Biodiversity Net Gain (BNG)

Exemption Statement

For:

Reinstatement of existing fire damaged 2 bedroom semi-detached house. No change to any element of the building structure/external finishes or landscaping arrangement from that of the original approved application therefore, and essentially, the design is deemed to satisfy in accordance with the original planning application approval or approved Biodiversity requirement.

Planning Reference:

Original planning ref: H11-0845-07 – Residential Development - Approved -H11-0022-10 – Residential development comprising 76 dwellings and associated works (Outline H11- 0845-07) – Approved -H11-0741-10 – Residential development - renewal of H11-0845-07 (outline) – Approved

At:

42 Anfield Road, Long Sutton, Spalding, Lincolnshire, PE12 9GZ

Completed By:

Scott Bain, Architectural Technologist, Sedgwick International Ltd

Date of Exemption Statement Completion:

29/07/2026

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[1]

5. The development proposals for this application meets the following exemption criterion from the Regulations (reference wording from the Regulations):

Small site area rule Developments of 0.2 hectares or below (as of 6 August 2026). Actual site area 0.0177 (177sqm) that do not impact priority habitats. Transitional applications: Developments with planning applications or original permissions made before mandatory rules took effect (prior to 12 February 2024).

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

Proposed development is a fire damaged reinstatement only the building will be reinstated like for like as per the original application retaining the exiting habitat to the rear of 49sqm rear garden and front garden approx. 6sqm of shrubs and 6sqm of lawn. No change to existing parking arrangements impacting on existing biodiversity.

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

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:



Site outlined in red.



Retained shrubs to front garden (6sqm approx.) Front Elevation retained.

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

No change to existing building arrangement all amenities, parking and biodiversity requirements as approved on original application ref: -H11-0845-07 – Residential Development – Approved - H11-0022-10 – Residential development comprising 76 dwellings and associated works (Outline H11- 0845-07) – Approved -H11-0741-10 – Residential development - renewal of H11-0845-07 (outline) – Approved. As such we request the proposal be deemed to satisfy.