



BIODIVERSE
CONSULTING

MILFORD HAVEN

**PRELIMINARY ECOLOGICAL
APPRAISAL**

FOR: LIDL GB LTD

REF: BIOC23-123 | V1.2



CLIENT	PROJECT	
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DOCUMENT CONTROL

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EXECUTIVE SUMMARY

Biodiverse Consulting Ltd was commissioned to undertake a Preliminary Ecological Appraisal (PEA) of land on Great North Road, Hakin, Milford Haven. The existing supermarket on Site is proposed to be relocated, within the Red Line Boundary, outside of the current supermarket footprint. Associated infrastructure including landscaping and a car park are included within the proposal. This report presents the key ecological constraints and opportunities in relation to the development, as summarised in the table below.

ECOLOGICAL CONSIDERATIONS FOR LIDL MILFORD HAVEN PROPOSAL	
Designated Sites	The Site is located within the Natural Resources Wales Priority Area Coastal Saltmarsh, a non-statutory designated site. Two statutory sites were identified within 2km; one Special Area of Conservation (SAC) and one Site of Special Scientific Interest (SSSI).
Habitats	The Vegetated Gardens, Introduced Scrub, Buildings, and Developed Land; Sealed Surface are of negligible value.
Bats	Two buildings are of low suitability for roosting bats and the Vegetated Gardens provide opportunities for foraging bats.
Birds	Some nesting and foraging habitat for birds within the overgrown Vegetated Gardens denotes the Site to be of low value for birds.
Priority Species	The site has the potential to support priority species including hedgehog and common toad.
Invasive Non-Native Species	Three Schedule 9 invasive species were identified on Site: small leaved cotoneaster, rhododendron, and Japanese rose and their removal by a suitably licenced contractor is recommended to ensure legal compliance.
Further Survey and Assessment	<p>The following surveys and assessments are recommended:</p> <ul style="list-style-type: none"> • One Nocturnal Bat Activity Survey of Buildings 1 and 6 (see Figure 4) within the period of May to August. • An updated botanical survey. • Habitat Regulations Assessment (HRA). • Construction Ecological Management Plan (CEcMP). • A range of good practice avoidance, mitigation and compensation measures are recommended to address ecological impacts and reduce the likelihood of legal offences.



CONTENTS

EXECUTIVE SUMMARY	4
CONTENTS	5
1 INTRODUCTION	6
1.1 SITE LOCATION & DESCRIPTION	6
1.2 REPORT OBJECTIVES	6
1.3 DEVELOPMENT PROPOSALS	7
2 METHODOLOGY	8
2.1 SURVEY AREA.....	8
2.2 DESK STUDY	9
2.3 FIELD SURVEY.....	9
2.4 LIMITATIONS TO SURVEY.....	10
2.5 ASSESSMENT.....	10
3 RESULTS	11
3.1 DESK STUDY	11
3.2 FIELD SURVEY.....	12
4 RECOMMENDATIONS	22
4.1 POTENTIAL IMPACTS	22
4.2 FURTHER SURVEY AND ASSESSMENT	22
4.3 AVOIDANCE	23
4.4 MITIGATION.....	23
4.5 COMPENSATION/ENHANCEMENT.....	23
APPENDICES	24
APPENDIX A – UKHAB MAP	25
APPENDIX B – TARGET NOTES	26
APPENDIX C – DESIGNATED SITES MAP	28
APPENDIX D – PRIORITY HABITATS MAP	29
APPENDIX E – POLICY AND LEGISLATION.....	30
APPENDIX F – VALUE OF ECOLOGICAL FEATURES	33
APPENDIX G – HABITAT SUITABILITY INDEX	35

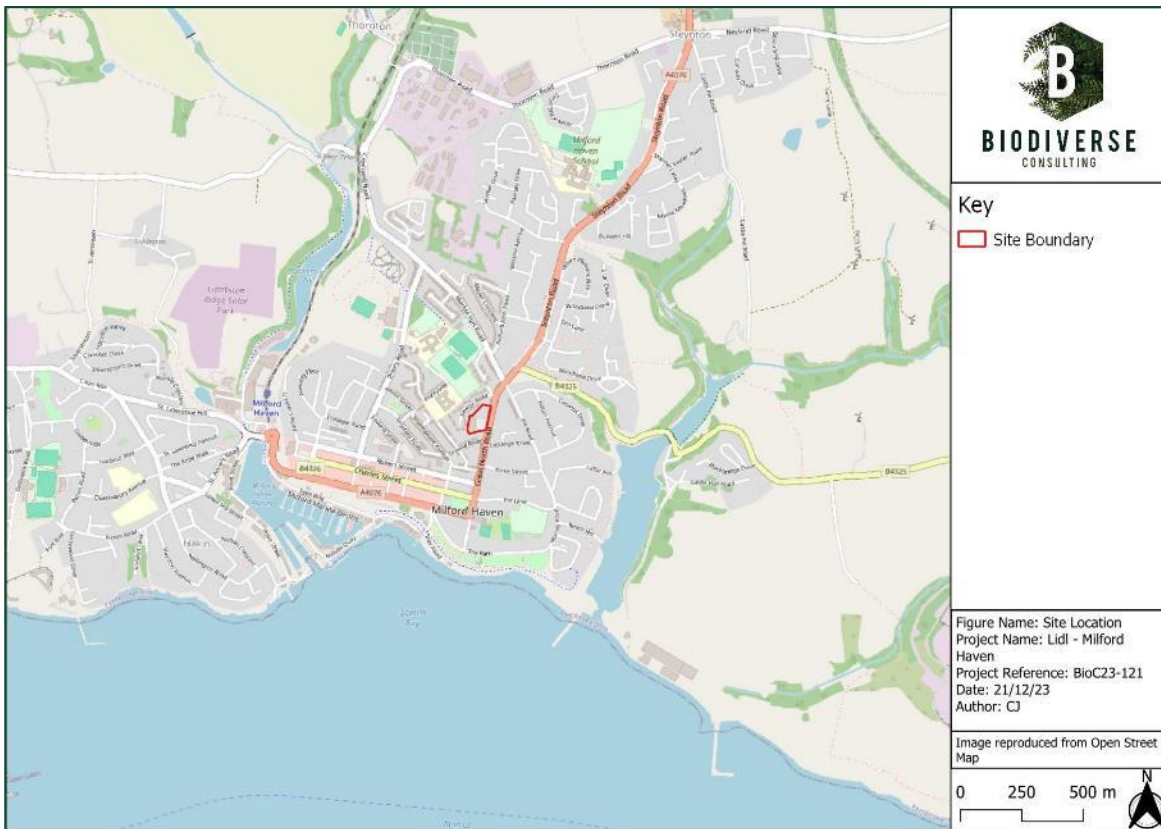


1 INTRODUCTION

1.1 SITE LOCATION & DESCRIPTION

The Site is located on Great North Road, Milford Haven, SA73 2LH at an approximate central grid reference of SM 90872 06166 as illustrated in Figure 1. The 0.73ha site currently consists of an existing Lidl food store with associated infrastructure, vacant dwellings with gardens, and a car rental building with a car park. The Site is located within a predominantly residential area in the town of Milford Haven.

