Planning and Infrastructure Bill

RUNNING LIST OF ALL

AMENDMENTS ON REPORT

Tabled up to and including

3 October 2025

[*Amendments marked ★ are new or have been altered*]

Clause 5

BARONESS PINNOCK

★ Clause 5, page 10, line 24, at end insert—

"(3) Applicants must have regard to any guidance issued by the Secretary of State to assist them in complying with section 50."

Member's explanatory statement

This amendment requires applicants for NSIPs to have regard to the Secretary of State's guidance in assisting them to comply with section 50.

BARONESS PINNOCK

★ Clause 5, page 10, line 24, at end insert—

"(7A) In issuing guidance under this section the Secretary of State must have regard to the need to ensure pre-application consultation is meaningful, including, but not limited to, adherence to the following principles—

(a) Pre-application consultation should be open and transparent with information and evidence provided in a timely and straightforward fashion to provide affected or interested parties with objective and relevant information to enable them to make an informed response;

(b) Applicants should demonstrate a responsive approach to queries and challenges raised;

(c) Applicants should ensure consultation and engagement activities are inclusive and enable affected or interested parties to have a reasonable opportunity to participate;

(d) Applicants' interpretation and representation of results should be fair and objective;

(e) All pre-application consultation should be undertaken through meaningful engagement with communities and stakeholders, offering genuine opportunities to influence proposals;

(f) Pre-application engagement should be proportionate, with applicants providing the right level of information to enable positive outcomes to be delivered."

Member's explanatory statement
This amendment provides principles which the Secretary of State's guidance required by new Section 50 (2) of the Planning Act 2008 must have regard to, to ensure that pre-application consultation is meaningful.

After Clause 12

BARONESS KRAMER

After Clause 12, insert the following new Clause—

"Whistleblowing and oversight for nationally significant infrastructure projects

(1) For the purposes of this Act, the National Infrastructure and Service Transformation Authority (NISTA) is responsible for receiving and investigating protected disclosures in connection with nationally significant infrastructure projects.

(2) In particular, NISTA is responsible for—

(a) receiving disclosures of information from individuals or organisations relating to suspected misconduct, mismanagement, breach of environmental regulations, or any other matter of public interest connected to nationally significant infrastructure projects;

(b) assessing whether such disclosures fall within its remit and merit investigation;

(c) undertaking investigations where appropriate and referring matters to relevant regulatory, law enforcement, or oversight bodies;

(d) providing advice and guidance to individuals considering making protected disclosures in relation to such projects;

(e) reporting on the nature, volume, and outcome of disclosures received, with appropriate protections for confidentiality and whistleblower anonymity;

(f) establishing and maintaining a framework setting out the protections afforded to whistleblowers, including remedies for individuals who suffer detriment as a result of making a disclosure, and procedures for seeking redress.

(3) For the purposes of this section, "protected disclosures" are those that meet the conditions set out in section 43B of the Employment Rights Act 1996 (disclosures

qualifying for protection), as they relate to the planning, development, or operation of nationally significant infrastructure projects.

(4) NISTA is responsible for ensuring it has—

(a) an appropriate governance structure;

(b) clear processes and criteria for assessing disclosures;

(c) mechanisms for collaboration with other statutory regulators or planning authorities.”

Member's explanatory statement
This amendment places responsibility on the National Infrastructure and Service Transformation Authority (NISTA) to receive, investigate, and oversee whistleblowing disclosures relating to nationally significant infrastructure projects, ensuring protections for whistleblowers and coordination with relevant regulators.

After Clause 17

EARL RUSSELL

★ After Clause 17, insert the following new Clause—

“Extension of permitted development

The Secretary of State must, within 12 months of the day on which this Act is passed—

(a) make provision for the following to be included as permitted development—

(i) upgrading of existing electricity lines from single to three phase;

(ii) alteration of conductor type;

(iii) increase in the height of distribution network supports to maintain minimum ground clearances under the Electricity Safety, Quality and Continuity Regulations 2002;

(iv) increase in the distance of supporting structures by up to 60m from their existing position when replacing an existing overhead line;

(v) in relation to new connections from an existing line, an increase in nominal voltage to a maximum of 33kV and related increase in pole heights;

(vi) upgrading of existing lines from 6.6kV to 11kV;

(vii) installation of additional stays supporting wooden poles;

(viii) upgrading of existing apparatus, including the increase of capacity of pole mounted transformers, subject to the provisions of section 37(1) of the Electricity Act 1989 (consent required for overhead lines) and the Electricity Safety, Quality and Continuity Regulations 2002 (S.I. 2002/2665);

(ix) temporary placement of a line for a period of up to two years;

(b) consult on the introduction of further measures for the purposes of enabling electricity distribution network upgrades and reinforcements to be delivered as permitted development.”

Member's explanatory statement
This new Clause would expand permitted development rights for upgrades to the transmission network.

