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PRELIMINARY ECOLOGICAL APPRAISAL/PRELIMINARY ROOST ASSESSMENT REPORT

LIDL-MILFORD HAVEN

LIDL UK GMBH

DOCUMENT REF: WWE 20365 PEA/PRA REV_A DRAFT | 20/04/2021

Client:	LIDL UK GmbH
Site/Job:	LIDL-Milford Haven
Report title:	Preliminary Ecological Appraisal/Preliminary Roost Assessment Report
Report reference:	WWE 20365 PEA/PRA Rev_A Draft

Grid Reference:	SM 90851 06150
Survey date(s):	11/12/20
Surveyed by:	Emma Douglas
Architect/Agent:	One Design Architectural Service
Planning reference:	N/A

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VERSIONING AND QUALITY ASSURANCE

Rev	Status	Date	Author(s)	Reviewed by	Approved by
A	Draft	20/04/2021	Ian Weller Assistant Ecologist	Carolyn Billingsley Senior Ecologist MCIEEM	CBillingsley

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The evidence which we have prepared and provided is true and has been prepared and provided in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We

confirm that the opinions expressed are our true and professional bona fide opinions.

SUMMARY

Purpose	• Wildwood Ecology was commissioned by LIDL UK GmbH (the client) to undertake a Preliminary Ecological Appraisal (PEA) of LIDL-Milford Haven • The site is the subject of a planning application seeking to demolish the existing store and redevelop the site with a replacement store and associated carpark.
Work undertaken	• A PEA was undertaken consisting of a desk study and field survey carried out in December 2020 following the Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2013) guidelines and standard Phase 1 Habitat Survey protocol (JNCC, 2010). • A PRA was undertaken consisting of a desk study and field survey Carried out in December 2020 following best practice in line with the Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edn (Collins ,2016).
Key issues	• The development may result in impacts on wildlife and habitats affecting the following protected species: ◦ Bats ◦ Nesting birds ◦ Hedgehog • As a precaution, mitigation will also be required for common amphibians and reptiles.

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Recommendations	• Recommendations are made in Section 5 with regard to mitigation and precautionary working methods needed to avoid triggering legislation protecting protected species. Supervision by Ecological Clerk of Works (ECoW) will be required for vegetation clearance. • Precautionary working measures should be deployed, with works supervised by a suitably qualified ecologist as appropriate, to ensure protected species legislation is not triggered. Preventative measures should be in place during construction phases including the placement of escape ramps in trenches to prevent entrapment of hedgehogs and herpetofauna (or amphibians/reptiles) if present. Chemicals/fuel should be stored in places where they cannot be accessed by wildlife. • One bat activity survey on buildings A/B/D and two bat activity surveys on building C. Further surveys may be required. • Two bat boxes and five bird boxes installed on new buildings/trees. • A sensitive lighting scheme produced to ensure nocturnal wildlife that may be using the whole site is not impacted by an increase in artificial light. • Precautionary working measures used during vegetation clearance and construction phases to prevent killing/injury to amphibians/reptile/hedgehogs. • One habitat pile should be created at the site as an enhancement for a number of species; using wood/ brash from vegetation clearance of buildings B/C. • Specialist eradication measures for onsite Japanese Knotweed.
Conclusions	• The full ecological impacts of the proposed development cannot be fully assessed following the PEA/PRA survey alone and further survey work is required. • This ecological report will remain valid for a period of 18 months from the date of the last survey – i.e. until September 2022.

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1 INTRODUCTION

1.1 Wildwood Ecology was commissioned by LIDL UK GmbH (the client) to undertake a Preliminary Ecological Appraisal (PEA) and Preliminary Roost Assessment (PRA) of LIDL-Milford Haven (the site) centred at grid reference SM 90851 06150.

Site description

1.2 The aerial image of the site (Figure 1) shows the site to consist of a supermarket and associated carpark. Located within a residential area of Milford Haven, Pembrokeshire.

1.3 Residential properties surround the site on all sides. There are amenity grassland areas located 166m north-east and 430m south-west.

1.4 Milford Haven estuary is located 720m south with Castle Pill 705m east and Hubberston Pill 830m north-east (estuary inlets).

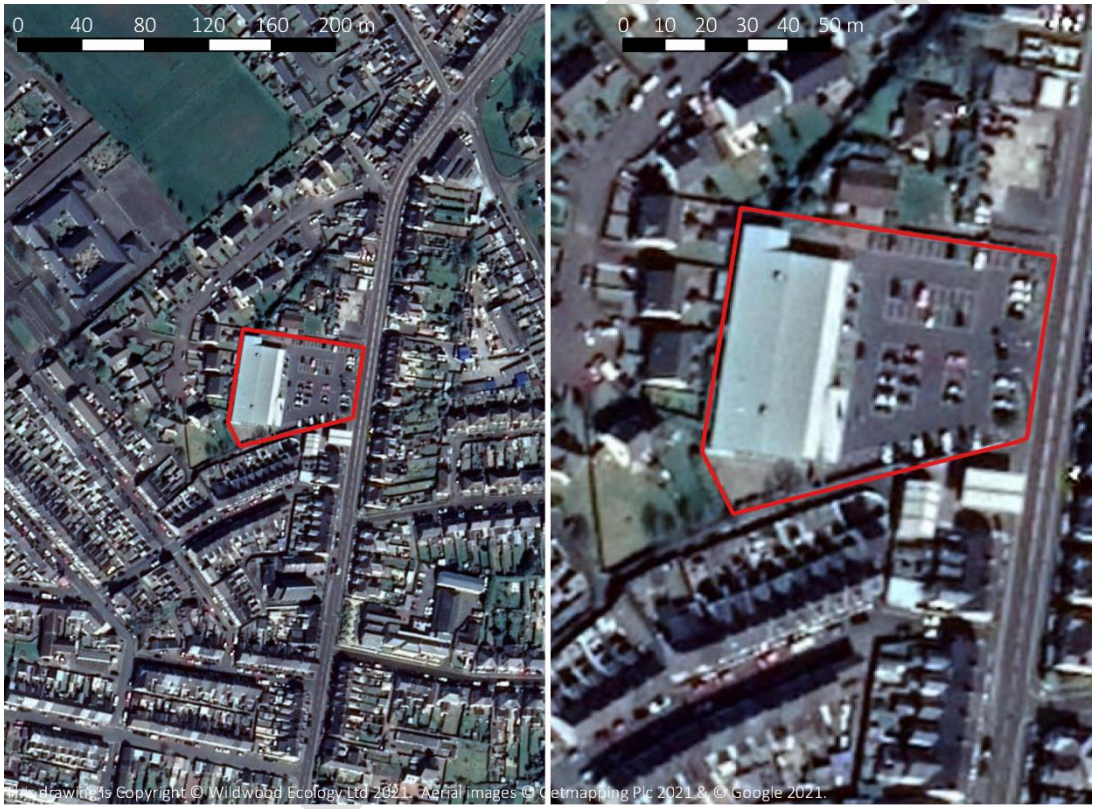

Figure 1 – Aerial image of the site (red line shows the site boundary). Image used under licence (©2021 Google). Imagery date 05/04/2020.

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Figure 2 - Aerial image identifying the buildings associated with the site. Image used under licence (©2021 Google). Imagery date 05/04/2020.

Proposed development

1.5 The site is the subject of a planning application seeking to demolish the existing store and redevelop the site with a replacement store and associated carpark.