FIGURE 1: SITE LOCATION



1.2 REPORT OBJECTIVES

The aim of this report is to determine the potential ecological constraints and opportunities to development. The objectives of this report are to:

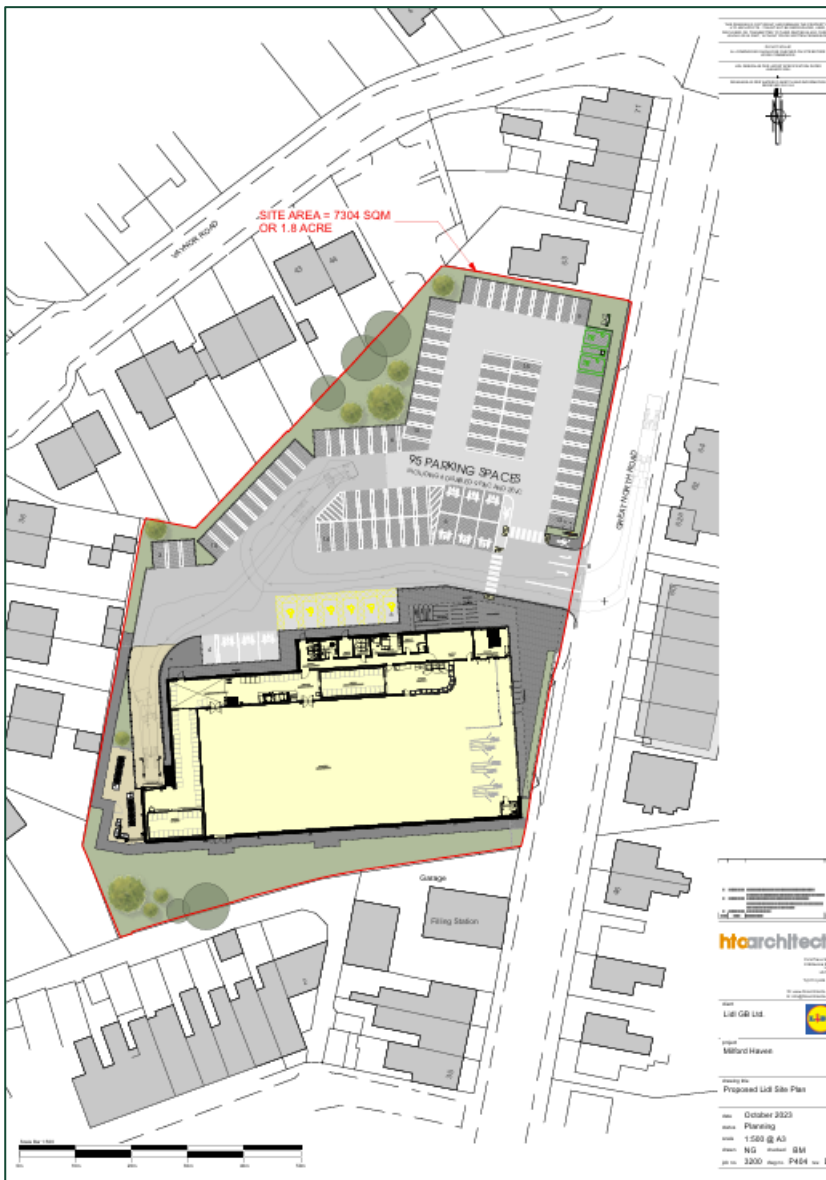
- Identify and describe ecological features/receptors that may be present on site or within an identified Zone of Influence (ZoI).
- Outline potential mitigation, compensation or enhancement measures if required.
- Determine the need for and scope of further surveys.



1.3 DEVELOPMENT PROPOSALS

The development proposal comprises the demolition of the existing Lidl store and adjoining properties to the north, and the erection of a new Lidl store, with associated infrastructure including landscaping and a car park, based on plans at the date of the production of this report (Drawing Number 3200 P404 Rev. D)

