

We refer to our previous advice dated 01<sup>st</sup> February 2017 and subsequent hearing statement, in which we set out the matters upon which clarification is required. The hearing for the proposals raised further issues regarding what the development entails, its likely impacts and the proposed mitigation, and in that respect, there are additional matters that should be considered under the Habitats Directive.

NRW considers that the Habitats Regulation Assessment should be carried out in respect of the project as a whole, which should comprise the Biomass plant with the associated Eco-parks and Jetty developments.

#### Overarching comments on HRA

1. To be based on up-to-date condition assessment information; for avoidance of doubt please find attached the relevant information.
2. To consider bats as mobile species of the Special Area of Conservation (SAC), not just impacts on the SAC sites themselves;
3. To include an 'in-combination' assessment which considers other relevant proposals, for example Milford Marina Masterplan: to incorporate all aspects of the development including the jetty and the stack.
4. Shadow HRA revised to address the matters below.
5. Shadow HRA to be based on the same information as the ES and appropriately cross-referenced, with all annexes provided
6. Shadow HRA to screen West Wales Marine cSAC and Skomer, Skokholm and Seas off Pembrokeshire cSPA. This should include but not be limited to an assessment of noise and vibration during construction and operations on marine mammals.

#### Description of the development

1. Details of the nature, location and extent of all foundations, footings and retaining walls required for the construction and installation of storage building 4 (scaled plans should be used to illustrate the relevant details) and how these will impinge on the stone arch and any connected subterranean structures that may be used by roosting bats. To include the results of the completed and subsequent ground investigations undertaken by the licensed bat surveyor.
2. Details of the nature and form of the conveyor that leads from the jetty to storage building 4, including scaled drawings to illustrate its construction and dimensions along its full length, and also its development footprint;
3. Confirmation of the mechanism for the transfer of feedstock from storage building 4 to the pyrolyser/biomass plant, and full information giving operational details. If the feedstock transfer is also to be via a conveyor, scaled drawings should be provided to confirm the conveyor's construction, in particular its location and extent, dimensions, and its arrangement in relation to the jetty conveyor, blast wall (attached to the stone arch), the internal access road adjacent to storage building 4 and watercourse at the eastern end of the Blackbridge site, and the proposed protected species mitigation buffer zones/corridors south of storage building 4;
4. Provide operational details for points II and III above to include levels of lighting, noise and vibration.

5. Details of the requirements of the construction phase along the foreshore, with particular reference to the use of barges and any other machinery that will be required. This should include the number and size of machinery/barges, where and how they will operate and be docked, hours of operation, duration of construction phase in which they will be required, implications for the foreshore, seabed assessment.
6. In addition to point V details of the delivery of the biomass during operation of the site should be provided in order to understand levels of disturbance.
7. Details of the pipework that will be required to run between the elements of the development, both within the Blackbridge site itself for example the stack and green houses and between the Blackbridge site and the Eco-parks, for transfer of heat, water, air and/or liquid;
8. Details of proposed lighting within and of the greenhouses at the Blackbridge Ecopark (on top of the cliff behind buildings B and C), details of likely light spill, and details of any mitigation that will be put in place to ensure that a dark, vegetated corridor for will be retained along the cliff.
9. Details of how the area immediately in front of tunnels 1-3 and the stone arch and behind the derelict bund/blast wall will be managed. This should include details of vegetation clearance, retention/removal of the bund, ground works and lighting. If proposed as a 'conservation area' details of how this will be delineated, what access will be permitted how it will be managed during construction and operation
10. Details of the proposed new access route. Plans should include location plan, route, dimensions, cross sections and details of the approximate construction corridor. Further information is required on lighting and likely vehicle movements including number, frequency and time of day. Details are required as to the extent of woodland to be removed and vegetation cleared along the full length and the potential impact on foraging and commuting bats. This assessment should be informed by appropriate bat surveys with due consideration given to the habitat fragmentation and loss of potential tree roosts.
11. Details of the proposed realignment of the watercourse, adjacent to building 4 and extending to the sea wall, including route, plans and cross sections with relevant internal features (with supporting assessment report)
12. Plan confirming the location of all bat roosts found across the site - the species and type of roost present also indicated.
13. Details of fencing around the whole site to confirm how protected species will be protected from the proposals whilst still retaining the ability to move freely through the site (scaled plans should be provided to show the relevant details)
14. Details of vegetation, clearance, phasing of clearance, new planting and areas of habitat loss/retention.
15. Details of mitigation to ensure a dark corridor for commuting bats along the northern elevation of buildings 1-3. This should consider light spill from proposed windows and include details of proposed road lighting, levels of use (vehicle movements), proposed vegetation clearance of the adjacent cliff and compensatory landscaping if necessary.
16. Atmospheric dispersion modelling to assess aerial emissions.
17. Confirmation of discharges, e.g., process water, surface water, contaminated runoff during construction from and to Pembrokeshire Marine SAC.

