

Biodiversity Net Gain (BNG)

BNG Screening Assessment: Mandatory BNG and Exemption Statement

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

Under the statutory framework for biodiversity net gain, subject to some exceptions, **every grant of planning permission** is deemed to have been granted subject to the condition that the biodiversity gain objective is met (**“the biodiversity gain condition”**).

For further information on biodiversity net gain and the planning process please refer to [government guidance](#) and our [BNG Practice Note](#).

As part of the planning application process applicants will need to submit this screening assessment (section A) and completing either Section B: Mandatory BNG Statement or Section C: Exemption Statement as necessary.

This document assists the applicant in providing all necessary information.

Please proceed to Section A.

A. Screening Assessment

In order to confirm if your application is subject to mandatory biodiversity net gain please work through the questions below.

1. Does the development qualify as a 'householder application'?

Householder Application: Defined in [Article 2\(1\) of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#).

- Yes → Exempt – complete statement in Section C
- No → Proceed to question 2

2. Is the development undertaken solely or mainly for fulfilling the BNG condition of another development?

- Yes → Exempt – complete statement in Section C
- No → Proceed to question 3

3. Does the development consist of no more than 9 self-build or custom build dwellings on a site no larger than 0.5 hectares?

Self-Build or Custom Build: As defined in [section 1\(A1\) of the Self-build and Custom Housebuilding Act 2015](#).

- Yes → Exempt – complete statement in Section C
- No → Proceed to question 4

4. Does the development impact less than 25 square metres of onsite habitat or less than 5 metres of onsite linear habitat, and does not impact a priority habitat?

- Yes → Exempt – complete statement in Section C
- No → Mandatory Biodiversity Net Gain applies. Complete section B.

B. Mandatory BNG Statement

Mandatory Biodiversity Net Gain applies to this application.

Development Description:

(enter a brief description of development proposals which reflects the submitted application)

Planning Reference:

(XX/XXXXXX/XX)

Development Address:

(enter site address which reflects the submitted application)

Completed By:

(enter name, job title, company)

The following documents have been submitted with this application. The documents in bold are must be submitted as a minimum requirement at point of planning application. Without meeting this minimum requirement, the application will be at risk of not being validated and lead to delays. Details of documents can be found within the [Bristol Validation Local list](#) and Bristol's [BNG Practice Note](#).

Biodiversity Net Gain Report

Statutory Metric

Habitat Maps (can be included within Report)

BNG GIS Data

Draft Habitat Management and Monitoring Plan

Draft Biodiversity Gain Plan

Date of BNG Statement Completion:

(enter date)

C. Exemption Statement

Development Description:

(enter a brief description of development proposals which reflects the submitted application)

Planning Reference:

(XX/XXXXXX/XX)

Development Address:

(enter site address which reflects the submitted application)

Completed By:

(enter name, job title, company)

Date of Exemption Statement Completion:

(enter date)

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):

6. State how this application meets the exemption criterion stated above (see worked example for reference):

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:

Photograph 1:

Photograph 2:

8. Whilst the development may be exempt from statutory Biodiversity Net Gain (BNG) requirements, the application for planning permission will deliver measurable net gains for nature conservation which are proportional and locally appropriate, in the following ways:

¹ [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#):

<https://www.legislation.gov.uk/uksi/2024/47/made/data.pdf>

Example response:

Section 5: The exemption criterion claimed:

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.

Section 6: Statement

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, a copy of which can be found at the following website:

<https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

The proposed dwellinghouse will be constructed on land currently occupied by outbuildings and hardstanding surfaces, consisting of a mix of resin, stones, and concrete.

Consequently, the area to be developed can be described as consisting of a mix of habitats classified under the UK Habitat Classification, as detailed in Appendix 2 of The Small Sites Metric (Statutory Biodiversity Metric) User Guide (2024), as follows:

- Urban - Un-vegetated garden
- Urban - Developed land; sealed surface (“Impermeable Hardscape”)
- Urban - Artificial unvegetated, unsealed surface (“Permeable Hardscape”)

None of the habitat classifications within the red line boundary have a biodiversity value exceeding zero, as can be verified in the Government’s Small Sites Metric (Statutory Biodiversity Metric) User Guide and Calculation Tools (2024). Consequently, the proposed development would impact less than 25 square metres of onsite habitat that has a biodiversity value greater than zero, thereby meeting Condition 2 of Section 4 of The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

As a result, the proposed 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.

Section 7: Evidence

Provide two aerial images of the site, marked up to show existing and proposed development areas, and how that accords with the exemption criteria claimed above, together with photographs of the current site conditions, to provide context.

Section 8: Measurable Net Gains for Nature Conservation

- A biodiverse green roof with features for invertebrates including log piles and a varied substrate
- Soft landscape schedule comprised of native plant species
- Provision of two bird boxes and one bat box
- Creation of a wildlife pond
- Hedgehog highways in gravel boards of boundary fences