

CONCLUSION:

- # The harm and damage to the local area, as a consequence of a massive Logistics Depot at Pyestock, has been hugely understated by the Appellant.
- # The Environmental Statement is fatally flawed and incomplete as shown by the need to introduce an Addendum at such a late stage.
- # The ES makes scant effort to protect 13 designated areas of conservation.
- # Surprisingly, NE, HCC and HDC appear content to accept the loss of at least two SINCS on the site, contrary to CON 3.
- # The TBH SPA is designated for the protection of three birds which are not in stable populations in the area.
- # The Precautionary Principle has been overlooked.
- # There has not been an Appropriate Assessment. The three SSSIs (2 of which are within 100metres of the site or designated access road) 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 in ecological terms. This historic amenity currently offers peace and tranquility in a local nature reserve and an SSSI and should be enhanced, not endangered by noise and air pollution.
- # Europe and the UK require that consideration be given to alternative sites. The Appellant has shown no inclination to do this. They do exist. Several earlier appeals have cited this reason as adequate for dismissal.
- # 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 role 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 ignore the fact that the site itself falls within the 400metre no-build zone proposed by Natural England to protect SPAs.

- # There is no Scoping Opinion/Report for plans 00764 and 03197 and the applications do not include supporting documents in place of these reports.
- # The basis of the Ecology Report(Scott Wilson) is old(5 years), incomplete and flawed. It has been used 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.
- # 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 fully estimated. No sensitivity study on future growth is presented and thus no future estimates of pollution levels can be made.
- # 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 birds is a night-hunter and will be faced with a new 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.
- # There will be no nighttime for flora and fauna around the depot with floodlighting.
- # The various ecological corridors will be blocked by the buildings and concrete hardstanding.
- # Noise, which has not been correctly measured, will also cause disturbance over 24 hours every day. This is likely to drive away wildlife including the protected species.
- # The harmful effects of lighting, traffic noise and pollution on the adjacent areas used by birds and bats foraging has not been assessed.

- # The potential harm to residents include respiratory and cardiovascular disease from pollution, with some emphasis on younger people. Students at school and college may be disadvantaged by inability to study and concentrate with 24 hour noise. Sporting activities could suffer through poor air quality. The cost of these additional effects have not been evaluated but they will not fall on the Appellants.
- # The shortcomings in the ES and particularly the inadequacy of the ecological section are sufficient in their own right to dismiss this Appeal.