

The Biodiversity Gain Requirements (Exemptions) Regulations 2024

Biodiversity Net Gain (BNG) Exemption Statement

For:

Proposed single story rear extension with self-contained flat at first floor

Planning Reference:

PL/2026/0652

At:

68 Edenfield Road, Rochdale, OL11 5AE

Completed By:

Harry Brindle BSc (Hons) Consultant Ecological at Arbtech Consulting Ltd.

Date of Exemption Statement Completion:

12/10/2026

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 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.

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

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>.

The development will impact less than 25m² of vegetated habitat and less than 5 linear metres of hedgerow or similar linear feature.

The proposed extension is only 18m² and therefore 25m² will not be removed. It is noted there is a hedgerow to the west of the site, which will be retained.

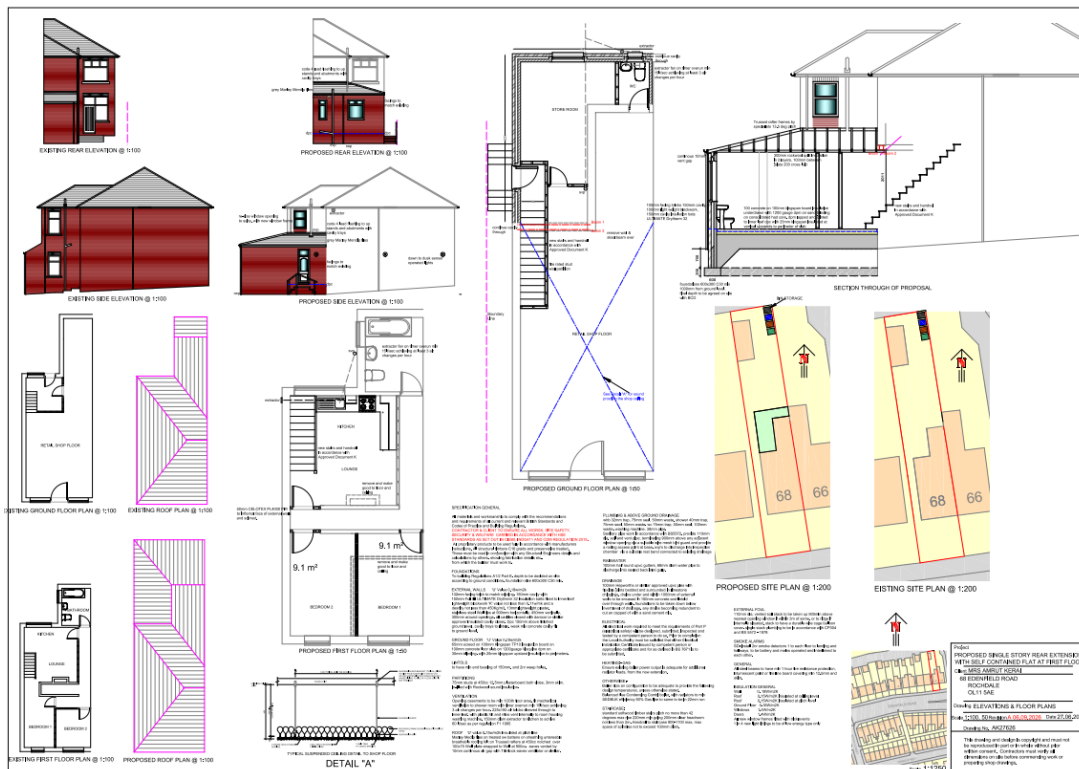
The Biodiversity Gain Requirements (Exemptions) Regulations 2024

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.

Aerial imagery - Photograph 1:



Proposed plans - Photograph 2:



The Biodiversity Gain Requirements (Exemptions) Regulations 2024

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:

The existing garden will be largely retained, including the established shrubs and bushes, which provide vegetative cover and potential foraging and sheltering opportunities for common garden wildlife. The development will seek to retain this existing vegetation wherever practicable, avoiding unnecessary clearance and maintaining the garden's contribution to local biodiversity.