Purpose of this report

1.6 The purpose of this report is to provide sufficient information for the local planning authority to fully assess the potential ecological impacts of the proposed development, or to identify what further information is required before a full assessment can be made.

1.7 The result of the PEA/PRA has been used to inform whether further surveys are required, or to establish the need for, and extent of, any mitigation or compensation measures required as part of the proposed development.

2 METHODOLOGY

Desk study

2.1 A biodiversity desk study was undertaken in relation to the site in February 2020. The sources consulted and the type of information obtained are summarised in Table 1.

Table 1 – Sources of biodiversity and ecological records.

Source	Information requested	Search buffer from site centre
West Wales Biodiversity Information Centre (WWBIC)	• Protected and priority species • Sites of local importance/designation	• 2km • 1km
Multi-Agency Geographic Information for the Countryside (MAGIC)[1]	• International statutory designation • National statutory designations • EPS licences	• 5km • 2km • 2km

2.2 The search buffers are considered to be sufficient to cover the potential zone of influence (ZoI[2]) of the proposed development.

2.3 The impact of the proposed development on the biological integrity of any nearby designated protected sites has been fully considered.

2.4 No previous survey information was available for the site itself.

Field survey

PEA

2.5 A field survey was undertaken on 11 December 2020.

2.6 All habitats present within the site with the potential to support rare, protected, or otherwise notable species of flora or fauna (together with any direct signs) were noted.

2.7 In the context of this report, rare, protected, or otherwise notable species of flora or fauna were those considered to meet any of the following criteria:

- Species protected by UK or European legislation (see Appendix V);
- UK Post 2010 UK Biodiversity Framework priority species or Local Biodiversity Action Plan (LBAP) species;
- Nationally rare or nationally scarce species;
- Species of Conservation Concern (e.g. JNCC Red List, RSPB/BTO Red or Amber Lists).

2.8 A PEA habitat map was drawn up incorporating target notes used to highlight features of particular ecological interest (see Appendix I).

[1] http://magic.defra.gov.uk/MagicMap.aspx
[2] ZoI definition – 'the areas/resources that may be affected by the biophysical changes caused by activities associated with a project' (CIEEM, 2016).

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2.9 The Wildlife and Countryside Act (1981) as amended, makes it an offence to release or allow to escape into the wild any animal, plant or micro-organism not ordinarily resident in the UK (as listed in Schedule 9 of the Act). Plant species listed in Schedule 9 were searched for during the survey. Examples include species such as Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

PRA

Field survey

2.10 A field survey was undertaken on 11 December 2020.

2.11 An assessment of the buildings and trees was undertaken in accordance with the latest published best practice guidance (Collins, 2016).

2.12 The buildings were externally inspected for bats and their signs with the aid of high-powered torch and binoculars.

2.13 The suitability of the buildings to accommodate bats was assessed, along with a systematic search for signs of bats (e.g. droppings, moth wings, scratch marks, staining, etc.) or actual bats that were present. Particular attention was paid to the roof areas, with searches for any crevices or gaps in walls, droppings stuck to the walls, floors or other surfaces, or feeding remains, in addition to a number of other factors and signs indicative of a bat roost.

2.14 In addition, the buildings and trees were classified according to their suitability to support roosting bats, based on the presence of features within the structure and / or landscape (see Table 2).

Table 2 - Summary of guidelines for assessing the potential suitability of proposed development sites for bats (from Collins ,2016).

Suitability	Description of building, tree, or structure	Number of activity survey visits required[3]
Negligible	Negligible habitat features on site likely to be used by roosting bats.	None
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).	One
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status.	Two
High	A structure or tree with one or more potential roost sites obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.	Three

[3] To provide confidence that bats are absent from the structure

Suitability	Description of building, tree, or structure	Number of activity survey visits required[3]
Confirmed roost	Evidence of bats or use by bats found.	Minimum of two – to characterise the roost

Surveyor information

2.15 The PEA/PRA was undertaken by Emma Douglas. See Table 3 for further information.

Table 3 – Surveyor information.

Surveyor	Licences	Ecological experience
Emma Douglas	GCN	A sub-contractor assisting Wildwood Ecology for a number of years. Experienced in surveying for a wide range of protected species including great crested newt, reptiles, and bats within a consultancy and volunteer capacity.

Limitations and assumptions

2.16 The desk study and field survey will not produce a comprehensive list of plants and animals as this will be limited by factors that influence their presence (e.g. activity and dormancy periods). An assessment can however be made of the habitats within the survey area, their nature conservation value and potential to support protected or priority species.

2.17 No access was available to the western elevation of the LIDL supermarket(A) or the houses to the north of the supermarket (B/C). No access was available to the west of the Enterprise car rental (D). Building E had been demolished and a new building was being built.

2.18 The large tree to the west of building D (TN1) was not surveyed for PRF's as there was no access to the tree.

2.19 Buildings B and C were only assessed for PRF's externally and from the road to the west as no access was available.

2.20 COVID-19 restrictions prevented any internal assessments of the buildings for bats and nesting birds.

2.21 No other limitations were encountered, or assumptions made during either the desk study or the field survey and it is considered that with the access gained and recording undertaken an accurate assessment of the site's ecological value has been made.

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3 RESULTS

Desk study

Designated sites (statutory)

3.1 There is one international statutory designation within 5km of the site and one national statutory designation within 2km (see Table 4).

Designated sites (non-statutory)

3.2 There is one local non-statutory designation within 1km of the site (see Table 4).

Table 4 – Summary of designated sites in range of the site.

Site name	Designation	Description / key reason for designation	Distance & direction
Pembrokeshire Marine	SAC	High habitat and biological diversity is of great importance throughout the site, particularly the well documented reefs habitat and the Milford Haven ria-estuary. The site's location at a biogeographical boundary between northern and southern species distributions contributes to the biological diversity.	620m south
Milford Haven Waterway	SSSI	Milford Haven Waterway is of special interest for its geology, ancient woodland, marine biology, saltmarsh, swamp, saline lagoons, rare and scarce plants and invertebrates, nationally important numbers of migratory waterfowl, greater and lesser horseshoe bats and R. hipposideros, and otter.	620m south
B Lines	Local non-statutory	These are a series of 'insect pathways' running through the countryside and towns, along which a series of wildflower-rich habitat steppingstones are restored and created.	The site is situated within this designation

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Priority and protected species

3.3 Table 5 summarises the priority and protected species records found within the local area.

Table 5 – Priority and protected species records found in the vicinity of the site within the last 10 years.

