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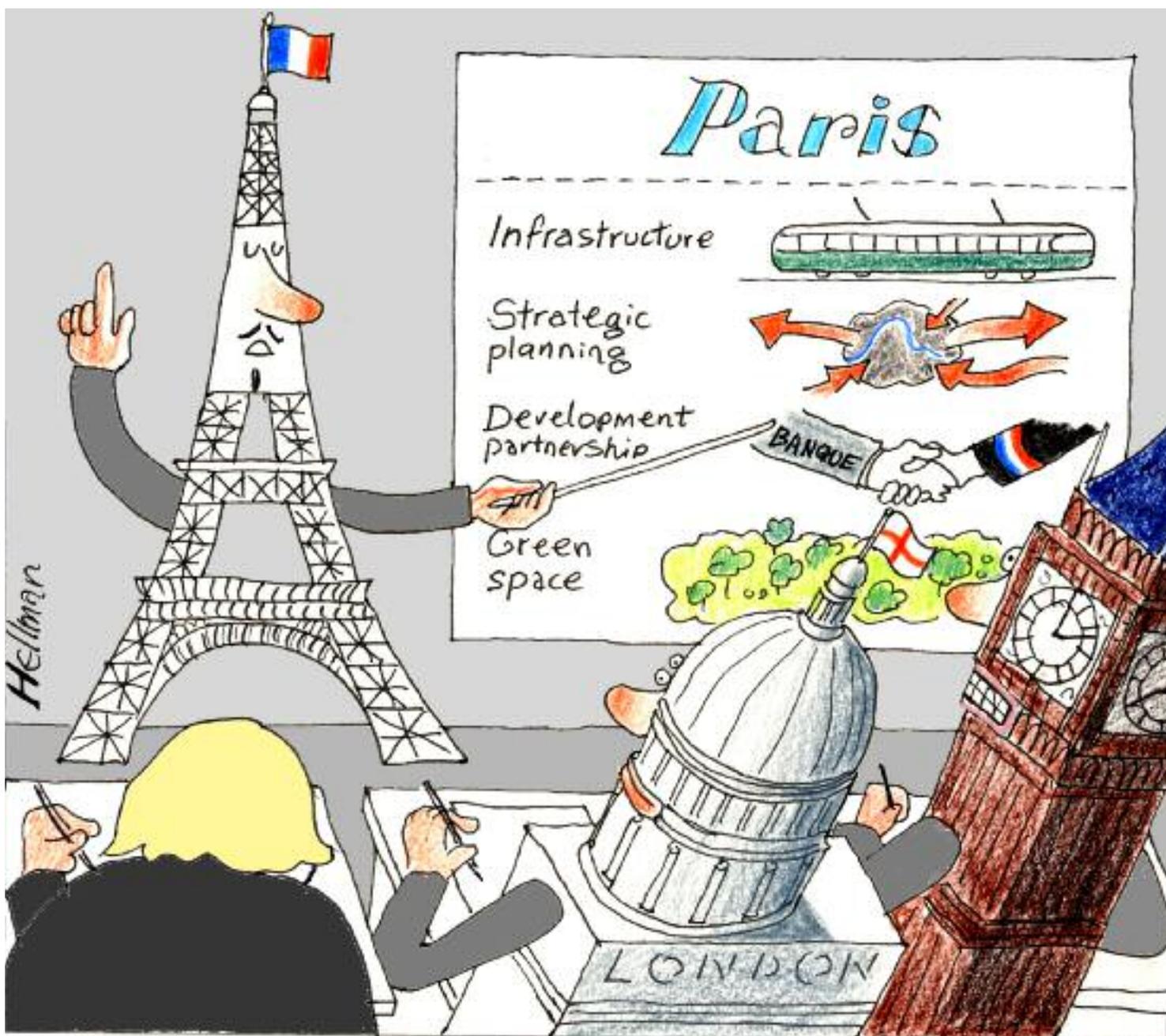
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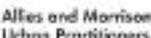
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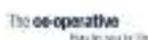
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The London Planning and Development Forum (LPDF)
 The LPDF was formed in 1980 following an
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 the development of planning policy in the capi-
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Offices to homes will still boost the economy

In his budget statement the Chancellor said: "At the moment any developer wishing to change vacant and derelict offices into new homes has to apply for planning permission to change the use of the land. The Government believes this bureaucracy makes no sense when plenty of empty office blocks, warehouses and business parks are lying needlessly empty, waiting to be turned into much needed new housing. Ministers are proposing to scrap the requirement to get permission for this change of use, incentivising growth and giving a much needed boost to housing supply... The Government will also launch an urgent review of the Use Classes Order, which determines how a building can be used, for example as a shop or office. The review will examine the role the Use Classes system can play in supporting growth." – that was in 2011!

Nick Boles now promises to introduce the relaxation by the end of next month.

Paragraph 51 of the NPPF says: "Local planning authorities... should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate."

The economic benefit of simply relaxing the UCO to allow a change from B1 to C3 has been compromised both by the extensive delay and by now using Permitted Development rights to be hedged with conditions. There will still be some 'collateral damage' despite a few opt-outs, mainly for the City, and Michael Bach (page 11) makes the case against some loss of controls, though the property industry has generally welcomed the belated changes proposed (see page 13).

The Association of Consultant Architects has called for this deregulation since 2006 but also proposes more encouragement for home working by relaxing restrictions which risk imposing Business Rates and CGT on part of the home when the business use is relatively intense (see Paula Wynne on banning working from home, page 36). In some districts over 40 per cent of VAT registered enterprises are based at residential addresses so the scope for boosting small and new businesses is obvious. This should form part of the Red Tape Challenge (see Roger Hopher, page 29).

Learning from abroad

Town planning to the British is a bit like downhill skiing: we sort of invented it so we arrogantly think we are the best at it. It would serve us better to look beyond our shores and maybe benefit from the experience of others. Respected practitioners meeting with those running CLG's little-lamented Eco-Towns initiative were stunned into silence when, having asked how European experience in financing new settlements – particularly in France – had been taken into account, the answer was just blank stares.

Two contributors nudge us into this way of thinking in this issue. John Kay looks at New York and Nick Falk at Paris. John accuses planners of failures of imagination while Nick asks "Why is London not paying more attention to one its main competitors? We are deluding ourselves if we think we have all the answers, or that models that work well in Continental Europe cannot be applied here."

One issue we might ponder is the generally relaxed approach on the Continent to controlling uses, distinct from zonings for building codes. It's time to have another bash at limiting conflicts by impacts rather than out-dated use classes or, worse, dimensions. Permitted Development Rights should not be the exception.

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NPPF one year on

The National Planning Policy Framework (NPPF) marked its first anniversary on 27th March and with it arrives the full force of the presumption in favour of sustainable development

With only 23 local authorities – just seven per cent – having in place NPPF compliant Local Plans there is a window of opportunity for developers wishing to bring forward schemes.

Stuart Irvine, a director with planning and urban design consultancy Turley Associates says: "The NPPF is not an excuse to justify bad development, it is an opportunity to realise good development in a far shorter time frame, and there are early signs that this is beginning to happen."

There have been a number of appeal decisions delivered under the influence of the NPPF, where the balance of judgment has been swayed by the need to support economic growth and by a more realistic interpretation of what sustainable development means.

Stuart adds: "We have also seen an awakening, albeit too late in many cases, to the NPPF imperative to vigorously pursue plan-making. Where local authorities have brought forward Local Plans, many have hit the buffers due to unrealistic or absent assessments of (housing) need together with a failure to respond to the key NPPF tenet of the duty to cooperate.

"Several high profile Core Strategies, such as Salford and Bath & NE Somerset, have fallen by the wayside following intervention from Inspector's and many more have been delayed whilst officers and members get to grips with plan-making NPPF style.

This is undoubtedly a growing trend. "The Government has a clear agenda – we will give you the space to do what you want, but the NPPF makes sure that you do it in the right way."

Stuart adds: "It is perhaps too early to gauge the real impact of the NPPF. We have yet to see a boom in housebuilding although there is a marked upturn in activity in the South East and other regional hot spots. We are also seeing an upturn in approvals for economic-led development, with great weight being attached to job creation and investment.

"The NPPF has yet to realise its true potential and it is only with the slow turning of the screw on Local Plan preparation, that the NPPF will really bite and great strides will be made," he concludes.

Karen Cooksley, partner and head of planning law at Winckworth Sherwood adds: "The anti-development lobby regards the NPPF as a charter for a building free for all – conveniently and/or misguidedly overlooking the fact that it is mere-

ly policy. Safeguards for protecting green spaces, heritage assets and ecologically sensitive species are given by statute and therefore have greater force in law."

The NPPF gives strong guidance to local authorities, developers and communities that they should be working together to bring forward development of the kind the country needs in order for the economy to grow and people to have the homes and jobs they require.

Karen says that importantly, the NPPF places a very firm responsibility on each local authority to comply with its legal duty to bring forward a development plan for its area and to have a proper evidence-based housing needs assessment: "That is a duty which many authorities have neglected or failed to comply with."

The NPPF makes plain the consequence for local authorities of failing to comply with their plan making duties, including that of identifying a supply of sites with a realistic prospect of viable delivery of housing onsite within the next five years.

"If the relevant five year housing land supply is not identified on a rolling basis then the authority's local plan will not be considered up to date," says Karen. "And where the 'development plan is absent, silent or relevant policies are out of date' there is a presumption in favour of sustainable development." From now on the presumption in favour of sustainable development takes full effect.

There has already been a string of appeal cases this year where the Secretary of State has granted planning permission on the basis of proven housing need and where the authority's policies did not conform with the requirements of the NPPF.

"For those who view the NPPF with trepidation as a 'builder's charter' there is a straightforward answer: if local authorities comply with their plan making responsibilities in a way which accords with the housing and employment requirements of the people to whom they are democratically accountable then they will not be penalised on appeal. If, however, authorities fail to provide for their people, the Government will then step in to approve housing where schemes are otherwise acceptable in sustainability terms," says Karen Cooksley.

London boroughs are of course sheltered under the umbrella policies of the mayor's London Plan. ■

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Number of planning applications falls again

The percentage of major applications decided in 13 weeks has declined markedly since Q3 2009-10, when it stood at 71 per cent

Planning applications

In July to September 2012, authorities undertaking district level planning in England received 113,100 planning applications, a decrease of 7 per cent compared with the corresponding quarter in 2011. In the year ending September 2012, authorities received 466,900 applications, a decrease of 2% compared to the year before.

Planning decisions

In July to September 2012, authorities decided 110,500 planning applications, 5 per cent lower than in the same quarter in the previous year. In the year ending September 2012 authorities decided 429,900 planning applications, a decrease of 1% compared to the year ending September 2011.

Applications granted

In July to September 2012, authorities granted 89,900 permissions, 5 per cent lower than in the same quarter in 2011. Authorities granted 87 per cent of all decisions, unchanged when compared to the September quarter 2011. Overall, 84 per cent of major and minor decisions were granted. (see Table *RIGHT*)

Over the 12 months to September 2012, 350,400 applications were granted, a small decrease on the figure of 351,400 permissions granted in the year to September 2011. Authorities granted 87 per cent of all decisions in the year to September 2012, an increase of 1%. Overall, 84 per cent of major and minor decisions were granted.

Speed of decisions

In July to September 2012, 57 per cent of major applications were processed within 13 weeks, unchanged compared to the September 2011 quarter. Also, 67 per cent of minor applications and 80 per cent of other applications were processed within 8 weeks compared with 71 per cent and 83 per cent respectively. District level planning authorities decided 50 per cent of large-scale major applications, and 59 per cent of small-scale major applications within 13 weeks compared with 48 per cent and 60 per cent respectively for the quarter ending September 2011. Also, 92 per cent of all major decisions were within 52 weeks compared to 91 per cent in the corresponding quarter of the previous year.

In the year ending September 2012, 57 per

Planning decisions by development type, speed of decision and local planning

Planning Authority	Major Developments					Total Decisions
	Total Major Decisions	Number granted	Percentage granted	Percentage within 13 weeks	Percentage over 13 weeks	
England	3,077	2,690	87	57	43	21
Barking and Dagenham	3	3	100	67	33	-
Barnet	8	5	63	13	88	-
Bexley	3	3	100	67	33	-
Brent	10	7	70	56	44	1
Bromley	14	8	57	64	36	-
Camden	10	8	80	75	25	2
City of London	16	16	100	81	19	-
Croydon	6	5	83	33	67	-
Ealing	15	13	87	60	40	-
Enfield	7	6	86	14	86	-
Greenwich	11	9	82	64	36	-
Hackney	7	2	29	86	14	-
Hammersmith and Fulham*	6	5	83	50	50	-
Haringey	3	2	67	33	67	-
Harrow	6	6	100	33	67	-
Havering	6	3	50	33	67	-
Hillingdon	13	8	62	31	69	-
Hounslow	10	10	100	40	60	-
Islington	13	11	85	38	62	-
Kensington and Chelsea	7	6	86	71	29	-
Kingston upon Thames	3	2	67	-	100	-
Lambeth	17	11	65	35	65	-
Lewisham*	-	-	-	-	-	-
London Thames Gateway UDC*	7	6	86	57	43	-
Merton	9	9	100	100	-	-
Newham	6	6	100	83	17	-
Redbridge	11	10	91	64	36	-
Richmond upon Thames	2	2	100	50	50	-
Southwark	11	11	100	55	45	-
Sutton	4	2	50	75	25	-
Tower Hamlets	16	15	94	44	56	-
Waltham Forest	9	7	78	44	56	-
Wandsworth	23	22	96	70	30	-
Westminster	22	21	95	77	23	-

CLG Table P131 ... Not applicable or LA did not submit Source: <https://www.gov.uk/government/publications/planning-applications>

cent of major applications were processed within 13 weeks, compared with 62 per cent in the year before. Also, 69 per cent of minor applications and 81 per cent of other applications were processed within 8 weeks compared with 72 per cent and 84 per cent respectively. District level planning authorities decided 49 per cent of large-scale major applications, and 59 per cent of small-scale major applications within 13 weeks compared with 56 per cent and 63 per cent

respectively in the year before.