EARL RUSSELL

★ After Clause 17, insert the following new Clause—

"Electricity distribution networks: land and access rights

(1) The Secretary of State must, within 12 months of the passing of this Act, consult on and implement measures to give electricity distribution network operators powers in relation, but not limited, to—

(a) the acquisition of rights over land for new and existing overhead lines and underground cables;

(b) the acquisition of land for new substations or the extension of existing substations;

(c) the entering into of land for the purposes of maintaining existing equipment;

(d) the entering into of land for the purposes of managing vegetation growth which is interfering with the safety or operation of overhead equipment.

(2) Any powers granted must be compatible with the need to complete works related to development in a timely, inexpensive and uncomplicated manner, and may include the provision of compensation to relevant landowners."

Member's explanatory statement
This new clause would require the Secretary of State to consult on giving electricity distribution network operators powers in relation to the acquisition of and access to land.

Clause 28

EARL RUSSELL

★ Clause 28, page 40, line 8, at end insert—

"(5A) The forestry authority may not use or make arrangements under subsection (1) for land placed at the disposal of the forestry authority by the Minister—

(a) that would amount to more than 2% of the total land area placed at the disposal of the authority;

(b) that would amount to more than 5% of an individual site;

(c) that would directly or indirectly have adverse effects on a site designated under the Conservation of Habitats and Species Regulations 2017 or the Wildlife and Countryside Act 1981;

(d) that would directly or indirectly have adverse effects on an irreplaceable habitat such as an ancient woodland."

After Clause 28

LORD FULLER
BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 28, insert the following new Clause—

"Prohibition on the application of the nationally significant infrastructure projects regime to large-scale solar developments on the best and most versatile land

(1) Section 14 of the Planning Act 2008 (nationally significant infrastructure projects: general) is amended as follows.

(2) After subsection (1) insert—

"(1A) Large-scale solar developments must not be considered nationally significant infrastructure projects where they are built or developed on agricultural land at grade 1, 2, or 3a.".

(3) After subsection (3) insert—

"(3ZA) The Secretary of State may not use orders under subsection (3)(a) to extend the application of subsection (1) to large-scale solar developments."."

Member's explanatory statement
This amendment seeks to ensure that planning decisions remain in the hands of local councils for large-scale solar developments on the best and most versatile land through prohibiting such developments from falling under the nationally significant infrastructure projects provisions in the Planning Act 2008.

EARL RUSSELL

★ After Clause 28, insert the following new Clause—

"Local Area Energy Plans

(1) All local authorities and combined authorities must create a Local Area Energy Plan in order to inform their decisions about local electricity infrastructure requirements.

(2) For the purposes of this section, a "Local Area Energy Plan" means an outline of how the relevant authority proposes to transition its area's energy system to achieve net zero greenhouse gas emissions."

Member's explanatory statement
This new Clause would require all local and combined authorities to develop Local Area Energy Plans which set out how they will meet their Net Zero goals.

Clause 47

BARONESS PIDGEON

★ Clause 47, page 59, line 18, at end insert—

“(5A) After subsection (5), insert—

“(6) References in this Part to public charge points are to be taken as including cross-pavement charging solutions.””

After Clause 47

BARONESS MCINTOSH OF PICKERING

After Clause 47, insert the following new Clause—

“Deregulation of low hazard reservoirs

Within six months of the day on which this Act is passed, the Secretary of State must publish an assessment of the impact of the current regulatory regime for low hazard reservoirs, and set out proposals for the deregulation of such reservoirs to facilitate their construction.”

Member's explanatory statement
This is an amendment to encourage the consideration of measures to facilitate the construction of small reservoirs that pose little potential threat to local communities.

BARONESS PIDGEON

★ After Clause 47, insert the following new Clause—

“Permitted development and charging points

(1) Part 2 of Schedule 2 to The Town and Country Planning (General Permitted Development) (England) Order 2015 is amended as follows.

(2) In paragraph D, after “parking”, insert “or adjacent to a public highway lawfully used for on-street parking where a local highway authority approved cross-pavement charging solution is installed,”.

(3) In paragraph D.1, for sub-paragraph (a) substitute “overhang the footway by more than 150mm perpendicular to the property boundary including the cable plug when it is plugged in;”.

(4) After paragraph E.3 insert—

"Class EA - Ancillary equipment for electrical upstands for recharging electric vehicles

Permitted development

EA The installation, alteration or replacement, within an area lawfully used for off-street parking, of equipment or storage facilities to support the operation of electrical outlets for recharging electric vehicles.

Development not permitted

EA.1 Development is not permitted by Class E if the equipment and storage facilities upstand and the outlet would—

(a) not be located in a non-domestic off-street ground level car park,

(b) result in the installation of more than unit being provided for the car park,

(c) exceed 29 cubic metres,

(d) exceed 3 metres in height,

(e) be within 5 metres of the highway, or

(f) be within 10 metres of the curtilage of a dwelling house or block of flats.

Conditions

EA.2. Development is permitted by Class E subject to the conditions that when the development is no longer needed as equipment or storage to support the operation of charging points for electric vehicles—

(a) the development is removed as soon as reasonably practicable, and

(b) the land on which the development was mounted or into which the development was set is, as soon as reasonably practicable, and so far as reasonably practicable, reinstated to its condition before that development was carried out.""

