
STATUTORY INSTRUMENTS

2024 No. 50

**ENVIRONMENTAL PROTECTION, ENGLAND
TOWN AND COUNTRY PLANNING, ENGLAND**

**The Biodiversity Gain (Town and Country Planning)
(Modifications and Amendments) (England) Regulations 2024**

<i>Made</i>	- - - -	<i>17th January 2024</i>
<i>Laid before Parliament</i>		<i>19th January 2024</i>
<i>Coming into force</i>	- -	<i>12th February 2024</i>

The Secretary of State makes these Regulations in exercise of the powers in sections 59(2)(b), 62(1) and (2), 69, 74(1)(d), 76C(2), 333(2A) and (7) of, and paragraphs 14(2)(f) and (3), 16, 18 and 19 of Schedule 7A to, the Town and Country Planning Act 1990(1) and section 142(1) of the Environment Act 2021(2).

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- (1) 1990 c. 8. Section 59 was amended by paragraphs 1 and 4 of Schedule 1 to the Growth and Infrastructure Act 2013 (c. 27) and by paragraphs 1 and 3 of Schedule 4 to the Planning (Wales) Act 2015 (2015 anaw 4). Section 62 was substituted by section 42(1) of the Planning and Compulsory Purchase Act 2004 (c. 5) and subsection (1) was amended by paragraphs 1 and 8(1) of Schedule 12 to the Housing and Planning Act 2016 (c. 22). Section 69 was substituted by paragraphs 1 and 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004, and was amended by section 190(1) and (4) of the Planning Act 2008 (c. 29), paragraphs 1 and 7 of Schedule 12 and Part 18 of Schedule 25 to the Localism Act 2011 (c. 20), paragraphs 2 and 8 of Schedule 4 to the Infrastructure Act 2015 (c. 7), paragraphs 1 and 10 of Schedule 12 to the Housing and Planning Act 2016, paragraph 3(1) and (3) of Schedule 14 to the Environment Act 2021 (c. 30), sections 111(1) and (4) and 114(1) and (4) of the Levelling-up and Regeneration Act 2023 (c. 55), and S.I. 2017/276. Section 69 is prospectively amended by paragraph 1(8) of Schedule 9 to the Levelling-up and Regeneration Act 2023 from a date and time to be appointed. Section 74(1)(d) was amended by paragraphs 1 and 17(1) and (2)(b) of Schedule 12 to the Housing and Planning Act 2016. See section 336(1) for the meaning of “prescribed” in sections 69 and 74(1)(d). Section 76C was inserted by paragraphs 1 and 5 of Schedule 1 to the Growth and Infrastructure Act 2013 and subsection (2) was amended by paragraph 3(1) and (7) of Schedule 14 to the Environment Act 2021. Section 333(2A) was inserted paragraphs 1 and 14 of Schedule 6 to the Planning and Compulsory Purchase Act 2004. Schedule 7A was inserted by paragraph 2 of Schedule 14 to the Environment Act 2021.
- (2) 2021 c. 30.