

**TITLE:** BIODIVERSITY NET GAIN (BNG) EXEMPTION JUSTIFICATION  
**PROJECT:** MOONBEAM CAR WASH, SPALDING  
**JOB NO:** 2587-E7  
**CLIENT:** MOONBEAM CAR WASH

In England, as of 12 February 2024, Biodiversity Net Gain (BNG) became a mandatory requirement under Schedule 7A of the *Town and Country Planning Act 1990*, as inserted by Schedule 14 of the *Environment Act 2021*. The policy requires most developments to achieve at least a 10% net gain in biodiversity compared to the pre-development baseline.

This letter confirms that the proposed development at the above site is **exempt from the BNG** requirement, based on the existing habitat types and areas present. The habitat assessment has been carried out in accordance with the latest legislation and guidance, and the findings are summarised below and illustrated in Map 2587-E7-01.

## 1. Legal Basis for Exemption

Under *The Biodiversity Gain Requirements (Exemptions) Regulations 2024*, the BNG requirement does not apply to developments that meet both of the following conditions:

- The development does **not impact an on-site priority habitat**; and
- The development impacts:
  - a) **Less than 25 square metres** of on-site habitat with biodiversity value greater than zero; and
  - b) Less than 5 metres in length of on-site linear habitat.

The Regulations define a *priority habitat* as one listed under section 41 of the *Natural Environment and Rural Communities Act 2006*. Additionally, *linear habitats* refer specifically to hedgerow and watercourse habitats measured by length using the biodiversity metric.

## 2. Site Assessment and Habitat Types

Our ecological appraisal took place on 18<sup>th</sup> of December 2025 and confirms that:

- The area of the site affected by the erection of two vehicle bays is predominantly comprised of UKHab u1b6 (Other developed land; sealed surface), with a small area of UKHab g4 (Modified grassland). The proposed development will largely remain within the existing developed land / sealed surface habitat, which is not subject to condition assessment and is assigned a biodiversity value of zero within the statutory metric.



- A limited vegetated area measuring approximately 17.061805 m<sup>2</sup> of UKHab g4: Modified grassland will be directly affected and will be the only area where a change in habitat type will occur as a result of the development.
- The total area of measurable habitat with biodiversity value affected by the proposal therefore remains below the 25 m<sup>2</sup> de minimis threshold. No linear habitats, including hedgerows or ditches, are present. These findings are illustrated in Map 2587-E7-01.

### 3. Applicability of BNG Exemption

Given the above, the site meets both conditions for exemption:

- The development does not impact any priority habitats.
- It affects ~ 17.061805 m<sup>2</sup> of non-priority habitat.
- No linear habitats are present.

As such, the development does not trigger a requirement for a biodiversity gain plan under current legislation.

### 4. Relevant Guidance and Policy Confirmation

Government and Defra guidance reinforce this exemption:

“A development that does not impact a priority habitat and impacts less than 25 square metres of onsite habitat with a value greater than zero ... is exempt from BNG.”

*(Department for Environment, Food & Rural Affairs [Defra], 2024)*

“Buildings and other sealed surfaces such as hardstanding are considered to have zero biodiversity value and do not trigger a biodiversity gain requirement.”

*(Defra, 2024)*

### Conclusion

In summary, based on the assessment and current regulations:

- The site is comprised of non-priority habitats, with no vegetated linear habitat.
- The majority of the area comprises sealed surfaces (U1b: Other Developed Land), which have a biodiversity value of zero. A small area of modified grassland (G4) is also affected; this habitat has a measurable biodiversity value, but the total area impacted (~17 m<sup>2</sup>) is below the 25 m<sup>2</sup> de minimis threshold.
- Consequently, the development does not result in a measurable biodiversity loss and qualifies for a de minimis exemption. The development is therefore exempt from the requirement to prepare a biodiversity gain plan or deliver a measurable 10% net gain.

Please see Map 2587-E7-01 attached for a visual representation of site habitats. Should you require further input or clarification, we would be happy to assist.

Yours sincerely,



*P. Preston*

**Dr. Paul Preston** BSc (Hons) MSc PhD

Email: [paul.preston@appletons.uk.com](mailto:paul.preston@appletons.uk.com)

