

Draft London Plan Consultation March 2018

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SUMMARY AND KEY RECOMMENDATIONS

We **welcome the aspirations and leadership** shown in the Mayor's Draft London Plan including the target for more **than 50% of London to be green by 2050** and the commitment to becoming a **zero-carbon city by 2050**. Given the scale of growth proposed, it is essential that the Mayor takes an ambitious approach to environmental protection and enhancement.

We will work constructively with the Mayor and the GLA to **support development of an even more ambitious plan** and to **ensure effective implementation of environmental policies**.

Given the scale of development planned it is essential that the Draft Plan takes a **spatial approach** to ensure development is directed to the least environmentally damaging locations and opportunities are taken to plan for biodiversity at a landscape scale.

The **Draft London Plan does not currently provide a strategic, spatial framework for biodiversity protection and enhancement and it underplays the importance of biodiversity** – biodiversity is a key stock of natural capital, underpinning a variety of benefits to people as well as having an intrinsic value and it is critical that biodiversity is protected before considering and trading off ecosystem service benefits. **The London Plan should take a more ambitious approach to biodiversity and genuinely set the strategic, spatial framework for London Boroughs** to follow. Without this, there is a real risk that the scale of development planned could significantly impact on the wildlife in London and the wider South East.

Our response provides detailed comments on the Draft London Plan approach and the policies therein. Key recommendations are below:

Biodiversity: The final London Plan must **better reflect the importance of biodiversity and its intrinsic value** and take more **ambitious approach to protecting and restoring nature**. Boroughs need to have access to ecological expertise to support Plan implementation. **Consider establishing a London Ecology Unit** to provide support to Boroughs.

The adopted Plan must make **greater reference** to the potential **direct, indirect and cumulative impacts on wildlife** and the environment arising from the growth proposed **and how this is to be managed in line with the mitigation hierarchy**. The existing policy framework does not adequately protect against cumulative losses of or harm to existing sites of wildlife value, particularly those with no statutory protection. This includes the potential for loss of gardens through infilling of multiple small housing developments.

Spatial Framework: The final London Plan should **provide a spatial framework for biodiversity**, identifying and mapping opportunities to extend/restore/buffer and strengthen the connectivity between legally protected wildlife sites, the SINCs network and wider habitats of conservation importance. It is essential the Plan is **underpinned by comprehensive and up-to-date maps of legally protected wildlife sites, the SINCs network and priority habitats**.

The spatial strategy for London commits to protection of London's green belt. This will place increased pressure on brownfield sites. The Mayor should **provide guidance on when a brownfield site is of high environmental value** and ensure that **all brownfield sites** being considered for development are **supported by an up-to-date ecological survey and assessment**.

The Mayor's commitment to increased greening is welcome. The Plan must **make greater reference to the importance of the quality as well as the amount of green space**. This should include commitments to deliver wildlife-rich green spaces providing opportunities to connect with nature.

The **importance of connection to nature must be strengthened** in the final draft of the London Plan.

We are **supportive of the general thrust** of the policies in **Chapter 8: Green Infrastructure and the Natural Environment**. However, a **number of changes and improvements are needed to provide clarity and consistency and strengthened ambition** around biodiversity net gain and nature recovery networks.

The Plan should have a **separate policy / section on legally protected wildlife sites** (SSSIs, SPAs, SACs, Ramsar sites) to reflect the differing levels of legal and policy protection between these and wider SINCs. The use of the term 'SINCs' to encompass all wildlife sites regardless of level of protection could be confusing. We recommend use of another term such as protected wildlife areas.

Policy G5: Urban Greening needs further clarity and explanation to avoid loss or damage to biodiversity in line with the mitigation hierarchy. The Urban Greenspace Factor is simplistic and does not currently recognise the value, condition, quality or irreversibility of existing habitats.

Policy G6: Biodiversity and access to nature needs to be strengthened to require London Boroughs to take a strategic spatial planning approach to biodiversity and to commit to biodiversity net gains.

The **London Plan** must be **underpinned with additional Key Performance Indicators** to help monitor the performance of Plan policies in respect of biodiversity losses or gains and change in greenspace.

We **object to policy T8: Aviation**. Climate change is the greatest long-term threat to wildlife. Evidence produced by the RSPB shows that climate change is already affecting wildlife across Europe and that these impacts will intensify and worsen unless urgent action is taken to reduce emissions.

Introduction

The Royal Society for the Protection of Birds (the RSPB) is the charity that takes action for wild birds and the environment. We are the largest wildlife conservation organisation in the country with over one million members, including 85,000 in London. We have 10 Local Groups in London and 26 in the wider South East. We own or manage 151,954 hectares of land for nature conservation on 213 reserves throughout the UK. Rainham Marshes, our 350 hectare nature reserve located on the boundary of London and Thurrock, is the last remaining area of grazing marsh in London and provides a unique Environment and Education Centre for schools, enabling children between reception and Key Stage 5 to learn in contact with nature¹. Our priority urban species in the region is the swift.

We believe that sustainability should be at the heart of decision-making. The RSPB's policy and advocacy work covers a wide range of issues including planning policy, climate change, energy and water. As well as commenting on national planning policy issues, the RSPB's professional conservation and planning specialists engage with over 1,000 cases each year throughout the UK, including development plans and individual planning applications and proposals. We thus have considerable planning experience. The RSPB also makes over 100 planning applications a year on its own reserves and estate.

