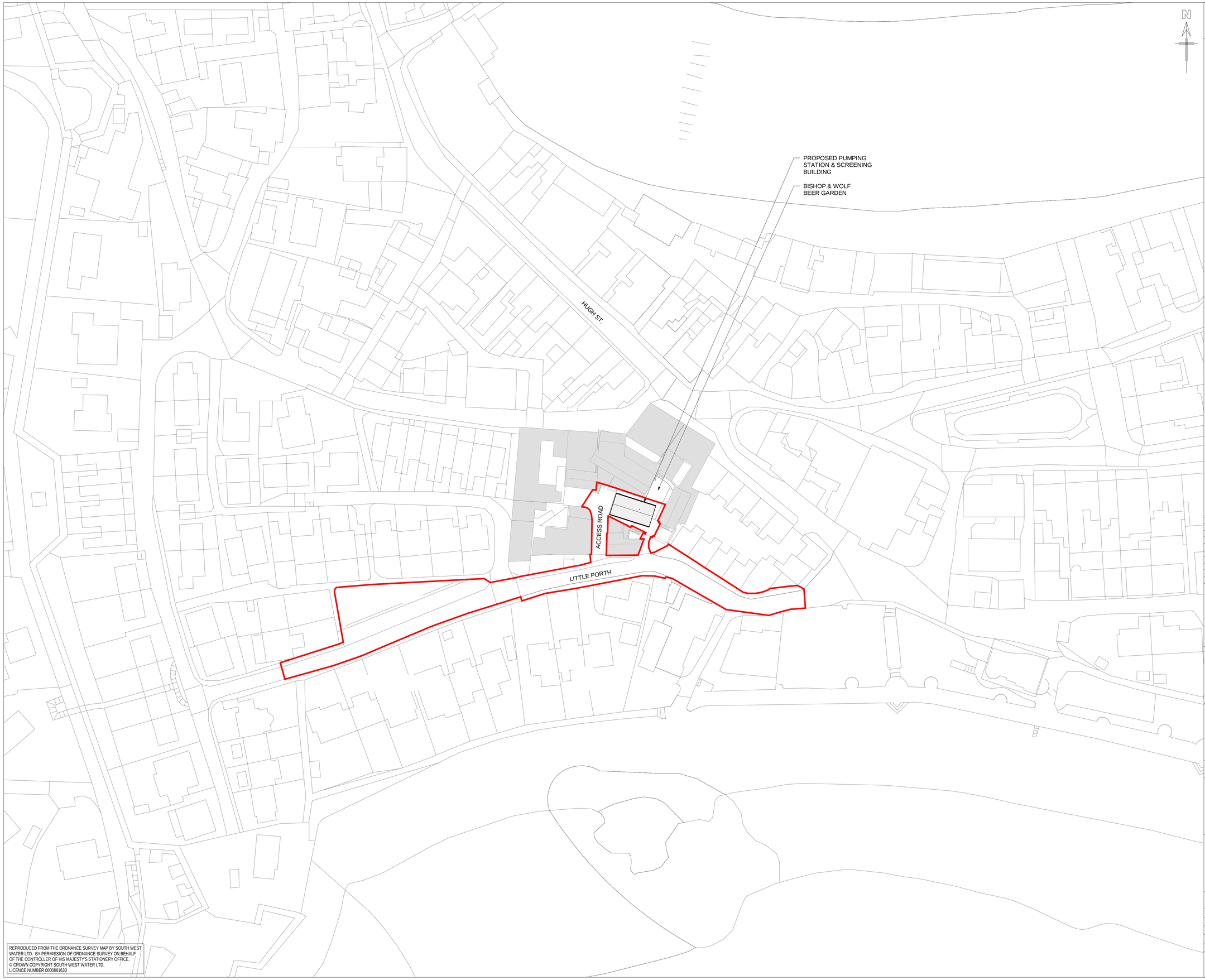
Drawing Title: BISHOP AND WOLF PS & SCREENING PLANT SITE LOCATION PLAN

Drawing Status: FOR REVIEW AND COMMENT

| | Name | Date |
|---|---|---|
| Drawn | I. Cerdan | 20.11.24 |
| Designed | I. Cerdan | 20.11.24 |
| Eng Chk | L. Chinnock | 20.11.24 |
| Approved | L. Wardell | 20.11.24 |

Status Code: S3
Scale: 1:1250
Revision: P02

Drawing No.: 107780-PEF-WW-602-DDR-T-0001








N

## NOTES

1. APPROXIMATE BOUNDARIES ARE SHOWN AND WILL NEED TO BE CONFIRMED IN DESIGN DEVELOPMENT.

**RECEIVED**
*By Liv Rickman at 5:31 pm, Feb 07, 2025*

**APPROVED**
*By Lisa Walton at 1:29 pm, May 30, 2025*

LEGEND

EXISTING BUILDINGS

DEVELOPMENT SUBJECT TO A PLANNING APPLICATION (1700 m²)

0m 10m 20m 30m 40m 50m

SCALE 1:500 @ A1

| REV | DESCRIPTION | DRN | DSN | CHK | APP | DATE |
|---|---|---|---|---|---|---|
| P03 | RED LINE BOUNDARY ADDED | IC | IC | LJW | LJW | 30.01.25 |
| P02 | VIEW SCALE UPDATED | IC | RN | LJW | LJW | 11.12.24 |
| P01 | INITIAL PLANNING DRAWING | IC | IC | LJW | LJW | 21.08.24 |

Pell Frischmann

BURRATOR HOUSE, PENINSULA PARK, RYDON LANE EX2 7NT
Telephone +44 (0)1392 444 345
Email: pfexeter@pellfrischmann.com
www.pellfrischmann.com

Client: South West Water

Contractor: TRANT

TRANT Engineering Ltd.
Head Office: Rushington House, Rushington, Southampton SO40 9LT.
Telephone: (023) 8066 5544 E-Mail: Engineering@trant.co.uk
www.trant.co.uk

Project Status: OUTLINE DESIGN

Project: ISLES OF SCILLY CAPITAL DELIVERY PROGRAMME

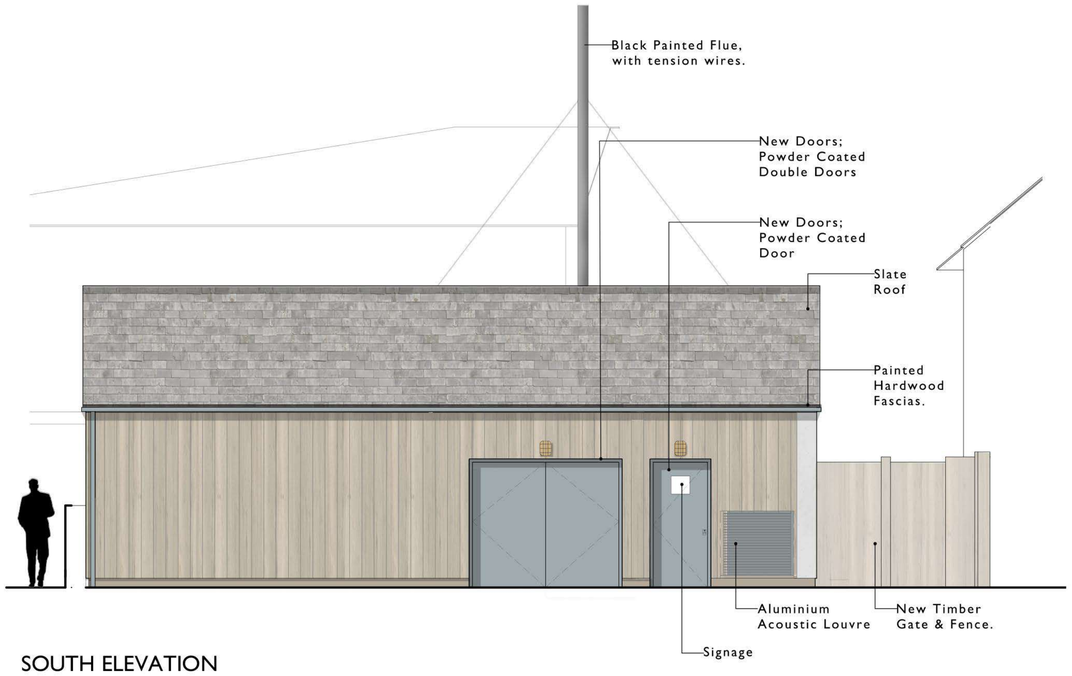
Drawing Title: BISHOP AND WOLF PS & SCREENING PLANT PROPOSED SITE PLAN

Drawing Status: FOR ACCEPTANCE

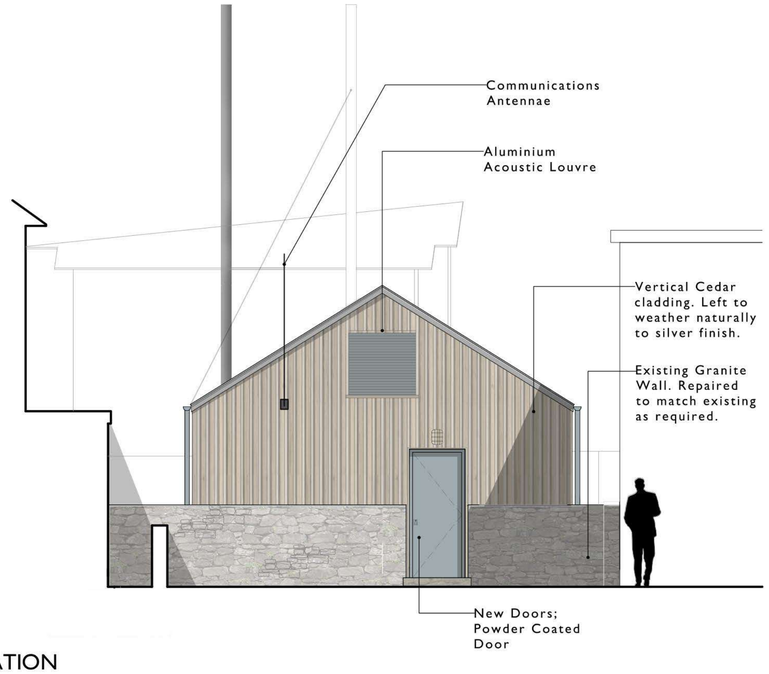
| | Name | Date |
|---|---|---|
| Drawn | I. CERDAN | 30.01.25 |
| Designed | I. CERDAN | 30.01.25 |
| Eng Chk | R. NEWELL | 30.01.25 |
| Approved | R. NEWELL | 30.01.25 |

Status Code: S4
Scale: 1:500
Revision: P03

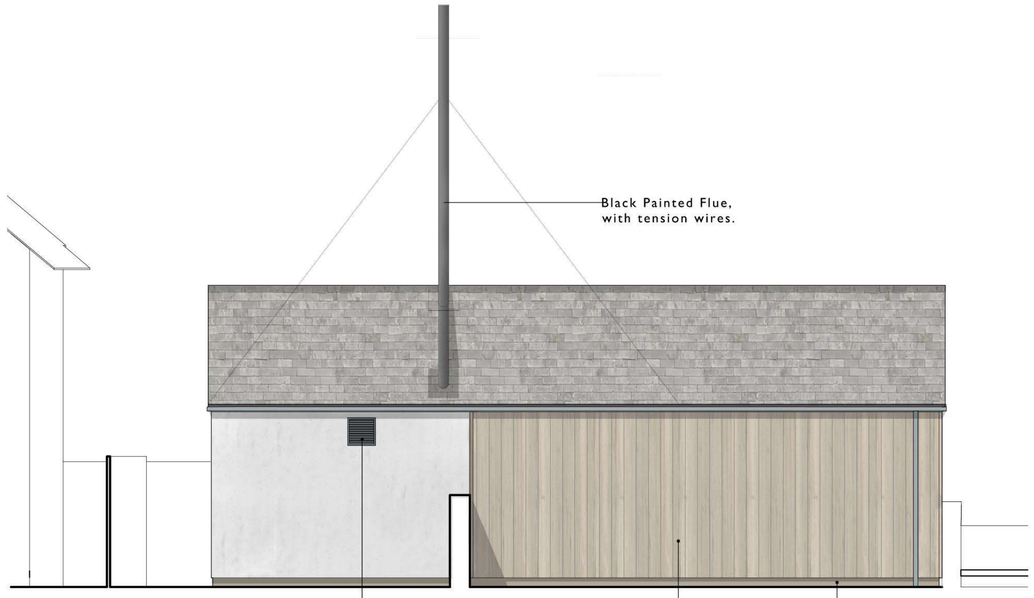
Drawing No.: 107780-PEF-WW-602-DDR-T-0003



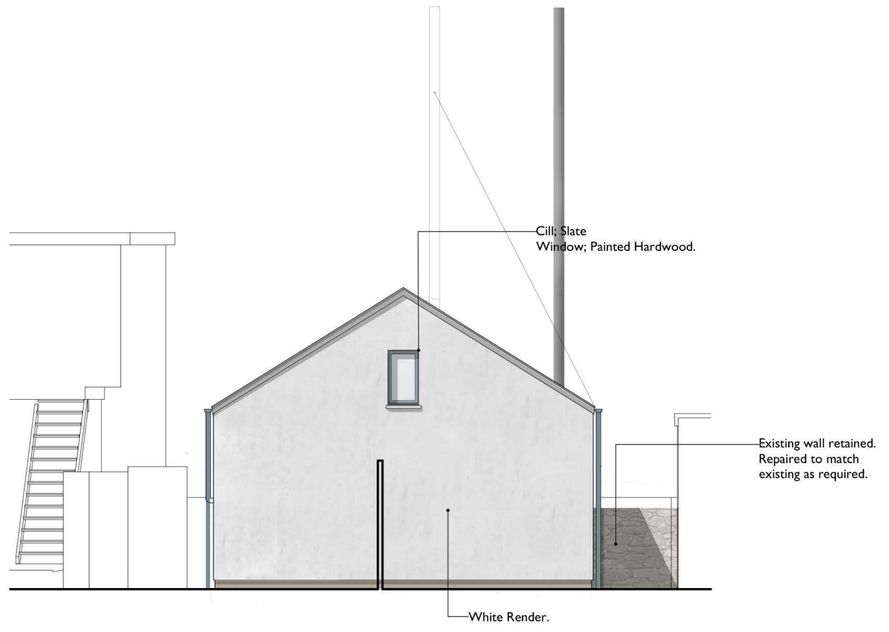

SOUTH ELEVATION




WEST ELEVATION




NORTH ELEVATION



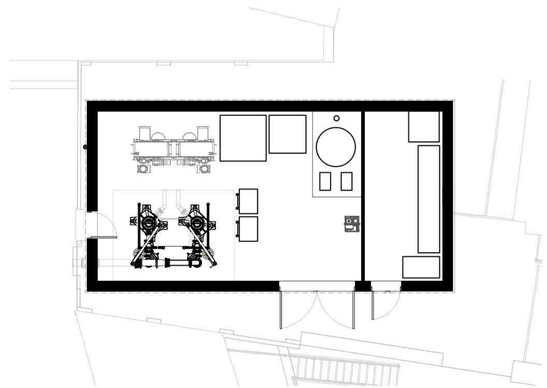

EAST ELEVATION

1m 5m 10m

SCALE 1:100 @ A1

1m 5m

SCALE 1:50 @ A1



SITE PLAN 1:100 @ A1

| Rev. | DR. | CH. | Date | Notes |
|---|---|---|---|---|
| D | SW | NL | 02.12.24 | Design Updates; Western Elevation |
| C | SW | NL | 03.09.24 | Updates following PF comments |
| B | SW | NL | 03.07.24 | Notes added. |
| A | SW | NL | 11.04.24 | Design Updates |
| - | - | - | 12.03.24 | First Issue |

PROJECT: ST MARYS WATER TREATMENT WORKS

DRAWING: PROPOSED ELEVATIONS

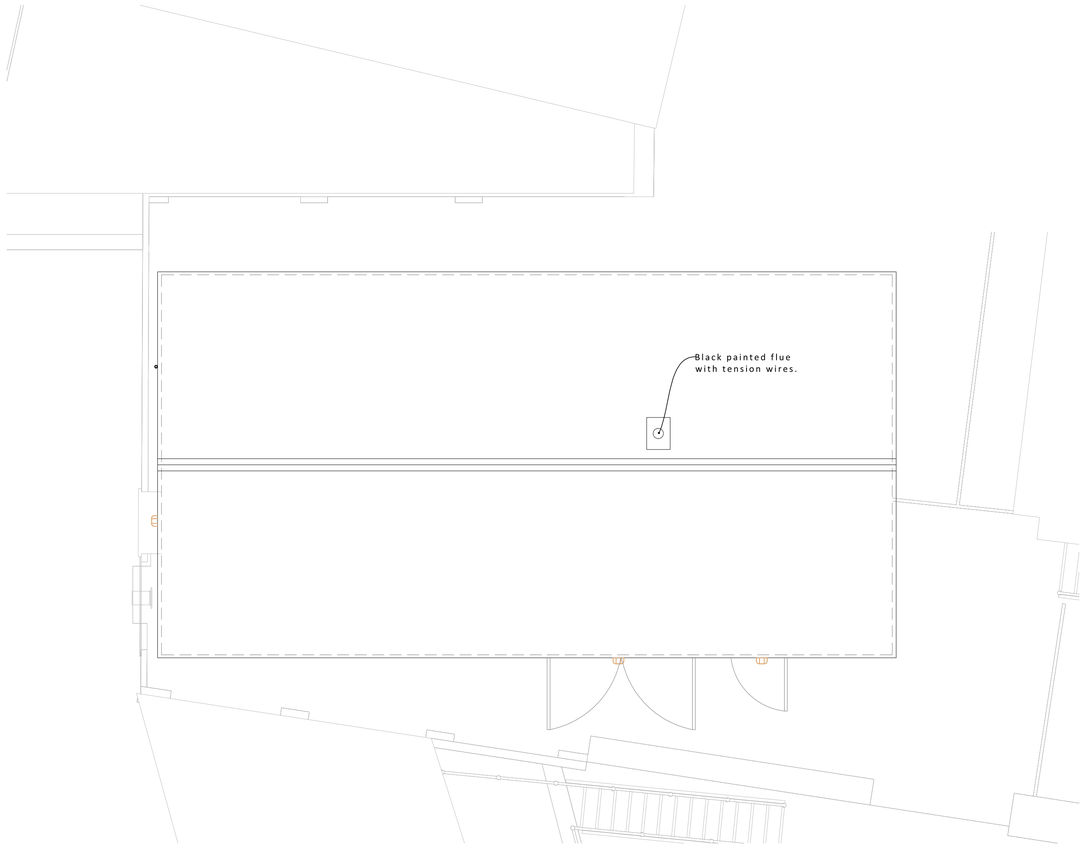
DRAWING No.: 4315_02_001 D.

