

## **Biodiversity Net Gain Exemption Statement**

**Ref H06-0945-26**

### **The Orchards Land, South Side of Blazegate, Gedney, Spalding**

This application is made retrospectively in respect of development which has already been carried out.

The applicant considers that the development is exempt from the statutory Biodiversity Net Gain (BNG) requirements. In particular, the application is retrospective in nature and therefore falls outside the circumstances to which the statutory BNG condition and associated Biodiversity Gain Plan requirements apply.

The relevant provisions of the **Environment Act 2021**, as amended, and **Section 43 of the Levelling-up and Regeneration Act 2023**, together with the associated Biodiversity Gain Requirements regulations, have been considered in determining the applicability of the statutory BNG requirements to this application.

As the application relates to development that has already been undertaken, there is no prospective development to which a Biodiversity Gain Plan could appropriately be applied.

Accordingly, the applicant respectfully requests that the Local Planning Authority confirms that the statutory 10% Biodiversity Net Gain requirement does not apply to this retrospective application and that no Biodiversity Gain Plan or Biodiversity Gain information is required.