Protected & priority		# of records (# species)			Further information (from site)
Groups	Species	Onsite	<500m	>500m	
Bats	Brown long-eared			2	Closest roost and flight record 1063m south-east
	Common pipistrelle		1	12	Closest flight record 230m south-west. Closest roost 1063m south-west
	Greater horseshoe			36	Closest flight record and roost 1073m south-east
	Lesser horseshoe	-		20	Closest flight record and roost 1302m south-east
	long-eared species			2	Closest flight record and roost 1481m south-east
	Myotis sp			5	Closest flight record and roost 1105m south-east
	Nathusius's pipistrelle			5	Closest flight record and roost 1685m east
	Natterer's			2	Closest flight record and roost 1105m south-east
	Noctule			8	Closest flight record and roost 1314m south-east
	Serotine			1	Closest flight record 1772m south-east
	Soprano pipistrelle			28	Closest flight record and roost 1063m south-east
	Whiskered			1	Closest flight record and roost 1105m south-east
	Unidentified bat			4	Closest flight record 1772m west

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Protected & priority		# of records (# species)			Further information (from site)
Groups	Species	Onsite	<500m	>500m	
	Unidentified pipistrelle			4	Closest flight record 1004m east
Mammals *(excluding bats)*	European otter			3	Closest record 1119m west
	European badger			9	Closest record 737m south-west. Closest sett 1km west
	West European hedgehog		2	16	Closest record 117m west
	Other mammals		2(2)	8(5)	Species include American mink, grey squirrel, polecat, stoat, weasel
Amphibians	Common Toad			9	Closest record 737m south-east
	Common Frog			7	Closest record 1205m north-west
Reptile	Common lizard		1	10	Closest record 413m south-east
	Slow worm			19	Closest record 729m south-west
	Grass snake			5	Closest record 1345m south-east
Birds	Schedule 1			60(19)	Species include: barn owl, black tailed godwit, black redstart, brambling, fieldfare, firecrest, golden eye, great northern diver, green sandpiper, greenshank, hoopee, kingfisher, merlin, peregrine, pintail, purple heron, quail, red kite, redwing, scaup
	Non-schedule 1				Bar tailed godwit, black headed gull, brambling, bullfinch, curlew, dunnock, grasshopper warbler, grey partridge,

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Protected & priority		# of records (# species)			Further information (from site)
Groups	Species	Onsite	<500m	>500m	
					golden plover, herring gull, house sparrow, kestrel, lapwing, linnet, marsh tit, reed bunting, skylark, spotted flycatcher, starling, song thrush, yellowhammer
Invertebrates	Totals:		50(45)	125(70)	Species recorded within 500m of the site. autumnal rustic, beaded chestnut, beautiful carpet, blood-vein, brindled beauty, broom moth, buff ermine, buff-tailed bumblebee, cinnabar, common purple & gold coronet, crescent, dark spectacle, dark-barred twin-spot carpet, dot moth, double lobed, dusky brocade, dusky thorn, ear moth, early bumblebee, galium carpet, garden dart garden tiger, ghost moth, grass rivulet grey dagger, ground-moss grey, knot grass, lackey, large ranunculus, large wainscot, lesser cream wave, mottled rustic, mullein wave, ochreous pearl, olive, pearl grass-veneer, pinion-streaked snout, rosy minor, rosy rustic, round-winged muslin, rustic, shaded broad-bar, small phoenix, small square-spot, triple-blotched bell, triple-spotted pug, white ermine, yellow-barred brindle,
Plants	see further info		9(6)	39(21)	Species recorded within 500m of the site. bluebell, blue fleabane,

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Protected & priority		# of records (# species)			Further information (from site)
Groups	Species	Onsite	<500m	>500m	
					bloody crane's-bill, Japanese knotweed, navelwort, radish, slender St John's-wort, Spanish bluebell

Field survey

PEA

Timing and conditions

3.4 Prevailing weather conditions during the field survey are summarised within Table 6.

Table 6 – Summary of weather conditions during the PEA/PRA

Date	Weather conditions			
	Temp [°C]	Cloud cover [Oktas]	Wind speed [Beaufort scale]	Rain
11/12/2020	10	6/8	1	Showers

3.5 The distribution and extent of habitats observed within the site is illustrated in the PEA plan (see Appendix I). An accompanying species list (including scientific names) can be found in Appendix IV.

3.6 The habitats present onsite are described in detail in Table 7 using the standard Phase 1 survey habitat classification hierarchical alphanumeric reference codes (JNCC, 2010).

3.7 Please also refer to Table 7 for a list and description of the onsite target notes. The positions for these target notes are highlighted in the PEA plan in Appendix I.

3.8 The site was classified according to the following habitat types: buildings, hardstanding, soft landscaping, native species-poor hedge, scattered broadleaved trees.

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Table 7 – Habitats and linear features present onsite.

Habitat type / Linear feature	Species present	Other observations
J3.6 Buildings Five buildings exist on the site and purchased land. These range from commercial units (A/D), houses (B/C) a derelict building (E).	None observed	• All of the buildings have the potential to support bats and nesting birds
J5 Other habitat Hard standing- the area surrounding the commercial buildings (A/D) is predominantly carparking	None observed	
J5 Other habitat Soft landscaping – the area around buildings (B/C) are private landscape gardens	Box, European dogwood Various ornamental garden species Rye grass	
J2.1.2 Species-poor, intact hedge A short hedge that forms the eastern boundary of buildings (B/C) and the hardstanding of building D.	Unknown	• Identification not possible due to access limitations (Figure 13)
A3.3 Mixed, parkland and scattered trees. *13 individual trees including cordylines are present around the whole of the site, primarily within the gardens of the residential properties.*	Ash Cordyline European dogwood Hawthorn Ivy Rye grass	• TN1 – Large tree is covered in ivy and may have PRF's behind the ivy. • A single bird's nest was observed in the tree

Habitats

Buildings, hardstanding

3.9 The buildings have **negligible ecological importance** in themselves as habitats although may be used for shelter by wildlife. The hardstanding has **negligible ecological importance** as a habitat but may provide a nocturnal commuting route to the gardens to the north and north-east.

Soft landscaping

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3.10 The area of soft landscaping around buildings B and C is small in size, however the parcels of land contain a variety of ornamental plants, cordylines and hibernacula. The features present suitable habitats attractive to invertebrates and hedgehogs. The surrounding properties also contain soft landscaped gardens providing similar habitats; therefore, the soft landscaping areas are considered to be not more than **site ecological importance**.

Species-poor intact hedge

3.11 The hedge provides a natural barrier between building B and C and the hardstanding of building D. This hedge is small and has no direct connectivity to the wider landscape. Whilst similar habitats may be available in the surrounding residential properties there are no equivalent habitats onsite. The hedge has the potential to provide valuable habitat for nesting birds and is therefore considered to be of **site ecological importance**.

Mixed, parkland and scattered trees

3.12 The trees onsite are scattered around the site and are primarily within the gardens of buildings B and C. The are some young trees around the boundary of the hardstanding of building A. There is one large mature tree in the garden of building C this could not be accessed and therefore PRF's cannot be discounted. The trees around the boundaries were assessed for PRF's and none were observed. Many of the trees counted onsite are cordylines. Whilst the trees are small in number, they do provide suitable habitat for birds nesting and foraging. As the site comprises mainly buildings and hardstanding the trees are considered to be of **site ecological value**.

Invasive species

3.13 Due to access limitations no stands of invasive species were observed during the survey. Information provided by the client states that stands of Japanese knotweed are present to the west building D.

Onsite fauna

3.14 No species were observed or detected around the site during the survey.

PRA

3.15 A description of the building and trees inspected during the PRA can be seen in Table 8.

Table 8 - Onsite building/ tree information.