FIGURE 2: PROPOSED SITE LAYOUT



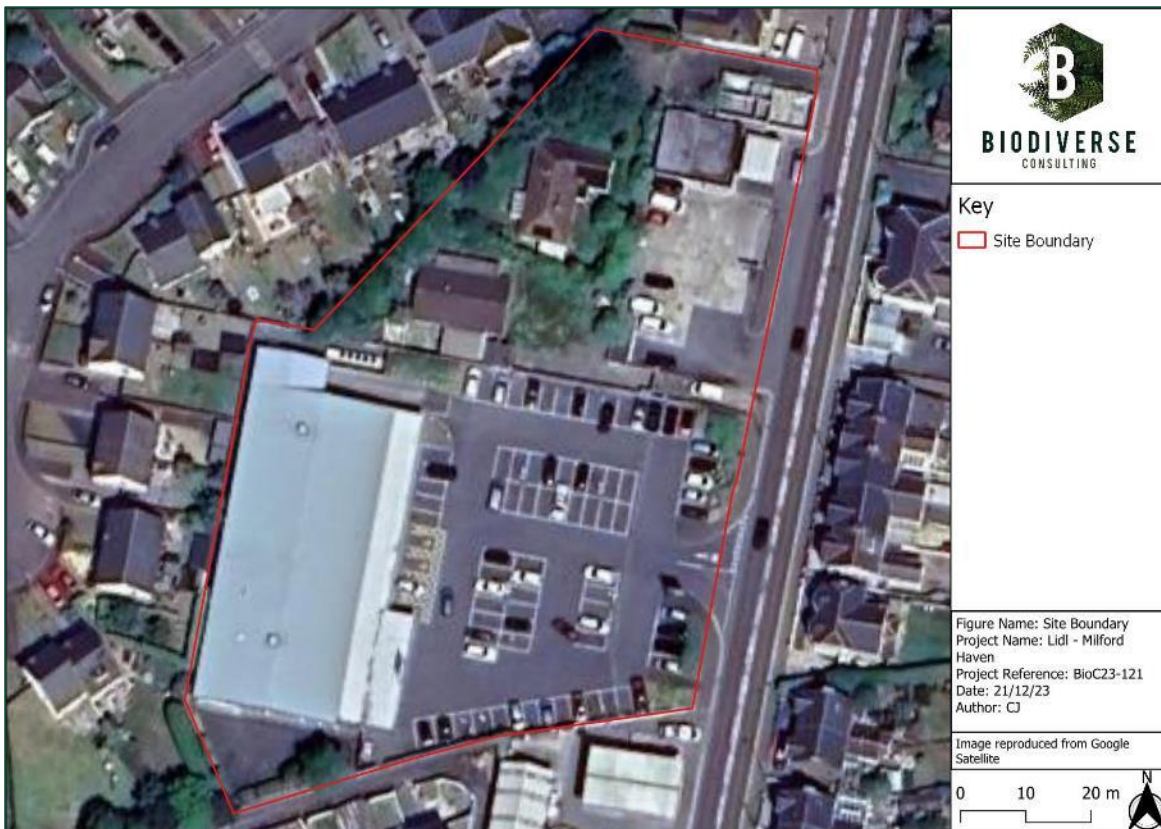


2 METHODOLOGY

2.1 SURVEY AREA

The survey area comprised the 'Site' (Figure 3) and, where access was available, an appropriate buffer.

FIGURE 3: SURVEY AREA





2.2 DESK STUDY

A desk study was undertaken to obtain pre-existing ecological information relevant to the assessment. The desk study included:

- An assessment of aerial imagery and Ordnance Survey mapping.
- A search of the MAGIC website¹ for all statutory designated sites within 2km and any additional sites outside of this buffer that have the potential to be impacted by the development.
- A search of the DataMapWales (DMW) website² for priority habitats within 2km.
- A request to the Local Record Centre (LRC) for records of non-statutory designated sites within 1km and protected and priority species within 2km.

2.3 FIELD SURVEY

Table 1 provides a summary of the field surveys undertaken. Full details of each survey are provided in the subsequent sections. All surveys were undertaken by suitably experienced ecologists; full details are available on request.

TABLE 1: SURVEY SUMMARY

SURVEY	DATE	TEMP	CLOUD	PRECIPITATION	WIND ³	SURVEYOR
PEA, PRA	04/01/2024	9°C	95%	None	2BF	JV

2.3.1 Habitats/Protected Species

The Site was subjected to a Preliminary Ecological Appraisal (PEA) walkover survey during which habitats were assessed in line with the UK Habitat Classification (UKHab) methods⁴. As part of the survey, the Site was also checked for evidence of protected and priority species, and habitats were assessed for their potential to support them.

2.3.2 Bats

Survey methods and assessment are based on the Bat Conservation Trust (BCT) Good Practice Guidelines⁵. A Preliminary Roost Assessment (PRA) determined the value of structures to roosting bats and a Ground Level Tree Assessment (GLTA) determined the value of trees to roosting bats.

¹ Multi Agency Geographic Information for the Countryside (www.magic.gov.uk)

² Data Map Wales ([New map | DataMapWales \(gov.wales\)](http://www.gov.wales))

³ Beaufort wind force scale available at: <https://www.metoffice.gov.uk/weather/guides/coast-and-sea/beaufort-scale>

⁴ UKHAB Ltd (2023) The UK Habitats Classification User Manual Version 2 at <http://www.ukhab.org/>

⁵ Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). Bat Conservation Trust



A Daytime Bat Walkover (DBW) assessed habitats for bats to roost, commute, and forage both on site and in the surrounding area with an aim to determine the suitability of the site for bats. All surveys assess the need for further bat surveys and/or mitigation and how those surveys should be safely carried out.

2.4 LIMITATIONS TO SURVEY

The interior of the buildings could not be accessed during the PRA which may have affected the assessment of the structures. This is not considered a significant constraint as portions of the interior of some of the buildings were visible through windows and doorways, and an additional nocturnal activity survey will support further assessment of the buildings.

Access to Building 6 (see Figure 4) and the adjacent garden was impeded by parked vehicles and could only be viewed from the southern aspect of the structure. This limitation to the survey is considered a significant constraint, however the requirement of a nocturnal survey will negate this limitation.

A small area in the southeast of the Site could not be accessed at the time of the survey. This is not considered a significant constraint as part of this area could be viewed over the fence.

The PEA survey was conducted outside the optimal botanical survey period; therefore, some plant species may not have been identifiable and thus a significant constraint on the botanical features of the Site. It is recommended that an updating botanical survey be carried out within the optimal period (mid-May – September end inclusive).

2.5 ASSESSMENT

The PEA surveys may provide sufficient information to accurately determine the value of some features, whereas other features may require further study to allow this. Features for which sufficient information is available at this stage are assigned a value using a geographic frame of reference in line with guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM) (Appendix F).



3 RESULTS

3.1 DESK STUDY

3.1.1 Designated Sites

The Site is located within the Natural Resources Wales Priority Area – Coastal Saltmarsh non-statutory designated site, however no habitat of this type is present within the Site. Two statutory designated sites were identified within 2km; a Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC). A summary of statutory and non-statutory designated sites is provided in Table 2, and the LRC map of the designated sites is provided in Appendix C.

SACs are considered to be of international value and SSSIs and NRWs are considered to be of national value.

TABLE 2: DESIGNATED SITES

DESIGNATION	SITE NAME	REASON FOR DESIGNATION	DISTANCE FROM SITE
Statutory Designated Sites			
SAC	Pembrokeshire Marine/Sir Benfro Forol	Protected marine habitats including estuaries, large shallow inlets and bays, and reefs are present within this Site, which provide habitat for a range of flora and fauna, such as grey seal, sea lamprey, and shore dock.	569m
SSSI	Milford Haven Waterway	A network of ancient woodland, saltmarshes, swamps and saline lagoons provide habitat for a number of rare and scarce plants and invertebrates. Nationally important numbers of migratory wildfowl, and protected species including otter, lesser and greater horseshoe bats are also present within this Site.	569m



DESIGNATION	SITE NAME	REASON FOR DESIGNATION	DISTANCE FROM SITE
Non-Statutory Designated Sites			
NRW Priority Area	NRW Priority Area – Coastal Saltmarsh	A landscape scale area prioritised for targeted coastal saltmarsh conservation work.	0m

3.1.2 Priority Habitats

There are no records of Priority Habitats within or bordering the Site. There are records of Priority Habitats within 2km of the Site including: Traditional Orchards, Purple Moor Grass and Rush Pastures, and Lowland Fens and Reedbeds. The Priority Habitats Map is provided in Appendix D.

