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*Status: This version of this part contains provisions that are prospective.*  
**Changes to legislation:** There are currently no known outstanding effects for the Environment Act 2021, Paragraph 4. (See end of Document for details)

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## SCHEDULES

PROSPECTIVE

### SCHEDULE 15

#### BIODIVERSITY GAIN IN NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

##### PART 1

###### PRINCIPAL AMENDMENTS TO THE PLANNING ACT 2008

- 4 (1) Section 105 (decisions in cases where no national policy statement has effect), after subsection (2) insert—
- “(3) Where there is a biodiversity gain statement under Schedule 2A in relation to development of the description to which the application relates, the Secretary of State may not grant the application unless satisfied that the biodiversity gain objective contained in the statement is met in relation to the development to which the application relates.
- (4) Subsection (3) does not apply to the extent that the Secretary of State is satisfied that deciding the application in accordance with that subsection would have an effect referred to in section 104(4), (5), (6) or (7).”

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##### Commencement Information

- II** Sch. 15 para. 4 not in force at Royal Assent, see [s. 147\(3\)](#)

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