

Committee(s)	Dated:
Planning and Transportation Committee – for information	18/07/2023
Subject: Biodiversity and ecology	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	11, 12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
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Summary

This report provides information on how biodiversity and ecology is addressed through national, London and City planning policies and how these are implemented by the City of London Corporation.

Recommendation(s)

Members are asked to:

- Note the policy approach for biodiversity and ecology and how this is implemented in the City Corporation.
- Note the changing legislative landscape around this issue and the commissioning of a study by Greengage Environmental to inform amended policy approaches.

Main Report

National Policy Context

1. The National Planning Policy Framework (NPPF) (2021) requires planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on existing biodiversity and by providing overall net gains for biodiversity. The Natural Environment Planning Practice Guidance (PPG) (2019) provides further explanation on how this should be achieved.

2. The Environment Act (2021) mandates Biodiversity Net Gain (BNG) for development proposals; mandatory BNG will become a statutory requirement in November 2023. The Local Plan review provides an opportunity for the City of London Corporation to prepare for BNG and set out how the City Corporation will implement mandatory BNG.
3. The Environment Act requires new developments to provide 10% BNG. The Square Mile currently has a low baseline in biodiversity due to the City's high-density environment and there are often limited opportunities for habitat improvements at ground-level, although there is the potential to green the roofs, terraces, and facades of buildings (where appropriate). However, there can be competing demands over use of these spaces which may limit biodiversity opportunities on building typologies. Where BNG has been proposed through applications in the City, it is often significantly above the 10% target, due to the very limited existing biodiversity on site.
4. The Government are due to release secondary legislation in relation to BNG. So, although the requirement for mandatory BNG is set out in the Environment Act there therefore remains some degree of uncertainty regarding its implementation.
5. The Local Plan review provides an opportunity for the City of London Corporation to prepare for BNG and set out how the City will apply implementation of mandatory BNG using the approved biodiversity metric by establishing a biodiversity evidence base.

City of London's Character and Local Policy Context

6. The current City of London Local Plan was adopted in January 2015 and plans for development requirements up to 2026. The City of London Corporation is currently preparing a full review of the adopted plan through the draft Local Plan (City Plan 2040). The draft Plan will come to the Planning & Transportation Committee in autumn 2023 for approval to consult, with consultation following approval by the Policy and Resources Committee and the Court of Common Council.
7. In the current adopted Local Plan (2015) green roofs and green walls are recognised through various policies including Policy DM10.2 (Design of green roofs and walls) and Policy DM19.2 (Biodiversity and urban greening). Further information on existing green infrastructure is set out in both green roofs and open spaces monitoring reports which are produced on a regular basis.
8. The emerging Local Plan (City Plan 2040) sets out the City of London's vision, strategy, and objectives for planning up to 2040, together with policies that will guide future decisions on planning applications. Strategic Policy S14 (Open Spaces and Green Infrastructure) and Policy OS3 (Biodiversity) state that development should aim to secure net gains for biodiversity where possible. This includes retention and enhancement of habitats within Sites of Importance for

Nature Conservation (SINCs), including the river Thames. Policy OS2 (City Greening) requires major development proposals to include an Urban Greening Factor (UGF) calculation demonstrating how the development will meet the City's target UGF score of 0.3 as a minimum.

9. The City of London's Biodiversity Action Plan (BAP) 2021-2026 includes target species, habitat, and action plans for the built environment. In addition, the City of London Open Spaces Strategy Supplementary Planning Document (SPD) sets out the principles to help improve the quality, management, and accessibility of the open spaces of the Square Mile.

