Apartments at Belle Green Court Care Home, Cudworth

Ecological Impact Assessment

26th April 2024

Prepared by:

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Purpose and Description	Originated	Checked	Reviewed	Date
For Planning	G Slack MCIEEM [redacted]	R Bell MCIEEM [redacted]	P Middleton MCIEEM [redacted]	26th April 2024

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Contents

Site Name Apartments at Belle Green Court Care Home	
Local Authority Barnsley Metropolitan Borough Council	**Grid Reference** SE 38957 09287
Surveyor [redacted]	**Date of Survey** 04/04/2024
Soilscape Slowly permeable seasonally wet acid loamy and clayey soils.	**Designation of Site** None

UK Habitat Classification habitats on Site Habitats: u1b5 – buildings; u1b6 – other developed land; u1 – built-up areas and gardens. Secondary codes: 828 – vegetated garden.
Protected/Notable Species, Constraints on Site Nesting birds, bats, and common invertebrate species.
HPIs and SPIs under NERC Act 2006 Potentially bat and bird species.

1. Summary

1.1.1 This Ecological Impact Assessment for a series of 12 apartments proposed at the Belle View Court site in Cudworth was commissioned by the architect Paul Ingle on behalf of the client Gurjeevan Shergill on 20th March 2024. The survey was commissioned to inform a planning application for the demolition of an existing derelict cinema and the construction of the apartments. The red line boundary was approximately 0.1 ha in size. The site was located on Belle Green Lane, in the centre of Cudworth, South Yorkshire.

1.1.2 The site consisted of a derelict cinema building which dated from the 1920s and an area of garden managed as part of the existing care home to the north. The garden habitat and populations of birds, bats, and common invertebrate species which used the site were considered likely to be of site level importance.

1.1.3 The likely unmitigated impacts of the development were considered to comprise:

- The loss, and replacement of approximately 0.02 ha of vegetated garden.
- The creation of a new 33 m long hedgerow along the northern site boundary.
- Increased lighting affecting nocturnal species such as bats, and nocturnal invertebrates.
- The potential loss of active birds' nests.

1.1.4 The following further mitigation requirements are considered necessary:

- The grass within the formal garden area should be seeded with a grass and flower mix that will flower in a short sward (i.e. with regular mowing).
- The hedgerow will be managed to provide flowers and fruit.
- Bat boxes, swift bricks, and bee bricks will be installed in each dwelling.
- Lighting restrictions will apply to protect nocturnal species.

1.1.5 With the proposed mitigation measures, the development is projected to result in a net gain of between 0 and 0.01 Habitat Units (an 8 % gain), and 0.13 Hedgerow Units (a 100% gain).

1.1.6 The results of this survey and report are considered to be valid for a period of 18 months. After this time Middleton Bell Ecology should be contacted to determine the need for update survey.

2. Introduction

2.1.1 This Ecological Impact Assessment for a series of 12 apartments proposed at the Belle View Court site in Cudworth was commissioned by the architect Paul Ingle on behalf of the client Gurjeevan Shergill on 20th March 2024. The survey was commissioned to inform a planning application for the demolition of an existing derelict cinema and the construction of the apartments. The proposed layout is shown in Appendix 1.

2.1.2 The red line boundary was approximately 0.1 ha in size. The site was located on Belle Green Lane, in the centre of Cudworth, South Yorkshire.

Figure 1. The site location as indicated by red line boundary

2.1.3 The purpose of this report is to present the findings of a desk-based study, UK Habitat Classification survey, and assessment of the site's suitability to support protected or notable species. The report includes consideration of the value, likely impacts and effects of the proposed development to protected and notable species and habitats. Detail on suitable mitigation and compensation measures necessary to avoid or reduce these impacts are included within the report.

2.1.4 Key legislation relating to designated sites, protected species, and habitats is detailed in Appendix 2. The implications of legislation are detailed in the body of the report where applicable.

3. Site Description

3.1.1 The site consisted of a derelict cinema building which dated from the 1920s and an area of garden managed as part of the existing care home to the north. Aside from the care home the surrounding area comprised residential dwellings as well as a few shops. Beyond the edge of the village the land was predominantly arable farmland (Figure 1).

3.1.2 The site falls within National Character Area (NCA) 38: The Nottinghamshire, Derbyshire and Yorkshire Coalfield. This NCA comprises a generally low-lying area,

with hills and escarpments above wide valleys, the landscape embraces major industrial towns and cities as well as villages and countryside. Over half of the NCA is currently designated as greenbelt land; this maintains some distinction between settlements and represents areas that are often under pressure for development and changes in land use. The landscape is dotted with many pockets and patches of habitat where species find refuge. This is often on land that was once worked for minerals or occupied by major industry.

3.1.3 The Soilscapes resource[1] shows soils in the area to be slowly permeable seasonally wet acid loamy and clayey soils.

