

Prepared for R.V.B.C

Biodiversity Net Gain

14 Lancaster Drive,
Clitheroe, Lancashire,
BB7 2PD

BIODIVERSITY NET GAIN

WHAT IS IT?

Biodiversity net gain is the term used to describe the process of increasing the overall biodiversity value of a development site. The 'net gain' in particular means that the development site enhances the biodiversity value, rather than decreasing it. Biodiversity net gain can be achieved both onsite and offsite depending on a case by case basis.

WHY IS IT IMPORTANT?

Biodiversity net gain has come into law to help preserve and protect key habitats going forward. By making BNG mandatory by law, the government can take vital steps to ensure habitats and environments are protected and nurtured for years to come.

WHAT DOES IT MEAN FOR ME?

The Environment Act dictates that almost all new developments must ensure they increase the biodiversity value of the site by at least 10%, meaning that developers and landowners need to seriously consider the biodiversity value of a site and how this will be affected.



What is BioDiversity Net Gain?

Biodiversity Net Gain (BNG) is a regulatory approach in England requiring most new developments to leave the natural environment in a **measurably better state** than before. [GOV.UK+2GOV.UK+2](#)

In short: if you develop land, you must account for any harm to wildlife habitats and then go beyond simply “no net loss” to achieve a net uplift in biodiversity.

Key Features:

- The requirement: deliver at least **10% gain** in biodiversity units relative to the pre-development baseline. [GOV.UK+1](#)
- Use a statutory metric (habitat type, quality, location) to calculate “biodiversity units” before and after. [GOV.UK+1](#)
- Developers should follow a hierarchy: **avoid** biodiversity loss, then **mitigate**, then **compensate**. Compensation (e.g., off-site habitat creation or buying credits) is last resort. [CIEEM](#)
- Gains must be secured for a long term (typically 30 years) via legal agreements. [GOV.UK+1](#)
- Delivery can happen:
 - On-site (within the development boundary)
 - Off-site (in another location)
 - Or via statutory biodiversity credits (when other options aren’t sufficient)

Why it matters:

- It responds to the biodiversity crisis: habitats and species are under pressure, and “business as usual” development often erodes nature. BNG shifts the emphasis from merely avoiding harm toward providing **positive** outcomes. [CIEEM+1](#)
- It aligns with broader environmental goals: climate resilience, ecosystem services (flood mitigation, clean air/water), nature-based solutions. [UKGBC+1](#)
- For developers, it becomes a **planning condition** in England: from February 2024 the mandatory requirement began for many developments.

Where it applies & scope:

- It applies in England under the Environment Act 2021 (via amendment to the Town and Country Planning Act 1990). [GOV.UK+1](#)
- Many new major developments from February 2024 had to comply; smaller sites follow in later phases.

Challenges & Caveats & Exceptions:

- **Measurement complexity:** Calculating habitat value accurately requires ecologists and robust data; risk of inconsistent application.
- **Enforcement & monitoring:** Ensuring the promised gains materialise over 30 years is a long haul.
- **Location and strategic fit:** Some risk that off-site gains may be disconnected from local biodiversity priorities or landscape connectivity.
- **Irreplaceable habitats:** Some habitats cannot easily be replicated; special protection is required.

“De minimus Exception”

Under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, there is a specific exemption (“de minimis”) by which the requirement to deliver a 10% biodiversity net gain **does not apply** if certain conditions are met. [Defra Environment Blog+3legislation.gov.uk+3GOV.UK+3](#)

In brief:

- The site must **not impact a “priority habitat”** (i.e., a habitat listed under section 41 of the Natural Environment & Rural Communities Act 2006) in its red-line area. [Ribble Valley Borough Council+2Defra Environment Blog+2](#)
- The total on-site habitat impacted must be **less than 25 square metres** (i.e., <25 m²) *and* any linear habitat (e.g., a hedgerow or watercourse) impacted must be **less than 5 metres in length**. [GOV.UK+2Planning Insight+2](#)
- If both of those conditions are met, the development may claim the exemption, meaning the full 10% biodiversity net gain requirement is *not triggered*. [GOV.UK+1](#)

clarifications:

- “Impact” means the loss or degradation of habitat such that there is a **decrease** in the biodiversity value of that habitat. [Ribble Valley Borough Council+1](#)
- Even though the exemption applies, some minimal information may still need to be submitted (for validation) to show that the thresholds are met and no priority habitat is affected. [Local Government Association](#)

1. Terrestrial & Freshwater Habitats (General):

1. Arable field margins - No
2. Traditional orchards - No
3. Hedgerows - No
4. Upland oak woods - No
5. Lowland beech and yew woodland - No
6. Lowland mixed deciduous woodland - No
7. Upland mixed ash woods - No
8. Wet woodland - No
9. Upland birch woods - No
10. Native pine woodlands - No
11. Lowland dry acid grassland - No
12. Lowland calcareous grassland - No
13. Upland calcareous grassland - No
14. Lowland meadows - No
15. Upland hay meadows - No
16. Lowland heathland - No
17. Upland heathland - No
18. Acid grassland (note: sometimes grouped) - No
19. Dwarf shrub heath - No
20. Coastal & floodplain grazing marsh - No
21. Purple moor-grass and rush pastures - No
22. Blanket bog - No
23. Lowland raised bog - No
24. Upland flushes, fens and swamps - No
25. Lowland fens - No
26. Reed beds - No
27. Oligotrophic and dystrophic lakes - No
28. Mesotrophic lakes - No
29. Eutrophic standing waters - No

30. Ponds - No
31. Rivers - No
32. Aquifer-fed naturally fluctuating water bodies - No

2. Coastal, Marine and Other Habitats:

33. Coastal salt marsh - No
34. Coastal sand dunes - No
35. Coastal vegetated shingle - No
36. Maritime cliffs and slopes - No
37. Saline lagoons - No
38. Estuarine rocky habitats - No
39. Deep-sea sponge communities - No
40. Cold-water coral reefs - No
41. Seagrass beds - No
42. Intertidal mudflats - No
43. Intertidal sands and muds - No
44. Sub-tidal sands and gravels - No
45. Sub-tidal muds - No
46. Oceanic deep sea bed - No
47. Kelp beds - No
48. Reefs - No
49. Sea caves - No
50. Sea-lochs (or sea inlets) - No

3. Other Specific Habitat Types:

51. Limestone pavements - No
52. Calaminarian grasslands (metal-rich soils) - No
53. Uplands upland heath/wood pasture/parkland (often cross-referenced) - No
54. Wood-pasture & parkland - No
55. Machair - No
56. Priority open habitats (such as pétal pools, rock ledges etc) - No

Hedgerow Definition:

Hedgerows:

The definition of this priority habitat has been amended from the pre-existing Habitat Action Plan for ancient and/or species-rich hedgerows (<https://webarchive.nationalarchives.gov.uk/20110303150113/http://www.ukbap.org.uk/UKPlans.aspx?ID=7>).

A hedgerow is defined as any boundary line of trees or shrubs **over 20m long and less than 5m wide**, and where any gaps between the trees or shrub species are less than 20m wide (Bickmore, 2002).

Any bank, wall, ditch or tree within 2m of the centre of the hedgerow is considered to be part of the hedgerow habitat, as is the herbaceous vegetation within 2m of the centre of the hedgerow.

All hedgerows consisting predominantly (i.e. 80% or more cover) of at least one woody UK native species are covered by this priority habitat, where each UK country can define the list of woody species native to their respective country.

Climbers such as honeysuckle and bramble are recognised as integral to many hedgerows, however they require other woody plants to be present to form a distinct woody boundary feature, as such they are not included in the definition of woody species.

The definition is limited to boundary lines of trees or shrubs, and excludes banks or walls without woody shrubs on top of them. Based on an analysis of Countryside Survey data, using the threshold of at least 80% cover of any UK native woody species, it is estimated that 84% of countryside hedgerows in GB would be included.

