

Biodiversity Net Gain Exemption Statement

The Biodiversity Gain Requirements (Exemptions) Regulations 2024 require an exemption statement to be submitted:

Site details:

- Proposed Development: Change of Use from a C3 Residential Dwelling to a C4 small house of multiple occupancy (HMO)) for up to six people.
- Planning Reference: Submission to Planning Inspectorate
- Location: 7 Bellevue Cottages, Clifton, Bristol, BS8 4TG.
- Completed By: Paul Jobson, Three Magnets Planning
- Date of Exemption Statement Completion: 10th February 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 2024
5. The development proposals for this application meets the following exemption criterion from the Regulations (reference wording from the Regulations):

De minimis exemption

The proposal is for a change of use only. The biodiversity gain planning condition does not apply in relation to planning permission for this development because the proposal does not impact an onsite priority habitat and the proposal impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

6. State how this application meets the exemption criterion stated above:

The proposed development is a change of use only and involves no built development.

7. Provide aerial imagery and/or photographs (or alternative sources) 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.



Aerial photo of property showing its lack of front garden and small rear garden, both of which remain untouched by the proposal for change of use only.