4. Methodology

4.1 Data Consultation

4.1.1 Due to the limited habitats present within the survey area, and lack of connectivity to nearby higher value habitats, Barnsley Biological Records Centre (BBRC) were not contacted to expand the data search beyond the bat records requested in January 2024.

4.1.2 A search of the Multi-Agency Geographical Information for the Countryside (MAGIC) website was undertaken to determine the following for locations within a 2 km radius of the site:

- The boundaries of statutory designated sites of nature conservation interest.
- The locations of historic European Protected Species (EPS) licences granted by Natural England.

4.2 Field Survey

UK Habitat Classification Survey

4.2.1 The site was surveyed on 4th April 2024 using UK Habitat Classification habitat survey methodology (UKHab Ltd, 2023) by Greg Slack MCIEEM. Greg is a competent ecologist with more than 15 years' experience and holds a Natural England bat survey licence (WML-A34-Level 4, 2017-28068-CLS-CLS) and Natural England great crested newt *Triturus cristatus* survey licence (CL08-Level 1, 2015-18073-CLS-CLS).

4.2.2 The surveyor methodically covered the external areas of the site, searching for notable, rare or scarce plant species and evidence of protected species. A bat survey of the old cinema building which covered a large part of the site had been completed in January 2024 (MBE, 2024).

4.2.3 Aerial photographs (Google Earth, Bing Mapping, and ESRI imagery) and Ordnance Survey mapping were studied to consider the wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This is particularly useful for identifying wildlife corridors and ponds.

4.2.4 Habitats of Principal Importance (HPIs) and Species of Principal Importance (SPIs) included on Section 41 of the Natural Environment and Rural Communities (NERC)

[1] http://www.landis.org.uk/soilscapes/ [accessed 13th February 2024]

Act 2006 were recorded. Any priority species and habitats included on the Local Biodiversity Action Plan (LBAP) were also noted if present.

4.3 Method of Assessment

4.3.1 In line with CIEEM guidelines (CIEEM, 2017) the survey results were used to identify any ecological constraints to the proposed development, any further surveys, and any mitigation measures likely to be required. Opportunities for ecological enhancement measures were also included where possible.

4.3.2 The value and sensitivity of ecological features present on site were determined based on the guidance provided within 'Guidelines on Ecological Impact Assessment in the UK and Ireland' (CIEEM, 2018). Individual ecological receptors (habitats and species that could be affected by the development) were assigned a geographic level of importance for nature conservation. The highest level is international, decreasing through national, regional, county, local and lastly site importance.

4.4 Biodiversity Calculation

4.4.1 The Statutory Biodiversity Metric (Defra, 2023) was used to calculate the ecological impact of this scheme within the context of the blue line boundary site. This metric uses habitat as a proxy for wider biodiversity with different habitat types scored according to their relative biodiversity value. This value is then adjusted depending on the condition and location of the habitat, to calculate 'biodiversity units'. The Statutory Biodiversity Metric incorporates similar but separate calculations for habitats that require a different method of measurement such as hedgerows, lines of trees, rivers, streams and street trees. Calculations are undertaken in a purpose designed spreadsheet, which provides the main output of the process.

4.5 Survey Limitations

4.5.1 The field survey was undertaken outside the main growing season for grassland, when many plant species do not display distinctive visible above ground growth. The habitats present on site could however be confidently identified. Where restrictions owing to the time of survey have impacted the ability to assess habitat condition (notably site grassland) these have been discussed in relation to that habitat.

5. Ecological Baseline

5.1 Summary

5.1.1 The garden habitat and populations of bats birds, and common invertebrate species which used the site were considered to be of no more than site level importance.

5.1.2 The site was considered to have potential to be used by birds, foraging bats, and common invertebrate species. The habitat surrounding the site was considered to have below average connectivity to the wider landscape.

5.2 Designated Sites

5.2.1 One site of special scientific interest (SSSI) and one local nature reserve (LNR) were present within the desk study search area. The boundary of the two sites overlapped, they are summarised in Table 1 below.

Table 1. Designated sites present within 2 km of the site

Designation	Site	Ecological features	Distance, and Direction
Site of Special Scientific Interest and Local Nature Reserve	Dearne Valley Wetlands SSSI and Carlton Marsh LNR	A mixture of open wetland, woodland, grassland and scrub. The sites notable species include bittern *Botaurus stellaris* and kingfisher *Alcedo atthis*. As part of 22 wetland sites that make up the Dearne Valley Wetlands SSSI it supports an important assemblage of breeding birds which use wetland habitats.	920 m west

5.3 Habitats

Summary

5.3.1 The site comprised the old cinema building and associated hard standing (Plate 1), and an area of formal garden which was part of the existing care home (Plate 2).

Plate 1. The old cinema viewed from the west

Plate 2. The vegetated garden in the northern part of the site

5.3.2 The arrangement of site habitats is shown on the UK Habitat plan in Appendix 3, whilst a full list of plant species recorded is provided in Appendix 4.

