

Appendix C – European Protected Species (EPS)

Having reviewed the submitted information, there are still matters outstanding and points that require clarification, we have detailed these below. You have requested we provide suggested conditions which are under a separate Appendix. Please note that these are offered without prejudice and could only be achieved if the issues below are addressed in advance.

Please note that where we refer to “points” below, it with is reference to the table submitted by Egnedol as part of their submission to you of 29th September 2017.

Point 5 (HRA In Combination Effects)

We advise that Valero’s Cogen Plant DNS is considered in any ‘in-combination’ assessment of a HRA. Given the delays to the Blackbridge project, it should be a consideration in any HRA for the proposals.

Points 46 and 47 (Blast Wall and Stone Arch)

We welcome clarification of the following:

- i. that Storage Building 4 will be a minimum of 12m from the blast wall along its western elevation; and
- ii. that any ground works beyond this buffer is unlikely to affect any buried structure used by bats.

Points 48 to 54 (Vegetation Management)

Area around Building 9

We note Egnedol’s comments of 29 September 2017 regarding the treatment of vegetation around building 9, both on top of the cliff, and at the foot of it. However, there is some discrepancy between the comments made in the table, and the management proposals for the area as specified in the Environmental Management Plan (EMP). The table specifies the ‘creation’ of an area of dense scrub immediately south of building 9 bordering the top of the cliff, whereas the relevant section in the EMP only mentions scrub ‘clearance’ for the construction of buildings.

Whilst we note that a new hedgerow will be created further back on the cliff top behind the development, this will take time to establish into a robust, vegetated, flight corridor. Retention of the existing vegetated corridor east-west across the site is therefore vital.

Notwithstanding that some scrub removal may be required to install the stack and its associated pipework, overall it appears that a vegetated corridor will exist along the cliff face south of building 9. Whilst we welcome retention of scrub at the foot of the cliff, and proposals to bolster it with new planting on top of the cliff adjacent to building 9, the detail of the vegetation management in this area needs to be more defined in a revised EMP to be agreed with Pembrokeshire County Council prior to any works commencing on site.

We note Egnedol's comments regarding the management of the green fields around buildings 9, 15 and 16 but it is our understanding that these falls outside of Egnedol's ownership and are not included within the proposed development site. Neither are they mentioned in the draft EMP.

We welcome the proposals for additional planting between buildings 9 and 16.

Area between the vegetated bund and Tunnels 1-3

We welcome clarification that the vegetative bund is to be retained and the vegetation in the area behind it and in front of tunnels 1-3 and the stone arch left unmanaged, except for some cutting back to allow access to tunnels 1 and 2.

At our site visit on 17 March 2017 we noted that some vegetation clearance had already occurred around the tunnel entrances to allow for access for surveys and assessment (E.g. tunnel 3 and the stone arch). Whilst we welcome that 10m vegetated buffer zones will be retained around tunnel entrances, we would wish to agree specific vegetation clearance proposals around each of the tunnel entrances as part of a revised EMP prior to any development works commencing on site, this includes any survey or assessment work being undertaken on site.

We welcome that this area is proposed to be fenced off from the rest of the development site but advise that stock fencing would not be sufficiently robust for the purposes for which the fencing is proposed to be installed. In this respect a revised fencing plan (Drawing EGW-01-097 Rev C) should be submitted which includes

- i. The installation of 2.4m high palisade security fencing incorporating robust, lockable gates at appropriate locations to prevent human access other than for vegetation management, and by bat ecologists for monitoring of the tunnels/stone arch.
- ii. The fencing to be extended to secure the buffer to the blast wall along the western elevation of storage building 4, and the vegetative buffers in front of tunnels 4 and 5.

Tunnels 4-7

We note Egnedol's comments regarding vegetation management in the vicinity of tunnels 4-7.

Points 55- 60 (Access Road)

We welcome the provision of the tree survey entitled 'Blackbridge, Milford Haven. Ground Based Tree Survey' by Egnedol dated June 2017. We note that the survey assessed trees likely to be affected by the proposed access road. We also note that none of the trees were considered to have more than low potential to support roosting bats and accordingly, measures are put forward for their treatment to accommodate the development proposals. We advise that these are secured through conditions, however we would highlight the difficulty of surveys over the winter bat hibernation period to confirm absence of a roost.