Building / Tree reference	Building type Tree species	Description	Development plans
A	Commercial unit	A steel framed and concrete supermarket. The roof is a low-pitched metal roof with metal facias. The metal facias are of a box construction that houses	Demolition

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Building / Tree reference	Building type Tree species	Description	Development plans
		ventilation tubes from ventilation units bolted to the walls. There are several advertisement boards on the eastern elevation. The walls have been rendered. Security lights are mounted on eastern facing roof facias.	
B	House number 61a	A brick-built bungalow with rendered walls. The building has a pitched roof laid with clay tiles. The soffits and facias are uPVC. There is an extension and a covered area on the west side of the bungalow. Only the roof was visible during the survey, this is made of corrugated sheeting, with lead flashing joining to the bungalow. To the north of the bungalow there is a brick-built outbuilding with a wooden framed glass door. The roof has a single east sloping pitch.	Demolished
C	House number 61b	A brick-built L-shaped house, with a clay tiled roof and two brick chimneys with clay pots, sealed with lead flashing. On the eastern elevation there is a velux style window. The southern facing elevations have solar panels on the roof.	Demolished
D	Commercial unit	A brick-built structure with a flat metal strip roof. The underside of the roof joining the walls is covered with wooden boards. The southern aspect entrance is double glazed glass doors and windows.	Demolished

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Building / Tree reference	Building type Tree species	Description	Development plans
E	Derelict building formerly number 61	The previous building has been demolished, and the walls of a new building have been erected using breeze blocks and bricks. There is no roof.	Demolished
TN1	Ash tree	Large tree in the grounds of building C. This tree is mature and densely covered in ivy.	Undetermined

3.16 The results of the PRA can be seen in Table 9. All buildings and the large tree were externally assessed from distance and review of onsite photographs. No internal assessment was conducted.

Table 9 - PRA results.

Building / Tree reference	Use by bats	Use by birds	Bat signs and external Potential Roost Features (PRFs) & access points
A	Low	Potential	• Gaps along the underside of where the roofing does not quite sit flush. • A hole in one of the joints • Gaps behind advertising board.
B	Low	Potential	• Warped roof fixings
C	Low/Moderate	Potential	• Missing/ loose roof tiles • Loose ridge tiles • Gaps between mortar and roof tiles on eastern gable end • Gaps under solar panels • Loose bricks on chimney
D	Low	Potential	• Warping facia boards. • Warping roofing panels • Holes in soffits
E	Negligible	No	
TN1	Low	Confirmed	• The tree is densely covered in Ivy so there may be PRF's behind the ivy. • Bird nest visible in the tree

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Links to surrounding habitat

3.17 Interconnectivity to the wider landscape is possible through a steppingstone effect of private residential gardens. The gardens connect with the amenity grassland to the north-east. Beyond the amenity grassland there is connectivity to the woodlands along Hubberston Pill.

Light Pollution

Figure 3 - Artificial light levels for Milford Haven (taken from www.lightpolutionmap.info) Accessed online 03/03/2021.

3.18 The site is in a residential area. The site is in a mid/high-level radiance area with levels of 5.31 x 10-9 W cm-2 *sr (VIIRS 2020).

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4 INTERPRETATION AND ASSESSMENT

4.1 The proposed development will require removal of on-site habitats and disturbance to their associated features. This section concerns an assessment of ecological impacts resulting from the proposed development.

4.2 The following interpretation and assessment is provided to ensure full compliance with both UK and European legislation and both local and national planning policy (see Appendix V).

Designated sites

4.3 There were both statutory and non-statutory designated sites identified within the vicinity of the site (see Table 4). The closest statutory sites are Pembrokeshire Marine (SAC) and Milford Haven Waterway (SSSI) both located 620m south. The closest non-statutory site is B-Lines within which the site lies.

4.4 Given the scale of the proposed development, and the lack of likely impacts beyond the site boundary, the nearby designated sites are sufficiently well separated so that no impacts on their designated features are anticipated as a result of the works.

Priority and protected habitats

4.5 No priority habitats (as listed in Section 7 of the Environment (Wales) Act 2016) were present onsite.

4.6 The site is primarily buildings and hardstanding with small amounts of soft landscaping in private gardens. The single hedge is species poor. These habitats are not listed as priority habitats. These habitats will be lost to the proposed development.

Priority and protected species

4.7 The following priority species (as listed in Section 7 of the Environment (Wales) Act 2016) were present or likely to be present onsite: Bats, nesting birds, West European hedgehog.

Bats

4.8 The local records search returned 152 records for bat species in the vicinity of the site (see Table 5).

4.9 No evidence of bats was observed during the PRA; however, this survey was restricted to an external only assessment.

4.10 The local records confirm the presence of bats in the vicinity, species includes brown long-eared, common pipistrelle, greater horseshoe, lesser horseshoe, Natterer's, Nathusius' pipistrelle, noctule, serotine and soprano pipistrelle. The closest flight record is located 230m for common pipistrelle bats. The closest roost is located 1003m for common and soprano pipistrelle.

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4.11 Buildings A/B/and D were classified as low potential for bats. Building C had more PRF's but observed from a distance and therefore is classified as low/moderate for bats.

4.12 The large ash tree located in the grounds of building C. The tree was observed from a distance due to access limitations. No PRF's were observed during the PR, however this was a limited observation and there is a potential for PRFs to be present within this tree.

4.13 In the absence of mitigation, there will be potential negative impact on bats roosting in buildings A/B/C/D and within the large ash tree (TN1) (if present) triggering legislation.

European otter

4.14 The local records search returned three records for European otter in the vicinity of the site (see Table 5).

4.15 There are no watercourses on-site with the closest watercourse suitable to support otter is Castle Pill 705m east.

4.16 The site offers no suitable habitat for otter and is located in an area with many barriers and obstacle for otters to commute between Castle Pill and Hubberston Pill.

4.17 Due to the limited number of records, and the above information, there will not be a negative impact on European otter as a result of the proposed development and the species is not mentioned further in this report.

Amphibians and Reptiles

4.18 The local records search returned 27 records for amphibians and 24 records for reptile species and in the vicinity of the site (see Table 5). The closest record for amphibians was 737m, with the closest reptile, a common lizard, 413m from the site.

4.19 No evidence of amphibians or reptiles was found on-site, however due to access limitations, the gardens of buildings B/C were not fully assessed. Images from the site show that the gardens are well established with a brash pile created within the garden of building B.

4.20 The gardens present suitable habitat for both amphibians and reptiles. Unmitigated there may be a negative impact on reptile species as a result of the proposed development.

Nesting birds

4.21 The local records search returned 417 records for bird species in the vicinity of the site, including some 79 Schedule 1 designated species (see Table 5). No bird species were encountered onsite during the PEA.

4.22 One bird nest was observed in a tree during the PEA. Buildings B/C have the potential to support nesting birds as does the tree within the garden of building C.

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4.23 Gull species have been recorded in the vicinity of the site and buildings A/D have flat roofs providing a suitable nesting site for gull species.

4.24 Unmitigated, there will a negative impact on nesting birds as a result of the proposed development due to potential killing/ injury/ active nest destruction (triggering legislation), if demolition is carried out in the nesting bird season (March -August).

European badger

4.25 The local records search returned nine records for European badger in the vicinity of the site (see Table 5). Closest record located 737m south-west. Closest sett located 1km west.

4.26 No evidence of badgers (sett, latrines, snuffle holes) was observed on the site. However, the gardens of buildings B/C were not surveyed.

4.27 The site mainly comprises buildings and hardstanding, with a large volume of vehicular access. The site does not present suitable habitat to support European badger. The site is surrounded by residential properties and has many roads between the closest record and the site.

4.28 Due to the limited number of records and the above information, there will not be a negative impact on European badger as a result of the proposed development and the species is not mentioned further in this report.

West European hedgehog

4.29 The local records search returned 18 records for west European hedgehog species in the vicinity of the site (see Table 5). Closest record located 117m west of the site.

