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Our Ref:
Date:

9840
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Dear Sirs,

Re: 40/41 Kings Street, Biodiversity Net Gain Exemption

We are writing to you today on behalf of our client K. Maxwell regarding exemption from Biodiversity Net Gain for the planning application below.

Proposed change of use and conversion of former highstreets bank and offices into Community Outpatients Department and associated offices at 40, 41 King St, Cumbria CA28 7JN.

We seek exemption of the Biodiversity Net Gain on the ground that the ground that under the Biodiversity Net Gain Guidance published by Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities on Gov.uk (Published 14 February 2024, Last updated 1 May 2024).

"if there is an impact on other onsite habitat, that impact must be on less than 25 square metres (e.g. less than a 5m by 5m square) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow)"

The existing building occupies the entire site area, with its external walls built directly onto the site boundaries and facing the public highway. The site is situated within a town centre/high street context and has no associated land or external space. Due to the absence of any soft landscaping or open ground, there is no opportunity for on-site biodiversity enhancements. As such, the existing conditions do not support the inclusion of biodiversity measures.

Yours Sincerely,

P. Winterburn

P. Winterburn

Senior Architectural Assistant



Figure 1 – 40/41 Kings St