

20240317 - 77A Windsor Road
KCC Biodiversity Officer 3 June 2024

As the proposal will be purely on hardstanding/existing buildings and not be impacting any vegetation I would agree that the proposal is exempt from BNG due to the de-minimis exemption.

The legislation itself rather than the gov.uk standing advice pages I find best when looking at if an exemption applies: [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

The legislation says that the biodiversity gain planning condition will not apply where development does not impact an onsite priority habitat (this development will not) AND where proposals will affect less than 25 square metres of onsite habitat (this development affects less than 25 sq m of habitat). Additionally, the land affected has a biodiversity value of zero and mandatory biodiversity net gain is not applicable to sites which have a biodiversity value of zero. We understand no linear habitats are to be affected by proposals.

Kind Regards,

Helen

Helen Forster MCIEEM | Senior Biodiversity Officer | **Kent County Council**