

Briefing Paper: What is Amendment 40

11 November 2025

CIEEM welcomes the House of Lords' approval of Amendment 40 (previously 130) to the Planning and Infrastructure Bill 2025. The amendment restricts the new Environmental Delivery Plans (EDPs) to addressing only diffuse and cumulative environmental impacts such as, nutrient neutrality, water quality and quantity, and air quality. This is a major step toward ensuring the Bill delivers strategic environmental solutions without weakening existing protections.

Amendment 40

Clause 55, page 63, line 6, at end insert—

“(2A) An environmental impact identified in an Environmental Delivery Plan may only affect—

- (a) nutrient neutrality,
- (b) water quality,
- (c) water resource, or
- (d) air quality.”

Why this amendment matters

- Protects standards: Prevents the replacement of robust species and habitat safeguards under the Habitats Regulations and Wildlife & Countryside Act.
- Clarifies planning: Focuses EDPs on tackling environmental impacts best approached on a strategic, or catchment-based level.
- Delivers balance: Allows sustainable development to proceed while protecting ecological integrity.

Next Steps

- The Bill will shortly return to the House of Commons. We are urging MPs to:
 1. Support retention of Amendment 40 in full.
 2. Press for inclusion in regulations of safeguards from the former Amendment 148 – notably the mitigation hierarchy, use of scientific evidence and baseline data, protection of irreplaceable habitats, and biodiversity enhancement ahead of impact.
 3. Ensure the Nature Restoration Fund complements rather than competes with existing private nature markets.
 4. Support Amendment 94, which seeks to protect chalk streams by requiring a spatial development strategy to list chalk streams in the strategy area, outline measures to protect them from environmental harm, and impose responsibility on strategic planning authorities to protect and enhance their environments.
- Please contact your local MP and ask them to support retaining Amendments 94 and 40 in the Bill, you can find templates for this, and more information on our [website](#).