

Subject: Rapporteurship on Promoting Biodiversity in New Housing Developments

Report to: GLA Oversight Committee

Report of: Executive Director of Secretariat

Date: 20 July 2016

This report will be considered in public

1. Summary

- 1.1 This report sets out a proposal for a rapporteur to investigate potential ways to improve biodiversity protection in new housing developments. It recommends that the GLA Oversight Committee approves the appointment of Leonie Cooper AM as a rapporteur to lead the project.

2. Recommendation

- 2.1 **That the Committee agrees the appointment of Leonie Cooper AM as a rapporteur for the Housing Committee, to conduct an investigation into potential ways to improve biodiversity protection in new housing developments.**

3. Background

- 3.1 The GLA Oversight Committee has the power to approve all scrutiny-related Assembly expenditure and proposals for rapporteur investigations, in conformity with the Assembly's decision-making framework procedure.
- 3.2 In accordance with Standing Order 8.9B this Committee must approve every proposal to appoint a rapporteur proposed for appointment by a committee before the rapporteur may start his or her duties.
- 3.3 At its meeting on 5 July 2016, the Housing Committee agreed to recommend that this Committee appoint Leonie Cooper AM to carry out an investigation into the need for revised planning guidance to ensure biodiversity protection and enhancement in new housing developments.
- 3.4 The Housing Committee also delegated authority to its Chair, Andrew Boff AM, in consultation with party Group Lead Members, to agree a detailed scoping document, including terms of reference, for the investigation.

4. Issues for Consideration

- 4.1 The Mayor is committed to a substantial building effort to increase the number of homes for Londoners.¹ This must be done while simultaneously protecting and enhancing the biodiversity of London. The London Plan, additional Supplementary Planning Guidance (SPG) and the Mayor's biodiversity strategy offer guidance on protecting biodiversity and enhancing green infrastructure (the network of all green and open spaces). However, there is concern that current strategy focuses on protecting existing green spaces and biodiversity but does not properly promote mechanisms to create and increase functional landscapes and wildlife habitats.

Mayoral Planning Guidance

- 4.2 The current London Plan provides guidance on green infrastructure and biodiversity in several areas, encompassing green space, trees and waterways. Policy 2.18 commits that:

*The Mayor will work with all relevant strategic partners to protect, promote, expand and manage the extent and quality of, and access to, London's network of green infrastructure.*²

- 4.3 The policy recommends that development proposals, wherever possible, make a 'positive contribution to the protection, enhancement, creation and management' of biodiversity. It also stipulates that they should assist in achieving targets in Biodiversity Action Plans (BAPs). Policies 7.19, 7.21, 5.10 and 5.11 make additional recommendations on ensuring a *proactive* biodiversity strategy and more specifically on trees and woodlands, urban greening and green roofs.
- 4.4 The Mayor's biodiversity strategy (2002) provides the context for London Plan policies and guidance, with 'Proposal 5' and 'Proposal 6' calling for all planning decisions to "take account of the protection of wildlife habitats and biodiversity". There is a strong case for this strategy to be reviewed, which would provide the opportunity to more imaginatively and ambitiously examine mechanisms to create and increase functional landscapes and wildlife habitats in conjunction with new housing developments.
- 4.5 The new administration has stated their intention to review the London Plan over the next year and beyond. A review of the biodiversity strategy has been ongoing for some time and is now, along with the other Mayoral environment strategies, likely to be reviewed and incorporated into a new single London Environment Strategy. This will provide an opportunity to reflect the changed national planning framework (and in particular, the Government's Natural Environment White paper 2011). This rapporteurship aims to investigate whether clear and straightforward recommendations can be made to the London Plan review that would help raise ambitions for a more holistic and expansive biodiversity strategy.

Scope of the review

- 4.6 This rapporteur review would aim to provide the new Mayor with a balanced assessment of the current green infrastructure and biodiversity strategy. It will draw on the work done by the Green Infrastructure Task Force to identify how to encourage a more strategic and long-term approach to green infrastructure delivery and investment.

¹ Sadiq Khan, Housing Manifesto, May 2016

² London Plan Policy 2.18

- 4.7 There is a shift towards planning, designing and managing green infrastructure as a holistic network. The rapporteurship will consider this line of thought and how it might be aided by a more joined-up approach to planning guidance. Specifically, the review will consider whether creating a single set of guidelines applying to all forms of flora and fauna would enable a single directive for building developments to adhere to. This would allow developers and planners to rely on one source for their information; reducing conflicting messages and creating a more cohesive and inclusive approach.
- 4.8 There are examples from cities such as Berlin, Malmo, Hamburg and Seattle that use the principle of “the green space factor” which may be of value in helping planners and developers to determine the extent of offsetting measures. The rapporteur will review the evidence of how such initiatives are working.
- 4.9 In addition, there is significant potential for well-managed green infrastructure to deliver environmental and social benefit. Some argue that the current London Plan focuses too heavily on the preservation of existing green infrastructure. This is an opportunity to review whether environmental and social gains could be increased by boosting the London Plan’s focus on creating new green infrastructure.
- 4.10 Officers are content that there is sufficient capacity within the relevant Committee’s project team to undertake this work.

Proposed Terms of Reference

- 4.11 At its meeting on 5 July 2016, the Housing Committee delegated authority to its Chair, Andrew Boff AM, in consultation with party group Lead Members, to agree a detailed scoping document, including terms of reference, for the investigation. The agreed terms of reference of reference are set out below:
- To explore the extent to which housing developments during the last 10 years have incorporated biodiversity provision, with special consideration for sites of 150 units or more;
 - To assess the strengths and weaknesses of current guidance as set out in the London Plan and other Mayoral documents in promoting and enhancing biodiversity in new housing developments;
 - To review best practice from other UK and foreign cities including Malmo, Berlin, Hamburg and Seattle; and
 - To make recommendations to the Mayor, establishing ways to effectively promote and enhance biodiversity, in line with the local vernacular, and without affecting the viability of new housing developments.

5. Legal Implications

- 5.1 The Committee has the power to do what is recommended in the report. Under its terms of reference, the GLA Oversight Committee must approve proposals for the use of rapporteurs.

6. Financial Implications

- 6.1 There are no direct financial implications arising from this report. Any costs incurred during the rapporteur's investigation will be met from existing scrutiny budgets.

List of appendices to this report:

None

Local Government (Access to Information) Act 1985
List of Background Papers: None
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