We believe we have a moral imperative to save nature – nature is important in its own right as well as being crucial to people's quality of life and providing important life-support systems.

The State of Nature Report 2016² gives us the clearest picture to date of both the long-term and recent trends in our native species – over half (56%) of UK species have decreased since 1970. The UK has lost significantly more nature over the long term than the global average. All four countries of the UK rank in the bottom quarter of countries assessed in the Biodiversity Intactness Index. Urbanisation (including loss of green space such as parks, allotments and gardens and loss of wildlife-rich brownfield sites) is one of the key drivers for change in our nature – 7% of urban species are threatened with extinction from Great Britain. This highlights the need to ensure that all opportunities to protect and enhance biodiversity are provided in the London Plan.

Our Response

We welcome the aspirations and leadership shown in the Mayor's Draft London Plan, including:

- The target for more than 50% of London to be green by 2050,
- Support for large-scale developments to be air quality positive,
- The commitment to becoming a zero-carbon city by 2050 and
- Major developments to be net zero-carbon.

We are also pleased with the policy for development to minimise use of mains water achieving 105 litres or less per head per day. Given the scale of growth proposed, it is essential that the Mayor takes an ambitious approach.

¹ <https://www.rspb.org.uk/fun-and-learning/for-teachers/school-trips/rainham-marshes/>

² Hayhow DD, Burns F, Eaton MA et al. (2016) State of Nature 2016. The State of Nature Partnership.

We are keen to work constructively with the Mayor and GLA, to support development of an even more ambitious plan and to ensure effective implementation of policies, including the development of a robust funding strategy.

Our response is structured by four themes:

- A) General Comments.
- B) Planning Positively for Biodiversity at a Landscape Scale.
- C) Sustainable Homes for People and Wildlife and
- D) Connection to Nature.
- E) Aviation.
- F) Monitoring.

We have provided detailed comments on policies, as relevant, within each theme.

A) General comments

Delivering ‘Good Growth’ for people and wildlife

The Draft London Plan plans for growth on the basis of its potential to improve the health and quality of life for all Londoners and to make the city a better place to live, work and visit. This is to be welcomed and is essential given the scale of growth proposed. As the country’s largest nature conservation charity we believe a successful London Plan should deliver long term benefits for people and nature. As currently drafted, **the Draft London Plan underplays the importance of biodiversity** (including habitats and species). We remain concerned that the intrinsic value of biodiversity is not fully recognised. As biodiversity is a key part of the stock of natural capital, underpinning a variety of benefits to people including flood protection, recreation and improved air and water quality as well having an intrinsic value, it is critical that biodiversity is protected before considering and trading off ecosystem service benefits. This is ties in with comments made in our response to the Draft London Environment Strategy.

London’s biodiversity is declining due to loss of and decreasing quality of green spaces and growing pressure from development. A [study](#) carried out by the GLA in 2016 highlighted that 18% of almost 10,000 planning applications assessed had a level of impact on biodiversity and should have been supported by a comprehensive biodiversity assessment. London’s population is growing fast with an expected increase of 70,000 people every year. At least 66,000 new homes need to be built every year to meet the demand for housing. **Without careful planning or recognition of the importance of biodiversity there is a real risk that the scale of development planned could significantly impact on the wildlife in London and the wider South East.** This is recognised in the Habitats Regulations Assessment accompanying the Draft Plan which highlights policy H1: Increasing Housing Supply as having potential to result in Likely Significant Effects upon European Designation Sites due to the quantum of growth provided for (recognising that the ultimate development locations will be key)³.

³ https://www.london.gov.uk/sites/default/files/draft_hra_report.pdf

It is not just European protected sites which could be impacted. The cumulative scale of growth proposed could result in significant losses of and harm to existing biodiversity, including important local green and open spaces without statutory protection. The adopted Plan must make **greater reference to the potential direct, indirect and cumulative biodiversity and environmental impacts arising from the growth proposed** and how this is to be managed in line with the mitigation hierarchy.

The overall Spatial Development Strategy looks to accommodate all development within London's boundaries. This will mean more densely packed development and increased emphasis on brownfield sites, public sector sites and infilling of small sites. We are concerned with the cumulative pressure on these sites, particularly where they are of existing wildlife or environmental value. **The existing policy framework does not adequately protect against cumulative losses of or harm to sites of wildlife value, particularly those with no statutory protection.** For example, policy **H2: Small Sites**, sets out a presumption in favour of small sites, including infill development within the curtilage of a house. This could lead to a significant cumulative loss of residential gardens important not only for their wildlife value⁴, but also for quality of life and wellbeing, improved air quality and providing a carbon sink. It is **essential that a detailed Design Code is set out to clarify expectations underpinning small housing developments**, including **what is** considered an **unacceptable level of harm to biodiversity**. Supporting text to policy H2 in paragraph 4.2.9 does not currently provide adequate reassurance that the existing wildlife value of gardens and other small sites will be properly accounted for. Whilst provision of new features such as green roofs or street trees to mitigate unavoidable losses could be positive these need to be considered in the context of the existing condition, value and irreversibility of sites. This **needs to be addressed prior to adoption of the Plan**.

The London Plan should set the strategic framework to deliver its growth ambitions in harmony with nature and ensure that new houses are built to the highest possible sustainability standards. This is in line with the principal purposes of the Greater London Authority⁵:

- Promoting economic development and wealth creation in Greater London.
- Promoting social development in Greater London and
- Promoting the improvement of the environment in Greater London.