Clause 48

BARONESS THORNHILL

★ Clause 48, page 61, line 6, at end insert—

"(ba) the requirement for proportionality in the level of the fee or charge, based on the nature and size of the development to which the fee or charge will apply;"

Member's explanatory statement
This amendment would require that any fee or charge set out in regulations is proportionate to the nature and size of the development it applies to.

After Clause 51

LORD MURRAY OF BLIDWORTH

After Clause 51, insert the following new Clause—

“Promotion and use of mediation etc

(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 323A insert—

“323B Promotion and use of mediation etc.

(1) The Secretary of State may issue guidance in relation to the promotion and use of mediation and other forms of alternative dispute resolution (ADR) technique in relation to the following—

(a) the preparation of local development plans and related evidence reports under Part 2,

(b) a prospective applicant’s compliance with any requirements in respect of pre-application consultation imposed under or by virtue of sections 61W or 61Z,

(c) assisting in the determination of an application for planning permission, including related planning obligations or their variation under sections 106 and 106A, and

(d) any other matter related to planning that they consider appropriate.

(2) Guidance under subsection (1) may include provision about—

(a) the form of mediation or other ADR technique that is to be used in a particular circumstance, and

(b) the procedure to be followed in any such mediation.

(3) Local authorities must have regard to any guidance issued under subsection (1).

(4) Before issuing any guidance under subsection (1), the Secretary of State must consult—

(a) planning authorities, and

(b) such other persons that they consider appropriate.

(5) The Secretary of State must make any guidance issued under subsection (1) publicly available.

(6) The power under subsection (1) to issue guidance includes power to—

(a) issue guidance that varies guidance issued under that subsection, and

(b) revoke guidance issued under that subsection.

(7) For the purposes of this section, “mediation” and “ADR technique” includes any means of exploring, resolving or reducing disagreement between persons involving an impartial person as the Secretary of State considers appropriate.

(8) The Secretary of State must issue guidance under subsection (1) within the period of two years beginning with the date on which the Planning and Infrastructure Act 2025 is passed.””

Member's explanatory statement
This amendment requires that guidance must be issued on the promotion and use of mediation and other forms of ADR in the planning process. It is intended to engender a culture of informal resolution of disputes, in order to reduce the risk of the delay and expense caused by litigation.

BARONESS MCINTOSH OF PICKERING

After Clause 51, insert the following new Clause—

“Property flood resilience measures: planning permission

(1) Planning permission for the building of new homes at higher risk of flooding can only be granted if property flood resilience measures are implemented as part of the construction.

(2) For the purposes of implementing subsection (1) and within six months of the passing of this Act, the Secretary of State must make regulations under section 1 of the Building Act 1984 to require that property flood resilience measures are included in any new homes at higher risk of flooding.

(3) Property flood resilience measures under this section may include—
(a) raised electrical sockets;
(b) non-return valves on utility pipes;
(c) airbrick covers;
(d) resilient wall plaster;
(e) any other measure as the Secretary of State may specify.”

BARONESS MCINTOSH OF PICKERING
THE EARL OF CLANCARTY

After Clause 51, insert the following new Clause—

“Agent of change: integration of new development with existing businesses and facilities

(1) In this section—
“agent of change principle” means the principle requiring planning policies and decisions to ensure that new development can be integrated effectively with existing businesses and community facilities so that those businesses and facilities do not have unreasonable restrictions placed on them as a result of developments permitted after they were established;
“development” has the same meaning as in section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”);

"licensing functions" has the same meaning as in section 4(1) of the Licensing Act 2003 (general duties of licensing authorities);

"provision of regulated entertainment" has the same meaning as in Schedule 1 to the Licensing Act 2003 (provision of regulated entertainment);

"relevant authority" means a relevant planning authority within the meaning of section 91 of the Levelling-up and Regeneration Act 2023, or a licensing authority within the meaning of section 3 of the Licensing Act 2003 (licensing authorities).

(2) In exercising any functions under the Town and Country Planning Act 1990 or any licensing functions concerning development which is or is likely to be affected by an existing business or facility, a relevant authority shall have special regard to the agent of change principle.

(3) An application for development within the vicinity of any premises licensed for the provision of regulated entertainment shall contain, in addition to any relevant requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595), a noise impact assessment.

(4) In determining whether noise emitted by or from an existing business or community facility constitutes a nuisance to a residential development, the decision-maker shall have regard to—

(a) the chronology of the introduction of the relevant noise source and the residential development, and

(b) what steps have been taken by the developer to mitigate the entry of noise from the existing business or facility to the residential development."

LORD BEST
LORD CARLILE OF BERRIEW
BARONESS THORNHILL

★ After Clause 51, insert the following new Clause—

"Delivery of affordable housing

(1) The Secretary of State must by regulations make provision for ensuring that when planning permission is granted subject to requirements for the delivery of affordable housing schemes on the relevant site, such requirements are fully implemented.