Ecological Impact Assessments & Biodiversity Policy

10. National government guidance states that Ecological Impact Assessments are expected to be submitted for developments which are proposed to be in Sites of Special Scientific Interest (SSSIs). There are no SSSIs within the Square Mile however there are Sites of local importance for Nature Conservation (SINCs) which include for example Barbican and St Alphage Gardens. Further information on these sites is included in the Local Plan and BAP.
11. Although the adopted Local Plan does not require an independent assessment of Ecological Impact Assessments, the emerging City Plan Policy OS3 (Biodiversity) paragraph 6.6.30 states: *"Where development has a potential impact on designated sites of importance for biodiversity, the developer should submit an ecological statement outlining how any impacts will be avoided, minimised, or mitigated. Where necessary, the City Corporation will seek independent review of an assessment, paid for by the developer"*.
12. Although the City Plan is still in draft, it does carry a degree of planning weight and has informed the undertaking and submission of ecological assessments from various applications, helping to improve and mitigate their impact on biodiversity and the ecology of the Square Mile. Ecological assessments have been considered by planning officers internally, with advice from colleagues within the Environmental Resilience and Natural Environment teams where relevant. The wording of the policy provides for securing independent review of these assessments, where that is necessary.

Evidence Base

13. To inform the further development of the City Plan 2040 policies for biodiversity and nature conservation in response to changing national legislative requirements, Greengage Environmental has been commissioned to prepare an evidence base report on the current level of biodiversity in the City and the potential for uplift through BNG.
14. The consultants have considerable experience in assessment of biodiversity and urban greening, and the application of biodiversity net gain in central urban areas, including in London. A key requirement in the brief for this work is to

provide advice to the City Corporation on the most appropriate mechanisms to use when reviewing BNG proposals. The final report should be available in the autumn of 2023 and will inform the City Plan.

15. As set out in the BAP the City of London recognises the importance of biodiversity data collection to improve monitoring and informs decisions and identify future areas of priority in the City. Opportunities such as citizen science and school projects and records collected by local voluntary individuals and groups (such as the Friends of City Gardens, Middlesex Street Gardeners Club, Golden Lane Estate Allotment Group and the Barbican Wildlife Group) make a significant contribution in supporting biodiversity and raises the profile of species and habitats within the City. Many of these findings are reported directly to the Greenspace Information for Greater London (GiGL) which is London's environmental records centre.

Staff Resources

16. As a local planning authority, the City of London engages constructively, actively and on an ongoing basis on strategic matters in plan-making, including sustainable development, land use and strategic infrastructure. Officers from the Environment Department regularly attend for example Planning Advisory Service (PAS) workshops on biodiversity and the London Borough Biodiversity Forum (LBBF). The LBBF consists of local authority ecologists from across London, Greater London Authority (GLA) London Wildlife Trust and GiGL. Current officer expertise in this area includes:
 - A planning policy officer responsible for City Plan policies on urban greening and biodiversity;
 - An Environmental Resilience Officer with a background in ecology and greening whose role is to promote biodiversity measures in relation to environmental resilience;
 - Eight posts within the Natural Environment division, which includes specialist ecologists, natural conservation, biodiversity, and environmental stewardship posts. These officers are based within open spaces outside of the Square Mile.
17. It is worth noting that many central London boroughs are actively considering how to address the emerging requirements for BNG, including through the cross-borough sharing of expertise.

Corporate & Strategic implications

18. The Corporate Plan 2018-2023 seeks to ensure that we have clean air, land and water and a thriving and sustainable natural environment; and that our spaces are secure, resilient and well-maintained. The work being undertaken to inform City Plan policy and implement biodiversity net gain would support these outcomes of the Corporate Plan.

Financial implications

19. There are no financial implications arising from this report.

Staff Resource implications

20. There are no staff resource implications arising from this report.

Legal implications

21. There are no legal implications arising from this report.

Equalities implications

22. There are no equalities implications arising from this report.

Risk implications

23. There are no risk implications arising from this report.

Climate implications

24. There are no direct climate implications arising from this report. The emerging City Plan policy approach on biodiversity net gain and ecology is likely to result in increases to the biodiversity of the Square Mile, and would mitigate ecological impacts and improve on ecological outcomes arising from new development in the City.

Security implications

25. There are no direct security implications arising from this report.

Conclusion

26. The City Corporation has been active for many years in requiring development to provide additional greening, encouraging the provision of green roofs, and delivering greening directly through public realm enhancement schemes.

27. The new City Plan sets out specific requirements for an ecological statement where development has a potential impact on designates sites of importance for biodiversity. The forthcoming report commissioned from Greengage Environmental will help to inform further development of this policy and its application by the City Corporation's planning department, in response to the changing legislative landscape around biodiversity.

Appendices

- None

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