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Mr Nayan Gandhi
Laister Planning Ltd
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London Road
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OX7 5AR

Your Ref: LPL1259

Our Ref: APP/D1265/C/22/3313965

Date: 06 August 2024

Sent by email:
nayan@laister.co.uk

Dear Mr Gandhi

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (SI 571/2017) ('THE EIA REGULATIONS')

Appeal by: Royale Parks (Dorset) Limited

Site Address: Gundrys Farm, School Lane, Three Legged Cross, Wimborne, Dorset BH21 6RU

We refer to recent correspondence and the screening direction of 07 June 2024 concerning the preparation and submission of an Environmental Statement (ES) for the above appeal due to the likely significant effects on the following designated sites:

- Dorset Heaths Special Area of Conservation (SAC), and Dorset Heathlands Special Protection Area (SPA) and Ramsar – adjacent to the south and c. 120m east.

The site is also within the Impact Risk Zone (IRZ) identified by Natural England, of the following designated site:

- Holt and West Moors Heaths Site of Special Scientific Interest (SSSI) - adjacent to the south and c. 120m east.

In the absence of mitigation, it is considered that likely significant effects would arise as a result of direct and indirect disturbance (noise and light emissions), effects on air quality and the potential for predators such as foxes to be attracted to the site.

You have indicated (with supporting correspondence from an ecological consultant) that the timescale to prepare an ES would depend on the completion of targeted nightjar surveys, which would likely be required to inform the ES and an associated Habitats

Regulations Assessment (HRA) with regard to the potential impact of the Proposed Development on the nearby SPA and Ramsar site as one of the qualifying features of the site is the presence of breeding European Nightjars (*Caprimulgus europaeus*). The nightjar surveys could only be undertaken between late May to early July, and that several surveys may be required to inform an assessment. As the survey period for 2024 has now unfortunately passed you have indicated a date for submission of the ES of 12 September 2025 to allow for preparation, taking account of the 2025 survey period. However, we consider it to be reasonable that the ES should be submitted by 15 August 2025, so as not to unduly delay the appeal process.

In view of the above the Secretary of State requests under Regulation 41(c) that an Environmental Statement relating to the alleged unauthorised EIA development (the subject of the above appeal) should be submitted by **no later than 15 August 2025**. You are reminded that if the Secretary of State does not receive the ES by the due date that under Regulation 41(e) of the 2017 EIA Regulations, the deemed application and the ground (a) appeal shall lapse.

Yours sincerely

Helen Lancaster

Helen Lancaster
Operations Lead, Environmental Services Team
(Signed with the authority of the Secretary of State)

cc: M Mark Hitchcott, Dorset Council

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