



BNG EXEMPTION STATEMENT

Proposed Barn Conversion to Hydrotherapy Pool

at:

Woodview Farm
42 Manor Road
Farnley Tyas
HD4 6UL

for:

Mr Julian Chambers

job nr:

23043

date:

09 January 2026

1. Introduction

This statement has been prepared in support of the planning application for the conversion of an existing barn to a hydrotherapy pool at Farnley Tyas, Huddersfield. The purpose of this document is to demonstrate that the development is **exempt from the mandatory Biodiversity Net Gain (BNG) requirements** under the **de minimis exemption**, in accordance with current legislation.

The barn already benefits from a **Class R change of use to Class E (business use/professional services/fitness/recreation)** as approved under Kirklees Council planning reference **2023/91765**.

2. Legislative Context

Mandatory Biodiversity Net Gain is required under:

- **Schedule 7A of the Town and Country Planning Act 1990** (as inserted by the Environment Act 2021), and
- **The Biodiversity Gain Requirements (Exemptions) Regulations 2024**.

Under **Regulation 4 and Schedule 1** of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, development is exempt where it meets the **de minimis** criteria, specifically where:

- The development **does not impact more than 25 square metres of non-priority habitat**, and
- Does not impact **more than 5 metres of linear habitat features**, and
- Does not impact any **priority habitat**.

3. Exemption Being Claimed

This development is exempt from mandatory BNG requirements under the:

De Minimis Exemption

(as defined within the Biodiversity Gain Requirements (Exemptions) Regulations 2024)

The proposal does **not result in the loss or degradation of more than 25 square metres of habitat**, nor does it affect any linear or priority habitats.

4. Site Description

The red line application site extends to approximately **912m²** and is characterised by predominantly built and hardstanding surfaces, with minimal ecological value. The site comprises:

- **627m²** – Hardstanding gravel
- **172m²** – Existing barn footprint
- **58m²** – Concrete hardstanding
- **55m²** – Small area of grassed field

The site is therefore largely composed of **developed, sealed or heavily disturbed surfaces**, with only a **very limited area of low-value grassland** present. There are no trees, hedgerows, watercourses, priority habitats, or notable ecological features within the site boundary.

5. Proposed Development and Habitat Impact

The proposal involves the **conversion of the existing barn to a hydrotherapy pool**. Key points are:

- The **existing barn footprint remains unchanged**.
- The **55m² grassed area will be retained in full** and enclosed with a new fence to demarcate a garden area.
- **130m² of existing hardstanding gravel will be converted to turfed lawn** to form a seating and amenity area.
- No new built development is proposed beyond the existing footprint.
- No vegetation removal, habitat loss, or ground disturbance affecting semi-natural areas is proposed.

Importantly:

- There is **no loss of habitat**.
- The only change is from **hardstanding gravel to grassed lawn**, which represents a **net improvement in habitat value**.
- There is **no impact to any linear features** (e.g. hedgerows, ditches, watercourses).
- There is **no impact to any priority habitat**.

6. De Minimis Assessment

In accordance with the **Biodiversity Gain Requirements (Exemptions) Regulations 2024**, the development qualifies for the de minimis exemption because:

- **Habitat loss = 0 m²**
- **Habitat creation = 130 m² (gravel to lawn)**
- **Linear habitat loss = 0 m**
- **Priority habitat loss = 0 m²**

As such, the proposal is **well below the 25m² threshold** for habitat impact and the **5m threshold** for linear features.

7. Conclusion

The proposed development:

- Is located on a site dominated by existing built form and hardstanding,
- Does not result in the loss of any habitat,
- Retains the existing grassed area in full, and
- Introduces new lawn areas in place of existing gravel.

The development therefore clearly meets the criteria for the **de minimis exemption** under the **Biodiversity Gain Requirements (Exemptions) Regulations 2024** and is **exempt from the requirement to deliver Biodiversity Net Gain**.

A Biodiversity Metric calculation and Biodiversity Gain Plan are therefore **not required**.

8. Supporting Evidence

The following documents have been submitted alongside this statement to evidence compliance with the exemption:

- **A general arrangement and location plan reference 23034D-10-P02:** This drawing shows the existing site plan with existing surface finishes hatched with the areas listed. The drawing also includes the location plan with the redline boundary indicated.
- **Proposed site layout plan reference 23043D-13-P02:** This plan identifies the retained grass, the new lawn area, and the unchanged barn footprint.

Below please see the following supporting evidence:

- **Existing site photographs** showing the dominance of hardstanding and built form.
- **Current Aerial image** which shows the existing hardstanding surfaces.

These documents visually demonstrate that the development meets the de minimis exemption criteria.