Historical context

The number of applications received in the quarter fell by seven per cent from the number in the June 2012 quarter, however the number of decisions slightly increased. The percentage of applications granted fell from 88%, but at 87% it is still higher than any quarter in the period 2007-08 to 2010-11. The percentage of major applica-

ing authority: London, July-September 2012

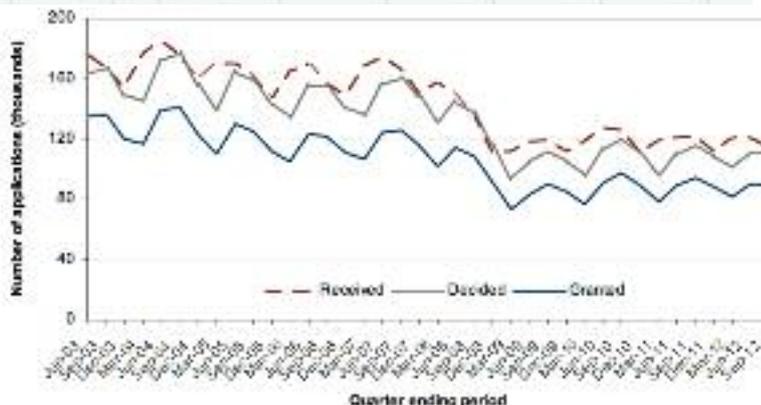
Decisions made within agreed time limit	Minor Developments						Other Developments				
	Total Minor Decisions	Number granted	Percentage granted	Percentage within 8 weeks	Percentage over 8 weeks	Percentage of major and minor decisions completed	Total Other Decisions	Number granted	Percentage granted	Percentage within 8 weeks	Percentage over 8 weeks
18	30,263	25,301	84	67	33	84%	77,208	61,938	89	80	20
-	62	45	73	61	39	74%	188	139	87	71	29
-	216	168	78	34	66	77%	879	490	82	51	49
-	80	62	78	76	24	78%	353	278	90	89	11
1	202	180	79	71	29	79%	455	196	72	82	18
-	149	88	59	48	52	59%	634	392	76	62	38
2	426	336	79	83	17	79%	465	274	84	82	18
-	55	55	100	67	33	100%	135	127	95	71	29
-	272	213	78	54	46	78%	402	268	85	72	28
-	197	154	78	78	22	79%	654	338	77	94	6
-	107	72	67	63	37	68%	342	211	82	72	28
-	101	82	81	89	11	81%	318	201	74	91	9
-	137	89	65	82	18	63%	283	153	79	81	19
-	106	85	80	86	34	80%	456	337	82	72	28
-	74	48	65	54	46	65%	411	240	77	66	34
-	116	70	60	74	26	62%	523	270	69	86	14
-	61	34	56	66	34	55%	329	210	81	85	15
-	121	73	60	79	21	60%	487	241	66	96	4
-	105	88	84	50	50	85%	535	304	79	64	36
-	146	115	79	55	45	79%	379	268	76	63	37
-	318	252	79	71	29	79%	666	485	82	70	30
-	90	61	68	47	53	68%	375	253	82	70	30
-	188	130	69	70	30	69%	377	254	81	82	18
-	182	146	80	67	33	80%	224	139	83	74	26
-	-	-	-	-	-	86%	-	-	-	-	-
-	71	56	79	59	41	81%	407	242	79	82	18
-	84	53	63	80	20	66%	262	136	74	81	19
-	117	74	63	34	66	66%	558	358	83	61	39
-	238	199	84	76	24	84%	741	451	82	83	17
-	212	176	83	72	28	84%	274	164	86	84	16
-	65	48	74	60	40	72%	272	194	90	84	16
-	155	122	79	45	55	80%	195	145	88	51	49
-	126	66	52	80	20	54%	266	124	69	95	5
-	314	283	90	47	53	91%	604	451	92	67	33
-	806	683	85	65	35	85%	1,171	968	86	64	36

ons. Latest update: January 2013. Next update: April 2013

tions decided in 13 weeks has declined markedly since Q3 2009-10, when it stood at 71 per cent, and it has fallen back slightly from the 60 per cent level since the last quarter.

However, this indicator can be volatile, and stood at just 43 per cent in 2002-03. The speed of decisions for minors and other applications have also fallen over the same period although not as quickly or steeply as that of major decisions. ■

RIGHT: Number of planning applications received, decided and granted by district level planning authorities



New York's wonder shows planners' limits

A walk around parts of downtown Manhattan reveals the failures of imagination of the planners of yesterday and today, says John Kay

John Kay is an economist and was founding Director of the Said Business School, Oxford University



The reader visiting New York might typically stay or shop in midtown and speed to Wall Street by car or subway. With a few hours to spare, I chose to wander in the area in between, with no particular destination in mind. Greenwich Village, Chelsea, the Bowery and the Lower East Side are full of quirky buildings, eccentric shops and charming cafés, and layer upon layer of American social history.

This is hardly an original observation. It was made to brilliant effect 50 years ago by Jane Jacobs in *The Death and Life of Great American Cities*. That book was the product of her campaign to stop Robert Moses, the city and state public works executive, building the Lower Manhattan Expressway, an elevated highway that would have enabled motorists to speed directly from Queens to New Jersey via the Williamsburg Bridge and the Holland Tunnel. In the process, it would have destroyed the character of the area through which it passed.

Jacobs explained, through meticulous observation, how the life of cities is the product of multiple, unplanned social interactions. The density of urban living, far from being an evil, is the source of its vitality. Short streets divided into many blocks lead residents and visitors to take a multiplicity of routes and acquire a variety of experiences. Jacobs explained why the planned cities of the world such as Canberra, Brasília, Chandigarh and Letchworth Garden City are so boring. And her readers were told how the expressways Moses had built had damaged the life of the outer boroughs of New York.

Jacobs won her battle – the Lower Manhattan Expressway was abandoned. But she also won a much larger war. Moses, perhaps the most powerful man in New York for half a century, was finally

ousted in 1968. The bulldozers that razed Penn Station were halted before they reached Grand Central. The ramifications extended far beyond that city. Within a decade, the era of modernist architecture was over. Town planning became more modest in conception and incremental in execution.

If unplanned social interactions are the key to a vibrant city, they are also the key to a vibrant organisation. I do not suppose Yahoo's Marissa Mayer ever met Jane Jacobs, and the technology executive might have found little in common with the community activist. But there are clear analogies between Yahoo's retreat from home teleworking and Jacobs' rout of the town planners.

The enthusiasts for the virtual organisation, like the designers of the planned city, seek to impose a structure of rational organisation on a system they understand only imperfectly. Teleworking is the equivalent in cyber space of the corridor of offices, each with its own closed door. Modern office architects have abandoned the corridor in favour of open spaces where communication does not require the deliberation involved in opening an office door, picking up a telephone or sending email. "Communications and collaboration will be important, so we need to be working side-by-side" – the memo is Yahoo's, the sentiment is Jacobs'.

Jacobs aroused the ire of town planners, who thought their schemes would usher in a rational

world populated by the happy faces seen in architects' drawings. Yahoo faces similar criticism from technophiles who find it difficult to distinguish a Facebook friendship from a hug. People such as Roy Kurzweil, the inventor of optical character recognition and speech-to-text processing. His latest book, *How to Create a Mind*, carries in its subtitle the immodest promise of "the secret of human thought revealed".

Mr Kurzweil argues that human thought is based on recognition of a finite number of patterns. It follows that machines can – and soon will, in 2029 to be precise – replace human intelligence. All that is required is a suitably large encyclopedia of recognisable patterns. Town planners similarly thought they could list the functions required for a city and fit each in well-ordered places. Like Moses, Mr Kurzweil has some insight into human thinking and the requirements of modern life, but not enough. Jacobs' approach was more finely tuned to the nuances of everyday behaviour. A walk around the parts of downtown Manhattan where she lived and which she loved reveals the failures of imagination of the planners of yesterday and today. ■

© John Kay. First published 27 March 2013 in the *Financial Times*

BELOW: Manhattan was saved from the expressway by Jane Jacobs' campaign



The new 'suck it and see' approach to planning?

Michael Bach challenges the mooted relaxations to the control of land uses

The Government's proposal to encourage vacant offices to be converted to housing is due to be finally announced on 30 May. Unfortunately such a top-down, across-the-board approach to changing the rules is a blunderbuss approach when what is needed is a much more targeted approach. It cannot target vacant offices, and it may end up squeezing out SMEs, damaging local economies and town centres. Tackling localised problems needs local solutions.

The current proposal seeks to exploit the differential between housing and office values to encourage vacant offices to be converted to housing. But will this work? The likelihood is that poorly-located, poor condition, inefficient empty office buildings will remain just that – what makes anybody think that the market would be interested? On the other hand, although currently-occupied, well-located, good condition, easy to convert offices may prove a more attractive proposition. It offers not only a major uplift in values, but without all the costs facing normal housing schemes. Conversions of such properties may prove more attractive than conventional housing projects. The result may be vacant offices remain vacant, well-located attractive offices get converted and overall there is no increase in housing. If that were the case we could well ask what is it all for, other than a belief that property owners are the best placed to determine the use of their property.

Nevertheless, the Government, in response to growing concern expressed by both local authorities and the property industry, has offered the highly unusual option – never used before – of local authorities being exempted from these centrally-imposed changes. It might suggest a sop to localism, but it is really the very real pressure being put on the Government by the Cities of London and Westminster and the Mayor of London.

Having offered the possibility of an exemption based on the risk of loss of nationally-significant business and, interestingly, where the benefits of such a change being outweighed by the disbenefits – sounds a bit like the NPPF para 51. Despite the very tight 3-week deadline DCLG received application for exemption for 700 areas in England, and, according to an analysis by CBRE, almost all

London Boroughs have applied for exemptions ranging from Borough-wide (City of London, Hackney and Kensington and Chelsea) to selected town centres and/or employment areas. The Mayor supports the exemption of the Central Activities Zone, Canary Wharf and the Royal Docks. What does this tell us? There is genuine concern about the health of local economies and, in particular, of town centres.

Shops to housing

The latest "suggestion", flagged up in the Budget statement and followed up by Nick Boles at a property sector seminar, is that shops may be given the same treatment. Nominally this is "targeted" on vacant shops in secondary locations. Unfortunately the Government has not yet understood that any across-the-board change in the freedom to change from shops to housing is not limited to vacant shops in specific locations, nor is it limited to shops! The proposal would cover all shops and all A Use Class uses that can change to shops without requiring consent for a change of use – it is then only a hop and skip to becoming housing. In short, the whole High Street would be up for grabs! In practice change would start at the



Kingsgate House, Kings Road, Chelsea
The building will provide 43 affordable housing units giving off-site provision for the redevelopment of another site in Kensington. Horden Cherry Lee are the architects. Permission was granted for the conversion from offices last year.

Michael Bach is chairman of the planning and transport committee, London Forum of Amenities and Civic Societies



"margins" – corner shops, small parades and neighbourhood centres – eroding any hope of one of the Mayor's key London Plan objectives being realised – A city of diverse, strong, secure and accessible neighbourhoods.

The wider consequences would be the loss of a number A Use Class uses that would be vulnerable to change from their current use to housing. One of these is pubs. There has been growing pressure for change of use to housing – fuelled by the "hope value" of a change of use. Now, despite the Government saying it supports pubs as key meeting places in the community – para 69/70 of the NPPF and a Minister for Community pubs – and Boroughs adopting policies to resist the loss of pubs, all this could be swept aside by a free-for-all in the High Street, but especially local centres.

So how would we know whether it is helping or harming our communities?

Nick Boles' line – expressed to the Select Committee in relation to extension to houses – is that it won't be the end of the world, we will review it at the end of three years and if it does not work we will change it. This "suck-it-and-see" approach is slightly cavalier at a time when many of our town centres are increasingly fragile. The Government's commitment to "town centre first" must be questioned. There would be advantages from the selective release of vacant secondary shops, but changing freedoms affecting national secondary legislation is not the way to do it.

So how would we pick up the warning signs if things start going wrong? How soon would we know? How soon could we act? Changes of use that do not need planning consent are not usually monitored by planning departments as they do not register as a result of analysing consents and completed developments. The high-profile

changes, like large office blocks converted to housing may register, but the steady attrition of small-scale losses will not. There are also time-lags. It will take a while for change to happen, a while longer for change to be picked up and noticed, a bit longer for data to be assembled as part of the Annual Monitoring Report and, after a couple of these, making the case for policy change.

If we are going to be able to assess the impact of any of the proposed changes – both positive and negative – we need to start designing the monitoring system now. Maybe we need much better targeted monitoring – for our town centres and our employment areas. Now there's a radical idea - evidence-based policy making! ■



205 Holland Park Avenue is a mixed use scheme on a former office site. It is situated at the junction of one of the great estates of C19th London and the Holland Park roundabout. The development comprises 8,500sqft of artist studios and 50 apartments. It was granted permission last year. Architects AHMM.

Living in the office

The combination of the prior approval procedure, the possible requirement for planning permission, Section 106 payments and potential CIL liability might just put many landowners off, suggests Nigel Hewitson

The Government has announced that, with effect from Spring 2013, a new permitted development right (PD right) will be introduced allowing the change of use of a building from offices (B1(a)) to dwellinghouse (C3). The PD right is being introduced for a temporary three year period. The idea is that there are offices standing empty and at the same time the country is suffering a shortage of housing. Why not allow the one to be converted to the other? On the surface, this is an attractive expedient.

However, the proposal has caused a good deal of consternation among local authorities, particularly those in London, where, in many areas, residential property prices are so much higher than office property prices that owners might be tempted to change use, not because the offices are empty or difficult to let, but just because they can sell at a higher price. This, the Councils argue, could lead to a serious loss of employment-generating land.

In response to these concerns, there was an opportunity for Councils to apply to "opt out" of the PD right on one of two bases: the loss of a nationally significant area of economic activity, or substantial adverse economic consequences at the local authority level which are not offset by the positive benefits of the scheme. Such applications had to be lodged with CLG by 22 February 2013. The Mayor of London has applied for exemption for three areas: the Central Activity Zone covering the City, West End and South Bank; Canary Wharf and

"Tech City" on the City fringe. Most London Boroughs have also asked for exemption for at least part of their area. Decisions on the various applications are keenly awaited.

The PD right will be subject to a number of constraints: there will be a "tightly drawn" prior approval process allowing the local planning authority to overrule the right on the basis on highway and traffic impact; contamination; flood risk or safety issues. In addition, the PD right only permits the change of use. If any physical alterations are needed which materially affect the external appearance of the building, those works will still require planning permission.