We would like the **importance of biodiversity to be given greater prominence throughout the Draft London Plan**, including in **Chapter 1: Planning London's Future** (Good Growth Policies), **Chapter 4: Housing** and as part of the **Mayor's Greening London agenda** (see Chapter 8, for example).

Whilst commitments to increased greening are welcome, spaces that are 'green' are not always good for wildlife. In Bromley, London's largest and greenest Borough, the RSPB has joined forces with idverde, the largest landscaping and grounds maintenance service provider in the UK to promote an innovative approach to nature-friendly landscape

⁴ Examples of the value of gardens can be found here: http://www.wlfg.org/garden_resource.html#gsc.tab=0 and Biological Conservation 142 (2009) 761-771: a national scale inventory of resource provision for biodiversity within domestic gardens (Davies et al).

⁵ GLA Act, 1999, section 334(5)

management. The approach has a dedicated member of the RSPB working with idverde, to help deliver the Council's biodiversity commitments and, in particular, help maintain, enhance and restore Sites of Importance for Nature Conservation (SINCs) and other green spaces for wildlife and people. We would be keen to work with the Mayor to use this pilot project as a practical demonstration for how green spaces and SINCs can deliver for people and wildlife through improved quality and management.

We are disappointed that the draft London Plan does not reference or recognise the **importance of connection to nature**. This should be a fundamental part of the London Plan's Good Growth agenda. We know that greater levels of connection to nature correlate with better self-reported health and engagement with pro-nature or pro-environment behaviours.

We propose some changes to the Good Growth Policies as set out below to recognise the importance of protecting and restoring biodiversity and the need for new homes to be environmentally sustainable.

Policy GG2: Making the best use of land [changes in bold, italics]

Strengthen policy point D to reference net biodiversity gains. Given the scale of growth proposed, there is potential for a significant cumulative loss of biodiversity. Commitment to securing net gains for nature could help address cumulative losses.

*D Protect London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening **in order to secure net biodiversity gains**.*

Paragraph 1.2.6 could also be strengthened to mention biodiversity net gain.

Policy GG4: Delivering the homes Londoners need [changes in bold, italics]

Strengthen policy point C as follows:

*C Create mixed and inclusive communities, with good quality homes that meet high standards of **environmentally sustainable** design and provide for identified needs, including for specialist housing.*

B) Planning positively for biodiversity at the landscape scale

The London Plan should provide a strong spatial framework to plan for biodiversity at a landscape scale and it is essential that Local Plans support its implementation. In our view, the **Draft London Plan does not currently provide this strategic framework**. This is a missed opportunity to genuinely plan for nature, to achieve biodiversity net gains at scale and to set an ambitious framework for London Boroughs to follow. This would be in keeping with recent commitments in the [Defra 25 Year Environment Plan](#) on strengthening planning policy around biodiversity net gains and developing a Nature Recovery Network and is already established in policies in the NPPF (see, for example, paragraphs 114 and 117).

We strongly recommend that this be addressed before the London Plan is adopted.

In order to implement the strategic framework at a local scale, London Boroughs will need to be appropriately resourced.

A 2015 study by the RSPB and The Wildlife Trust known as Nature Positive Local Plans highlighted that more needs to be done to significantly and cost effectively improve the performance of local plans in relation to biodiversity protection and enhancement. The findings can be found [here](#).

There are positive examples of local planning authorities doing the right thing⁶. However many local plans miss the opportunity to set out a positive vision of what they might do for the natural environment, particularly at a landscape-scale – less than a third of Core Strategies present a clear strategic approach to planning for biodiversity and only 20% of local plans plan strategically for biodiversity across boundaries. If London Boroughs are to reverse this trend they will need strong strategic policy direction in the adopted London Plan and have access to independent ecological expertise. The draft London Environment Strategy (LES), p163, noted that as public-sector budgets have been prioritised to fund core statutory services, the amount of expert advice to work on ecology and natural environment issues at the borough level has fallen.

To ensure boroughs can properly consider biodiversity as part of strategic planning, when reviewing development applications and to support monitoring and enforcement, improved access to independent ecological expertise is clearly needed. An option could be to **develop an Ecology Unit at a pan-London level to provide support to London Boroughs**.

Spatial Development patterns (Chapter 2)

Despite covering nearly 20 per cent of the city⁷, it is surprising that legally protected wildlife sites and the SINC network are not currently spatially represented in the London Plan. Legally protected wildlife sites and SINC network form the backbone of London's biodiversity, a London-wide ecological network that protects species and habitats and helps them to adapt to external pressures such as climate change and urbanisation. SINC network also provide considerable benefits to Londoners such as improved mental and physical wellbeing through access to nature.

The London Plan should include **specific, comprehensive and up-to-date maps of legally protected wildlife sites, the SINC network and priority habitats** to inform plan-users and properly guide development decisions. Given the spatial significance of the network, a brief description of its role and importance should be included within **Chapter 2: Spatial Development Patterns**, for example, within paragraph 2.0.2.

In the same way as Opportunity Areas are identified for the growth and regeneration potential, the London Plan should also **identify and map opportunities to extend/restore/buffer and strengthen the connectivity between legally protected wildlife sites, the SINC network and wider habitats of conservation importance** (as set out paragraph 117 of the NPPF). There is a crucial need for updated Biodiversity Opportunity Mapping to support the London Plan. These could be in addition to or

⁶ For example, the 'Broadland, Norwich and South Norfolk Joint Core Strategy' aims to promote a strategic approach to planning for biodiversity. It recognises the potential for new development to positively contribute to enhancing the environmental network, and it maps core biodiversity areas and buffer zones extending and linking fragmented habitats.