3.1.3 Protected and Priority Species

A summary of recent (2014–present) records of protected, priority or otherwise notable species was provided by the LRC and relevant records are discussed in the results sections below. The full LRC search results are available on request.

3.2 FIELD SURVEY

3.2.1 Habitats

The site is dominated by Hardstanding and Buildings associated with the existing Lidl food store, with an area of Vegetated Gardens and Introduced Scrub planters. Detailed accounts of the UKHab habitats are provided below. A map of the UKHab habitats is provided in Appendix A and corresponding Target Notes in Appendix B.

IMAGE 1 – VEGETATED GARDEN



IMAGE 2 – INTRODUCED SCRUB



**IMAGE 3 - HARDSTANDING****IMAGE 4 - BUILDING**

3.2.1.1 828 – Vegetated Garden

Two overgrown, Vegetated Gardens with associated decking and sheds, separated by a tall breezeblock constructed wall are located in the northwest of the Site (Image 1). The gardens contain a number of non-native species, including the Schedule 9 invasive species rhododendron *Rhododendron sp.* and Japanese rose *Rosa rugosa*.

Brambles *Rubus sp.*, ivy *Hedera sp.*, and common nettle *Urtica dioica* dominate the garden forming a dense scrub, as well as a number of young and mature trees. A small, artificial pond with plastic lining is present within the gardens.

This habitat is considered to be of negligible value.

3.2.1.2 847 – Introduced Scrub

A number of Introduced Scrub areas are located within the Site, predominantly made up of non-native species (Image 2). Dominant species include cherry laurel *Prunus laurocerasus*, barberry *Barberis sp.* and dogwood *Cornus sp.*, with some ivy and cleavers *Galium aparine* present within the woodchip substrate. Small leaved cotoneaster *Cotoneaster microphyllus*, a Schedule 9 invasive species, is also present within the scrub.

This habitat is considered to be of negligible value.

3.2.1.3 u1b – Developed Land; sealed Surface and u1b5 - Buildings

Developed Land; Sealed Surface dominates the Site, making up car parks and a driveway (Image 3). Buildings on-Site include a Lidl food store and vacant dwellings (Image 4).

These habitats are considered to be of negligible value.

3.2.2 Invasive Non-Native Species

Three invasive Schedule 9 species were identified on Site: small leaved cotoneaster, rhododendron, and Japanese rose.



3.2.3 Protected Species

Protected species are afforded a level of legal protection which means that their presence may pose a constraint to development. A summary of relevant legislation and associated species is provided in Appendix E.

The following sections describe the results of the field surveys and an appraisal of desk study data. Species not addressed below are considered extremely unlikely to be present and/or affected by the development and so are scoped out of further assessment.

3.2.3.1 Great Crested Newt (*Triturus cristatus*)

The desk study returned no records of GCN, and no ponds were identified within 500m of the Site. One pond is located within the Vegetated Garden on Site (see UKHab map in Appendix A), however is considered to have 'poor' suitability (HSI score = 0.29). See Appendix G for full HSI results.

The unmown lawn and scrub within the Vegetated Gardens provide suitable foraging and commuting habitat for GCN during the terrestrial phase, however due to the lack of suitable breeding ponds on Site and within 500m, it is unlikely that an important assemblage of GCN is present. GCN are therefore scoped out of further assessment, however, a precautionary approach will be adopted to safeguard the species during construction.

3.2.3.2 Bats

The desk study revealed records for the following bat species within 2km: common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, brown long eared *Plecotus auritus*, greater horseshoe *Rhinolophus ferrumequinum*, lesser horseshoe *Rhinolophus hipposideros*, noctule *Nyctalus noctula*, barbastelle *Barbastella barbastellus*, natterers *Myotis nattereri*, and whiskered *Myotis mystacinus*.

The Vegetated Gardens on Site and beyond the Site's boundary afford opportunities for foraging bats. Foraging and commuting opportunities in the wider area are considered good, with a range of woodland, hedgerows, and watercourses present. However, connectivity to these areas is restricted due to main roads and disturbance from street lighting and residential properties.

Roosting opportunities on Site are afforded by the residential buildings (see Figure 4). PRA of buildings with the potential to be impacted by the current development proposals are summarised in Table 4.



FIGURE 4: BUILDINGS ASSESSED FOR ROOSTING SUITABILITY





TABLE 4: PRA OF BUILDINGS

BUILDING REFERENCE: B1	
DESCRIPTION	Single storey, vacant brick building with external wall rendering. Two PVC conservatories and a porch with a single glazed glass door are adjoined to the building. All windows are double glazed with well-sealed, PVC frames. Tiled roof with a well-brick chimney with lead flashing and skylight. Plastic guttering with plastic downpipes.
PRF	Cracked and slipped roof tiles, gaps under soffits.
SUITABILITY	Low.

IMAGE 5: BUILDING 1



IMAGE 6: CRACKED ROOF TILE



IMAGE 7: SLIPPED TILES



IMAGE 8: GAP UNDER SOFFIT



BUILDING REFERENCE: B2



DESCRIPTION	Derelict painted brick garage overgrown with ivy. Single glazed windows with wooden frames, open doorways and corrugated metal roof.
PRF	Gaps under roof, open doorways and around doorframes provide internal access, however no internal features.
SUITABILITY	None.

IMAGE 9: BUILDING 2



IMAGE 10: INTERNAL



BUILDING REFERENCE: B3

DESCRIPTION	Rotting, wooden shed with rubber sheeting on roof and some encroachment from ivy.
PRF	Within ivy on external walls.
SUITABILITY	None.



IMAGE 13: BUILDING 3



IMAGE 14: INTERNAL



BUILDING REFERENCE: B4

DESCRIPTION

Metal framed greenhouse with glass and plastic panels. Many panels broken or missing and high levels of encroachment from ivy and brambles.

