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Lee McGregor
LMC Architecture
Sent by email to lee.mcgregor@hotmail.co.uk

ERAP (Consultant Ecologists) Ltd ref: 2026-074

21st April 2026

Dear Lee,

RE: Biodiversity Net Gain (BNG) Assessment at 69 King Street, Whalley BB7 9TH

Further to our recent correspondence and my site visit on 1st April 2026 I have prepared this letter in relation to the required assessment of Biodiversity Net Gain relevant to the planning application at the above site.

A planning application for the extension of the property at 69 King Street, Whalley to form a bakery business has been submitted to Ribble Valley Borough Council.

In consideration of the following question at Section 9 of *Application Form for Planning Permission. Town and Country Planning Act 1990*[1]:

'Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)) would apply?'

It is advised that the answer is 'no' and the *de minimis* exemption for Biodiversity Net Gain (BNG) will apply at the site in accordance with *The Biodiversity Gain Requirements (Exemptions) Regulations 2024* (gov.uk, 2024) and the evidence / statements given below.

Surveyor, Survey Date and Conditions

The site was surveyed by Victoria Burrows B.Sc. (Hons) M.Sc. CEnv MCIEEM on 1st April 2026. The weather conditions were dry and overcast with a light air (Beaufort scale 1) and an air temperature of 9°C.

Survey Methods

The baseline conditions at the site were determined with reference to *The UK Habitat Classification Version 2.0* (UKHab Ltd, 2023). The UKHab has been designed to function at two scales: fine scale (25m^2 or 5 metres length) and large scale (400m^2 or 20m^2 length). It has been considered for the purposes of this survey (where the UKHab has been used to inform the BNG calculation of a relatively small area) that a finer scale of 5m^2 is appropriate for the classification of habitats.

On site habitat mapping was assisted via use of GPS technology and ESRI World Imagery using the *Existing Site Plan* (drawing 2456-SP-01 A) (LMC Architecture Limited, 2025) as a baseplan. The baseplan was provided to

[1] *Application for Planning Permission. Town and Country Planning Act 1990* (GOV.UK, 2024)

ERAP (Consultant Ecologists) Ltd as a .pdf file, which has been converted to a .dxf, inputted to QGIS and resized to match the *ERSI World Imagery*.

Each of the habitats within the site has been assessed in accordance with the UKHab to determine the habitat types present.

Where relevant, Condition Assessments for each of the habitats present within the site have been completed in accordance with *The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology* (Natural England, July 2025) and are appended to this letter (**Table 6**).

Results of Survey and Assessment

An aerial image of the site and surrounds in appended at **Figure 1**. A plan showing the baseline habitats present within the site is appended at **Figure 2**. A plan showing the post-intervention habitats proposed by the planning application is appended at **Figure 3**.

Photographs of the baseline conditions are appended at **Table 1**. **Tables 2** and **3**, appended, provide a summary of the baseline habitats present, their condition assessment result and their area within the site. The post-intervention conditions are presented at **Tables 4** and **5**, appended.

The survey of the baseline conditions and assessment of the proposals has confirmed the following:

a. The site comprises an existing building and outbuilding bordered by hardstanding which is either entirely devoid of vegetation or supports sparse ruderal herbs such as Dandelion, Wavy Bittercress and Herb-Robert growing in the cracks in the paving. North of the building is a paved and shaded garden area with flower beds of ornamental plants and introduced shrubs characterised by Wall Cotoneaster, Mahonia, Berberis, Euonymus, Rhododendron and ornamental conifers. Two trees are present and comprise an Ash (T1) and a Sawara Cypress (T2);

b. No irreplaceable habitat[2] or Priority Habitat is present at the site or will be adversely impacted by the proposals);

c. No linear habitats, such as hedgerows and watercourses are present or will be adversely impacted by the proposals;

d. There is no evidence of any unapproved habitat degradation;

e. The mitigation hierarchy has been applied and, based on the proposals, all habitats of medium distinctiveness (individual trees) will be retained by the proposals;

f. The habitats to be 'impacted'[3] to implement the proposals (namely the construction of the bin store to the north and the extension of the building to the west) comprise:

   - Habitat 1: Buildings = 0.0119 ha (119 m^2);
   - Habitat 2: Hardstanding = 0.0051 ha (51m^2);
   - Habitat 3: Introduced shrub / flower bed = 0.0006 ha (6m^2).

g. The area of Habitat 3: Introduced shrub / flower bed to be impacted is 6m^2 only;

h. None of the other habitats (Habitats 1 and 2) to be impacted at the site hold a value greater than '0' under the BNG Metric. The ruderal herbs such as Dandelion, Wavy Bittercress and Herb-Robert growing

[2] As defined by *The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024* (GOV.UK, 2023)

[3] In accordance with *The Biodiversity Gain Requirements (Exemptions) Regulations 2024* a habitat is 'impacted' where the habitat is lost or degraded such that there is a decrease in the biodiversity value of that habitat.

in the cracks in the hardstanding areas has a cover less than 10% and is classed as u1b5 other developed land; sealed surface in accordance with *The UK Habitat Classification Version 2.0* (UKHab Ltd, 2023).

The *de minimis* exemption is outlined with reference to *The Biodiversity Gain Requirements (Exemptions) Regulations 2024* below.

De minimis exemption:

'Development subject to the de minimis exemption. Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows.'[4]

And:

'It's worth remembering that existing sealed surfaces such as tarmac or buildings are assigned a zero score in the statutory biodiversity metric, meaning that these surfaces are effectively exempted from the 10% net gain requirement.'[5]

For completeness, an assessment of the site in relation to the relevant conditions presented within *The Biodiversity Gain Requirements (Exemptions) Regulations 2024* (gov.uk, 2024) is presented below.

Table 1: Assessment of the Site in Relation to the Relevant Conditions Relating to Exemption from BNG

The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions, as set out below:	
Condition	***Site Assessment***
The first condition is that the development does not impact an onsite priority habitat[(a)]	No Priority Habitat are present or will be adversely impacted by the site proposals.
The second condition is that the development impacts: (a) Less than 25 square metres of onsite habitat that has biodiversity value[(b)] greater than zero; and (b) Less than 5 metres in length of onsite linear habitat[(c)].	The area of Habitat 3: Introduced shrub / flower bed to be impacted covers an area of 6 square metres only. No other habitats to be impacted have a habitat value greater than zero. No linear habitats are present or will be adversely impacted by the site proposals.
[A]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*; (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 (which are measured by length (expressed in kilometres) rather than area)).	
[B]See paragraph 3 of *Schedule 7A to the Town and Country Planning Act 1990* for the definition of biodiversity value, which states: '*References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric*'	

Conclusion and Recommendations

Based on the above information it is advised that the *de minimis* exemption applies at the redline boundary for the proposals, and that the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the *Town and Country Planning Act 1990* (as amended)) does not apply.

No further assessment in accordance with the BNG Metric is required to inform the planning application at the site.

[4] (https://www.gov.uk/guidance/biodiversity-net-gain).
[5] https://defraenvironment.blog.gov.uk/2024/01/22/biodiversity-net-gain-what-are-the-exemptions/

Notwithstanding the above, the recommendations outlined below aim to secure measurable gains for biodiversity / ecological enhancement to satisfy the requirements of the NPPF, *Biodiversity Net Gain: Good Practice Principles for Development* (CIEEM, 2016) and best practice.

a. Enhancement of the retained flower beds by removal of the invasive plant species such as Wall Cotoneaster and replacement with shrub and plant species known to be of value for the attraction of wildlife and appropriate for the shaded conditions beneath the retained trees such as *Hosta* sp., Hellebore and fern species; and

b. Installation of a bird box suitable for garden birds on the retained Ash tree.

I trust this letter is of assistance. Please contact me if you have any queries.