5.3.3 A detailed description of the site and the site's potential to support protected and notable species is provided below. The importance of each habitat type and species or species group is included in Table 2 at the end of Section 5.3.

u1 – built up areas and gardens (secondary code: 828 vegetated garden)

5.3.4 The area in the north of the site comprised vegetated garden. It included areas of lawn, planting beds, shrubs and a small tree.

5.3.5 Grass species present comprised abundant annual meadow grass *Poa annua*, occasional Yorkshire fog *Holcus lanatus,* and creeping bent *Agrostis stolonifera*, and rarely occurring cocksfoot *Dactylis glomerata*.

5.3.6 Herbs comprised abundant daisy *Bellis perennis*, frequently occurring white clover *Trifolium repens*, and common mouse-ear *Cerastium fontanum*, occasionally recorded

columbine *Aquilegia vulgaris*, fox and cubs *Pilosella aurantiaca*, black medick *Medicago lupulina*, common dog violet *Viola riviniana*, and the ornamental species Japanese anemone *Anemone hupehensis*, rose campion *Silene coronaria*. The remaining herbs were all rarely recorded and comprised: smooth sowthistle *Sonchus oleraceus*, ribwort plantain *Plantago lanceolata*, creeping buttercup *Ranunculus repens*, broad-leaved plantain *Plantago major*, cleavers *Galium aparine*, common field-speedwell *Veronica persica*, and chamomile *Matricaria chamomilla*. Springy turf moss *Rhytidiadelphus squarrosus* was also abundant.

5.3.7 The shrubs were identified as ivory jade wintercreeper *Euonymus fortunei.* The single small tree was a stagshorn sumach *Rhus typhina* (Plate 3).

Plate 3. Shrubs and tree in the garden

5.3.8 No condition assessment is applicable to this habitat type.

u1b5 – buildings

5.3.9 The old cinema was present at the southern end of the site (Plate 1 and 4). Together with the care home located to the north of the site, this building was the subject of a bat inspection undertaken in January 2024. The building is described in the report as a 1920s brick building with a flat roof. The roof was surrounded with parapet walls and was covered with roofing felt. Additional detail is included in the bat survey report (MBE, 2024).

5.3.10 No condition assessment is applicable for this habitat type.

Plate 4. The cinema viewed from the road to the southeast of the site

U1b6 – other developed land

5.3.11 Other developed land within the survey area comprised a parking area in front of the cinema (Plate 1) and a footpath along the north edge of the cinema (Plate 2).

5.3.12 No condition assessment is applicable for this habitat type.

5.4 Species and Species Groups

5.4.1 The habitats present within the site, in combination with the site's location meant that most protected and notable species were unlikely to be present. The only protected /notable species groups considered likely to use the site were bats, birds, and common invertebrate species.

Badger

5.4.2 No badger *Meles meles* signs were identified during the survey and no setts were recorded within the site or the surrounding 30 m. Given that the site was in the centre of Cudworth (a large village) it is considered very unlikely that badgers would make use of the site.

Hedgehog

5.4.3 No hedgehog *Erinaceus europaeus* signs were identified during the survey. The area of vegetated garden was well sealed with walls and fences which would not allow for the passage of hedgehogs (Plate 5). On this basis it is considered unlikely that hedgehogs use the site.

Plate 5. The fencing at the western edge of the vegetated garden

Bats

5.4.4 The bat survey undertaken in January 2024 identified that the cinema building had negligible suitability to be used by roosting bats. The only tree present within the survey area had no suitable potential bat roost features.

5.4.5 The habitat in the surrounding area was considered to be slightly below average in terms of its suitability for use by bats, with a substantial amount of artificial lighting present in the area reducing the suitability for light sensitive species, such as brown long-eared bats *Plecotus auritus*. The abundance and variety of light-tolerant bat species in the surrounding area was considered likely to be moderate with light sensitive species unlikely to be present.

5.4.6 It is likely that bats occasionally forage over the site as the presence of the cinema to the south, and care home to the north, provides a sheltered area of garden.

Birds

5.4.7 Although no active bird nests were recorded during the survey, the cinema building was considered suitable for use by nesting birds.

5.4.8 The vegetation within the garden was considered largely unsuitable to be used by nesting birds.

Amphibians

5.4.9 No great crested newt licences, or great crested newt pond survey results were present within the MAGIC search.

5.4.10 No ponds were present within the site or the surrounding area. The closest pond identified on OS mapping was located approximately 900 m away (two ponds were present, both approximately 900 m from the site, one pond to the west and one to the southeast). Given the lack of ponds within the local area, amphibians were considered unlikely to be present.

Invertebrates

5.4.11 It is considered that the habitats present were likely to support a low diversity of invertebrate species. It was considered unlikely that a particularly rare or diverse species assemblage was present due to the lack of species rich grassland or other mature or rarely occurring habitats.

Invasive species

5.4.12 No evidence of the presence of invasive species was identified during the survey.

Value of habitats and species

5.4.13 No other protected or notable species / species groups were considered likely to use the site. The ecological value of the habitats and species present, or potentially present is given in geographic terms (from site to international value) in Table 2 below.

