

Rt Hon Steve Reed MP, Secretary of State for Environment, Food and Rural Affairs  
Matthew Pennycook MP, Minister of State, Housing, Communities and Local Government  
2 Marsham St, London SW1P 4DF

8 April 2025

### Planning and Infrastructure Bill

Dear Mr Pennycook and Mr Reed,

We were pleased when you told us you were “determined to transform the [planning] system to ensure a win-win for housebuilding and nature” and that Government would “only legislate if we are confident that it achieves these outcomes.” We have been grateful for discussions with you and your teams to identify these win-wins and we continue to believe that success is possible.

However, as it stands, the Planning and Infrastructure Bill would weaken environmental law, risk local species extinction and irreversible habitat loss, and jeopardise delivery of the Government’s legally-binding Environment Act targets. Part 3 of the Bill dismantles essential protection for wildlife without the scientific safeguards, the delivery guarantees, or the positive plans for nature recovery that could justify such serious risks.

Environmental Delivery Plans could allow damaging development to disregard environmental requirements without proper scientific foundations, without any attempt to avoid harm, and without any guarantee that measures will be delivered before significant or irreversible harm takes place.

The overall improvement test relies on a weak promise that measures are “likely” to deliver benefits. The requirement for benefits to outweigh harm could allow wafer-thin promises of nature restoration to justify damage to chalk streams, wildflower meadows, ancient woodlands and wildlife.

In short, the text of the bill is a world away from a “win” for nature. It poses great risks and offers faint hope of benefits. Nevertheless, we believe that a win-win is possible if immediate action is taken. The following amendments will be required as a first step to achieving this and we hope you will make them during Committee Stage:

- (1) **Apply the mitigation hierarchy at plan and project level:** require Natural England to be satisfied developers have avoided harm where possible before taking the EDP approach and damage to protected sites and species should only be for overriding public interest where no alternatives are available.
- (2) **Follow scientific evidence:** with a requirement that new protected features should only be included when there is clear evidence that strategic approaches are effective
- (3) **Deliver benefits upfront as standard and always in the case of irreversible and significant damage:** with a transparent schedule of improvements included in the EDP
- (4) **Ensure benefits substantially outweigh harm:** reinforcing the overall improvement test so that measures “will” deliver improvements (rather than be “likely” to) and so that there is “significant and measurable” improvement.

These changes would help set the bill back on course to deliver nature recovery and sustainable development hand-in-hand.

To justify major changes to planning law, your ambition for the bill should not simply be to scrape by in offsetting harm to nature. It should be to improve the process so that it helps fix the underlying issues—pollution in rivers, habitats in neglected condition, the wildlife populations teetering on the brink of extinction. The Bill needs more detail and more certainty that tangible environmental improvement is required, with a robust and scientific process for avoiding harm. That would speed up development as well as bring our natural environment back to life.

We know you are committed to a collaborative, cross-departmental process. We hope you will work with us during Committee to get the bill back on track, so that it really can help deliver public expectations that nature recovery and sustainable development go hand-in-hand.

Yours sincerely,

Beccy Speight, CEO, RSPB

Craig Bennett, CEO, The Wildlife Trusts

Matt Larsen-Daw, CEO, The Mammal Society

Harry Bowell, Director of Land and Nature, The National Trust

Darren Moorcroft, CEO The Woodland Trust

Nida Al-Fulaij, CEO, Peoples Trust for Endangered Species

Sally Haynes, CEO, Chartered Institute of Ecology & Environmental Management

Dr Tony Gent, CEO, Amphibian and Reptile Conservation

Andy Lester, Head of Conservation, A Rocha UK

Kit Stoner, CEO, Bat Conservation Trust

Kyle Lischak, Head of UK, ClientEarth

Dr Ruth Tingay, Director, Wild Justice

Kathy Wormald, CEO, Froglife

Hazel Norman, CEO, British Ecological Society

David Balharry, CEO, John Muir Trust

Sarah Fowler, CEO, WWT

Sandra King, CEO, The Beaver Trust

Will Travers, CEO, Born Free Foundation

Dr Rose O'Neill, CEO, Campaign for National Parks

James Wallace, CEO, River Action

Nick Measham, CEO, WildFish

Mike Childs, Head of Science, Policy and Research, Friends of the Earth

Rick Hebditch, Coordinator, The Better Planning Coalition

Sandy Luk, CEO, Marine Conservation Society

Fay Vass, CEO, British Hedgehog Preservation Society

Prof Jeremy Biggs, CEO, Freshwater Habitats Trust

Kate Ashbrook, General Secretary, Open Spaces Society

Rosie Pearson, Chair, Community Planning Alliance

Sue Sayer MBE, Director, Seal Research Trust

Dr Amy McDonnell, Co-Director, Zero Hour

Mark Lloyd, CEO, The Rivers Trust

Jenny Hawley, Policy Manager, Plantlife

Paul Coulson FIFM, CEO, Institute of Fisheries Management

Craig Macadam, Conservation Director, Buglife

Anthony Field, Head of Compassion in World Farming UK

Richard Benwell, CEO, Wildlife & Countryside Link