⁷ <https://www.london.gov.uk/what-we-do/environment/parks-green-spaces-and-biodiversity/biodiversity>

supplement the update of the Supplementary Planning Guidance on the All London Green Grid – but importantly there is a need for updated Biodiversity Opportunity Mapping, illustrating legally protected wildlife sites, the SINC network and underpinned by habitat data to support the final London Plan.

The scale of development proposed in the draft London Plan will impact not only on London but also the wider South East. **Policy SD2: Collaboration in the Wider South East** recognises the need to work across planning boundaries and identifies the strategic issues to collaborate on. We recommend that *green infrastructure* and *ecological networks* are added to list of environmental factors in **Draft Policy Point E** where partners should work together.

Green infrastructure and Natural Environment (Chapter 8)

The following sections provide specific comments on the policies in Chapter 8 of the Draft London Plan. Whilst we are generally supportive of the thrust of the policies, a number of changes and improvements are needed to provide clarity and consistency, to be in conformity with the NPPF, and to deliver Government objectives and commitments in the 25 Year Environment Plan, including in respect of biodiversity net gain and Nature Recovery Networks.

As mentioned earlier, we expect the final London Plan to include a series of maps highlighting legally protected wildlife sites, the SINC network and wider green infrastructure and ecological networks. These should be included or at least cross-referenced within Chapter 8.

Policy G1 Green infrastructure

General comment: Biodiversity should be embedded at the heart of the Green Infrastructure approach so that new and existing green infrastructure is planned, designed and managed with nature in mind, recognising that biodiversity is a key part of the stock of natural capital and green infrastructure, underpinning a variety of benefits to people.

We also recommend that a formal **definition** of Green Infrastructure is included in policy G1. The definition included in the [All London Green Grid](#) document would be suitable:

A network of green spaces - and features such as street trees and green roofs - that is planned, designed and managed to provide a range of benefits, including: recreation and amenity, healthy living, reducing flooding, improving air quality, cooling the urban environment, encouraging walking and cycling, and enhancing biodiversity and ecological resilience.

Suggested amendments to policy G1 [changes in bold, italics]:

B: *'Boroughs should prepare green infrastructure strategies that integrate objectives relating to open space provision, biodiversity conservation **and enhancement opportunities**, **climate change resilience**, flood management, health and wellbeing, sport and recreation'.*

Add a new point to paragraph C: ***seek to protect and enhance the most important green infrastructure assets for their functions through appropriate policies and proposals.***

Policy G2 London's Green Belt

The RSPB does not generally comment on Green Belt policy. We do, however, support more positive use of London's Green Belt in respect of biodiversity protection and enhancement and access to nature in line with the aims of the NPPF. This should be a prerequisite, underpinning the overarching commitment to protecting London's Green Belt in the draft London Plan.

Suggested amendments to policy G2 [additions in bold, italics]

Include supporting text 8.2.2 in Policy G2 itself:

*'The Mayor will work with boroughs and other strategic partners to enhance access to the Green Belt and to improve the quality of these areas in ways that are appropriate within the Green Belt, **through for example, biodiversity enhancements.**'*

Policy G3 Metropolitan Open Land

We agree with Policy G3 paragraph D 3 that boroughs should designate MOL that (3) contains features or landscapes (historic, recreational, biodiverse) of either national or metropolitan value and (4) forms part of a strategic corridor, node or a link in the network of green infrastructure. Policy G3 D should also refer to contribution MOL makes to the SINC network and wider ecological corridors.

Paragraph 8.3.2 refers to the loss of MOL, noting that the principle of land swap could apply to MOL where the resulting MOL meets at least one of the criteria set out in part D of policy G3 – it should be made clear either in the policy or supporting text that loss of MOL already providing an ecological network function or supporting the SINC network should not be supported.

Suggested addition to policy G3:

'MOL that contributes to strengthening and extending the SINC network and provides opportunities for habitat creation should be protected from loss'

Policy G4 Local green and open space

Local Green and open spaces should be **enhanced** as well as protected (see Policy G4, point A). **The London Plan should require London Boroughs to achieve net gains in high quality green spaces** in line with the Mayor's objective to *'make more than half of London's area green by 2050'*. This could be built into Part B of policy G4.

Suggested addition to policy G4:

Propose that Paragraph 8.4.4 (p.306) should be included within policy G4 with the following additions (in bold, italics): *'Proposals to enhance green and open spaces to provide a wider range of benefits for Londoners will be encouraged. Examples could include improved public access **and connection to nature** for all, inclusive design, recreation facilities, habitat creation, landscaping improvement or flood storage.'*

As mentioned earlier, we would be keen to use our partnership with idverde to demonstrate how green and open spaces can be better managed for biodiversity.

Policy G5: Urban Greening

The principle of policy G5 A is supported as this aims to increase the amount of urban greening.

Policy G5 B requires boroughs to develop an Urban Greening Factor (UGF) to support them in identifying the appropriate amount of urban greening required in new developments and to address deficiencies in green space. We recognise the value of such an approach in helping to increase green space and supporting the Mayor with his target for more than 50% of London to be green by 2050. However, we are **concerned that the policy as drafted does not quite work and could lead to loss of or damage to biodiversity**. The UGF approach is simplistic and does not currently recognise the value, condition, quality or irreversibility of existing habitats and prioritises new green spaces over existing habitats – it fails to recognise existing habitats could have value in their own right.