It is not clear to what extent local planning authorities will be able to take into account perceived harm from the change of use in permitting or refusing such works - or indeed as a basis for requiring Section 106 obligations. What is apparent is that where there is a simple change of use with no external works requiring planning permission, the local planning authority will not be able to use Section 106 to require the usual affordable housing infrastructure payments etc.

Community Infrastructure Levy (CIL) will be payable on any net increase in floorspace, and any floorspace which has been empty for six of the previous twelve months will be treated, for CIL purposes, as if it were a net increase. It seems particularly unfortunate, given that the PD proposal is primarily aimed at encouraging use of currently empty office space, that there is a real risk of CIL being payable

Nigel Hewitson is a partner and head of planning at Norton Rose



on empty space where it is not payable in the case of occupied space.

It remains to be seen how much take up there will be of the PD right. Many modern offices of the "glass box" type clearly do not readily lend themselves to economic conversion. Where office space does lend itself to conversion the combination of the prior approval procedure, the possible requirement for planning permission and Section 106 payments and potential CIL liability might just be sufficient to put many landowners off. ■



From boardrooms to bedrooms

A cautious welcome from the property industry for the new permitted development right due by the end of May

Ian Fletcher,
director of policy,
the British Property Federation

The property industry has welcomed Government plans to introduce new permitted development rights to convert offices to homes without planning permission.

Secretary of State Eric Pickles announced in January that proposals to ease the planning rules would go ahead following consultation last year.

The British Property Federation said the move towards greater flexibility, long-supported by landlords, would boost housing supply and bring vacant property back in to use.

Ian Fletcher said: "Given our acute shortage of homes this is an extremely welcome step.

"Office to residential conversions won't work for all buildings, or in every area, but any trip through our suburbs soon exposes redundant office space that with the best will in the world is never going to be brought back into commercial use.

"Such conversions will be good for those seeking homes, the wider community and local authorities, who will gain from the New Homes Bonus and council tax receipts that occupation generates.

"However, will need to see further detail on how 'local exceptions' schemes will work. Any exemptions should be few and far between, and this aspect will need to be tightly drawn and policed if it is not to undermine the overall policy objective."



Rhian Kelly, CBI Director for Business Environment

The CBI commented on the new planning measures which will allow empty and underused office space to be converted to housing without planning permission.

Rhian Kelly said: "We have been calling for measures to allow the housing market to flow more freely for some time.

"This move towards more rapid development will get better use out of underused office space and support the construction industry."



Joanna Thorne, Associate Director,
Corporate Communications, Coutts

UK commercial property could get a lift from government plans to boost new residential construction by removing some restrictions on converting commercial buildings into housing.

The new rules concentrate on expanding the "Permitted Development Rights" for a narrower target of unused offices. However, local authorities, starting with the City of London, can seek an opt out to prevent disruption to the future development of business districts.

For the commercial property market, the beneficial side effect of these plans to boost the supply of housing would be the conversion of redundant offices to profitable use. But in order for this potential to be realised, property development has to pick up. So the impact will initially be limited outside of the booming London market.

Real rents (adjusted for inflation) on residential property have gone up 80 per cent in the past 25 years, while commercial property rents have only kept pace with inflation over that same time period. Residential property prices have also outpaced commercial property over the past 50 years, yet planning restrictions mean that there are persistently higher levels of vacancies in commercial than residential property. If conversions to residential use were to absorb surplus commercial property, then the long underperformance of commercial property could reverse.

The expansion of Permitted Development Rights would allow commercial property to be converted without planning permission. Other planning restrictions would remain, but it would reduce the cost and risk of the planning process.

Local authorities, such as the City of London, may be able to override the Permitted Development Rights. More extensive re-developments or re-building would also still be subject to existing planning laws if they change the external size, shape and appearance of the building.

The proposals are confined to commercial office properties. This is a step-back from previous proposals that included industrial property, such as warehouses. Retail remains out-of-bounds, with the focus still on regenerating High Street shops,

despite the equally high vacancy rates.

The relatively small size of the office market compared to the housing market means the impact on residential property prices will be more muted, and likely only significant for flats.

Why is the City of London so keen to opt out? The key concern is that, in the midst of a slump, significant office space could be converted to residential use. This removal of office space could constrain future growth by limiting the City's ability to expand again when the economy recovers.

A lack of development of an 'institutional' market for large blocks of residential rental flats has been the key deterrent to conversion to residential use. Once an office is converted into flats, they are sold to individual owners. This dispersion of ownership rights would make future redevelopment impractical. The introduction of residential areas into business districts could change the nature of the area and impose constraints on commercial development.

The residual value for office blocks will rise in areas with buoyant residential property markets – currently this means London. However, considerable development has already taken place in the London market. The price of high-end London residential property and the well-developed market for flats makes developers willing to accept the costs and constraints of the planning process.

For the rest of the UK, the impact is likely to be more limited. Lower average property prices mean that the cost of conversion is a higher proportion of the value. While the existence of an alternative, residential use may underpin the value of unoccupied office blocks, realising that potential requires investment and a market for flats.

The new proposals would reduce the cost and risks of the planning process. However, it does not address the other problems besetting the UK property market, especially outside London. The aftermath of the property crash has left the commercial property industry with a dearth of capital. Property losses have left many owners with very limited resources, while existing lenders are still seeking to reduce their exposure. That leaves many in the property industry with no appetite for new investment. ■

Another round for Centre Point

A pre-planning application public consultation is underway of revised proposals for the reuse of Centre Point, together with the creation of a new urban space for London, by the unlikely combination of Rick Mather and Conran.

For much more, go to www.centrepoinlondon.com



Previous application: reasons for refusal

- Lack of on site affordable housing
- Level of car parking provision
- Changes to the listed building
- Lack of time for TfL to review closure of St Giles High St
- No publicly accessible use on top of centre point tower

Revised proposals: changes

- Provision of on site affordable housing
- Revised car parking provision
- Review of changes to the listed building
- Two application strategy for buildings and public realm
- Viability study on publicly accessible uses to top of tower application strategy

Developer Almacantar says it is committed to transforming centre point and the surrounding public realm to deliver a world class space with Centre Point at its heart.

They wish to deliver these objectives as soon as possible. However, comprehensive transport modelling by TfL and community consultation by Camden must take place to assess the impact of the road closure including rerouting buses before



proposals for the square can be brought forward and an application submitted. The modelling and consultation will not be concluded until early autumn 2013 according to TfL's programme. ■



What they said about the Budget

John Cridland, CBI Director-General:

On housing: "The Chancellor has heeded our call to stimulate the housing market, by providing support to trapped 'second steppers', through an extension of the Mortgage Guarantee Scheme.

"The Help to Buy Mortgage Guarantee Scheme is a bold step, which will increase momentum in the housing market and support new high loan-to-value mortgage lending.

"The new £3.5bn equity loan scheme and the additional investment in affordable housing will increase the supply of new homes."

On infrastructure: "The Government needs to do more to demonstrate to global investors that UK infrastructure is a prize worth pursuing."

Building Design:

On change of use: More good news for those who want to see more relaxation around property use (and anyone in the refurb business) - it might not just be offices that can be converted into housing soon. The Chancellor said the government will consult on loosening restrictions even further by including agricultural and retail properties.

An increase in funds available for build to rent schemes: Not quite the tax breaks that landlords were looking for, but good news again for new-build. The fund will increase to £1 billion to support construction of new rental property.

Liz Peace, chief executive of the British Property Federation:

"Overall there's more good than bad for the property industry in this Budget, and the Chancellor appears to have avoided last year's mistake of announcing half baked policies, like the 15 per cent stamp duty rate.

"For too long time the size of deposit needed to get on the housing ladder has proved prohibitive and has been the missing piece in a coherent housing strategy, it's good to see the Government move to remedy this. Time will tell whether this policy will prove effective, but taken with the five-fold expansion in the 'build-to-rent' fund the Government is certainly tackling the problem head on."

The Government also confirmed it would consult on allowing the change of use from retail use to residential without the need for planning permission in a bid to breathe life into the nation's high streets.

Peace added: "Retail to residential conversions could be an important step in breathing life into our high streets, and we would very much encour-

WHAT THE CHANCELLOR SAID ABOUT PLANNING

"Our fundamental overhaul of the planning laws are now helping homes to be built and businesses to expand.

"I also want Britain to tap into new sources of low cost energy like shale gas. So I am introducing a generous new tax regime, including a shale gas field allowance, to

age a flexible approach, particularly in areas with increasingly obsolescent retail stock that is unlikely to be brought back into retail use.

Tim Field, partner in the Real Estate group at DLA Piper:

"Anything that's helps to encourage residential development, new building and the construction industry has got to be good for what is one of the most important sectors of our economy and a bellwether of people's confidence in the economy and their personal finances.

I particularly welcome help to those struggling to buy properties, or even starting to get on the property ladder, with the extension of shared equity schemes, interest free loans and the Treasury guaranteeing what could be up to £130 bn of new mortgage lending. The "devil is always in the detail" but it must be a move in the right direction and is welcome".

NHBC Chief Executive Mike Quinton:

"The Chancellor has today given a welcome shot in the arm for the UK's housebuilding industry. 'We warmly welcome the expansion of measures for people who want to buy their own homes. This will help boost the housing market and provide vital support for the construction industry. "This is a positive step for homebuilders and homeowners alike."

Mark Clinton, Partner, Thomas Eggar LLP:

"The infrastructure announcement is very welcome and the amounts are very significant. However, with construction output still shrinking, 2015 seems a long way off when the industry has been suffering for more than five years. Much will depend upon where and on what the money is spent as that will determine how many of the UK's construction firms feel the benefit directly."

Simon Rubensohn, RICS Chief Economist

"Once again, the Chancellor has reeled off the two infrastructure projects that Government has actually started – Hinkley Point and Battersea Power

promote early investment.

"And by the summer, new planning guidance will be available alongside specific proposals to allow local communities to benefit.

Shale gas is part of the future. And we will make it happen.

"The granting of planning permission yesterday at Hinkley Point was a major step forward for new nuclear."

Station – and vaguely referenced others that are in the pipeline and will one day receive private investment through previously announced guarantee schemes and the much trailed Pension Infrastructure Platform. The £3bn a year announced by the Chancellor is welcome but will not come on stream until 2015-16 – far too late for many businesses that are struggling now. Our members have told us repeatedly that the success of infrastructure projects are about delivery on the ground. RICS believe Government should spend more time and resource in supporting business to gain access to these public sector projects.

RIBA President Angela Brady:

The RIBA declared the 2013 Budget to be a missed opportunity for stimulating housing and the green economy. 'Although the announcements today for further spending on housing and infrastructure are to be welcomed, it will barely make a dent in the delivery of the sustainable new homes and communities we desperately need.'

John Foddy, principal of Foddy Consult

We needed the Chancellor to be bold; to a large extent, I have not been disappointed. I see Mr Osborne's raft of fiscal initiatives as good news. Sticking to his promise to work on deficit reduction and policy initiatives to encourage growth must be good for London and the rest of the country.

The budget can only be seen as a responsible response to many structural problems our city faces and will in my view, continue to encourage overseas investment into central and greater London commercial and residential property. To me, the budget helps our Mayor say London is open for business. Initiatives to help housing by extending shared equity schemes and bank guarantees will encourage home building throughout London, delivering a much needed boost to house builders. In turn, this means more development, jobs, CIL payments and homes to rent or buy for workers London so desperately needs across all economic sectors. ■

Localism is becoming more potent and popular than first thought



Faraz Baber is London First's executive director, planning & development

The Localism Act 2011, or more specifically the proposals to introduce a new tier of neighbourhood planning, heralded the Coalition Government's first steps toward getting communities more engaged in shaping the future of where they live and work. Some commentators were sceptical about the take up of the proposals. They felt it would simply become a charter for nimbys to prevent development coming forward despite Government assurances that any plans produced had to demonstrate a positive vision for the future of the area and support the strategic development needs set out in the local plan.

The idea is simple, to give Parish Councils more planning powers to develop their own neighbourhood plan and to get the community buy-in from the neighbourhood area by submitting the plans to a referendum. However, the proposals do not

work so well in non-parished areas. In these areas, a relatively small group of interested parties (twenty one people who live or work in the area) can define a neighbourhood area which they believe best represents their community group and apply to the local planning authority to become a Neighbourhood Forum.

Once the neighbourhood area has been approved by the local planning authority, the community group is then able to seek to become the designated Neighbourhood Forum which empowers them to proceed in developing a Neighbourhood Plan or Neighbourhood Development Order and also to undertake a Community Right to Build Order. The risks of an open criterion in non-parished council areas is that local planning authorities are being flooded with prospective neighbourhood area submissions by established resident associations wishing to turn into prospective Neighbourhood Forums and other local community groups across individual London boroughs.

The emerging picture nationally is that neighbourhood planning is beginning to take off with around 300 applications for Neighbourhood Areas submitted and over 100 Neighbourhood Areas

now designated. The evidence in London is over 60 Neighbourhood Areas are materialising of which seven are already designated and 20 are currently under consideration by London boroughs. Our first quarterly online neighbourhood planning map, jointly produced in partnership with the DCLG and the London Communications Agency, shows that most of the interest in neighbourhood planning is taking place in inner London.

Some planning authorities in London will be feeling the strain in managing the neighbourhood planning process. In some cases, neighbourhood area boundaries are being fiercely contested and borough planning officers will be asking planning committees to make a determination on what neighbourhood areas will be designating and who will be appointed as the Neighbourhood Forum.

The interest in neighbourhood planning is likely to grow following the Government's announcement that communities with a neighbourhood forum will see a 15 per cent proportion of CIL receipts generated from their area (capped at £100 per dwelling) and that Forums with an adopted neighbourhood plan in place would see 25 per cent of CIL receipts (with no cap per dwelling) invested back into their community. Local planning departments are likely to be concerned as will be developers over the ability of local planning authorities to deliver on their infrastructure delivery plans with their CIL receipts being divvied up so much.

