

## The Biodiversity Gain Requirements (Exemptions) Regulations 2024

### Biodiversity Net Gain (BNG) Exemption Statement

For:

CONVERSION OF EXISTING VACANT BANK PREMISES INTO 2 COMMERCIAL UNITS ON THE GROUND FLOOR, WITHIN USE CLASS 'E'; AND 4 RESIDENTIAL UNITS ON THE FIRST FLOOR, WITH 8 ASSOCIATED CAR PARKING SPACES TO THE REAR – 4 ALLOCATED TO THE RESIDENTIAL UNITS AND 2 CAR SPACES FOR EACH COMMERCIAL UNIT.

Planning Reference:

25/01164/FUL

At:

27-29 LONG STREET, MIDDLETON, ROCHDALE, M24 6TE

Completed By:

NADIR KHAN  
NK ARCHITECTS

Date of Exemption Statement Completion:

2 MARCH 2026

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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):

Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024, also known as the "de minimis exemption", states the following: The biodiversity gain planning condition does not apply in relation to planning permission for development which: (Condition 1) does not impact an onsite priority habitat, and (Condition 2) impacts less than 25 square metres of onsite habitat that has a biodiversity value greater than zero; and less than 5 metres in length of onsite linear habitat.

The proposed development meets Conditions 1 and 2 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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

The site does not contain any priority habitats listed under the Government's List of priority habitats and species in England ('Section 41 habitats and species') for public bodies, landowners and funders to use for biodiversity conservation, a copy of which can be found at the following website: <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

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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>

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7. Provide aerial imagery / photographs (or alternative sources), plans 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:

Photograph 1:



Photograph 2:



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:

We will install a Bat box.