Greater clarity is needed around this policy, so that the value of existing habitats and species is properly taken into account. This is essential to avoid loss or damage to valuable habitats and species. Cross-reference should be made to the mitigation hierarchy (so impacts on biodiversity are avoided, mitigated and only as a last resort compensated for) and to policies protecting the natural environment, including G6.

To be effective, **the policy should link to existing BAP and Priority Habitats in London** and the wider SINC network, so that new and enhanced urban greening strengthens and buffers existing ecological corridors where possible.

Finally, clarity is required on where the UGF should apply – for example, it would not be appropriate to apply this to protected areas where existing and more robust protections already apply nor to irreplaceable habitats. There must also be a way to build in protected species considerations. However, there is potential scope to apply the factor to inner urban sites with little or no existing greenery.

Policy G6: Biodiversity and access to nature

Policy G6 is the key biodiversity policy within the draft Plan. However there are a number of weaknesses which must be addressed before the policy is adopted. **We are concerned that, as currently drafted, policy G6 is a passive policy that will neither drive No Net Loss nor Net Gain of biodiversity in London**. The 25 Year Environment Plan has an action to ensure that existing requirements for net gain for biodiversity in national planning policy are strengthened. We strongly recommend that the Mayor aims to take the lead on and be ambitious on biodiversity and require all developments to deliver a net gain for biodiversity. **Part D of policy G6 could be strengthened in this respect**. In establishing a net gain approach for London the Mayor must respond to the **key tests set out in Annex 2 of this response**.

We are also concerned that the Plan and this policy does not adequately distinguish between **legally protected wildlife sites** (including SSSIs, SPAs, SACs and Ramsar sites) and **Sites of Importance for Nature Conservation (SINCs)** which sit below nationally and internationally designated sites and comprise Sites of Metropolitan Importance, Sites of Borough Importance and Sites of Local Importance. SSSIs are subject to a statutory designation, are selected using clear guidelines against which they must be deemed sites of national importance to qualify for designation, there are legal controls on what activities can be allowed within them and they are also a material consideration in the planning system.

We are concerned that policy G6 could lead to confusion by conflating SINC's with nationally important sites (SSSIs and NNRs) and with internationally important sites (SPA, SACs and Ramsar sites), although all are a material planning consideration. While, the general principle of avoiding damage and seeking to conserve and enhance wildlife applies to all sites (legally protected sites and wider SINC's), these sites are subject to differing levels of legal and policy protection (for example, in addition international sites also benefit from the provisions of paragraph 119 of the NPPF) and it is important this is reflected.

The Plan should have a separate policy / section on legally protected wildlife sites (SSSIs, SPAs, SACs, Ramsar sites). **A more appropriate generic term** (other than SINC's) to encompass legally protected wildlife sites and SINC's could be along the lines of **protected wildlife areas**.

In respect of policy point E we recommend including further clarification around habitat creation to indicate how biodiversity will be measured and to ensure the mitigation hierarchy is followed to avoid and mitigate impacts on existing biodiversity. Compensation/offsetting should be considered a last resort and not be used to give licence to destroy habitats within a development site. Consideration of habitat type, local conditions and connectivity must be taken when creating new habitats and if these are used in offsetting scheme, new habitats must be of at least equal value to the habitats being lost. There should not be any trading down of habitats.

Further to our key points above, we propose some changes to Policy G6, to reflect the need for a spatial approach⁸ and to support delivery of biodiversity net gains, in line with the mitigation hierarchy.

Suggested amendments to Policy G6 [amendments in bold, italics]

We recommend the addition of new policy text:

'London Boroughs should set out specific policies to contribute to the habitat creation and restoration targets identified for London'.

Section A

We recommend that wording of section A is strengthened and requires that:

'the Sites of Importance for Nature Conservation (SINC's) network should be protected, enhanced and restored. The greatest protection should be given to the most significant sites'.

Section B

'In developing Development Plan Policies, Area-Based Plans, Opportunity Areas and other Planning Frameworks, boroughs should:

- 1) use the relevant procedures to identify SINC's and green connect ecological corridors. When undertaking comprehensive reviews of SINC's across a borough or when identifying or amending Sites of Metropolitan Importance boroughs should consult the London Wildlife Sites Board***

⁸ The NPPF requires in paragraph 114 that local planning authorities 'set out a strategic approach in their Local Plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity'.

- 2) Identify areas of deficiency in access to nature (i.e. areas that are more than 1km walking distance from an accessible Metropolitan or Borough SINC) and seek opportunities to address them
- 3) **Identify, map and promote** seek opportunities **to extend, restore, buffer and join-up the SINC network and** ~~to~~ create habitats that are of particular relevance and benefit in ~~an urban~~ **the local** context
- 4) Include policies and proposals for the protection and ~~conservation~~ **recovery** of priority species and habitats in line with **section 41 (England) of the NERC Act (2006)**.
- 5) Ensure sites of European or national nature conservation importance are clearly identified and appropriately assessed **and protected**.

Section C

The wording of section C should be amended as follows:

'There should be a strong presumption against damaging a Site of Importance for Nature Conservation (SINC) in line with paragraph 118 of the NPPF.