Whilst Government is sending out mixed messages with centralist planning policies such as enabling permitted development rights for office to residential conversions, they will be pleased with the take up of neighbourhood planning. The first neighbourhood plan referendum has taken place and emerging neighbourhood plans are starting to demonstrate locally led pro-growth development. The burning question once all of these neighbourhood plans are in place is how viable they will be to deliver on the policy aspirations that have been set out. That will be the true test on the value of this whole exercise. ■



London First

London planning awards: winners

The London Planning Awards, now in their tenth year, are run jointly by London First, the Mayor, the RTPI and London Councils

BEST BUILT PROJECT sponsored by CBRE

The spectacular new King's Cross Station won the award for the best built project. The King's Cross/ St Pancras interchange is the UK's busiest transport interchange hub with over 95 million people passing through the interchange each year. By the beginning of the 21st century the dramatic historic station frontage was disfigured and the bold decision to radically re-plan the station was taken. Following an extensive series of pre-application discussions consents were granted between 2006 and 2009 for a programme of refurbishment and upgrading. Areas of the station included in this were:

the Eastern Range of offices alterations and extensions to the Western Range of offices and station facilities removing the existing concourse and restoring the southern facade to its original glory, works to the main train sheds including complete re-glazing and incorporation of photovoltaic panels to the barrel roofs.

submitted by Network Rail and the London Borough of Camden, together with John McAslan and Partners, and English Heritage.

BEST BUILT PROJECT COMMUNITY SCALE sponsored by Land Securities

The Tidemill Academy & Deptford Lounge won the Best Built Project for a Community Scale Scheme at the London Planning Awards. Tidemill Academy & Deptford Lounge is part of the London Borough of Lewisham's strategic masterplan for the regeneration of central Deptford. It combines the Deptford Lounge, which is a new state of the art district library, with a whole range of community facilities, with new premises for the Tidemill Academy and the Resolution Studios. This creates new duplex homes over studios and exhibition space for local artists. The complex maximises the potential of the site by co-locating facilities for both the school and the wider community, and by creating affordable homes over part of the Tidemill Academy buildings. The Deptford Lounge complex sits on Deptford High Street on a site which had been bombed in the Second World War and had become a featureless space. Now it opens out onto Giffin Square, a new public space for the community and a venue for Deptford's regular open-air market. Parking has been re-provided with new tree-lined parking.



The Queen Elizabeth Olympic Park scooped the Mayor's prestigious award for 'Planning Excellence'

submitted by Pollard Thomas Edwards architects, with the London Borough of Lewisham.

BEST CONCEPTUAL PROJECT sponsored by Berwin Leighton Paisner

The Queen Elizabeth Olympic Park has scooped the Mayor's prestigious award for 'Planning Excellence' at this year's London Planning Awards. The Park formed the centrepiece of the hugely successful London 2012 Olympic and Paralympic Games. The 102 hectare site is Europe's most significant landscape project for a generation and the largest new urban park in the capital. It is now being transformed to provide up to eight permanent venues for major concerts and sporting events as well as thousands of new homes in five new neighbourhoods complete with new schools and health facilities for the new communities. This will create 8,000 new jobs plus a 2,500-strong temporary construction workforce leaving an important legacy and acting as a major catalyst for regeneration in the east of London. submitted by AECOM with the London Legacy Development Corporation and the Allies & Morrison-led consortium.

BEST NEW PUBLIC SPACE sponsored by Hogan Lovells

Ladywell Fields in Lewisham won the Best New

Public Space Award at the London Planning Awards. Ladywell Fields is a large district park close to Lewisham and Catford town centres. It is managed as a formal park that incorporates sport pitches, tennis courts, a children's play area, a skate park and the Ladywell Arena athletics facilities. It is surrounded by residential properties with direct links to Ladywell and Catford Station. The scheme was a major enhancement of the existing green space, incorporating the restoration and naturalisation of the river Ravensbourne. It has created new river channels, and pools, and has greatly improved habitats within the river corridor along with better access and educational benefits. It is a place where people can walk, cycle and relax.

submitted by BDP, with the London Borough of Lewisham.

BEST NEW PLACE TO LIVE sponsored by Ardmore Group

The regeneration of the Aylesbury Estate in Southwark has won a top award at the London Planning Awards. The Best New Place to Live award was presented to Levitt Bernstein Associates Ltd, L&Q Group, PH Warr, Durkan Ltd and Alan Conisbee & Associates. During the 1980's and 1990's the Aylesbury Estate went through a period of decline and, like many people living on large



ABOVE: Leyton Town Centre won the award for the Best Town Centre Project

BELOW: Quadrant 3, a mixed-use development by The Crown Estate, won the Best Historic Building Management award



inner city estates, Aylesbury residents found themselves facing challenges such as a poor physical environment, fear of crime, lack of job opportunities and ill health. This scheme represents the first new housing to be built on the estate and aims to act as an exemplar for future development. 260 new homes have been built as well as a landmark community building, shops and new streets and public spaces.

The new street network features a north/south green "spine" route that runs down the eastern edge of the site that connects an urban square in the north to the existing Burgess Park in the south. Lined with trees, this green route gives priority to pedestrians and cyclists.

submitted by Levitt Bernstein Associates Ltd, with L&Q Group, PH Warr, Durkan Ltd and Alan Conisbee & Associates.

BEST BUILT PROJECT FIVE YEARS ON sponsored by GVA

The Roundhouse Theatre is one of the most significant buildings in Camden. Thanks to its location and striking form it has become a landmark and an integral part of the Camden street scene. The newly refurbished building with its new wing, which includes a new entrance and public space, has strengthened its contribution to the streetscape: the glazed elevation of the latter has become a focal point at the end of Chalk Farm Road, which is emphasised further by Anthony

Gormley's striking sculpture. The revived Roundhouse remains one of the most lively arts venues in London, and has set a benchmark for the creative and sustainable adaptation of redundant historic buildings.

The award was presented to the Roundhouse Trust, John McAslan & Partners and the London Borough of Camden, submitted by the London Borough of Camden, with John McAslan and Partners.

BEST HISTORIC BUILDING MANAGEMENT sponsored by English Heritage

Quadrant 3, a mixed-use development by The Crown Estate, won the Best Historic Building Management award. The award was presented to The Crown Estate, Dixon Jones, Donald Insall, and Stanhope. This audacious scheme remodels an entire street block – containing the former Regent Palace Hotel, Quadrant Arcade and Café Royal – to produce a compelling mix of office, retail, restaurant and residential uses, whilst retaining the best of its historic facades and painstakingly refurbishing one of Europe's best Art Deco interiors.

Careful attention is paid to the public realm too, with the part-pedestrianisation of Glasshouse Street being undertaken to the highest standard, as befits this important gateway to Regent Street. submitted by the Crown Estate, with Dixon Jones, Donald Insall and Stanhope.

BEST TOWN CENTRE PROJECT sponsored by Nathaniel Lichfield & Partners

Leyton Town Centre won the award for the Best Town Centre Project which was presented to

Waltham Forest Council, with Waltham Forest Business Board, Lee Valley Estates and Jan Kattein Architects. Waltham Forest Council and Waltham Forest Business Board, supported by Design for London, conceived a strategy to enliven their high streets called The High Street Life Strategy. The document gave a comprehensive survey of high streets throughout the borough and proposed a number of measures to support local retailers, increase commercial space, enhance public realm and augment the status of the high street in the eyes of the public.

High Road Leyton was selected to trial the Council's vision. The decision was informed by the Olympic Games and the subsequent strategic position which Leyton would take up as a result of the legacy programme (an anticipated 3000 new homes). Completed in July, the works have helped local businesses take advantage of new opportunities. Quality community and learning spaces have improved the local skills base and the transformation of the public realm instils a sense of civic pride in the neighbourhood.

submitted by Waltham Forest Council, with Waltham Forest Business Board, Lee Valley Estates and Jan Kattein Architects.

MAYOR'S PLANNING AWARD

The Queen Elizabeth Olympic Park has scooped the Mayor's prestigious award for 'Planning Excellence' at this year's London Planning Awards. The Park formed the centrepiece of the hugely successful London 2012 Olympic and Paralympic Games. The 102 hectare site is Europe's most significant landscape project for a generation and the largest new

urban park in the capital. It is now being transformed to provide up to eight permanent venues for major concerts and sporting events as well as thousands of new homes in five new neighbourhoods complete with new schools and health facilities for the new communities. This will create 8,000 new jobs plus a 2,500-strong temporary construction workforce leaving an important legacy and acting as a major catalyst for regeneration in the east of London.

submitted by AECOM and the London Legacy Development Corporation, with the former ODA Planning Decisions Team and the AECOM-led consortium: LDA Design with Hargreaves Associates, Arup and Atkins.

AWARD FOR SPECIAL CONTRIBUTION TO PLANNING AND DEVELOPMENT OVER TEN YEARS

This year the Mayor gave a special award to Sir Terry Farrell for his unique contribution to planning and development in the capital over the last 10 years. He has worked on masterplans for large parts of London including Earls Court, Holborn, Nine Elms, Vauxhall, Wood Wharf and Old Oak Common, as well as influencing thinking through voluntary initiatives and "visioning" for The Royal Parks, Buckingham Palace, Marylebone/Euston Road and the Thames Gateway.

Qualified as both a town planner and an architect, he has designed buildings such as the new Home Office headquarters, Regents Place and the new Transport for London headquarters on the Greenwich Peninsula. Sir Terry is currently visiting professor at The Bartlett (UCL) and University of Westminster and lectures widely on the public realm and vital spaces in between buildings. ■



The Roundhouse Theatre is one of the most significant buildings in Camden and winner of the best project five years' on category. Photo Will Pearson

Love LDN

When an old site is cleared to make way for a new building, sometimes what's left is a temporary window to a rarely seen view. Once the new building is under construction, and complete, these sights are lost again.

In celebration of their 30th birthday Wordsearch curated 'Love London', a selection of photographic images showing some of London's great views uncovered by development and construction. The continually changing face of London's is one of the city's exciting characteristics, and these exciting snapshots of the city are an often unseen benefit of this process. Surrounded by history and promises of the future this collection of images celebrates our city in it's many stages of metamorphosis.

*Wordsearch is a leading branding and communications agency for real estate and architecture.
www.wordsearch.co.uk
[@WordsearchLDN](https://twitter.com/WordsearchLDN)*

*The exhibition featured images by renowned photographers Andy Spain and Jason Hawkes, for further information:
<http://asvisual.photoshelter.com/>
<http://jasonhawkes.com/>*



TOP: Aerial view looking across the River Thames from Westminster to Southwark, showing Temple and the Royal Courts of Justice.
Photographer: Jason Hawkes

MIDDLE: Construction site of One New Change development designed by Jean Nouvel – **Photographer** Andy Spain

LEFT: Development of Fitzroy Place by Exemplar properties showing the BT tower in the background – **Photographer** Andy Spain

Clipboard

LandAid debate backs Boris

Property industry leaders gathered in City Hall for the annual LandAid Debate last month and expressed overwhelming support towards keeping the capital's stamp duty receipts in London to fund the building of much needed affordable housing in the city; for the development of airport capacity to the east of London rather than the west; and for simplification of the development tax structure to reduce overlap.

The support came through live voting from the 300-strong audience of property and development executives.

The panel of expert speakers outlined their opinions on what London needs to do to stay ahead of the game. Panellists included:

- Professor Ricky Burdett (Professor of Urban Studies, LSE)
- Dr Danny Thorniley (President, DT-Global Business)
- Sir Edward Lister (Deputy Mayor for Planning)
- Indy Johar (Co-founder, 00:/)
- Mike Hussey (Chief Executive, Almacantar)

There was one point on which all parties agreed – London offers a virtually unrivalled quality of life. Its green spaces, the English language and the rule of law combine to make the capital a very attractive place to live for bright, young individuals from across the UK and around the world.

Sir Edward Lister, Deputy Mayor for Planning, said "Despite the many challenges that lie ahead for our capital city I am hugely optimistic that our future as a fantastic place to live, work and invest remains very bright. Yes, we need to tackle a bureaucratic and slow moving planning system and yes, if we are to cope with the pressures of a growing population, we need a massive programme of investment in infrastructure.

However, as we showed with the Olympic and Paralympic Games, London is a city that delivers. We must build on the positive momentum of 2012 and push on to further cement our reputation as the best big city on earth."

The event was sponsored by Pinsent Masons and Helical Bar and chaired by broadcaster and journalist Martyn Lewis.



Croydon's public realm

HASSELL, in collaboration with We Made That, has been appointed by London Borough of Croydon to deliver the £2.8m South End Public Realm, an important part of the Connected Croydon programme. Supported by Engineers Buro Happold and graphic designers, Objectif, the project is part of a coordinated set of projects to enhance Croydon's high streets.

Land Registry reveals all

LCP's analysis of recent Land Registry data:

- Prices in England and Wales rise marginally by 2.27 per cent across the year, bringing the average price to £238,293
- Prices in Prime London Central (PLC) rose 14.1 per cent to finish 2012 at £1,359,739
- The number of sales of London's super prime properties (£10m+) increased 10 fold
- The number of sales in England and Wales between £2m and £5m increased a staggering 71 per cent
- The most expensive sale in PLC in Q4 was a house in Farm Street, Mayfair at £28,134,500
- High value sales in Q4 were also registered in London Central's most prestigious developments -

One Hyde Park, 199 Knightsbridge and The Lancasters

Naomi Heaton, CEO of London Central Portfolio says: "The stagnant performance for the country is another disappointing economic indicator for the Government. With prices approaching the 1 per cent Stamp Duty threshold of £250,000, it is now more important than ever that the Chancellor revisits this at the next Budget and raises the ceiling, or risks further suppression of the market.

The 14 per cent increase in average prices in Prime London Central over the year underlines its continued global appeal despite the new property taxes unveiled at the last Budget. The Chancellor increased Stamp Duty to 15 per cent for individuals buying through a corporate vehicle and announced a consultation process on an annual levy of up to £140,000 per annum and a new capital gains tax.

Fashion Hub for Hackney

David Adjaye is to design two buildings for Hackney's 'fashion hub'. The architect was hired by the Manhattan Loft Corporation to design permanent retail spaces based around the existing Burberry, Aquascutum and Pringle outlet stores. "Our proposals offer a beacon for Hackney Central," says Adjaye. "The buildings will create a light-filled, compelling environment that captures Hackney's creative energy, gives local residents a sense of pride in their built environment and provides an exciting new draw for visitors."

An existing, temporary building on the site, which currently houses the Aquascutum brand, will be removed to make way for the new buildings. ■



Building the city of tomorrow

Victoria Thornton outlines how Open-City's Green Sky Thinking Week is mapping London's development towards a sustainable future



For the full programme listing and for booking details, visit our website: www.greenskythinking.org.uk
Follow us on Twitter: @opencityorg #greensky



Victoria Thornton OBE Hon FRIBA, is Founding Director of Open-City

As sustainability and high quality become synonymous, a world-class destination requires world-class sustainability. Instead of just thinking about energy, buildings and today's standards we need to incorporate wider, forward-looking principles across the board if London is to retain and enhance its reputation as a global leader in 'going green'. The question of how we do so nevertheless remains.

