

Biodiversity Net Gain (BNG)

Exemption Statement

For:

Retrospective planning application for permission to retain
part change of use for Units 1, 5 and 6.

Planning Reference:

PP-13980644

At:

248 London Road, Romford RM7 9EL

Completed By:

Mr. Javied Sharif / Chartered Building Surveyor / JS Surveying & Design Services Ltd

Date of Exemption Statement Completion:

29/04/2025

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](#)¹
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.
The proposed development meets Conditions 1 and 2 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.
The proposed development is to retain part change of use of an existing building with no proposed changes or building works.

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, Therefore, this development is exempt from biodiversity net gain requirements and planning conditions under the de minimis rule of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024

7. Provide aerial imagery and 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. Add more photographs, plans or imagery of proposals if necessary.

Aerial imagery: See below .

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

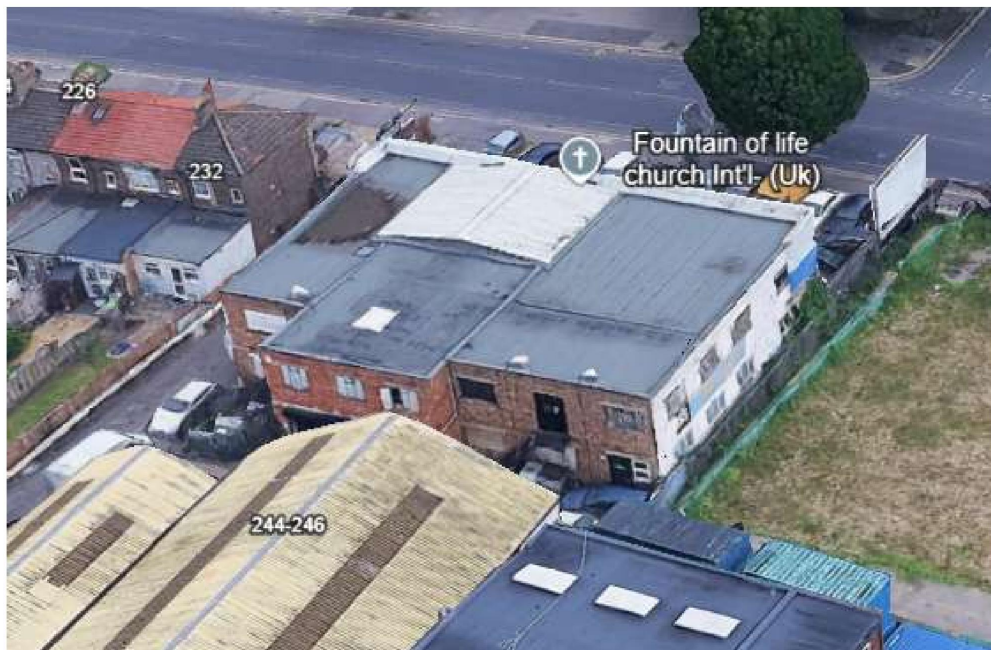
The Biodiversity Gain Requirements (Exemptions) Regulations 2024

Photograph 1:



Front View

Photograph 2:



Rear View



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The BNG Exemption Checker

Get a preliminary assessment on whether you are eligible for a BNG exemption!





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EXEMPTION: Application is below the *de minimis* threshold

REASON FOR SELECTING EXEMPTION: The application is exempt from the general Biodiversity Gain Condition as it impacts less than 25m2 of habitat

Thank you again for using our service. This should provide you with everything you need to secure your exemption from BNG!

We want to hear from you! If you have any questions, or not happy with the service that you have received, please let us know at exemptionqueries@joesblooms.com. Please note that this advice only relates to mandatory Biodiversity Net Gain as set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended).





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