Table 2. Ecological importance of each habitat, species or species group using the site

Habitat, Species or Species Group	Ecological value
u1 – built up areas and gardens (828 - vegetated garden)	Site
u1b5 - buildings	Negligible
u1b6 – other developed land	Negligible
Badger	Not likely to be present
Hedgehog	Not likely to be present
Bats	Site
Birds	Site
Amphibians	Not likely to be present
Invertebrates	Site
Invasive species	N/A

6. Assessment

6.1 Proposals

6.1.1 The assessment of impacts is based upon a consideration of the proposed demolition of the existing cinema, the loss of all existing vegetated garden, the construction of a new apartment block and associated parking and vegetated garden. The proposed plans are shown in Appendix 1.

6.1.2 The presence of the following protected and notable species has been assumed: foraging bats, nesting birds, and common invertebrate species.

6.2 Assessment of Impacts

6.2.1 The likely potential impacts of the development were considered to comprise:

- The loss, and replacement of approximately 0.02 ha of vegetated garden.
- The creation of a new 33 m long hedgerow along the northern site boundary.
- Increased lighting affecting nocturnal species such as bats, and nocturnal invertebrates.
- The potential loss of active birds' nests.

6.3 Mitigation and Enhancement Measures

Habitat creation

6.3.1 The area of lawn that will be created within the formal garden area should be seeded with a grass and flower mix that will thrive when regularly mown[2]. Advice on how to take care of a flower rich lawn is given on the Plant Life website[3].

6.3.2 The new hedgerow will comprise a single row of native species rich hedgerow plants. The plants will be of British provenance, to be obtained from a source such as Myres Beck Nursery[4].

6.3.3 The hedgerow will be cut in in late winter (January or February). Once established the hedgerow will be cut every other year. The late cut will ensure the fruit and berries are available for overwintering birds and the cut every other year will allow the hedgerow to flower and fruit (many hedgerow plants will only flower and fruit on their second year of growth).

6.3.4 In line with the Barnsley Supplementary Planning Document: Biodiversity and Geodiversity, each new dwelling must incorporate one bat box, one bird box and one solitary bee brick (BMBC, 2024). The birdboxes should comprise swift bricks such as an S Bricks (or similar) (Plate 6). Swift bricks should be installed near the wall top on the north aspect of the building. The bat boxes proposed comprise Vivara Pro UK build

[2] An example of a flower rich short sward seed mix is available from: https://www.wildflowerlawnsandmeadows.com/product/wild-flower-lawn-seed-mix/
[3] Information on how to mow a lawn to maximise the presence of wildflowers can be found at https://nomowmay.plantlife.org.uk/what-is-no-mow-may/wild-flower-lawn/
[4] https://www.miresbeck.co.uk/our-trees-and-plants/cell-grown-tree-varieties/

in bat boxes (or similar) (Plate 7)[5]. The bat boxes should be installed at the wall top, ideally on multiple aspects. Bat and bird boxes should not be installed immediately above windows, doorways or balconies.

6.3.5 The solitary bee bricks[6] (Plate 8) should be located at heights of at least 1m, ideally in areas close to nectar and pollen sources.

Plate 6, 7, and 8. S Brick, Vivara Pro UK bat box, and bee brick


Nocturnal species (bats, and nocturnal insects)

6.3.6 It is anticipated that the lighting levels across the site area are already high with nearby streetlights and security lighting. As an enhancement it is recommended that, where possible, outside lighting is only activated by PIR sensors with lighting units on relatively short timers (e.g. <five minutes) so that for the majority of the time the site remains unlit.

6.3.7 Lighting must be set at a relatively low level (ideally 4 m or less) and must be downwards facing. Lights should be a warm white colour (<2700 Kelvin) in line with good practice guidance (ILP, 2023). documented in a lighting plan for the site.

6.4 Biodiversity Calculations

6.4.1 The Headline Results output of The Statutory Biodiversity Metric is presented in Appendix 5, based on the proposed site habitats shown in the proposed UK Habitats Map included as Appendix 6. The development is projected to result in a net gain of 0.01 Habitat Units and 0.13 Hedgerow Units.

6.4.2 The headline results section of the metric identifies the baseline units as 0.03 units and the post construction units as 0.04 units. An increase of 0.01 unit would represent a 33 % net gain, however the metric identifies it as an 8 % net gain. This is anticipated to be due to rounding up but makes it very difficult to determine the exact number of credits required in order to achieve the required 10 % net gain (given the deficit is shown as 0.00 in the Headline Results section of the calculation spreadsheet we can surmise that it must be less than 0.005 units).

