

SUPPLEMENTARY DOCUMENT

De Minimis Exemption – Supporting Evidence Report

Applicant: Poplar Farm, Old Fendyke, Sutton St James, Spalding, PE12 0HE

Prepared for: Miss Elizabeth Allen

Prepared by: Joe's Blooms Ltd

Date: November 2025

1. This report by Joe's Blooms Ltd explains why an application for planning permission is eligible for an exemption from the general biodiversity gain condition ("mandatory biodiversity gain objective" or "objective"). Joe's Blooms specialises in helping developments comply with this objective.
2. Throughout this document, the mandatory biodiversity gain objective is as set out in paragraph 13 ("general condition of planning permission") of Schedule 7A of The Town and Country Planning Act 1990 (as amended).
3. This report supplements the applicant's original submission dated 4 December 2024, in which a *de minimis* exemption was claimed for the proposed glasshouse development. The purpose of this document is to supplement that submission to bring it into alignment with the recommended approach set out in the Planning Practice Guidelines (PPG). The report aims to:
 - a. Provide a structured evidencing package to accompany the exemption request.
 - b. Present a standardised metric sheet (Small Sites format) to set out the footprint and land parcels.
 - c. Provide a completed metric footprint maps.
4. Joe's Blooms has not conducted a site visit or independently verified baseline habitat conditions. All baseline information is taken from the original statement submitted to the LPA (4 December 2024), which described the whole site area as "hardcore and used daily by machinery" with "no priority habitats present." It is noted that while historic images appear to corroborate this, Joe's Blooms does not interpret or draw conclusions from these images and doesn't take an assessment of, and serves purely as the "responsible person" for the BNG assessment (i.e. completing the metric), not the "competent person". All statements regarding habitat type, site condition, and land use originate exclusively from the applicant's 4 December 2024 submission.



Satellite imagery from 2022

5. This document, the metric sheet, and habitat plans are provided exclusively to require evidence of minimal or zero biodiversity impact as set out in the PPG:

“In other cases where it cannot be clearly demonstrated through site plans and descriptions whether an onsite habitat would be lost or degraded by the development, applicants are strongly encouraged to provide a completed metric for the pre-development and post-development value for the onsite habitat and clear plans identifying the nature and size of this pre-development onsite habitat and how much of it will be impacted by the development.” (Paragraph: 004 Reference ID: 74-004-20240214).

6. A Small Site Metric (SSM) has been used to provide this evidence, as the PPG does not prescribe the statutory metric format for exemption evidence.
7. The 4 December 2024 submission states: “There is no impact on priority habitats.” “The land in question is hardcore and is used daily by machinery and therefore the construction of the glasshouse will not affect any priority habitats as there are none in situ.”
8. Based on this description provided by the competent person, it would appear that there may be eligibility for an exemption. Paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) includes provisions for exemptions from the mandatory biodiversity gain objective, which provides for exemptions for "development of such... description as the Secretary of State may by regulations specify." Such regulations were issued under The Biodiversity Gain Requirements (Exemptions) Regulations 2024.
9. Regulation 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024 gave effect to this intent, stating:

“The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions. (2) The first condition is that the development does not impact an onsite priority habitat. (3) The second condition is that the

development impacts— (a)less than 25 square metres of onsite habitat that has biodiversity value(1) greater than zero; and (b)less than 5 metres in length of onsite linear habitat.

10. Furthermore, Government guidance published on www.gov.uk provides the exact same set of tests. The wording is as follows:

“A development that does not impact a priority habitat and impacts less than: 25 square metres (5m by 5m) of on-site habitat 5 metres of on-site linear habitats such as hedgerows A development ‘impacts’ a habitat if it decreases the biodiversity value.”

11. Based solely on the information provided by the applicant and without independently verifying any baseline conditions, the submitted information appears to meet the thresholds for the de minimis exemption under Regulation 4.

- a. The development does not impact any priority habitat;
- b. The development does not impact more than 25m² of non-zero rated habitat (see the attached excel sheet for a detailed breakdown).
- c. The development does not impact more than 5m of linear habitat (upon further inquiries it was confirmed that the amount of hedgerow lost falls below this threshold).

Disclaimer

12. This report is provided as a supplementary source of information to accompany a set of reasons for an exemption from the BNG objective. That set of reasons was based on an assessment of the information provided by the applicant and is predicated on that information being complete and accurate.

13. This report only considers the development's eligibility for an exemption from mandatory Biodiversity Net Gain as set out under Schedule 7A of the Town and Country Planning Act 1990 (as amended). It does not consider other requirements beyond the mandatory Biodiversity Net Gain, which the development may or may not need to comply with, including requirements that may, notwithstanding the provisions of paragraph 17 of Schedule 7A, require the development to comply with elements of a different biodiversity net gain regime.

14. Joe's Blooms Ltd accepts no responsibility for the accuracy of baseline conditions, the classification of habitats, or the applicability of any exemption, all of which remain solely the responsibility of the applicant and/or their appointed competent person. Joe's Blooms Ltd are happy to discuss the contents of this report. Questions can be sent to oliver.lewis@joesblooms.com and will be replied to within five working days.

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