BNG Exemption Statement

Alexandra Design · October 2026

Application reference	H09-0976-26
Proposal	Demolition of existing garages and replacement with 3 bungalows
Location	Garages Adjacent to 39 Hall Hill Road, Holbeach, Spalding, Lincolnshire
Applicant	Gaskin Property Group Ltd
Agent	Alexandra Design, Southfork Farm, Seadyke Bank, Murrow, PE13 4SD
Local planning authority	South Holland District Council

1. Purpose

This statement is submitted in response to the Council's invalidation letter of 13 October 2026, which asks for a separate document explaining why the proposal is exempt from biodiversity net gain (BNG), as stated on the application form. It sets out the exemption relied on and shows that each of its conditions is met.

2. The exemption relied on

The development is exempt from the biodiversity gain condition under the **small sites exemption** in regulation 7A of the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Regulation 7A was inserted by The Biodiversity Gain (Town and Country Planning) (Amendments and Transitional Provisions) (England) Regulations 2026 (SI 2026/790) and came into force on 6 August 2026.

Under regulation 7A, the biodiversity gain condition does not apply to planning permission for development where:

(a) the development does not impact an onsite priority habitat; and
(b) the development is carried out on a site with an area no larger than 0.2 hectares.

The exemption applies only to applications made on or after 6 August 2026 (regulation 7A(4)).

3. Assessment against the exemption

Requirement	Met?	Evidence
Application made on or after 6 August 2026	Yes	The application was submitted via the Planning Portal on 9 October 2026. It is a new full application, not a section 73 variation of the earlier permission.
Site area no larger than 0.2 hectares	Yes	The application site, shown edged red on the submitted location plan, has an area below 0.2 hectares, as stated on the application form.
No impact on an onsite priority habitat	Yes	The site is a former garage court made up of the garages and compacted gravel hardstanding, with no vegetation of ecological value within the developable area. There is no priority habitat on the land to be built on. All existing hedging on the site is retained and will not be touched, so no hedgerow is lost or degraded.

4. Relationship to the earlier permission

Planning permission H09-0226-26 for two dwellings on this site was granted subject to the statutory biodiversity gain condition, because that application was made before the small sites exemption came into force. This application is a separate, new application for three bungalows, made after 6 August 2026. The biodiversity gain condition, Biodiversity Gain Plan and Habitat Management and Monitoring Plan attached to H09-0226-26 therefore do not carry over to this application.

5. Biodiversity enhancements

Although mandatory BNG does not apply, the scheme still provides proportionate enhancements in line with the National Planning Policy Framework:

• Retention of all existing hedging on the site, untouched.

• Replacement of bare gravel with private lawned gardens and native hedge planting to boundaries.

• Integrated swift bricks in the new bungalows.

• 13 cm x 13 cm hedgehog gaps in all garden boundary fences.

The Council may secure these by condition if it wishes.

6. Conclusion

The application was made after 6 August 2026, the site is no larger than 0.2 hectares, and the development does not impact any onsite priority habitat. The proposal therefore meets both conditions of regulation 7A and is exempt from the biodiversity gain condition. No Biodiversity Gain Plan is required.

Prepared by Alexandra Patrick, Alexandra Design, for Gaskin Property Group Ltd.