4.30 No evidence of hedgehog was observed during the PEA however, the gardens and outbuildings of buildings B/C were not accessed.

4.31 The gardens and outbuildings of building B/C are suitable for supporting West European hedgehog and offer places for hibernation. The site is also surrounded on all sides by private gardens presenting potential habitats to support West European hedgehog.

4.32 Unmitigated, there will be a negative impact on West European hedgehog as a result of the proposed development due to potential killing/ injury (triggering legislation), during the clearance of vegetation and construction phases of the development.

Invertebrates

4.33 The local records search returned 175 records for invertebrate species in the vicinity of the site (see Table 5). Many of the invertebrate species are of local importance.

4.34 The gardens of buildings B/C provide suitable habitat to support invertebrate species. The vegetation around buildings A/D is limited to a small number of shrubs on the eastern boundary of building A.

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4.35 There will continue to be the same habitat types present nearby, located within the gardens of the residential properties that surround the site able to support common invertebrate species.

4.36 There will not be a negative impact on invertebrate species as a result of the proposed development.

Invasive species

4.37 Information provided by the client indicates that stands of Japanese knotweed is present onsite to the west of building A. Japanese knotweed is an invasive plant species included in Schedule 9 of the Wildlife and Countryside Act (1981), as amended.

4.38 The local records search returned three records for Japanese knotweed within 500m of the site.

4.39 Specialist eradication measures will be required to remove the Japanese knotweed from the site.

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5 CONCLUSIONS AND RECOMMENDATIONS

5.1 Wildwood Ecology was commissioned to undertake a PEA and PRA of LIDL-Milford Haven

5.2 The site is the subject of a planning application seeking to demolish the existing store and adjacent buildings and redevelop the site with a replacement store and associated carpark.

Designated sites

5.3 Designated sites in the vicinity of the site (see Table 4) are sufficiently well separated so that no impacts on their designated features are anticipated as a result of the proposed development.

Protected species

5.4 Recommendations regarding protected species are shown in Table 10.

Table 10 – Recommendations.

Species	Recommendations
Bats	A single bat activity survey is required on buildings A/ B and D Two bat activity surveys are required on building C. Further surveys may be required depending on the results of the initial surveys. Surveys should be carried out in the active season (between May and September) Tree (TN1) Ivy covering the tree should be inspected for PRF's prior to removal followed by an assessment of the tree for PRF's prior to any work/felling of this tree. To mitigate artificial light spill and lighting disturbance, recommendations should be incorporated into the sensitive lighting scheme for the development. Suggestions for achieving this and for mitigating the light impact on bats are outlined in Guidance Note 08/18 - 'Bats and artificial lighting in the UK; Bats and the built environment series' (The Bat Conservation Trust, BCT, and the Institution of Lighting Professionals, ILP). Two bat boxes installed on the south/ south west side of the retained ash tree in the south- west corner of the site at a height not lower than 3m. Further mitigation may be required based on the results of the recommended bat activity surveys.
Amphibians/ Reptiles	No surveys required. Precautionary working measures will be required during the clearance of vegetation of the gardens of buildings B/C.
Nesting birds	If habitats suitable for nesting birds are to be removed, then any vegetation clearance will take place outside of the bird nesting season. In the event that clearance work has to be undertaken

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	during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified person. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - http://www.jncc.gov.uk/page-3614 is involved, compensation for impacts, e.g., loss of nesting sites, should be devised and implemented. Five bird boxes installed on trees/buildings of the new development. Boxes should be placed on a north/ north-east aspect out of prevailing weather conditions at a height of between 2m-4m.
West European hedgehog	No surveys required. The ECoW should deliver a toolbox talk to the contractors prior to the commencement of works and supervise habitat removal. Vegetation should be checked by the ECoW and hedgehogs moved to a safe receptor area away from the works. Precautionary working measures will be required during the clearance of vegetation of the gardens of buildings B/C to prevent killing/injury. The vegetation removal should be carried out in the active season (i.e., April – October, inclusive) in order to avoid the risk of impacting hedgehogs during hibernation season. As a precaution, trenches should be covered overnight during the works (or a plank provided as a means of escape) and pipes should be capped. Gaps (13cm x13cm) should be left at the bases of all on-site fences/walls including site boundaries to allow passage of hedgehogs across the site. In addition, cautious working is advised to prevent killing or injury to this species. Hibernacula for hedgehogs created and placed along the boundary of the new development, within and area of limited public access. Brash and cuttings from the vegetation clearance of building B/C will be used to create the hibernacula.
Invertebrates	No surveys required.

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Biodiversity enhancement

5.5 Local Authorities have a duty (known as the 'Biodiversity and resilience of ecosystems duty') under the Environment (Wales) Act 2016 to seek to maintain and *enhance* biodiversity in the exercise of their functions.

5.6 Native species of local provenance will be used for any new planting on the site to support The Action Plan for Pollinators in Wales, 2013

(http://gov.wales/docs/desh/publications/130723pollinator-action-plan-en.pdf).

5.7 The loss of the gardens has been taken into consideration and a proposed landscape plan has been drawn up. This plan proposes creating new borders and various rain gardens some with new trees some without.

5.8 Five bird nesting boxes and two bat roosting boxes will be incorporated within the proposed building and boundary features. A range of types should be used in order to cover a variety of species. Many designs are available, and we would initially recommend the following for this site:

- Bats - https://www.nhbs.com/search?q=bat+boxes&qtview=194583
- House Sparrow - http://www.nhbs.com/1sp_schwegler_sparrow_terrace_tefno_174850.html
- Starling - http://www.nhbs.com/3s_schwegler_starling_nest_box_tefno_177925.html

Overall conclusion

5.9 The full ecological impacts of the proposed development cannot be fully assessed following the PEA/PRA survey alone and further survey work is required.

This ecological report will remain valid for a period of 18 months from the date of the last survey - i.e. until September 2022. Further surveys may be required to update the site information if planning is not obtained, or works do not commence within this time period.

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6 REFERENCES

Bat Conservation Trust and the Institution of Lighting Professionals (2018) Bats and artificial lighting in the UK; *Bats and the Built Environment* series (Guidance Note 08/18), The Bat Conservation Trust, London.

Collins, J. (ed.) (2016) Bat surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

Chartered Institute of Ecology and Environmental Management (April 2013) Guidelines for Preliminary Ecological Appraisal. CIEEM, Winchester.

Institute for Environmental Assessment (1995). Guidelines for Baseline Ecological Assessment. E & FN Spon, Hong Kong.

Joint Nature Conservation Committee (2010). Handbook for Phase 1 habitat survey; A technique for environmental audit. Reprinted by JNCC, Peterborough.