(2) The requirements for the delivery of affordable housing schemes referred to in subsection (1) shall be satisfied only if the percentage of the total housing constructed let as social rent housing exceeds the percentage set out in the authority's affordable housing threshold or twenty per cent, whichever is higher.

(3) In subsection (2) 'social rent housing' has the meaning given in paragraph 7 of the Direction on the Rent Standard 2019 together with paragraph 4 of the Direction on the Rent Standard 2023, as modified by paragraph 8 of the Direction on the Rent Standard 2023."

Member's explanatory statement
The amendment is intended to ensure affordable housing is actually delivered where this is the subject of planning consent, and the proportion of social rent housing is at least 20 per cent.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ After Clause 51, insert the following new Clause—

"Use of hotels as accommodation for asylum seekers: requirement for planning permission

(1) Section 55 of the Town and Country Planning Act 1990 (meaning of "development" and "new development") is amended as follows.

(2) After subsection (1), insert—

"(1ZA) For the purposes of this section, "the making of any material change in the use of any buildings or other land" includes—

(a) the repurposing of a hotel as accommodation for asylum seekers, and

(b) where a hotel has already been repurposed as accommodation for asylum seekers, the continuation of its use as such accommodation beyond the date on which the Planning and Infrastructure Act 2025 comes into force."

(3) At the end of subsection (2)(f), insert "unless the building is a hotel proposed for use as accommodation for asylum seekers".

(4) After section 106C of that Act insert—

"106D Use of hotels as accommodation for asylum seekers

Any existing or future development order under Part 3 of this Act does not have the effect of granting planning permission for the use of a hotel as accommodation for asylum seekers.""

Member's explanatory statement
This amendment aims to ensure that an application for planning permission is required in all cases of repurposing of a hotel as accommodation for asylum seekers, together with the associated requirement for consultation of affected local communities.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ After Clause 51, insert the following new Clause—

“Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission

(1) Section 55 of the Town and Country Planning Act 1990 (meaning of “development” and “new development”) is amended as follows.

(2) After subsection (1), insert—

“(1ZA) For the purposes of this section, “the making of any material change in the use of any buildings or other land” includes—

(a) the repurposing of a house in multiple occupation as accommodation for asylum seekers, and

(b) where a house in multiple occupation has already been repurposed as accommodation for asylum seekers, the continuation of its use as such accommodation beyond the date on which the Planning and Infrastructure Act 2025 comes into force.”

(3) At the end of subsection (2)(f), insert “unless the building is proposed for use as a house in multiple occupation as accommodation for asylum seekers”.

(4) After section 106C of that Act insert—

“106D Use of houses in multiple occupation as accommodation for asylum seekers

Any existing or future development order under Part 3 of this Act does not have the effect of granting planning permission for the use of a house in multiple occupation as accommodation for asylum seekers.””

Member's explanatory statement
This amendment aims to ensure that an application for planning permission is required in all cases of repurposing a house in multiple occupation as accommodation for asylum seekers, together with the associated requirement for consultation of affected local communities.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ After Clause 51, insert the following new Clause—

“Stop notices: disapplication of time limit in asylum hotel and asylum HMO cases

In section 183 of the Town and Country Planning Act 1990 (stop notices), after subsection (5A) insert—

“(5B) Subsection (5) does not prevent a stop notice prohibiting the use of—

(a) a hotel as accommodation for asylum seekers, or

(b) a house in multiple occupation as accommodation for asylum seekers.””

Member's explanatory statement
This amendment removes the four year time limit for stop notices under section 183 of the Town and Country Planning Act 1990 for cases involving the use of hotels or houses in multiple occupation by asylum seekers.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ After Clause 51, insert the following new Clause—

“Planning decisions: determination by committee

When objections to a planning application are submitted to a local planning authority and its chair of the planning committee and the head of planning (or those in equivalent roles) confirm that the objections are on valid grounds, they may allow that planning application to be determined by committee.”

Member's explanatory statement
This amendment aims to enable local democracy in the determination of planning applications provided they are on valid planning ground.

Clause 52

BARONESS WILLIS OF SUMMERTOWN
BARONESS MILLER OF CHILTHORNE DOMER
LORD GASCOIGNE
BARONESS YOUNG OF OLD SCONE

Clause 52, page 72, line 40, at end insert “and must include the provision of a network of green and blue spaces which are publicly accessible to local communities.”

Member's explanatory statement
This amendment would require strategic planning authorities to include a network of green and blue spaces in the statement of policies which will relate to the development and use of land in the strategy area.

LORD BEST
LORD CARLILE OF BERRIEW
BARONESS THORNHILL

★ Clause 52, page 73, line 11, at end insert—

“(4A) A spatial development strategy must meet the needs of older and disabled people, through a requirement for new homes to meet the Building Regulations Part M4(2) accessible and adaptable standard or the Part M4(3)

wheelchair user dwelling standard, as set out in Schedule 1 to the Building Regulations 2010 (S.I. 2010/2214).”