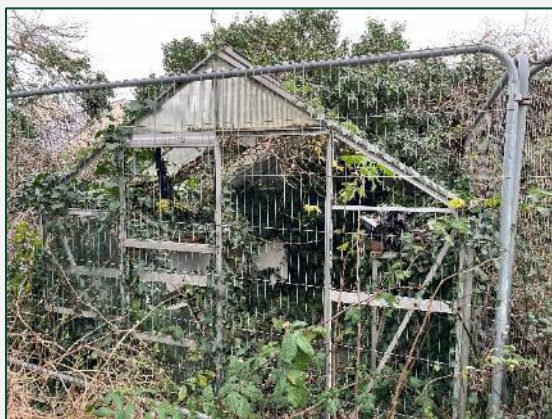
PRF

None.

SUITABILITY

None.

IMAGE 15: BUILDING 4



BUILDING REFERENCE: B5

DESCRIPTION

Concrete and brick car rental building with flat roof and plastic fascias and soffits.

PRF

Cracks in concrete around vents, and missing bricks.

SUITABILITY

Negligible.



IMAGE 16: BUILDING 5 (REAR)



IMAGE 16: SOFFITS



BUILDING REFERENCE: B6

DESCRIPTION

Vacant single storey brick building with tiled roof. Same style building as B1 but roof appears to be in better condition.

PRF

No access to building so no PRFs identified.

SUITABILITY

Low.

IMAGE 18: BUILDING 6



IMAGE 19: BUILDING 6



BUILDING REFERENCE: B7

DESCRIPTION

Painted concrete supermarket building with a corrugated metal roof and metal soffits and fascias. A glass entranceway, metal doors and a rolling door are present, alongside wall mounted lights and signage.

PRF

None.

SUITABILITY

None.



IMAGE : BUILDING 7



IMAGE : BUILDING 7



Overall, the site is considered to be of low suitability to foraging and commuting bats with two buildings with low suitability for roosting bats in relation to Bat Conservation Trust Guidance⁶. Further surveys are required in order to fully assess the Site for bats.

3.2.3.3 Birds

A number of bird records were returned, including Schedule 1 and Red-Listed⁷ species such as Red Kite *Milvus milvus* and Cuckoo *Cuculus canorus*. Records for local priority species Common Buzzard *Buteo buteo* and Yellow-Legged Gull *Larus michahellis* were also returned.

Opportunities for foraging and nesting are provided within the Vegetated Gardens for a range of locally common species, some of which were recorded during this PEA survey within this habitat (See Table 5).

Disturbance in the form of noise and light pollution from the adjacent residential properties, existing food store, and main road limit the suitability for breeding birds. Overall, the Site is considered to be of low value for birds.

TABLE 5: BIRD SPECIES RECORDED

SPECIES	COMMENT	CONSERVATION STATUS
Blackbird <i>Turdus merula</i>	Foraging within garden	None
Robin <i>Erithacus rubecula</i>	Foraging within garden	None
Blue tit <i>Cyanistes caeruleus</i>	Foraging within garden	None

⁶ Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). Bat Conservation Trust

⁷ Birds of Conservation Concern 5 (Dec 2021) Summary - [bocc-5-a5-4pp-single-pages.pdf \(bto.org\)](https://www.bto.org/bocc-5-a5-4pp-single-pages.pdf)



3.2.3.4 Badger (*Meles meles*)

There is one record of badger 1788m from the Site, dated 2018. The Vegetated Gardens offer suitability for foraging, however access to this habitat is restricted by walls and fencing. The rest of the Site is considered to be of negligible suitability for badger. No badger activity or signs of badger, such as setts, snuffle holes, latrines or hair were recorded during the walkover survey.

It is unlikely that badger is present on Site, and they are therefore scoped out of further assessment, however a precautionary approach will be adopted to safeguard the species during construction.

3.2.3.5 Reptiles

The desk study revealed records for the following reptile species within 2km: slow worm *Anguis fragilis*, grass snake *Natrix Helvetica*, and common lizard *Zootoca vivipara*.

Limited suitable habitat is afforded by the Vegetated Gardens due to the presence of open lawns, dense scrub, and concrete paving slabs, providing opportunities for basking, shelter, and foraging for a range of reptile species. However, the two gardens on Site and gardens adjacent to the Site are separated by fences and walls, restricting movement to/from the site. The rest of the Site is considered to be of negligible suitability for reptiles, and connectivity to the wider landscape is restricted by the presence of roads.

It is unlikely that an important assemblage of reptiles is present on Site, and they are therefore scoped out of further assessment, however a precautionary approach will be adopted to safeguard the species during construction.

3.2.3.6 Priority Species

The Site has the potential to support priority species including hedgehog (12 local records) and common toad. However, no evidence of priority species was found at the time of survey.



4 RECOMMENDATIONS

4.1 POTENTIAL IMPACTS

The development has the potential to adversely impact valuable ecological features and some of these impacts may also constitute legal offences. The broad impacts include:

- Direct harm of animal species
- Disturbance of animal species
- Loss and degradation of habitats that support protected/priority species
- Impacts on Qualifying Features of nearby designated sites

Many of these impacts can be adequately addressed at this stage and therefore a range of good practice avoidance, mitigation and compensation measures are recommended below. Impacts to some features cannot be robustly assessed without additional information and so further surveys and assessments are recommended for such features.

4.2 FURTHER SURVEY AND ASSESSMENT

The following surveys are recommended to provide a robust baseline for the assessment of the potential ecological impacts of the development.

SURVEY/ASSESSMENT	DESCRIPTION
Updating Botanical survey	Updating UKHab survey undertaken within the optimal botanical season (Mid-May – September end).
Bat Activity Survey	One nocturnal Bat Activity Survey of Buildings 1 and 6 within the peak maternity period (mid-May – August inc.).
Habitat Regulation Assessment	Assessment of the project with regards to the SAC within 2km of the Site.
Construction Ecological Management Plan	Provides method statements to reduce impact of construction activities on ecological features.



4.3 AVOIDANCE

The following measures should be incorporated into the design of the development, including the construction phase, to avoid and reduce impacts on wildlife:

- Avoid site clearance works during the nesting bird season (March to August inclusive) unless the site is checked by a Suitably Qualified Ecologist (SQE) and active nests are confirmed to be absent no later than 48 hours before works commence.
- External lighting will be designed in line with BCT guidance⁸ to reduce impacts to bats and a range of other wildlife associated with retained and off-site habitats.
- Schedule 9 invasive species will be removed by a licenced specialist contractor.