Magic online mapping resource (2021) Online accessed 03/03/2021 available at https://magic.defra.gov.uk/

VIIRS Data Base (2020) Online, accessed 03/03/2021 available at https://www.lightpollutionmap.info

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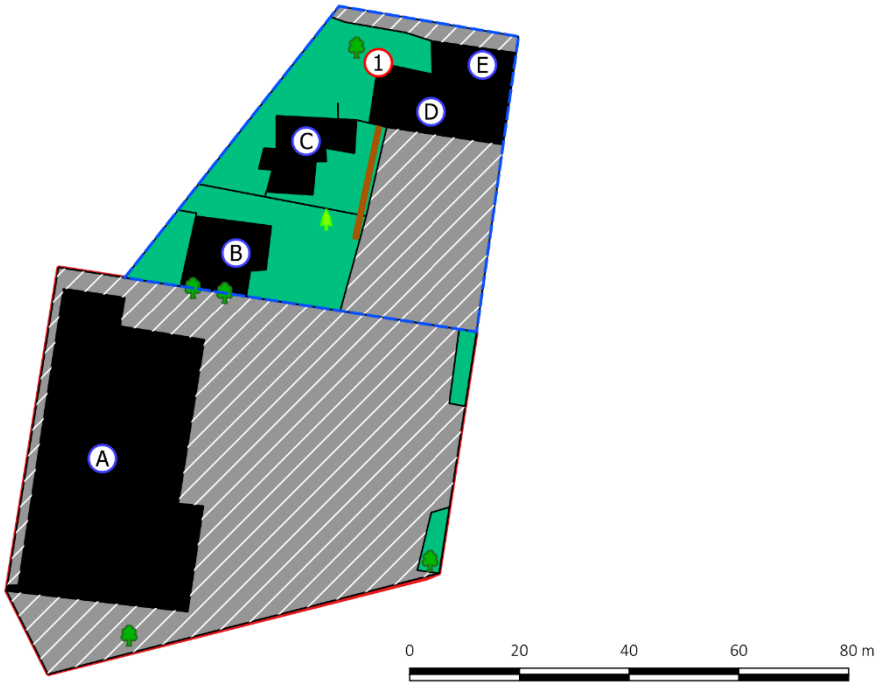
APPENDIX I: PEA PLAN

TN	Id
1	Ivy covered tree with birds nest

Id	Name
A	LIDL supermarket
B	House
C	House
D	Enterprise Car Rental
E	Single storey building



Key

Target Numbers

Hedge

Intact hedgerow, species-poor

Purchased land

Trees

Broad-leaved scattered tree

Coniferous scattered tree

Building Id

Soft landscaping

Soft landscaping

Hardstanding

Hard standing

Buildings

J.3.6 Buildings

Hard standing

Site Boundary

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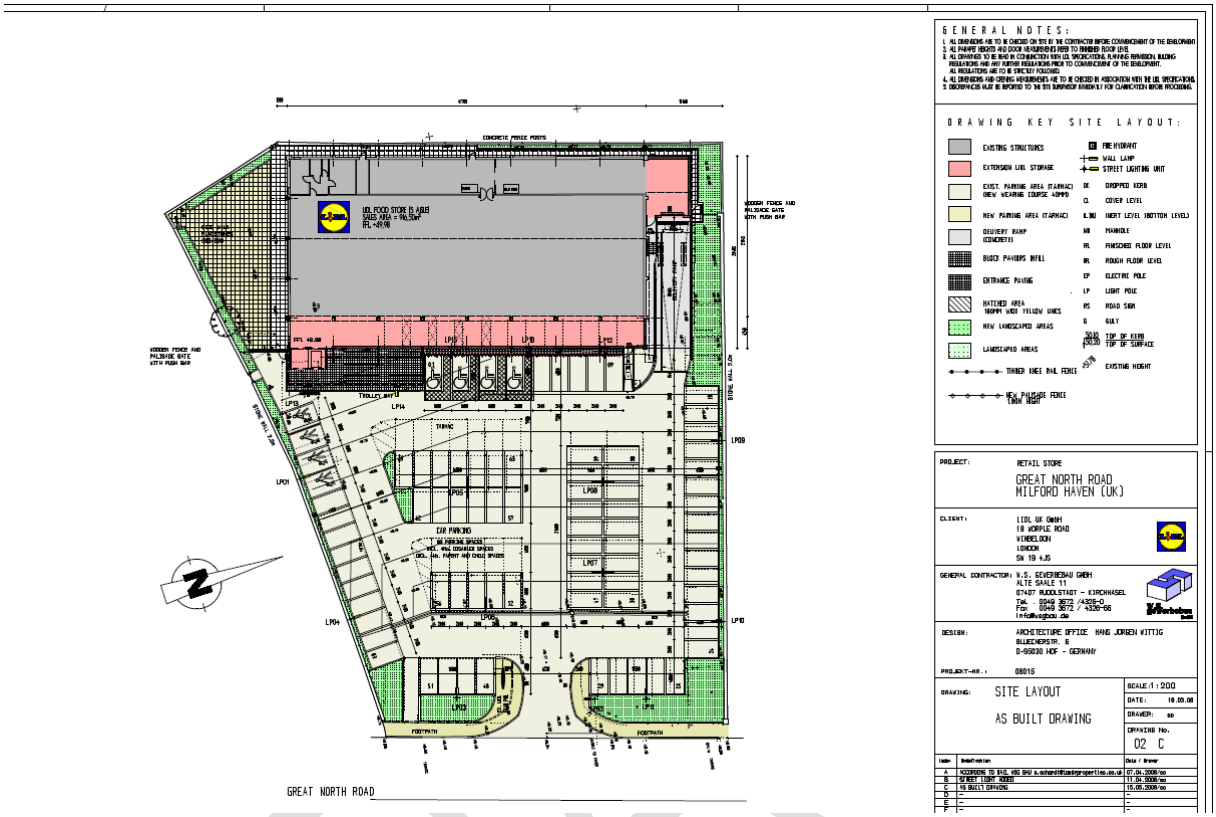
APPENDIX II: EXISTING SITE PLAN



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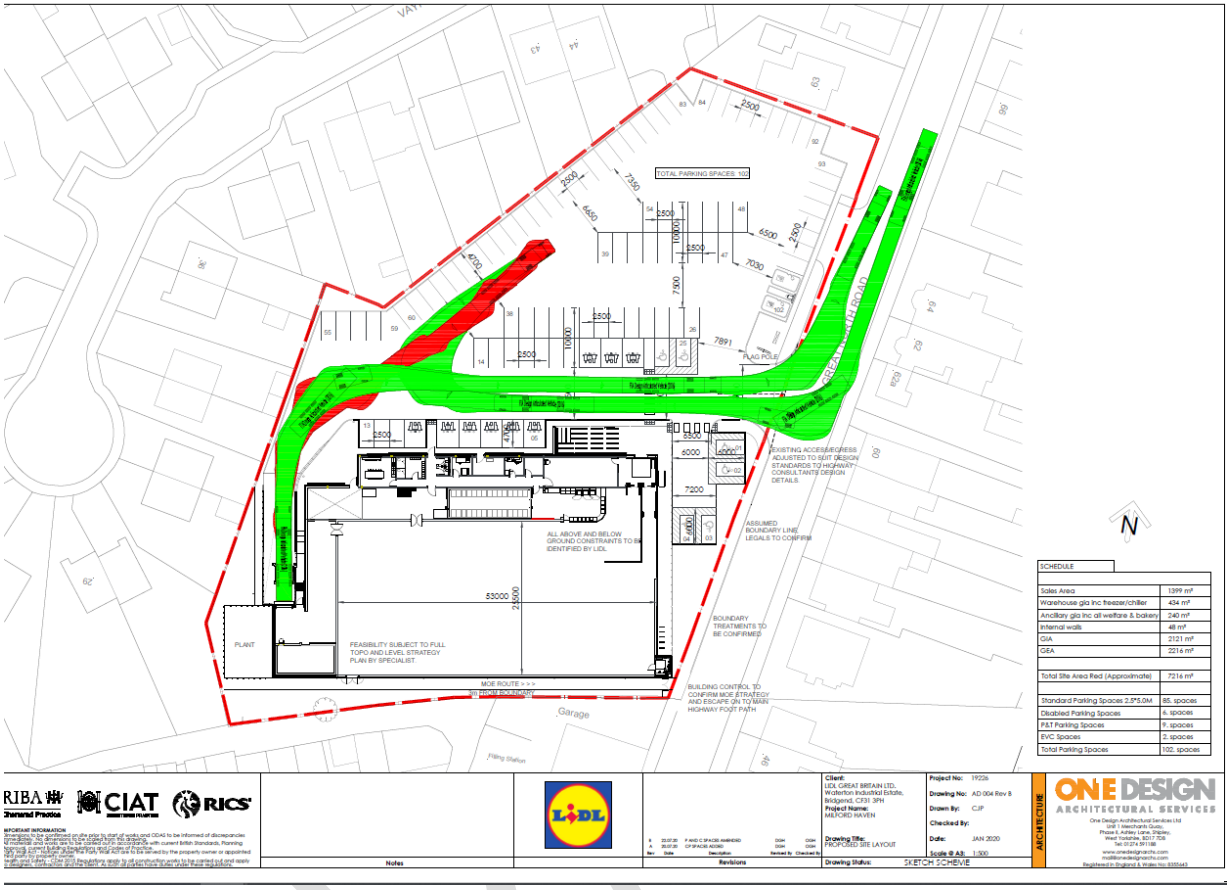
APPENDIX III: PROPOSED DEVELOPMENT PLAN