SCALE: 1:50 @ A1, 1:100 @ A3

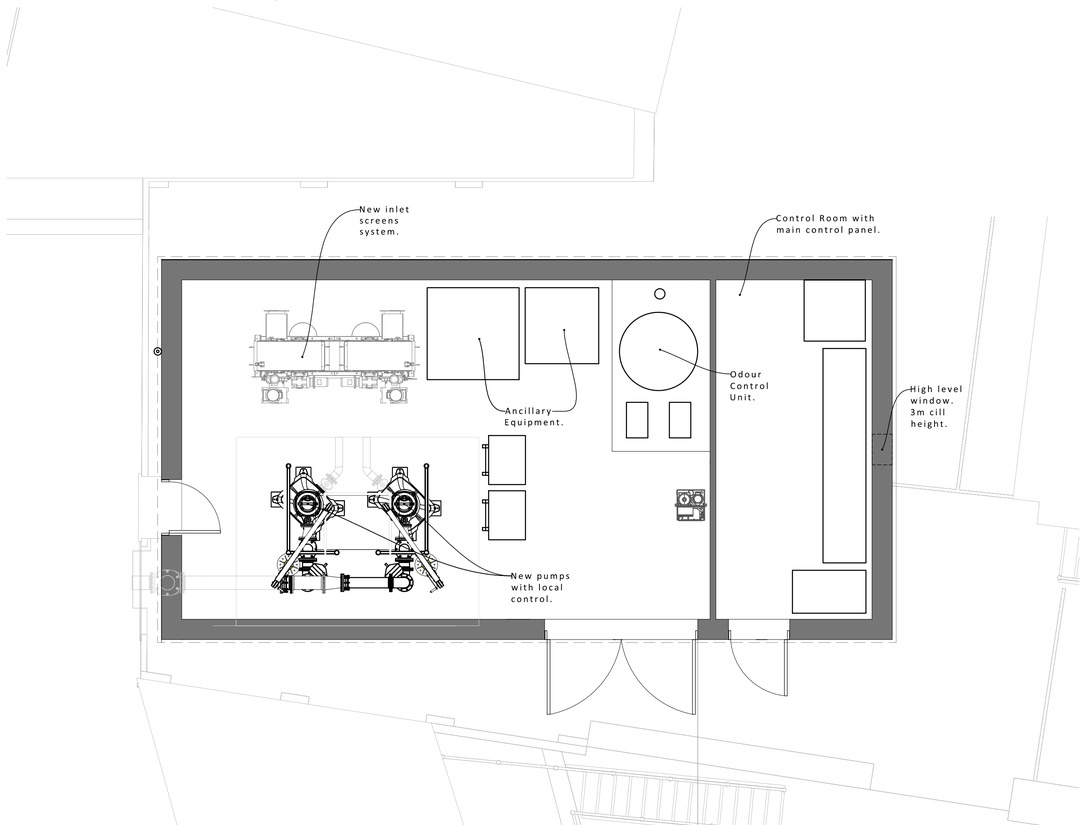
DATE: DEC 2024

llewellyn harker lowe

home barn, gatstrell, stawey lane, northend, bath, BA1 8EH
email: architects@llewellynharker.com
Tel 01749 860032




PROPOSED ROOF PLAN 1:50 @ A1




1m 5m

SCALE 1:50 @ A1

PROPOSED GF PLAN 1:50 @ A1



| Rev. | DR. | CH. | Date | Notes |
|---|---|---|---|---|
| C | SW | NL | 17.12.24 | Roof Plan Amended |
| B | SW | NL | 02.12.24 | Design Updates; Western Elevation |
| A | SW | NL | 27.08.24 | Updates following PF Comments |
| - | - | - | 09.07.24 | First Issue |

PROJECT: ST MARYS
WATER TREATMENT WORKS

DRAWING: PROPOSED GF & ROOF
PLAN

DRAWING No.: 4315_02_006 C.

SCALE: 1:50 @ A1
1:100 @ A3

DATE: DEC 2024

llewellyn
harker
lowe

home barn, gastrell, stoway lane, northend, bath, BA1 8EH
email: architects@llewellynharker.com
Tel 01749 860022

Pell Frischmann

# Bishop and Wolf Pumping Station and Screening Plant

## Bat Emergence Surveys Report

| | |
|---|---|
| **Report Ref.** | 107780-PEF-ZZ-602-TRP-GE-0002 Bat Emergence Survey Report - Bishop and Wolf |
| **File Path** | **https://acc.autodesk.eu/docs/files/projects/7df326d2-00c1-4176-a37d-3a5f9fccebf1?folderUrn=urn%3Aadsk.wipemea%3Afs.folder%3Aco.cwjpwVGkTzmXZ8K80g2Pug&entityId=urn%3Aadsk.wipemea%3Adm.lineage%3AC4RL7X1OTPKOkT67qLqyVA&viewModel=detail&moduleId=folders** |

| Rev | Suit | Description | Date | Originator | Checker | Approver |
|---|---|---|---|---|---|---|
| P01 | S4 | Initial Issue | 05 Dec 2024 | S Shaw | T Severn & C Gilby | C Gilby |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Ref. reference. Rev revision. Suit suitability.

**Prepared for**

**Trant**

Rushington House
Rushington
Southampton
Hampshire
SO40 9LT

**Prepared by**

**Pell Frischmann**

5th Floor
85 Strand
London
WC2R 0DW

# Contents

Executive summary
1 Introduction ..... 1
1.1 Survey Scope ..... 1
1.2 Site Location and Baseline Conditions ..... 1
1.3 Scheme Description ..... 1
2 Legislation ..... 3
3 Assessment Methodology ..... 4
3.1 Desktop Study ..... 4
3.2 Building Assessment to Inform the Bat Emergence Surveys ..... 4
3.3 Bat Emergence Surveys ..... 4
3.4 Surveyors ..... 5
3.5 Accurate Lifespan of Ecological Data ..... 5
3.6 Survey Constraints and Limitations ..... 5
4 Results ..... 6
4.1 Desk Study and Bat Roosting Building Assessment ..... 6
4.2 Bat Emergence Survey ..... 6
5 Mitigation for Protected Species ..... 8
5.1 Lighting Mitigation ..... 8
5.2 Roosting Bats ..... 8
5.3 Enhancement Measures for Bats ..... 8
6 Report Limitations ..... 9
7 References ..... 10

**Figures**

Figure 1 Site location Plan ..... 2

**Tables**

Table 1 Emergence Survey Weather Conditions ..... 6

**Appendices**

Appendix A Bat Emergence Survey Location Maps

# Executive Summary

| | |
|---|---|
| **Site Name** | Bishop and Wolf Pumping Station and Screening Plant |
| **Location** | The site is located at the existing SWWL Bishop and Wolf sewage pumping station (SPS) located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly, TR21 0JG at Grid Reference: SV 90241 10502 (Easting 090241; Northing 010502).<br><br>The existing SPS is located behind retail, leisure, and residential properties along Garrison Lane, in the middle of Hugh Town, and is accessed from Little Porth Road via a shared access point.<br><br>The site consists of concrete hardstanding and the existing site. A wall separates the existing Bishop and Wolf pumping station from the Bishop and Wolf pub beer garden. Due to the increase in footprint of the building, a small section of the Bishop & Wolf Pub's outside space will be required. |
| **Surveys** | The Site contained a single building which was assessed as low potential and suitable as a transitional roost only. Features were observed which could offer some roosting opportunities for bats, in particular crevice dwelling species. Therefore, one bat emergence survey was completed using a mixture of acoustic monitoring equipment and infra-red video recording equipment. |
| **Survey Results** | No bats were observed emerging from the SPS building or the boundary wall by the field surveyor or during the analysis of video footage.<br><br>Very little bat activity was recorded during the summer survey with only three calls from nearby foraging common pipistrelle recorded during the survey. |
| **Recommendations** | Bats are considered likely absent from the building and no further action is required in relation to bats (BCT, 2023). However, as bats area mobile species mitigation has been provided to provide further avoidance measures.<br><br>To ensure that bats continue to use the commuting and foraging features surrounding the Site, it is recommended that any lighting used within the scheme is kept to a minimum and is carefully designed to prevent light spill onto important foraging and commuting features.<br><br>Enhancement measures for roosting bats have been proposed. |

# 1 Introduction

Pell Frischmann have been commissioned by Trant Engineering Limited (Trant, the 'Principal Contractor'), on behalf of South West Water Limited (SWWL, 'the undertaker'), to undertaken protected species surveys for the Bishop and Wolf Pumping Station and Screening Plant ('the proposed scheme'). The proposed scheme is located on the island of St Mary's, within the Isles of Scilly archipelago.

These surveys have been undertaken to fulfil the protected species survey requirements identified in the Ecological Impact Statement (EcIA) (report ref Pell Frischmann 107780-PEF-ZZ-602-TRP-GE-0001).

## 1.1 Survey Scope

The scope of these surveys was to identify

- The presence of bats and bat roosts within the buildings and within the Site boundary.

All United Kingdom (UK) bat species are afforded full protection under European and British law which makes it an offence to deliberately kill or injure individuals, damage their breeding or resting places, and/or obstruct access to their breeding or resting places.

Sufficient ecological information is required to fully inform the site design and the proposed works. Reports will enable the project to satisfy all current UK and European legal wildlife requirements, as well as national and local planning regulations. All public bodies have statutory obligations under the Natural Environment and Rural Communities (NERC) Act 2006 to conserve and enhance biodiversity.

## 1.2 Site Location and Baseline Conditions

The site is located at the existing SWWL Bishop and Wolf sewage pumping station (SPS) located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly, TR21 0JG at Grid Reference: SV 90241 10502 (Easting 090241; Northing 010502).

The existing SPS is located behind retail, leisure, and residential properties along Garrison Lane, in the middle of Hugh Town, and is accessed from Little Porth Road via a shared access point.

The site consists of concrete hardstanding and the existing site. A wall separates the existing Bishop and Wolf pumping station from the Bishop and Wolf pub beer garden. Due to the increase in footprint of the building, a small section of the Bishop & Wolf Pub's outside space will be required.

The location of the building subject to the bat emergence survey is shown below in Figure 1 and survey locations are attached in Appendix A.

## 1.3 Scheme Description

The proposed scheme consists of the construction of an enlarged wastewater infrastructure building, which will replace the existing Bishop and Wolf SPS building. The new building will house new variable-speed pumps and a new screening plant. The screening plant will remove objects such as rags, paper, plastics, and metals to prevent damage and clogging of downstream equipment, piping, and appurtenances as well as ensuring they do not enter the marine environment. The proposed scheme layout is shown in drawing 107780-PEF-WW-602-DDR-C-0005.

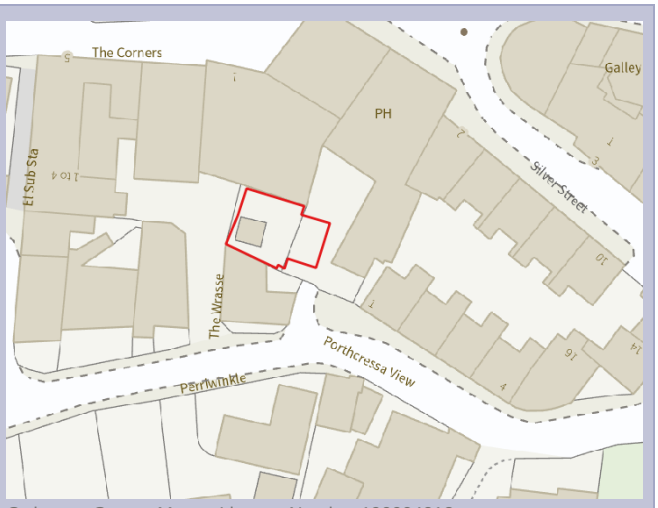
The plant will operate intermittently as required on a 24/7 basis, operation could occur at any time.

The proposed scheme will improve the resilience of the wastewater system, bringing benefit to all residents and visitors to St Mary's. Residents in close proximity will further benefit from the replacement of the existing infrastructure with modern plant, incorporating improved noise attenuation and odour control facilities.

The replacement pumps will be sized to ensure the conditions of the Atlantic CSO permit are met. Screens will be fitted with 3mm mesh to comply with the discharge permit conditions. Screens will have a 30 l/s flow rate.

**Figure 1 Bat Emergence Survey building location Plan**

Google Earth Imagery - License Number JCPMB2ZBMMAWBHP




Ordnance Survey Maps - License Number 100004912

# 2 Legislation

Following the exit of the UK from the European Union (EU) in January 2020 the UK related legislation has been retained and bats still receive the same level of protection. Bats are a European Protected Species under the EC Habitats Directive 92/43/EEC. In England and Wales all bat species are fully protected under The Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) and The Environment Act 2021.

Under this legislation, it is illegal to:

- intentionally or deliberately* kill, injure or capture (or take) bats
- deliberately disturb bats (whether in a roost or not)
- recklessly disturb roosting bats or obstruct access to their roosts
- damage or destroy bat roosts
- possess or transport a bat or any part of a bat, unless acquired legally
- sell or exchange bats, or parts of bats.

* In a court, 'deliberately' will probably be interpreted as someone who, although not intending to capture/injure or kill a bat, performed the relevant action, being sufficiently informed and aware of the consequence which his/her action will most likely have.

Some bat species are also included in the Schedule 41 list of UK priority species. Under the Natural Environment and Rural Communities (NERC) Act 2006, local authorities must consider the conservation of these species in planning decisions.

In many cases, it should be possible to avoid harming the bats or damaging/blocking access to their habitat. If this cannot be avoided, a mitigation licence will need to be granted from Natural England prior to works commencing. Planning Permission will need to be granted prior to this application.

# 3 Assessment Methodology

## 3.1 Desktop Study

To accurately assess the potential ecological impacts of the scheme, a desktop study was undertaken during the EcIA to identify the presence of sensitive ecological receptors at the site and within the surrounding area.

Full details of the desktop study (including all relevant legal and policy issues) can be found within the EcIA report (Report Ref. 107780-PEF-ZZ-602-TRP-GE-0001) and details regarding bat and bat roost records have been summarised in Section 4 of this report. This includes reference to granted European Protected Species licence applications for disturbance of bat roosts in England on the multi-agency geographical information centre (MAGIC) website.

## 3.2 Building Assessment to Inform the Bat Emergence Surveys

### 3.2.1 Roosting Habitat

Bats can use a number of features in buildings to rest, give birth, raise young and/or hibernate. Bat roosts may be found in the following PRFs within buildings/structures:

- Roof features including broken and missing ridge and roof tiles, and underneath lead flashing
- Beneath roofing felt
- Roof joists and the wider loft space
- Dormer windows
- Within space behind soffit boards, fascia boards and gable ends
- Space behind downpipes and gutters
- Loose mortar between bricks
- Within porch structures
- Behind hanging tiles

## 3.3 Bat Emergence Surveys

The methodology for the bat emergence surveys followed that described in the Bat Surveys for Professional Ecologists Good Practice Guidelines (4th Edition, Bat Conservation Trust 2023) for emergence surveys. The buildings with PRF features within the Site were assessed as having low suitability. Due to having been assessed as follows:

- Low roost suitability, one emergence survey to be conducted during 2024 (May to August for buildings and structures).

Dusk bat emergence visits are undertaken with surveyors watching (using a night vision aid (NVA)), listening for and recording bats (using a bat detector) exiting and re-entering roosts at the time of survey. These presence/absence surveys will confirm the need for any further surveys and mitigation.

Surveys should be conducted at least three weeks apart. Survey timings should consider prevailing weather conditions for the geographic region. The surveys should be planned to maximise the chance of detecting a maternity roost.

This methodology involves using infrared cameras as NVA to observe PRFs identified during the preliminary roost assessment conducted in tandem with the preliminary ecological appraisal.

Bat emergence surveys are conducted from 15 minutes prior to sunset until 1.5 – 2 hours after sunset.

Surveyors are equipped with bat detectors and infrared (IR) recording cameras with infrared lights to provide illumination to the PRFs being surveyed.

## 3.4 Surveyors

All surveys were completed by suitably qualified ecologists from Pell Frischmann.

Bat surveys were led by Principal Ecologist C Gilby MCIEEM, who has 10 years commercial survey experience and holds Natural England (NE) survey class licence level 1 (2020-46068-CLS-CLS.

## 3.5 Accurate Lifespan of Ecological Data

The majority of ecological data remains valid for only short periods due to the inherently transient nature of the subject. The survey results contained in this report are considered accurate for approximately 2 years, notwithstanding any considerable changes to the site conditions.

It should also be noted that bats are highly mobile species and will move throughout the landscape using multiple available habitats/roost spaces. Therefore, bats may be found in suitable roosting spaces during any part of the year.

## 3.6 Survey Constraints and Limitations

The survey has been considered to not have to had been constrained.

# 4 Results

## 4.1 Desk Study and Bat Roosting Building Assessment

Records of protected and notable species which have been identified within a 2km boundary of the Site have been provided by The Environment Records Centre for Cornwall and the Isles of Scilly (ERCCIS). Records of granted European Protected Species Licences have been provided by the Multi-Agency Geographic Information for the Countryside (MAGIC).

| Species | Overview of Desk Study | Overview of Survey Results and Justification of Value | Intrinsic Value in the context of the Site |
|---|---|---|---|
| Bats | ERRCIS returned 3,124 records for bats within St Mary's since 2003. The closest record is for a common pipistrelle (*Pipistrellus pipistrellus*. The most recent year recorded was 2019. Six records of soprano pipistrelle *(Pipistrellus pygmaeus)* and 19 records of unidentified bat (species not recorded) (*Chiroptera sp*.) have also been recorded.<br><br>Additional data from the 'Bats of the Isles of Scilly 2022' report was also reviewed (https://www.ios-wildlifetrust.org.uk/sites/default/files/2023-08/BigScillyBatSurveyReport2022FINAL.pdf), and it is understood that species recorded on St Mary's through this study included common pipistrelle, soprano pipistrelle (*Pipistrellus pygmaeus*), and Nathusius' pipistrelle (*Pipistrellus nathusii*). The report notes that prior knowledge was that potentially Leisler's bat (*Nyctalus leisleri*) and/or serotine bat (*Eptesicus serotinus*) had also been recorded.<br><br>A search of MAGIC returned no Granted EPSL for bats on St Mary's. | **Bat Foraging and Commuting**<br><br>Bat activity surveys were not required due to the very small nature of the proposed scheme.<br><br>**Bat Roosting Potential**<br><br>Features were observed on the east and southeast sides of the SPS building which could offer some roosting opportunities for bats, in particular crevice dwelling species such as common pipistrelle. The building has a pump which turns on and off periodically and causes some level of noise and the internal condition of the building appeared in good repair. There was a false ceiling however no access hatch was present to enable further roof inspection.<br><br>The boundary stone wall included features which could offer potential for opportunistic bats to roost.<br><br>Overall, the building and the boundary wall were assessed as having 'low' potential for roosting bats.<br><br>**Overall**<br><br>A value of 'low' has therefore been assigned to bats in the context of the Stie in relation to foraging.<br><br>A value of 'low' would be considered suitable for roosting bats as there remains roosting potential within the Site but in limited importance. | Low |

## 4.2 Bat Emergence Survey

The bat emergence surveys were undertaken on the 20 August 2024. Table 1 below table presents timings and the weather conditions during the surveys undertaken.

