

Biodiversity Net Gain (BNG) Exemption Statement

Proposed Replacement Wind Turbine at Bank House Farm, The Delph, Spalding, Lincolnshire, PE11 3JH.

Applicant: Mr Ed Whitfield

1. Introduction

This statement is submitted in support of a full planning application to South Holland District Council for the replacement of one of the two existing wind turbines at Bank House Farm, The Delph, Spalding, Lincolnshire, PE11 3JH. It addresses the statutory biodiversity gain requirement set out in Schedule 7A to the Town and Country Planning Act 1990 (as inserted by Schedule 14 to the Environment Act 2021), which has applied to major development since 12 February 2024 and to non-major development since 2 April 2024.

2. Description of the Development

The proposed development involves the removal of one of the two existing 50kW wind turbines at Bank House Farm, installed pursuant to planning permission reference H03-0646-11 granted by South Holland District Council on 1 May 2012, and the installation of a replacement Vestas V29 turbine rated at 225kW in the same position, as shown on the submitted Proposed Site and Location Plan (Drawing No. EW010726). The replacement turbine will have a hub height of 40 metres, a rotor diameter of 29 metres and a blade tip height of 54.5 metres. The second existing turbine will be retained unaltered and does not form part of the works.

The replacement turbine will be mounted on the existing concrete foundations and associated hardstanding of the turbine it replaces. No change to the footprint of the existing development is proposed. No new access, excavation, vegetation clearance or alteration of existing habitat is required beyond the existing developed area, and no works are proposed to the adjacent drain or to any hedgerow.

3. Biodiversity Net Gain Exemption Justification

Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 (the de minimis exemption) provides that the biodiversity gain planning condition does not apply in relation to planning permission for development which meets both of the following conditions:

- the first condition (Regulation 4(2)): the development does not impact an onsite priority habitat; and
- the second condition (Regulation 4(3)): the development impacts less than 25m² of onsite habitat that has a biodiversity value greater than zero, and less than 5 metres in length of onsite linear habitat.

For these purposes, a habitat is impacted where it is lost or degraded such that there is a decrease in its biodiversity value (Regulation 4(4)(b)); a priority habitat is a habitat specified in the list published under section 41 of the Natural Environment and Rural Communities Act 2006 (Regulation 4(4)(a)); and linear habitat means the hedgerow and watercourse habitat types measured by length under the statutory biodiversity metric (Regulation 4(4)(c)). The

amendments made by S.I. 2026/790 did not alter Regulation 4, which continues to apply to applications made on or after 6 August 2026.

This development qualifies for exemption on the following grounds:

- The replacement turbine will be erected on the existing concrete foundations and hardstanding of the turbine it replaces. These sealed surfaces are classified as developed land under the statutory biodiversity metric and have a biodiversity value of zero, so works confined to them do not impact any habitat with a biodiversity value greater than zero.
- No onsite habitat with a biodiversity value greater than zero will be lost or degraded, well below the 25m² threshold in Regulation 4(3)(a).
- No hedgerow or watercourse, including the drain adjacent to the access drove, will be affected. No linear habitat is therefore impacted, well below the 5 metre threshold in Regulation 4(3)(b).
- No priority habitat listed under section 41 of the Natural Environment and Rural Communities Act 2006 is present within the area of works or will be impacted by the proposal.
- Delivery and erection will use the existing farm access and no new access, widening or ground works are required.
- No designated nature conservation sites are affected by the proposal.

As the development meets both conditions of Regulation 4, the biodiversity gain planning condition does not apply. There is therefore no requirement to submit a biodiversity gain plan or to deliver the mandatory 10% biodiversity net gain.

4. Conclusion

The proposed replacement wind turbine at Bank House Farm involves no additional land take, habitat loss or degradation. The works are confined to the existing turbine foundations and hardstanding, which have no biodiversity value. The development therefore qualifies for the de minimis exemption under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 (as amended), and the biodiversity gain planning condition does not apply.

The applicant respectfully requests that South Holland District Council accepts this exemption and that no further BNG assessment is required.

Jack Thompson (BAHons), September 2026