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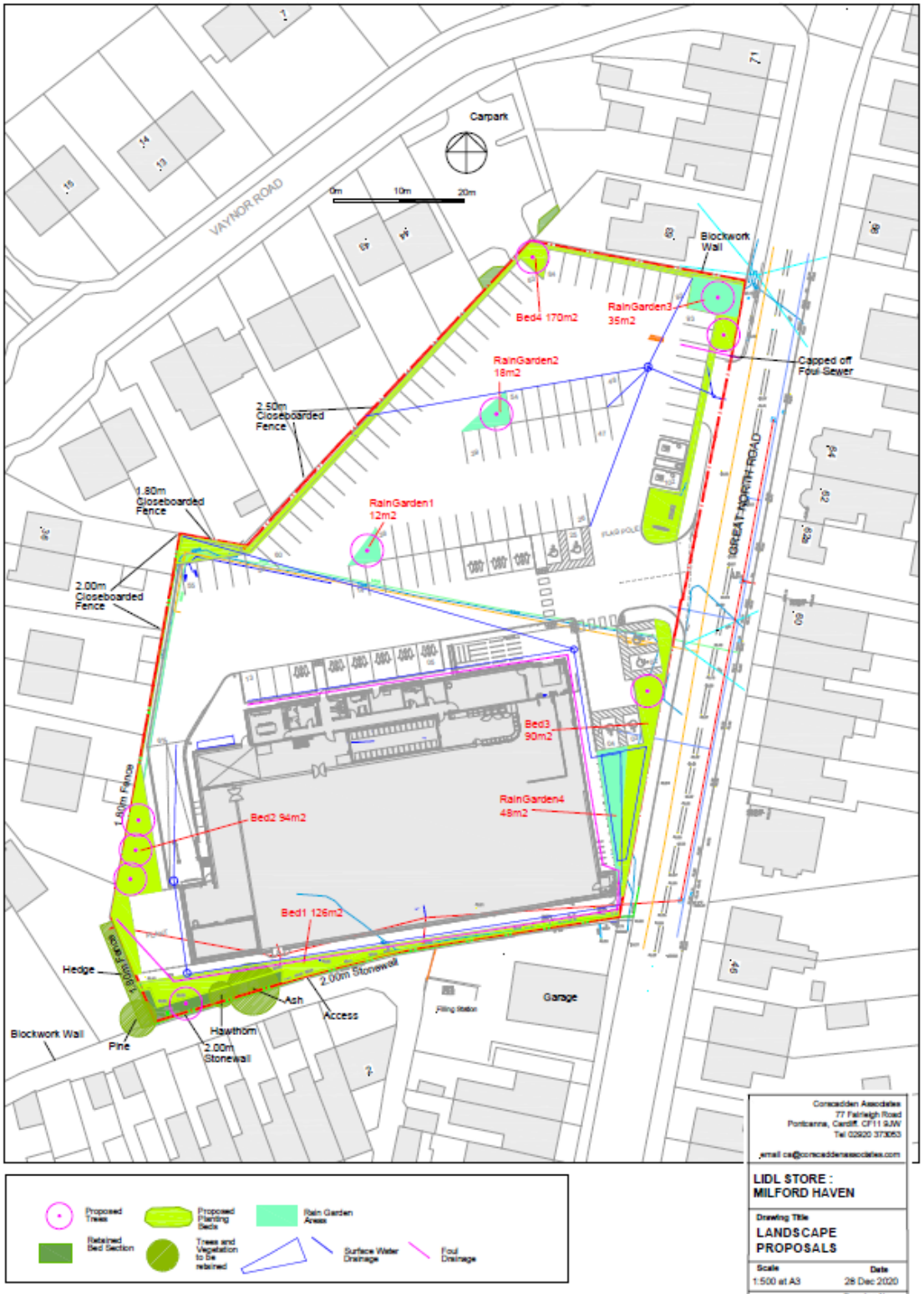
APPENDIX IV: PROPOSED LANDSCAPE PLAN



APPENDIX V: SURVEY IMAGES

Figure 4 - Eastern entrance to building A

Figure 5 - Eastern elevation of building A

Figure 6 - Warped ventilation covering on building A

Figure 7 - Ventilation covering of building A

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Figure 8 - Gaps behind advertising boards on building A

Figure 9 - Warped boarding on building A

Figure 10 - Southern gable end of building B

Figure 11 - West elevation roof of building B

Figure 12 - Roof of the extension and outbuilding at building B

Figure 13 - Eastern elevation roof of building C

Figure 14 - Western elevation of building C

Figure 15 - South-east corner of building D

Figure 16 - Gaps in the roof fixtures of building D

Figure 17 - Hole in the soffits of building D

Figure 18 - Current state of building E

Figure 19 - Large tree in the grounds of building C showing birds nest

APPENDIX VI: SPECIES LIST

To be submitted to the appropriate Local Records Centre

Site Name: LIDL-Milford Haven
Grid ref: SM 90851 06150
Provided by: Wildwood Ecology Ltd
Verified by: Emma Douglas

Common name	Scientific Name (if known)	Number	Comment
Ash	*Fraxinus excelsior*		
Box	*Buxus sempervirens*		Border shrub of building A
Cordyline	*Cordyline fruticosa*		Located within the gardens of buildings B/C
European dogwood	*Cornus sangiunea*		Border shrub of building A
Hawthorn	*Crataegus monogyna*		
Ivy	*Hedrera helix*		
Rye grass	*Lolium perenne*		
Various ornamental garden species			Located within the gardens of buildings B/C

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APPENDIX VII: PLANNING POLICY AND LEGISLATION

The following local and national planning policy and both primary and European legislation relating to nature conservation and biodiversity status are considered of relevance to the current proposal.

Planning and biodiversity

Local Authorities have a requirement to consider biodiversity and geological conservation issues when determining planning applications under the following planning policies.