4.4 MITIGATION

Mitigation is proposed to reduce the impacts on wildlife that cannot be avoided through design:

- All works will be undertaken in accordance with a CEcMP (Construction Ecological Management Plan). Ecological receptors likely to be covered in this plan will include, but not be limited to hedgehog, birds, badger, reptiles, and GCN.
- All construction activities will be programmed to daytime hours to reduce disturbance to sensitive nocturnal species, such as bats and roosting bird species.
- Gaps of at least 13cm x 13cm will be created within boundaries to facilitate movement of hedgehogs and other small animals through the Site.

4.5 COMPENSATION/ENHANCEMENT

Compensation is proposed to address the impacts on habitats which cannot be avoided or mitigated:

- The incorporation of opportunities for roosting bats and nesting birds within the development.
- Landscape planting to compensate for any tree/shrub loss shall include species native to the local area alongside pollinator species, to provide increased foraging opportunities in the local area.

⁸ Bat Conservation Trust (2023) Guidance Note 08/23: Bats and artificial lighting in the UK



APPENDICES



APPENDIX A - UKHAB MAP





APPENDIX B – TARGET NOTES

TARGET NOTES

TN 1

Artificial pond in vegetated garden



TN 2

Small leaved cotoneaster in introduced scrub



TN 3

Rhododendron in Vegetated Garden



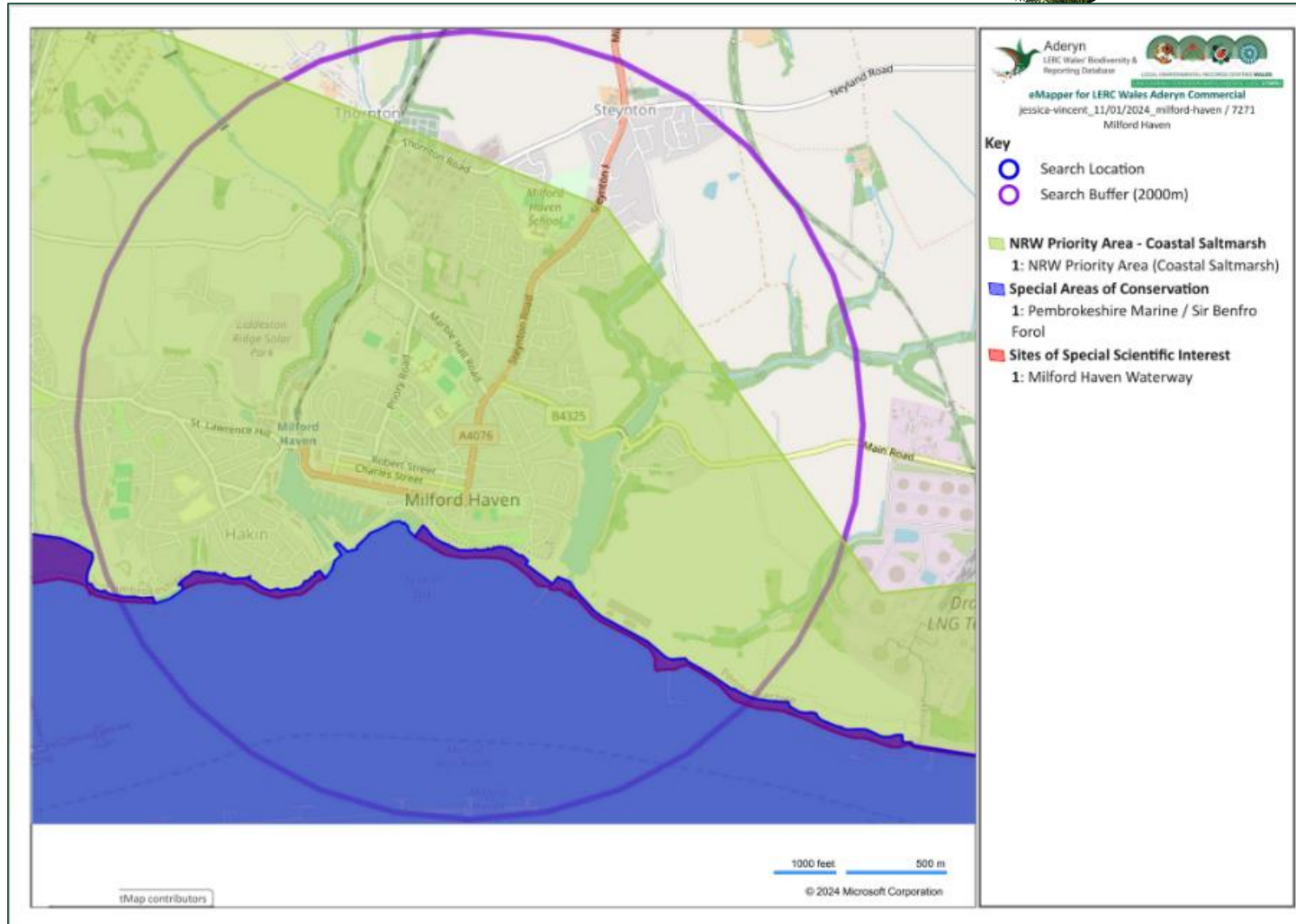


TN 4

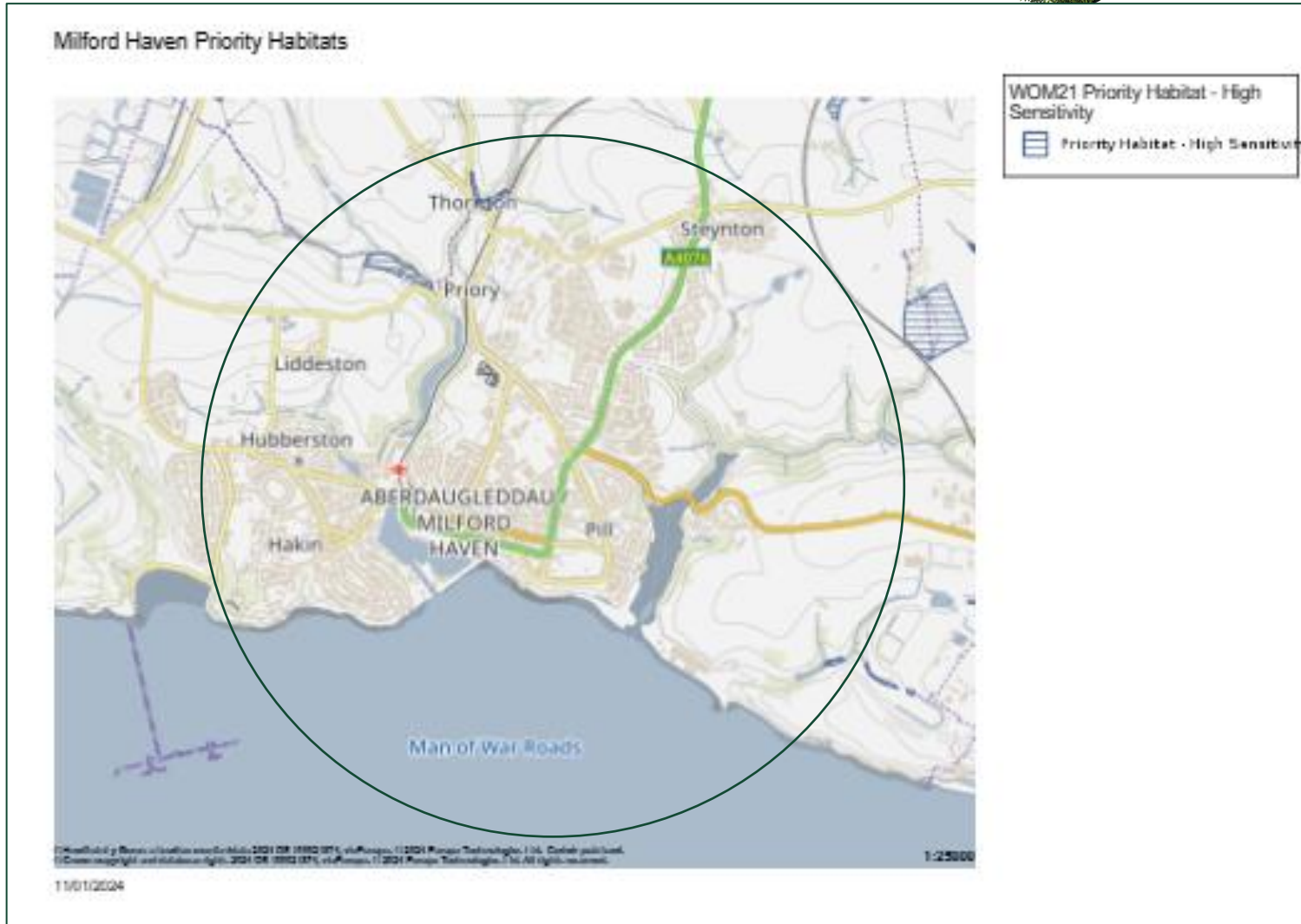
Japanese Rose in vegetated Garden



APPENDIX C - DESIGNATED SITES MAP



APPENDIX D – PRIORITY HABITATS MAP





APPENDIX E – POLICY AND LEGISLATION

The Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CROW) 2000¹⁰ and the Natural Environment and Rural Communities Act (NERC) 2006¹¹, is the main legislation that protects wildlife in Great Britain and is the mechanism for defining and protecting nationally important Sites of Special Scientific Interest (SSSI). The legislation makes it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting;
- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act; intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act; intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection; and
- Pick or uproot any wild plant listed under Schedule 8 of the Act. Schedule 9, Part II of the Act also lists many species for which it is an offence to plant, or otherwise cause to grow, in the wild. Any material containing Japanese knotweed is also identified as controlled waste under the Environmental Protection Act 1990¹² and must be disposed of properly at licenced landfill according to the Environmental Protection Act (Duty of Care) Regulations 1991¹³.

The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017¹⁴ (the ‘Habitat Regulations’), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019¹⁵, establish the requirements for protecting sites that are internationally important for