*Where harm to a SINC (other than a European (International) designated site) is unavoidable, the following approach ~~should be~~ applied to minimise development impacts **should follow the NPPF mitigation hierarchy.***

- 1) ~~avoid adverse impact to the special biodiversity interest of the site~~
- 2) ~~minimise the spatial impact and mitigate it by improving the quality or management of the rest of the site~~
- 3) ~~seek appropriate off-site compensation only in exceptional cases where the benefits of the development proposal clearly outweigh the biodiversity impacts.'~~

Section D

The wording of section D should be amended as follows:

'Opportunities for biodiversity enhancement should ~~considered~~ be identified and mapped at design and planning stage from the start of the development process with an aim to deliver net positive biodiversity gains.'

Section E

The wording of section E should be amended as follows:

*'Proposals which create new or improved habitats that result in **net** positive gains for biodiversity should be considered positively, as should measures to reduce deficiencies in access to wildlife sites'*

Add an additional policy point on the need to demonstrate access to biodiversity evidence as part of planning applications.

Paragraph 8.6.1 should refer to article 6 (3) and (4) of the Birds and Habitats Directive which sets down the procedure to be followed when planning new developments that might affect a Natura 2000 site.

Supporting text in paragraphs 8.6.2 and 8.6.3 should refer to **ecological** corridors instead of green corridors.

Policy G7 Trees and woodlands

The proposed policies and programmes will help maintain and expand London's urban Forest. However greater efforts should be aimed at **improving the quality and diversity of London's urban forest**. Woodlands are a hugely important habitat. The State of Nature report found that the declines of most specialist woodland species are linked to changes in structural diversity and lack of management. While the area of UK woodland has increased, mainly due to conifer planting, woodland birds have been declining since the 1970s and woodland butterflies since the 1990s. Given the current pressure on woodland species, all **additional tree planting should be native and help protect and enhance biodiversity, avoiding damage to existing open habitats such as grassland and heathland**.

Suggested amendments to Policy G7 [amendments in bold, italics]

The wording of paragraph B 2) of Policy G7 (Trees and woodlands) should be amended as follows:

B 'In their Development Plans, boroughs should:

2) identify opportunities for **native** tree planting in strategic locations.

3) avoid loss or damage to existing open habitats such as grassland and heathland.'

c) Sustainable homes for people and wildlife

The [25 Year Environment Plan](#) (page 35) includes commitments to ensure that '*new development will happen in the right places, delivering maximum economic benefit while taking into account the need to avoid environmental damage...*' and achieve '*high environmental standards for all new builds...*'. **We strongly support those commitments.**

Provided it is located in the right place and planned with nature in mind, housing can be delivered in harmony with nature. Our collaboration with Barratt developments plc on a 2,500-home development in Aylesbury (known as Kingsbrook) provides a great example of how biodiversity can be built into new housing developments at scale (see the case study in **Annex 1** for more details). Kingsbrook has been included as a case study in recently published [25 Year Environment Plan](#) (see page 147). It is also in the TCPA Planning in the Planning for green and prosperous places guide⁹. We would be pleased to work with the Mayor and partners to build on our expertise at Kingsbrook and demonstrate how housing can be planned, designed and managed for people and nature.

It is essential that the Mayor sets a strong policy framework and requires all new developments to be designed to the highest sustainability standards and for all developments to deliver net biodiversity gains following robust application of the mitigation hierarchy set out in paragraph 118 of the NPPF. Consideration should be also given to how the existing housing stock can be retrofitted to support biodiversity enhancements. We

⁹ <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=335bdb7f-e581-4d7c-9e5f-62605d62acdb>

recognise that the draft Plan includes a number of policies which seek to deliver high sustainability standards, including *GG6: Increasing efficiency and resilience*, *SI2: Minimising greenhouse gas emissions*, *SI3: Energy Infrastructure*, *SI5: Water Infrastructure* and *SI12: Sustainable Drainage*. These policies could be better referenced throughout the Plan including in **Chapter 3: Design** and **Chapter 4: Housing**. We would also like policy wording to be strengthened i.e. **requiring** rather than **aiming** for particular standards. In line with earlier comments, we strongly recommend the Mayor seeks a similarly high level of ambition in respect of biodiversity, seeking biodiversity net gains at scale through a strategic approach and in respect of individual developments.

Biodiversity net gains could mainstream nature friendly features in housing developments such as seen at Kingsbook. A list of minimum requirements could apply to all housing developments to ensure a net gain for biodiversity on every scheme. With appropriate signage and education this could also encourage people living within these new developments to connect with nature. **There are a number of key tests which should apply to a biodiversity net gain approach which we have set out in Annex 2.**

Policy GG2 Making the best use of land (Chapter 1 Planning London's Future)

This policy sets out the areas which should be prioritised for development including Opportunity Areas, brownfield land and surplus public sector land (See: Section A policy GG2 Making the best use of land). Paragraph 111. of the NPPF is clear that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land) **provided it is not of high environmental value**.

The Mayor should **commit to providing guidance on when a brownfield site should be considered of high environmental value**. All brownfield sites being considered for development should be **supported by an up to date ecological survey and assessment**. This is essential to ensure that brownfield sites of value to wildlife and providing the public with access to nature are not lost to or damaged by development. Such sites are likely to be under increased development pressure in London.