Green Sky Thinking 2013, an annual initiative of Open-City, offers a direct and independent platform to answer the question of how. It is a week-long series of 50 B2B events showcasing innovative and practical solutions to greening London's built environment. All events are free to attend, simply reserve a place and hear from the industry experts.

Unlike conferences or tradeshows the programmed events, taking place across London from 15-19 April, range from onsite project talks, round-table discussions, pecha kuchas and seminars. Each event is hosted by top experts, industry leaders and collaborative teams, giving an inside view of sustainable practicality and applicability to the audience member.

By 'Mapping Sustainable London' the programme identifies the sustainable initiatives and thinking driving London's green agenda forward; mapping the who, where and how.

Richard Blakeway, Deputy Mayor for Housing, Land and Property, said of the programme 'Green Sky Thinking can only help to highlight leadership and vision for the green agenda'. Through the programme we seek to map current sustainability exemplars and issues in the industry, strengthen cross-sector collaboration and extend involvement of end-user and decision-maker participants.

The only event of its kind, Green Sky Thinking is tailored for those who influence how a sustainable built environment is financed, created, designed and managed. Planners, councillors, developers, asset managers, neighbourhood groups, architects, engineers, contractors, and professionals across the built environment and property sectors are invited to attend and contribute. ■

Of the 50 B2B events, key events regarding development and planning in London are:

- Are we planning a sustainable London infrastructure?
- 'Bunhill Heat and Power: A Step Into The Future of London's Heat Networks' with London Borough Islington
- 'Sustainable High Rise: Is There Hope?' with Rockwool
- 'London's Future Streetscape' with Team London Bridge and MDR Architects
- 'Sustainable Transport - if not London, Where?' with Beyond Green
- How are we delivering a greener city?
- 'Retrofitting Soho' with LB Westminster and Sturgis Carbon Profiling



- 'Making Buildings Work' with Arup
- 'How to give your project a soft landing' with Max Fordham
- 'Better the Devil You Know' with Waterman Group
- Who is leading the city's green development?
- 'Leading a Greener City' with Greater London Authority
- 'Think Green, Act Local!' with Conisbee and Islington Climate Change Partnership
- 'Saving Carbon + Money = Warmer Homes + Healthier Residents' with Hounslow Homes Ltd and bere:architects
- 'Living Walls: Transforming Urban Landscapes' with Biotecture Ltd

Looking for the capital's best built and proposed projects

NLA has opened its annual London-wide awards to entries to recognise the very best in architecture, planning and development in the capital.

Both built and unbuilt projects across all sectors of the built environment are eligible for entry to the New London Awards, and will be judged by an eminent panel of international experts in the fields of urban planning, property and design.

The jury will be looking for schemes of the highest design quality that demonstrate a positive impact on their surroundings and make a wider contribution to life in the city. Unbuilt projects can be at any stage of design or construction, whether at concept-stage or currently on site, while built projects should have been completed within the last two years.

Awards cover all sectors of the built environment: from individual homes to hotels; museums and galleries to masterplans; office interiors and buildings to outside spaces; stations to stadia; schools and universities to service infrastructure;

retrofit and restoration to retail interiors; and healthcare facilities to meanwhile projects.

Winning and commended schemes will be announced on 11 July at NLA's Annual Lunch at the Guildhall – attended by over 500 of the capital's leading public and private sector professionals and decision-makers across development, design, planning and construction. All shortlisted projects will be featured in NLA's year-round New London exhibition at The Building Centre and in a special publication.

The New London Awards are now in their third year, with some of last year's winners illustrated here.

Commended and winning projects will be those that are considered to contribute most to their urban environment through design excellence, show careful respect of local context, and demonstrate innovative and efficient use of resources in their construction, maintenance and proposed lifespan.

The deadline for entries is Friday 26 April 2013. ■



FAR LEFT: King's Cross © Hufton & Crow
LEFT: Lea Nav towpath Sweetwater: Allies and Morrison
BELOW: Olympic Park Legacy, Carpenters Lock Balcony: Allies and Morrison

Full details at:
www.newlondonarchitecture.org

LETTERS



Discharging conditions

From: Alfred Munkenbeck, Munkenbeck+Partners, Architects

Sir, Discharge of many planning conditions waste time. On a recent project, I applied for discharge of conditions and was ignored despite two reminders... so I wrote a final note saying that I assumed no comment meant no objection... and of course they answered that saying I was proceeding "at risk" without further comment... obviously they don't care themselves about the conditions they impose.... and the appeal officer had already halved the number of conditions they were seeking.

Planning has to revert to the times when they were serving the actual public interest as expressed by the public rather than as invented by planners themselves in a burgeoning spiral of "control" mechanisms.

Somewhat planning has to get a grip on what is important and what is not. If you see planning as mega architecture, it becomes a bit like ruling the world by controlling development, which touches on everything. Planners can get very big headed and effectively try to rule the world whilst unelected. Over-emphasis on planning is typical

of totalitarian regimes, it presumes a certain amount of enlightenment and fortune telling ability, which is rarely justified, and such regimes eventually fall... (eg. Soviet five-year plans)

Kublai Khan's methods

From Drummond Roson, Robson Planning
Sir, Chris Shepley's jolly piece in *Planning* of 11th January does grave injustice to the real Kublai Khan in telling him that "what he needed to learn to do, if he wanted anything useful to happen, was planning".

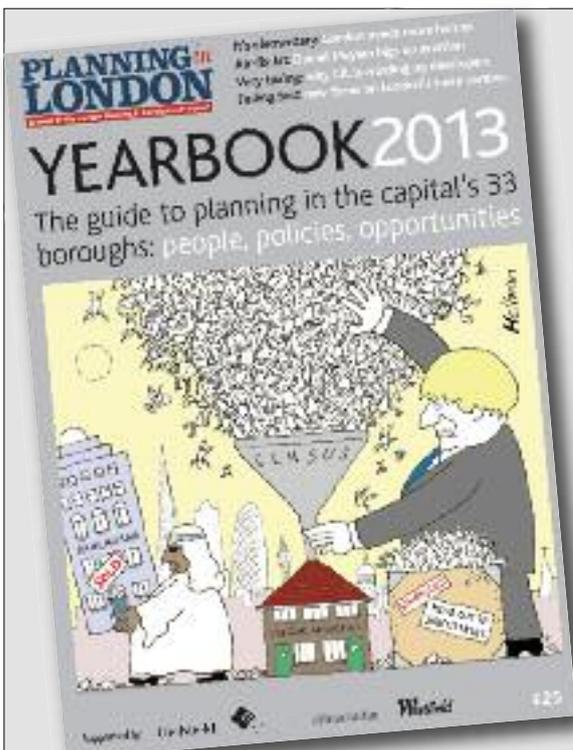
The Great Khan actually ruled a fifth of the world's inhabited area. His "transformation from conqueror to ruler led to many developments in Chinese culture. Along with providing religious freedom, he created aid agencies, increased the use of postal stations, established paper currency, reorganized and improved roads, and expanded waterways. Under his rule, the winter capitol was moved from Mongolian territory to the Chinese City of Dadu, which is modern day Beijing. He established the summer capitol in Shangdu, which was referred to as Xanadu", which was where Marco Polo made his epic journey to learn from the Great Khan. The site is now applying for world heritage

status. see (<http://www.thenagain.info/webchron/china/kublaikhan.html>)

Kublai Khan's methods may not have been entirely approved of today but he certainly got results for the Chinese economy which should have stopped Alf worrying about China's governance of planning – although he may have cause to worry perhaps for his safety.

The point is that far too much so called planning, and the perspective of planning commentators, is concerned with the regulatory process, not how to achieve the rich diversity of outcomes of town and country planning and design. The Development Planning Process has all too often become an end in itself which no longer assists in providing creative solutions to development problems. These need to start with the facts, not the political spin. Unless this changes to give greater encouragement to development which keeps pace with society's needs and demands in a fast moving world, the Great Khan's successors won't wait for it, as 70 airports being built in the time it takes us to debate doing one, demonstrates.

Isn't it time for planning to focus on the real world, not the artificial constructs of Coleridge's fantasy?



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iPILLO!



We witness a light phenomenon at The Shard – refraction through water crystals in fog. Following an early arrival to a blanket of fog, we put our trust in the Met Office’s forecast for a clear sky ahead; and then wait. As the sun starts breaking through, we begin capturing the changing light. After three hours, we walk away with a triptych over a timespan of only 20 minutes.
www.marcuspeelphotography.co.uk ©

Strip out the Buzz

A new service identifies and strips out annoying buzzwords from press releases. Twelve Thirty Eight’s recent Buzzword Report highlighted the PR buzzwords, terminology and practices most likely to inflame journalists. It has already become something of a training manual at the UK’s biggest PR agencies.

For the last few weeks Buzzword have been at work compiling a database of all the offending terms and phrases. These include terms like repurposing, solution, robust, best of breed, mission-critical, scalable, next-generation, web-enabled, leading, value-added, leverage and seamless. Simply visit <http://www.1238kmh.com/buzzsaw.htm>, paste a press release into the box and press the Buzzsaw button. The press release will be returned with all of the buzzwords crossed out.

CABE gets NSIPs

The Cabe team at the Design Council has published guidance to improve the quality of Nationally Significant Infrastructure Projects (NSIPs), at the request of the Planning Inspectorate.

At the same time, DCLG has confirmed that the Cabe team at the Design Council replaces the Commission for Architecture and the Built

Environment’s function as the statutory consultee for NSIPs.

The guidance encourages a design-led approach that takes geographical context into account to ensure projects respond to setting, speak a confident architectural language based on purpose and function, and make a genuine contribution to the local community.

“Large infrastructure projects are often prone to a prolonged pre-construction process due to complex consultation and planning stages and potential local opposition. Holistic design thinking at the outset, as promoted in Cabe’s guidance, reduces the planning risks, brings developers closer to the communities impacted and encourages opportunities for a compelling structure and environmental efficiency, hence maximising the value of the investment”, they say.



Planning Aid calls for aid

Since 1973 Planning Aid for London has worked with communities in London. Their volunteers have helped London’s disadvantaged communities understand and engage in the planning process to secure benefits for London’s communities and ensure the planning system works more smoothly.

The future of PAL itself is now uncertain and there is no funding for the maintenance of volunteers who include architects, landscape architects, transport and housing professionals, solicitors and barristers, as well as planners.

One of the options PAL is exploring is that London’s consultancies working in planning could take on the role of managing these volunteers. This would provide a resource for communities, enhance the reputation of the profession and ensure that community voices continue to be heard. Please contact Pat Castledine, Chair of Trustees Planning Aid for London at info@planningaidforlondon.org.uk

Tax haven London

“London is a tax haven down to its very kerbs. It is the Dubai of Europe” – Simon Jenkins in The Guardian

Dip. Town Centres

With the British high street under such pressure and scrutiny, the voice of British business at the sharp end (British BIDs) has got together with the University of Westminster to create the UK’s first formal qualification for those working to shape and evolve the country’s town centres.

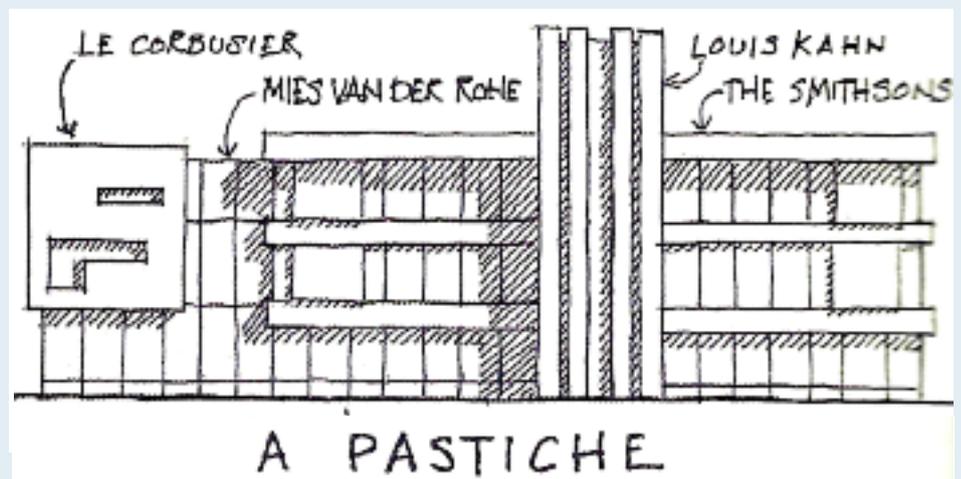
Details: katie@seal.uk.com

More on B1 to C3

Paul Finch comments: “I find the Boris and Lister attitude quite depressing. Allowing such conversions a few years ago started the revival of downtown LA and saved some decent deco buildings. Conservation and deregulation in happy harmony.

From ‘The 7 Sins

of Architects’ by Robert Adam



Debating 'from offices to homes' and planning without plans

Hon. Secretary Drummond Robson minuted the March Forum which started with a lively debate on the impending freedom to change offices to housing which was led by Michael Bach and Lee Mallett. Full minutes at planninginlondon.com >LP&DF

The Chairman welcomed those present notably the three speakers: Michael Bach, Lee Mallett and Roy Pinnock.

An informal debate with the proposition "Making offices to residential Permitted Development will assist in revitalising London and its economy."

The Chairman introduced the item – explaining that two of those invited had declined at a rather late stage and so the formal debate was instead to be more informal with one speaker for (Lee Mallett) and one against (Michael Bach) the government's proposition of allowing offices to residential as permitted development.

Lee Mallett said he strongly agreed with deregulation since in the 1980s some artists friends sought to ease UCO restrictions but against strong opposition from Hackney with the result that in the late 1980's all the buildings around Hoxton Square were unused. The raw commodity of buildings work better when they are used. The 2011 census last year demonstrates the undersupply of residential accommodation in the Capital. He likened the present situation to trying to persuade woolly mammoths to a frozen tundra. The Isle of Dogs removal of planning controls would not have produced the present quantum and vibrancy of space without deregulation.