Member's explanatory statement
The amendment introduces a requirement for all new homes to comply with the Part M4(2) accessible and adaptable standard, as defined in the Building Regulations 2010, or the higher M4(3) wheelchair user dwelling standard. The amendment aims to ensure that all new housing is inclusive, age-friendly, and suitable for people with varying mobility needs.

BARONESS GRENDER

★ Clause 52, page 73, line 22, at end insert—

“(6A) Where a strategy area includes a chalk stream, the spatial development strategy must include policies on permissible activities within the area of the stream for the purposes of preventing harm or damage to the stream or its surrounding area.”

Member's explanatory statement
This amendment would ensure spatial development strategies include policies to protect chalk streams.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
BARONESS HODGSON OF ABINGER

★ Clause 52, page 73, line 29, at end insert—

“(9A) A spatial development strategy must prioritise development on brownfield land and urban densification.

(9B) A spatial development strategy must seek to increase sustainability and community building by minimising travel distances between places of employment, residence and commercial or leisure activities.”

Member's explanatory statement
This amendment would require spatial development strategies to prioritise brownfield and urban densification, and to promote sustainable, mixed communities by reducing travel distances between homes, jobs, and services.

LORD BEST
LORD CARLILE OF BERRIEW
BARONESS THORNHILL

★ Clause 52, page 76, line 9, at end insert—

“(iv) the housing needs of an ageing population;”

Member's explanatory statement
This amendment ensures the draft Spatial Development Strategy has regard to the housing needs of the ageing population.

After Clause 52

BARONESS MCINTOSH OF PICKERING

After Clause 52, insert the following new Clause—

"Local plans and planning applications: flooding

(1) Local plans prepared by local authorities must apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so as to avoid, where possible, flood risk to people and property.

(2) Local authorities must fulfil their obligations under subsection (1) by—

(a) applying the sequential test and then, if necessary, the exception test under subsection (7);

(b) safeguarding land from development that is required, or likely to be required, for current or future flood management;

(c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management);

(d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

(3) A sequential risk-based approach should also be taken to individual planning applications in areas known to be at risk now or in future from any form of flooding.

(4) The sequential test must be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

(5) Applications for some minor development and changes of use should not be subject to the sequential test, nor the exception test, but should still meet the requirements for site-specific flood risk assessments.

(6) Having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied.

(7) To pass the exception test it should be demonstrated that—

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk, and

(b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

(8) Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again, but the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.

(9) When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

(10) Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that—

(a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

(b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

(c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

(d) any residual risk can be safely managed;

(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

Member's explanatory statement
The Sequential and Exception Tests are planning tools that help (a) ensure new development is directed away from areas at the highest risk of flooding and (b) make development that is necessary in areas of flood risk safe throughout its lifetime, without increasing flood risk elsewhere. However, these tests are currently only guidance. A statutory basis would help ensure that Local Planning Authorities place due regard on them when preparing Local Plans and considering individual planning applications.

BARONESS MCINTOSH OF PICKERING

After Clause 52, insert the following new Clause—

"Strategic flood risk assessment maps

Local planning authorities must ensure that the maps included in their Strategic Flood Risk Assessments are based on the most up-to-date flood risk assessments provided by the Environment Agency."

Member's explanatory statement
Strategic Flood Risk Assessments ensure that planning decisions take into account risks from all sources of flooding. Placing a duty on local planning authorities to keep Strategic Flood Risk

Assessments up to date will ensure that they can reliably inform the development of local plans and incorporate the latest information from the Environment Agency's new National Flood Risk Assessment.

THE EARL OF CLANCARTY

After Clause 52, insert the following new Clause—

"Amendments to the Localism Act 2011: assets of cultural value

(1) The Localism Act 2011 is amended as follows.

(2) In section 87 (list of assets of community value)—

(a) in subsection (1), after "community" insert "and cultural",

(b) in subsection (2), after "community" insert "and cultural",

(c) in subsection (3), after "community" insert "and cultural",

(d) in subsection (5), after "community" insert "and cultural", and

(e) in subsection (6), after "community" insert "and cultural".

(3) After section 88 (land of community value), insert—

"88A Land of cultural value

(1) For the purposes of this Chapter but subject to regulations under subsection (2), a building or other land in a local authority's area is land of cultural value if in the opinion of the authority the primary use of that building or land—

(a) substantially furthers the cultural well-being or cultural interests of a local community or the nation, or

(b) provides a necessary venue for the furthering of specialist cultural skills, including (but not limited to) music venues, recording studios, rehearsal spaces, visual artists' studios and other creative spaces.

(2) The appropriate authority may by regulations—

(a) provide that a building or other land is not land of cultural value if the building or other land is specified in the regulations or is of a description specified in the regulations;

(b) provide that a building or other land in a local authority's area is not land of cultural value if the local authority or some other person specified in the regulations considers that the building or other land is of a description specified in the regulations.

