

MR C R GALE

**Objection to Local Plan 2011-2026 NDDC**

This objection is based on the following headings;

1. Projected breach of the EU directive 92/43/EEC (1992) and the "Habitat Regulations etc." UK Law 1994.
2. Failure to identify alternative sites for development under the Act.
3. Failure to identify Habitat Mitigation sites within the meaning of the Act.
4. Failure to address timescale of Habitat Mitigation.
5. Failure to address concern as specified by Natural England.
6. Failure to respond to reasonable requests for accurate information.
7. Over- reliance on information provided by the Vendor (Crown Estates).

**Research resources:**

Bern Convention on the Conservation of European Natural Habitats

EU Directive 92/43/EEC (1992) and "Habitat Regulations etc." UK Law 1994

Dr Frank Vassen, European Commission, DG Environment

Mr Colin Morris, Vincent Wildlife Trust

Professor Roger Ransome

Professor Rod Blackshaw

**Correspondence NDDC, Vincent Wildlife Trust,  
The Crown Estate accessed under the Freedom of Information act (FOI)**

1. The area designated as "West of Blandford" in the NDDC Local Plan is a major part of the habitat for the Greater Horseshoe Bat and is protected under Annex II of the EU directive. The Maternity Roost of the Greater Horseshoe Bat (SSSI) is located in the grounds of Bryanston School and is administered by the Vincent Wildlife Trust. The accepted scientific view is that this habitat must consist of meadow and grazing land which has not been treated with insecticide, does not suffer from light pollution and extends to a radius of at least 4 kilometres from the Maternity roost. It also requires established, continuous hedgerows, mature trees and a healthy population of invertebrates, in particular cockchafers and various species of moths etc. The accepted area needed for the development of immature and bat pups lies within a 2 kilometre radius of the maternity site (papers published by Prof R Ransome, Prof R Blackshaw, The Bat Conservation Trust and confirmed by Dr F Vassen, EU Commission)

All the sites currently specified as "West of Blandford" fall within the 2 kilometre radius.

2. The Act specifies that alternative sites for development must be considered **before** any disturbance of the original habitat and before Habitat mitigation can be considered. Areas to the East of Blandford have been identified, and with a willing Vendor.

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- 3.** Habitat Mitigation requires an area of equal size and value to be developed and, in this case, would need to be within a 2 kilometre radius of the Maternity roost. NDDC has consistently failed to identify any mitigation sites despite repeated requests.
- 4.** Habitat Mitigation must be developed concurrently with the existing habitat and will take 15-20 years according to scientific research. (see published papers by the aforementioned research resources).NDDC have been made aware of this by Vincent Wildlife Trust and Natural England on several occasions and the land owner (Crown Estates) has also been made aware of the situation by the above and AMEC, their chosen surveyors.
- 5.** Although NDDC claims that Natural England "broadly accepts" their approach it is clear from correspondence (FOI evidence attached) that their attention has been drawn to the legal situation on at least two occasions.
- 6.** I have had considerable correspondence with NDDC and The Crown Estate. The replies have been, at best, vague and at times, disingenuous. No accurate information has been given on their plans for habitat mitigation and they have consistently ignored the time-scale (which falls outside 2011-2026) required for successful mitigation. They have not provided information on the necessary mitigation monitoring over the time-scale required.
- 7.** NDDC has relied on Habitat Assessments provided by AMEC for The Crown Estates. AMEC is compromised in its independence by the attached email. This shows a clear conflict of interest and an offer to intervene by a third party in a due planning process.

All the above objections are supported by research documents and letters obtained under FOI and can be viewed on request.

C R Gale

Appendix 1	Abstracts from Natural England
Appendix 2	email VWT to AMEC
Appendix 3	Habitat for the Species - Abstract
Appendix 4	info from Prof Rod Blackshaw
Appendix 5	Internal email AMEC
Appendix 6	Letter Vincent Wildlife Trust to AMEC (FOI)
Appendix 7	Vincent Wildlife Trust email to AMEC
Appendix 8	Attachment 1
Appendix 9	Attachment 2