Policy SD1 Opportunity Areas (Chapter 2 Spatial Development Patterns)

Opportunity Areas (Policy SD1) should be required to deliver environmental transformation alongside economic transformation as they offer some of the best opportunities to plan strategically for the enhancement of the SINC network and achieve net biodiversity gains.

Suggested amendments to Policy SD1

The wording of policy SDB1 should be amended to include scope for Opportunity Areas to restore and enhance ecological networks:

NEW policy item: 'Boroughs, through their Development Plans and decisions, should: Clearly identify opportunities to restore and enhance the SINC and ecological network within and around the Opportunity areas'.

Provide a cross-reference to policy G1 Green Infrastructure paragraph C.

Provide a cross-reference to policy G5 Urban Greening paragraph A.

Policy D1: London's form and characteristics (Chapter 4 housing)

We agree with policy D1 B 3) that development design should aim for high sustainability standards. However, in light of the scale of development proposed by the London Plan and recognising London's role as a City leader, we do not think this policy is sufficiently ambitious. Policy D1 should **require** new developments to be designed and built to the highest sustainability standards. Furthermore, **the expected standards should be defined**, e.g. through further guidance. Without this clarification there is a risk of inconsistent approaches and under-delivery of high sustainability standards.

We broadly agree that the form and layout of a place should provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity (Policy D1 *London's form and characteristics* paragraph A7). Having access to green and open space around developments is important for mental health and wellbeing and exercise. Crucially, the aim should be to design and build **high quality nature-rich** green and open spaces, which people will want to use and which will increase their contact with nature.

Suggested amendments to Policy D1 [amendments in bold, italics]

A7: The form and layout of a place should:

*7) provide conveniently located, **nature-rich**, green and open spaces for social interaction, play, relaxation and physical activity.*

Policy D2: Delivering good design

Section A of this policy describes the process boroughs should take to identify an area's capacity for growth. This is welcome, however, the policy as drafted **fails to mention the likely impact on existing legally protected wildlife sites, the SINCs network and wider ecological corridors**. This should be an essential part of an area's evaluation of growth capacity and must be built into the adopted policy. Part A of the draft policy should be amended in this regard.

Policy D8: Tall Buildings

Policy D8 sets out the factors that need to be considered during the construction of tall buildings. London stands on major bird migratory routes and the increase in tall buildings can have impacts on birds, particularly during migratory periods in mid-spring and early autumn. We recommend that Draft Policy D8 is strengthened as follows:

Policy D8: Tall Buildings [changes in bold, italics]

C The impacts of a tall building can be visual, functional or environmental. All three elements should be considered within plan-making and in deciding development proposals:

3) Environmental Impacts

d) Location and design should avoid adversely impacting the flight patterns of and causing fatalities to birds close to water bodies and /or on major migratory routes across London (e.g. the Lee Valley).

D) Connection to Nature

We are disappointed that the draft Plan does not reference or recognise the **importance of connection to nature**. This should be a fundamental part of the London Plan's Good Growth agenda.

Over the last ten years we have been looking at how connected children are to nature and the importance of this for their health and for how this relates to pro-nature and pro-environment behaviours¹⁰. Our 2013 study¹¹ on connecting to nature¹⁵ found that only 21% of children had a level of connection to nature that we view as a realistic and achievable target for all children. Furthermore, we know that greater levels of connection to nature correlate with better self-reported health and engagement with pro-nature or pro-environment behaviours. **The importance of connection to nature must be brought out in the final draft of the London Plan.**

Social Infrastructure (Chapter 5)

Policy S2 Health and social care facilities

The Government's 25 year Environment Plan launched a new Natural Environment for Health and Wellbeing programme. We would like this to be championed within London's strategies and access to natural environments should be at the heart of Health and Wellbeing Boards' strategies. Boroughs should also work with Clinical Commissioning Groups (CCGs) to identify opportunities to utilise natural spaces to support people's health, particularly through social prescribing hubs.

Also, in reviewing health and social care sites, consideration should be given to the valuable impact of green spaces and peoples' engagement with nature on health and social outcomes. This could be considered in Equality and Health Impact Assessments.

Policy S3 Education and childcare facilities

We agree that development proposals for education and childcare facilities should be located next to parks or green spaces. Development proposals should incorporate proposals to create high quality and wildlife-rich outdoor space and facilities that allow people to develop healthy connections with nature.

Suggested amendments to policy S3 [new additions bold, italics]

The wording of policy B 5) should be amended as follows:

'B *Development proposals for education and childcare facilities should:*

8) *'ensure that facilities incorporate **high quality and wildlife-rich** suitable accessible outdoor space **in order to facilitate children's ability to engage and connect with nature.***

The Draft London Plan should also include a reference to the 25 year Environment Plan and encourage London Boroughs to consider how they can help deliver the commitments of 25 year Environment Plan (p 75) through their local plans such as:

¹⁰ The Impact of Children's Connection to Nature: A Report for the Royal Society for the Protection of Birds (RSPB). (2015). http://ww2.rspb.org.uk/Images/impact_of_children%E2%80%99s_connection_to_nature_tcm9-414472.pdf

¹¹ Connecting with nature: Finding out how connected to nature the UK's children are. (2013) http://ww2.rspb.org.uk/Images/connecting-with-nature_tcm9-354603.pdf

- To develop a Nature Friendly Schools programme for schools in the most disadvantaged areas with input from stakeholders.
- To develop a programme to support schools and Pupil Referral Units in the most disadvantaged areas in establishing progressive programmes of nature contact for their pupils.

