

Draft London Plan

Response from the Buckinghamshire and Milton Keynes Natural Environment Partnership

The Buckinghamshire and Milton Keynes Natural Environment Partnership brings together local authorities and organisations from across the public, private, health and education sectors, as well as conservation and community organisations to champion the value of the Buckinghamshire environment in decision-making, and to encourage environmental protection and improvement for multiple benefits – for the environment, businesses and the economy, and the health and wellbeing of communities and the society of Buckinghamshire and Milton Keynes.

We welcome the opportunity to comment on the draft New London Plan consultation.

Overall, we welcome the commitment of the draft New London Plan to Green Infrastructure and requiring a network of green spaces, including local green spaces, and its emphasis on urban greening.

However, the London Plan should include a clear statement on its commitment to measurable net biodiversity gain as a result of development, and the need to implement the mitigation hierarchy, as required by the NPPF and NERC Act 2006. We would also welcome urban greening more broadly applied to smaller-scale development to achieve maximum benefits. The Plan should also recognise the importance of protecting other irreplaceable habitats beyond ancient woodland (as is also stated in the NPPF).

We would hope that the collaboration with the wider south east stated in Policy SD2 will also apply in respect of working across administrative boundaries to maximise benefits to and from Green Infrastructure and biodiversity.

CHAPTER 8 – GREEN INFRASTRUCTURE AND NATURAL ENVIRONMENT

Policy G1 – Green Infrastructure

We welcome the emphasis on requiring a network of green spaces to be planned, designed and managed in a more integrated way. We also welcome the review and update to the Supplementary Planning Guidance on the All London Green Grid to provide guidance on the strategic green infrastructure network and the preparation of green infrastructure strategies.

We would point to our own [Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes](#) to assist with both strengthening the proposed Policy G1 and to assist with updating the All London Green Grid SPD.

The NEP has collectively endorsed a Vision for Green Infrastructure in Buckinghamshire and Milton Keynes by 2030 that provides, connects, improves and protects our Green Infrastructure assets for their many benefits and into the longer term. Our definition of GI includes blue infrastructure

(waterways, canals, rivers, etc) too. Key features of our GI Vision are that by 2030 we have green infrastructure that is:

- Landscape-scale network of green and blue infrastructure – planned and multi-functional
- Well-designed, accessible, used and valued by our residents
- Connected together at the landscape scale – so wildlife can be more resilient
- Connected across borders – across administrative boundaries at all scales
- Wildlife-rich.
- Recognised as a necessity into the long term – to provide multiple benefits for sustainable growth
- Delivered through support, commitment and adequate funding; vision adhered to at all spatial scales.

To achieve the Vision, we have set out Nine Principles that must be adhered to at all scales. The Principles emphasise how to retain and maximise multiple benefits from Green Infrastructure – for wildlife and for people. They advocate the need for planners and developers to recognise that Green Infrastructure is equally as important and necessary for the social, environmental and economic health and wellbeing of our areas as man-made / constructed infrastructure.

The value of GI and its benefits must be considered and planned for early and strategically at all spatial scales. Green Infrastructure must also be better-connected and linked together to create a green network – to maximise benefits for wildlife and provide access to promote health and wellbeing. All opportunities for creating and enhancing green infrastructure and connecting with existing GI should be explored as a required step in the planning process. This means GI creation and improvement must be coordinated with activities across-administrative borders, and linked to and support other policy objectives. GI functionality must be maintained with appropriate management into the long term.

By 2030 we want our Principles embedded to provide, connect, improve and protect our Green Infrastructure assets for their many benefits and into the longer term.

Policy G4 – Local green and open space

The NEP recognises and supports the value of well-planned and accessible local green space and welcomes a mechanism that should be a requirement to ensure green space of different sizes is available to everyone within a certain distance from their homes. Table 8.1 sets out the benchmark and we welcome a measure like this to be a requirement for planning and advocate a stretch target for green space availability and accessibility.

