

Staffordshire Moorlands District Council
Planning Department,
Staffordshire Moorlands District Council,
Stockwell Street,
Leek, ST13 6HQ
<By Planning Portal>



7th April 2026

Dear Sir / Madam,

26-06: Full Planning Application (Retrospective) for Agricultural Building at High View Farm, Kingsley

1.0 Biodiversity Net Gain Statement

- 1.1 Article 7 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.
- 1.2 Schedule 14 of the Environment Act 2021 has introduced the concept of biodiversity net gain 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 on-site habitat at least 10%. This schedule additionally mandates that biodiversity gain objectives will be achieved through the imposition of planning conditions, thus constituting a post-permission process.
- 1.3 However, certain types of the 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 2024¹. The development proposals for this application meets the following exemption criterion from the Regulations.
- 1.4 Section 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, also known as the "de minimis exemption" states that the biodiversity gain planning condition does not apply in relation to planning permission for development which "does not impact an onsite priority habitat" and "impacts less than 25 square meters of onsite habitat that has a biodiversity value greater than zero" or "less than 5 metres in length of onsite linear habitat".
- 1.5 The site does not contain any priority habitats listed under the Government's list of priority habitats and species in England for public bodies, landowners and funders to use for biodiversity conservation.
- 1.6 The proposed development of the 'Agricultural Barn Building' will be constructed on land currently occupied by man-made surfaces, consisting of a mixture of concrete, gravel and composite materials (under the UK Habitat Classification system these equate to artificial unvegetated, unsealed surfaces).
- 1.7 None of the land where the proposed building has been constructed has a biodiversity value exceeding zero. Consequently, the proposed development would impact less than 25 square meters of onsite habitat that has a biodiversity value greater than zero.

2.0 Conclusion

- 2.1 The proposed development is therefore 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.
- 2.2 Additionally, as the proposed development is submitted as a 'retrospective application', this is a further reason that the proposals comply with The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'B Johnson', with a stylized, cursive script.

Bruce Johnson

BSc (Hons), PGDip, MSc

on behalf of applicant: A W Clowes