

# Planning Factsheet – Biodiversity Net Gain

McDonalds, Larchwood Avenue, Havant, PO9 3QW

This statement sets out our justification for why we are of the opinion that this small development, despite having a site area of less than a hectare, will only directly affect 25 square metres or less of habitat that is also not priority habitat, and therefore is exempt from biodiversity net gain requirements.

*"Where applicants consider that the development would not be subject to the general biodiversity gain condition, Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides that the applicant must provide a statement as part of the planning application setting out why they believe this is the case"<sup>1</sup>.*

**This is that statement.**

Government guidance<sup>2</sup> currently clearly states:

*"Developments **below the threshold***

*A development that's below the threshold means that it does not impact a priority habitat and impacts less than:*

*25 square metres (5m by 5m) of habitat*

*5 metres of linear habitats such as hedgerows*

*[...]*

*Other exemptions*

*The following are exempt by the Environment Act 2021:*

- *developments that are granted planning permission by a development order (including permitted development rights)".*

*"Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. [...]"*

Whilst BNG applies to all development, some development types are exempt<sup>3</sup>.

**This development is exempt.**

Further information on this exemption, including what evidence will be required to show that a development is in scope of this exemption, is available in the [planning practice guidance](#)".

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<sup>1</sup> <https://www.gov.uk/guidance/draft-biodiversity-net-gain-planning-practice-guidance>

<sup>2</sup> <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>

<sup>3</sup> <https://defralanduse.blog.gov.uk/2024/01/22/biodiversity-net-gain-what-are-the-exemptions/>