**Table 1 Emergence Survey Weather Conditions**

| Date | Survey 1 - 20/08/2024 |
|---|---|
| Sunset Time | 20:28 |
| Survey Start | 19:58 |
| Survey End | 21:58 |

| Date | Survey 1 - 20/08/2024 |
|---|---|
| Temperature at Start | 18 |
| Temperature at End | 11 |
| Wind (Beaufort Scale) | 1 |
| Cloud Cover (%) | 25 |
| Precipitation | 0 |

### 4.2.1 Bat Emergence Survey Results

A single species of bat was recorded by sound during the bat emergence survey, this was common pipistrelle (*Pipistrellus pipistrellus*) and was first recorded at 21:05.

Very little bat activity was recorded during the summer survey with only three calls from nearby foraging common pipistrelle recorded during the survey.

No bats were observed emerging from the SPS building or the boundary wall by the field surveyor or during the analysis of video footage. It is therefore considered that bats are likely absent from the building.

# 5 Mitigation for Protected Species

The ecological impact hierarchy requires that all steps are taken to avoid adverse impacts to habitats and species. Only where impacts cannot be avoided, steps should be taken to mitigate for any losses within the scheme boundary. In cases where all options for on-site mitigation have been exhausted, offsite compensation measures can be considered.

If any protected species are found during the works, construction in that area should stop immediately and an ecological specialist should be consulted, in line with UK legislation.

The following recommendations have been proposed to minimise the potential ecological impacts during the scheme design. These will be further detailed within an Ecological Impact Assessment (EcIA) suitable for submission to planning on receipt of the final development plan.

## 5.1 Lighting Mitigation

To ensure that bats continue to use the commuting and foraging features surrounding the Site, it is recommended that any lighting used within the scheme (including during both construction and operation) is kept to a minimum and is carefully designed to prevent light spill onto important foraging and commuting features.

Artificial lighting has been found to affect the feeding behaviour of bats in two ways; one is the attraction that light from certain types of lamps has to a range of insects; the other is the presence of lit conditions generating avoidant behaviour of bats (BCT, 2023). It is recommended that lighting on Site is kept to a minimum and with the lighting plan developed with regards to minimising light spill.

## 5.2 Roosting Bats

Bats are considered likely absent from the building and no further action is required in relation to bats (BCT, 2023).

However, as bats area mobile species mitigation has been provided to provide further avoidance measures.

The building displayed features suitable for a transitional roost only and not suitable for a hibernation roost. Therefore, it is recommended that demolition works of the building are undertaken between November 1st and March 1st when bats would be least likely to be present. Where this is not possible it is recommended that a suitably licenced ecologist is present during the roof strip.

In the unlikely event that roosting bats are identified during demolition, works must stop immediately, and a Mitigation Licence for a European Protected Species Licence (EPSL) will be required from Natural England prior to tree removal being completed.

Mitigation required under the EPSL would likely involve the creation or the replacement of roost sites and would be confirmed following the additional pre-commencement surveys.

## 5.3 Enhancement Measures for Bats

Where practicable, opportunities to incorporate bat boxes, bat tiles or bat bricks into the new building should be explored at the detailed design stage.

# 6 Report Limitations

The information reported herein is based only on the interpretation of data collected during the bat activity and tree climbing survey visits. This work pertains specifically to the identification of great crested newt on the proposed site. Information provided to Pell Frischmann has been accepted as being accurate and valid.

This report has been prepared by Pell Frischmann with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client.

The evaluation and conclusions do not preclude the existence of other protected species, which could not reasonably have been revealed by the comprehensive desk studies, site visit and protected species surveys. Hence, this report should be used for information purposes only and should not be construed as a comprehensive characterisation of all site habitats.

In addition, this report details only the conditions on site, at the time of reporting. The dynamic nature of the natural environment will result in changes to the surrounding environment as seasons change. No responsibility is taken by Pell Frischmann to the existence of additional species identified on this site at a later date.

This report has been prepared solely for the use of Trant and may not be relied upon by other parties without written consent from Pell Frischmann. In addition, it must be understood that this report does not constitute legal advice.

Pell Frischmann disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

# 7 References

Environmental Records Centre for Cornwall and the Isles of Scilly Data Search (14th July 2023)

Guidance Note GN08/23 Bats and Artificial Lighting At Night: Bat Conservation Trust 2023 [Online] Available: Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals (theilp.org.uk)

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

Institute of Environmental Assessment. 1995. Guidelines for Baseline Ecological Assessment. London: E &FN Spon.

Joint Nature Conservation Committee. 2010 edition. Handbook for Phase 1 Habitat Survey – a technique for environmental audit. Peterborough: Nature Conservancy Council.

Multi Agency Geographical Information on the Countryside (MAGIC) [online].
Available at: http://magic.defra.gov.uk

His Majesty's Stationery Office (2006). Natural Environment and Rural Communities Act 2006. [online 2006:]

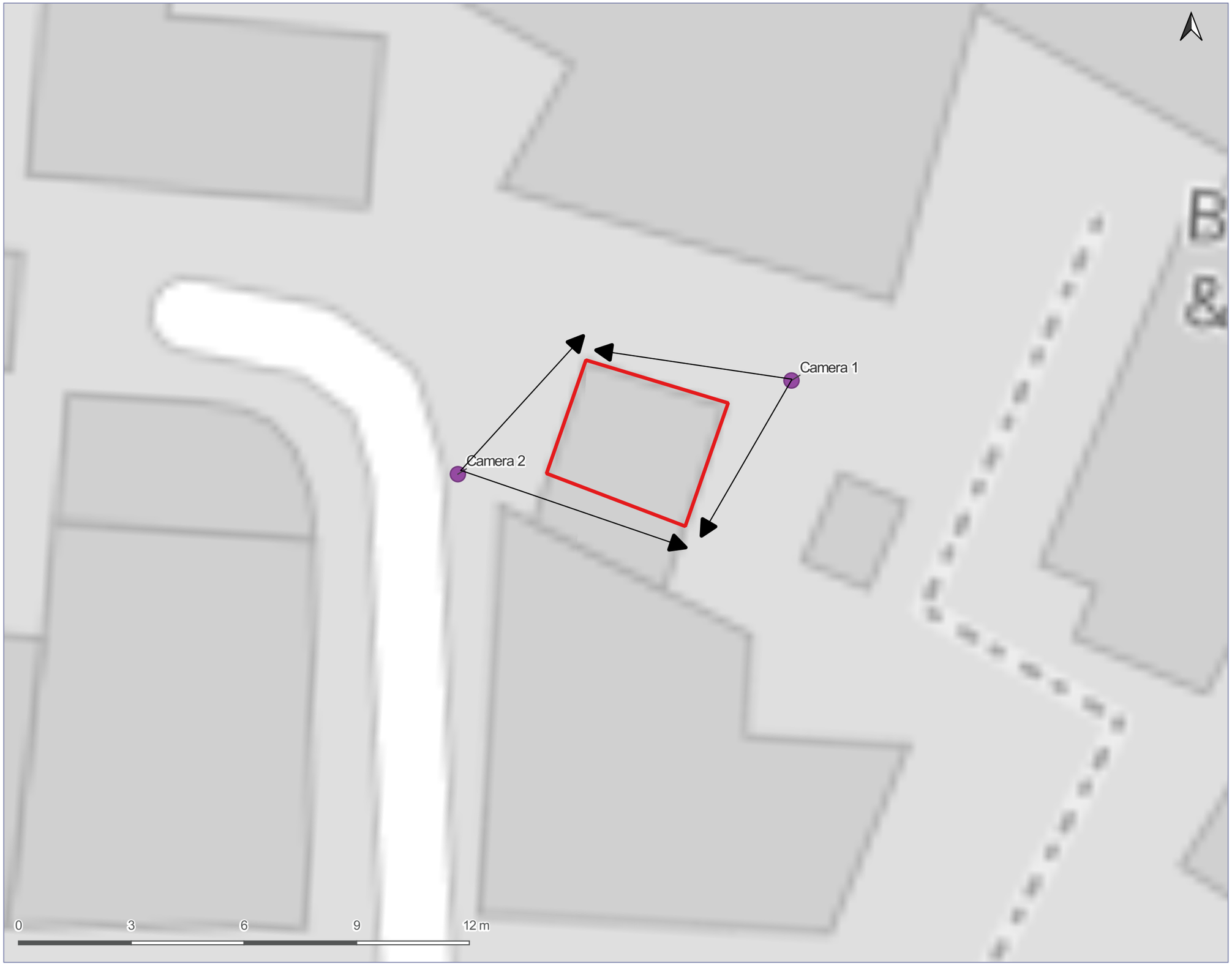
European Union 1992. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora. Also known as: The Habitats Directive (Council Directive 92/43/EEC) [online:] Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31992L0043

His Majesty's Stationery Office (2021). Environment Act 2021 [online:} Available at: https://www.legislation.gov.uk/ukpga/2021/30/contents

His Majesty's Stationery Office (2017). The Conservation of Habitats and Species Regulations 2017 (as amended). [online:] Available at:https://www.legislation.gov.uk/uksi/2017/1012/contents

His Majesty's Stationery Office (1981). The Wildlife and Countryside Act 1981 (as emended):. [online:] Available at: https://www.legislation.gov.uk/uksi/2017/1012/contents

# Appendix A Bat Emergence Survey Location Maps




Legend
- Camera locations
- B&W building

Scale 1:100 at A3

Isles of Scilly

# Capital Delivery Programme

## Biodiversity Net Gain Assessment

Bishop and Wolf Pumping Station and Screening Plant

| **Report Ref.** | | **107780-PEF-ZZ-602-TRP-GE-0003 Biodiversity Net Gain Assessment** | | | | |
|---|---|---|---|---|---|---|
| **File Path** | | **ACCDocs\Pell_Frischmann\107780 IoS\Project Files\01-WIP\S0-Initial Status\EN-Environment & Sustainability\GE-Ecology\T - Textual\Reports** | | | | |
| **Rev** | **Suit** | **Description** | **Date** | **Originator** | **Checker** | **Approver** |
| P01 | S4 | For acceptance | 04 Dec 2024 | N Hawkes-Southern | C Gilby | C Gilby |
| P02 | S4 | For acceptance – updated based on Client comments | 06 Jan 2025 | E Samways | J Davey | J Davey |
| | | | | | | |
| | | | | | | |

Ref. reference. Rev revision. Suit suitability.

This report is to be regarded as confidential to our Client and is intended for their use only and may not be assigned except in accordance with the contract. Consequently, and in accordance with current practice, any liability to any third party in respect of the whole or any part of its contents is hereby expressly excluded, except to the extent that the report has been assigned in accordance with the contract. Before the report or any part of it is reproduced or referred to in any document, circular or statement and before its contents or the contents of any part of it are disclosed orally to any third party, our written approval as to the form and context of such a publication or disclosure must be obtained.

**Prepared for**

**Trant**

Rushington House
Rushington
Southampton
Hampshire
SO40 9LT

**Prepared by**

**Pell Frischmann**

5th Floor
85 Strand
London
WC2R 0DW

# Contents

Executive summary
1 Introduction ..... 1
1.1 Site Location and Description ..... 1
1.2 Proposed Scheme ..... 2
2 Legislation and Policy ..... 3
2.1 National Legislation ..... 3
2.2 National Planning Policy ..... 3
2.3 Local Planning Policy ..... 3
3 Assessment Methodology ..... 5
3.1 The Statutory Biodiversity Metric ..... 5
3.2 Baseline Surveys and Data Sources ..... 6
3.3 Post Development Plans and Data Sources ..... 7
3.4 Biodiversity Net Gain Principles ..... 7
3.5 Assumptions ..... 7
3.6 Constraints and Limitations ..... 8
4 Baseline Habitats ..... 9
5 Post-Development Habitats ..... 10
5.1 Habitats to be Retained ..... 10
5.2 Habitats to be Enhanced ..... 10
5.3 New Habitats to be Created ..... 10
6 Results and Recommendations ..... 11
6.1 Discussion of Results ..... 11
6.2 Recommendations ..... 11
6.3 Trading Rules ..... 12
6.4 Temporal Risk Multiplier ..... 12
6.5 Biodiversity Net Gain Principles ..... 13
7 Ecological Report Limitations ..... 16
8 References ..... 17

## Figures

Figure 1 Site Location Plan ..... 1

## Tables

Table 1 Summary of on-site Baseline Habitat Types – Area Habitats ..... 9
Table 2 Summary of on-site Baseline Habitat Types – Linear Hedgerows ..... 9
Table 3 Summary of Biodiversity Units ..... 11
Table 4 Summary of Options to achieve BNG ..... 12
Table 5 Qualitative Discussion of Biodiversity Net Gain Principles ..... 14

## Appendices

Appendix A UKHab Habitat Survey Map
Appendix B Condition Assessments

# Executive Summary

| | |
|---|---|
| **Site Name** | Bishop and Wolf Pumping Station and Screening Plant |
| **Location and Proposed Scheme** | The site is located at the existing SWWL Bishop and Wolf sewage pumping station (SPS), located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly, TR21 0JG. Grid ref: SV 90241 10502.<br>The proposed scheme consists of the construction of an enlarged wastewater infrastructure building, which will replace the existing Bishop and Wolf SPS building. The new building will house new variable-speed pumps and a new screening plant. The screening plant will remove objects such as rags, paper, plastics, and metals to prevent damage and clogging of downstream equipment, piping, and appurtenances as well as ensuring they do not enter the marine environment. The plant will operate intermittently as required on a 24/7 basis, operation could occur at any time. |
| **Biodiversity Net Gain** | This BNG assessment has been completed to quantify the baseline value and overall effect of the proposed scheme on biodiversity within the site. The BNG assessment has followed industry best practice methodologies and legislation using the Statutory Biodiversity Metric and the UKHab Habitat Map produced as part of the EcIA. The Statutory Biodiversity Metric is a tool that can be used to calculate the biodiversity impact of development projects in England. It is used to ensure that development projects achieve a net gain in biodiversity, meaning that they leave the environment in a better state than they found it. |
| **Baseline Habitats** | The site consists of concrete hardstanding with small amounts of ruderal plant species and bramble were present within the cracks of concrete and the boundary wall; however, these formed less than 10% of the site, and the existing Bishop and Wolf pumping station building. An amenity area of grassland at Parsons Green was present adjacent to residential properties and the road, with three small sections of non-native karo (*Pittosporum crassifolium*) hedgerow present and separate the grassland from the adjacent road.<br>No priority habitats were identified within the site boundary. The nearest section of priority habitat, lowland heathland, is located 60m southwest, and 195m southeast of the site. |
| **Results and Recommendations** | The proposed scheme can achieve an excess of 10% BNG in area habitat units within the site through the reinstatement of modified grassland at Parsons Green with either modified grassland (good condition) or other neutral grassland (moderate condition).<br>Based on retention of the hedgerow alone, the proposed scheme cannot achieve the 10% BNG in linear hedgerow units.<br>To achieve the required 10% for linear hedgerow units, options for additional planting have been outlined. Plant species mixes are recommended to reflect the unique flora of the Isles of Scilly and provide additional and improved habitats for pollinators.<br>The Statutory Metric identifies that these can be met for the proposed scheme.<br>Construction is expected to commence in early 2025. The site is anticipated to be operational in 2025. Therefore, a zero-year delay multiplier has been applied in the metric.<br>Should there be any changes to the scheme, an update may be needed to the BNG metric, however the project will still likely achieve an excess of 10% BNG. |

# 1 Introduction

Pell Frischmann (PF) has been commissioned by Trant Engineering Limited (Trant, 'The Principal Contractor'), on behalf of South West Water Limited (SWWL, 'the undertaker'), to produce a Biodiversity Net Gain (BNG) Assessment for the Bishop and Wolf Pumping Station and Screening Plant on the island of St Mary's, within the Isles of Scilly archipelago (hereafter referred to as 'the proposed scheme').

This BNG assessment has been completed to quantify the baseline value and overall likely effect of the proposed scheme on BNG changes within the site. This has been achieved by comparing the site's baseline habitat with the proposed scheme value and calculations include the level of habitat retention, loss, enhancement and creation using the Statutory Biodiversity Metric. The Statutory Metric has been used in line with the appropriate User Guidance and the assessment has also been completed in line with the Best Practice Principles.

## 1.1 Site Location and Description

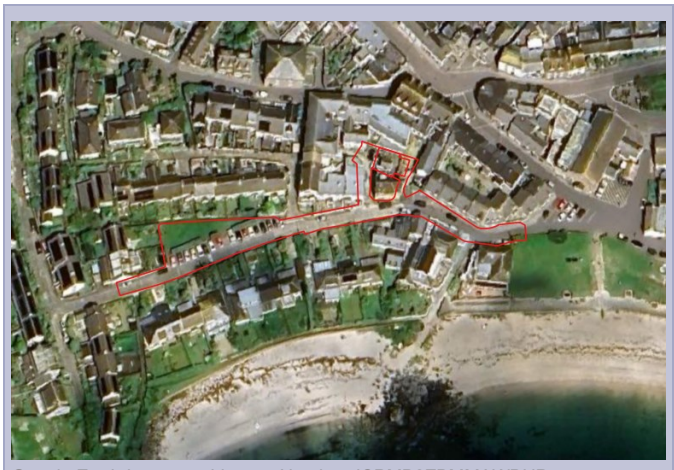
The site is located at the existing SWWL Bishop and Wolf sewage pumping station (SPS) located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly. The nearest postcode is TR21 0JG and approximate central grid reference is SV 90241 10502. The site subject to this BNG assessment consists of the land within the red line planning application boundary, as shown in Figure 1 Site Location Plan.

