



BNG EXMPTION – PASSING PLACES

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Biodiversity Net Gain: Considerations and application of exemptions

Planning Application: 3/2025/0357

Introduction

Ribble Rivers Trust is a conservation charity delivering catchment conservation projects across the Ribble, Hodder, Calder, Darwen and Douglas catchments. These projects involve a wider range of activities, including woodland creation through to weir removal. All of the Trust's projects aim to enhance all habitat, and in particular improve rivers through better habitat, and improved water quality & quantity. Some of the conservation activities undertaken by RRT require planning permission, and as such we are required to consider Biodiversity Net Gain implications and requirements.

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

As Ribble Rivers Trust (RRT) are submitting a planning application in respect of the a change of use for Horrocksford Old Hall Farm House, including additions to an existing planning application for an access road to the Farm (the changes being the creation of two passing places), and as such are considered a developer.

In England, BNG is mandatory under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#).

Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

In consideration of the planning application, RRT have consider the BNG Exemptions owing to the small area of land being used for, 2 number, passing places.

Exemptions

With regard our BNG requirements, we have considered whether it is exempt on the basis of being a "Development below the threshold".

Developments below the threshold are developments that do not impact a priority habitat and impacts less than:

- 25 square metres of on-site non-priority habitat
- 5 metres of on-site linear habitats such as hedgerows

This is defined as “De minimis exemption”, as defined in The Biodiversity Gain Requirements (Exemptions) Regulations 2024

<https://www.legislation.gov.uk/ukxi/2024/47/regulation/4/made>

De minimis exemption 4.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.

(2) The first condition is that the development does not impact a priority habitat.

(3) The second condition is that the development impacts—

*(a) less than 25 square metres of habitat that has biodiversity value**(b)** greater than zero; and*

b) less than 5 metres in length of linear habitat.

(4) For the purposes of this regulation—

(a) “priority habitat” means a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006(c);

(b) a habitat is impacted where the habitat is lost or degraded such that there is a decrease in the biodiversity value of that habitat;

(c) “linear habitat” means the types of hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric

(d) (which are measured by length (expressed in kilometres) rather than area).

Importantly the definition of biodiversity value is given here: [\(b\) See paragraph 3 of Schedule 7A to the Town and Country Planning Act 1990 for the definition of “biodiversity value”](#)

“References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric.”

De-minimis exemption assessment

Habitat

The location for the proposed passing places was assessed on the 26th of June 2025, it was identified that the habitat is modified grassland in poor or moderate condition. AS such this is not a priority habitat.



Figure 1. Passing Place 1



Figure 2. Passing place 2.

Area of habitat impacted

The passing places are 8.3m long, and 1.9m wide for 4.5m, with tapered entries and exits (see drawing 1200-D026(P2)). As such the areas are:

$$4.5 \times 1.9 = 8.55$$

$$3.8 \times 1.9 / 2 = 3.61$$

$$8.55 + 3.61 = 12.16\text{m}^2$$

There will be two passing places, so the amount of habitat lost from the passing places is :

$$12.16\text{m}^2 \times 2 = 24.32\text{m}^2$$

As such the proposed passing places are within the area of land which qualifies the application for an exemption.