The NEP’s GI Vision and Principles also advocate planning for biodiversity as well as access and wellbeing, looking across borders to optimise opportunities and securing funding for maintenance of the functionality of green spaces into the long-term.

Policy G5 – Urban Greening

We welcome the application of an urban greening factor to identify a target amount of urban greening required in new developments.

However, to achieve maximum benefits, an emphasis on urban greening should also be a requirement of minor development too, below the current threshold of major development. The

proposed factor does not appear to take into account baseline cover, so we would advocate that all target factors must be demanding to maximise benefits to all.

Policy G6 – Biodiversity and access to nature

- **The policy should state a clear requirement for a measurable net gain in biodiversity as a result of development.** Currently Policy G6 D and E encourage, rather than require, net biodiversity gain and do not comply with NPPF and NERC Act 2006 requirements:

There is a clear steer in the NPPF, NPPF planning guidance, and the Natural Environment White Paper towards development achieving a net gain in biodiversity:

- NPPF – Paras 7,8,9,17 (7th bullet), 109, 113, 114, 117, 118, 119, 152, 157 (last bullet), 187.
- NPPF planning guidance states the following:

<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>

"Is there a statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible?"

Yes.

Section 40 of the Natural Environment and Rural Communities Act 2006, which places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by Government in its Biodiversity 2020 strategy...

The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution."

A clear statement that development should achieve measurable net biodiversity gain would bring the policy in line with existing NPPF and NERC Act 2006 requirements, and would work towards achieving "Environmental Gain" as set out in the Government's new 25 Year Environment Plan.

- **The Policy should also state the need to implement the mitigation hierarchy in order to achieve a measurable biodiversity net gain.** To be more clearly to be compliant with the NPPF, development should seek to (in this order):
 - Avoid significant harm to biodiversity (i.e. is there a suitable alternative to development which avoids the impact?)
 - Mitigate – all possibilities to be put in place
 - Compensate: **on-site first** to ensure net gain in biodiversity; **off-site compensation a possibility thereafter**, only after other options exhausted.

Paragraph 118 of the NPPF states that compensation should only be sought after all options to avoid and mitigate are put in place.

NPPF Para 118

“...if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...”

- **The Policy should refer to the Defra metric or a locally-approved biodiversity metric to determine the measurable impact on biodiversity.** Using the Defra-derived metric or other locally-recognised and approved metric ensures consistency and allows meaningful monitoring of net gain to take place.
- **The Plan should include a monitoring framework into the long-term** to ensure that the proposed measurable net gains in biodiversity are actually achieved, with remedial measures for not achieving satisfactory conditions within stipulated timeframes.

Policy G6, Para 8.6.2 – The NEP welcomes the recognition of the need to establish an “appropriate maintenance regime” to maintain or enhance the wildlife value of sites. The NEP recommends that such maintenance should be secured into the long term, and sit alongside an appropriate monitoring framework (see above).

Policy G7 – Trees and Woodlands

- As well as ancient woodland, **other “irreplaceable habitats” should be protected, where they occur.** This would bring the policy in line with NPPF requirements, which clearly state the need to protect irreplaceable habitat including ancient woodland - and also including aged or veteran trees found outside ancient woodland.

NPPF Para 118 (with our underlining).

“When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles...”

- *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and...”*

CHAPTER 2 – SPATIAL DEVELOPMENT PLANS

Policy SD2

- **Policy SD2 should recognise the need for collaboration across the wider South East in terms of Green Infrastructure or Biodiversity.** The NEP advocates the need to work cross-border on both of these issues with local authorities and other organisations involved, including with nationally-

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protected landscapes such as AONBs, to ensure adequate protection, enhancement, buffering, and particularly appropriate linkage, connection and creation of Green Infrastructure – to maximise and retain functionality and multiple benefits to both wildlife and people.

[“Para 2.0.5:

London’s influence and economy continue beyond the M25. Many of London’s growth corridors have links beyond London’s boundaries. Collaboration with Wider South East partners outside London will help to secure mutual benefits.”]