

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

Biodiversity Net Gain (BNG) Exemption Statement

For:

Proposed conversion and extension of stable building to create self-build dwelling with associated landscaping

Planning Reference:

Not yet known

At:

**Stable to the west of Fern Hill Farm, Fern Hill Lane, Lanehead Road, Rochdale,
OL12 6BW**

Completed By:

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Date of Exemption Statement Completion:

10.07.26

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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 2024¹
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 states the following: The biodiversity gain planning condition does not apply in relation to planning permission for development which: (Condition 6) consists of no more than 9 dwellings, is on a site no larger than 0.5 hectares and consists exclusively of self-build or custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015.

The proposed development meets Condition 6 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

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

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

The development consists exclusively of one self-build dwelling on a site of no larger than 0.5 hectares and as such meets exemption criterion 6).

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: **N/A**

Photograph 1:

Photograph 2:

Further detail about self-build is contained within the supporting Heritage, Planning, Design & Access Statement

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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:

- **Soft landscaping comprised of native trees, hedgerow, wild grasses and plant species**
- **Provision of suitable bird and bat boxes on site**
- **Hedgehog highways within dry stone walls**

July 2026