Tel: 07976 742624 / 01204 393006

For and on behalf of **Appletons**

17 Chorley Old Road, Bolton, Lancashire, BL1 3AD

## **References**

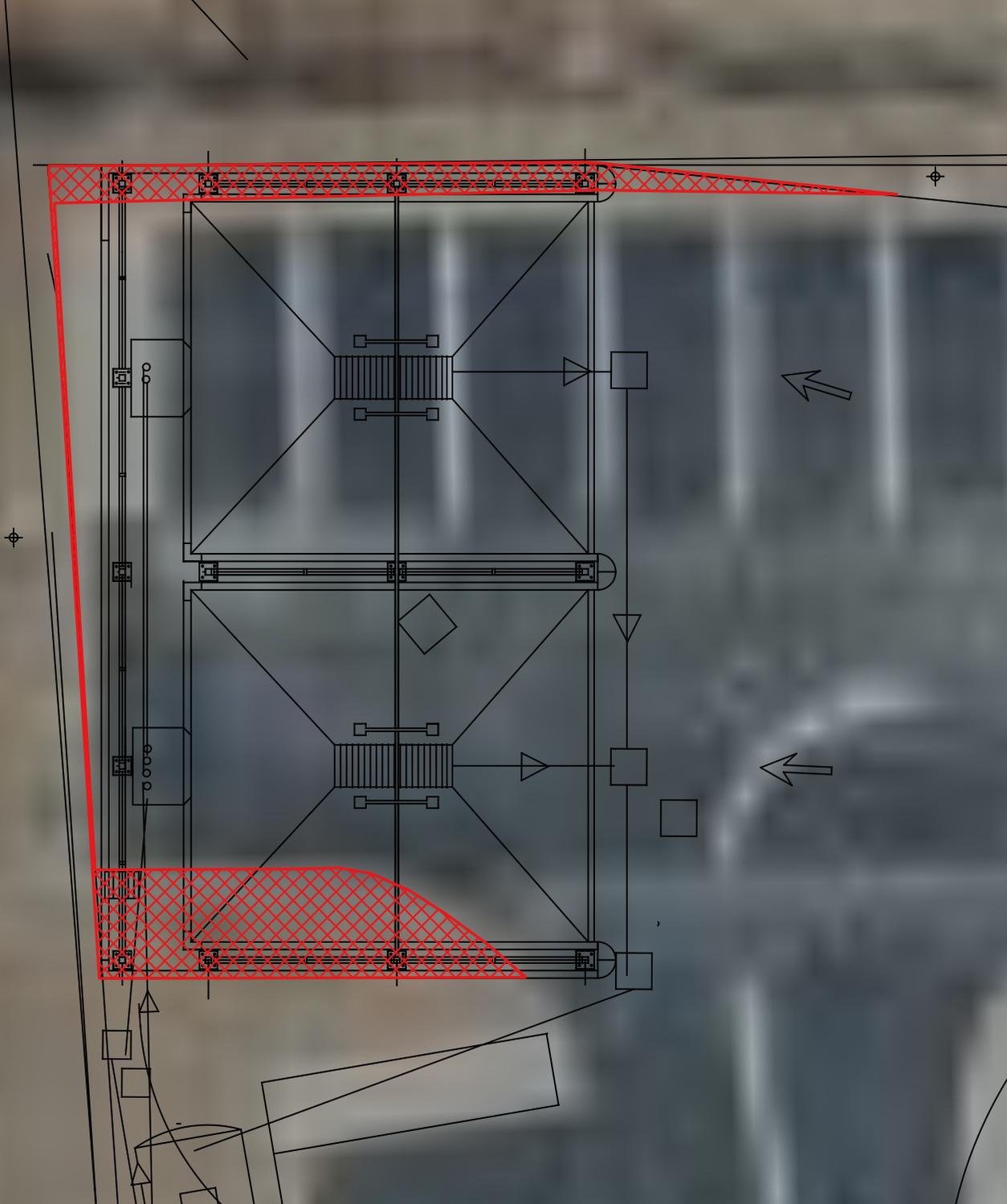
### **References**

Department for Environment, Food & Rural Affairs. (2024, April 2). *Biodiversity net gain: exempt developments*. GOV.UK. <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

Legislation.gov.uk. (2024). *The Biodiversity Gain Requirements (Exemptions) Regulations 2024*, SI 2024/98.

<https://www.legislation.gov.uk/uksi/2024/98/regulation/4/made>

Department for Environment, Food & Rural Affairs. (2024). *Biodiversity Net Gain: Statutory Guidance and Biodiversity Metric Summary*.



# BNG Exemption Justification

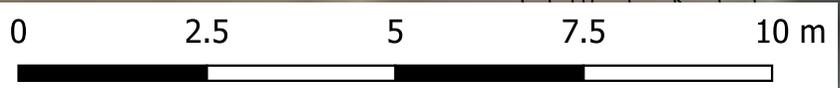
 g4: Modified grassland impacted  
 — Development overlay

Satellite Imagery (Bing)

A limited vegetated area measuring approximately 17.061805 m<sup>2</sup> of UKHab g4: Modified grassland will be directly affected and will be the only area where a change in habitat type will occur as a result of the development.

The total area of measurable habitat with biodiversity value affected by the proposal therefore remains below the 25 m<sup>2</sup> de minimis threshold.

Project: 2587 Moonbeam, Spalding  
 Title: BNG Proof of Exemption Drawing  
 Client: Moonbeam Car Wash  
 Drawing No: 2587-E7-01  
 Date: 18.12.2025  
 Scale: 1:100  
 Drawn: PP  
 Checked: DS  
 Revision: 0



17 Chorley Old Road, Bolton BL1 3AD 01204 393006 info@appletons.uk.com

www.appletons.uk.com Follow us on 