The existing SPS is located behind retail, leisure, and residential properties along Garrison Lane, in the middle of Hugh Town, and is accessed from Little Porth Road via a shared access point.

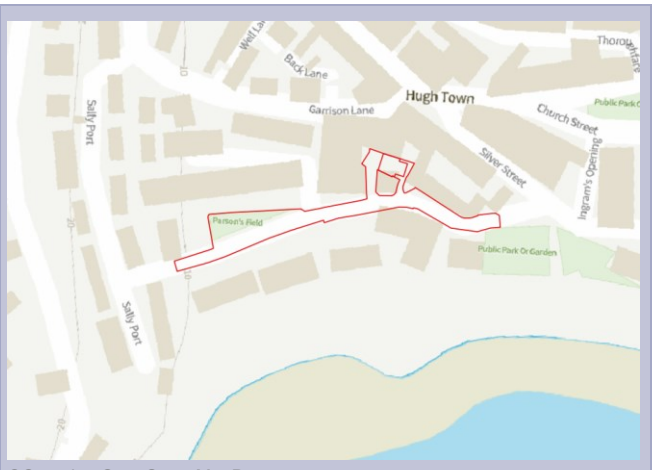
The site consists of concrete hardstanding and the existing SPS. A wall separates the existing Bishop and Wolf pumping station from the Bishop and Wolf pub beer garden. Due to the increase in footprint of the building, a small section of the Bishop & Wolf Pub's outside space will be included in the proposal.

The redline boundary includes an approximate 162m length of Carriageway extending from 14 Silver Street, along Little Porth up to 10 Parsons Field. The redline boundary has been produced to incorporate all land necessary to carry out the proposed development this including the land required for access to the site from the public highway, visibility splays, car parking associated with construction site workers and those local areas it is expected will require temporary parking suspensions put in place during the construction sites operational hours.

It is proposed that's Parson's Green will be used as a construction storage compound and lay-down area. Parsons Green comprises a 250m$^2$ triangular piece of amenity grassland located along Little Porth Road, approximately 50m to the west of the Bishop and Wolf Pumping Station



Google Earth Imagery - License Number JCPMB2ZBMMAWBHP




©Contains OpenStreetMapData

**Figure 1 Site Location Plan**

## 1.2 Proposed Scheme

The proposed scheme has been informed by the Bishop and Wolf PS & Screening Plant Proposed Site Plan (107780-PEF-WW-602-DDR-T-0003) to enable the BNG Assessment.

The proposed scheme consists of the construction of an enlarged wastewater infrastructure building, which will replace the existing Bishop and Wolf SPS building. The new building will house new variable-speed pumps and a new screening plant. The screening plant will remove objects such as rags, paper, plastics, and metals to prevent damage and clogging of downstream equipment, piping, and appurtenances as well as ensuring they do not enter the marine environment.

The plant will operate intermittently as required on a 24/7 basis, operation could occur at any time.

The proposed scheme will improve the resilience of the wastewater system, bringing benefit to all residents and visitors to St Mary's. Residents in close proximity will further benefit from the replacement of the existing infrastructure with modern plant, incorporating improved noise attenuation and odour control facilities.

The replacement pumps will be sized to ensure the conditions of the Atlantic CSO permit are met. Screens will be fitted with 3mm mesh to comply with the discharge permit conditions. Screens will have a 30 l/s flow rate.

# 2 Legislation and Policy

## 2.1 National Legislation

The Environment Act 2021 provides a framework for environmental governance, and in relation to Biodiversity and Nature Conservation, the Act includes targets to halt biodiversity decline by 2030. From 12th February 2024, the Act requires all relevant developments to achieve a minimum 10% BNG under the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990, inserted by the Environment Act.

## 2.2 National Planning Policy

The National Planning Policy Framework (NPPF 2024) paragraphs 187 to 195 set out the Government's policies on conserving and enhancing habitats and biodiversity through the planning system. These policies are expected to be incorporated into development planning documents at regional and local scales and are also of material worth in considering individual planning applications.

Of particular note to BNG is Paragraph 193(d) which states ''*when determining planning applications, local planning authorities should apply the following principles…..development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate'.*

## 2.3 Local Planning Policy

Policy OE2 (1) Biodiversity and Geodiversity within Section 2 of the Isles of Scilly Local Plan (2015-2030) states that:

1. *'Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation, and should:'*

a) *Protect the hierarchy of international, national and local designated sites in accordance with their status;*

a) *Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;*

b) *Contribute to the restoration and enhancement of existing habitats and the creation of wildlife habitats and linkages between sites to create and enhance local ecological networks;*

c) *Seek to eradicate or control any invasive non-native species present on site; and*

d) *Be required to contribute to the protection, management and enhancement of biodiversity and geodiversity.*

2. *Development proposals must:*

a) *Apply the mitigation hierarchy to all proposals;*

b) *Demonstrate how they conserve or enhance biodiversity an ecosystem processes;*

c) *The local guidance on biosecurity to control the spread of invasive non-native species; and*

d) *Ensure proportionate and appropriate biodiversity net-gain is secured.*

3. *Development proposals will not be supported where significant and harmful direct or indirect effects on biodiversity and ecosystem processes are identified, unless: a) the need for the development clearly outweighs the harm caused; b) an appropriate scheme is proposed that will secure compensation and net-increases in biodiversity.*
4. *Development proposals will not be permitted where a detrimental impact is identified to geodiversity sites unless the need for development outweighs the harm caused.*

***Avoidance, Mitigation and Compensation for Biodiversity and Geodiversity Impacts***

5. *Development should avoid adverse impacts on existing biodiversity and geodiversity interests as a first principle, and enable measurable net gains by designing-in biodiversity features and enhancements and opportunities for geological conservation alongside new development, in accordance with Policies SS1 and SS2. Where adverse impacts are unavoidable, it must be demonstrated that the development cannot be reasonably located on an alternative site that would result in less or no harm to biodiversity or geodiversity interests; and impacts must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort. Clear arrangements for the long-term maintenance or management of the mitigation and compensation need to be provided.'*

# 3 Assessment Methodology

The BNG assessment has followed industry best practice methodologies and legislation including:

- The Statutory Biodiversity Metric[1] and User Guide (DEFRA, 2024a)[2]; and
- CIEEM, CIRIA & IEMA (2019). Biodiversity Net Gain: Good practice principles for development. A practical guide[3].

The Statutory Biodiversity Metric and Good Practice Principles (CIRIA, CIEEM and IEMA 2019) combined are used to produce an assessment which:

- Establishes the baseline biodiversity units for area, linear hedgerow and Watercourse habitats (where applicable) within the site and in the case of watercourses within 10m of the site boundary;
- Establishes the number of biodiversity units to be retained and or/created;
- Establishes whether the proposed scheme will result in an overall net loss, no net loss or BNG within the site boundary;
- Provides evidence of how the proposed scheme will achieve biodiversity gain within the proposed scheme; and
- Provides recommendations for amendments and updates to the proposed scheme to ensure that BNG can be achieved and implemented.

In addition to the BNG calculations, evidence of the application of the mitigation hierarchy, stakeholder engagement and post-development habitat management has been referenced in Table 5.

## 3.1 The Statutory Biodiversity Metric

The BNG assessment and calculations have been assessed using the Statutory Biodiversity Metric and the UKHab Habitat Map produced as part of the PEA. The Statutory Biodiversity Metric is a tool that can be used to calculate the biodiversity impact of development projects in England. It is used to ensure that development projects achieve a net gain in biodiversity, meaning that they leave the environment in a better state than they found it.

The Statutory Biodiversity Metric provides a way to measure and account for the losses, changes, and gains, in biodiversity as a result of development, or changes in land management, and includes a calculation tool to demonstrate these figures.

**Baseline Biodiversity Units:**

The Statutory Biodiversity Metric has been used to calculate the baseline biodiversity units within the site. These calculations have then been used to help the scheme follow both the mitigation hierarchy of avoidance, mitigation, and compensation, the Biodiversity Hierarchy of achieving BNG on-site as the first priority and to inform the post development management. Biodiversity units are a function of the elements described below.

[1] Statutory biodiversity metric tools and guides available at: https://www.gov.uk/government/publications/statutory-biodiversity-metric-tools-and-guides
[2] Department for Environment Food and Rural Affairs (DEFRA) (2024) The Statutory Biodiversity Metric User Guide First Published: February 2024. Last Updated: July 2024. Available at: https://assets.publishing.service.gov.uk/media/669e45fba3c2a28abb50d426/The_Statutory_Biodiversity_Metric_-_User_Guide__23.07.24_.pdf
[3] CIEEM, CIRIA & IEMA (2019). Biodiversity Net Gain: Good practice principles for development. A practical guide. https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain.-Good-practice-principles-for-development.-A-practical-guide-web.pdf

### Habitat Distinctiveness

Habitat distinctiveness is described as a collective measure of biodiversity and its distinguishing features. The Statutory Biodiversity Metric automatically assigns distinctiveness based on the habitat selected.

### Habitat Condition

Habitat condition is a measure of the state of a habitat and is used to measure variation between parcels of the same habitat type and is measured in accordance with the assessment methodology set out by The Statutory Biodiversity Metric Condition Assessment Sheets and Methodology (version V1.0.2, July 2024) (DEFRA, 2024b)[4]. To determine the habitat condition, the habitat is subject to a field survey and assessed against a number of criteria as set out for each habitat type.

### Strategic Significance

Strategic significance is the local significance of the habitat based on its location and habitat type. Where published, the relevant published Local Nature Recovery Strategy (LNRS) should be used to assign strategic significance. If an LNRS has not yet been published, the planning authority should specify alternative suitable documents to be used. Descriptions are set out further in the User Guide to inform this assessment.

### Post Development Biodiversity Units

The metric is then used to calculate the biodiversity units present in the post development proposal. Where the number of biodiversity units is lower/higher than the baseline calculations, an assessment can be made as to whether the scheme will achieve a net gain or a net loss for biodiversity.

Calculations of biodiversity units remaining following the construction of the proposed scheme take account of:

- Habitat that is lost due to development;
- Habitat retained post development;
- Retained and enhanced habitats; and
- Habitats created due to the development.

Post construction assessment is based upon the target state (size and condition) for the habitats that are being enhanced or created.

## 3.2 Baseline Surveys and Data Sources

A baseline habitat survey was undertaken by Pell Frischmann in April 2024 and updated in August 2024. The survey was reported in the Ecological Impact Assessment (EcIA) (ref 07780-PEF-ZZ-602-TRP-GE-0001) produced by Pell Frischmann in December 2024.

The UKHab Habitat Survey map included in Appendix A was used to measure the baseline biodiversity units within the site. The habitats identified and mapped were also subject to a habitat condition assessment to enable them to be categorised in line with the methodology described above.

[4] DEFRA (2024) The Statutory Biodiversity Metric -Technical Annex 1: Condition Assessment Sheets and Methodology
July 2024. Version: v1.0.2. Available at:
https://assets.publishing.service.gov.uk/media/669e5db4fc8e12ac3edb0198/Statutory_Biodiversity_Metric_Condition_Assessments23.07.24.xlsx

### 3.2.1 Strategic Significance

As part of this assessment the following have been reviewed to assign the strategic significance of the habitats:

- Isles of Scilly Local Plan 2015-2030[5]
- Cornwall and Isles of Scilly Nature Recovery Strategy[6]

## 3.3 Post Development Plans and Data Sources

The Bishop and Wolf PS & Screening Plant Proposed Site Plan has been used to assess the post-development biodiversity units and to determine whether the proposed scheme will be able to achieve BNG on completion. Should the proposed plans be revised from the drawing used as the basis for this assessment, an ecologist must review these recommendations and update them appropriately.

For the purposed of this BNG assessment and report, the Bishop and Wolf PS & Screening Plant Proposed Site Plan was used to inform the post development BNG calculations.

## 3.4 Biodiversity Net Gain Principles

The BNG calculations provide only a quantitative assessment and therefore further principles should also be considered including the application of the mitigation hierarchy, engagement with stakeholders, avoidance of irreplaceable habitats, and overall achieving the best possible outcomes for biodiversity.

These 10 principles are discussed further below in Table 5 with evidence and outcomes of each principle from the proposed scheme to provide a qualitative summary of BNG.

## 3.5 Assumptions

The following assumptions apply to the assessment:

- The BNG assessment is only a singular method of assessing the impact of the proposed scheme. The BNG report does not cover requirements of the proposed scheme to mitigate potential impacts on protected species and designated sites of importance to nature conservation. These have been captured within the EcIA (ref 107780-PEF-ZZ-602-TRP-GE-0001) as listed in Section 3.2 above.
- In line with Statutory biodiversity metric: user guide, BNG units are split into Area Units, Linear Hedgerow Units and Watercourse Units. These units are not interchangeable, and one area unit is not equal to one linear unit; therefore, the gain of one cannot offset the loss of the other and units cannot be combined, traded or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit.
- At the time of this report, the conclusions and recommendations have been made based on the Bishop and Wolf PS & Screening Plant Proposed Site Plan. In the event that this drawing changes, the BNG calculations will need to be updated by a person suitably qualified to do so.

[5] Council of the Isles of Scilly (2021) Isles of Scilly Local Plan 2015-2030 https://www.scilly.gov.uk/sites/default/files/planning-apps/Adopted%20Local%20Plan%202015-2030%20Website%20Version.pdf

[6] Cornwall Council (2024) Cornwall and Isles of Scilly Nature Recovery Strategy https://ehq-production-europe.s3.eu-west-1.amazonaws.com/1d26e7f561eeba04b463aa578cdd17ffafd22da0/original/1732785461/fda9e23cc931eb314c425d0ee6fd7d95_LNR_Strategy_Consultation_2024.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNQAKICO37GBEP%2F20241203%2Feu-west-1%2Fs3%2Faws4_request&X-Amz-Date=20241203T132932Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=ce6a6137eed3006f863a2612ca201d0fe38333bce5a0c460f97607d2f5605d72

## 3.6 Constraints and Limitations

The following constraints and limitations apply to the assessment:

- All habitat areas and lengths have been measured manually using QGIS based on the UKHab Habitat Plan and the Bishop and Wolf PS & Screening Plant Proposed Site Plan, as such habitat areas have been measured as accurately as possible.

# 4 Baseline Habitats

The baseline (pre-development) habitats recorded within the site during the UKHab Habitat Survey are shown in the UKHab Habitat Map (Appendix A). This site contained Area Units and Linear Hedgerow Units; therefore, Watercourse Units have not been referenced.

In total, the baseline biodiversity value of the area-based habitats present was calculated as 0.10 habitat units. The baseline biodiversity value of the hedgerow habitats present was calculated as 0.03 hedgerow units.

The habitats recorded within the site included modified grassland (distinctiveness: low), sealed surface developed land (distinctiveness: very low), and non-native and ornamental hedgerow (distinctiveness: very low).

Strategic significance was applied to habitats as follows:

- Strategic significance has been set based on the Isles of Scilly Local Plan 2015-2030 (Adopted March 2021) and the Cornwall and Isles of Scilly Nature Recovery Strategy (Published November 2024) March 2022, as no Local Nature Recovery Strategy (LNRS) for Cornwall and the Isles of Scilly has yet been published.
- Modified grassland, sealed surface developed land, and non-native and ornamental hedgerows were all identified as 'low' strategic significance, as none were identified within the above documents.

The habitat condition sheets, and justification are attached in Appendix B.

**Table 1 Summary of on-site Baseline Habitat Types – Area Habitats**

| Habitat Type | Area (hectares) | Distinctiveness | Condition | Strategic Significance | Baseline Area Units |
|---|---|---|---|---|---|
| Modified grassland | 0.0261 | Low | Moderate | Low | 0.10 |
| Developed land; sealed surface | 0.1636 | Very low | N/A | Low | 0.00 |
| **Total**[7] | | | | | **0.10** |

**Table 2 Summary of on-site Baseline Habitat Types – Linear Hedgerows**

| Habitat Type | Length (km) | Distinctiveness | Condition | Strategic Significance | Baseline Linear Units |
|---|---|---|---|---|---|
| Non-native and ornamental hedgerow | 0.0257 | Very low | Poor | Low | 0.03 |
| **Total**[8] | | | | | **0.03** |

[7] Note numbers taken directly from the Statutory Biodiversity Metric so rounding errors may occur
[8] Note numbers taken directly from the Statutory Biodiversity Metric so rounding errors may occur

# 5 Post-Development Habitats

The details of post-development habitats are set out below for Area Habitats and Linear Hedgerow calculated from the Bishop and Wolf PS & Screening Plant Proposed Site Plan.

## 5.1 Habitats to be Retained

The habitats to be **retained**, in full or in part, in their current state during the development within the site development boundary include:

- Developed land; sealed surface – all parts of the existing road will be retained, while the SPS building will be demolished and replaced; and
- Non-native and ornamental hedgerow (0.0257 km).

This will be achieved through:

- Construction limited to other habitats (SPS building and modified grassland for the construction compound); and
- Heras protection fencing to avoid damage to hedgerows.

## 5.2 Habitats to be Enhanced

No areas of habitat within the site boundary will be **enhanced** within the site boundary.

## 5.3 New Habitats to be Created

Habitats to be **created** within the site boundary will consist of:

- The new Bishop and Wolf PS & Screening Plant Building; and
- Replacement of the modified grassland being lost during construction at Parsons Green.

The replacement grassland planting at Parsons Green should include **EITHER**:

- 0.0261 ha modified grassland (good condition)

**OR:**

- 0.0261 ha other neutral grassland (moderate condition).

Grassland species must consist of a grassland mix representative of native and naturalised grassland species specific to the Isles of Scilly.

The flora of the Isles of Scilly is unique compared with the wider flora of the British Isles; native and naturalised species already present on the islands should be selected to preserve this uniqueness. Suitably Scilly wildflowers may include chamomile (*Chamamelum nobile*) and orange bird's-foot (*Ornithopus pinnatus*).

# 6 Results and Recommendations

## 6.1 Discussion of Results

The proposed scheme can achieve an excess of 10% BNG in area habitat units within the site through the reinstatement of modified grassland at Parsons Green with either modified grassland (good condition) or other neutral grassland (moderate condition).

