BIODIVERSITY NET GAIN (BNG) DE MINIMIS EXEMPTION ASSESSMENT

Bendyke Farm, Bendyke Lane, Surfleet, Lincolnshire

Planning proposal: Change of use to commercial storage (Use Class B8)
Drawing reference: 26/BF/01 – Site Plan
Assessment date: 12 November 2026
Estimated red-line site area: 0.24 hectares (approximately 2,400 m²)
Local Planning Authority: South Holland District Council

1. PURPOSE OF ASSESSMENT

This assessment has been prepared to establish whether the proposed change of use of land and existing buildings at Bendyke Farm, Bendyke Lane, Surfleet, is exempt from the statutory Biodiversity Net Gain (BNG) requirements.

The assessment considers:

- The existing site conditions.
- The proposed development.
- The extent of the red-line application boundary.
- Existing buildings, hardstanding and areas of vegetation.
- The statutory exemptions introduced under the Environment Act 2021 and subsequent amendments.

The assessment is based on the supplied site plan, aerial photograph and details of the proposed development.

2. SITE DESCRIPTION

The application site comprises an established farmyard and storage area, formerly used in association with the adjoining residential property.

The application area is physically separated from the main residential dwelling and benefits from its own independent access from Bendyke Lane.

The site is identified on Drawing 26/BF/01.

The existing site comprises:

- A number of existing agricultural and storage buildings.
- Extensive concrete hardstanding forming the central yard.
- Existing access and circulation areas.
- Limited areas of grass and vegetation around parts of the site boundary.
- Existing boundary vegetation and scrub.

The aerial photograph demonstrates that the majority of the operational site is already occupied by buildings and established hardstanding.

The estimated site area is approximately 2,400 m² (0.24 hectares).

3. PROPOSED DEVELOPMENT

The proposed development comprises a change of use of the existing site to commercial storage (Use Class B8).

The proposed use will principally involve the storage of business materials, equipment and tools, predominantly within the existing buildings.

The site will not operate as an employee base, and no employees will be working from the premises.

The proposal does **not** include:

- Construction of additional buildings.
- Demolition of existing buildings.
- Extensions or alterations to the existing structures.
- Formation of additional hardstanding.
- Excavation or ground disturbance.
- Removal of existing trees, hedgerows or established vegetation.
- Changes to the existing site access or layout.

The existing buildings and concrete yard will continue to accommodate the proposed storage operation.

4. STATUTORY BIODIVERSITY NET GAIN REQUIREMENTS

The statutory BNG requirement was introduced through Schedule 7A of the Town and Country Planning Act 1990, inserted by the Environment Act 2021.

The legislation generally requires qualifying development to deliver a minimum 10% increase in biodiversity value, subject to the applicable exemptions.

The Biodiversity Gain Requirements (Exemptions) Regulations 2024, as amended by the Biodiversity Gain (Town and Country Planning) (Amendments and Transitional Provisions) (England) Regulations 2026, introduced a further exemption for smaller development sites.

From 6 August 2026, development on sites measuring no more than 0.2 hectares is exempt from mandatory BNG, provided that the development does not impact onsite priority habitat.

As this site exceeds 0.2 hectares the potentially relevant route is the de minimis exemption under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

5. DE MINIMIS EXEMPTION ASSESSMENT

On the information currently available, the de minimis exemption is the relevant potential exemption. The following information identifies the statutory tests and the evidence still required.

Statutory test	Current assessment	Evidence / qualification
No impact on onsite priority habitat	No impact is proposed.	Priority habitat presence and any effect must be checked against current habitat information and the site.
Impact on less than 25 m² of onsite habitat with biodiversity value greater than zero	No habitat loss or physical intervention is proposed.	Confirm that the change of use and operational activity will not degrade or otherwise affect habitat.
Impact on less than 5 m of onsite linear habitat	No hedgerow or watercourse works are proposed.	Confirm no effect on hedgerows, ditches, watercourses or other relevant linear habitat.

Considering all the above the proposed change of use will not interfere with the site at all as no plans have been made to alter the existing buildings or land surrounding them or the site.

5.1 Site area

The submitted site plan identifies the application boundary is an area of 0.24Ha.

5.2 Priority habitat

The supplied site plan and aerial photograph show an established farmyard, buildings, hardstanding and limited areas of boundary vegetation.

No priority habitat has been identified from the supplied documents.

The proposed development does not involve the removal, clearance, excavation or physical alteration of existing vegetation or habitat.

The existing boundary vegetation and any areas of scrub or grassland will be retained.

The proposed storage activities will be confined to the existing buildings and established concrete yard, without encroachment onto vegetated areas.

On this basis, the proposal is not expected to result in the loss or degradation of any onsite priority habitat.

Assessment: NO IMPACT PROPOSED.

5.3 Physical development and habitat disturbance

The proposal is a change of use only.

There are no proposed building works, demolition, excavation, additional hardstanding or landscaping operations.

The existing site layout and ground conditions will remain unchanged.

No reduction in the biodiversity value of the existing boundary vegetation is anticipated.

Assessment: NO PHYSICAL HABITAT LOSS PROPOSED.

6. BIODIVERSITY PROTECTION MEASURES

To ensure that the exemption remains applicable, the following measures will be observed throughout the proposed use:

1. Existing boundary vegetation, trees and scrub will be retained.
2. Storage activities will principally take place within the existing buildings.
3. The existing concrete yard will continue to provide the operational external area.
4. No additional storage or vehicle parking will take place on existing vegetated areas.
5. No clearance or removal of established vegetation will be undertaken.
6. No additional hardstanding or groundworks are proposed.
7. Existing boundary features will be maintained in their current condition.

These measures will ensure that the proposed use does not result in an adverse change to the existing biodiversity value of the site.

7. CONCLUSION AND BNG EXEMPTION

Having considered the submitted site plan, aerial photograph and details of the proposed development, the application site is estimated to measure approximately 0.24 hectares.

The proposal involves a change of use from ancillary use associated with the existing residential building to commercial storage, without any associated physical development, demolition, excavation or removal of existing vegetation.

On the stated scheme details, the de minimis exemption under the Biodiversity Gain Requirements (Exemptions) Regulations 2024 appears to be the appropriate exemption to consider. The proposal appears capable of meeting the relevant habitat-impact thresholds because no habitat impact is proposed.

This assessment is submitted in support of the planning application to demonstrate why the proposed development is considered exempt from mandatory Biodiversity Net Gain requirements.

Date: 17/11/2026

REV A