

Site: Rear of 14-15 Market Place, Egremont

Project: Creation of Staff Car Park

This brief statement has been prepared by Alban Cassidy who meets the requirements of a Competent Person for the purpose of this category of assessment.

Part 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 states:

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 an onsite priority habitat.*
 - (3) The second condition is that the development impacts—*
 - (a) less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and*
 - (b) less than 5 metres in length of onsite 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(2);*
 - (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(3) (which are measured by length (expressed in kilometres) rather than area).*

In the Case of the Rear of 14-15 Market Place, Egremont, none of the site consists of a Priority Habitat as defined by section 41 of the Natural Environment and Rural Communities Act 2006 and listed at Appendix 1 of this document,

The first condition is therefore satisfied.

The site itself consists of the disused rear garden of the property 14-15 Market Place, Egremont plus the side entrance to this site from Castle Villas.

The majority of this area consists of a sealed surface with a score of 0 in Biodiversity Habitat Units.

There are small areas between the flags which do not consist of a sealed surface. However, these amount to less than 25m² in total area and therefore can be regarded as De Minimis.

Accordingly, as there is less than 25m² of onsite habitat that has a biodiversity value greater than 0, the second condition is also satisfied and the BNG condition therefore does not apply to this development.

Appendix 1 – List of Priority Habitats in England

Worksheet 1: Section 41 habitats of principal importance in England	
You can search the list by selecting the arrow and column header (drop-down) arrow under each column heading.	
Broad habitat	Habitat name
Acid Grassland	Lowland dry acid grassland
Arable and Horticultural	Arable field margins
Bogs	Blanket bog
Bogs	Lowland raised bog
Boundary and Linear Features	Hedgerows
Broadleaved, Mixed and Yew Woodland	Lowland beech and yew woodland
Broadleaved, Mixed and Yew Woodland	Lowland mixed deciduous woodland
Broadleaved, Mixed and Yew Woodland	Upland mixed ashwoods
Broadleaved, Mixed and Yew Woodland	Upland oakwood
Broadleaved, Mixed and Yew Woodland	Wet woodland
Broadleaved, Mixed and Yew Woodland	Wood-pasture and parkland
Broadleaved, Mixed and Yew Woodland	Traditional orchards
Calcareous Grassland	Lowland calcareous grassland
Calcareous Grassland	Upland calcareous grassland
Dwarf Shrub Heath	Lowland heathland
Dwarf Shrub Heath	Upland heathland
Fen, Marsh and Swamp	Purple moor-grass and rush pastures
Fen, Marsh and Swamp	Lowland fens
Fen, Marsh and Swamp	Reedbeds
Fen, Marsh and Swamp	Upland flushes, fens and swamps
Improved Grassland	Coastal and floodplain grazing marsh
Inland Rock	Calaminarian grasslands
Inland Rock	Inland rock outcrop and scree habitats
Inland Rock	Limestone pavements
Inland Rock	Open mosaic habitats on previously developed land
Littoral Rock	Intertidal boulder communities
Littoral Rock	Intertidal chalk

Littoral Rock	<i>Sabellaria alveolata</i> reefs
Littoral Sediments	Coastal saltmarsh
Littoral Sediments	Intertidal mudflats
Littoral Sediments	Peat and clay exposures with Piddocks
Littoral Sediments	Seagrass beds
Littoral Sediments	Sheltered muddy gravels
Montane Habitats	Mountain heaths and willow scrub
Neutral Grassland	Lowland meadows
Neutral Grassland	Upland hay meadows
Rivers and Streams	Rivers
Standing Open Waters	Aquifer-fed naturally fluctuating water bodies
Standing Open Waters	Eutrophic standing waters
Standing Open Waters	Mesotrophic lakes
Standing Open Waters	Oligotrophic and dystrophic lakes
Standing Open Waters	Ponds
Sublittoral rock	Estuarine rocky habitats
Sublittoral rock	Fragile sponge and anthozoan communities on subtidal rocky habitats
Sublittoral rock	<i>Sabellaria spinulosa</i> reefs
Sublittoral rock	Subtidal chalk
Sublittoral rock	Tide-swept channels
Sublittoral sediment	Saline lagoons
Sublittoral sediment	Blue mussel beds on sediment
Sublittoral sediment	Horse mussel beds
Sublittoral sediment	Maërl beds
Sublittoral sediment	Mud habitats in deep water
Sublittoral sediment	Subtidal sands and gravels
Supralittoral Rock	Maritime cliff and slopes
Supralittoral Sediment	Coastal sand dunes
Supralittoral Sediment	Coastal vegetated shingle