

Unit 2a Prospect Way SWT Comments

Date: 23rd January 2026

Application Reference: SMD/2025/0183

Location: Unit 2a Prospect Way

Proposed Development:

Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions.

Documents Viewed:

- Application form
- BNG Metric Tom Edgerton Hewitt & Carr Services
- BNG Report, 26/03/2025, Hewitt & Carr Services

Summary: We recommend a **holding objection** until the following information is supplied and our comments are resolved:

- The development is subject to BNG. The BNG report should reflect this
- The minimum validation requirements for BNG have not been met. The application form needs updating.
- Please confirm whether there will be changes to the roof or external lighting and whether the Ecologist carried out a preliminary ecological appraisal specifically looking for the potential for bat roosts.

Further detail

BNG Validation Requirements not met

The minimum validation requirements for BNG have not been met. For information, I have pasted text from the [BNG planning practice guidance](#) below which lists the BNG minimum validation requirements - I have highlighted those not met (the dates require the application form to be updated - predevelopment biodiversity value to the date of the application form and the date the BNG metric was published (must be the statutory biodiversity metric):

'the application must be accompanied by minimum information set out in [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#):

- *confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;*
- *the **pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);***
- *where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;*

- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including [the publication date of the biodiversity metric used to calculate that value;](#)
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('[degradation](#)'), and where they have:
 - a statement to the effect that these activities have been carried out;
 - the date immediately before these activities were carried out;
 - the pre-development biodiversity value of the onsite habitat on this date;
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this;
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).'

BNG

The BNG report states 'no habitats of value exist within the boundary of the proposed site of works. Consequently, the development will fall under the De Minimis exemption on the basis that no habitat over 25 square meters of value to biodiversity will be affected'.

The BNG report also includes a map of the habitats on site which includes areas of introduced scrub, there is also a completed statutory biodiversity metric tool which shows that there are 0.07 habitat units from the introduced scrub. This has a habitat value within the statutory biodiversity metric tool, so the habitat does not have a value of zero. In addition, measuring the area of the introduced scrub, this is greater than 25 square metres. Therefore this development does not fall under the de minimis exemption and it is subject to the net gain condition so the minimum validation requirements are required to ensure the application is valid.

The legislation behind the de minimus exemption is The [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#), this states:

'De minimis exemption

4.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.

(2) The first condition is that the development does not impact an onsite priority habitat.

(3) The second condition is that the development impacts—

(a)less than 25 square metres of onsite habitat that has biodiversity value(1) greater than zero; and

(b)less than 5 metres in length of onsite linear habitat. '

4. 3a is highlighted as there is greater than 25 metres of onsite habitat that have a biodiversity value of greater than zero; therefore the development is not subject to the de minimus exemption and is subject to the statutory BNG condition. To enable the determination of this application we need further information about how the 10% BNG will be delivered.

Conditions

To be determined at a later date following the response to these comments.