It is clear that more housing is needed which the planning system fails to see. We need new housing investment to get the Country moving out of recession. There is currently a huge impasse between housing and offices with developers reluctant to invest in offices when they can see that residential values are so much stronger. Overseas investment too would be willing to invest but are reluctant to do so simply to provide more offices. Investors and Olympians said LM take rational decisions.

There is nothing new in offices becoming full of oligarch in palatial surroundings. Middle range property is now starting to grow, associated for example with Crossrail and spreading out from these developing nodes. The same needs to happen in town centres with a ripple effect from both central and suburban centres. Building and fire regulations will still need to be met under this deregulation. In spite of this nearly every London Borough

wishes to seek exemptions from the lifting of this restriction.

The simple fact that planning is not delivering enough housing is proof enough that the rules should be relaxed.

Michael Bach spoke as a former government policy analyst. He began by asking whether you are likely to get the outcomes you expect. Advocacy comes out of political values. The change we propose to make is potentially damaging for London. Geoff Marsh advocated a change of use in the 1990s. If buildings were not being used for offices they should be allowed to be used for residential accommodation.

4,000 dwellings are being built a year as it is, so 20% of the necessary completions are happening anyway. Examples of conversions already taking place include Bowater House and Charles House in Croydon. Portland House in Victoria is another example. The global idea for England was "sold to Number 10 and The Department for Business, Innovation & Skills (BIS)" though not welcomed by others. Even BPF did not like it as a policy issue to grant permission unless there are strong economic reasons for not doing.

It is claimed there is a lot of vacant office space. Much of this is needed to allow the market to flourish anyway. The average London vacancy rate is currently below 8% and in Westminster it is 5%. Changes of use cannot distinguish between occupied and vacant offices anyway.

The proposed pressure for conversion is preferential treatment. It does not require any contribution to CIL or an affordable housing requirement, thereby distorting the market.

Between 2000 and 2010 the Royal Borough of Kensington and Chelsea lost 30,000 square feet of offices to residential and Westminster lost 47,000 between 1997 and 2007.

Conversions are more likely on lease expiry. It is estimated that anything up to 60% of RBK and C's office leases are due to expire in the next three years. The most worrying aspect to this is the planning problem of a threat to business clusters.

Town centre first policies become hot air if there is significant office loss there. This lacks a proper understanding of town centres as drivers of

the local economy. In London outside CAZ 50% of jobs are within 500m of town centres. Unlike in 1997 when the permitted change was from workshop to offices this is a one way trip to housing, offering short term construction jobs only with longer term displacement of jobs and will undermine the vitality and viability of town centres. It will displace rather than provide growth.

Discussion. Alfred Munkenbeck opened the discussion saying that Michael Bach was measuring success against a starting point of "last year" rather than 100 years ago before any of the present restrictions were introduced. Planning is needed to prevent the market going off the rails when you have enough housing. At present we do not so that providing it will allow falls in value, reduce the need for affordable housing until a new equilibrium is set with offices.

Roy Pinnock thought that the choice was like those expressed by Llyd and others – a choice between failure and perfect failure. We are not talking about mediating since it is an imperfect market. Much depends on how this is prepared for. Where there is redundancy in buildings it should be allowed to happen, though clusters in offices should be a valid objection. However Councils are being given three weeks to respond which is simply not enough.

Duncan Bowie said that much of the debate is theoretical. It is based on a plan based mechanism or by exemption. The responsibility of planning is not to react to the market. This is likely to lose employment without necessarily leading to a growth in housing. We should be increasing housing supply without introducing another form of investment resulting in inappropriate provision. It is likely to produce flats for the upper end of the market only. Much will be spent on providing housing which is not needed. We should ask who will it be for, who will use it.

Alfred Munkenbeck said this missed the point since more housing will release property elsewhere to respond to the needs of others, with supply and demand being allowed to reduce the overall need, especially for affordable housing.

Judith Ryser made comparison with Wilson's Location of Offices Bureau and "The Brown Ban" –

Office Development Permits forcing up values by increasing office scarcity, leading to all the problems of harassment of people who did not want to go. This should not create a precedent.

Giles Dolphin said he supported both sides. What he asked does the policy solve. Is it a shortage of housing or poor quality offices? Planning can only address enabling housing supply but other factors such as banks and mortgages could still restrict the supply being realised. Planning permission is currently needed to change the use. If the proposal is sensible it is unlikely to be resisted anyway. He cited the examples of plan led housing growth such as industrial buildings being replaced by housing in Vauxhall or facilitated in Brent Cross or Thames Gateway. The danger is unintended consequences of for example insufficient school provision or the overstretched NHS. In this case both police and TfL have concerns. It is right to question automatic change of use. The new policy could work well in the suburbs. In relation to the Central Activities Zone GD thought it would be appropriate to exempt the City and Westminster. Offices are perfect in some places so matters should be dealt with on a proper planning basis.

Brian Waters was concerned about blanket exemptions and suggested this was a missed opportunity simply to protect office clusters. Three weeks is too short a time to work this out.

Lee Mallett said that several industrial clusters have been established elsewhere such as Croydon. This is not the result of planning but decisions by the market. Brian Waters agreed saying that in Shoreditch it was planning restrictions which resulted in a desert in Hackney to the north of it which resulted in his practice having to negotiate some 250 live-work units in order to find some use for the buildings or area.

Roy Pinnock said that the proposal exempts schemes from having to provide affordable housing or CIL contributions which would be losses to the public sector.

Lee Mallett said that these were taxes that are preventing development taking place. Allow the investment to take place and the money will flow. Duncan Bowie held the opposite view that the

government is trying to achieve housing without finding the funding for it. Alfred Munkenbeck however saw government housing as the problem rather than the solution.

Brian Waters acknowledged that the market will pick off the best bits first, although this can go too far. He cited an area of Southwark where there was an industrial zone with some 40 predominantly evangelical churches was proving difficult for the market to develop, but which was helped by an inhouse planning team. This said the proposal has been modified from B1 to C3 and is now B1(a) to C3.

BW was also concerned about the limitations on live work imposed by VAT registration and capital gains tax threats which inhibit home working. These risks should be reduced. Duncan Bowie suggested that the mechanism to achieve this is a Local Development Order. BW countered that these are not used in practice.

Tom Ball was critical of planning for having predicted housing need was failing to provide it. Both main political parties do not seem to understand what planning should be about. The present gestures will do nothing to prevent rioting in 5 years' time when the housing pressure is still too great. The proposals by Land Securities to convert Portland House to residential is because to upgrade the offices would cost more. The addition of some balconies and other cosmetic changes will not contribute to London's infrastructure nor provide for the currently resident population for whom the new flats will be unaffordable.

Roy Pinnock said however that most schemes will however still require permission for works resulting in associated conditions and obligations. He thought that a further source for housing growth would be by shrinking back town centres oversupplied with shops.

Mirand Housden thought that the current housing crisis will not be helped significantly by the proposed new measure.

Michael Bach said the experience he had gained from a research paper he commissioned was that to achieve the desired result would mean relaxing the system over such a wide area and for

such a long time that it would be politically unacceptable. In practice the proposal in three years will do little to ease the housing shortage or assist the economy. BW disagreed saying its benefit would be in a release of value. MB thought that paragraph 51 of the NPPF would achieve this.

Alfred Munkenbeck saw it more simplistically as reducing employment and providing more housing where the market chose to do it. He could therefore not see the problem.

The discussion was drawn to a close at this point.

Pros and Cons of Development without Adopted Development Plans, almost no Guidance and with re-simplified application forms: a general discussion of planning regulation

The Chairman welcomed **Roy Pinnock of SNR Denton** to introduce the item. Roy explained that the law firm, formerly Denton Wilde Sapte is now SNR Dentons and about to become simply Dentons.

He said that now with little guidance adopted development plans were likely to "go pop", although London had the nuclear shelter protection of the London Plan.

In general the amount of environmental regulation is out of control and the government's argument is that this should be ignored in favour of entrepreneurship and positive planning. The critical task is to break down this entrenched position to improve the quality of development with better plans and better value from the system.

The requirement is for up to date plans, as prescribed by the National Planning Policy Framework (NPPF) which is itself something of an oddity seeking to put a gloss on the statutory regime. Adopted development plans are now subject to this to take account of those things which the decision maker considers important. It replaces the approach by Labour which was well meaning but turned the process in a pseudo science and took far too long, almost missing a complete development cycle. Many local plans are now out of date against NPPF criteria. They do not meet housing needs in full for the whole >>>

Attendance at GLA City Hall The Queen's Walk, London SE1 2AA, on Monday 4th March 2013; our host was Colin Wilson

Brian Waters: Chairman

Alastair Gaskin: Reagh Consulting

Alfred Munkenbeck: Munkenbeck + Partners

Andrew Rogers: Association of Consultant Architects

Bob Dolata: Formerly London Borough of Hackney

Brian Whiteley: LB Hillingdon

David Bradley: Former Honorary Secretary

Duncan Bowie: University of Westminster

Giles Dolphin: Formerly GLA

Jonathan Manns: Colliers and RTPi

Judith Ryser: Isocarp/Ugb/Cityscope Europe

Lee Mallett: Regeneration and Communication

Michael Coupe: London Society and Coupe Planning

Miranda Housden: ICE and Former RIBA

Michael Bach: London Forum

Roy Pinnock: SNR Denton

Sizhe (Helen) Chen: UCL and guest of David Bradley

Tom Ball: London Forum

Drummond Robson: Honorary Secretary and Robson Planning

Apologies were received from Dalia Lichfield, Martin Simmons, Michael Edwards, Peter Eversden, Sir Peter Hall, Ron Heath and Tim Wachter. Emma Fitzgerald and Riette Oosterhuizen are both on maternity leave.



of the plan area or for the complete development cycle. The emphasis is moving towards providing adequate infrastructure planning, in the form of CIL. The two examples of Wandsworth and Mid Devon however seemed planned to fail since CIL is likely to be at the expense of viability or adequate provision of affordable housing.

RP described the Linden Homes Bromley case (See Outlaw description below)

"House builder Linden Homes applied to modify part of Bromley's development plan, which sought to limit the number of units on a railway site despite a bank report concluding that Bromley's proposed figure was financially unviable.

Linden Homes owned land at the 'Railway Site'. The Inspector's report concluded that the development plan was "sound" and did not consider the evidence from a bank report which rendered the 250 unit limitation on the railway site financially unviable.

Although the bank report gave evidence to show that 250 units would make the development unviable, the Inspector concluded that if 250 units were built, the local authority's overall housing targets would be met. The local authority subsequently adopted the plan.

Linden Homes argued that the development plan was not sound because it was financially unviable. The developers further argued that the Inspector had failed to take account of the evidence base in reaching his conclusions.

The court ruled that the development plan was not sound and would require modification to make it compatible with the statutory requirements."

RP questioned whether the plan generally delivers on its promises – is it planning to fail or to succeed.

A key requirement of the NPPF is the duty to co-operate (paras 156, 159 and 178-181) The

North London Waste Plan fell apart for failing to do this. Leicester and Northamptonshire are not agreeing to co-operate. This will become an issue after the NPPF's first birthday on 27th March 2013 when little weight will be given to adopted policies. Paragraph 215 says that where there is a conflict with NPPF after then use the NPPF. Paragraph 14's presumption in favour of sustainable development will tilt schemes more in favour of permission since the definition excludes the first three pages including the Brundtland dictum.

By contrast SPDs do not have to be scrutinised in the same way as DPDs. In the Wakil case what was claimed to be an area action plan was considered by a judge to be in fact part of a DPD. Many authorities are aware of this. Hammersmith and Fulham cancelled a lot of guidance but following the Taylor report it is likely this will come back. Formerly there was far too much guidance now there is too little. PPS1 2005 guidance is still there even though PPS1 itself is not. Viability and vitality of town centres is still there from PPS4.

The mayor's CIL has been severely criticised by Stephen Ashworth on viability grounds.

Eric Pickles was forced to review abolition/revocation of regional plans in the light of the Cala Homes case.

Simplification of planning applications. Outline applications have recently been made easier and no longer requiring detail layout and scale. Environmental impact however still remains a challenge.

A severe emerging question is the staffing of development management teams and the capacity of local authorities to undertake this work. Planning performance agreements are increasing the scope of application work to be undertaken by the private sector.

Andy Rogers asked about a case in Tewkesbury of prematurity where permission was granted for

a scheme which the judge considered would not prejudice the emerging core strategy since the Council had not demonstrated a five year housing supply.

Michael Bach thought that what Roy Pinnock had described showed an argument for slowing down. Too much guidance is giving way to a rag bag. Experts are saying we do not need this in their desire to attract growth. He asked that where the NPPF is silent on something where do people look for guidance – suggesting that they turn to previous guidance.

Mike Coupe thought PPGs and PPSs to be very valuable and that Taylor was looking at restoring these as part of local plans.

Infrastructure planning is becoming tougher and a growing requirement of the earlier stages of plan making. Councils are required to introduce their CIL regimes by 2014.

AOB

Baljit Bains had indicated that following her previous presentation and having now left the GLA she would be happy to act as demographer in residence to the Forum. This was warmly welcomed.

Next Meeting.

The next meeting is to be held at Colliers 50 George Street London W1U 7GA on 10th June 2013. Jonathan Manns has arranged it and our host is Mark Charlton Head of Research and Forecasting. ■

Next meeting of the London Planning & Development Forum

- at Colliers International, 50 George Street, W1U 7GA. Our host is Mark Charlton head of research and forecasting
- Monday 10th June 2013 at 2.30pm
- Discussion topics: see planninginlondon.com >LP&DF

Visitors are welcome. Please notify the Hon Secretary Drummond Robson at robplan@btconnect.com



Red Tape Challenge

After nearly three years of reform of the Planning system, the Government appears still to have the appetite for more, says Roger Hepher

Lord (Matthew) Taylor and his working group have for some months been working on updating and condensing planning guidance in the wake of the NPPF. Now, DCLG have launched their contribution to the Red Tape Challenge (RTC) – a Cabinet Office initiative to eliminate unnecessary administrative and procedural regulations and to consolidate others.

The RTC focuses on 179 planning regulations, and was the subject of a consultation exercise from late January to early March. Roger Hepher of Savills and Mike Kiely of L B Croydon/Planning Officers' Society are the Champions for the private and public sectors respectively; they have held discussions with many industry and professional groups.