⁹ Wildlife and Countryside Act 1981. Available from: <https://www.legislation.gov.uk/ukpga/1981/69>

¹⁰ The Countryside and Rights of Way Act 2000. Available from: <https://www.legislation.gov.uk/ukpga/2000/37/contents>

¹¹ Natural Environment and Rural Communities Act 2006. Available from: <https://www.legislation.gov.uk/ukpga/2006/16/contents>

¹² The Environmental Protection Act 1990. Available from: <https://www.legislation.gov.uk/ukpga/1990/43/contents>

¹³ The Environmental Protection Act (Duty of Care) Regulations 1991. Available from: <https://www.legislation.gov.uk/uksi/1991/2839/made>

¹⁴ The Conservation of Habitats and Species Regulations 2017. Available from: <https://www.legislation.gov.uk/uksi/2017/1012/contents/made>

¹⁵ The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Available from: <https://www.legislation.gov.uk/ukdsi/2019/9780111179512/contents>



threatened habitats and species – the National Site Network – and thus the requirement for a ‘Habitat Regulations Assessment’ of plans or developments with potential to affect them.

The Habitat Regulations also establish the strict protection of some species – European Protected Species – and make it an offence to deliberately capture, kill or disturb certain wild animals, and to damage or destroy a breeding site or resting place of such an animal even if the animal is not present at the time.

Natural Environment & Rural Communities (NERC) Act 2006

The NERC Act 2006¹¹ places a duty on local planning authorities to have due regard for biodiversity and nature conservation during their operations, and thus ensures that biodiversity is a key consideration in the planning process. The Act also establishes a list of species and habitats of principal importance (‘Priority’ Species and Habitats) for the conservation of biodiversity.

The Environment (Wales) Act 2021¹⁶

The Environment Act 2021 provides a framework for environmental protection in the UK. It is a wide-range piece of legislation affecting many aspects of the natural environment, including biodiversity. The act sets clear targets to halt the decline in wildlife populations through a legally binding target for species abundance by 2030 and a requirement to increase species populations by 10% by 2042. The Act also establishes mandatory requirement for Biodiversity Net Gain in new developments.

Ramsar Convention

The Convention on Wetlands of International Importance especially as Waterfowl Habitat (the ‘Ramsar Convention’¹⁷) provides the only international mechanism for protecting internationally important wetlands; such sites are designated as Ramsar sites. It is government policy that Ramsar sites are afforded the same level of protection as sites in the National Site Network and so they are also subject to HRA.

