

## **Introduction**

This note is submitted in support of a planning application for the change of use and alteration to form a bakery at Unit 4 Bleachcroft Way, Barnsley, S70 3PA.

The purpose of this note is to set out whether the Biodiversity Gain Condition would be applied to the proposed development and therefore to determine the requirement to undertake a Biodiversity Net Gain (BNG) assessment.

## **BNG and Planning**

In England, BNG is mandatory for the majority of sites under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). A small proportion of sites can be exempt from mandatory BNG in accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Exemptions include (but are not limited to) developments below the threshold (also known as the 'de minimis' exemption).

The 'de minimis' exemption applies to developments where said development:

- does not impact on any onsite Priority Habitat;
- impacts less than 25 square metres of onsite habitat with a biodiversity value greater than zero (as calculated within the Statutory Metric); and
- impacts less than 5 metres of onsite linear habitat (such as a hedgerow).

Onsite habitat is impacted by the development if it is lost or degraded such that there is a decrease in the biodiversity value of that habitat (as determined by the statutory biodiversity metric).

This exemption is designed to cover planning permissions for development which only impacts on onsite habitat with a biodiversity value of zero so no gain would be required if there was no exemption.

Further information with regards to the 'de minimis' exemption is provided at Paragraph: 004 Reference ID: 74-004-20240214 of the Biodiversity Net Gain Guidance webpage on the gov.uk website.

## **Site context and Proposals**

The site currently comprises almost exclusively of developed land; sealed surface, in the form of buildings and car parking areas. Areas of vegetated habitat is present beyond the site boundaries. However, the applicant has confirmed these areas fall outside of the site.

The proposal is for the continued commercial use of the site and premises. Under the proposals, the footprint will remain largely unchanged although the development includes the addition of a side small extension. No additional car parking area or areas of hardstanding are proposed.

The impact of development is limited to developed land and sealed surface (which has a biodiversity value of zero within the Statutory Metric) and therefore, in accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the proposal, is exempt from BNG by the de minimis exemption.

### **Conclusion**

The proposals will not impact on any priority habitat or linear habitats and on this basis, the proposed development, in accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, is exempt from BNG by the de minimis exemption.