E) Aviation

Draft Policy T8: Aviation sets out the approach to aviation in London and the South-East. The Mayor supports the case for additional aviation capacity in the south east of England, providing it would meet London's passenger and freight needs. However, the expansion of Heathrow will be opposed unless it can be shown that no additional noise or air quality harm would result.

Climate change is the greatest long-term threat to wildlife. Evidence produced by the RSPB shows that climate change is already affecting wildlife across Europe and that these impacts will intensify and worsen unless urgent action is taken to reduce emissions¹².

The UK recently ratified the Paris Agreement on climate change, which aims to hold the increase in the global average temperature to well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels. Aviation is one of the fastest growing sources of global emissions¹³ and, if the UK upholds its commitments to contributing to limit temperature rises to 1.5°C, then aviation could account for half of the UK's carbon budget by 2050¹⁴.

It will, therefore be essential to limit the growth in aviation sector emissions in order to ensure that the UK makes a fair contribution to limiting global temperature rises and in order to ensure that a costly burden for reducing emissions is not placed on other sectors of the economy.

The RSPB is opposed to any airport expansion in the UK (in the South East or elsewhere) until it can be shown whether it could occur without breaching the UK's carbon budgets and detailed plans are set out for how this would be achieved. The RSPB considers that using existing capacity at regional airports, incentivising modal shift to other forms of transport, and using demand management such as videoconferencing, are the best options for meeting growing transport demand. **We therefore object to policy T8** and believe this is contrary to the ambition set out elsewhere in the Plan.

F) Monitoring

There is a single policy on Monitoring, **M1**, in **Chapter 12** of the draft Plan. We support the intention to have strategic, Key Performance Indicators (KPIs) underpinning the London Plan supported by other monitoring measures in the Annual Monitoring Report.

However, there are currently only two proposed KPIs under the 'Environment' topic (*Protection of Green Belt and Metropolitan Land* and *Carbon Emissions through new*

¹² http://ww2.rspb.org.uk/Images/natureofclimatechange_tcm9-409709.pdf

¹³ <https://www.transportenvironment.org/sites/te/files/publications/Aviation%202030%20briefing.pdf>

¹⁴ <https://www.carbonbrief.org/analysis-aviation-to-consume-half-uk-1point5c-carbon-budget-2050>

development), neither of which will adequately capture biodiversity losses or gains or change in urban greening in line with Mayor's targets. Furthermore, protection of Green Belt and MOL is not an indicator of environmental change.

We recommend that the final London Plan includes KPIs on changes in greening overall (linked to the National Park City ambitions) and on biodiversity. This could include targets on:

- No net loss of biodiversity;
- Biodiversity net gain;
- The number of applications supported by ecological survey work and hence incorporating mitigation measures;
- The number of Sites of Importance for Nature Conservation lost to or damaged by development.
- The number of legally protected wildlife sites or Sites of Importance for Nature Conservation under positive management.

RSPB, March 2nd 2018

Annex 1

Case Study: RSPB collaboration with Barratt Developments plc

The RSPB has joined forces with Barratt Developments plc to set the benchmark for nature-friendly housing developments we wish to see in future developments. This was the first national agreement of its kind in the UK.

Key features of the collaboration include:

1. A flagship development at Kingsbrook, Aylesbury, Bucks.
2. Seconding a biodiversity expert from the RSPB to advise the company on the design of developments nationally.
3. Using RSPB advice and expertise on biodiversity to inspire Barratt homebuyers to 'give nature a home'.
4. Engaging with Barratt employees and raising awareness of wildlife-friendly best practice.
5. Working together to share best practice on supply chain management.

Barratt's flagship scheme for 2,450 homes at Kingsbrook, Aylesbury will include a major new urban fringe nature reserve as well as nature-friendly elements in the built environment. A range of biodiversity enhancements are being delivered at Kingsbrook including: Sustainable Urban Drainage Systems (SuDs) (swales and detention ponds), hedgehog highways in fences, flower-rich grasslands in public open spaces, native tree planting including rare black poplars, fruit trees in gardens, and swift bricks in the new homes (with 900 expected to be installed in total). Construction started at Kingsbrook in July 2016.

Kingsbrook was the 2016 winner of the prestigious BIG Biodiversity Award – "Large Scale Permanent" category.

Annex 2: Biodiversity Net Gain – Key Tests

1. Ensure biodiversity net gain is **mandatory** for all developments and all local planning authorities and ensure the system is **regulated**
2. Integrate with improved strategic spatial planning and a strategic programme of nature conservation - link to Nature Recovery Networks in 25 Year Environment Plan.
3. Apply and enforce the **mitigation hierarchy**
4. Build on the existing system of statutory biodiversity protection
5. Have a clear and consistent national framework that sets minimum values for nationally important habitats and species based on **favourable conservation status**.
6. **Irreplaceable habitats** are inappropriate for the net gain system and should be protected from any loss
7. The net gain process **should apply outwith protected areas** where existing and more robust regulations already apply. It must be additional and not an alternative to establishing a robust SSSI series
8. Be underpinned by a **robust biodiversity metric**, taking account of species and habitats
9. System must be supported by **improved access to independent ecological expertise** in local planning authorities.
10. The data on existing habitats and species (including importance, condition and irreversibility) needs to be significantly improved.
11. New habitats delivered through net gain should be secured **in perpetuity**
12. Have a long-term financial and legal framework for monitoring, evaluation, reporting and implementation