[5] Available from: https://www.nhbs.com/vivara-pro-build-in-woodstone-bat-box?bkfno=252139&ca_id=1495&adlocale=uk&gad_source=1&gclid=CjwKCAjwuJ2xBhA3EiwAMVjkVIz_1MXqBIaKqhbSEhatySdizdd7Mgr__Im2kDJdQW47XX7eclT7XxoCmRQQAvD_BwE

[6] Available from: https://www.nhbs.com/bee-brick?bkfno=244140

6.5 Conclusion

6.5.1 The site is potentially used by very few protected and notable species, the habitats are relatively species poor and the impact of the proposed development in the absence of mitigation is relatively low. The proposed habitat management is expected to result in a biodiversity net gain of just under 10 % for habitat units, and a 0.13 Hedgerow Unit Net Gain (from a baseline of no hedgerow units). Together with the other mitigation proposed, this would result in a minor positive impact on the ecological features present within the site.

6.5.2 The results of this survey and report are considered to be valid for a period of 18 months. After this time Middleton Bell Ecology should be contacted to determine the need for update survey.

7. References

BMBC (2024) *Supplementary Planning Document Biodiversity and Geodiversity*. Available online at: https://www.barnsley.gov.uk/media/uqcn3wiv/biodiversity-and-geodiversity-spd-2024.pdf

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition.* Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal and Marine.* Chartered Institute of Ecology and Environmental Management, Winchester.

DEFRA (2023) *The Statutory Biodiversity Metric User Guide (draft).* DEFRA.

ILP (2023) Guidance Note 08/23 *Bats and Artificial Lighting At Night.* Bat Conservation Trust and Institute of Lighting Professionals.

MBE (2024) MBE 2023 126 01 *Belle Green Court Care Home – Bat Survey*. Miiddleton Bell Ecology Ltd.

Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., & I Win (2021) *The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain.* British Birds 114: 723-747. Available online at: www.britishbirds.co.uk/content/status-our-bird-populations

UKHab Ltd (2023) *UK Habitat Classification Version 2.0* (at https://www.ukhab.org)

Appendix 1. Proposed Plan

Figure A1.1. The proposed site plan

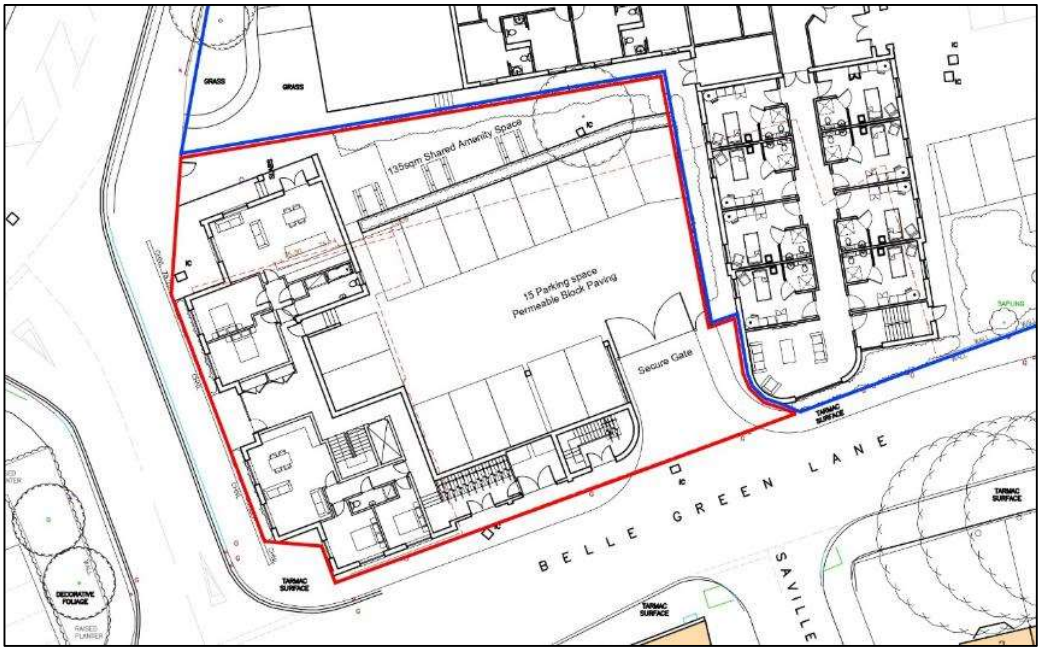


Figure A1.2. The elevation plan (viewed from the south)

Figure A1.3. Elevation Plan (viewed from the west)

Appendix 2. Relevant Legislation and Planning Policy

Wildlife legislation relating to statutory designated sites and species is summarised in Table A2.1 and A2.2 below. This legal information is intended for summary only, and the original legal documents should be consulted if a detailed understanding is required.

Table A2.1. Legislation relating to designated sites and habitats

Designated Site	Legal Status
Site of Special Scientific Interest (SSSI)	SSSIs are the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs have been re-notified under the Wildlife and Countryside Act 1981 (as amended). Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000. SSSIs are of at least national importance to nature conservation
Local Nature Reserves (LNR)	LNRs are of local, but not necessarily national, importance. An LNR can also be an SSSI (Site of Special Scientific Interest), but often is not, or may have other designations. Except where the site is an SSSI, there is no legal necessity to manage an LNR to any set standard and there is no national legal protection specifically for LNRs. An LWS has certain protection against development on and around it. This protection is usually given via the local plan, (produced by the Local Planning Authority (LPA), and often supplemented by local by-laws.

Table A2.2. Legislation relating to species

Species	Legal Status
European protection	
European Protected Species (EPS) (including bats)	These animal species and their breeding sites or resting places are protected under Schedule 2 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, which makes it illegal to: • Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. • Deliberately disturb such an animal. • Damage or destroy a breeding site or resting place of such an animal. European Protected Species (EPS) licences can be granted by Natural England in respect of development to permit activities that would otherwise be unlawful under the Conservation Regulations, providing that the following 3 tests (set out in the EC Habitats Directive) are passed: • The development is for reasons of overriding public interest. • There is no satisfactory alternative; and • The favourable conservation status of the species concerned will be maintained and/or enhanced.

Species	Legal Status
	Under Regulation 9(5) of The Conservation Regulations, Planning Authorities have a legal duty to 'have regard to the requirements of the EC Habitats Directive in the exercise of their functions'. This means that they must consider the above 3 tests when determining whether Planning Permission should be granted for developments likely to cause an offence under the Conservation Regulations. As a consequence, Planning Applications for such developments must demonstrate that the 3 tests will be passed.
National protection	
European Protected Species and other species including adder, grass snake, common lizard, and water vole	These animals receive full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any such animal. • Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and • Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.
Schedule 1 birds (including barn owl)	Special penalties relate to offences concerning birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the offences detailed above relating to all wild birds, it is illegal to intentionally or recklessly disturb any Schedule 1 bird or their dependent young while nesting.
All bird species	All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000), which makes it illegal (subject to exceptions) to: • Intentionally kill, injure or take any wild bird. • Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.
Invasive species	The Wildlife and Countryside Act 1981 (as amended) contains measures for preventing the establishment of non-native species which may be detrimental to native wildlife, prohibiting the release of animals and planting of plants listed in Schedule 9 of the Act. In relation to Schedule 9 plants, it is an offence to plant or otherwise cause these plant species to grow in the wild.

Species and Habitats of Principal Importance

Planning authorities have a duty under Section 40 of the NERC Act 2006 to have regard to priority species and habitats in exercising their functions including development control and planning. In compliance with Section 41 of the NERC Act, the Secretary of State has published a list of species and habitats considered to be of principal importance for conserving biodiversity in England under the UK Post-2010 Biodiversity Framework. This is known as the list of Habitats and Species of Principal Importance (HPI/SPI). The HPI/SPI list is used to guide planning authorities in implementing their duty under the NERC Act.

National Planning Policy Framework

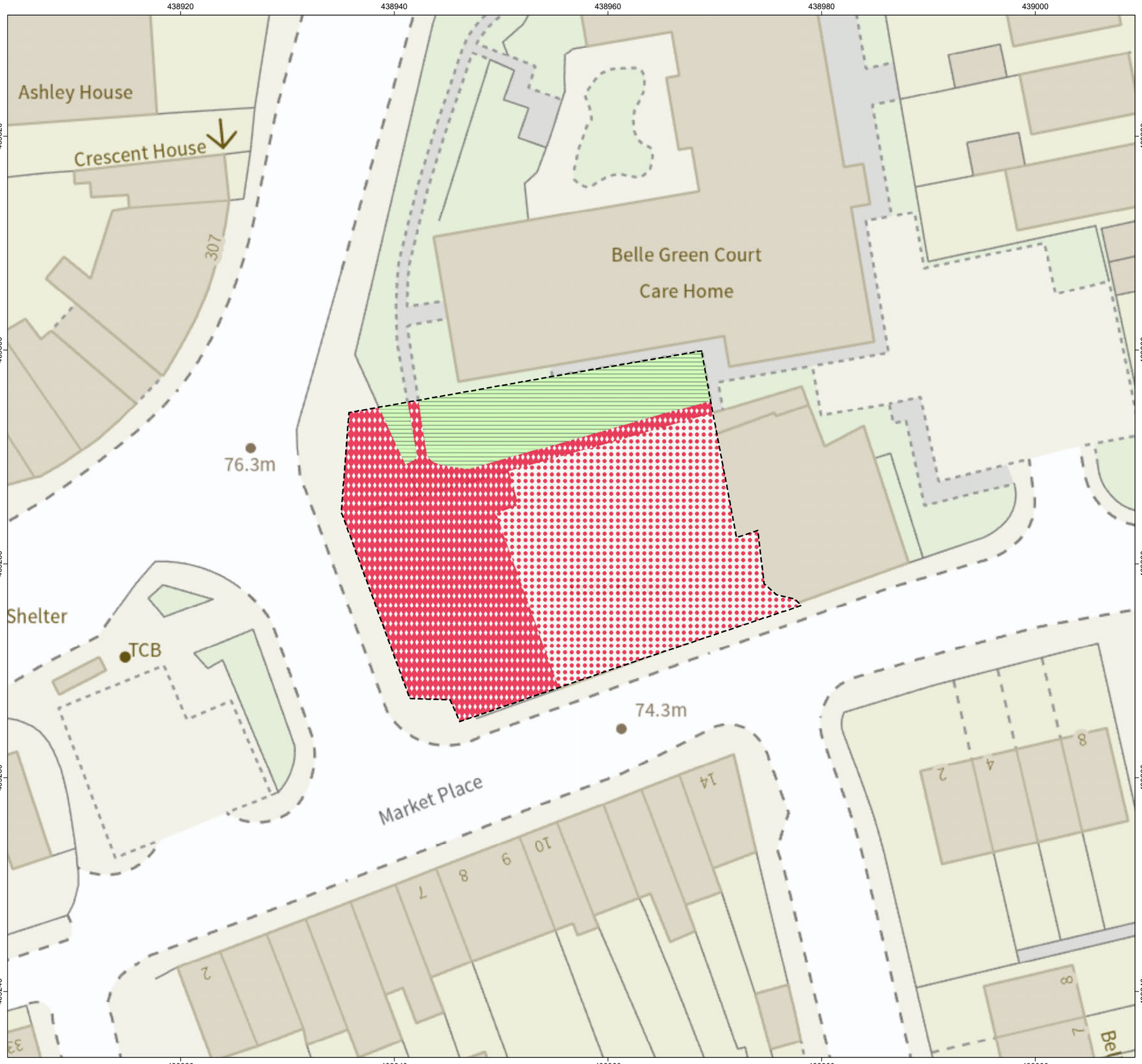
The National Planning Policy Framework for England was revised in 2021. This document states that plans should 'promote the conservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'. It also puts an emphasis on refusing development which would result in the 'loss or deterioration of

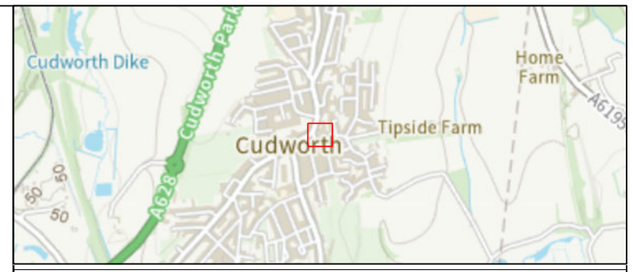
irreplaceable habitats (such as ancient woodland)' unless there are 'wholly exceptional reasons and a suitable mitigation strategy exists'.

Local Biodiversity Action Plans

The HPI/SPI list included on Section 41 of the NERC Act 2006 is supported by a series of Local Biodiversity Action Plans (LBAPs), usually set up on a local authority local authority administrative boundary basis. Each LBAP identifies those habitats and species considered to be most important in that area (usually referred to as priority habitats and species). Commonly, an LBAP will identify a number of habitats and species for which "action plans" have been prepared.

Appendix 3. UK Habitat Classification Plan





Survey Information	
	Site boundary (983.7m²)
UK Habitat Survey (Primary Habitats)	
	u1b5 - Buildings (431.5m²)
	u1b6 - Other developed land (378.6m²)
	828 - Vegetated garden (173.6m²)

Source:
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N

0 2.5 5 10
Metres

PROJECT TITLE

BELLE GREEN COURT APARTMENTS

DRAWING TITLE

Figure 1. UK Habitat Survey Plan

VER	DATE	REMARKS	Drawn	Checked
1.0	02/04/24	UKHab	MP	GS

DRAWING NUMBER:

MIDDLETONBELLECOLOGY/BelleGreen/UKHab

SCALE	1:350	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG

Middleton Bell Ecology
33 Wilthorpe Road, Barnsley, South Yorkshire, S75 1JA
www.middletonbellecology.co.uk
T: 01226 286282

Appendix 4. Plant Species Recorded on Site

The plant species and their relative abundance within the habitats present on site are shown in Table A4.1 below.

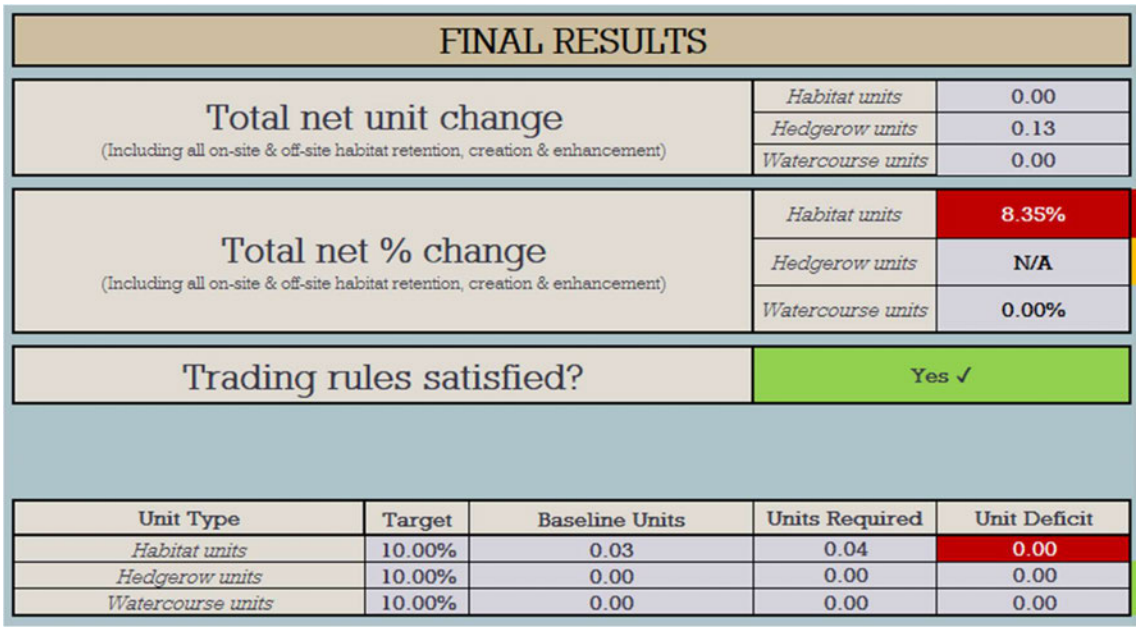
D = Dominant, **A** = Abundant, **F** = Frequent, **O** = Occasional, **R** = Rare

Table A4.1. Plant species recorded and their relative abundance

Common name	Latin name	u1 (828)
annual meadow grass	*Poa annua*	A
Yorkshire fog	*Holcus lanatus*	O
creeping bent	*Agrostis stolonifera*	O
cocksfoot	*Dactylis glomerata*	R
daisy	*Bellis perennis*	A
white clover	*Trifolium repens*	F
mouse-ear	*Cerastium spp.*	F
dandelion	*Taraxacum officinale*	O
columbine	*Aquilegia vulgaris*	O
fox and cubs	*Pilosella aurantiaca*	O
black medick	*Medicago lupulina*	O
Japanese thimbleweed	*Anemone hupehensis*	O
rose campion	*Silene coronaria*	O
common dog violet	*Viola riviniana*	O
smooth sowthistle	*Sonchus oleraceus*	R
ribwort plantain	*Plantago lanceolata*	R
creeping buttercup	*Ranunculus repens*	R
broad-leaved plantain	*Plantago major*	R
cleavers	*Galium aparine*	R
common field-speedwell	*Veronica persica*	R
chamomile	*Matricaria chamomilla*	R
springy turf moss	*Rhytidiadelphus squarrosus*	A
ivory jade wintercreeper	*Euonymus fortunei*	R
stag's horn sumach	*Rhus typhina*	R

Appendix 5. Biodiversity Net Gain Headline Results

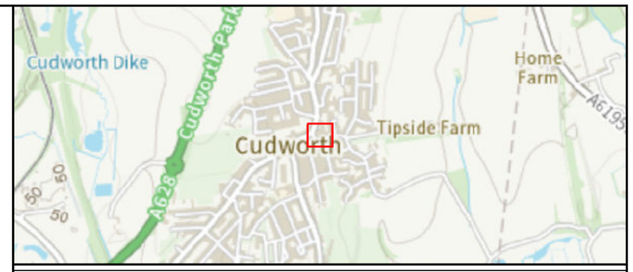
The Biodiversity Net Gain Final Results show a gain of no Habitat Units (a 8.35 % gain), and a gain of 0.13 hedgerow units (a 100 % gain).



FINAL RESULTS		
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	0.00
	Hedgerow units	0.13
	Watercourse units	0.00
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	*Habitat units*	8.35%
	Hedgerow units	N/A
	Watercourse units	0.00%
Trading rules satisfied?	Yes ✓	

Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.03	0.04	0.00
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.00	0.00	0.00

Appendix 6. Proposed Plan Shown Using The UK Habitat Classification System



Survey Information	
	Site boundary (983.7m²)
UK Habitat Survey (Primary Habitats)	
	u1b - Developed land; sealed surface (802.9m²)
	828 - Vegetated garden (180.8m²)
	h2a5 - Species-rich native hedgerow (33.5m)
	Target note

Target notes:

1 - 14m² of balcony planters

N

0 2.5 5 10
Metres

PROJECT TITLE

BELLE GREEN COURT APARTMENTS

DRAWING TITLE

Figure 2. Proposed Habitat Plan

VER	DATE	REMARKS	Drawn	Checked
1.1	24/04/24	Proposed	MP	GS

DRAWING NUMBER:
MIDDLETONBELLECOLOGY/BelleGreen/Proposed

SCALE	1:350	PLOT SIZE	A3	DATUM	OSGB	PROJECTION	BNG

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