References:

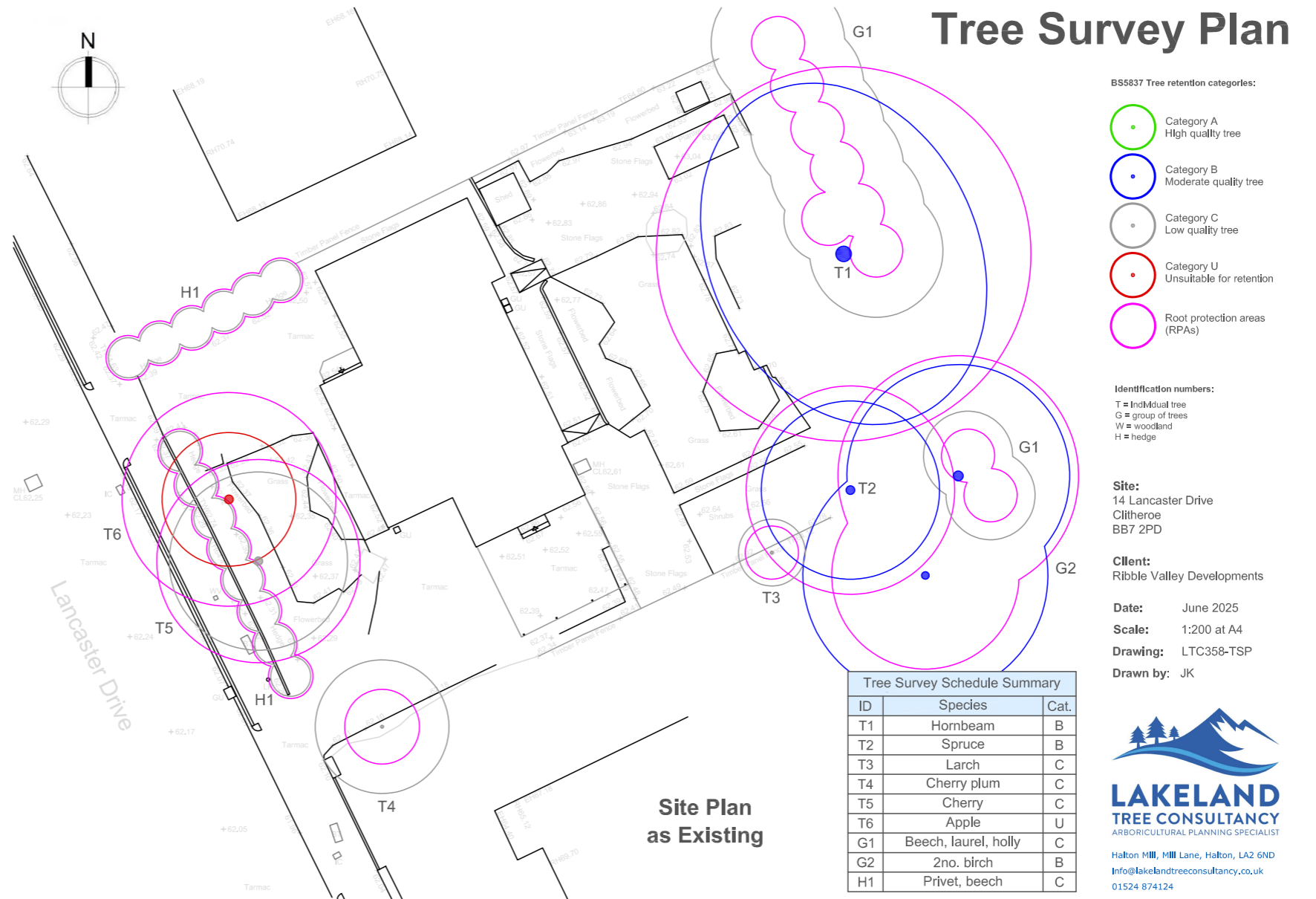
Bickmore, C.J. (2002) Hedgerow survey handbook: a standard procedure for local surveys in the UK. London, DEFRA.