The results of the consultation are still being analysed, but early indications are that around half the regulations have the potential to be scrapped or consolidated. Furthermore, the exercise has resulted in many other suggestions about ways in which the Planning system might be improved – everything from deemed consent for reserved matters after say two months, to consolidation of the primary legislation.

It is as yet unclear which of the suggestions will be taken up by DCLG, especially given that there are now only about two years left before the next General Election, but they are moving fast to progress things before the summer recess. ■

Roger Hepher is head of planning and regeneration at Savills and one of two 'sector champions – see right.



Planning Administration: Sector Champions

Mike Kiely



"When I first went into planning, the 'Encyclopedia of Planning Law' went to 4 volumes; it is now 10. This is an opportunity to thin it down. The Red Tape Challenge wants to get rid of what's no longer needed, to consolidate the bits that have frankly got out of hand and to amend the stuff that could just work a bit better. We won't get back to 4 volumes, but let's try and thin it out as much as we can while ensuring that we keep what is needed."

Mike Kiely is a chartered town planner with over 37 years' experience in local government. In 1974 he began his career at the Greater London Council and then continued to work in local government planning. Most of his career has been in Development Management, but he has operated in all aspects of planning over the years. Mike has worked for four London Boroughs (Bexley, Waltham Forest, Tower Hamlets and Croydon) and outside of London, for Maidstone in Kent and Havant in Hampshire. In 2001 he joined Waltham Forest as Development Control Manager and in 2004 was made acting Head of Planning and Transportation. He moved to the LB Tower Hamlets in 2006 as Service Head Development Decisions, before coming to Croydon Council in 2008 as Director of Planning & Building Control. He is currently Senior Vice President of the Planning Officers' Society, chair of POS London and a member of the Royal Town Planning Institute.

Roger Hepher



"Although we've lost a certain amount of red tape since 2010, there's still plenty around. This government is giving all those interested in the planning system an unprecedented opportunity to clear the decks of unnecessary rules and regulations that remain, and to address the bits previous initiatives have missed. I urge everyone to spend a little time thinking about what they would like to see removed and also consider what should be retained, and respond to the consultation."

Roger Hepher is a Chartered Surveyor and Chartered Town Planner. He has over 30 years' experience in Planning in the UK, having worked in local government and the private sector. He is currently a main Board Director of Savills UK, and heads the company's Planning Division – one of the largest planning consultancy teams in the country, with 60 professional staff in London and another 120 in 15 other UK offices.

Roger has a wealth of professional experience, having acted for landowners, developers, retailers, sports clubs, public sector and third sector organisations in relation to most types of property in most parts of the United Kingdom.

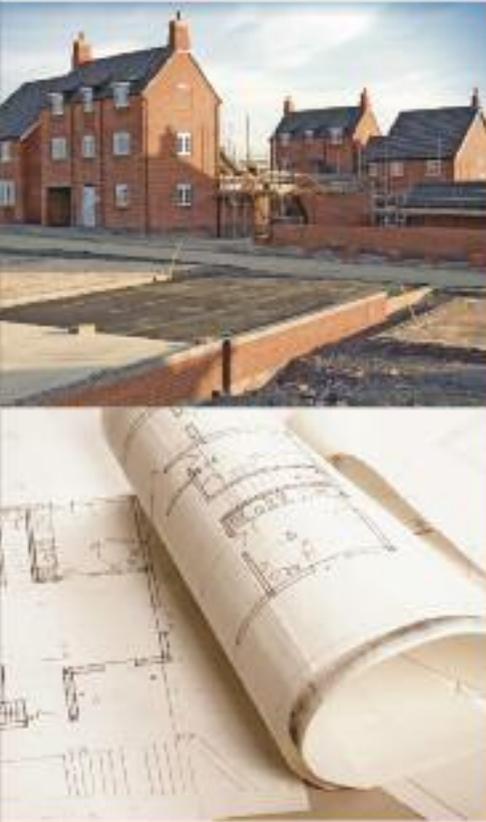
He is active in the affairs of the Royal Institution of Chartered Surveyors and the Royal Town Planning Institute, is on the Planning Committee of the British Property Federation, is a corresponding member of the Planning Group of the Royal Institute of British Architects, and was a member of the Government's Planning Bounding Board. He is a regular speaker at conferences, and contributor to the professional press.

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Still no National Planning Policy Statement on transport

It's not just political sanctions and expediency that matter: it's the meaning of words says Andy Rogers

Crossrail, Orbirail, Aviation Hub, HS2, Crossrail 2 and now the Cyclist Crossrail.... all these buzzwords and still no National Planning Policy Statement on Transport, after almost five years.

While the Infrastructure Planning Commission has been somewhat amended by the current government since its basic inception as part of the Planning Act 2008, the requirement for nationally agreed strategic policy statements on the major facets of our country's infrastructure that allow it to operate properly remain – and is uniquely deficient in respect of the all-important subject of transport*.

Which leads me to suggest that it's not just political sanctions and expediency that matter: the meaning of words is especially important when dealing with planning matters (as opposed to the importance of the visual when dealing with design). For example:

There is a critical difference between **Policy** and **Guidance**. The National Planning Policy Framework does not of course include Guidance (technical advice) alongside Policy (preferred direction), except in respect of flooding and minerals, despite the cancellation of all the old Planning Policy Guidance documents. Lord Taylor and his team are currently in the process of remedying this omission...

There is a fundamental difference between a **Presumption** and a **Requirement**. So the NPPF has a presumption in favour of sustainable development unless there are significant adverse impacts, not – as many opponents seem to have assumed – a requirement that any old sustainable proposal must be approved.

The **duty to co-operate** does not automatically imply a duty to agree. In fact there is ample evidence in the view of this old cynic that some London boroughs would prefer a duty not to co-operate.

There is an important difference between **Countryside** and **Green Belt**. If only the dis-

inction between the two were properly understood – perhaps the wilder excesses of some anti-development bodies (and the media) would be more likely to make sense.

And there is certainly a difference between **Landscape** and **Trees**. Although reading the standard planning conditions that are often trotted out in respect of landscaping, this also is not understood.

There are key differences (often subtle) between **Need**, **Demand** and **Targets**. While targets are artificial and can be meaningless – and very often pursued with mindless zeal – need is real and justifiable. Demand on the other hand is the commonly ignored requirement for development by those who are unfranchised.

There is an important difference between the **Local Plan** and **Plan Documents**. Paragraph 153 of the NPPF got to grips with this ("Any additional development plan documents should only be used where clearly justified"), but whether planning officers really understand the difference when quoting from out of date plans or unadopted Supplementary Planning Guidance is not at all certain. While the former (not the 50 per cent adopted but the 90 per cent unsound after 27 March) may have some limited weight, the latter rarely pass through the full examination procedures required and even if adopted now have very little weight.

There is also a difference between **Statistics** and **Facts**.

A simple example is the statistic often produced that, say, 80 per cent of an authority's planning applications are allowed, forgetting that for this statistic to be sensible the applications that are withdrawn should be included and those that are for discharge of conditions or extensions of time should be excluded. Other examples are legion – pick your own.

There is surely a big difference between **Threat** and **Opportunity**. To a concerned neighbour or a committed NIMBY, the opportunity to provide additional housing may well

"Those jackal taxi-drivers can only swear and cuss
Behind that monarch of the road,
Observer of the Highway Code,
That big six-wheeler, scarlet-painted,
[Transport for London] ... Omnibus."

– Flanders and Swann: *At the drop of a Hat*

be a threat.

And finally, is there really a difference between a **levy** and a **tax**? As in Community Infrastructure Levy compared to Development Land Tax. In reality I think not.

The message here is that it's important to understand the meaning as well as the intention when using words: *'there's a nice knock-down argument for you ... when I use a word', Humpty Dumpty said in a rather scornful tone, 'it means just what I choose it to mean – neither more nor less.'*

Your compelling justification of a controversial scheme at appeal, by its careful use of words (and written appeals are now much more common than hearings and inquiries), might win the day: you could find that a nice knock-down argument in fact results in a permission.

* While NPPFs have been published (or in two cases in draft) for Overarching Energy, Renewable Energy, Fossil Fuels, Oil and Gas Supply and Storage, Electricity Networks, Nuclear Power, Ports, Strategic Rail Freight, Waste Water Treatment and Hazardous Waste, those for Transport Networks and Aviation are still awaited (in any form)



"Please Andy, no more references to Alice and Humpty Dumpty" – LEE MALLET Editor, PII Yearbook

What London could learn about regeneration from Paris

The two capitals share common challenges. There are Continental models from which London could benefit explains Nick Falk

Londoners are so used to thinking about Paris as a unique city – a combination of their fine boulevards and fancy cultural attractions – that we can easily overlook the common challenges our two capitals face. These include not just high levels of immigration and social polarisation that have culminated in riots, but also large areas afflicted by the loss of traditional industry, and the need to attract new roles and investment. In drawing lessons from last year's study tour by the TEN Group – planners and developers who are committed to learning from best practice – we were struck by the similarities of some of the suburban districts along the river and canals with areas such as the Lea Valley in East London that still feel poor relations and suffer from social exclusion (a term coined in France), and the potential lessons for strategic planning and infrastructure funding. I have therefore sought to suggest four issues where further comparisons could pay off.

Quality infrastructure

While London is at long last getting Crossrail and Thameslink, which should make life better for commuters, Paris has enjoyed its RER or regional transport system for decades. Double deck trains, an upgraded Metro system, and some eight new tramlines around Greater Paris are connecting up the suburbs, and opening up development opportunities in former industrial areas. We saw in Paris Nord-Est, how BNP Paribas (the big bank that is now building offices in Kings Cross) were completing a superb mixed use development at ZAC Claude Bernard. The bank said that the development made sense as they knew the government of Paris was committed to developing the area close by, North of La Villette where old slaughter houses are now a fine park and a new tramway was being tested out.

Paris is also better connected with other French cities through the TGV system which runs on dedicated lines. While railway lines in London are often a barrier to movement, the cutting into Gare de l'Austerlitz has been covered over, to create a massive development site of 130 hectares running all the way from the National Library (a dismal area) to the Périphérique. A new university has reused the old industrial buildings, and the area now promoted as Paris Rive Gauche with its memorable open spaces compares well with any of the high profile developments such as Paddington Basin or Kings Cross.

Strategic planning

France has managed to build a much better infrastructure not just through investing much more in transport and energy sys-

tems, but also through joining up infrastructure and development. Instead of relying on private developers or landowners taking the lead, local government has led the way. The contrasts clearly emerged in our discussions with the planners responsible for La Plaine St-Denis, an old industrial area in a state of transition. They explained how, by combining seven different municipal planning teams, they had achieved much more influence at a regional level. The process started with the regional planning body, the Institute d'Aménagement et d'Urbanisme de l'Ile-de-France, setting priorities in the Schema Directeur. Projects are identified at a local level and bid to become part of the regional masterplan. Once accepted there is chance of being taken up in the next investment plan (Contrat de Développement Territoriale) which releases the funds for engineering and feasibility studies.

There is a priority on integrating development areas with the surrounding areas. Paris Rive Gauche has not only connected the inner city area of Ivry-sur-Seine with the river, but also links it to the Parc de Bercy on the other side with an exciting footbridge.

By defining ZACs (Zone d'Aménagement Concertés) public investment secures a much greater impact than many of our development projects. It may also explain why the pace of development seems so much faster, with little of the opposition that holds back progress in London. The process was easier to understand than the British approach, and seems far more contractual and less adversarial, with lawyers playing a small role, and urbanists a much larger one.

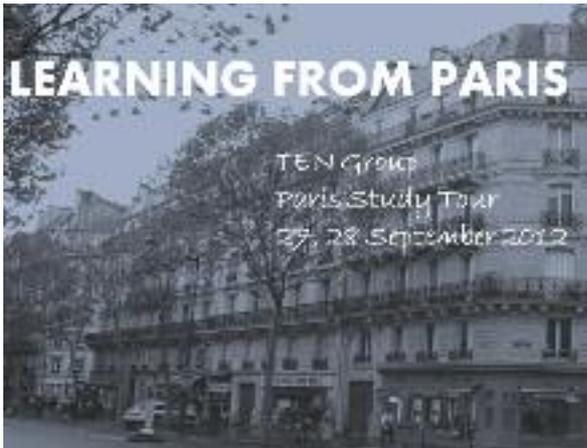
Development partnerships

For many decades France has been using Societe Mixtes, led by municipalities, to achieve what we have tried to do through Development Corporations and public private partnerships. The main difference is that the French partnerships are established by municipalities, not the central state, and outlive political shifts. We learned how the massive remodelling of Paris Rive Gauche had been achieved through a body that initially brought two adjoining districts together plus SNCF, the French railway company. Many mayors later, the Deputy Chief Architect was still in charge of a team of eleven architects for each sub area, negotiating with private developers to implement the approved masterplan.

Funding is easier because the French are able to tap the Caisse des Depots, a public investment bank which specialises in lending to municipalities. Unlike most British financial institutions they have the in-house expertise to assess complex projects, from energy systems to tourism. Funding for light rail



Dr Nicholas Falk is founder director of URBED



projects is also greatly aided by the Versement de Transporte, a charge on employers' payrolls towards improving public transport. 70 per cent of the funds are raised regionally, and with the main utilities under public ownership it is generally easier to secure cooperation, and thus keep costs down. Indeed part of the enthusiasm for tramways has been to use some of the energy generated by atomic power stations.