We welcome the clarification that the service rack will be located within the development footprint of the access road and, as such, the impacts on trees for the presence of roosting bats has been assessed.

Points 61-70 (Lighting)

We previously raised concerns about aspects of the proposed lighting scheme where it was considered it would compromise sensitive receptors including aspects of European Protected Species mitigation.

We welcome the clarification that the lighting strategy will be adopted for both the construction and operational phases of the development. We also welcome the statement that daytime working hours only will be adopted, but note that this is conflicting with the stated times of 8am to 6pm which would include hours of darkness during the winter period.

Lights on building 9

We welcome an amendment to the proposal that removes the lights from the south-west corner of building 9.

Column mounted light close the northern end of the proposed new otter culvert

Regarding the column mounted light close the northern end of the proposed new otter culvert, we note Egnedol's reference to Drawing EGW-01-098. Whilst this drawing has considered the lighting on the south-west corner of Storage Building 4, it does not appear to have considered the wider lighting proposals for the site as set out in Drawings SK02 and SK03 of the lighting strategy. These clearly show a column mounted light close to the northerly entrance of the covered otter culvert, with associated light spill likely to affect the culvert entrance.

We maintain that this light is either removed from the scheme completely or re-sited to prevent light spill over the culvert, or removed as advised in our letter of 7 September 2017. Drawings SK02 and SK03 should be amended to reflect the changes.

Lights on foreshore

Point 66 of the table. We confirm that we did mean to refer to the two aspects of the development at western end of Blackbridge site as indicated by the Masterplan (Drawing EDG-01-001 dated June 2017): 1A (High Level Pipe Bridge) and 8b (Car Park).

Barge landing area

We note Egnedol's comments regarding the barge landing area: that unloading/operational hours would be daytime only.

We welcome that that the lights on buildings 17, 13 and 12 will be on motion sensors.

Lights leading from building 14

Point 68

We assume the reference to building 4 is supposed to read building 14. It should be confirmed that a change to the string of 11 lights leading from the building 14 off down the western access road to low level (waist height) bollard lighting with cowls or otherwise directional lighting that direct light into the roadway only, and away from the east-west vegetated corridor.

Point 72 Coastal bat house design

We note that a revised drawing (EGW-01-071) has been submitted for the design of the coastal bat house. Ordinarily revised drawings would be clearly differentiated by amendments to the revision entry and the date of the drawing. However, in this case this information remains unchanged, and there is therefore nothing for the Inspector to differentiate between them should it be necessary (Eg. in the wording of conditions).

For avoidance of doubt, our comments relate to the drawing which now shows a grille (of unspecified dimensions) with vertical bars in the side of the building, rather than the original one which had one open side.

Whilst we note that the large open access on one side of the building is now closed and a grilled bat access is provided, we will be seeking a change to the orientation of the grille bars. This is a matter that we would pick up at the EPS licensing stage.

Point 73 (Consideration of bats as SAC features)

Enclosure G amends the HRA screening, we welcome that it now confirms that both horseshoe bat species are screened into the assessment.

Point 74 (Ecological Design Strategy)

We note Egnedol's confirmation that the Ecological Design Strategy refers to the Ecological Management Plan (EMP).

Points 75-81 (Otters)

Whilst we note the comment that construction of the replacement swing bridge can occur solely from within the site without impacting upon the foreshore or pill, we also note that the detailed design of the proposed replacement swing bridge is yet to be agreed. This information is required as the swingbridge forms part of the proposed development site; the proposals should fully consider otters and incorporate appropriate otter mitigation.

Point 82 (Ecological Management Plan)

We note Egnedol's comments regarding a CEMP and EMP. We have provided advice on securing these through conditions.

Point 83 (Phasing of Works)

Egnedol's comments are noted. We advise that a revised GANT chart is provided prior to any works commencing on site.