Yours sincerely,

Victoria Burrows B.Sc. (Hons) M.Sc. CEnv MCIEEM
Principal Ecologist

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Table 1: Photographs of Baseline Habitats

Table 2: Summary of Baseline Area Habitats within the Site

Table 3: Summary of Individual Trees within the Site

Table 4: Summary of Area-based Habitats to be Retained and Created at the Site

Table 5: Summary of Individual Trees to be Retained at the Site

Figure 1: Aerial Image of the Site and Surrounds

Figure 2: UK Hab Plan: Baseline Habitats

Figure 3: BNG Plan: Post-intervention Habitats

Table 1: Photographs

Photo 1: Habitat 1: Buildings and Habitat 2: Hardstanding

Photo 2: Habitat 2: Hardstanding

Photo 3: Habitat 1: Buildings and Habitat 2: Hardstanding with sparse ruderal herbs of less than 10% cover

Photo 4: Habitat 1: Buildings and Habitat 2: Hardstanding

Photo 5: Habitat 2: Hardstanding and Habitat 3: Flower bed (introduced shrubs) to be retained

Photo 6: Habitat 2: Hardstanding with sparse ruderal herbs of less than 10% cover, Habitat 3: Flower bed (introduced shrubs) and Habitat 4: T1 (Ash) to be retained

Photo 7: Habitat 2: Hardstanding, Habitat 3: Flower bed (introduced shrubs) and Habitat 5: T2 (Sawara Cypress) to be retained

Photo 8: Narrow strips of Habitat 3: Flower bed (introduced shrub) to be impacted by the proposals

Table 2: Summary of Baseline Area Habitats within the Site

Habitat Reference	UK Habitat Classification Type	BNG Habitat Equivalent	Habitat Distinctiveness	Condition Assessment Result	Area (ha)
Habitat 1 Buildings	u1b5 buildings	Urban – developed land; sealed surface	V.low	N/a - other	0.0313
Habitat 2 Hardstanding	u1b6 other developed land (as vegetation cover is less than 10%)	Urban – developed land; sealed surface	V.low	N/a - other	0.0278
Habitat 3 Flower bed / introduced shrub	u1 urban with the secondary code 846 flower bed and 524 invasive non-native species	Urban – introduced shrubs	Low	Condition assessment – N/a	0.0029
				Total:	**0.0620**

Table 3: Summary of Individual Trees within the Site

Habitat Reference	UK Habitat Classification Type	BNG Habitat Equivalent	Habitat Distinctiveness	Condition Assessment Result (refer to Table 6)	Area (ha) [6]
Habitat 4 T1 (Ash)	u1 urban with the secondary code 846 flower bed and 524 invasive non-native species	Individual trees – urban tree	Medium	Poor	0.0041
Habitat 5 T2 (Sawara Cypress)	u1 urban with the secondary code 846 flower bed and 524 invasive non-native species	Individual trees – urban tree	Medium	Poor	0.0163
				Total:	**0.0204**

[6] Due to the way individual trees are calculated by the metric they do not contribute to the total habitat area calculation, but are additional to it.

Table 4: Summary of Area-based Habitats to be Retained and Created at the Site

Habitat Type	BNG Equivalent Habitat	Habitat Distinctiveness	Target Condition	Area (ha)	Sub-totals (ha)
Retained Habitats					
Habitat 1 Building	Urban – developed land; sealed surface	V.low	N/a - other	0.0194	
Habitat 2 Hardstanding	Urban – developed land; sealed surface	V.low	N/a - other	0.0227	
Habitat 3 Flower bed / introduced shrub	Urban – introduced shrubs	Low	Condition assessment – N/a	0.0023	***0.0444***
Proposed Habitats					
Habitat A Building extension	Urban – developed land; sealed surface	V.low	N/a - other	0.0161	
Habitat B Bin store (loss of Habitat 3: Flower bed)	Urban – developed land; sealed surface	V.low	N/a - other	0.0006	
Habitat C Bin store (over hardstanding)	Urban – developed land; sealed surface	V.low	N/a - other	0.0009	***0.0176***
			Total		***0.0620***

Table 5: Summary of Individual Trees to be Retained at the Site

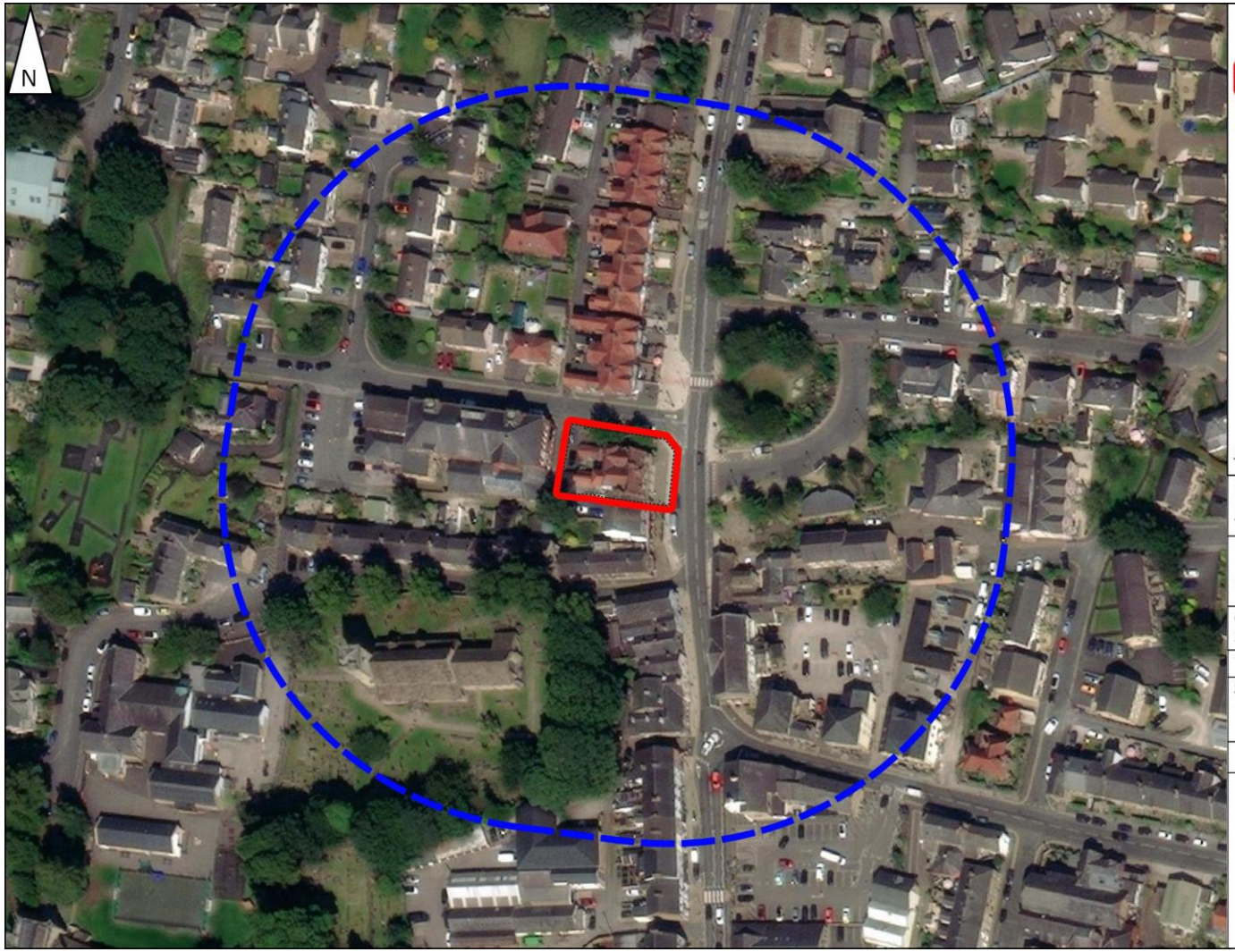
Habitat Reference	UK Habitat Classification Type	BNG Habitat Equivalent	Habitat Distinctiveness	Condition Assessment Result (refer to Table 6)	Area (ha) [7]
Retained Habitats					
Habitat 4 T1 (Ash)	u1 urban with the secondary code 846 flower bed and 524 invasive non-native species	Individual trees – urban tree	Medium	Poor	0.0041
Habitat 5 T2 (Sawara Cypress)	u1 urban with the secondary code 846 flower bed and 524 invasive non-native species	Individual trees – urban tree	Medium	Poor	0.0163
				Total:	**0.0204**

[7] Due to the way individual trees are calculated by the metric they do not contribute to the total habitat area calculation, but are additional to it.

Table 6: Condition Assessment: Habitats 4 and 5: Individual Trees

Tree Reference	Species	A	B	C	D	E	F	Size Category	Total No. of Criterion Passed	Condition Assessment Result
Habitat 4: T1	Ash	Yes	Yes	No	Yes	No	No	Small	3	Poor
Habitat 5: T2	Sawara Cypress	No	Yes	No	Yes	No	No	Medium	2	Poor
										Good: Passes 5 or 6 criteria
										Moderate: Passes 3 or 4 criteria
										Poor: Passes 2 or fewer criteria

Condition Assessment Criteria
A. The tree is a native species (or more than 70% within the block are native species)
B. Tree canopy is predominantly continuous with gaps in canopy cover making up less than 10% of total area and no individual gap being more than 5 metres wide. Individual trees automatically pass this criterion.
C. The tree is mature (or more than 50% within the block are mature). See gov.uk standing advice on ancient and veteran trees, available from: *Keepers of time: ancient and native woodland and trees policy in England* (publishing.service.gov.uk) and *Ancient woodland, ancient trees and veteran trees: advice for making planning decisions* (www.gov.uk). Enhancement of this habitat type is only possible by improving the habitat so that it meets Criteria B, D and F. It is not possible or appropriate to enhance individual trees through meeting just one of those Criteria, nor by meeting Criteria A, C or E.
D. There is little or no evidence of an adverse impact on tree health by human activities (such as vandalism, herbicide or detrimental agricultural activity). And there is no current regular pruning regime, so the trees retain >75% of expected canopy for their age range and height.
E. Natural ecological niches for vertebrates and invertebrates are present, such as presence of deadwood, cavities, ivy or loose bark.
F. More than 20% of the tree canopy area is oversailing vegetation beneath



Key to Map Symbols

Site boundary

100m buffer from site

Source: ESRI World Imagery

Figure 1:
Aerial Image of the Site and Surrounds

Project Name:
69 King Street, Whalley BB2 2DT

Central Grid Ref:	**Reference No.**
SD 73307 36246	ERAP Ltd. 2026-074

Version & Date: v1 (VB) 24/04/2026

Scale: 1:2,000 at A4

0 20 40 60 80 100 m

Z:\Current Jobs\2026\2026 074 69 King Street, Whalley\4. Maps template 031125\1. ERAP Map 2026 074.aqs

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Key to Map Symbols

- Site boundary
- Medium tree
- Small tree
- u - urban
- u1b5 - buildings
- u1b6 - other developed land
- 2546-SP01a - EXISTING SITE PLAN

Figure 2:
UKHab Plan: Baseline Habitats

Project Name:
69 King Street, Whalley BB2 2DT

Central Grid Ref: SD 73307 36246	**Reference No.** ERAP Ltd. 2026-074
Version & Date: v1 (VB) 24/04/2026	

Scale: 1:300 at A4

0 3 6 9 12 15 m

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Key to Map Symbols

- Site boundary
- Medium tree
- Small tree
- Urban - developed land; sealed surface
- Urban - introduced shrub
- 2546-SP02a - PROPOSED SITE PLAN

Figure 3:
BNG Plan: Post-intervention Habitats

Project Name:
69 King Street, Whalley BB2 2DT

Central Grid Ref: SD 73307 36246	**Reference No.** ERAP Ltd. 2026-074

Version & Date: v1 (VB) 24/04/2026

Scale: 1:300 at A4

0 3 6 9 12 15 m

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