

Planning Factsheet – Biodiversity Net Gain

Land between 473 - 475, Oldham Road, Rochdale, OL16 4TD

This statement sets out our justification for why we are of the opinion that this small development, despite having a site area of less than a hectare, will only directly affect 25 square metres or less of habitat that is also not priority habitat, and therefore is exempt from biodiversity net gain requirements.

"Where applicants consider that the development would not be subject to the general biodiversity gain condition, Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides that the applicant must provide a statement as part of the planning application setting out why they believe this is the case"¹.

This is that statement.

Government guidance² currently clearly states:

*"Developments **below the threshold***

A development that's below the threshold means that it does not impact a priority habitat and impacts less than:

25 square metres (5m by 5m) of habitat

5 metres of linear habitats such as hedgerows

[...]

Other exemptions

The following are exempt by the Environment Act 2021:

- developments that are granted planning permission by a development order (including permitted development rights)".*

"Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. [...]"

Whilst BNG applies to all development, some development types are exempt³.

This development is exempt.

Further information on this exemption, including what evidence will be required to show that a development is in scope of this exemption, is available in the [planning practice guidance](#)".

¹ <https://www.gov.uk/guidance/draft-biodiversity-net-gain-planning-practice-guidance>

² <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

³ <https://defralanduse.blog.gov.uk/2024/01/22/biodiversity-net-gain-what-are-the-exemptions/>