(3) A description specified under subsection (2) may be framed by reference to such matters as the appropriate authority considers appropriate.

(4) In relation to any land, those matters include (in particular)—

(a) the owner of any estate or interest in any of the land or in other land;

(b) any occupier of any of the land or of other land;

(c) the nature of any estate or interest in any of the land or in other land;

(d) any use to which any of the land or other land has been, is being or could be put;

(e) statutory provisions, or things done under statutory provisions, that have effect (or do not have effect) in relation to—

(i) any of the land or other land, or

(ii) any of the matters within paragraphs (a) to (d);

(f) any price, or value for any purpose, of any of the land or other land.””

Member's explanatory statement

This amendment expands the existing assets of community value scheme to also include assets of cultural value.

LORD BANNER
BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 52, insert the following new Clause—

“Principle of proportionality in planning

(1) The principle of proportionality in planning shall apply to—

(a) applications for any permission, consent, or other approval within the scope of the Planning Acts, including the supporting evidence base,

(b) environmental impact assessment and habitats assessment,

(c) the exercise of any functions within the scope of the Planning Acts, including but not limited to procedural and substantive decision-making (by local planning authorities, the Planning Inspectorate and the Secretary of State), and the preparation and provision of consultation responses (by statutory and non-statutory consultees), and

(d) the determination by the Courts of claims for judicial and statutory review.

(2) Applications for any permission, consent or other approval within the scope of the Planning Acts, and appeals against the refusal or non-determination of such applications, must be determined in accordance with the principle of proportionality in planning.

(3) So far as it is possible to do so, the Planning Acts and any secondary legislation enacted pursuant to them must be read and given effect in a way which is compatible with the principle of proportionality in planning.

(4) The principle of proportionality in planning means that the nature and extent of information and evidence required to inform the determination of any permission, consent, or other approval within the scope of the Planning Acts shall be proportionate to the issues requiring determination, having regard to decisions already made (whether in the plan-making or development control context) and the extent to which those issues will or can be made subject to future regulation

(whether by way of planning conditions and obligations, or other regulation whether or not pursuant to the Planning Acts).

(5) The Secretary of State may publish guidance on how the principle of proportionality in planning is to be applied.

(6) The principle of proportionality in planning must not be interpreted as affecting existing requirements for local planning authorities to justify the refusal or withholding of planning permission.

(7) In this section the term "Planning Acts" includes—

(a) all primary legislation relating to planning prevailing at the time of the relevant application, decision or exercise of functions; and

(b) any secondary legislation relating to planning, environmental impact assessment or habitats assessment."

Member's explanatory statement
This amendment introduces a principle of proportionality in planning to give decision-makers, applicants, consultees and the Courts confidence that less can be more, so as to facilitate more focused decision-making and more effective public participation.

LORD BANNER

After Clause 52, insert the following new Clause—

"Neighbourhood development orders and national planning policy

In Schedule 4B of the Town and Country Planning Act 1990 (process for making of neighbourhood development orders: independent examination), for paragraph 8(2)(a) substitute—

"(a) the order is in general conformity with national planning policy,"."

Member's explanatory statement
This amendment requires new neighbourhood plans not merely to have regard to the National Planning Policy Framework and Planning Practice Guidance, but to be in general conformity with it, so as to avoid neighbourhood plans undermining national planning policy.

LORD BANNER
BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 52, insert the following new Clause—

"Duration of planning permission

In section 91(3B) of the Town and Country Planning Act 1990 (general condition limiting duration of planning permission), for "one year" substitute "a period commensurate with the period beginning with the date on which the proceedings were issued by the Court and ending with the date of the final determination of the proceedings (including any appeals).""

Member's explanatory statement
This amendment stops the clock for the purposes of the time limit for development to be commenced when the relevant planning permission is subject to judicial or statutory review, thus avoiding the risk of a planning permission being timed out by protracted legal challenge, and to avoid the prospect of that risk being an incentive for meritless legal challenges.

LORD BANNER
LORD LANSLEY
BARONESS SCOTT OF BYBROOK
LORD JAMIESON

After Clause 52, insert the following new Clause—.

"Relationship between overlapping permissions

After section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out), insert—

"73AA Relationship between overlapping permissions

(1) Where there is more than one planning permission which relates to some or all of the same land, the lawfulness of both past and future development carried out pursuant to one of those planning permissions shall be unaffected by the carrying out of development pursuant to another of those planning permissions, except to the extent expressly stated in any of those permissions or in any obligation under section 106 of this Act (planning obligations) related to any of those permissions.

(2) Subsection (1) applies only where one of the relevant planning permissions was granted after the day on which the Planning and Infrastructure Act 2025 is passed.

(3) In this section "planning permission" means—

(a) a planning permission under Part 3 of this Act, and

(b) a planning permission granted by article 3 (permitted development) of the Town and Country Planning (General Permitted Development) Order 2015 (S.I. 2015/596).""

Member's explanatory statement
This amendment addresses the potentially deleterious implications of the Supreme Court's judgment in the Hillside Parks case.

