



**Unite Amicus Section response to the planning White Paper -  
'Planning For a Sustainable Future'**

**1. Introduction**

- 1.1. This response is submitted by Unite Amicus Section. Unite is the UK's largest trade union with 2 million members across the private and public sectors. The union's members work in a range of industries including manufacturing, financial services, print, media, construction, transport, local government, education, the health service and not for profit sectors.**
- 1.2. The union has various interests in this consultation given that we have members in construction, transport, energy and utilities, as well as members who will be directly affected by the proposals as residents.
- 1.3. The response focuses on those aspects of the White Paper concerned with key national infrastructure projects.

## 2. Executive Summary

- 2.1. Unite Amicus Section believes that high profile infrastructure developments are crucial to the ongoing expansion of the whole of the UK economy.
- 2.2. Unite Amicus Section agrees that there is a strong case for reform of the current system, especially with regard to nationally significant infrastructure projects.
- 2.3. Unite Amicus Section agrees in principle with the introduction of national policy statements (NPSs) for key infrastructure projects, which should be the primary consideration and should form the structural boundaries for debate.
- 2.4. Each successive Parliament should have the right to examine the principles of each national policy statement and amend as appropriate after a period of consultation. The opportunity for legal challenge would provide sufficient and robust safeguards to ensure that national policy statements are sound.
- 2.5. Policy statements in existence on commencement of the new regime should not be capable of acquiring the status of national policy statements for the purposes of decision making by the Infrastructure Planning Commission as there has not been any public involvement in their introduction.
- 2.6. The list of statutory consultees should include the ombudsmen for the relevant industries at the project development stage. Unite Amicus Section agrees that the Government should set out, in legislation, an upper limit of 28 days for these statutory consultees to register an interest in a promoter's consultation.
- 2.7. The principal exclusion from the list of nationally significant transport schemes is in the area of rail. There is a clear demand to extend the European high speed rail network beyond London, yet national rail development is absent from the list.
- 2.8. The current plethora of planning processes and committees can cause significant confusion and inconsistency. Unite Amicus Section therefore believes that considerable consideration should be given to how the changes to the planning consent process could be expedited via the Commission. The union would not wish to see a significant deterioration in the rights of those affected.
- 2.9. The consultation makes it clear that the possibility for micro generation and sustainable development should be at the heart of any future major planned project. Unite Amicus Section supports such a position.

- 2.10. Unite Amicus Section agrees in principle that the High Court should be able to direct a plan, (both at local and regional level), to be returned to an earlier stage in its preparation process
- 2.11. Although sustainability appraisals are expensive and time consuming they are key to ensuring a development is as environmentally sustainable as is practicable.
- 2.12. Unite Amicus Section believes that a substantial review of the numerous avenues and requirements for obtaining planning permission is long overdue. The proposals in the main provide a positive step forward in freeing up the process.

### 3. Construction Industry

- 3.1. The UK engineering construction industry is the largest in the EU and second only to the US in size. It is responsible for the building, repair and maintenance of key elements of Britain's infrastructure. The White Paper identifies construction, the nuclear industry and civil aviation as industries that will be immediately affected by these proposals.
- 3.2. Unite Amicus Section members are responsible for the building, repair and maintenance of key elements of Britain's infrastructure including energy sources, nuclear, gas and coal fired power stations, petrochemical refineries, chemical plants, pharmaceuticals, steel and other industrial output centres, structural steel for public and commercial building, major water treatment and steel bridge construction.
- 3.3. **Unite Amicus Section believes that high profile infrastructure developments are crucial to the ongoing expansion of the UK economy and therefore broadly welcomes initiatives that are able to provide a clear definition of the work programme for the industry going forward.** The union believes, however, that such developments cannot be delivered either on time or on budget without a commitment from all stakeholders to:
- Direct employment
  - National collective agreements
  - Equal treatment of migrant labour
  - Best practice in public procurement
  - Industry accredited apprenticeships & training.

### 4. Civil Aviation

- 4.1. Unite Amicus Section represents more than 18,000 members employed in the civil aviation sector, split between cabin crew, engineering, maintenance and ground staff.
- 4.2. **Unite Amicus Section agrees with the consultation that *“a purely local approach to planning cannot deliver the best outcomes for us as a society or nation, or for the environment. Sometimes, development may have national or regional benefits or impacts which go far beyond the immediate impact on local communities”*<sup>1</sup>.**
- 4.3. Far too often significant construction projects are delayed or cancelled as a result of local issues. This is despite the Government's expectation for *“local authorities and regional planning bodies to take full account of relevant national policy”*<sup>2</sup>.

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<sup>1</sup> *Planning for a Sustainable Future* White Paper. para 1.48

<sup>2</sup> *Planning for a Sustainable Future* White Paper. para 1.51

- 4.4. Box 2.1 of the consultation paper clearly illustrates the delays that were experienced in the planning of Terminal 5 (T5). If this facility had been approved earlier the additional capacity would have reduced this overcrowding far sooner resulting in a far more pleasant experience than is currently the case, with delays and cancellations at Heathrow commonplace due to a lack of runway capacity.
- 4.5. The delay to development has led to companies examining the alternative airport hubs in Europe where capacity is far greater. Dell Computers has already relocated some of its operations to a location near Amsterdam Schiphol airport due to delays to expansion at Heathrow and it is soon to be followed by many more.

## **5. Nuclear New Build**

- 5.1. Unite Amicus Section represents approximately 7,000 people directly employed in the nuclear industry, as well as others in companies in the nuclear industry supply chain, construction and manufacturing, all of whose futures depend on the UK remaining competitive in the global marketplace.
- 5.2. Nuclear power currently provides about 22%<sup>3</sup> of the UK's electricity. The industry directly employs over 50,000 people in the UK and is supported by a wide variety of supply chain companies, such as engineering and construction contractors, fabricators of specialist equipment, manufacturers and other specialist service providers. One sixth of the world's electrical generation is currently produced from nuclear facilities.
- 5.3. Nuclear generation has been seen by the Intergovernmental Panel on Climate Change (IPCC) to be a vital constituent part of any energy generation policy if we are to combat the effects of global warming. In the consultation documentation for the draft Climate Change Bill the Government stated that a delay of just five years could be critical.
- 5.4. The planning and licensing process before the ground is broken in order to construct a nuclear facility is estimated to take five years with an additional five year period before the first power begins to flow. The planning process has in the past been significantly delayed by the public enquiry process, where, instead of focusing on local issues of access and visual impact etc, the focus has been more directed to the national need for such facilities.
- 5.5. The enquiry prior to the construction of Sizewell B stretched on for years adding millions of pounds to the cost. Unite Amicus Section strongly believes that such a delay in today's climate could be critical in any environmental damage mitigation policy.

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<sup>3</sup> [www.niauk.org](http://www.niauk.org)

- 5.6. Companies in the UK nuclear industry, have the capability to provide over 80% of the scope of new nuclear power station projects, once they get the go ahead. The source of any delay in any such a construction project clearly lies primarily in the planning and licensing process.
- 5.7. The UK's current fleet of nuclear facilities is facing a decommissioning programme which, unless replacement generation capacity is built, will lead to a serious energy shortfall. Decommissioning cannot be put off indefinitely, and despite efforts to extend the working lives of these old nuclear facilities it is now unlikely that a new nuclear plant can be brought on line in time to replace those closing unless the planning and licensing process can be significantly improved.
- 5.8. Relying on gas and oil for our base load generation ties UK energy into the politics of many unstable governments and heavily into the hands of Russia. New clean coal technology and new build nuclear generation has to be developed to secure reliable base load generation.
- 5.9. Coupled with the desire to provide nuclear new build is the need for long term storage facilities. In October 2006, the Government accepted the recommendations of the Committee on Radioactive Waste Management (CoRWM) that geological disposal coupled with safe and secure interim storage is the way forward for the long-term management of the UK's radioactive waste.
- 5.10. Malcolm Wicks, Minister of State for Energy, stated on 11 June 2007 that *"Government also confirmed it is supportive of exploring an approach based on voluntarism and partnership with local communities"*.
- 5.11. **Unite Amicus Section believes that the demand for a long term nuclear waste storage facility is long overdue, but recognises that there will be issues concerning councils willingness to accommodate such facilities in their area.** The provision of a partnership with local authorities denotes that they will in some way be in a position to accept and reject the amounts and sources of waste stored at such a facility. Such a step has been used as a political weapon to try and force members of the Scottish Parliament to rethink its nuclear policy or find some other way to store the radioactive material from existing nuclear facilities by the local councils at Sellafield<sup>4</sup>.
- 5.12. **Unite Amicus Section believes that if a new policy for planning is to be instigated in the way suggested, a balance would need to be**

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<sup>4</sup> Scotland on Sunday – 1 July page 7 - Bury your own nuclear waste, Executive told 'Parochial' ministers rapped after pulling out of UK-wide talks on disposal of radioactive material

**struck, with local authorities once the decision has been taken over implementation of specific projects.** The implementation of this new planning system will no doubt face its toughest challenge in relation to a nuclear facility's construction.

## **6. Environmental Mitigation Measures**

- 6.1. **Unite Amicus Section supports the development of Clean Coal Technology as part of a mixed package of electrical generation methodologies. The union would also like to see the connection of high volume producers of CO<sub>2</sub> and other GHGs to a network of pipe work in order to maximise sequestration and storage technology.** Given the commitment of the Government to reducing emissions in the draft Climate Change Bill, we would hope such a proposal would receive the maximum amount of support from Government. A scheme of this nature should therefore also fall within the criteria for a national policy statement of need, yet it would appear in the illustration of what could form such a policy that such large scale mitigation projects are absent.
- 6.2. It would appear from a recent article that engineering consultancy firm Amec is to carry out a feasibility study into just such a scheme in Yorkshire and Humberside.<sup>5</sup>

## **7. The need for reform**

- 7.1. **Unite Amicus Section agrees that there is a strong case for reform of the current system, especially with regard to nationally significant infrastructure projects. The overall package of reforms proposed should fulfil this requirement although a streamlining of the legal process of review in such cases would also prove warranted in order to make access more freely available without creating undue delay.**
- 7.2. **Unite Amicus Section agrees in principle with the introduction of national policy statements for key infrastructure projects in order to help clarify the Government's position.** The scope of this policy statement needs to be as general as possible, within the boundaries of the policy regarding local issues and with the exception of site specific projects, so local communities can still be engaged in the debate. However, the policy would require a clear timeline, so that the stated goals are dealt with promptly.
- 7.3. **Unite Amicus Section agrees that national policy statements should be the primary consideration and that they should form the structural boundaries for debate.** If local planning authorities have the power to block nationally critical projects without significant

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<sup>5</sup> Utility Week 10 August 2007 page 7.

counter arguments, then it will lead to a legal challenge by the Government and further delay.

- 7.4. There is a clear need to move beyond the “not in my back yard!” concept. Whilst communities’ voices must be considered where appropriate, national requirements of critical importance should not be dictated to by an individual or small unrepresentative group. A single individual’s objection to a project to relieve the traffic flow from the M4 to the A33 near Reading caused a delay of over two years and a considerable amount of work and cost to the local authorities. It was only after five years of campaigning, following pressure from Reading Borough Council and local businesses, that the M4 Junction 11 was finally named as one of a number of ‘regional priorities’.

## 8. Public Engagement

- 8.1. **Unite Amicus Section believes that the proposals for effective public engagement in the production of national policy statements will require appropriate resources and promotion.**
- 8.2. The way to engage with the public at large has been a quest which numerous organisations have attempted over the years with varying degrees of success. The inclusion of trade unions in such a process would provide a vehicle to reach over 6.5 million members.
- 8.3. The inclusion of parliamentary scrutiny for the proposed national policy statements provides an additional avenue for public consultation via local representatives.
- 8.4. **The Prime Minister’s announcement on 3<sup>rd</sup> July 2007 of a series of constitutional changes, including mechanisms to engage the public and the commissioning of citizens juries, presents opportunities to deal with some of the key issues.** Hand in hand with this is the need to ensure that such juries are provided with a timescale in which to operate.
- 8.5. The consultation mentions the Air Transport White Paper, published in 2003, which identified the needs for air transport through to 2030. Despite this paper the Government itself has delayed the consultations on mixed mode operations and a new runway at Heathrow, several times.
- 8.6. The Air Transport White Paper stated *“It is essential that proposals for new airport capacity and related development both reflect, and are reflected in, the spatial development, transport and economic strategies of the English regions ..... The Government expects the relevant English regional bodies to take the conclusions in this White*

*Paper fully into account in drawing up their strategies, and the devolved administrations are encouraged to do the same*<sup>6</sup>.

## 9. National Policy Statements

- 9.1. **Unite Amicus Section believes that the wording of national policy statements needs to set out a clear agenda and goals to be achieved by a set timeline.** It makes sense to have long term goals and objectives, but these aspirations should be tempered by the need for triggered eventualities to cope with changes in the global economy, especially if the lifespan of such policy statements is to last between 10 and 25 years as suggested. Without a clearly defined timeline the most politically difficult decisions will inevitably be delayed until the last possible minute. This could cause significant long term damage to the national economy, especially in the key areas of the environment, energy and transportation.
- 9.2. The suggested review period of five years may be too infrequent to adapt to changes in technology, the economy and world events. **Unite Amicus Section believes that each successive parliament should have the right to examine the principles of each national policy statement and amend as appropriate after a period of consultation with the public and interested parties.** Once this exercise has been carried out, the policy should be left to serve its purpose, until after the parliament. This will serve to ensure that the review is focused and is not locked into a path which cannot be amended by the next elected Parliament.
- 9.3. **Unite Amicus Section believes that the opportunity for legal challenge would provide sufficient and robust safeguards to ensure that a national policy statement is sound.** The union believes, however, that the judicial process in such matters should be resolved as a priority without any undue delay so that business communities and their workforces can work within the policy's agenda. Without such a desire for a swift resolution to a challenge, delays could cause significant losses not only to the economy and jobs, but also in many other areas.
- 9.4. **Unite Amicus Section feels that policy statements in existence on commencement of the new regime should not be capable of acquiring the status of national policy statements for the purposes of decision making by the commission as there has not been any public involvement in their introduction.** During the Stansted expansion enquiry the Counsel for the Secretary of State expressly stated, that the Aviation White Paper "merely informed and guided the consideration of planning applications."

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<sup>6</sup> *'The Future of Air Transport'*, published on 16 December 2003 para 4.27

- 9.5. **Unite Amicus Section agrees, in principle, that promoters should have to prepare applications to a defined standard before the Infrastructure Planning Commission is charged with the task of considering them.** Clear unambiguous guidance should be made available to assist promoters in this endeavour. Coupled to this guide should be a clear and effective penalty structure to prevent the new commission from rejecting applications under this provision in order to delay the application.
- 9.6. Unite Amicus Section is not convinced that the cited methodology, (Box 4.1), utilised by the Docklands Light Railway in engaging the public and other affected bodies prior to their submission, would necessarily work in other major infrastructure projects.
- 9.7. The need to accommodate national policy requirements would require a major education programme to run in tandem with the policy. Such a programme would then allow promoters of schemes to engage with the affected parties in terms which they could understand. With such assistance nationally, the attraction to promoters of introducing submissions to fulfil national demand would be enhanced. Adding additional burdens on investment such as the above may result in investment going elsewhere.
- 9.8. The analogy of BP's withdrawal of support for the world's first full scale hydrogen gas powered electrical generation facility at Peterhead near Aberdeen, demonstrates how delay can cause the cancellation of valuable investment potential. The project would have utilised Carbon Capture and Sequestration or Storage (CCS) to dispose of the emissions produced from the hydrogen extraction process. The Peterhead Project as it became known was eventually cancelled due to, according to a BP spokesman, government prevarication over its energy policy. The company stated that government funding would come too late to support the project, which would have, not only acted as a demonstration of CCS technology but at the same time assisted with the oil extraction process. If the project had been given the green light, about 1,000 jobs were expected to have been created and the waste emissions could have helped with the extraction of an extra 40 million barrels of oil equivalent.
- 9.9. **Unite Amicus Section calls on the Government to take decisive action in the area of energy policy and planning before yet more opportunities are lost.** The Government has already warned the public that environmentally "*a delay of only 5 years could be significant*"<sup>7</sup> in mitigating the effects of climate change. Consequently planning delays and prevarication over its energy policy is costing jobs, as other nations take the lead in CCS with the possibility of such opportunities following the route established by wind, solar and wave

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<sup>7</sup> Para 2.9 Draft Climate Change Bill consultation – March 2007 - Page 12.

powered generation, to other nations to exploit, not to mention the effects on the planet.

9.10. **Unite Amicus Section believes that the list of statutory consultees listed in Box 4.2 should be augmented with the addition of the ombudsmen for the relevant industries at the project development stage.** To omit such a body from the list is clearly an oversight as they would ultimately be responsible for handling complaints against the industry or provider of a service. It may also be wise to inform the relevant Secretary of State so that the Government becomes aware at the earliest stage possible of all potential solutions to fulfil the policy requirement.

9.11. If the list is to be extended to local authorities, land owners or the general public at that stage, it should be on the understanding that the site chosen is one which fulfils the national demand criteria. It should also be made clear that any objections to such a location must be restricted to why the site itself would not be suitable to fulfil the purpose and mitigation measures. Without such a stipulation an inordinate amount of time would be wasted going over points previously covered in the initial consultation on national demand as was the case at the Sizewell B enquiry.

9.12. **Unite Amicus Section agrees, in principle, that the Government should set out, in legislation, an upper limit of 28 days for statutory consultees to register an interest to a promoter's consultation.** To not set a series of time limits invites undue delay and possible legal action into the system.

9.13. **The Commission should not only issue guidance for developers on the application process, preparing applications and consultation, it should actively assist parties that are not familiar with the process should they have difficulties.** The Commission should, where it is practicable and appropriate to do so, offer advice to promoters and other parties on whether the proposed project falls within its remit to determine the application process, procedural requirements, and consultation. Likewise it should be the role of the Commission to offer assistance to opponents to the proposal in the same manner, to ensure impartiality.

## 10. Illustrative thresholds

10.1. When defining nationally significant infrastructure thresholds, there are several points that are currently defined, for illustration (Box 5.1), which will require amendment.

10.2. If a national network of pipelines is constructed to convey CO<sub>2</sub> and other GHG emissions, to maximise CCS technology, the current threshold definition would need revision. Such a network would reduce the volume of emissions released from industry and manufacturing to a

near zero level. This reduction could provide such industries with a major advantage in the European Emissions Trading Scheme (ETS) and avoid the pressure to relocate such industrial processes to locations outside Europe due to the increasing price of carbon.

10.3. Additionally, it needs to be remembered that the vast majority of, if not all, airport runways are not constructed using tarmac. New runways have the potential to enhance capacity at an airport, but of themselves, would not increase capacity by the suggested 5 million threshold as set out in the consultation. The computations determining capacity increase created by a new runway are arrived at by taking into account the accompanying network of surface connections via road and rail as well as parking, terminal size, security measures, air traffic control capacity, etc. Without there being this support structure in place, a new runway is simply a strip of concrete which might provide replacement availability for landings and take-offs.

10.4. The same is true of other infrastructure changes at an airport. The construction of Heathrow T5 and its satellites will provide a vital infrastructural change relieving the situation where terminals designed for 45 million passengers are stretched to cope with 68 million per annum. Of itself T5 would not, however, increase airport capacity. It is true to say that T5 provides additional space for the processing of around 30 million passengers, but without its links with mass surface transport and additional runway capacity, the terminal would not reach the 5 million increase in overall airport capacity as required<sup>8</sup>. To fully utilise T5s capacity requires the introduction of mixed mode operations and a third or even fourth runway with surface links to the South and West.

10.5. A clearer definition regarding developments at airports is therefore needed which either is not linked to capacity or takes into account existing potential capacity from other facilities.

10.6. Likewise, an onshore wind turbine development may have the potential capacity to generate 50 megawatts, but this could require a near gale force wind to be blowing<sup>9</sup>. A solar generator would require unbroken sunshine to realise its maximum capacity. Consequently, the limits specified may need to be altered to accommodate either potential capacity or maximum capacity where such limits are set.

10.7. It is noticeable that the principle exclusion from the list of nationally significant transport schemes is in the area of rail. There is a clear

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<sup>8</sup> Due to the lack of take off and landing slots at Heathrow, the present number of passengers can only be increased by the use of larger aircraft such as the Airbus A380 and Boeing 787 Dreamliner although the level of this increase would only be marginal due to the need for increase wake turbulence separation.

<sup>9</sup> Manufacturers specifications on most designs of wind turbine currently in production point to a 30 to 35 m/s wind speed to reach capacity generation, equivalent to force 7 on the Beaufort scale or Near Gale.

demand to extend the European high speed rail network beyond London, yet national rail development is absent from the list. The capacity of the rail network to carry freight has been significantly eroded over the years and is a major stumbling block to the exploitation of indigenous coal reserves. Additional rail capacity would also provide a vehicle for the removal of a large quantity of freight from our roads reducing congestion and emissions.

## 11. Transmission Improvements

11.1. **Unite Amicus Section would agree that each link in the energy network has a knock on effect on the operational efficiency and resilience of the whole of the transmission network.** This interdependency of each individual section can make a distinction on new projects difficult, but not impossible, with regard to the appropriate planning regime. According to Nicola Pitts (National Grid's head of UK and European Union public affairs), however, *"Pylons are even more of a problem than wind farms"*<sup>10</sup> in their receipt of planning permission. The planning process has become a major hurdle to improvements in the efficiency of the grid. Up to 30% of electrical power generated is lost of through transmission and transformation, placing a greater demand for new capacity.

11.2. Electrical transmission networks are split into various voltage stages to maximise the efficient transfer of energy. The same is true of gas supply in that gas is generally piped at high pressure over distances and is then regulated to service domestic and commercial demand. Clearly, therefore, blanket coverage can and should be broken down by the voltage / pressure of the proposed transmission method to ensure that a proposal to connect an outlying property to the grid does not fall into the same category as the construction of a new high voltage power line or nationally important link in the gas supply chain.

11.3. The same could be said for the requirement for the construction of a national water network rather than the current local networks that currently exist. England and Wales already have less water storage per person than in most Mediterranean countries. In the South East, there is less water per person than in Syria or the Sudan<sup>11</sup>.

## 12. Ministerial Intervention

12.1. **Unite Amicus Section agrees in principle that it is appropriate for ministers to specify projects for consideration by the Commission via ministerial directions to the Commission in certain politically sensitive circumstances.**

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<sup>10</sup> Reporting to the Lords Select Committee on the European Union - 16 July 2007

<sup>11</sup> Ian Pearson MP speaking to an industry audience at an IPPR seminar on 26<sup>th</sup> April 2007

12.2. Such directions would provide a clear message to the Commission that such plans should be given the highest priority and give the impression that the project should only be rejected in exceptional circumstances. It is important however that government ministerial intervention should only be taken in exceptional circumstances to avoid the potential for legal challenges. A more low key approach would be for the appropriate minister to provide a statement of support for the project, as has been the case in the past.

### **13. A unified development consent regime**

13.1. The current plethora of planning processes and committees can cause significant confusion and inconsistency. These procedures are also often lengthy and costly to all parties leading to projects that are highly desirable nationally simply being stalled or abandoned. **Unite Amicus Section therefore believes that considerable consideration should be given to how this could be expedited via the Commission. The union would not wish to see a significant deterioration in the rights of those affected.** To do so would remove protection available to the current inhabitants of the site selected.

13.2. **Unite Amicus Section does not agree that the bodies listed in Box 4.2 of the consultation would be appropriate at the determination stage, as this decision should be made by the commission, reaching the decisions based on the evidence placed before it.** These decisions will need to take due account of submissions made by all parties consulted as defined earlier.

13.3. **Unite Amicus Section agrees in principle that the procedural reforms set out in the consultation should improve the speed, efficiency and predictability of the consideration of applications, while maintaining the quality of consideration.** The quality of debate and the degree to which the Commission listens to the views of the local population should be an effective measure of the success of the method of public participation utilised.

### **14. Infrastructure Planning Commission**

14.1. It is clear at the outset that the composition of the Commission should be independent of all affiliations and have some legal background due to the often complex nature of the regime they are operating within. Commissioners would also require some understanding of the sciences and preferably some experience in industry or local authority planning. As some decisions may require a compromise to be reached, the Commission should also contain experience in achieving such a balance through negotiation and/or arbitration.

## 15. Sustainable Development

15.1. The consultation makes it clear that the possibility for micro generation and sustainable development should be at the heart of any future major planned project. **Unite Amicus Section would support such a position. It believes that wherever possible a new project should be developed in a sustainable fashion, reducing its environmental impact to a minimum.**

## 16. Other issues

16.1. **Unite Amicus Section agrees that the use of the new “*duty to involve*” must ensure high standards of local involvement amongst local councils which might be a way to enable a more joined up approach to community engagement locally.**

16.2. **Unite Amicus Section agrees, in principle, that the High Court should be able to direct a plan (both at local and regional level) to be returned to an earlier stage in its preparation process, rather than just the very start.** It is clearly a waste of resources and time if measures that have been agreed and settled need to be repeated simply because of a problem that may arise later in the process.

16.3. **Although supplementary planning documents (SPD’s) provide additional detail or guidance to policies, Unite Amicus Section does not see the need for the Secretary of State to have sight of these specific details, unless these details would fundamentally change the local development scheme proposed. For this reason the union feels that such SPD’s need only be listed if they provide a detail which may fundamentally alter the overall proposal.**

16.4. The same position would be true of any other currently required documentation with the exception of a sustainability appraisal. Although sustainability appraisals are expensive and time consuming they are key to ensuring a development is as environmentally sustainable as is practicable. **Consequently Unite Amicus Section feels that although the provision of a sustainability appraisal could add delay to the process and additional expense, such a requirement is necessary and should not be removed from the planning process.**

16.5. Minor amendments to a planning permission should be allowed within clearly defined parameters at the discretion of the local authority. A degree of flexibility would allow for unforeseen circumstances to be accommodated without the requirement of a fresh application. If this requires the amendment of primary legislation then this action should be undertaken.

## **17. Conclusion**

**17.1. Unite Amicus Section believes that a substantial review of the numerous avenues and requirements for obtaining planning permission is long overdue. The White Paper's proposals, in the main, provide a positive step forward in freeing up the process.**

**17.2. It is hoped that following this review a new regime will be forthcoming which will enable the development of projects of national importance to be concluded in a far swifter manner.**

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