## Assessment of Impacts

In view of the above, a revised assessment of impacts to take account of the above, to include:

1. Assessment of the likely impacts of the proposals on the bat roost(s) on site, with particular reference to the stone arch and associated subterranean structures, and tunnels;
2. Assessment of the likely impacts of the proposals on bats' use of the woodland to the east of the site, where the main access road is proposed, including those that may be roosting in trees that may require pruning or felling (additional survey may be required for this);
3. Implications for the integrity of the protected species mitigation measures in the vicinity of storage building 4 (E.g. otter buffer zone/dark corridor) as a result of the arrangement of infrastructure around this building (E.g. a potential pinch point around its SW corner?).
4. Revised assessment of impacts of the proposals on otters, The assessment should be based on and include the breeding otter survey for the reservoir( to include an assessment of the potential impact of the proposed new road including disturbance, lighting and pollution from run-off and spillages); an otter survey of the proposed swing bridge and new footpath, to include impacts from the river to the foreshore at the western end of the Blackbridge site, proposed fencing, drainage (and in particular the role that the culvert will play in the site's drainage), vegetation and lighting proposals, in addition the assessment should consider construction impacts especially if the foreshore is to be used.
5. Refurbishment plan of the jetty to include a comprehensive structural survey, scaled drawings, areas and extent of works which will impact seabed and work details of such potential impact (depth, methods of construction etc.)

## Mitigation

Please note our comments on mitigation are provided without prejudice to the outcome of the HRA, our aim is to ensure we have sufficient information to fully advise the Planning Inspector on the project as a whole.

1. Confirmation of what each of the bat houses is proposed to be mitigating for;
2. Details of proposed mitigation (taking the above into account) with supporting justification for choice of mitigation, its location, design, layout, materials, dimensions, access points with reference to the bat survey results.
3. Details of the otter mitigation corridor, adjacent to building 4, to include drawings, cross sections and internal features, landscaping, fencing and any potential methods to reduce light spill and disturbance
4. Comprehensive otter mitigation strategy for the site to include the otter mitigation corridor, the reservoir and access to the culvert to be produced utilising survey data

5. We welcome the commitment to undertake a badger survey and produce appropriate mitigation

Some points regarding Egnedol's list:

1. We welcome that comprehensive bat mitigation will be set out in a draft EPS licence form (this should include, but not limited to, scaled plans of bat houses, proposals for tunnels, justification for location and design of mitigation);
2. Comprehensive Otter mitigation is also required;
3. We would welcome the production of an Ecological Management Plan. This should include but not be restricted to details of the EPS mitigation, compensation and enhancement for bats and otters; details of proposed monitoring of the site during construction and ongoing operations; details of how conservation zones and mitigation will be managed in perpetuity.
4. We welcome proposals to provide a lighting plan – this should include nature, location, height and type of lighting to be used, any measures to control light spill (eg. cowls, directional lighting, use of sensors to control operational times), and include light contour plans to show light spillage during construction and operational phases of the development. This plan should extend across the entire site including Castle Hall road and the proposed access road.
5. You refer to the road alignment and footprint/corridor with associated ecological mitigation design, this should include the whole length of the road and associated car park
6. Detailed plan setting out area of retained habitat and Vegetation and areas proposed for clearance, must include the whole site. This should also detail phasing of clearance.
7. Plan and elevation/cross sections of all conveyors and associated equipment must include the whole site including any pipework
8. Marine EIA and HRA chapters to be updated to include construction and operation, noise, vibration and ongoing monitoring. Also all other chapters to be updated as required
9. Refurbishment plan of the Jetty to include structural survey, scaled drawings including under the seabed.
10. Construction methods and programming of works to include phasing of development across the site