

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

Biodiversity Net Gain (BNG) Exemption Statement

For:

Barn conversion into a single dwelling

Planning Reference:

No reference yet

At:

Hey Bottom Farm, Calderbrook Road, Littleborough, Rochdale, OL15 9NR

Completed By:

May Page

Diogel Architecture

Date of Exemption Statement Completion:

16/12/2025

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

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 2024¹
5. The development proposals for this application meets the following exemption criterion from the Regulations (reference wording from the Regulations):

Section 4 De minimis exemption - Section 4 of The Biodiversity Gain Requirement (Exemptions) Regulations 2024

Doesn't impact an on site priority habitat; and impacts less than 25 square metres of on site habitat with a biodiversity value greater than zero, and less than 5metres of liner habitat

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

The proposed development is a conversion of an existing barn with all works confined to the footprint of the existing building and associated hardstanding. The site does not contain any priority habitats. All affected areas comprise existing built form or artificial hard surfaces with a biodiversity value of zero. The proposal therefore impacts less than 25m² of habitat with biodiversity value greater than zero and no linear habitats, meeting the de minimis exemption under Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

¹ The Biodiversity Gain Requirements (Exemptions) Regulations 2024:
<https://www.legislation.gov.uk/ukxi/2024/47/made/data.pdf>

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

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.

The exemption is supported by the submitted Location Plan, Site Layout Plan, and Existing and Proposed Plans and Elevations, which demonstrate that all works are confined to the existing barn footprint and associated hardstanding, with no loss of priority or biodiverse habitats.

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:
 - Retention and reuse of the existing barn, avoiding additional land take
 - Opportunities for installation of bird and bat boxes within the converted structure
 - Sensitive rural design maintaining local landscape character