



BIODIVERSITY NET GAIN – EXEMPTION STATEMENT

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

Site details:

- Proposed Development: **Proposed extension of cake shop and partial change of use from use class ‘E’ to domestic use (C3).**
- Planning Portal Reference: **PP-13897560**
- Location: **‘Create a cake’, 94 Page Moss Ln, Huyton, Liverpool L14 0LX**
- Completed By: **Stuart Simmons, c/o Benjamin Thornton Architects**
- Date of Exemption Statement Completion: **27th March 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):

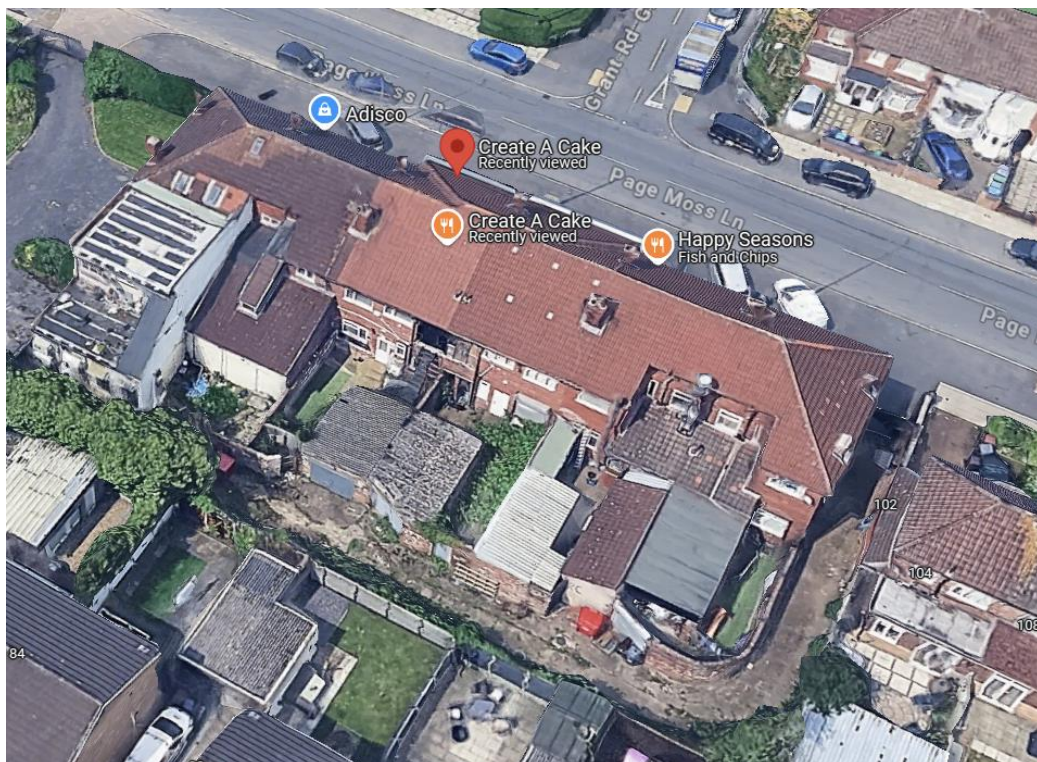
De minimis exemption

The 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 small scale and involves a single storey extension to the rear to connect to an existing outdoor store. There is considerable internal conversion work at first floor and loft level to facilitate a partial change of use from Use class 'E' to 2no. self-contained dwellings (C3).**

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.

Photographic evidence



Aerial photo: 'Create a cake' highlighted.



Photo: Front of shop with hardstanding (pavement) to front.



Photo: Rear of shop with predominantly concrete hardstanding and small area of astro turf.

Signed: Benjamin Thornton Architects

Date: 27.03.25