Protection of Badgers Act 1992

Badgers receive strict protection under the Protection of Badgers Act 1992¹⁸, which prohibits the taking, injuring, selling, possessing or killing of badgers and makes it an offence to ill-treat any badger, damage, destroy, disturb or cause a dog to enter a badger sett.

The Hedgerow Regulations 1997

¹⁶ The Environment Act 2021. Available from: <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

¹⁷ The Ramsar Convention <https://www.ramsar.org/>

¹⁸ Protection of Badgers Act 1992. Available from: <https://www.legislation.gov.uk/ukpga/1992/51/contents>



The Hedgerow Regulations 1997¹⁹ establishes the legal protection of important countryside hedgerows, principally ancient and species-rich hedgerows. The Hedgerow Regulations also provide arrangements for planning authorities to protect important hedgerows in the countryside by controlling their removal through a system of notification.

Biodiversity Action Plans

The UK Biodiversity Action Plan (UK BAP) was developed to fulfil the Rio Convention on Biological Diversity in 1992, to which the UK is a signatory. The UK Post-2010 Biodiversity Framework²⁰ succeeded the UKBAP and expired in 2019, but the UKBAP priority species and habitats are retained through the NERC Act 2006. Regional and local BAPs have also been developed for species/habitats of nature conservation importance at regional and local levels.

Planning Policy Wales

Planning Policy Wales²¹ sets out the Welsh Government's requirement for the planning system in Wales and in doing so establishes the framework within which local planning authorities can develop their own planning policies.

¹⁹ The Hedgerow Regulations 1997. Available from:

<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

²⁰ UK Post-2010 Biodiversity Framework. Available from: <https://hub.jncc.gov.uk/assets/587024ff-864f-4d1d-a669-f38cb448abdc>

²¹ Planning Policy Wales 2021 (edition 11). Available from:

https://www.gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf



APPENDIX F – VALUE OF ECOLOGICAL FEATURES

VALUE	EXAMPLES
International	<ul style="list-style-type: none"> • An internationally designated site or candidate site (SPA, pSPA, SAC, cSAC, pSAC, Ramsar site) or an area which meets the designation criteria for such sites. • Internationally significant and viable areas of a habitat type listed in Annexe 1 of the Habitats Directive, or smaller areas of such habitat, which are essential to maintain the viability of a larger whole. • Any regularly occurring, globally threatened species. • A regularly occurring population of an internationally important species, which is threatened or rare in the UK, of uncertain conservation status • A regularly occurring, nationally significant population/number of any internationally important species.
National	<ul style="list-style-type: none"> • A nationally designated site (<u>e.g.</u> SSSI, NNR) or a discrete area which meets the published selection criteria for national designation (e.g. SSSI selection guidelines) irrespective of whether or not it has yet been notified. • A viable area of a UK BAP priority habitat, or smaller areas of such habitat which are essential to maintain the viability of a larger whole. • A regularly occurring significant number/population of a nationally important species <u>e.g.</u> listed on the Wildlife and Countryside Act 1981 (as amended). • A regularly occurring population of a nationally important species that is threatened or rare in the county or region. • A feature identified as being of critical importance in the UK BAP.
Regional / County	<ul style="list-style-type: none"> • Viable areas of key habitat identified in the Regional or County BAP or smaller areas of such a habitat, which are essential to maintain the viability of the larger whole. • Regional/county significant and viable areas of key habitat identified as being of regional value in the appropriate English Nature (now Natural England) Natural Area. • A regularly occurring significant population/number of any important species important at a regional/county level. • Any regularly occurring, locally significant population of a species which is listed in a Regional/County Red Data Book or BAP on account of its regional rarity or localisation. • Sites of conservation importance that exceed the district selection criteria but that fall short of SSSI selection guidelines.
City/District/ Borough	<ul style="list-style-type: none"> • Areas of habitat identified in a District/City/Borough BAP or in the relevant Natural Area profile. • Sites that the designating authority has determined meet the published ecological selection criteria for designation, including Local Nature Reserves selected on District/City/Borough ecological criteria. • Sites/features that are scarce within the District/City/Borough or which appreciably enrich the District/City/Borough habitat resource.



VALUE	EXAMPLES
	<ul style="list-style-type: none"> • A diverse and/or ecologically valuable hedgerow network. • A population of a species that is listed in a District/City/Borough BAP because of its rarity in the locality or in the relevant Natural Area profile because of its regional rarity or localisation. • A regularly occurring, locally significant number of a District/City/Borough important species during key phases of its life cycle.
Parish	<ul style="list-style-type: none"> • A feature considered scarce within a Parish or which appreciably enriches the Parish resource.
Local	<ul style="list-style-type: none"> • Areas identified in a Local BAP or the relevant natural area profile. • Sites/features which area scarce in the locality or which are considered to appreciably enrich the habitat resource within the local context, e.g. species-rich hedgerows. • Local Nature Reserves selected on Parish/Local ecological criteria. • Significant numbers/population of a locally important species <u>e.g.</u> one which is listed on the Local BAP. • Any species, populations or habitats of local importance.
Low	<ul style="list-style-type: none"> • Habitats of moderate to low diversity which support a range of locally and nationally common species, the loss of which can be easily mitigated.



APPENDIX G – HABITAT SUITABILITY INDEX

Great Crested Newt HSI Recording Form		Doc Ref:	
Biodiverse Consulting Ltd		Issued:	19/12/2019
		Version:	1.0
		Page:	

Great Crested Newt HSI Recording Form

Site: Milford Haven
Date: 16/01/2024
Surveyor: JV

Factor	Waterbody Reference	Category	Suitability Index (SI) Score
S₁ – Location	Pond 1	Zone C	0.01
S₂ – Pond Area (m²)	Pond 1	<50m ²	0.05
S₃ – Pond Drying	Pond 1	Sometimes dries	0.5
S₄ – Water Quality	Pond 1	Moderate	0.67
S₅ – Shading	Pond 1	70%	0.8
S₆ – Fowl Presence	Pond 1	Absent	1
S₇ – Fish Presence	Pond 1	Absent	1
S₈ – Ponds within 1km	Pond 1	1	0.1
S₉ – Terrestrial Habitat	Pond 1	Poor	0.33
S₁₀ – Macrophyte Coverage	Pond 1	60%	0.9



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