STATUTORY INSTRUMENTS

2025 No. 447

ENVIRONMENTAL PROTECTION

The Environment Act 2021 (Commencement No. 10) Regulations 2025

Made - - - - *3rd April 2025*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 147(3) and (10) of the Environment Act 2021(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Environment Act 2021 (Commencement No. 10) Regulations 2025.

(2) In these Regulations—

"the Act" means the Environment Act 2021;

"the 1990 Act" means the Town and Country Planning Act 1990(**b**).

Provisions coming into force on 1st May 2025

2.—(1) The following provisions of the Act come into force on 1st May 2025—

(a) section 98 (biodiversity gain as condition of planning permission) in so far as it relates to the provisions commenced by sub-paragraph (b) of this paragraph;

(b) paragraphs 1 and 2 of Schedule 14 (biodiversity gain as condition of planning permission) in so far as they insert the following provisions of Schedule 7A to the 1990 Act(**c**), for the purposes mentioned in paragraph (2) of this regulation—

(i) paragraphs 1 and 2;

(ii) paragraphs 5 to 11;

(iii) paragraph 12(1), except paragraph (a) in the definition of "planning authority";

(iv) paragraph 12(3);

(v) paragraphs 13 to 21.

(2) The purposes referred to in paragraph (1)(b) of this regulation relate to planning permission granted on an application made under Part 13 of the 1990 Act.

(**a**) 2021 c. 30.
(**b**) 1990 c. 8.
(**c**) Schedule 7A is subject to amendments in S.I. 2025/418 which take effect on 1st May 2025.

Mary Creagh
Parliamentary Under Secretary of State
3rd April 2025 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force provisions of the Environment Act 2021 (c. 30) ("the Act"). These are the tenth commencement regulations made by the Secretary of State under the Act.

Regulation 2 brings into force on 1st May 2025 specified sections of the Act.

Section 98 of, and paragraphs 1 and 2 of Schedule 14 to, the Act insert Schedule 7A into the Town and Country Planning Act 1990 (c. 8) ("the 1990 Act") (together with section 90A which introduces it). Schedule 7A to the 1990 Act makes provision for a statutory condition to apply to all planning permissions granted in England, subject to a power to grant exceptions. The condition is intended to ensure the biodiversity gain objective is met. The provisions in Schedule 7A to the 1990 Act are commenced so far as they relate to planning permissions granted on application made under Part 13 of the 1990 Act.

An impact assessment has not been published for these Regulations as they have no impact on cost to business, the public or voluntary sectors independent of the provisions these Regulations bring into force. A full impact assessment has been published in relation to the Act and copies can be obtained from the website of the Department for Environment, Food and Rural Affairs at www.gov.uk/defra or from the Department for Environment, Food and Rural Affairs at 2 Marsham Steet, London, SW1P 4DF, United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Environment Act 2021 (c. 30) have been brought into force by commencement Regulations made before the date of these Regulations;

Provision	*Date of Commencement*	*S.I. No.*
Sections 1 to 7	24th January 2022	S.I. 2022/48 (C. 2)
Sections 8 to 15	24th January 2022	S.I. 2022/48 (C. 2)
Section 16	24th January 2022	S.I. 2022/48 (C. 2)
Section 17 and 18	10th May 2022	S.I. 2022/518 (C.21)
Section 19	10th May 2022 (partially)	S.I. 2022/518 (C.21)
	1st November 2023 (for all remaining purposes)	S.I. 2023/381 (C.18)
Section 20	10th May 2022	S.I. 2022/518 (C.21)
Section 21	1st April 2022	S.I. 2022/48 (C.2)
Section 22 to 24	17th November 2021	S.I. 2021/1274 (C.72)
Section 25	24th January 2022	S.I. 2022/48 (C.2)
Section 26	17th November 2021	S.I. 2021/1274 (C.72)
Section 27	24th January 2022	S.I. 2022/48 (C.2)
Section 28 to 30	24th January 2022	S.I. 2022/48 (C.2)

