

Ecology

1. ECOLOGY – SUMMARY

1.1 Planning

Pyestock is a large scale development and ecological enhancements should be an intrinsic part of the plans. This is in keeping with PPS1 'Delivering sustainable development', PPS9 'Biodiversity and Geological Conservation' and the developing South East Plan. Policy NRM4 of the SEE Plan seeks to avoid a net loss of biodiversity and to actively pursue opportunities to achieve a net gain of biodiversity across the region. The two applications fail to address the planning requirement for provision of ecological enhancements. The harm and damage to the local environment as a consequence of such a development has been hugely understated by The Appellant.

1.2 The Environmental Statement

The Environmental Statement is fatally flawed and incomplete as demonstrated by the need to introduce an unrequested Addendum at such a late stage (Aug. 2008). It makes scant effort to protect the 13 designated areas for conservation and accepts the loss of at least two SINC's. This is contrary to CON 3 but brings no comments from HDC, HCC and NE.

1.3 Thames Basin Heaths Special Protection Agency

The Thames Basin Heaths Special Protection Area (TBH SPA) is designated for the protection of three birds which are not in stable populations. The development is likely to exacerbate this situation. The Precautionary Principle has been overlooked. There has been no Appropriate Assessment. The three nearby SSSIs (not SPA) are given

inadequate consideration. The likely harmful effects of a depot in such close proximity to the treasured Fleet Pond SSSI has been undervalued by the Appellant. No thought has been given to the potential loss of a tranquil amenity enjoyed by so many Hart residents.

1.4 Alternative Sites

Europe and The UK require that consideration be given to alternative sites. The Appellant has shown no inclination to do so. These do exist.

1.5 Natural England's Role

There has been no reasoned explanation of NE's decision that the proposals will have no significant effect on the TBH SPA – merely a statement. NE's contribution lacks transparency and openness and is not in the Aarhus spirit. SPLAT was advised by the European Commission to meet with NE but was repeatedly refused appointments. Inexplicably, NE chose to avoid the fact that the site itself falls within the 400metre no-build zone proposed by NE to protect the SPA.

1.6 Scoping and Scott Wilson's Ecology Report

Plans 00764 & 03197 have no Scoping Report and the applications do not include supporting documents in its place. The basis of the Ecology Report (Scott Wilson) is old (5 years), incomplete and flawed. It has been used several times by consultants who have surveyed the site but have been blind to badger setts which members of the public have been able to observe from outside the development. This does not inspire confidence in the quality and accuracy of the remainder of their work.

1.7 Emission Pollution

The main pollution will come from traffic emissions. As the number and type of HGVs and vehicles is not fixed by the Appellant the quantity and spread cannot be accurately estimated. No sensitivity study on future growth is presented and thus no future estimates of pollution

levels can be made. The potential for increased nitrogen deposition upon and resulting eutrophication in the TBA is considerable.

1.8 Air Quality

The Appellant has presented some information on air quality which may be relevant to humans, but which gives no consideration to the protected species. One of the protected birds is a night-hunter and will be faced with a newly, highly-lit depot of approx. 120 acres within his foraging area. Bats forage within the depot and, at present, there are sites suitable for roosting bats. These will be demolished. The potential damage to the local wildlife is of great concern.

1.9 Night Light & Hard-Standing

There will be no night-time for flora and fauna around the depot with construction (6 years), floodlighting, operations and vehicles working 24 x 7. The various ecological corridors will be blocked by the huge buildings and concrete hard-standing.

1.10 Noise

Noise, which has been incorrectly measured, will also cause disturbance over 24 hours whilst the depot is operational. The daytime noise during construction (6 years) is also likely to be an important factor. This is likely to drive away wildlife, including the protected species.

1.11 Adjacent Areas

The harmful effects of lighting, traffic noise and air pollution on the adjacent areas used by birds and bats foraging has not been fully assessed.

1.12 General Effects of Mega-Depots

Mega-depots bring increased traffic congestion, serious loss of tranquillity, escalating damage to the environment, increased carbon emissions and climate changing carbon dioxide.

1.13 Overall Effect

The overall effect of this development is to introduce a major polluting industry (Transportation) into a spot surrounded by attractive spaces of important nature conservation. The harm caused by pollution will be additive to what is already acknowledged to be an area which is under stress. The damage will be widespread.

Fleet Pond(SSSI) is already deteriorating and the development can only speed the deterioration. Joggers, walkers and residents will move from the local areas to other available spaces – in this case the TBH SPA. The resulting health impacts are raised in the Health Documents by SPLAT.

1.14 Conclusion

We ask The Inspector to dismiss the Appeal in view of the shortcomings in the ES and particularly the inadequacy of the ecological section.