LORD LANSLEY
LORD BANNER
LORD SHIPLEY
LORD BEST

After Clause 52, insert the following new Clause—

"Chief planner

(1) The Town and Country Planning Act 1990 is amended as follows.

(2) After section 1, insert—

"1A Local planning authorities: chief planner

(1) Each local planning authority must appoint an officer, to be known as chief planner, for the purposes of their functions as a local planning authority.

(2) Two or more local planning authorities may, if they consider that the same person can efficiently discharge, for both or all of the planning authorities, the functions of chief planner, concur in the same appointment of a person as chief planner for both or all of these authorities.

(3) A local planning authority may not appoint a person as chief planner unless satisfied that the person has appropriate qualifications and experience for the role."."

Member's explanatory statement
This amendment would provide for local planning authorities to appoint a Chief Planner, who could be appointed jointly by one or more authorities, to secure that decisions, including those delegated to officers, are made with professional leadership.

LORD FOSTER OF BATH

After Clause 52, insert the following new Clause—

"Permission for gambling premises: cumulative impact assessments

(1) The Gambling Act 2005 is amended as follows.

(2) In section 153(1)(d), after "statement" insert ", including any cumulative impact assessment,".

(3) After section 349(1), insert—

"(1A) A licensing authority may include in their statement an assessment ("a cumulative impact assessment") stating that they consider that the number of premises licences granted under section 163 in one or more parts of their area described in the assessment is such that it is likely that it would be—

(a) inconsistent with the licensing objectives in section 1, or

(b) harmful to the wellbeing of the community,

for the authority to grant any further premises licences which would result in an increase in the number of such premises in that part or those parts.”.”

LORD ADDINGTON

★ After Clause 52, insert the following new Clause—

“Preservation of playing fields and pitches

(1) A local planning authority must, when exercising any of its functions, ensure the preservation of playing fields and playing pitches.

(2) The duty in subsection (1) may, when granting permission for development, be met through the imposition of conditions or requirements relating to—

(a) the protection of playing fields or playing pitches affected by the development, or

(b) the provision of alternative, additional or expanded playing fields or playing pitches.

(3) For the purposes of this section, “playing field” and “playing pitch” have the same definitions as in Schedule 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (2010/2184).”

Clause 55

BARONESS GRENDER

★ Clause 55, page 92, line 3, leave out “an” and insert “a significant”

Member's explanatory statement
This amendment would require that an improvement made to the conservation status of an identified environmental feature within environmental delivery plans should be significant.

After Clause 55

BARONESS GRENDER

★ After Clause 55, insert the following new Clause—

“Environmental infrastructure in new developments

(1) Within six months of to the passing of this Act, the Secretary of State must make regulations under section 1 of the Building Act 1984 (power to make building regulations) for the purpose of protecting and enhancing biodiversity.

(2) Regulations made under this section must—

(a) take account of biodiversity targets and interim targets set out in sections 1(2), 1(3)(c), 11 and 14 of the Environment Act 2021;

(b) include measures to enable the provision in new developments of—

(i) bird boxes;

(ii) bat boxes;
(iii) swift bricks;
(iv) hedgehog highways;
(v) biodiverse roofs and walls.”

Member's explanatory statement
This new clause would require the Secretary of State to introduce regulations to protect and enhance biodiversity in new developments.

After Clause 58

BARONESS PARMINTER

★ Clause 58, page 94, line 37, at end insert—

“(5A) Within six months of Royal Assent the Secretary of State must publish draft regulations to make provision for—
(a) How the mitigation hierarchy will be applied in preparing and applying an EDP,
(b) A procedure by which the scientific evidence for including an environmental feature in an EDP will be assessed, taking account of the precautionary principle,
(c) An assessment of the baseline condition of any environmental features that are habitats or species for each development application under an environmental delivery plan,
(d) A list of irreplaceable habitats which cannot be an environmental feature in an EDP, and
(e) The circumstances in which conservation actions must be taken before development takes place under an EDP.”

After Clause 87

BARONESS MCINTOSH OF PICKERING

After Clause 87, insert the following new Clause—

“Sustainable drainage

The Secretary of State must bring into force in England all uncommenced parts of Schedule 3 of the Water Management Act 2010 (sustainable drainage) within three months of the day on which this Act is passed.”

Member's explanatory statement
In England, developers have the automatic right to connect surface water arising from new homes to the public sewerage system, irrespective of whether there is capacity for this. Implementation of Schedule 3 of the Flood and Water Management Act (2010) would end this automatic right to connect and provide a framework for the approval and adoption of Sustainable Drainage Systems (SuDS), paving the way for their widespread use.

BARONESS MCINTOSH OF PICKERING

After Clause 87, insert the following new Clause—

“National Standards for Sustainable Drainage Systems

In section 106(4) of the Water Industry Act 1991 (right to communicate with public sewers), in paragraph (b), after “system” insert “, or—

(c) is such that the predicted or actual volume of water to be discharged thereafter into the public sewer would increase flood risk due to lack of capacity;

or if the current National Standards for Sustainable Drainage Systems have not first been applied.””

