Biodiversity Net Gain (BNG) Exemption Statement

Application: External changes including spiral staircase to access for first existing flat.

Site Address: 28/28A Westlode Street, Spalding, Lincolnshire

1. Introduction

This statement has been prepared to demonstrate that the proposed development is exempt from the mandatory Biodiversity Net Gain (BNG) requirement under the provisions of the Environment Act 2021 and associated secondary legislation.

2. Description of the Proposal

The application seeks consent for external changes including spiral access staircase.

The proposal:

• Involves no building extension to the building footprint

• Does not include external alterations impacting land or habitat

• Is limited to internal reconfiguration works

3. Existing Site Conditions

The site:

• Comprises an existing building within a built-up urban area

• Contains no vegetated land, priority habitat, or ecological features

• Is entirely covered by hardstanding and built form

As such, the site holds negligible ecological value.

4. Legislative Context

Under the Environment Act 2021, development is subject to a mandatory requirement to deliver a minimum of 10% Biodiversity Net Gain unless it meets one of the defined exemptions set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

5. Grounds for Exemption

The proposed development qualifies for exemption on the following basis:

5.1 Development Below the De Minimis Threshold

The proposal:

• Does not impact any on-site habitat area

• Does not involve land with measurable biodiversity value

Therefore, it falls under the de minimis exemption, which applies where:

• There is no loss of habitat, or

• The habitat affected is below the statutory threshold (e.g., less than 25 square metres of habitat or 5 metres of linear features such as hedgerows)

6. Conclusion

The proposed development at 28/28A Westlode Street:

• Does not result in any habitat loss or degradation

• Is confined to an existing building hard area

• Meets the criteria for exemption under the de minimis provisions

Accordingly, the development is exempt from the mandatory Biodiversity Net Gain requirement, and no further BNG assessment or metric calculation is required.