

# GREATER LONDON AUTHORITY

██████████  
(By email)

Our Ref: MGLA190721-8616

9 August 2021

Dear ██████████

Thank you for your request for information which the GLA received on 17 July 2021. Your request has been dealt with under the Environmental Information Regulations (EIR) 2004.

You asked;

- A. *When is the Local Planning Authority planning to introduce Biodiversity Net Gain as a mandatory requirement for all small development projects in the LPA's jurisdiction? Please provide a specific date and a short definition of what the LPA classes as a 'small development project'.*
- B. *If a specific date has not yet been decided, does your Local Planning Authority intend to introduce a requirement for planning applications to include localised Biodiversity Net Gain plans for small development project within the 24 months following the passing of the Environment Bill? (Please define 'Biodiversity Gain Plan' as any document that is analogous to the type of document specified in the Environment Bill).*
- C. *Is there any material that sets out what criteria a Biodiversity Gain Plan needs to meet in order to be accepted by the authority for a small development project? If such material exists please can it be attached to your response. If such material does not exist, please provide a brief description of what criteria a Biodiversity Gain Plan needs to meet within your LPA. (Again, please define 'Biodiversity Gain Plan' as any document that is analogous to the type of document specified in the Environment Bill).*
- D. *Who is the official at your Local Planning Authority that is tasked with ensuring that Biodiversity Net Gain is implemented for the LPA?*
- E. *Does the LPA's approach to Net Gain require all 'Biodiversity Gain Plans' to be produced by an accredited ecologist?*

Our response to your request is as follows:

Boroughs act as the Local Planning Authority (LPA) for the majority of planning applications in London. The information on this webpage explains the planning responsibilities for the Mayor of London: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/what-powers-does-mayor-have-planning-applications>

In cases where the Mayor does become the LPA securing and enforcing legal agreements and conditions are still a matter for the borough LPA. This would include any legal agreements securing offsite biodiversity enhancements or regarding the delivery of Biodiversity Net Gain plans for example.

This means that our role is not comparable to a typical LPA and therefore some of the processes referenced in your questions are not fully relevant to the role of our authority. We expect to have greater clarity on our responsibilities as a strategic authority once Government publish further statutory Biodiversity Net Gain Guidance. I have therefore answered the questions as fully as possible in the context of the GLA's unique statutory planning powers and responsibilities.

In response to your specific questions:

- A. The London Plan sets the strategic land use planning policy framework for London. Policy G6 Biodiversity and access to nature (part D) already includes a requirement for development proposals to aim to secure net biodiversity gains informed by the best available ecological information and addressed from the start of the development process. This policy applies to all developments that require planning permission.

We will apply any additional mandatory requirements relating to Biodiversity Net Gain, including for small developments where applicable, within the statutory deadlines that will be finalised once the Environment Bill has been passed.

With regard to defining a 'small development project' we understand that Natural England will later this year publish a 'Small Sites Metric' and that they will stipulate what constitutes a 'small site' for the purposes of mandatory Biodiversity Net Gain. We will apply Natural England's guidance on what a 'small development project' is and when this 'small sites' metric should be used.

- B. We will implement any legal requirements that arise from the Environment Bill within the statutory timelines.
- C. No, we do not have any material which sets out what a Biodiversity Net Gain Plan needs to contain. We expect Natural England to provide further detailed guidance on this matter when the statutory guidance on Biodiversity Net Gain is published.
- D. Oversight of the developing mandatory requirements regarding Biodiversity Net Gain is shared between our Planning Team and Environment Team. We do not have a single appointed official with responsibility for implementing net gain.
- E. We would expect any submissions we receive in our role of reviewing referable applications or where the Mayor acts as the LPA to be completed by a suitably qualified person, as defined by Chartered Institute for Ecology and Environmental Management (CIEEM).

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

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Principal Policy Officer – Green Infrastructure

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>