<https://data.jncc.gov.uk/data/ca179c55-3e9d-4e95-abd9-4edb2347c3b6/UKBAP-BAPHabitats-17-Hedgerows.pdf>

Hedgerow Survey:

As shown in the adjacent scale drawing, none of the shrubs or bushes extend past the 20 linear meter threshold and therefore do not incur or activate the policy in question.

Furthermore, this diagram, when considered with the proposed extensions shows that none of the root protection zones of existing trees will be violated either.



Summery Of Evidence:

Summary of Evidence: Exemption from Biodiversity Net Gain (BNG) Requirements – 14 Lancaster Drive

The proposed development of **14 Lancaster Drive**, effectively a remodelling of an existing dwelling house, is exempt from the mandatory biodiversity net gain (BNG) requirement. The evidence that supports this exemption is as follows:

1. Absence of ecological habitat or species on site:

- The development site comprises of existing garden area to a dwelling house, with the area of works entirely located on existing sealed surfaces (tarmacadam, 150 mm concrete, decorative flagging on concrete bed)
- No natural habitat, priority habitat, or protected species have been identified within the red-line boundary of the site.
- Because the surfaces are hardstanding and sealed, they score effectively zero in the statutory biodiversity metric for measuring biodiversity value. Accordingly, the site presents no measurable biodiversity value pre-development.

2. Site size and nature of works fall within the “de minimis” / household exemption:

- Under guidance from Department for Environment, Food & Rural Affairs (DEFRA) and related regulation, small developments which impact no more than 25 m² of non-priority habitat (or 5 m of linear habitat) and do not affect priority habitat may be exempt from the biodiversity gain condition.
- Additionally, “householder applications” (i.e., development to an existing house, including within the curtilage of a house) are listed as exempt from the formal BNG requirement.

- Given the small scale of the plot, the absence of habitat, and the fact the development adjoins an existing dwelling house (i.e., is a householder-type application upscaled for works to the roof), the site falls squarely within the exemption criteria.

3. No loss of habitat or measurable biodiversity value:

- Because the area to be developed is existing sealed surface and has no existing natural habitat, the development does **not** reduce biodiversity value.
- Since the baseline value is zero (or extremely low), the requirement to achieve a measurable net gain (10% uplift) is not triggered in practice because there is no habitat being lost or replaced.

4. Regulatory framework supports exemption:

- The statutory basis of BNG is set out under Environment Act 2021 (Schedule 14) and associated regulations, including the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- The exemptions guidance confirms that where a development is “householder in nature”, or impacts only very small amounts of non-priority habitat, the biodiversity gain condition does not apply.





Conclusion:

The proposed development at 14 Lancaster Drive is considered exempt from the mandatory Biodiversity Net Gain (BNG) requirements on the basis that it constitutes a householder-scale project, primarily involving the remodelling and alteration of an existing dwelling house. The development does not result in the creation of any additional land take or the loss of any natural or semi-natural habitat.

The application site is extremely limited in size and comprises entirely existing sealed hardstanding and built form, as evidenced in the photographic documentation submitted. The approximate extent and position of the proposed elevations are delineated by a red dotted line on the accompanying imagery, clearly demonstrating that all works are contained within the footprint of existing developed land or hardstandings.

The Planning Officer has confirmed that it was solely the nature of the proposed roof works that elevated the classification of the scheme from a “householder application” to a “new build,” thereby technically triggering the requirement for consideration under the BNG framework. However, this administrative distinction does not alter the physical characteristics of the site or the ecological baseline, which remains of negligible or zero biodiversity value.

An Ecology Report has already been submitted in support of the application. This report includes a thorough assessment of potential species use of the roof space and confirms the absence of any nesting birds, roosting bats, or other protected species.

Accordingly, there is no measurable biodiversity value within the red-line boundary and therefore no habitat loss requiring compensation or offsetting. As outlined in the previously demonstrated policy, none of the hedgerows are more than 20 meters in length and should be excluded from the calculation.

In conclusion, the development at 14 Lancaster Drive represents the refurbishment and enhancement of an existing domestic property on an entirely developed site, with no impact on biodiversity or natural habitats. On this basis, the proposal is appropriately considered exempt from the mandatory Biodiversity Net Gain requirements under the Environment Act 2021.