Based on retention of the hedgerow alone, the proposed scheme cannot achieve the 10% BNG in linear hedgerow units.

**Table 3 Summary of Biodiversity Units**

| Unit Type | Baseline Units | Post Development Units | Net Project Biodiversity Units (+/-) | Total Project Biodiversity % Change |
|---|---|---|---|---|
| Habitat area units (reinstatement of modified grassland good condition) | 0.10 | 0.12 | + 0.02 | **+ 16.89** |
| Habitat area units (reinstatement of other neutral grassland modified condition) | 0.10 | 0.17 | + 0.07 | **+ 67.37** |
| Linear hedgerow units | 0.03 | 0.02 | -0.01 | **- 20.43** |

## 6.2 Recommendations

### 6.2.1 Linear Hedgerow Units

To achieve the required 10% for linear hedgerow units, the following could be included within the landscape design:

- 0.009 km non-native and ornamental hedgerow adjoining the baseline non-native and ornamental hedgerows, to consist of non-native naturalised species notable to the Isles of Scilly.

**OR:**

- 0.005 km native hedgerow adjoining the baseline non-native and ornamental hedgerows, to consist of native species already present on the Isles of Scilly.

### 6.2.2 Combination of Habitat Creation Options

To aid with the development of soft landscaping proposal, we have outlined four combinations to provide a range of BNG scores.

- Option 1 – Reinstatement with modified grassland (good condition) and planting of additional 9m of non-native and ornamental hedgerows.
    - The BNG calculations summarised in Table 4 indicate that the completed development could result in the net gain of **16.89%** in Area Habitat Units, and a net gain of **13.37%** in Linear Hedgerow Units.

- Option 2 – Reinstatement with modified grassland (good condition) and planting of additional 5m of native hedgerows.
    - The BNG calculations summarised in Table 4 indicate that the completed development could result in the net gain of **16.89%** in Area Habitat Units, and a net gain of **17.12%** in Linear Hedgerow Units.

- Option 3 – Reinstatement with other neutral grassland (moderate condition) and 9m of non-native and ornamental hedgerows.
    - The BNG calculations summarised in Table 4 indicate that the completed development could result in the net gain of **67.37%** in Area Habitat Units, and a net gain of **13.37%** in Linear Hedgerow Units, translating to **no** increase in linear hedgerow biodiversity units.

- Option 4 – Reinstatement with other neutral grassland (moderate condition) and 5m of native hedgerows.
    - The BNG calculations summarised in Table 4 indicate that the completed development will result in the net gain of **67.37%** in Area Habitat Units, translating to an increase of **+0.07** in area biodiversity units, and a net gain of **17.12%** in Linear Hedgerow Units, translating to **no** increase in linear hedgerow biodiversity units.

## 6.3 Trading Rules

The metric sets the minimum habitat creation and enhancement requirements up to 'no-net loss' and are based on habitat type and distinctiveness. Table 3 of the User Guide sets out the trading rules and the Statutory Metric identifies that these can be met for the proposed scheme.

## 6.4 Temporal Risk Multiplier

Construction is expected to commence in early 2025. The site is anticipated to be operational in 2025. Therefore a zero-year delay multiplier has been applied in the metric.

Should modified grassland be selected, it is anticipated that this habitat will reach its target condition ('good') within seven years. Should other neutral grassland be selected, it is anticipated that this habitat will reach its target condition ('moderate') within five years. The addition of nine meters of non-native and ornamental hedgerow, or five meters of native hedgerow, to the retained non-native and ornamental hedgerows will achieve an excess of 10% BNG, despite not increasing the linear hedgerow biodiversity units.

Should there be any change to this timeframe, an update may be needed to the BNG metric, however the project will still likely achieve an excess of 10% BNG.

**Table 4 Summary of Options to achieve BNG[9]**

| Unit Type | Baseline Units | Post Development Units | Net project biodiversity units (+/-) | Total project biodiversity % Change |
|---|---|---|---|---|
| **Option 1 - Standard time to target condition 7 years** | | | | |
| Habitat units | 0.10 | 0.12 | +0.02 | **+16.89** |
| Linear hedgerow units | 0.03 | 0.03 | 0.00 | **+13.37** |
| **Option 2 - Standard time to target condition 7 years** | | | | |
| Habitat units | 0.10 | 0.12 | +0.02 | **+16.89** |
| Linear hedgerow units | 0.03 | 0.03 | 0.00 | **+17.12** |
| **Option 3 - Standard time to target condition 5 years** | | | | |
| Habitat units | 0.10 | 0.17 | +0.07 | **+67.37** |
| Linear hedgerow units | 0.03 | 0.03 | 0.00 | **+13.37** |
| **Option 4 - Standard time to target condition 5 years** | | | | |
| Habitat units | 0.10 | 0.17 | +0.07 | **+67.37** |
| Linear hedgerow units | 0.03 | 0.03 | 0.00 | **+17.12** |

[9] Note numbers taken directly from the Statutory Biodiversity Metric so rounding errors may occur

## 6.5 Biodiversity Net Gain Principles

The BNG calculations provide only a quantitative assessment and therefore further principles should also be considered including the application of the mitigation hierarchy, engagement with stakeholders, avoidance of irreplaceable habitats, and overall achieving the best possible outcomes for biodiversity.

These 10 principles are discussed further below in Table 5 with evidence and outcomes of each principle from the proposed scheme.

**Table 5 Qualitative Discussion of Biodiversity Net Gain Principles**

| Principle | Description of Principle | Evidence of Principle being Applied within the Proposed Scheme |
|---|---|---|
| Apply the mitigation hierarchy | Do everything possible to first avoid and then minimise impacts on biodiversity. Only as a last resort, and in agreement with external decision-makers where possible, compensate for losses that cannot be avoided. If compensating for losses within the development footprint is not possible or does not generate the most benefits for nature conservation, then offset biodiversity losses by gains elsewhere. | The proposed scheme has used data collected during the UKHab Survey (detailed within the EcIA (ref 107780-PEF-ZZ-602-TRP-GE-0001)). No key habitats or species of conservation concern were identified, therefore none are subject to loss. The loss of habitats has been noted and their replacement or enhancement will be included within the landscape plan, to be produced following planning permission being granted. |
| Avoid losing biodiversity that cannot be offset by gains elsewhere | Avoid impacts on irreplaceable biodiversity - these impacts cannot be offset to achieve No Net Loss or Net Gain. | No irreplaceable habitats will be lost due to the proposed scheme. |
| Be inclusive and equitable | Engage stakeholders early, and involve them in designing, implementing, monitoring and evaluating the approach to Net Gain. Achieve Net Gain in partnership with stakeholders where possible and share the benefits fairly among stakeholders. | Consultation between South West Water Limited has been ongoing throughout the planning process. |
| Address risks | Mitigate difficulty, uncertainty and other risks to achieving Net Gain. Apply well-accepted ways to add contingency when calculating biodiversity losses and gains in order to account for any remaining risks, as well as to compensate for the time between the losses occurring and the gains being fully realised. | The BNG assessment has used recognised guidance and will be updated following any changes to the Bishop and Wolf PS & Screening Plant Proposed Site Plan.<br>Construction is expected to commence in early 2025. The site is anticipated to be operational in 2025. Therefore, a zero-year delay multiplier has been applied in the metric.<br>Should there be any change to this timeframe, an update may be needed to the BNG metric, however the project will still achieve an excess of 10% BNG. |
| Make a measurable Net Gain contribution | Achieve a measurable, overall gain for biodiversity and the services ecosystems provide while directly contributing towards nature conservation priorities. | BNG is achievable with a minimum gain of 16.89% increase for Area Habitat Units and options to achieve a minimum of 13.37% increase for Linear Hedgerow Units has been identified. A maximum gain of 67.37% increase for Area Habitat Units and 17.12% increase for Linear Hedgerow Units is possible, subject to client decision. |
| Achieve the best outcomes for biodiversity | Achieve the best outcomes for biodiversity by using robust, credible evidence and local knowledge to make clearly justified choices when:<br>➢ Delivering compensation that is ecologically equivalent in type, amount and condition, and that accounts for the location and timing of biodiversity losses;<br>➢ Compensating for losses of one type of biodiversity by providing a different type that delivers greater benefits for nature conservation;<br>➢ Achieving Net Gain locally to the development while also; contributing towards nature conservation priorities at local, regional and national levels;<br>➢ Enhancing existing or creating new habitat; and<br>➢ Enhancing ecological connectivity by creating more bigger, better and joined areas for biodiversity | The proposed scheme can achieve overall BNG using the habitat creation recommended in Section 4, in conjunction with the information provided within the EcIA (ref 107780-PEF-ZZ-602-TRP-GE-0001).<br>The BNG assessment has been undertaken using the Statutory Biodiversity Metric.<br>The metric highlights the requirement for trading rules for habitats of low, medium, high and very high distinctiveness. The metric currently identifies that the trading rules for 'low' distinctiveness habitats may be met on-site, through the creation of habitats of equal or higher distinctiveness.<br>Planting within the site will be finalised alongside the landscape plan, to be produced after planning permission has been granted and in collaboration/discussion with the client. |

| Principle | Description of Principle | Evidence of Principle being Applied within the Proposed Scheme |
|---|---|---|
| Be additional | Achieve nature conservation outcomes that demonstrably exceed existing obligations (i.e. do not deliver something that would occur anyway). | The proposals result in a minimum net gain of 16.89% increase for Area Habitat Units and have identified options for a minimum of 13.37% increase for Linear Hedgerow Units.<br>Habitats created should focus on pollinating species, and those found on the Isles of Scilly. Given the current baseline, it was considered that a future baseline without the proposed scheme would include a 'no-change' scenario. Therefore, the proposed scheme can deliver a positive outcome for these species in the long term that would not otherwise occur. |
| Create a Net Gain legacy | Ensure Net Gain generates long-term benefits by:<br>➢ Engaging stakeholders and jointly agreeing practical solutions that secure Net Gain in perpetuity;<br>➢ Planning for adaptive management and securing dedicated funding for long-term management;<br>➢ Designing Net Gain for biodiversity to be resilient to external factors, especially climate change;<br>➢ Mitigating risks from other land uses;<br>➢ Avoiding displacing harmful activities from one location to another; and<br>➢ Supporting local-level management of Net Gain activities. | A Management Plan will be produced to include further details on ongoing maintenance obligations. Though it is considered that created habitats will be maintained in the long term, the management plan should outline in full specific responsibilities and obligations for those to be responsible for implementing the long-term site management and maintenance.<br>As above, it was considered that a future baseline would include a 'no-change' scenario therefore, the proposed scheme delivers a positive outcome for these species to produce a net gain legacy.<br>The planting proposals prioritise the choice of native species across the four options presented, to build in resilience against climate change by increasing species diversity of the grasslands and hedgerows being created and enhanced. In addition, these habitats link to other existing habitats to build in resilience for the proposed scheme and wider landscape. |
| Optimise sustainability | Prioritise Biodiversity Net Gain and, where possible, optimise the wider environmental benefits for a sustainable society and economy. | This principle has been achieved through production of this BNG Assessment Report to ensure the implementation of the recommended measures. |
| Be transparent | Communicate all Net Gain activities in a transparent and timely manner, sharing the learning with all stakeholders. | Liaison with the local planning authorities and community engagement should continue to be undertaken. |

# 7 Ecological Report Limitations

The information reported herein is based only on the interpretation of data collected during the UKHab survey (April 2024; updated August 2024) and reported in the Ecological Impact Assessment (ref 107780-PEF-ZZ-602-TRP-GE-0001); and through the Bishop and Wolf PS & Screening Plant Proposed Site Plan (ref 107780-PEF-WW-602-DDR-T-0003). This work pertains specifically to the determination of Biodiversity Net Gain on the proposed site. Information provided to Pell Frischmann has been accepted as being accurate and valid.

This report has been prepared by Pell Frischmann with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client.

This report should be used for information purposes only and should be reviewed and amended accordingly when a final proposed layout is available.

This report has been prepared solely for the use of Trant Ltd and may not be relied upon by other parties without written consent from Pell Frischmann. In addition, it must be understood that this report does not constitute legal advice.

Pell Frischmann disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

# 8 References

Cornwall and Isles of Scilly Nature Recovery Strategy (November 2024) [online] Available: https://ehq-production-europe.s3.eu-west-1.amazonaws.com/1d26e7f561eeba04b463aa578cdd17ffafd22da0/original/1732785461/fda9e23cc931eb314c425d0ee6fd7d95_LNR_Strategy_Consultation_2024.pdf?X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA4KKNQAKICO37GBEP%2F20241203%2Feu-west-1%2Fs3%2Faws4_request&X-Amz-Date=20241203T132932Z&X-Amz-Expires=300&X-Amz-SignedHeaders=host&X-Amz-Signature=ce6a6137eed3006f863a2612ca201d0fe38333bce5a0c460f97607d2f5605d72

CIEEM, CIRIA & IEMA (2019). Biodiversity Net Gain: Good practice principles for development. A practical guide. Available: https://cieem.net/wp-content/uploads/2019/02/C776a-Biodiversity-net-gain.-Good-practice-principles-for-development.-A-practical-guide-web.pdf

Department for Environment Food and Rural Affairs (2024) The Statutory Biodiversity Metric User Guide First Published: February 2024. Last Updated: July 2024. Available at: https://assets.publishing.service.gov.uk/media/669e45fba3c2a28abb50d426/The_Statutory_Biodiversity_Metric_-_User_Guide__23.07.24_.pdf

DEFRA (2024) The Statutory Biodiversity Metric -Technical Annex 1: Condition Assessment Sheets and Methodology. July 2024. Version: v1.0.2. Available at: https://assets.publishing.service.gov.uk/media/669e5db4fc8e12ac3edb0198/Statutory_Biodiversity_Metric_Condition_Assessments23.07.24.xlsx

Isles of Scilly Local Plan 2015-2030 (March 2021) [online] Available: https://www.scilly.gov.uk/sites/default/files/planning-apps/Adopted%20Local%20Plan%202015-2030%20Website%20Version.pdf

National Planning Policy Framework (2024). Available: National Planning Policy Framework

Pell Frischmann (2024) Ecological Impact Assessment 107780-PEF-ZZ-602-TRP-GE-0001

UKHab Ltd. (2023) UK Habitat Classification Version 2.01. Available at https://www.ukhab.org

# Appendix A UKHab Habitat Survey Map


## Legend

Site boundary

Hedgerows

- h2b Non-native and ornamental hedgerow

Habitats

- u1b Developed land; sealed surface
- g4 Modified grassland

Scale 1:500 at A3

# Appendix B Condition Assessments

| Condition Sheet: GRASSLAND Habitat Type (low distinctiveness) | | | |
|---|---|---|---|
| **UK Habitat Classification (UKHab) Habitat Type** | | | |
| **Grassland - Modified grassland** | | | |
| **On-site or off-site, site name and location** | On-site, Isles of Scilly, St Mary's | **Survey date and Surveyor name** | 20/08/2024 C Gilby |
| **Limitations (if applicable)** | | **Survey reference (if relating to a wider survey)** | |
| **Grid reference** | SV901104 | **Habitat parcel reference** | 2546 (QGIS fid), B&W compound |
| **Habitat Description** | | | |
| | | | |
| ukhab – UK Habitat Classification | | | |

| | Condition Assessment Criteria | Criterion passed (Yes or No) | Notes (such as justification) |
|---|---|---|---|
| A | There are 6-8 vascular plant species per $m^2$ present, including at least 2 forbs (these may include those listed in Footnote 1). **Note - this criterion is essential for achieving Moderate or Good condition.**<br><br>Where the vascular plant species present are characteristic of medium, high or very high distinctiveness grassland, or there are 9 or more of these characteristic species per $m^2$ (excluding those listed in Footnote 1), please review the full UKHab description to assess whether the grassland should instead be classified as a higher distinctiveness grassland. Where a grassland is classed as medium, high, or very high distinctiveness, please use the relevant condition sheet. | No | Ribwort plantain, daisy, white clover, broadlef plantain, hawkweed or dandelion, yellow medick, Yorkshire fog, cocksfoot (? Too short to ID), yarrow, small leaves see photo. These are across the site but in 1m22 generally only 5 to 6 max. |
| B | Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed. | No | All mown to one length |
| C | Any scrub present accounts for less than 20% of the total grassland area. (Some scattered scrub such as bramble *Rubus fruticosus* agg. may be present).<br><br>Note - patches of scrub with continuous (more than 90%) cover should be classified as the relevant scrub habitat type. | Yes | None present |
| D | Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities. | Yes | n/a |
| E | Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens)[2]. | Yes | 0% |
| F | Cover of bracken *Pteridium aquilinum* is less than 20%. | Yes | 0% |
| G | There is an absence of invasive non-native plant species[3] (as listed on Schedule 9 of WCA[4]). | Yes | Absent |
| | **Essential criterion achieved (Yes or No)** | | No |
| | **Number of criteria passed** | | 5 |

| Condition Assessment Result (out of 7 criteria) | Condition Assessment Score | Score Achieved ×/✓ | |
|---|---|---|---|
| Passes 6 or 7 criteria including passing essential criterion A | Good (3) | | |
| Passes 4 or 5 criteria including passing essential criterion A | Moderate (2) | Yes | |
| Passes 3 or fewer criteria;<br>OR<br>Passes 4 - 6 criteria (excluding criterion A) | Poor (1) | | |

**Suggested enhancement interventions to improve condition score**

**Footnotes**

**Footnote 1** – Creeping thistle *Cirsium arvense* , spear thistle *Cirsium vulgare* , curled dock *Rumex crispus* , broad-leaved dock *Rumex obtusifolius* , common nettle *Urtica dioica* , creeping buttercup *Ranunculus repens* , greater plantain *Plantago major* , white clover *Trifolium repens* and cow parsley *Anthriscus sylvestris* .

**Footnote 2** – For example, this could include small, scattered areas of bare ground allowing establishment of new species, or localised patches where not exceeding 10% cover.

**Footnote 3** – Assess this for each distinct habitat parcel. If the distribution of invasive non-native species varies across the habitat, split into parcels accordingly, applying a buffer zone around the invasive non-native species with a size relative to its risk of spread into adjacent habitat, using professional judgement.