Planning Policy Wales (2018) and Technical Advice Note 5 (2009)

Planning Policy Wales (Edition 11, December 2021) sets out the land use planning policies of the Welsh Government, integrating with the Environment (Wales) Act (2016). The advice contained within Planning Policy Wales (PPW) is supplemented for some subjects by Technical Advice Notes (TANs).

TAN 5 (Welsh Government, 2009) specifically provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. The TAN provides advice for local planning authorities on the key principles of positive planning for nature conservation; nature conservation and Local Development Plans; nature conservation in development management procedures; development affecting protected internationally and nationally designated sites and habitats; and development affecting protected and priority habitats and species.

Under Section 2.4 within the TAN 5, 'when deciding planning applications that may affect nature conservation local planning authorities should':

- Pay particular attention to the principles of sustainable development, including respect for environmental limits, applying the precautionary principle, using scientific knowledge to aid decision making and taking account of the full range of costs and benefits in a long term perspective;
- Contribute to the protection and improvement of the environment, so as to improve the quality of life and protect local and global ecosystems, seeking to avoid irreversible harmful effects on the natural environment;
- Promote the conservation and enhancement of statutorily designated areas and undeveloped coast;
- Ensure that appropriate weight is attached to designated sites of international, national and local importance;
- Protect wildlife and natural features in the wider environment, with appropriate weight attached to priority habitats and species in Biodiversity Action Plans;
- Ensure that all material considerations are taken into account and decisions are informed by adequate information about the potential effects of development on nature conservation;
- Ensure that the range and population of protected species is sustained;

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- Adopt a step-wise approach to avoid harm to nature conservation, minimise unavoidable harm by mitigation measures, offset residual harm by compensation measures and look for new opportunities to enhance nature conservation; where there may be significant harmful effects local planning authorities will need to be satisfied that any reasonable alternative sites that would result in less or no harm have been fully considered;

Legislation and biodiversity

Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in the Conservation of Habitats and Species Regulations 2017 (as amended). These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

Other relevant legislation and policy documents that have been consulted include – The Environment (Wales) Act 2016; The Countryside and Rights of Way Act 2000; The Hedgerow Regulations 1997; Biodiversity Action Plans, both UK-wide (UKBAP) and Local plans (LBAPs), and The National Planning Policy Framework (NPPF). There is also legislation that legally protects certain animals - for example, the Protection of Badgers Act (1992) protects badgers and their setts, and the Deer Act (1991) places restrictions on actions that can be taken against deer species.

Environment (Wales) Act 2016

Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. The duty replaces the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to those authorities that fell within the previous duty.

Public authorities will be required to report on the actions they are taking to improve biodiversity and promote ecosystem resilience.

Section 7 replaces the duty in section 42 of the NERC Act 2006. The Welsh Ministers will publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales.

The Welsh Ministers must also take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and encourage others to take such steps.

Wildlife & Countryside Act 1981 (as amended)

The Wildlife & Countryside Act 1981 (as amended) [WCA] is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act deals with the protection of wildlife.

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Most European Protected Species offences are now covered under the Conservation of Habitats and Species Regulations (as amended) (see below), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.

The WCA prohibits the release to the wild of non-native animal species listed on Schedule 9 (e.g. Signal Crayfish and American Mink). It also prohibits planting in the wild of plants listed in Schedule 9 (e.g. Japanese Knotweed and Rhododendron ponticum) or otherwise deliberately causing them to grow in the wild. This is to prevent the release of invasive non-native species that could threaten our native wildlife.

The provisions relating to animals in the Act only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.

There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonable avoided, or actions within the living areas of a dwelling house.

Licensing: certain prohibited actions under the Wildlife and Countryside Act may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence – e.g. bat surveys.

Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended)(which are the principal means by which the EC Habitats Directive is transposed in England and Wales) update the legislation and consolidate all the many amendments which have been made to the Regulations since they were first made in 1994.

These regulations provide for the:

- protection of European Protected Species [EPS] (animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain) including bats, dormice, great crested newts, and otters;
- designation and protection of domestic and European Sites - e.g. Site of Special Scientific Interest [SSSI] and Special Area of Conservation [SAC]; and
- adaptation of planning controls for the protection of such sites and species.

Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function – i.e. when determining a planning application.

There is no defence that an act was the incidental and unavoidable result of a lawful activity.

Licensing: it is possible for actions which would otherwise be an offence under the Regulations to be undertaken under licence issued by the proper authority. For

example, where a European Protected Species has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species protection

The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Amphibians

The common frog, common toad, common newt, and palmate newt receive limited protection under the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or trade them.

The Great Crested Newt and Natterjack Toad are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended) as European Protected Species. It is illegal to:

- Deliberately capture, injure, kill, or disturb either species,
- Intentionally or recklessly obstruct access to any structure/place used for shelter or protection, or
- Damage or destroy a breeding site or resting place.

Badger

Badgers are protected in the UK under the Protection of Badgers Act 1992. Under the act it is an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat[4] a Badger, or attempt to do so;
- To intentionally or recklessly interfere with a sett[5] (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain; it is not intended to prevent properly authorised development.

Bats

All British bats are classed as European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- Deliberately kill, injure or capture a bat;

[4] The intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence by constituting "cruel ill treatment" of a Badger

[5] A sett is defined as "any structure or place which displays signs indicating current use by a Badger". Advice issued by Natural England (June 2009) is that a sett is protected as long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger.

- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place of a bat.

In addition, all British bats are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- Obstruct access to any structure or place which any bat uses for shelter or protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural England, which would be subject to appropriate measures to safeguard bats.

Birds

In the UK, the provisions of the Birds Directive are implemented through the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended). All wild birds, their nests and eggs are protected it an offence to:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any such bird whilst it is in use or being built; or
- take or destroying an egg of any such wild bird.

The law covers all species of wild birds including common, pest or opportunistic species.

Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.

Otters

The European Otter, *Lutra lutra* is a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence inter alia to:

- deliberately capture, injure or kill any wild otter;
- deliberately disturb wild otters;
- damage or destroy a breeding site or resting place of an otter.

In addition, the otter is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:

- disturbs an otter while it is occupying a structure or place which it uses for shelter or protection; or
- obstructs access to such a place.

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If proposed development work is likely to destroy or disturb otters or their resting places, then a licence will need to be obtained from Natural Resource Wales, which would be subject to appropriate measures to safeguard otters.

Reptiles

Adders, slow worms, grass snakes and common lizards are protected against killing and injuring under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it illegal to intentionally kill or injure a common reptile. As a result, reptiles must be removed from areas of development and relocated onto suitable release sites before any site works can commence.

Smooth snakes and sand lizards are European Protected Species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). This makes it illegal to carry out the following activities:

- Deliberately or recklessly disturb, capture or kill these animals;
- Deliberately or recklessly take or destroy eggs of these animals;
- Damage or destroy a breeding site or resting place of such a wild animal; or

Keep, transport, sell or exchange, or offer for sale or exchange, any live or dead animal, or any part of, or anything derived from such a wild animal.

West European hedgehog

Hedgehogs are protected against killing or trapping under schedule 6 of the Wildlife and Countryside Act 1981(as amended). This legislation makes it illegal to intentionally kill or trap a hedgehog. They are also protected from the following activities: trap, snare or net, electrical device for killing or stunning, poisonous, poisoned or stupefying substances or any other gas or smoke, automatic or semi-automatic weapon, device for illuminating a target or sighting device for night shooting, artificial light, mirror or other dazzling device, sound recording, and mechanically propelled vehicle in immediate pursuit.

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