Member's explanatory statement
The amendment adds weight to the Government’s newly-introduced National Standards for Sustainable Drainage Systems (SuDS) by making the right to communicate with the public sewer conditional on having applied the standards first. Changing the right to connect to the public sewer to be conditional upon first having followed the new Standards will provide a more robust incentive to developers to follow this guidance, in the absence of full implementation of Schedule 3 of the Flood and Water Management Act 2010.

BARONESS GRENDER

★ After Clause 87, insert the following new Clause—

“Heritage tree preservation orders

(1) A local planning authority may make a heritage tree preservation order in respect of a heritage tree.

(2) The Secretary of State must make provision by regulations for heritage tree preservation orders, which must include provision—
   (a) for a heritage tree to have all the protections afforded to a tree by a tree preservation order under section 198 of the Town and Country Planning Act 1990 (power to make tree preservation orders);
   (b) requiring the owner of a heritage tree, or any other occupier of the land where the tree stands, to advertise appropriately its status as such, and the penalties for harming it, to persons approaching the tree or planning activities in its vicinity;
   (c) enabling the responsible planning authority, Natural England or the Secretary of State to order the owner of a heritage tree or any other occupier of the land where the tree stands to take specified reasonable steps to maintain and protect the tree and, if the owner or occupier does not take such steps in reasonable time, to take such steps itself and to recover the reasonable cost of doing so from the owner or occupier;
   (d) for the responsible planning authority, Natural England, the Secretary of State or another prescribed responsible body to enter into an agreement

with the owner or occupier about the care and preservation of the heritage tree (a "heritage tree partnership agreement"), including about costs;

(e) for additional or higher penalties for breach of a heritage tree preservation order.

(3) The Secretary of State must make provision for the creation, publication and maintenance of a register of heritage trees in respect of which heritage tree preservation orders have been made.

(4) For the purposes of this section, "heritage tree" means a tree listed as such by Natural England on grounds of exceptional historic, landscape, cultural or ecologic importance.

(5) Natural England must create, publish and maintain a list of heritage trees in England for the purposes of this section."

Member's explanatory statement
This new Clause provides for the protection of heritage trees.

After Clause 106

BARONESS SCOTT OF BYBROOK
LORD JAMIESON
BARONESS HODGSON OF ABINGER

★ After Clause 106, insert the following new Clause—

"Protection of villages

(1) The Secretary of State must, within six months of the day on which this Act is passed, issue guidance for local planning authorities, or update any relevant existing guidance, relating to the protection of villages from over-development and change of character.

(2) Any guidance issued under this section must provide villages with equivalent protection, so far as is appropriate, as is provided for towns in relation to—

(a) preventing villages from merging into one another, and

(b) preserving the setting and special character of historic villages, under the National Planning Policy Framework."

Member's explanatory statement
This amendment seeks to provide existing villages with protection equivalent to that currently provided to towns under the National Planning Policy Framework.

After Clause 108

LORD GOLDSMITH OF RICHMOND PARK
LORD LAMONT OF LERWICK
LORD GOVE
BARONESS COFFEY

After Clause 108, insert the following new Clause—

“Building regulations: swift bricks

(1) The Secretary of State must, within six months of the day on which this Act is passed, introduce regulations under section 1 of the Building Act 1984 (power to make building regulations) to make provision for the installation of an average of one swift brick per dwelling or unit greater than 5 metres in height.

(2) Regulations must require the installation of swift bricks in line with best practice guidance, except where such installation is not practicable or appropriate.

(3) For the purposes of this section—

“swift brick” means an integral nest box integrated into the wall of a building suitable for the nesting of the common swift and other cavity nesting species;

“best practice guidance” means the British Standard BS 42021:2022.”

Member's explanatory statement

This new Clause would require the Secretary of State to introduce regulations to require the installation of integral bird nest boxes and swift boxes in developments greater than 5 metres in height. Swift bricks provide nesting habitats for all bird species reliant on cavity nesting habitats in buildings to breed.

Clause 112

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ Clause 112, page 159, line 25, at end insert—

“(ca) section (Use of hotels as accommodation for asylum seekers: requirement for planning permission) comes into force on the day on which this Act is passed.”

Member's explanatory statement

This ensures that the new clause ‘Use of hotels as accommodation for asylum seekers: requirement for planning permission’ (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

BARONESS SCOTT OF BYBROOK
LORD JAMIESON

★ Clause 112, page 159, line 25, at end insert—

"(ca) section (Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission) comes into force on the day on which this Act is passed."

Member's explanatory statement
This ensures that the new clause 'Use of houses in multiple occupation as accommodation for asylum seekers: requirement for planning permission' (inserted by an amendment in the name of Baroness Scott of Bybrook) takes effect immediately when the Bill is passed.

Planning and Infrastructure Bill

RUNNING LIST OF ALL

AMENDMENTS ON REPORT

Tabled up to and including

3 October 2025

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3 October 2025

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS