

Liberating the control of the use of land and buildings

This was the chapter title contributed by one of our editors (Brian Waters) to the 2007 Smith Institute booklet *Planning for the Future*. He made the case for fewer classes, not more, quoting onetime Chancellor Lawson as attributing the merger in 1987 of light industrial with offices as giving a greater boost to the British economy than 'Big Bang' City deregulation. He also quoted Richard Florida in *The Rise of the Creative Class* on the importance of enforcing low barriers to entry.

Our leader in *Planning in London* 68, January 2009, reported the ACA (Association of Consultant Architects) joint letter with the RIBA to Steve Quartermain the Government's chief planner. Their 'Task Force for Recovery' proposed a number of planning policies. Some have been implemented (such as making possible five-year lives for new permissions and extending the lives of old ones). Another said: "Many developments are stalled having been permitted in very different economic circumstances. Developers should be encouraged by authorities to renegotiate s106 Agreements within the terms of Circular 05/2005. The Circular recognises that "It will not always be possible for a development proposal to meet all policy requirements and still be economically viable... Decisions on the level of contributions should be based on negotiation with developers over the level of contribution that can be demonstrated to be reasonable to be made, while still allowing development to take place."

Others have still to surface, such as "removing constraints like business rates and CGT for home based businesses and introducing impact-based permitted development rights for non-householder development".

One which is now surfacing after so long is: "amending the Use Classes Order to allow business land and floor space to be developed or adapted for residential accommodation".

We said: "Some of these ideas are challenging and will meet with resistance. They should be given a go as 'experimental' policies for a limited period – and the feedback evaluated. deadlining them will actually make them more effective by incentivising the entrepreneurial spirit of the private sector to respond on a timetable that could make a real difference (at a time of recession).

Taking the brakes off live-and-work is an example. One district council recently analysed the addresses of all VAT registered businesses in its area, finding that fully 40 per cent were residential! At a time of recession many skilled people find themselves self-employed. They need the barriers to entry for their new businesses to be lowered. The result will be the flowering of new job creation at the grass roots, so providing the next wave of economic expansion".

The idea that commercial space might change freely to (and from) residential caught fire just before the Budget with the Sunday papers and the professional journals assuming it was a 'done deal' – helped by the just-in-time policy paper from the Policy Exchange (see *Opinion* by Alex Morton & Richard Ehrman). Sadly the leaks were wrong (or more likely someone chickened) and bang turned to whimper with the Chancellor's promise of a consultation.

Planning in London fears that consultation will bring out all the reasons why not, which planning is so good at cultivating and prefers, even after so long a delay, the introduction of the new freedom over an experimental period with the only special case being the City of London. Sure there will be some collateral damage but there will be more good consequences than bad and a solid evidence base to justify any limitations imposed following on from the experiment.

In practice, most such changes will happen only where housing is suitable and other regulations will manage the impacts and quality issues. There will be a surge of entrepreneurial investment activity and an acceleration in the numbers of affordable homes suddenly available where there is need for them.

In so far as there will be some pressure on accommodation for small businesses in a small number of areas, a parallel relaxation of the unnecessary restrictions on home-working would be a useful offset.

The Government is also launching an 'urgent review' of the Use Classes Order. The review will examine the role the Use Classes system can play in supporting growth. This cannot come too soon despite the oxymoronic nature of the objective! •

A budget for planning

Never before has planning been brought centre-stage in a budget statement. It rarely gets a look in at all. The Chancellor's 'Budget for Growth' listed a series of initiatives, some outlined only in general terms (see *Briefing*).

For the profession it proved an uncomfortable place to be when it should have been heroic. Osborne painted the system as being a problem rather than an opportunity and the RTPI was quick and maybe foolish to respond in the recalcitrant and defensive way that it has.

It was unfair of the Prime Minister to finger town hall officials as being in the way of progress; the statutory and procedural obligations pouring out of

Parliament and government departments in recent years are the principal source of the sclerosis which is endemic in the system, although the way they are often interpreted leaves much to be desired.

It is for officers, members, officials, professionals and developers to grasp the opportunities for real changes in policy, process and above all, in vision which the new administration is offering. This applies at all levels: introducing new neighbourhood plans, sorting local plans without further delays and getting National Policy Statements and infrastructure right.

We're all in this together. •

A new presumption in favour...

Planning in London went to a select seminar on the Localism Bill organized by an industry group, at which someone directly involved in the process of implementing Eric Pickles's and the Tories' fundamentalist ambitions for the Bill recounted his experiences at the heart of the process.

Those attending were bound over by the Chatham House rule not to mention names, but in the words of the person presenting who is well known in the industry: "This is the biggest revolution in planning since 1947".

Why? Well chiefly because of something that decentralisation minister Greg Clark (who is a former Westminster planning committee member) made clear in his ministerial statement issued on 23 March. And don't forget, this has immediate nationwide effect when committees are making decisions.

He said: "The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the sustainable development principles set out in national planning policy."

This unequivocal pro-development stance is what prompted our speaker to make the assertion about this being a momentous shift, and the statement is intended to counterbalance all the NIMBY opposition we are so worried will stem from the Neighbourhood provisions of the Bill. It is also clear, our speaker said, that Pickles & Co are absolutely determined to achieve a root and branch transformation of planning.

In Pickles' case this has boiled down to a clear position in each discussion about what is supposed to happen next out there in local planning-land. In response to questions he invariably responds along the lines of "I don't know the answer – you figure it out", followed swiftly by "just get on with it". This

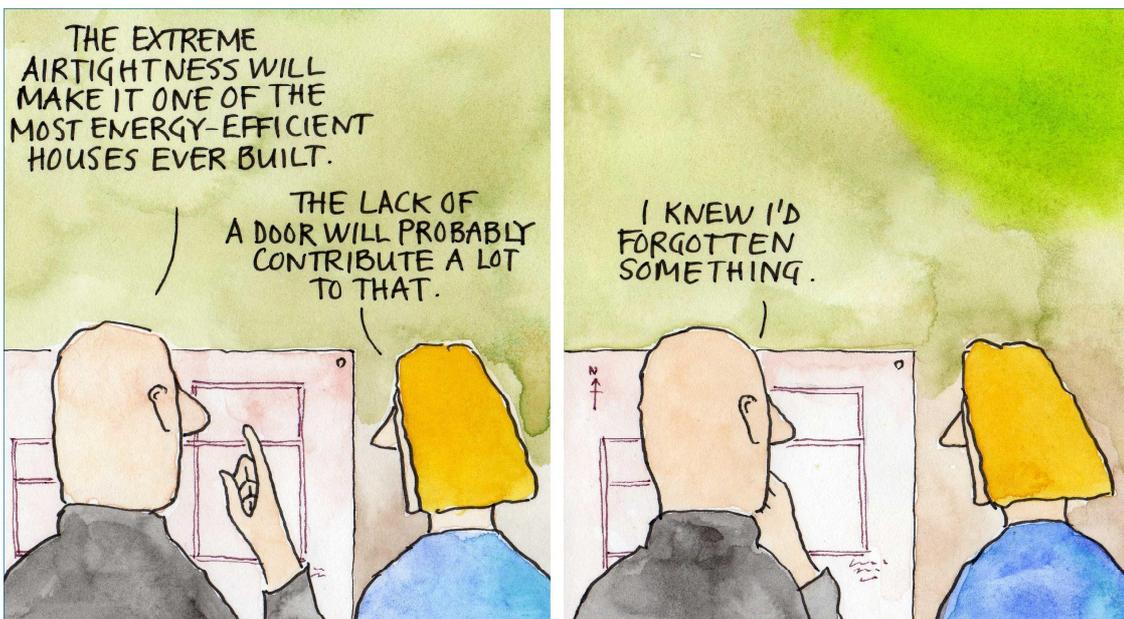
Pickles & Co are absolutely determined to achieve a root and branch transformation of planning

will in some ways be heartwarming to the buccaneering property entrepreneur, but it will also strike fear into the hearts of professionals used to the emotional support system of 90,000 pages of national planning policy – which are to be replaced with 50.

Let's face it, the system was seizing up under the weight of unreadable policy spewed out by pointy-head policy wonks. What planning really boils down is the simple question "is this a good scheme for our area?" And the strong sense is that is what Pickles wants it to return to. It should be well within the wit of local people in partnership with officers and councillors to decide the answer. Planning isn't really any more complicated than that.

The interesting arguments will now arise we suppose about what is or is not "sustainable", and what should override local, in favour of national, interests. •

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Cartoon courtesy Rob Cowan taken from his new book *Plandemonium* which is available from www.streetwiseexpress.com and supported by Francis Taylor Building chambers. ©2010 Rob Cowan

Shaping a sustainable London

From the world's first industrial city to the world's most liveable metropolis: there is grandeur in our view of city making says Sir Terry Farrell



Sir Terry sits on the Mayor of London's Design Panel and advises Government bodies including the Thames Gateway Steering Group and the Outer London Commission.

London is the world's most liveable metropolis. It is a natural city that has evolved and is still evolving naturally and organically. Like Darwin's tangled bank, it is a richly diverse, self ordering domain. It is not a child of "design", not the result of accumulated high architecture in set pieces. But is much more a work of many hands. It is layered, richly diverse, varied and adaptable; in many ways a workable exemplar for city making in the 21st century, as urban growth and change accelerates across the globe.

The ongoing large scale evolution in the metropolis of London today is a step change from 19th century industrialised infrastructure to a new version, layering the post industrial integration of back lands – the vast 19th century service areas of rail yards, coal depots, power stations, gas works, into the linked up regenerated liveable urban web of the broad metropolis. In contrast to the Beijing Olympics, London's Olympics in Lee Valley is the truly London way, the way we do things, where we will demonstrate that where we once led city making through the industrial generation, we are now leading the way out through regeneration; not with high architecture or grand geometric, or formal drawing board designs but with liveability and adaptability being the guiding principles

David Chipperfield's comment that there is no concern or debate about how the city 'looks' misses the point – wide of the mark – most people are concerned and engaged; It's just not in the same way as the high architecture top down design model of many European cities. His comments remind me of the time 20 years ago when Richard Rogers and I debated on the pages of the Independent newspaper, the future of London. He proposed new big buildings for culture, 'Grande Projects' French style. I argued that we had our "Grande Projects" and needed to nurture, care for and reinvent what we had.

Over the succeeding decade or more, the lottery money did just this; The British Museum, The V&A, Natural History Museum, Tate Modern and many smaller projects all showed that reinvention, re-use and adaptation, bottom up, was the British way to go. And the same has happened in town planning with the South Bank walkway, Hoxton, Shoreditch, Clerkenwell and so many of London's

places and institutions - all regeneration led. Today, the most sublime of all of these is the St Pancras complex with it's soon to be reopened hotel, attached to the greatest rail station in Europe, with next door, Kings Cross station, underground and backlands.

Londoners do care passionately about how the city looks; the conservation movement, English Heritage, those caring for the Royal parks and palaces and gardens, garden squares, public parks, terraced houses, stewardship of the great estates, the Thames Landscape Strategy and it's supporters, Civic Trust, Design For London... all of these have contributed significantly to how London looks today and deeply care about it. Just as we don't have many great classical composers and opera writers, as the Europeans do, it would be wrong to say that the British don't care about music creatively. This would be so wide of the mark as it would miss out the popular music of ordinary people, which is the best in the world. So too with our language, it is not a formally structured Latin based top down rule book language but a bit of a mongrel one, yet it is the worlds language - accessible, progressive, flexible, adaptable and a very human bottom up language. And so is the terrain of the language of urban planning and architecture in London and because of it's innate flexibility and liveability at a human scale, it is informal and naturally evolving in it's ordering. Order is there but it engages from the bottom up and this is why everyone wants to live here. London's patterns and forms are so like Darwin's tangled bank, which has all the outward appearance of the most dense overlapping complexity: indeed at first sight it looks to be the chaotic product of non-design: but to quote 'Origin of the species'...

"to reflect that these elaborately constructed forms, so different from each other, and dependent on each other in so complex a manner, have all been produced by laws acting around us...There is grandeur in this view of life..."

What we are now engaged with, what London's grand project of today consists of, is adapting the greatest world metropolis of the 19th and early 20th century, when it established so many of the city making patterns and principles of the global industrialised city, and moving it all on to our 21st century era of the great post industrial liveable and sustainable city. The first metropolis into the industrialised age and the first one to pioneer, to re-invent and plan it's way out of it – This is not a second choice lesser vision... there is grandeur in this view of city making! •

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