**Footnote 4** – Wildlife and Countryside Act 1981 (as amended).

Isles of Scilly

# Capital Delivery Programme

## Ecological Impact Assessment

Bishop and Wolf Pumping Station and Screening Plant

| | |
|---|---|
| **Report Ref.** | **107780-PEF-ZZ-602-TRP-GE-0001** |
| **File Path** | \\rsbgukfs01\EXEEngineering\Data\PROJINFO\107780 - Isles of Scilly Desalination Plants & WTW (Trant)\01 - WIP\Documents\Geo&Env\GE-Ecology |

| Rev | Suit | Description | Date | Originator | Checker | Approver |
|---|---|---|---|---|---|---|
| P01 | S4 | For acceptance | 05 Dec 2024 | E Stone & C Gilby | F Scherner | C Gilby |
| P02 | S4 | For acceptance – updated based on Client comments | 06 Jan 2025 | E Samways | J Davey | J Davey |
| | | | | | | |
| | | | | | | |

Ref. reference. Rev revision. Suit suitability.

**Prepared for**

**Trant**

Rushington House
Rushington
Southampton
Hampshire
SO40 9LT

**Prepared by**

**Pell Frischmann**

Burrator House
Peninsula Park
Rydon Lane
Exeter
EX2 7NT

# Contents

Executive summary
1 Introduction ..... 1
1.1 Aims and Objectives ..... 1
1.2 Site Location and Description ..... 1
1.3 Project Description ..... 2
2 Legislation and Planning Policy Context ..... 3
2.1 Introduction ..... 3
2.2 Legislation ..... 3
2.3 Planning Policy ..... 3
3 Methodology ..... 5
3.1 Ecological Study Area ..... 5
3.2 Desktop Study ..... 5
3.3 Field Surveys ..... 5
3.4 Assessment Methodology ..... 6
4 Baseline Conditions ..... 8
4.1 Baseline Conditions – Ecological Designated Sites ..... 8
4.2 Baseline Conditions – Habitats ..... 9
4.3 Baseline Conditions – Species (Fauna) ..... 11
5 Potential Impacts, Mitigation and Residual Impacts ..... 13
5.1 Ecological Receptors Scoped out of Further Assessment ..... 13
5.1 Summary of Impacts and Mitigation to Ecological Receptor Scoped into the EcIA ..... 14
5.2 Residual Impacts to Ecological Receptor Scoped into the EcIA ..... 16
5.3 Post Development Monitoring ..... 16
5.4 Cumulative Impacts ..... 16
6 Ecological Enhancement and Biodiversity Net Gain ..... 17
7 Ecological Report Limitations ..... 18
8 References ..... 19

**Figures**

Figure 1 Site Location Plan ..... 2

**Tables**

Table 1 Value or Scale of Nature Conservation Receptor ..... 7
Table 2 Typical Descriptors of Impacts ..... 7
Table 3 Designated Sites of Importance to Nature Conservation within 2km of the Site ..... 8
Table 4 Weather Conditions ..... 10
Table 5 Habitats Recorded during the UKHab Habitat Survey ..... 10
Table 6 Summary of Fauna Baseline ..... 11
Table 7 Ecological Receptors Scoped Out of the EcIA following Review of the Final Project ..... 13
Table 8 Impacts and Mitigation to Ecological Receptors ..... 15
Table 9 Ecological Opportunities and Enhancement ..... 17

**Appendices**

Appendix A UKHab Habitat Map
Appendix B Legislation

# Executive Summary

| | |
|---|---|
| **Site Name** | Bishop and Wolf Pumping Station and Screening Plant |
| **Site Location** | The site is located at the existing SWWL Bishop and Wolf sewage pumping station (SPS) located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly, TR21 0JG at Grid Reference: SV 90241 10502 (Easting 090241; Northing 010502). |
| **Project Description** | The proposed scheme consists of the construction of an enlarged wastewater infrastructure building, which will replace the existing Bishop and Wolf SPS building. The new building will house new variable-speed pumps and a new screening plant. The screening plant will remove objects such as rags, paper, plastics, and metals to prevent damage and clogging of downstream equipment, piping, and appurtenances as well as ensuring they do not enter the marine environment. The plant will operate intermittently as required on a 24/7 basis, operation could occur at any time. |
| **Designated Sites Baseline** | Seven statutory and one non-statutory designated sites of importance to nature conservation have been identified within 2km of the site. St Mary's Island is directly surrounded by the Isles of Scilly Complex Special Area of Conservation (SAC), as well as the Isles of Scilly SPA. There are no SACs designated for bats within 30km of the site.<br>Sites of Special Scientific Interest (SSSI) are present throughout St Mary's Island. With regards to the development activities listed for the location, the proposed site can be considered to require consultation with Natural England. |
| **Habitat Baseline** | The site consists of concrete hardstanding with small amounts of ruderal plant species and bramble present within the cracks of concrete and the boundary wall; however, these formed less than 10% of the site, and the existing Bishop and Wolf pumping station building. An amenity area of grassland at Parsons Green was present adjacent to residential properties and the road, with three small sections of non-native karo (*Pittosporum crassifolium*) hedgerow present which separate the grassland from the adjacent road.<br>No priority habitats were identified within the site boundary. The nearest sections of priority habitat, lowland heathland, are located 60m southwest, and 195m southeast of the site. |
| **Species Baseline** | Features were observed on the east and southeast sides of the SPS building which could offer some roosting opportunities for bats, in particular crevice dwelling species. Emergence surveys identified no bats emerging from the SPS and therefore roosting bats are considered absent.<br>No nesting birds were identified within the site. Potential nesting habitat was identified within the eaves of the SPS building, within a small area of overhanging bramble in the northeast corner of the SPS yard, and within the pittosporum hedgerow. Habitats suitable for the Scilly shrew and hedgehog to use as resting places were absent from the Site, however due to the nearby residential gardens they may be present for foraging or commuting. No invasive species were recorded within the site. |
| **Ecological receptors scoped into the EcIA** | Receptors scoped into the EcIA include:<br>➢ Designated sites; and<br>➢ Nesting birds. |
| **Designated Sites Impacts and Mitigation** | The overall conclusion of the HRA Stage 1 Screening is that the proposed scheme will not lead to likely significant effects upon any qualifying features (habitats or species) of the Isles of Scilly Complex SAC or Isles of Scilly SPA. Best practice construction methods should be outlined within the scheme Construction Environmental Management Plan (CEMP). |
| **Habitat Impacts and Mitigation** | The habitats within the site are of negligible value. No priority habitats are present within the site or in proximity to the construction or operational impacts of the proposed scheme. Therefore, the potential for likely significant effects on the habitats are **neutral** and no additional mitigation would be required. |
| **Species Impacts and Mitigation** | Habitats present on site were suitable for nesting birds, and therefore construction works during the summer months could lead to the destruction of active nests. Specific legislation protecting nesting birds will be followed. The potential for likely significant effects on other species were scoped out of the EcIA. |
| **Cumulative Impacts** | Permitted development works on St Mary's will be completed in the future with the works subject to the planning application. It is difficult to assess their cumulative impact at this stage as these proposals are at early design stages. A number of householder and small development applications were identified, none have been identified which are considered significant enough to result in cumulative impacts to the site or to the ecology of the wider area. |
| **Ecological Enhancement and Biodiversity Net Gain** | A separate Biodiversity Net Gain (BNG) Assessment has been completed and provides recommendations to achieve 10% Statutory BNG.<br>Recommendations have been made to further enhance the ecological value of the Site and the wider EZI in line with the current National Planning Policy Framework (2023). As there is limited space within the site boundary, general biodiversity enhancement works could also be completed within the wider SWWL ownership and will aim to deliver an improvement to biodiversity within the overall SWWL ownership. |

# 1 Introduction

Pell Frischmann (PF) have been commissioned by Trant Engineering Limited (Trant, the 'Principal Contractor'), on behalf of South West Water Limited (SWWL, 'the undertaker'), to produce an Ecological Impact Assessment (EcIA) for the Bishop and Wolf Pumping Station and Screening Plant ('the proposed scheme'). The proposed scheme is located on the island of St Mary's, within the Isles of Scilly archipelago.

This report describes the assessment methodology; the baseline conditions within the site and Ecological Zone of Influence (EZI); the likely significant ecological effects; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed.

## 1.1 Aims and Objectives

The aims of the EcIA are to:

- Identify and describe all potentially significant ecological effects associated with the project;
- Set out the mitigation measures required to ensure compliance with nature conservation legislation and to address any potentially significant ecological effects;
- Identify how mitigation measures will/could be secured;
- Provide an assessment of the significance of any residual effects;
- Identify appropriate enhancement measures; and
- Set out the requirements for post-construction monitoring.

In particular the assessment will focus on:

- Internationally and Nationally Designated Sites;
- Regionally and Locally Important Sites;
- Protected Species – species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended);
- Habitats and Species of Principal Importance; and
- Cumulative and In-Combination Effects.

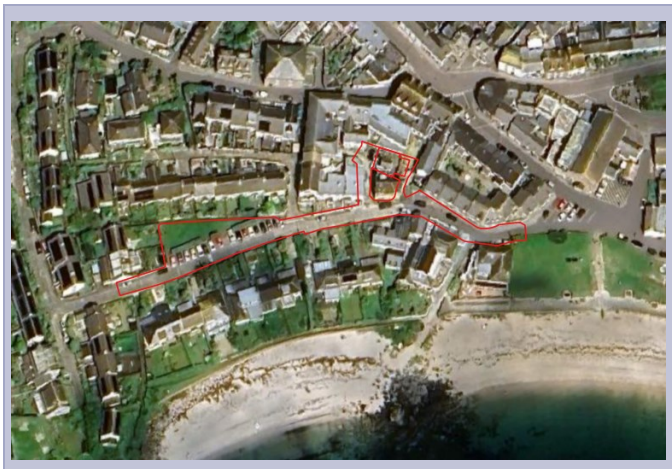
## 1.2 Site Location and Description

The site is located at the existing SWWL Bishop and Wolf Sewage Pumping Station (SPS) located off Little Porth Road, Hugh Town, St Mary's, Isles of Scilly, TR21 0JG at Grid Reference: SV 90241 10502 (Easting 090241; Northing 010502).

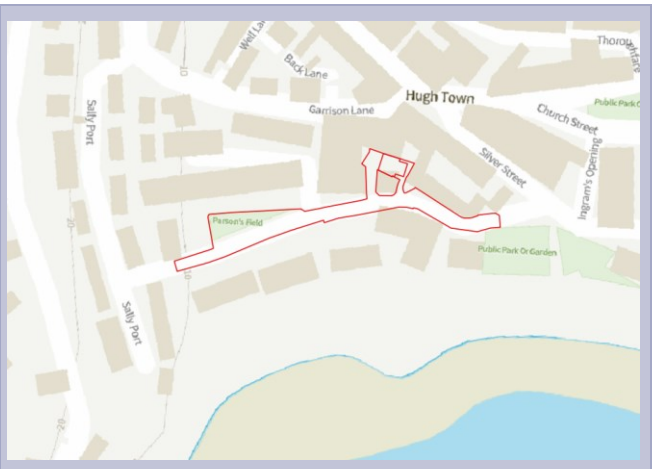
The existing SPS is located behind retail, leisure, and residential properties along Garrison Lane, in the middle of Hugh Town, and is accessed from Little Porth Road via a shared access point.

The site consists of concrete hardstanding and the existing SPS. A wall separates the existing Bishop and Wolf pumping station from the Bishop and Wolf pub beer garden. Due to the increase in footprint of the building, a small section of the Bishop & Wolf Pub's outside space will be included in the proposal. The redline boundary includes an approximate 162m length of Carriageway extending from 14 Silver Street, along Little Porth up to 10 Parsons Field. The redline boundary has been produced to incorporate all land necessary to carry out the proposed development this including the land required for access to the site from the public highway, visibility splays, car parking associated with construction site workers and those local areas it is expected will require temporary parking suspensions put in place during the construction sites operational hours.

The site subject to this EcIA consists of the land within the red line planning application boundary, as shown in Figure 1 below.



Google Earth Imagery - License Number JCPMB2ZBMMAWBHP




©Contains OpenStreetmapData

**Figure 1 Site Location Plan**

## 1.3 Project Description

The proposed scheme consists of the construction of an enlarged wastewater infrastructure building, which will replace the existing Bishop and Wolf SPS building. The new building will house new variable-speed pumps and a new screening plant. The screening plant will remove objects such as rags, paper, plastics, and metals to prevent damage and clogging of downstream equipment, piping, and appurtenances as well as ensuring they do not enter the marine environment. The proposed scheme layout is shown in drawing 107780-PEF-WW-602-DDR-T-0003.

The plant will operate intermittently as required on a 24/7 basis, operation could occur at any time.

The proposed scheme will improve the resilience of the wastewater system, bringing benefit to all residents and visitors to St Mary's. Residents in close proximity will further benefit from the replacement of the existing infrastructure with modern plant, incorporating improved noise attenuation and odour control facilities.

The replacement pumps will be sized to ensure the conditions of the Atlantic CSO permit are met. Screens will be fitted with 3mm mesh to comply with the discharge permit conditions. Screens will have a 30 l/s flow rate.

# 2 Legislation and Planning Policy Context

## 2.1 Introduction

This section summarises the legislation and planning policy in relation to ecology and biodiversity within the UK and Isles of Scilly Council within which the site is located.

## 2.2 Legislation

A number of different acts and regulations refer to the protection of wildlife and habitats. Those potentially relevant to this project include:

- The Environment Act 2021;
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- Conservation of Habitats and Species 2017 (as amended);
- The Natural Environment and Rural Communities Act (NERC) 2006;
- The Countryside and Rights of Way Act (CRoW) Act 2000;
- The Invasive Alien Species (Enforcement and Permitting) Order 2019;
- The Protection of Badgers Act 1992; and
- The Hedgerow Regulations 1997.

These are outlined in more detail in Appendix A. It is recommended that the full legislation texts are referred to when dealing with individual cases and further legal advice is obtained where required. Protected species licences may be required to further comply with this legislation prior to the implementation of the project.

## 2.3 Planning Policy

### 2.3.1 National Policy

The National Planning Policy Framework (NPPF 2024) paragraphs 187 to 195 set out the Government's policies on conserving and enhancing habitats and biodiversity through the planning system. These policies are expected to be incorporated into development planning documents at regional and local scales and are also of material worth in considering individual planning applications.

Of particular relevance to biodiversity NPPF paragraph 187 states that '*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs'*

The NPPF paragraph 193 advises that '*when determining planning applications, local planning authorities should apply the following principles:*

a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed*

*clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

### 2.3.2 Local Policy

Policy OE2 (1) Biodiversity and Geodiversity within Section 2 of the Isles of Scilly Local Plan (2015 – 2030) states that:

1. *'Development proposals will be permitted where they conserve and enhance biodiversity and geodiversity, giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation, and should:'*

a) *Protect the hierarchy of international, national and local designated sites in accordance with their status;*
a) *Retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes through the site and taking due account of any use by migratory species) and ensure appropriate and long-term management of those features;*
b) *Contribute to the restoration and enhancement of existing habitats and the creation of wildlife habitats and linkages between sites to create and enhance local ecological networks;*
c) *Seek to eradicate or control any invasive non-native species present on site; and*
d) *Be required to contribute to the protection, management and enhancement of biodiversity and geodiversity.*

2. *Development proposals must:*

a) *Apply the mitigation hierarchy to all proposals;*
b) *Demonstrate how they conserve or enhance biodiversity an ecosystem processes;*
c) *The local guidance on biosecurity to control the spread of invasive non-native species; and*
d) *Ensure proportionate and appropriate biodiversity net-gain is secured.*

3. *Development proposals will not be supported where significant and harmful direct or indirect effects on biodiversity and ecosystem processes are identified, unless: a) the need for the development clearly outweighs the harm caused; b) an appropriate scheme is proposed that will secure compensation and net-increases in biodiversity.*
4. *Development proposals will not be permitted where a detrimental impact is identified to geodiversity sites unless the need for development outweighs the harm caused.*

***Avoidance, Mitigation and Compensation for Biodiversity and Geodiversity Impacts***

5. *Development should avoid adverse impacts on existing biodiversity and geodiversity interests as a first principle, and enable measurable net gains by designing-in biodiversity features and enhancements and opportunities for geological conservation alongside new development, in accordance with Policies SS1 and SS2. Where adverse impacts are unavoidable, it must be demonstrated that the development cannot be reasonably located on an alternative site that would result in less or no harm to biodiversity or geodiversity interests; and impacts must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort. Clear arrangements for the long-term maintenance or management of the mitigation and compensation need to be provided.'*

# 3 Methodology

## 3.1 Ecological Study Area

### 3.1.1 Main Study Area

The Study Area for habitats covered the site only. This is shown on the UK Habitat Classification (UKHab) Habitat Map as attached in Appendix A

The Study Area for identifying the requirement for species surveys has been taken from Natural England Standing Advice relating to the species in question.

The EZI for direct impacts upon habitats has therefore been set as land within the site (red line boundary). The EZI for species extends to the adjacent land as construction works could potentially impact on protected species with extensive habitat ranges, such as nesting birds and bats.

### 3.1.2 Broad Study Area

A broad study area of 2km from the site boundary has been applied for a desk study of international and national statutory nature conservation designations, non-statutory nature conservation designations, and records of protected and notable habitats and species.

In addition, a 30km search area was applied for European sites designated for bats

## 3.2 Desktop Study

To accurately assess the potential ecological impacts of the project, a desktop study was undertaken to identify the presence of sensitive ecological receptors at the site and within the surrounding area. Data was obtained from a range of information sources including:

- Multi-Agency Geographic Information for the Countryside (MAGIC); and
- The Environment Records Centre for Cornwall and the Isles of Scilly (ERCCIS).

MAGIC maps have been used to obtain information relating to statutory and non-statutory conservation the designation within 2km of the site boundary, with additional information supplied by ERCCIS. Ecological data obtained from ERCCIS provided data relating to protected and notable species recorded on the Isles of Scilly, and within 2km of the Isles of Scilly.

Records of Granted European Protected Species Licences (EPSLs) have been provided by MAGIC.

A focus on species identified within the past 20 years (i.e. since 2003) has been provided where applicable, otherwise focus has been given to the most recent records returned (post 2003).

## 3.3 Field Surveys

### 3.3.1 Ecological Walkover Survey

An initial ecology walkover survey was carried out on 8 April 2024, with an updated survey undertaken on 20 August 2024 (more details are provided about this in Section 4.2.3). The ecological walkover surveys were undertaken in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal guidelines (CIEEM, 2017). The habitats were mapped during the ecological walkover using the UK Habitat Classification (UKHab) Version 2.0 methodology (UKHab Ltd., 2023). The survey also aimed to record evidence of (i) animal species protected under UK legislation and European legislation; (ii) habitat features with potential to support protected animal species; and (iii) invasive species, the introduction or spreading of which is prohibited under UK legislation.

This information allowed the requirement for more detailed species surveys (where required) to be evaluated and have been detailed within this EcIA.

### 3.3.2 Protected Species Surveys

Following the walkover survey, it was identified that a bat emergence survey was required on the existing SPS building. No other protected species surveys were recommended.

The survey methodologies and results of the bat emergence survey is detailed within the standalone Pell Frischmann report:

- Bat Emergence Survey Report 107780-PEF-ZZ-602-TRP-GE-0002

## 3.4 Assessment Methodology

### 3.4.1 Competent Expert

The assessment has been undertaken by C Gilby MCIEEM, whilst the review was undertaken F Scherner MCIEEM.

Principal Ecologist C Gilby has over nine years of working as an ecologist with experience of writing Environmental Statement (ES) chapters for a number of large and small-scale schemes including road, rail and residential development projects.

Associate Ecologist F Scherner has 19 years' experience working as an ecologist in the United Kingdom and overseas including leading teams on small, medium and large-scale residential, road and rail schemes as well as leading academic research on human impacts in ecological systems.

### 3.4.2 EcIA Methodology

The EcIA of effects follows the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal' (2018 Version 1.3 - updated September 2024).

International convention and national legislation that protects wildlife species and habitats, together with local, regional and national planning policy are referred to where relevant. The assessment will determine impact of the project on protected and notable species in the area. Where potential significant adverse effects are identified, mitigation/enhancement measures are provided to ensure the wildlife populations will be safeguarded, and habitat values improved where feasible. The mitigation hierarchy (prioritising avoidance of impacts, mitigation, compensation and enhancement in that order) has been observed throughout and impacts to notable ecological features have been avoided where possible.

When considering changes and impacts on ecosystem structure and function, the following parameters have been considered, in line with CIEEM, 2018 (V1.3):

- Whether the significant effect is adverse or beneficial;
- Magnitude of the significant effect;
- Extent of area affected by the significant effect;
- Duration of the significant effect;
- Reversibility of the significant effect; and
- Timing and frequency of the activity (e.g. in relation to the bird nesting season).

The CIEEM guidelines consider the above range of parameters when determining the overall impact, rather than using a traditional matrix assessment of significant effects. This enables the ecological impacts to be assessed alongside other environmental impacts.

As a result of field surveys and ecological data gathered, the ecological features were evaluated in terms of their nature conservation value (using the criteria set out by CIEEM 2018 EcIA guidelines).

**The value of an ecological resource has been determined within a defined geographical context as defined below in**

Table 1. Typical descriptors of impact are presented in Table 2.

**Table 1 Value or Scale of Nature Conservation Receptor**

| Level of Value and Scale | Criteria | Examples |
|---|---|---|
| Very High (International) | High importance and rarity. International scale and limited potential for substitution i.e. site, habitat or populations of species, of international importance. | Ramsar wetlands; Special Protection Areas (SPAs) and Special Areas of Conservation (SACs); Biosphere reserves; and habitats and populations/assemblages of species that represent the qualifying interests of internationally designated sites and/or are European protected species. |
| High (UK National) | High importance and rarity, national scale or regional scale with limited potential for substitution i.e. site, habitat or populations of species, of national importance. | Sits of Special Scientific Interest (SSSIs); National Nature Reserves (NNRs).<br>All populations of WCA Schedule 8 plants; all viable populations of species listed as Critically Endangered, Endangered, Vulnerable or Threatened in relevant Red Data Books; nationally important population /assemblage of an European Protected Species (EPS), Schedule 1 and/or 5 species. |
| Medium (Regional / County) | High or medium importance or rarity, local or regional scale and (limited) potential for substitution i.e. site, habitat or population of species, of regional importance. | Sites and/or species populations that meet SSSI designation criteria but have not been formally designated. Local Nature Reserves (LNR).<br>Regionally important population of a species and habitat of Local Biodiversity Plan (LBAP), priority species and habitats.<br>Regionally important population/assemblage of an EPS, Schedule 1 and/or 5 species.<br>Regionally important assemblages of other species. |
| Low (District / Local) | Low or medium importance and rarity, district or local scale i.e. site, habitat or species, of importance in the context of district or local scale areas. | Locally designated non-statutory sites including Sites of Interest to Nature Conservation (SINCs), Sites of Local Interest to Nature Conservation (SLINCs) and Potential Sites of Interest (PSIs).<br>A breeding population of a species or a viable area of a habitat that is listed in a Local BAP because of its rarity in the locality.<br>All breeding populations of an EPS, Schedule 1 and/or 5 species that have not been captured in higher categories above.<br>Assemblages of other species that are of importance in the context of the local authority area. |
| Negligible (Within Zone of Interest) | A resource that is of little/no intrinsic nature conservation. Very low importance and rarity. | Common, widespread, modified and/or impoverished habitats such as Areas of built development, amenity grassland, rye-grass leys or arable fields.<br>Species of Least Concern which are widespread and/or common locally. |

**Table 2 Typical Descriptors of Impacts**

| Descriptor | Definition |
|---|---|
| Extent | The spatial or geographic area over which the impact/effect may occur |
| Magnitude | The ‘size’, ‘amount’, ‘intensity’ and ‘volume’. Magnitude should be quantified where possible e.g. the amount of habitat loss, percentage change to habitat loss, percentage change to habitat area and percentage decline in species. |
| Duration | Relation to ecological characteristics (such as a species’ lifecycle) as well as human timeframes. The duration of an activity may differ from the duration of the resulting effect caused by the activity. |
| Frequency and timing | The number of times an activity occurs will influence the resulting effect. The timings of an activity or change may result in an impact if it coincides with critical life-stages or seasons. |

| Descriptor | Definition |
|---|---|
| Reversibility | Irreversible effect is one from which recovery is not possible within a reasonable timescale or there is no reasonable chance of action being taken to reverse it. A reversible effect is possible, or which may be counteracted by mitigation. |

# 4 Baseline Conditions

The following section details the site and EZI baseline conditions based upon (i) the ecological desk study, (ii) the UKHab habitat walkover survey, and (iii) further species surveys.

## 4.1 Baseline Conditions – Ecological Designated Sites

The statutory and non-statutory designated sites identified during the desk study are summarised in Table 3 below. There are no Special Areas of Conservation (SAC) designated for bats within 30km of the Site.

### 4.1.1 SSSI Impact Risk Zone

The site is situated within the Impact Risk Zone (IRZ) for the Lower Moors (St Mary's) SSSI and the Peninnis Head (St Mary's) mixed classification SSSI. The function of an IRZ is to prompt consultation with Natural England about the potential for off-site impacts upon the qualifying features of nearby SSSIs, associated with certain development activities.

With regards to the development activities listed for the location, the proposed site is not considered to fall under the following categories and therefore consultation with Natural England would not be required:

- *Pipelines and underground cables, pylons and overhead cables (excluding upgrades and refurbishment of existing network).*

**Table 3 Designated Sites of Importance to Nature Conservation within 2km of the Site**

| Site Reference | Designation Importance | Approximate Distance from the Proposed Site | Reason for Designation |
|---|---|---|---|
| **Statutory Designated Sites** | | | |
| Isles of Scilly SPA | Special Protection Area (SPA) | 60m south of the site | The qualifying features of the Isles of Scilly SPA are:<br>➢ European storm-petrel (*Hydrobates pelagicus*);<br>➢ Lesser black-backed gull (*Larus fuscus graellsii*);<br>➢ European shag (*Phalacrocorax aristotelis*); and<br>➢ Greater black-backed gull (*Larus marinus*). |
| Isles of Scilly Complex SAC | Special Area of Conservation (SAC) | 100m south of the site | The qualifying features as listed by Natural England are:<br>➢ Sandbanks which are slightly covered by sea water all the time (subtidal sandbanks);<br>➢ Mudflats and sandflats not covered by seawater at low tide (intertidal mudflats and sandflats);<br>➢ Reefs;<br>➢ Grey seal (*Halichoerus grypus*); and<br>➢ Shore dock (*Rumex rupestris*). |
| Peninnis Head (St Mary's) SSSI | Mixed Site of Special Scientific Interest (SSSI) | 600m southeast of the site | The site is particularly noteworthy for the prominent granite cliffs and tors but it also supports maritime heathland, maritime grassland and scrub habitats together with populations of a number of rare plant and lichen species; and<br>The extreme oceanic conditions experienced at Peninnis Head have also encouraged the development of a rich lichen flora on cliff, tor and heathland habitats. *Ramalina siliquosa* occurs extensively and *Roccella fucoides* and *Teloschistes flavicans* are two particularly rare species that occur here. |
| Lower Moors (St Mary's) SSSI | Site of Special Scientific Interest (SSSI) | 685m east of the site | The site supports small populations of Royal Fern (*Osmunda regalis*) and Southern Marsh Orchid (*Dactylorhiza praetermissa*), a species rare in Scilly.<br>The wet meadows and reed beds are regularly used by some of the less common rails, especially Corncrake (*Crex crex*) and Spotted Crake (*Porzana porzana*), on passage. |

| Site Reference | Designation Importance | Approximate Distance from the Proposed Site | Reason for Designation |
|---|---|---|---|
| Isles of Scilly Sites | Marine Conservation Zone (MCZ) | 945m southeast of the site | The MCZ supports an exceptionally high diversity of habitats and species. |
| Porthloo SSSI | Site of Special Scientific Interest (SSSI) | 1.1km northeast of the site | The site is noted for the extensive and well-developed brecciated head deposits which have made it the recognised type locality for the Porthloo Breccia; and<br>Porthloo is important for the lithostratigraphic evidence which the sediments represent, and the sequence from this site is used widely in comparison with others on the Isles of Scilly. |
| Higher Moors & Porth Hellick Pool (St Mary's) SSSI | Site of Special Scientific Interest (SSSI) | 1.8km east of the site | The site exhibits a wide diversity of habitats with several rare and notable plant species. The pond and fringing habitats are also of particular importance for breeding and migrant birds. |
| **Non-Statutory Designated Sites** | | | |
| Isles of Scilly Wildlife Trust Reserves | Wildlife Trust Reserve | 85m southwest of the site | The Isles of Scilly Wildlife Trust cares for approximately 60% of the landmass of Scilly which includes all of the uninhabited islands. The Wildlife Trust is the only locally-run conservation charity. |

## 4.2 Baseline Conditions – Habitats

### 4.2.1 Priority Habitats

No priority habitats were identified within the site boundary.

The nearest sections of priority habitat, lowland heathland, are located 60m southwest, and 195m southeast of the site.

Other priority habitat sites located within the 2km study area for the site include:

- Coastal vegetated shingle;
- Maritime cliff and slope;
- Reedbeds; and
- Good quality semi-improved grassland.

### 4.2.2 UKHab Habitat Survey

Habitats recorded during the survey have been categorised in line with UKHab Habitat Classification. The distribution of habitats across the site is shown on the UKHab Habitat Plan attached in Appendix A. These habitat types are described within the following sub sections and the frequency of species listed in accordance with the DAFOR scale as follows:

- D – dominant
- A – abundant
- F – frequent
- O – occasional
- R – rare

### 4.2.3 General Habitat Description

The initial UK Hab survey was undertaken on 08 April 2024 by Associate Ecological F Scherner MCIEEM and updated on 20 August 2024 by Principal Ecologist C Gilby MCIEEM. The site was dominated by hardstanding and a building, with an area of modified grassland and pittosporum hedgerow at Parsons Green as detailed within Table 5 below. The weather conditions during the surveys are shown below in Table 4.

**Table 4 Weather Conditions**

| Date | Temperature (ºC) | Cloud Cover (%) | Precipitation (%) | Wind (Beaufort Scale) |
|---|---|---|---|---|
| 08 April 2024 | 14 | 0 | 0 | 1 |
| 20 August 2024 | 18 | 25 | 0 | 1 |

**Table 5 Habitats Recorded during the UKHab Habitat Survey**

| UKHab Code | Habitat type | Description | Level of value or importance in relation to the Site |
|---|---|---|---|
| u1b | Developed/Sealed Surface | Concrete hardstanding with small amounts of ruderal plant species and bramble were present within the cracks of concrete and the boundary wall; however, these formed less than 10% of the site. | Negligible |
| u1b5 | Buildings | The existing Bishop and Wolf pumping station building. | Negligible |
| g4 | Modified grassland | An amenity area of grassland adjacent to residential properties and the road. This area will form the Parsons Green compound location. Grasses were all mown to one uniform length and included ribwort plantain (*Plantago lanceolata*), daisy (*Bellis perennis*), white clover (*Trifolium repens*), broadleaf plantain (*Plantago major*), dandelion (*Taraxacum officinale*), yellow medick (*Medicago lupulina*), Yorkshire fog (*Holcus lanatus*), cocksfoot (*Dactylis glomerata*) and yarrow (*Achillea millefolium*). | Negligible |
| h2b | Ornamental/non-native hedgerow | Three small sections of non-native karo (*Pittosporum crassifolium*) hedgerow were present and separated the Parsons Green grassland from the adjacent road. | Negligible |

## 4.3 Baseline Conditions – Species (Fauna)

It should be noted that ERCCIS returned no records for the following species, and in addition it is understood from the Isles of Scilly Wildlife Trust website that these species are considered absent from St Mary's and most of the other islands. Therefore, the following species have not been considered further within this report:

- Eurasian badger (*Meles meles*);
- Eurasian beaver (*Castor fiber*);
- Eurasian otter (*Lutra lutra*);
- Hazel dormice (*Muscardinus avellanarius*);
- Water vole (*Arvicola amphibius*);
- Great crested newt (GCN) (*Triturus cristatus*); and
- Terrestrial reptile species including snakes or lizards.

**Table 6 Summary of Fauna Baseline**

| Species | Overview of Desk Study | Overview of Survey Results and Justification of Value | Intrinsic Value in the context of the Site |
|---|---|---|---|
| Amphibians | ERCCIS returned no records for amphibian species on St Mary's. | No survey required. | Negligible |
| Bats | ERRCIS returned 3,124 records for bats within St Mary's since 2003. The closest record is for a common pipistrelle (*Pipistrellus pipistrellus)*. The most recent year recorded was 2019. Six records of soprano pipistrelle *(Pipistrellus pygmaeus)* and 19 records of unidentified bat (species not recorded) (*Chiroptera* sp.) have also been recorded.<br>Additional data from the 'Bats of the Isles of Scilly 2022' report was also reviewed (https://www.ios-wildlifetrust.org.uk/sites/default/files/2023-08/BigScillyBatSurveyReport2022FINAL.pdf), and it is understood that species recorded on St Mary's through this study included common pipistrelle, soprano pipistrelle (*Pipistrellus pygmaeus*), and Nathusius' pipistrelle (*Pipistrellus nathusii*). The report notes that prior knowledge was that potentially Leisler's bat (*Nyctalus leisleri*) and/or serotine bat (*Eptesicus serotinus*) had also been recorded.<br>A search of MAGIC returned no Granted EPSL for bats on St Mary's. | **Bat Foraging and Commuting**<br>Bat activity surveys were not required due to the very small nature of the proposed scheme.<br>**Bat Roosting Potential**<br>Features were observed on the east and southeast sides of the SPS building which could offer some roosting opportunities for bats, in particular crevice dwelling species such as common pipistrelle. The building has a pump which turns on and off periodically and causes some level of noise and the internal condition of the building appeared in good repair. There was a false ceiling however no access hatch was present to enable further roof inspection.<br>The boundary stone wall included features which could offer potential for opportunistic bats to roost.<br>Overall, the building and the boundary wall were assessed as having 'low' potential for roosting bats.<br>**Bat Emergence Survey**<br>The emergence survey recorded no bats emerging from the SPS building or the boundary wall. Therefore, it was concluded that roosting bats were likely absent and therefore the site offered negligible value in relation to roosting bats. | Negligible |

| Species | Overview of Desk Study | Overview of Survey Results and Justification of Value | Intrinsic Value in the context of the Site |
|---|---|---|---|
| | | **Overall**<br>A value of 'negligible' has therefore been assigned to bats in the context of the site in relation to foraging.<br>A value of 'negligible' would be considered suitable for roosting bats as while there remains roosting potential within the site only, emergence surveys identified roosting bats were likely absent. | |
| Birds | ERCCIS returned 210 records since 2003 for bird species on St Mary's. The most recent record returned were from 2021 for common guillemot (*Uria aalge*), located approximately 440m southwest of Old Town.<br>Those records within proximity and associated with the habitats for Site include blackbird (*Turdus merula*), blue tit (*Cyanistes caeruleus*), goldcrest (*Regulus regulus*), great tit (*Parus major*), house sparrow (*Passer domesticus*), and robin (*Erithacus rubecula*).<br>Other notable species records returned within St Mary's are available on request and are associated with natural habitats beyond the scope of this EcIA. | No nesting birds were identified within the site. Potential nesting habitat was identified within the eaves of the SPS building, within a small area of overhanging bramble in the northeast corner of the SPS yard, and within the pittosporum hedgerow at Parsons Green.<br>A value of 'low' has been assigned to birds as a group due to the limited habitats within the Site for species of conservation concern to be present. | Negligible |
| Invasive and non-native species (INNS) | ERCCIS returned 253 records of INNS since 2003 on St Mary's. | No invasive species were recorded within the site.<br>Since these species are non-native and invasive (as well as absent), no value of importance has been assigned in relation to the site. | Nonapplicable |
| Invertebrates (terrestrial) | ERCCIS returned 62 records for invertebrates since 2003 within St. Mary's. | No invertebrate surveys were completed due to the lack of suitable habitats present.<br>A value of 'Negligible' has been assigned to invertebrates as a group due to the limited habitats within the site for species of conservation concern to be present. | Negligible |
| Lichens | A detailed desk study was completed to determine the requirement for further lichen surveys following consultation with the IoSWT.<br>This focussed on areas with suitable underlying habitats; however, it should be noted that the site was not included within this desk study. | No further survey was required due to the lack of suitable underlying habitats for lichens within the site.<br>A value of 'Negligible' has been assigned to lichens as a group due to the limited habitats within the site for species of conservation concern to be present. | Negligible |
| Other Protected and Notable Mammals | ERRCIS returned six records for notable mammals within St. Mary's since 2006 including lesser white-toothed (Scilly) shrew (*Crocidura suaveolens*) in 2015, and West European hedgehog (*Erinaceus europaeus*). | Habitats suitable for the Scilly shrew and hedgehog to use as resting places were absent from the site, however due to the nearby residential gardens they may be present for foraging or commuting. A value of 'negligible' has been assigned to the Scilly shrew due to the presence of suitable nearby habitat only. | Negligible |

# 5 Potential Impacts, Mitigation and Residual Impacts

The ecological impact hierarchy requires that all steps are taken to avoid adverse impacts to habitats and species. Only where impacts cannot be avoided, steps should be taken to mitigate for any losses within the project boundary. In cases where all options for on-site mitigation have been exhausted, offsite compensation measures can be considered.

Residual impacts are those which are still present even after the implementation of mitigation within the project design. These are considered during both the construction and operational phases.

## 5.1 Ecological Receptors Scoped out of Further Assessment

After review of the final layout and details of the proposed scheme, the following ecological receptors, presented below in Table 7, have been scoped out of further assessment. It is considered unlikely that the project and associated works will give rise to likely significant effects, and they have therefore not been considered further within the EcIA.

**Table 7 Ecological Receptors Scoped Out of the EcIA following Review of the Final Project**

| Ecological Receptor Scoped Out | Justification |
|---|---|
| **Habitats** | |
| Priority Habitats | No priority habitats are present within the site or proximity to the construction or operational impacts of the proposed scheme. Therefore, the potential for likely significant effects on the species are **neutral**. |
| Developed/Sealed Surface and buildings | The habitats within the site are of negligible value and therefore, the potential for likely significant effects on the habitats are **neutral**. |
| Modified grassland | The habitats within the site are of negligible value and will be reinstated following completion of the scheme and therefore, the potential for likely significant effects on the habitats are **neutral**. |
| Ornamental/non-native hedgerow | The habitats within the site are of negligible value and will be retained in full during construction and therefore, the potential for likely significant effects on the habitats are **neutral**. |
| **Species** | |
| Amphibians | Amphibian species are considered unlikely to be present within the site and therefore the proposed scheme would not impact on them during either the construction or operation phases of the proposed scheme. Therefore, the potential for likely significant effects on the species are **neutral**. |
| Bats – roosting | Roosting bats are considered unlikely to be present within the site based on the results of the emergence survey. Therefore, the proposed scheme would not impact on them during either the construction or operation phases of the proposed scheme. Prior to demolition, an ecologist will complete an updated survey to determine no change to the baseline. Therefore, the potential for likely significant effects on the species are **neutral**. |
| Bats – foraging and commuting | Given the limited extent of habitat within the site, the requirement for bat activity surveys was considered to be disproportionate to the impacts from the proposed scheme. The proposed scheme involves the demolition and rebuild of the SPS building and therefore connectivity between the Site and wider landscape will not be impacted.<br>In addition, the lighting proposed to be used during the operational scheme will be minimal. LED Task Lighting will be required within the site boundary between 16:00 – 17:30 during winter working only when bats are less active (during occasional warm days only).<br>Therefore, impacts to habitat suitable for foraging and commuting bats will be **neutral**. |
| Invetebrates (terrestrial) | Protected and notable terrestrial invertebrate species are considered unlikely to be present within the site due to the lack of suitable habitat and therefore the proposed scheme would not impact on them during either the construction or operation phases of the proposed scheme. Therefore, the potential for likely significant effects on the species are **neutral**. |
| Lichens | Protected and notable lichen species are considered unlikely to be present within the site due to the lack of suitable habitat and therefore the proposed scheme would not impact on them during either the construction or operation phases of the proposed scheme. Therefore, the potential for likely significant effects on the species are **neutral**. |

| Ecological Receptor Scoped Out | Justification |
|---|---|
| Other notable species | Impacts to the Scilly shrew and West European hedgehog have been identified during the construction phase of the project in the form of disturbance and mortality. Best practice construction methods should be outlined within the scheme Construction Environmental Management Plan (CEMP). Therefore, the potential for likely significant effects on the species are **neutral**. |

## 5.1 Summary of Impacts and Mitigation to Ecological Receptor Scoped into the EcIA

### 5.1.1 Designated Sites – Impacts and Mitigation

Due to the proximity of the proposed scheme to the Isles of Scilly Complex SAC, Isles of Scilly SPA and Isles of Scilly Ramsar there is potential for significant effects to occur which must be assessed in line with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This assessment will take the form of a Report to Inform Habitats Regulations Assessment (HRA) for the proposed scheme and the associated permitted development works. Terrestrial effects to be considered are habitat loss, physical damage / mortality of habitats and species, disturbance (such as noise, vibration, lighting, dust production and air quality issues), visual disturbance, and introduction or spread of INNS.

Best practice construction methods should be outlined within the scheme Construction Environmental Management Plan (CEMP).

Table 8 sets out the impacts to the habitats of the site and the EZI as a result of the project and recommended mitigation measures to be implemented to limit or remove these impacts. These are made on the basis of the current project and should be updated and amended by a suitably qualified ecologist as appropriate should the proposals be revised.

### 5.1.2 Species - Impacts and Mitigations

Potential adverse effects from the project have been identified for nesting birds during the construction phase of the project in the form of mortality.

Best practice construction methods should be outlined within the scheme CEMP.

Table 8 sets out the impacts from the project which will occur to species utilising the site and EZI, and recommended mitigation measures to be implemented to limit or remove these impacts. These are made on the basis of the current proposals and should be updated and amended by a suitably qualified ecologist as appropriate should the proposals be revised.

**Table 8 Impacts and Mitigation to Ecological Receptors**

| Ecological Receptor | Level of value or importance in relation to the Site | Impact | Significance of impact before mitigation | Recommended Mitigation | Significance of impact following Mitigation |
|---|---|---|---|---|---|
| **Designated Sites** | | | | | |
| Designated Sites – Habitat and species features | Very high | **HRA Conclusions**<br>The overall conclusion of the HRA Stage 1 Screening is that the proposed scheme will not lead to likely significant effects upon any qualifying features (habitats or species) of the Isles of Scilly Complex SAC or Isles of Scilly SPA. There will be no loss of the designated site land, no significant effects on the qualifying features within the European sites, proposed scheme site or wider connected area, and nor will the ability of the designated sites to reach conservation objectives be compromised as a result of the proposed scheme.<br>**Construction phase - embedded mitigation**<br>Best practice construction methods should be outlined within the scheme Construction Environmental Management Plan (CEMP).<br>**Operational phase - embedded mitigation**<br>N/A | Not significant | No additional mitigation would be required during either the construction or operational phase. | N/A |
| **Species** | | | | | |
| Birds – general | Negligible | **Construction phase - embedded mitigation**<br>Habitats present within the site were suitable for nesting birds, and therefore construction works during the summer months could lead to the destruction of active nests.<br>Specific legislation protecting nesting birds will be followed. All clearance of suitable vegetation during site preparation will be undertaken outside of the recognised nesting bird season (late February - August inclusive for most species). If this is not possible, an ecologist will be required to complete a nesting bird check of the working area prior to works commencing. If nests are identified, appropriate mitigation would be required and implemented to ensure the nests are not disturbed or destroyed. This would include erecting an exclusion zone between the works and any nest(s) identified and suspending vegetation clearance works within the exclusion zone until any young had fledged and permanently left the nest.<br>**Operational phase - embedded mitigation**<br>N/A | Not significant | No additional mitigation would be required during either the construction or operational phase. | N/A |

## 5.2 Residual Impacts to Ecological Receptor Scoped into the EcIA

### 5.2.1 Designated Sites – Residual Impacts

Following the embedded mitigation measures set out, there are no residual effects for designated sites.

### 5.2.2 Species – Residual Impacts

Provided all the embedded mitigation measures set out are implemented, there will be a neutral impact on species. Therefore, no residual impacts in relation to these protected species are anticipated from the project.

## 5.3 Post Development Monitoring

No further post-development monitoring of other important ecological features is proposed.

## 5.4 Cumulative Impacts

The proposed scheme forms part of SWWL's Isles of Scilly Capital Delivery Programme. The proposed works are comprised of improvements to the potable and wastewater infrastructure across the archipelago.

Further permitted development works on St Mary's will therefore be completed in addition to the works subject to the planning application and are likely to include:

- Repairing the existing Morning Point outfall on the Garrison.

For the longer term, SWWL are proposing further potable & wastewater upgrades on St Mary's and across the archipelago.

The local planning portal for the Isles of Scilly was searched on the 02 December 2024 for the latest details of planning applications on the archipelago. While a number of householder and small developments were identified, none have been identified which are considered significant enough to result in cumulative impacts to the site or to the ecology of the wider area.

It is of our knowledge however, that intake and outfall proposals are currently planned for other islands of the Archipelago. It is difficult to assess their cumulative impact at this stage as these proposals are at early design stages.

It is important that future projects consider the green spaces and wildlife corridors such that key habitats and connective routes are retained. Tools such as Biodiversity Net Gain (BNG) must be implemented such that losses through development are known and that project designs target no net loss or a net gain depending on the requirements of both the Local Planning Authority and the NPPF.

# 6 Ecological Enhancement and Biodiversity Net Gain

The following recommendations have been made to further enhance the ecological value of the site and the wider EZI in line with the current National Planning Policy Framework (NPPF 2024). Where opportunities within the design allow, these ecological enhancement measures should be considered in addition to those required for mitigation.

A separate BNG Assessment has been completed and provides recommendations to achieve 10% Statutory BNG.

As there is limited space within the site boundary, general biodiversity enhancement works could also be completed within the wider SWWL ownership and will aim to deliver an improvement to biodiversity within the overall SWWL ownership.

**Table 9 Ecological Opportunities and Enhancement**

| Ecological Feature | Ecological Opportunities |
|---|---|
| Invertebrates | Insect houses, log piles and compost heaps will increase the insect diversity within the site and could be placed within the existing hedgerow and grassland corners of the Parsons Green site where grassland adjoins these habitats. Wildflower planting, including pot plants and planting in tubs, to enhance the site for pollinating insects such as bumble bees and butterflies and should also be incorporated into the Landscape Scheme. |
| Nesting birds | Where practical, it is recommended that bird boxes are built into the timber clad section buildings which have a north east facing wall. |
| Bats | It is recommended that a bat bricks/boxes should be built into the new building to provide additional roost locations within the site. |

# 7 Ecological Report Limitations

The information reported herein is based only on the interpretation of data collected during the desk study investigations and the site visit. This work pertains specifically to the identification of designated sites, habitats and protected species on the proposed site. Information provided to Pell Frischmann by Environmental Records Centre for Cornwall and the Isles of Scilly and other statutory information sources has been accepted as being accurate and valid.

This report has been prepared by Pell Frischmann with all reasonable skill, care and diligence, and taking account of the manpower and resources devoted to it by agreement with the client.

The evaluation and conclusions do not preclude the existence of protected species, which could not reasonably have been revealed by the comprehensive desk studies and site visit. Hence, this report should be used for information purposes only and should not be construed as a comprehensive characterisation of all site habitats.

In addition, this report details only the conditions on site, at the time of reporting. The dynamic nature of the natural environment will result in changes to the surrounding environment as seasons change. No responsibility is taken by Pell Frischmann to the existence of additional species identified on this site at a later date.

This report has been prepared solely for the use of South West Water Limited and may not be relied upon by other parties without written consent from Pell Frischmann. In addition, it must be understood that this report does not constitute legal advice.

Pell Frischmann disclaims any responsibility to the client and others in respect of any matters outside the agreed scope of the work.

# 8 References

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

CIEEM (2017) Guidelines for Preliminary Ecological Appraisal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2 - Updated April 2022. Chartered Institute of Ecology and Environmental Management, Winchester.

Environmental Records Centre for Cornwall and the Isles of Scilly Data Search (14th July 2023)

Institute of Environmental Assessment. (1995). Guidelines for Baseline Ecological Assessment. London: E &FN Spon.

Multi Agency Geographical information on the Countryside [online].
Available: http://magic.defra.gov.uk

National Planning Policy Framework (2024) [online]
Available: National Planning Policy Framework

Invasive Alien Species (Enforcement and Permitting) Order (2019)
Available: https://www.legislation.gov.uk/uksi/2019/527/contents/made

Pell Frischmann Habitat Regulation Assessment (HRA) – Bishop and Wolf (ref 107780-PEF-ZZ-674-TRP-EN-0001) 2024

Pell Frischmann Bat Emergence Survey Report - Bishop and Wolf (ref 107780-PEF-ZZ-602-TRP-GE-0002) 2024

UKhab Ltd. (2023) UK Habitat Classification version 2.0 (at https://www.ukhab.org)

# Appendix A UKHab Habitat Map


## Legend

Site boundary

Hedgerows

- h2b Non-native and ornamental hedgerow

Habitats

- u1b Developed land; sealed surface
- g4 Modified grassland

Scale 1:500 at A3

# Appendix B Legislation

### The Environment Act 2021

The Environment Act 2021 provides a framework for environmental governance, including provisions to establish a 'post-Brexit' set of statutory principles including the creation of an environmental watchdog The Office for Environmental Protection (OEP). In relation to Biodiversity and Nature Conservation, the Act includes targets to halt biodiversity decline by 2030 and mandates a 10% Biodiversity Net Gain for developers.

### The Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act (WCA) 1981 (as amended) consolidates national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and the Directive on the conservation of wild birds (Birds Directive) 2009/147/EC (which is the codified version of the Council Directive 79/409/EEC).

The WCA is the principal mechanism for the legislative protection of wildlife in the UK and is divided into four parts, the first section of which details the protection of wildlife. This legislation protects wild animals listed on Schedule 5 and wildflowers which are listed on Schedule 8. All wild birds and their eggs and nests are protected, with special protection for birds listed on Schedule 1. Invasive plants listed on Schedule 9 must not be spread or propagated in any way.

### Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), and the Directive on the conservation of wild birds (Birds Directive) 2009/147/EC (which is the codified version of the Council Directive 79/409/EEC) into national law.

The regulations protect animals listed on Schedule 2 and plants listed on Schedule 5, also known as European Protected Species. The Regulations allow the designation and protection of Special Areas of Conservation (SACs), Special Protection Areas (SPA's) and RAMSAR sites. These are collectively known as National Site Network within the UK (formerly known as Natura 2000 sites). A development which would have an adverse effect on the conservation interests for which a National Site Network area has been designated should only be permitted where:

- There is no alternative solution; and
- There are imperative reasons of over-riding public interest, including those of a social or economic nature.

Where a priority habitat or species (as defined in Article 1 of the Habitats Directive) would be affected, prior consultation with the European Commission is required unless the development is necessary for public health or safety reasons. These conditions also apply to any European protected species that may be present.

### The Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities (NERC) Act 2006 places an obligation on all Local Planning Authorities to conserve and protect biological diversity and the natural environment. Section 40 of the Act concerns biodiversity and states: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercising of those functions, to the purpose of conserving biodiversity.'

The Act states that: 'it is important that public authorities seek not only to protect important habitats and species, but actively seek opportunities to enhance biodiversity through development proposals, where appropriate.'

This legislation also details those species for each county that are of 'principal importance for the purpose of conserving biodiversity' and includes those that are most threatened, declining, or where the UK populations represents a significant proportion of the global population. These species are mainly derived from the original UK Biodiversity Action Plans (UK BAP) which has now been succeed by the UK Post-2010 Biodiversity Framework published in 2012 and highlights those that are of conservation concern, detailing why they are of concern and the actions required to prevent further declines and to encourage habitat/population expansion.

Local Biodiversity Action Plans (LBAPs) have been developed which set priorities for locally important habitats and wildlife. The statutory basis for species and habitats listed in the LBAP is provided by Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

### The Countryside and Rights of Way Act, 2000

The Countryside and Rights of Way Act 2000 (CROW Act, 2000) increases the measures for the management and protection of Sites of Special Scientific Interest (SSSI), reinforces existing wildlife enforcement legislation, and requires that local authorities provides for better management and have due regards for Areas of Outstanding Natural Beauty (AONB).

Species of principal importance for the conservation of biodiversity in England (as identified under the CROW Act) should be protected from adverse impacts of development. To ensure that the habitats of these species are not adversely impacted upon, the planning authority may impose planning conditions or obligations.

### The Invasive Alien Species (Enforcement and Permitting) Order 2019

The Invasive Alien Species (Enforcement and Permitting) Order 2019 are regulations which aim to prevent and minimise the impact of the introduction and spread of non-native plants and animals 'not ordinarily resident in' and 'not a regular visitor to Great Britain in a wild state', or otherwise listed in Schedule 2. The order lists 66 species which are of special concern and apply to live plant and animal specimens (including anything they can reproduce from, such as seeds, spores and fragments of plants). The regulations make it an offence to import, keep, breed, transport (except transporting for eradication), sell, exchange, allow to grow, cultivate or permit to reproduce, or release into the environment unless a licence, permit or exemption is in place.

### The Protection of Badgers Act 1992

The Protection of Badgers Act 1992 provides protection to badgers and their setts from injury/fatality, damage and any form of disturbance; however, this does not extend to the protection of other habitats badgers may utilise.

### The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 affect hedgerows that are 20m or more in length or are connected at both ends to another hedgerow (of any length) and enable their protection from intentional or reckless removal, or to cause or permit another person to remove a hedgerow. The regulations apply to hedgerows that are on, or adjoining, land that is used for the following – agriculture; forestry; breeding or keeping of horse, ponies or donkeys; common land; village greens; and SSSI's or Local Nature Reserves (LNR's).

the LPA have powers to serve a Hedgerow Retention Notice, requiring that the hedgerow is retained if a hedgerow is deemed to be important under specified criteria (found in chapter 7 The Hedgerow Regulations – A Guide to the Law and Good Practice) and is older than 30 years. The regulations do not apply to hedges that are attached to houses.

### Ancient Woodlands and Veteran Trees

Ancient semi natural woodland consists of any wooded area which has been wooded continuously since at least 1600 AD and has protection under the NPPF. Ancient Woodlands are described as irreplaceable habitats as per Natural England's standing advice which states that local planning authorities '*should refuse planning permission if development will result in the loss or deterioration of ancient woodland, ancient trees and veteran trees unless:*

- *there are wholly exceptional reasons*
- *there's a suitable compensation strategy in place*

To protect Ancient Woodland and Veteran Trees during development, The Forestry Commission and Natural England have published guidance (known as 'standing advice'). This standing advice is a material consideration during the planning process and should therefore be considered when making decisions on

relevant planning applications. This standing advice was last updated in November 2018 and states the following:

- '*For ancient woodlands, you should have a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic'.*
- *'A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter*'.