

Statement for the removal of a condition to planning application
REF 20240097
Tourmalane 63 Old Watling Street Gravesend Kent DA11 7NT

This application is for the removal of condition number 10 of the planning consent.

Condition 10:

This building should be exempt from biodiversity enhancement plan as the regulation only applies to planning applications made after 2nd April 2024, as per *sections 3 and 8 of the Statutory Instrument 47, 2024: The Biodiversity Gain Requirements (Exemptions) Regulations 2024*. Please see text below:

"Section3: Temporary exemption for small developments

3.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for small development where— (a) the application for planning permission for small development was made before 2nd April 2024; or (1) 1990 c. 8; subsection (2A) was inserted into section 333 by paragraph 14 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (c. 5); Schedule 7A was inserted by section 98 of, and Schedule 14 to, the Environment Act 2021 (c. 30). Document Generated: 2024-02-12 Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. (b) planning permission is granted for small development which has effect before 2nd April 2024."

Section 8: Self-build and custom build applications

(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which— (a) consists of no more than 9 dwellings; (b) is carried out on a site which has an area no larger than 0.5 hectares; and (c) consists exclusively of dwellings which are self-build or custom house building.

The planning application for this site was made on the 2nd February 2024, approved on the 25th March 2024. And also it is a self build where the owners have been directly involved in the build and it is on a site of less than 0.5hectares.

Despite this - the biodiversity has been enhanced through specialist bird and bat boxes being placed around the property; there will be hedgerows, plenty of soft landscaping (grass for majority of the back garden and front space) and there is sustainable drainage systems put in place.