

# Belle Green Court Care Home Extension, Cudworth

## Ecological Impact Assessment

16<sup>th</sup> May 2024



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## Contents

1. Summary .....	4
2. Introduction .....	5
3. Site Description.....	5
4. Methodology .....	6
5. Ecological Baseline.....	8
6. Assessment .....	16
7. References .....	18
Appendix 1. Proposed Plan.....	19
Appendix 2. Relevant Legislation and Planning Policy.....	20
Appendix 3. UK Habitat Classification Plan.....	23
Appendix 4. Plant Species Recorded on Site.....	24
Appendix 5. Biodiversity Net Gain Headline Results .....	25
Appendix 6. Proposed Plan Shown Using The UK Habitat Classification System ...	26

<b>Site Name</b> Belle Green Court Care Home	
<b>Local Authority</b> Barnsley Metropolitan Borough Council	<b>Grid Reference</b> SE 38957 09287
<b>Surveyor</b> Greg Slack MCIEEM	<b>Date of Survey</b> 04/04/2024
<b>Soilscape</b> Slowly permeable seasonally wet acid loamy and clayey soils.	<b>Designation of Site</b> None

**UK Habitat Classification habitats on Site**

Habitats: h2b – non-native and ornamental hedgerow; u1b5 – buildings; u1b6 – other developed land; u1 – built-up areas and gardens.

Secondary codes: 33, line of trees, and 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 (EclA) covers the demolition of a cinema and the extension and remodelling of an existing care home. The EclA was commissioned on 8<sup>th</sup> May 2024. The proposed layout is shown in Appendix 1. This assessment is informed by previous survey work. This comprised a bat survey completed in January 2024, and a survey of the area, and an adjacent plot to the southwest, which also informed a separate EclA. The separate EclA was for a planning application for the construction of 12 apartments. The red line boundary was approximately 0.33 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, the existing care home which dated from 1998, and an area of garden and car parking. Two tree lines were present within the garden of the care home, one to the east of the old cinema building at the southern end of the site, and a second which was located along the western site boundary.
- 1.1.3 The garden habitat, treelines, and populations of birds, bats, and common invertebrate species which used the site were considered likely to be of site level importance.
- 1.1.4 The likely unmitigated impacts of the development were considered to comprise:
- The loss, and replacement of areas of vegetated garden.
  - The loss of a non-native tree line at the southern end of the site and the creation of a new similar length of native hedgerow (a net gain of approximately 7 m of hedgerow) along the northern site boundary.
  - Increased lighting affecting nocturnal species such as bats, and nocturnal invertebrates.
  - The potential loss of active birds' nests.
  - Biosecurity risks as a result of bringing in plants, seeds and soil for landscaping.
- 1.1.5 Mitigation measures proposed comprise:
- Planting native nectar and fruit rich species – including at least two small fruit trees.
  - The new hedgerow will comprise native species rich hedgerow plants of British provenance.
  - Measures to mitigate the impact of additional outside lighting.
- 1.1.6 Enhancement measures have also been added comprising recommendations for hedgerow cutting, and the installation of a bat box, swift brick, and solitary bee brick.
- 1.1.7 With the proposed mitigation measures, the development is projected to result in a net gain of between 0 and 0.01 Habitat Units (a 0.94 % gain), and 0.09 Hedgerow Units (a 39 % gain).
- 1.1.8 The results of this survey and report are considered to be valid for a period of 24 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 (EclA) covers the demolition of a cinema and the extension and remodelling of an existing care home. The EclA was commissioned by the architect Paul Ingle on behalf of the client Gurjeevan Shergill on 8<sup>th</sup> May 2024. The proposed layout is shown in Appendix 1. This assessment is informed by previous survey work. This comprised a bat survey completed in January 2024, and a survey of the area, and an adjacent plot to the southwest, which also informed a separate EclA. The separate EclA was for a planning application for the construction of 12 apartments. The previous surveys are reported in MBE (2024a), and MBE (2024b).
- 2.1.2 The red line boundary was approximately 0.33 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, the existing care home which dated from 1998, and an area of garden and car parking. Two tree lines were present within the garden of the care home, one to the east of the old cinema building at the southern end of the site, and a second which was located along the western site boundary. 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 Soilscape resource<sup>1</sup> 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 4<sup>th</sup> 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

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<sup>1</sup> <http://www.landis.org.uk/soilscape/> [accessed 13<sup>th</sup> February 2024]

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) 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 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. The garden habitat and species populations of which used the site were considered to be of no more than site level importance.

### 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 <i>Botaurus stellaris</i> and kingfisher <i>Alcedo atthis</i> . 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), the existing care home (Plate 2), and a formal garden which surrounded the care home (Plate 3). A hard standing car parking area was present in the southeast corner of the site (Plate 4).

**Plate 1. The old cinema viewed from the southeast**



**Plate 2. Part of the existing care home, viewed from the southwest**



**Plate 3. Part of the formal garden and care home viewed from the west**



**Plate 4. The care home and car park viewed from the southeast**



- 5.3.2 The arrangement of site habitats is shown on the UK Habitat plan in Appendix 3, whilst a list of the 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.

h2b – non-native and ornamental hedgerow (Secondary Code 33 line of trees)

- 5.3.4 One tree line (H1) was present along the western site boundary and one hedgerow (H2) was located to the east of the old cinema building. H1 was considered a hedgerow rather than a tree line and is described in the section below. H2 was also a hedgerow as, although the line of shrubs which were originally planted have grown into trees, the base of their leafy canopy remains less than 2 m from the ground (UKHab, 2023).
- 5.3.5 Hedgerow H2 was a c. 24 m long line of Leyland cypress adjacent to the old cinema building (Plate 4 and 5). The tree line was considered to be in poor condition, passing only two of the condition criteria<sup>2</sup> (DEFRA, 2023).

<sup>2</sup> The criteria passed comprised B – tree canopy cover is predominantly continuous, and E – At least 95 % of trees are in a healthy condition.

**Plate 5. Leyland cypress hedge adjacent to the cinema**



u1 – built up areas and gardens (secondary code: 33 line of trees)

- 5.3.6 H1 was a tree line approximately 55 m long comprising cherry *Prunus* spp. and birch *Betula* spp. trees, and a single ash *Fraxinus excelsior* tree. The tree line was considered to be in moderate condition passing three of the five condition criteria<sup>3</sup> (DEFRA, 2023).

**Plate 6. H1 and the western site boundary viewed from the south**



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

- 5.3.7 The area around the care home, particularly to the north, and west comprised vegetated garden. It included areas of lawn, planting beds, shrubs and small

<sup>3</sup> The criteria passed comprised A – 70 % of trees must be native species, B – tree canopy cover is predominantly continuous, and E – At least 95 % of trees are in a healthy condition.

trees (Plate 2 and 3).

- 5.3.8 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*.
- 5.3.9 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* and 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.
- 5.3.10 The shrubs were identified as ivory jade wintercreeper *Euonymus fortunei* and cypress trees *Cupressus* sp..
- 5.3.11 No condition assessment is applicable to this habitat type.

u1b5 – buildings

- 5.3.12 The care home (B1) was located in the northern part of the site. Together with the old cinema building, the care home was the subject of a bat inspection undertaken in January 2024. The care home was described as a 'J' shaped brick-built building with a multi-pitched roof. The roof was hipped at the southeast, and northeast corners and had gables at the two western ends. The roof was covered with interlocking concrete tiles. Valleys were lined with lead. Soffit boxes were present, they included a ventilation strip along the outer edge of the base which was lined with insect mesh.
- 5.3.13 Approximately one third of the old cinema (B2) was within the red line boundary present at the southern end of the site (Plate 1 and 7). The cinema 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 about both buildings is included in the bat survey report (MBE, 2024a).
- 5.3.14 No condition assessment is applicable for this habitat type.

**Plate 7. The façade of the cinema viewed from the road to the southwest of the site**



U1b6 – other developed land

5.3.15 Other developed land within the survey area comprised a parking area in the southeast corner of the site in front of the care home (Plate 4) as well as footpath, and a patio in the centre of the site which was surrounded by the care home building on three sides.

5.3.16 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), and the grassland areas of the site were relatively sealed off with walls and fences (Plate 8), it is considered very unlikely that badgers would make use of the site.

**Plate 8. The fencing at the western edge of the vegetated garden**



#### 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 8). On this basis it is considered unlikely that hedgehogs use the site.

#### 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. None of the trees present within the survey area had 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 tree lines, shrubs and the cinema building were considered suitable for use by nesting birds.

#### Amphibians

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

5.4.10 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

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

Value of habitats and species

5.4.12 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
h2b – non-native and ornamental hedgerows	Site
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, and the loss of H2. As part of the proposals however a new 30 m hedgerow will be created along the northern boundary, and there will be a very small increase in the area of vegetated garden (a net increase of c. 13 m<sup>2</sup>). 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 areas of vegetated garden.
  - The loss of a non-native tree line at the southern end of the site and the creation of a new similar length of native hedgerow (a net gain of approximately 7 m of hedgerow) along the northern site boundary.
  - Increased lighting affecting nocturnal species such as bats, and nocturnal invertebrates.
  - The potential loss of active birds' nests.
  - Biosecurity risks as a result of bringing in plants, seeds and soil for landscaping.

### 6.3 Mitigation and Enhancement Measures

#### Habitat creation

- 6.3.1 The areas of planting within the vegetated garden should comprise native UK species, and/or nectar and fruit rich species. This should include at least two small fruit trees on dwarfing root stocks.
- 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<sup>4</sup>.
- 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, the extension will incorporate one bird box, one bat box and one bee brick (BMBC, 2024). The birdbox should comprise a swift brick such as an S Brick (or similar) (Plate 9). The bat box proposed is a Vivara Pro UK build in bat box (or similar)

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<sup>4</sup> <https://www.miresbeck.co.uk/our-trees-and-plants/cell-grown-tree-varieties/>

(Plate 10)<sup>5</sup>. Bat and bird boxes should not be installed at wall top height but not immediately above windows, doorways or balconies.

- 6.3.5 The solitary bee brick<sup>6</sup> (Plate 11) should be located at a height of at least 1 m, ideally in an area close to nectar and pollen sources.

**Plate 9, 10 & 11. 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 should be set at a relatively low level (ideally 4 m or less) and 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 less than 0.01 Habitat Units (a 0.94 % net gain) and 0.09 Hedgerow Units (a 39 % net gain).

**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 with as much of the vegetation retained as possible.
- 6.5.2 Given that the landscaping scheme cannot be adjusted sufficiently to achieve a 10% net gain on site, then off-site compensation should be sought. In total just 0.02 habitat units would be required in order to achieve a 10 % net gain.

<sup>5</sup> Available from: [https://www.nhbs.com/vivara-pro-build-in-woodstone-bat-box?bkfno=252139&ca\\_id=1495&adlocale=uk&qad\\_source=1&qclid=CjwKCAjwuJ2xBhA3EiwAMVjkVlz\\_1MXqBlaKqhbSEhatySdizdd7Mgr\\_I m2kDjdQW47XX7ecIT7XxoCmRQQAvD\\_BwE](https://www.nhbs.com/vivara-pro-build-in-woodstone-bat-box?bkfno=252139&ca_id=1495&adlocale=uk&qad_source=1&qclid=CjwKCAjwuJ2xBhA3EiwAMVjkVlz_1MXqBlaKqhbSEhatySdizdd7Mgr_I m2kDjdQW47XX7ecIT7XxoCmRQQAvD_BwE)

<sup>6</sup> Available from: <https://www.nhbs.com/bee-brick?bkfno=244140>

- 6.5.3 Although the scheme cannot achieve a genuine net gain in the biodiversity value of the site on its own, if the 0.02 habitat units of offsite compensation are implemented, together with the onsite hedgerow planting, the proposed scheme would result in a small biodiversity net gain.
- 6.5.4 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, 2<sup>nd</sup> 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 (2024a) MBE BAT 2023 126 01 *Belle Green Court Care Home – Bat Survey*. Middleton Bell Ecology Ltd.

MBE (2024b) MBE ECO 2024 011 01 *Belle Green Court Apartments Cudworth – EclA*. Middleton 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](http://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 (which includes the site of the 12 apartments which will be subject to a separate EclA and BNG assessment)



## 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)	<p>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:</p> <ul style="list-style-type: none"> <li>• Intentionally or deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs.</li> <li>• Deliberately disturb such an animal.</li> <li>• Damage or destroy a breeding site or resting place of such an animal.</li> </ul> <p>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:</p> <ul style="list-style-type: none"> <li>• The development is for reasons of overriding public interest.</li> <li>• There is no satisfactory alternative; and</li> <li>• The favourable conservation status of the species concerned will be maintained and/or enhanced.</li> </ul>

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: <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any such animal.</li> <li>• Intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any such animal; and</li> <li>• Intentionally or recklessly disturb such animals while they occupy a place used for shelter or protection.</li> </ul>
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: <ul style="list-style-type: none"> <li>• Intentionally kill, injure or take any wild bird.</li> <li>• Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.</li> </ul>
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.

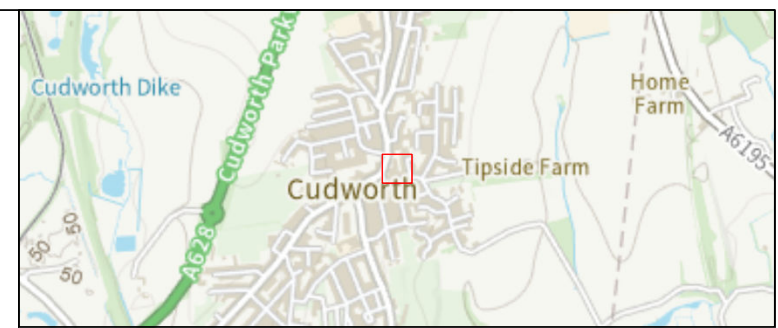
### National Planning Policy Framework

The National Planning Policy Framework for England was revised in 2023. This document states that plans should 'promote the conservation, restoration and enhancement 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'.

### **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 (3,331.7m <sup>2</sup> )
UK Habitat Survey (Primary Habitats)	
	u1b5 - Buildings (1,340.9m <sup>2</sup> )
	u1b6 - Other developed land (997.6m <sup>2</sup> )
	828 - Vegetated garden (993.2m <sup>2</sup> )
	h2b - Non-native and ornamental hedgerow (23.9m)
	33 - Line of trees (54.9m)

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PROJECT TITLE  
***BELLE GREEN COURT CARE HOME***

DRAWING TITLE  
**Figure 1. UK Habitat Survey Plan**

VER	DATE	REMARKS	Drawn	Checked
1.1	20/05/24	UKHab	MP	GS

DRAWING NUMBER:  
**MIDDLETONBELLECOLOGY/BelleGreenCH/UKHab**

SCALE	PLOT SIZE	DATUM	OSGB	PROJECTION	BNG
1:350	A3	OSGB	OSGB	BNG	BNG

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## 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**

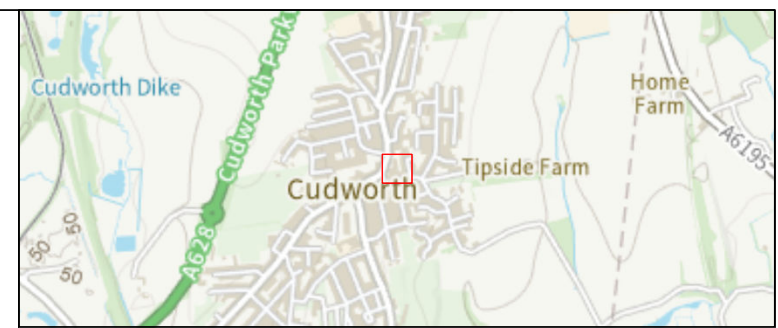
Common name	Latin name	h2b	u1 (828)
annual meadow grass	<i>Poa annua</i>		A
Yorkshire fog	<i>Holcus lanatus</i>		O
creeping bent	<i>Agrostis stolonifera</i>		O
cocksfoot	<i>Dactylis glomerata</i>		R
daisy	<i>Bellis perennis</i>		A
white clover	<i>Trifolium repens</i>		F
mouse-ear	<i>Cerastium spp.</i>		F
dandelion	<i>Taraxacum officinale</i>		O
columbine	<i>Aquilegia vulgaris</i>		O
fox and cubs	<i>Pilosella aurantiaca</i>		O
black medick	<i>Medicago lupulina</i>		O
Japanese thimbleweed	<i>Anemone hupehensis</i>		O
rose campion	<i>Silene coronaria</i>		O
common dog violet	<i>Viola riviniana</i>		O
smooth sowthistle	<i>Sonchus oleraceus</i>		R
ribwort plantain	<i>Plantago lanceolata</i>		R
creeping buttercup	<i>Ranunculus repens</i>		R
broad-leaved plantain	<i>Plantago major</i>		R
cleavers	<i>Galium aparine</i>		R
common field-speedwell	<i>Veronica persica</i>		R
chamomile	<i>Matricaria chamomilla</i>		R
springy turf moss	<i>Rhytidiadelphus squarrosus</i>		A
ivory jade wintercreeper	<i>Euonymus fortunei</i>		R
cypress sp.	<i>Cupressus sp.</i>		R
Leyland cypress	<i>Cupressus × leylandii</i>	D	
ash	<i>Fraxinus excelsior</i>	R	
cherry sp.	<i>Prunus sp.</i>	O	
birch sp.	<i>Betula sp.</i>	O	







## Appendix 5. Biodiversity Net Gain Headline Results

The Biodiversity Net Gain Final Results show a gain of less than 0.01 Habitat Units (a 0.94 % gain), and a gain of 0.09 hedgerow units (a 38.85 % gain).

FINAL RESULTS				
<b>Total net unit change</b> (Including all on-site & off-site habitat retention, creation & enhancement)		<i>Habitat units</i>	0.00	
		<i>Hedgerow units</i>	0.09	
		<i>Watercourse units</i>	0.00	
<b>Total net % change</b> (Including all on-site & off-site habitat retention, creation & enhancement)		<i>Habitat units</i>	0.94%	
		<i>Hedgerow units</i>	38.85%	
		<i>Watercourse units</i>	0.00%	
<b>Trading rules satisfied?</b>		Yes ✓		
Unit Type	Target	Baseline Units	Units Required	Unit Deficit
<i>Habitat units</i>	10.00%	0.20	0.22	0.02
<i>Hedgerow units</i>	10.00%	0.24	0.27	0.00
<i>Watercourse units</i>	10.00%	0.00	0.00	0.00

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



Survey Information	
	Site boundary (3,331.7m <sup>2</sup> )
UK Habitat Survey (Primary Habitats)	
	u1b5 - Buildings (1,384.6m <sup>2</sup> )
	u1b6 - Other developed land (940.6m <sup>2</sup> )
	828 - Vegetated garden (1,006.5m <sup>2</sup> )
	h2a - Native hedgerow (30.7m)
	33 - Line of trees (54.9m)

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PROJECT TITLE  
***BELLE GREEN COURT CARE HOME***

DRAWING TITLE  
**Figure 2. Proposed Habitat Plan**

VER	DATE	REMARKS	Drawn	Checked
1.1	20/05/24	Proposed	MP	GS

DRAWING NUMBER:  
**MIDDLETONBELLECOLOGY/BelleGreenCH/Proposed**

SCALE	PLOT SIZE	DATUM	OSGB	PROJECTION
1:350	A3	OSGB	BNG	BNG

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