
STATUTORY INSTRUMENTS

2024 No. 50

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

PART 4

**Amendments to the Town and Country Planning
(Development Management Procedure) (England) Order 2015**

17. In article 35 (written notice of decision or determination relating to a planning application)—

(a) in paragraph (1), before sub-paragraph (a), insert—

“(za) where planning permission is granted, the notice must include—

- (i) information relating to the condition in paragraph 13 of Schedule 7A to the 1990 Act (biodiversity gain condition) including that there are exemptions, transitional arrangements and requirements relating to irreplaceable habitat,
- (ii) information to note the effect of section 73(2D) of the 1990 Act (earlier biodiversity gain plan in relation to a previous planning permission regarded as approved for purposes of paragraph 13 of Schedule 7A),
- (iii) details of the planning authority under paragraph 12(1) of Schedule 7A (biodiversity gain in England), and
- (iv) where development is to proceed in phases and the modifications in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply, a statement to that effect and to the effect that biodiversity gain plans are required before development may be begun and required before each phase of development may be begun;”;

(b) after paragraph 1, insert—

“(1A) References in paragraph (1)(a) to a condition do not include a condition under paragraph 13 of Schedule 7A (the biodiversity gain condition).”.