

## Biodiversity Net Gain (BNG)

### Exemption Statement

For:

(enter a brief description of development proposals)

The proposed demolition and rebuild of existing dwelling

Planning Reference:

(XX/XXXXX/XX) No reference yet

At:

(enter site address)

41 Hallgate, Holbeach, SPALDING, PE12 7JA

Completed By:

(enter name, job title, company) Peter Legg, DLP Architecture Ltd

Date of Exemption Statement Completion:

(enter date) 24/10/2025

## The Biodiversity Gain Requirements (Exemptions) Regulations 2024

1. Article 7 ('General requirements: applications for planning permission including outline planning permission') of Part 3 of *The Town and Country Planning (Development Management Procedure) (England) Order 2015*, as amended by Regulation 5 of Part 4 of *The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024* has introduced national validation prerequisites for planning applications relating to Biodiversity Net Gain (BNG).
2. Schedule 14 of the *Environment Act 2021* introduced the concept of BNG into planning legislation, stating that "the biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least [10%]".
3. Schedule 14 of the Environment Act 2021 additionally mandates that biodiversity gain objectives will be achieved through the imposition of planning conditions, thus constituting a post-permission process.
4. However, certain types of development for which planning permission is required are exempt from biodiversity net gain requirements and planning conditions. These are outlined in [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)<sup>1</sup>
5. The development proposals for this application meets the following exemption criterion from the Regulations (reference wording from the Regulations):

The proposed development meets Conditions 1 and 2 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024. The proposals do not impact an onsite priority habitat, and impacts less than 25m<sup>2</sup> of onsite habitat that has a biodiversity value greater than zero; and less than 5 metres in length of onsite linear habitat.

6. State how this application meets the exemption criterion stated above (see worked example for reference):

The development is a like for like replacement of the existing dwelling following a fire. Therefore, the development is below the threshold of 25m<sup>2</sup> of onsite habitat affected. See note below:

7. Provide aerial imagery and photographs (or alternative sources) and captions to evidence your statement. For example, you may wish annotate images to show how the proposed development sits within the existing site/habitats, and how the proposals accord with the exemption claim. Add more photographs, plans or imagery of proposals if necessary.

Aerial imagery:

Refer to drawings P840\_L\_002 & L\_003

Photograph 1:

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<sup>1</sup> [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024:](https://www.legislation.gov.uk/uksi/2024/47/made/data.pdf)  
<https://www.legislation.gov.uk/uksi/2024/47/made/data.pdf>

Photograph 2:

N/A

8. Whilst the development may be exempt from statutory Biodiversity Net Gain (BNG) requirements, the application for planning permission will deliver measurable net gains for nature conservation which are proportional and locally appropriate, in the following ways:

Retention and management of existing garden land and bird and bat boxes added to the dwelling

NOTE:

The site does not contain any priority habitats.

The proposed dwellinghouse will be constructed on land currently occupied by existing dwelling and hardstanding surfaces.

The proposed development would impact less than 25 square metres of onsite habitat that has a biodiversity value greater than zero, thereby meeting Condition 2 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

As a result, the proposed development is exempt from biodiversity net gain requirements and planning conditions under the de minimis rule of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.