Section 31 to 41	24th January 2022	S.I. 2022/48 (C.2)
Section 42 and 43	24th January 2022	S.I. 2022/48 (C.2)
Section 44 to 47	17th November 2021	S.I. 2021/1274 (C. 72)
Section 48	25th July 2022	S.R. 2022 No.54 (C.5)
Section 49	28th February 2022	S.R. 2022 No.54 (C.5)
Section 50	24th January 2022 (partially)	S.I. 2022/48 (C.2)
	28th February 2022 (partially)	S.I. 2022 No. 223 (W.71) (C.10)
	9th November 2022 (for all remaining purposes)	S.S.I 2022/305 (C.18)
Section 51	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 52	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 53	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 54	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 55	28th February 2022 (for all remaining purposes)	S.R.2022 No.54 (C.5)
Section 56	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 57	17th May 2024	S.I. 2024/639 (C.40)
Section 59	28th February 2022	S.R. 2022 No.54 (C.5)
Section 60	24th January 2022 (partially)	S.I. 2022/48 (C.2)
	7th March 2022 (for all remaining purposes)	S.I. 2022 No.223 (W.71) (C.10)
Section 61	28th February 2022	S.R. 2022 No.54 (C.5)
Section 62	24th January 2022	S.I. 2022/48 (C.2)
Section 64	24th January 2022 (partially)	S.I. 2022/48 (C.2)
	7th March 2022 (partially)	S.I. 2022 No. 223 (W.71) (C.10)
	9th November 2022 (partially)	S.S.I. 2022/305 (C.18)
Section 65	28th February 2022	S.R. 2022 No.54 (C.5)
Section 67	28th February 2022	S.R. 2022 No.54 (C.5)
Section 68	1st April 2023 (partially)	S.I. 2023/381 (C.18)
Section 69	1st April 2023 (partially)	S.I. 2023/381 (C.18)
Section 71	28th February 2022	S.R. 2022 No.54 (C.5)
Section 72	1st May 2022	S.I. 2022/48 (C.2)
Section 73	1st May 2022 (partially)	S.I. 2022/48 (C.2)
Section 74 to 77	17th May 2024	S.I. 2024/639 (C.40)
Section 79	1st September 2024 (partially)	S.I. 2024/639 (C.40)
Section 81	17th May 2024 (partially)	S.I. 2024/639 (C.40)
	1st January 2025 (for all remaining purposes)	S.I. 2024/639 (C.40)
Section 82	3rd November 2023 (partially)	S.I. 2023/1170 (C.77)
	17th May 2024 (for all remaining purposes)	S.I. 2024/639 (C.40)
Section 85	10th May 2022 (partially)	S.I. 2022/518 (C.21)
Section 86	24th January 2022	S.I. 2022/48 (C.2)
Section 87	10th May 2022 (partially)	S.I. 2022/518 (C.21)

Section 89	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Section 91	28th February 2022	S.R. 2022 No.54 (C.5)
Section 94	29th September 2022	S.I. 2022/988 (C.75)
Section 96	29th September 2022 (partially)	S.I. 2022/988 (C.75)
Section 98	3rd November 2023 (partially)	S.I. 2023/1170 (C.77)
	12th February 2024 (partially)	S.I. 2024/44 (C.4)
Section 100	3rd November 2023 (partially)	S.I. 2023/1170 (C.77)
	12th February 2024 (for all remaining purposes)	S.I. 2024/44 (C.4)
Section 101	12th February 2024	S.I. 2024/44 (C.4)
Sections 102 and 103	1st January 2024	S.I. 2022/1266 (C.100)
Section 104 to 108	24th January 2022	S.I. 2022/48 (C.2)
Section 109	30th September 2022	S.I. 2022/518 (C.21)
Section 110	24th January 2022	S.I. 2022/48 (C.2)
Section 111	30th September 2022	S.I. 2022/518 (C.21)
Section 112 and 113	24th January 2022	S.I. 2022/48 (C.2)
Section 114	1st January 2023	S.I. 2022/1266 (C.100)
Section 115	30th November 2023	S.I. 2023/1170 (C.77)
Section 116	30th September 2022 (partially)	S.I. 2022/518 (C.21)
Part 7	30th September 2022	S.I. 2022/48 (C.2)
Section 140	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 1	17th November 2021	S.I. 2021/1274 (C.72)
Schedule 2	25th July 2022 (partially)	S.R. 2022 No. 54 (C.5)
Schedule 3	28th February 2022	S.R. 2022 No.54 (C.5)
Schedule 4	24th January 2022 (partially)	S.I. 2022/48 (C.2)
	28th February 2022 (partially)	S.R. 2022 No.54 (C.5)
	7th March 2022 (partially)	S.I. 2022 No. 223 (W.71) (C.10)
	9th November 2022 (for all remaining purposes)	S.S.I. 2022/305 (C.18)
Schedule 5	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 6	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 7	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 8	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 9	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)
Schedule 11	1st May 2022	S.I. 2022/48 (C.2)
Schedule 12, Part 1	1st May 2022	S.I. 2022/48 (C.2)
Schedule 12, Part 3	1st May 2022	S.I. 2022/48 (C.2)
Schedule 13	24th January 2022	S.I. 2022/48 (C.2)
Schedule 14	3rd November 2023 (partially)	S.I. 2023/1170 (C.77)
	12th February 2024 (partially)	S.I. 2024/44 (C.4)
Schedule 16	1st January 2023	S.I. 2022/1266 (C.100)
Schedule17	30th September 2022 (partially)	S.I. 2022/518 (C.21)
Schedule 18	30th September 2022	S.I. 2022/48 (C.2)
Schedule 19	30th September 2022	S.I. 2022/48 (C.2)

Schedule 20	30th September 2022	S.I. 2022/48 (C.2)
Schedule 21	28th February 2022 (for all remaining purposes)	S.R. 2022 No.54 (C.5)

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