

Small Sites BNG Statement

Alteration of Existing Basement to Provide 1no Flat

Westholme, 32 West End
Holbeach, Spalding, PE12 7LW



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1.0 Introduction

- 1.1 This statement has been prepared to accompany an application for planning permission and listed building consent for alterations of a listed building, for the alteration of the existing basement to provide 1 no 1-bedroom flat.
- 1.2 Biodiversity Net Gain is an approach to development which ensures habitats for wildlife are left in measurably better state than what they were pre-development. Biodiversity Net Gain is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). As such, a minimum of 10% net gain is required from obliged planning applications.

2.0 Legislation

2.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines Small Sites as NOT Major Development, as such this means:

- Residential development where the number of dwellings is between 1 and 9 on a site of an area 1 hectare or less, or if the number of dwellings is unknown, the site area is less than 0.5 hectares, or;
- Commercial development where the floor space created is less than 1,000 square metres or total site area is less than 1 hectare, or;
- Development that is not the winning and working of minerals or the use of land for mineral-working deposits, or;
- Development that is not waste development

2.2 In some instances, the Small Sites Metric cannot be applied to all sites defined as a 'small site', the following criteria also needs to be met to use the Small Sites Metric:

- Where only the habitats available in the SSM are present on-site
 - Any site containing any additional habitats (including riparian zones) not included in the SSM must use the Statutory Biodiversity Metric;
- Where no priority habitats are present on-site
 - Some hedgerows and arable field margins are excluded from the above as these are medium distinctiveness habitats and are included within the SSM;
- Where no statutory protected sites or habitats are present;
- Where no European protected species are present

2.3 Legislation (The Biodiversity Gain Requirements (Exemptions) Regulations 2024) identifies those developments exempt from the mandatory Biodiversity Net Gain (BNG) requirements, these are as follows:

- The applications for planning permission for small development that was made before 2nd April 2024; or planning permission granted for small development which has effect before 2nd April 2024;
- Section 73 planning permission where the original planning permission to which the section 73 permission relates was exempt by virtue of the above point;
- De Minimis exemption whereby;

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- The development does not impact an onsite priority habitat;
 - The development impacts;
 - Less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and
 - Less than 5 metres in length of onsite linear habitat.
 - Householder Applications within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
 - High speed railway transport network comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High-Speed Rail (Preparation) Act 2013;
 - Development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development;
 - Self-build and custom build applications;
 - Consisting of no more than 9 dwellings;
 - Is carried out on a site which has an area no larger than 0.5 hectares; and
 - Consists exclusively of dwellings which are self-build or custom housebuilding.

Further exempt developments are identified by the Environment Act 2021, these are as follows:

- Urgent crown developments;
- Developments that are granted planning permission by a development order (including permitted development rights).

3.0 Results / Findings

- 3.1 The development comprises solely internal alterations and therefore the proposals will have zero effect upon any onsite habitat.
- 3.2 Given the above, the proposed development meets the 'de minimis' exemption clause identified within The Biodiversity Gain Requirements (Exemptions) Regulations 2024, therefore if the proposed development is granted planning permission, the Biodiversity Gain Condition as per Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 will NOT apply.

4.0 Conclusion

- 4.1 The proposed application seeks planning permission and listed building consent for alterations of a listed building, to provide 1no 1-bedroom flat within the existing basement of Westholme, 32 West End, Holbeach.
- 4.2 This proposal will be exempt from providing Biodiversity Net Gain under the 'de minimis' exemption clause.
- 4.3 The application should therefore be granted permission without delay.