Green space

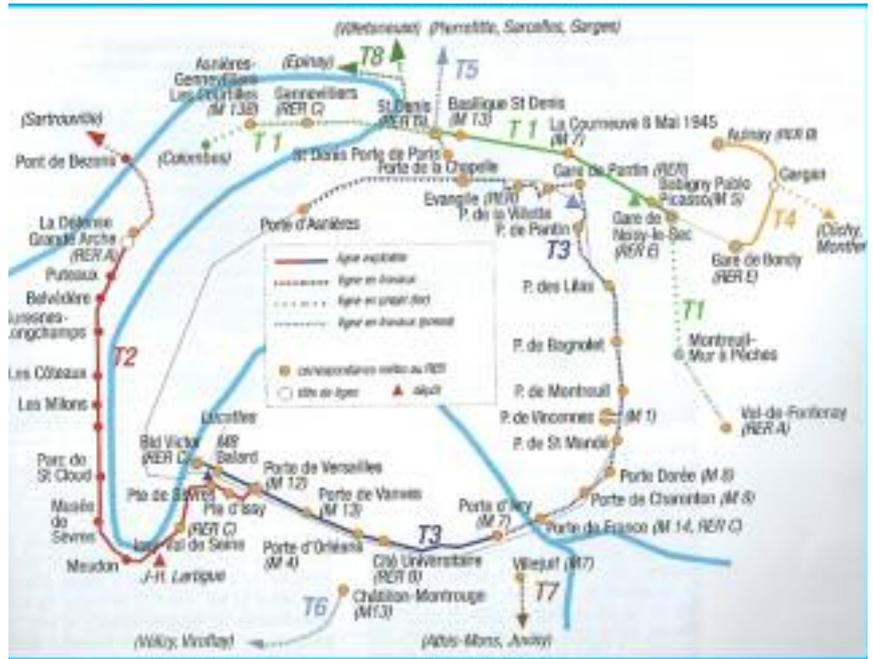
One more lasting impression was the quality being achieved in the public realm, and particularly in new parks and open spaces. By rethinking the relationship between town and country, and going beyond our rigid concept of 'green belts; countryside is percolating through new developments. In Paris Rive Gauche every resident lives within 400 yards of a public garden. The concept of 'open blocks' is a great advance over both isolated tower blocks (which are generally rejected), and perimeter blocks, as it makes walking and cycling so much more pleasant.

Another good example of the new Parisian approach to open space is the linear park along the Viaduc des Artes, which connects up to the Bastille, and the basin where you can get a canal boat up to La Villette. This pioneered the approach that has proved so popular in New York, and again opens up pleasant vistas and recreational opportunities for the residents of the high density apartment blocks that have been developed alongside.

Conclusions

Paris is now closer to London than many provincial cities, language is no longer the problem it once was, and a host of exciting development projects are underway or complete. So why is London not paying more attention to one its main competitors? We are deluding ourselves if we think we have all the answers, or that models that work well in Continental Europe cannot be applied here. With regeneration grinding to a halt in many areas, and no practical mechanism for combining transport and other forms of investment except for Section 106, surely it would be worth spending a little more time discussing common problems and comparing alternative ways of managing and financing urban regeneration in our capital cities? ■

The full report is available on www.urbed.coop. Also look at Nick's blog <http://postcardfromthefuture.wordpress.com/>



TOP: Plan of tramway network from Connaissance Rail edition Les Tramways Francais in 2012

ABOVE: Space has been gained by bridging the railway lines into Gare du L'Austerlitz

BELOW: In the Massena quarter of Paris Rive Gauche the university has reused old structures and is surrounded by mixed use buildings and parks



London offices and the tech boom

Guy Grantham on the implications for the tech boom taking place in London

The technology and media sector's contribution to UK GDP is set to grow considerably over the next five years and at the heart of that is the tech boom taking place in London.

Technology demand is driving absorption of office space in the Central London office market and help to harness the potential of new 'villages' within the wider commercial environment. The emergence of the tech and media sector as a key driver of demand for office space across London is no longer confined to the West End market. Shortage of space is forcing tech occupiers to look at less traditional 'media' style space. Tech companies are being forced to take more functional office space with a view to reconfiguring the offering and putting their own stamp on the units.

Understanding the requirements of both blue chip tech occupiers and start-ups is becoming an essential part of landlords and developers' metier. Addressing current space requirements, as well as looking at the influence of rental ceilings and thresholds for tech occupiers, in established as well as up-and-coming locations, will be vital in targeting appropriate tenants. In addition, developers will be challenged to create an offer that will be commercially viable, flexible and cohere with the needs and aspirations of the occupiers.

There is increasing evidence amongst blue chip tech occupiers that they are becoming less resistant to above average rental tones. Across all business sectors, occupiers' priority, when assessing requirements, is with the building and specification rather than a traditional belief that location is the overriding concern. Supply shortages for best space mean that flexibility in terms of geography is now a given.

London's digital economy

The importance to the UK economy of the technology and media sector is becoming increasingly apparent. Central Government is apt to try and harness the potential of the latest growth industries after the horse has bolted but even Westminster and City Hall have been quick to climb aboard the tech bandwagon at an early stage and seek to augment its evolution.

Independent forecasts suggest that Britain's GDP assigned to tech and media is only set to grow over the next five years (see Figure 1 below). Estimates show that the tech sector could generate over 12 per cent of British GDP by 2016.

Give me space!

Space is the key at the moment. Traditional 'creative' space, so favoured by tech start-ups and more mature operations, is not being supplied fast enough. Over the past two years tech occupiers in the city of London, while certainly focussed on the Clerkenwell / Old Street areas, have increasingly begun to look at more traditional service sector office space found in the city



Guy Grantham is director of research & forecasting at Colliers International

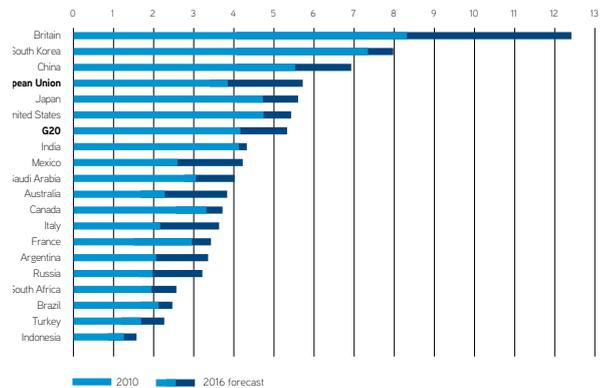


Figure 1: Internet's Contribution to the Economy (% of GDP)

Source: Boston Consulting Group

core (see Figure 2 below). Groupon's decision, late in 2011, to take 40,000 sq ft of managed office space at Seal House, EC4 is a prime example of such decision making and typifies the more flexible attitude being adopted by 'growing' companies in the tech sector when it comes to location and type of accommodation.

Figure 2: City Tech & Media Deals 2007-2012



Source: Colliers International

Tech companies are now looking at more functional office space that can be branded to suit. A non-core location in the West End that exhibited such a trend is Paddington. Splunk, Nokia and TRG have all taken conventional modern office space and have successfully 'fitted -out' the units they occupy to put the companies' own personal stamp on them. Occupation levels within the Old Street area have risen rapidly over the past 12 months and sizeable requirements, anything above 15,000 sq ft are finding it difficult to secure space. Intuit Technologies, who had a 16,000 sq ft requirement, has opted for brand new space in Victoria, away from the traditional and emerging tech heartlands.

While there are future prospects of a tech hub at King's

Cross, for SMEs, there are no current opportunities due to the nature of the area's evolution and phased development. Google, who is always keen to demonstrate its dedication to emerging locations where regeneration is a key component, has committed to a major build-to-suit scheme at King's Cross. Smaller occupiers have no such flexibility and will increasingly have to adapt to what is available in the market place.

While the West End is seen as the traditional focus of the tech and media sector, the past few years have seen a shift, not only to the new locations in the northern / eastern parts of the City of London but also within the West End villages themselves. Figure 3 below shows the relative changes in the total amount of office occupied by tech companies between 2009 and 2013.

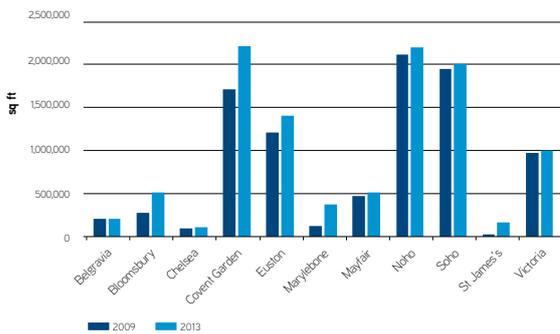


Figure 3: West End Villages: Occupation of office space by Tech Companies
Source: Colliers International

Availability of product, or the lack of it, coupled with rising occupational costs both in terms of rental levels and business rates, has been a major driving force in the dispersion exhibited in the tech sector since 2009. The size and scale of some of the new media requirements has necessitated a far more pragmatic and footloose approach to finding new premises. Occupiers are now focussing far more upon building specifics rather than locale meaning that, non-traditional media villages and emerging locations such as Euston, Marylebone and King's Cross are now very much on tech occupiers' radar.

The total annual number of tech and media transactions has grown for the third successive year (see Figure 4), reaching 215 in 2012, denoting a rise of 23 per cent year on year. Tech companies are continuing to drive the occupational markets and remain the largest single business sector in terms of demand across Central London. Given the shortage of appropriate product in the traditional media heartlands, tech occupiers are more receptive than ever before to a 'building centric'

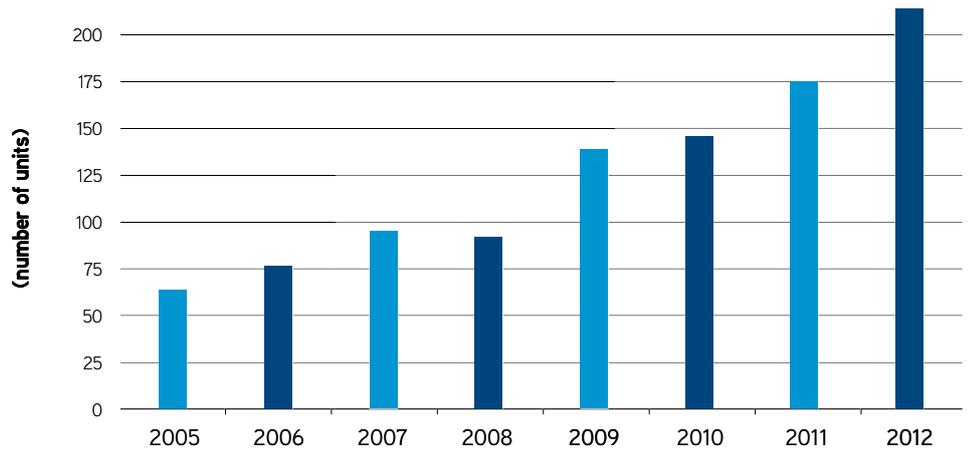


Figure 4: West End Tech and Media Take-up by number of units
Source: Colliers International

approach rather than being driven solely by geographical factors. With occupational levels rising in established media enclaves, space adaptability in non-traditional locations will be paramount.

While there is much to be positive about with regard to tech demand and the increasingly footloose nature of many occupiers within the sector, there remain a number of key issues that London as a global media hub is still getting to grips with. Funding constraints - London has 81 per cent less later stage funding than Silicon Valley; power supply and bandwidth limitations - while many tech occupiers are happy to locate in more economical, second-hand and characterful office space, older warehouse-style units are unlikely to be 'geared up' by landlords in advance because of the costs involved.

Further, the biggest threat to London as a start-up community is rent. Occupational costs for occupiers, while still a relatively small cost in terms of total overheads, can still be a very sensitive issue for tech occupiers, particularly at the start-up stage. Equally, young tech-professionals who are attracted to the vibrancy and cosmopolitan nature of life in London, want to work, socialise and live as close to the heart of the metropolis as possible. The clash between provision of office space and residential accommodation, particularly in the core tech areas of Shoreditch, Old Street and Farringdon is a struggle that will need monitoring.

Yahoo's recent announcement to ban homeworking will lead to more staff at their desks. Consequently, Yahoo's space requirement is up from 25,000 sq ft to 68,000 sq ft. Tech continues to grow. Expedia has taken an additional 20,000 sq ft at the Derwent London's Angel Building, Wonga is looking for 30,000 sq ft of expansion space and Amazon is close to agreeing terms on AXA's entire Sixty London scheme in Holborn, comprising 210,000 sq ft.

Much of the most profitable and productive work is still being done face to face. Accordingly, landlords and developers need to have a clear understanding of the profile of the typical, emerging and established, footloose tech occupier and given the current importance of 'building' over 'location' be fully cognisant with the tenant expectations and priorities. The tech sector is set to drive demand in London for some time to come and availability of suitable product will be paramount. ■

Adam Pyrke, Head of the London Planning team at Colliers International:
"As with so many sectors, the challenge in London is to find the right space at the right price. Residential values are seeing available office space squeezed but this in turn helps push demand into fringe areas, spreading the regenerative benefit of a strong central London economy".

Jonathan Manns, Associate Director of Planning at Colliers International:
"Advanced manufacturing and technology sit at the heart of the growth agenda, both at a national and London level. Demand from the tech sector will support short-term delivery of quality commercial stock on a site-by-site basis across the city but also suggests clear longer-term opportunities for Borough's taking a "smart" approach to large scale regeneration, such as at the Greenwich Peninsula or Royal Docks."



To ban or not to ban home working?

Paula Wynne asks "Will the thought of potentially losing talented workers encourage businesses to factor remote working into their plans?"

The news that the CEO of Yahoo, Marissa Mayer, has now banned home working has angered the company's employees who currently work this way. As all of us happy home workers know, the ability to do your job from your home environment, whether full or part-time, brings many benefits, not least allowing you extra time to work by cutting out the tedious commute!

In the memo to her employees Mayer states that "We need to be working side-by-side. That is why it is critical that we are all present in our offices. Some of the best decisions and insights come from hallway and cafeteria discussions, meeting new people, and impromptu team meetings. Speed and quality are often sacrificed when we work from home. We need to be one Yahoo!, and that starts with physically being together."

There have been many counter-arguments that have sprung up from Mayer's forthright decision, but one that has resonated soundly with myself, and fellow long-time home worker Ken Sheridan. As the co-founders of Remote Employment and iHubbub, two business ventures promoting home working we have always been pro-remote working views.

Even Sir Richard Branson responded to a news report of the Yahoo decision by saying that to successfully work with other people, you have to trust each other. A big part of this is trusting people to get their work done wherever they are, without supervision. He said that this policy has served Virgin and many other companies well over the years. We find this too. If you trust someone to get on with their work and see their productivity outputs you know they're doing their job.

Branson, who is the founder and chairman of the Virgin Group, stated 'Yours truly has never worked out of an office, and never will,' to the cheers of home workers everywhere!

Ken Sheridan notes that there are few commercial challenges that cannot be overcome whilst working from home, plus a few that office working fails to address.

'Yahoo is taking a backwards step in an age when remote working is easier and more effective than ever. The massive advances in technology enable home workers to keep in touch with their office and co-workers. Regular communication with internet tools such as Skype keeps anyone connected. At iHubbub we work with our team of remote workers this way, some in the UK and others as far off as France and Spain. Millions of companies, from start-up businesses up to corporate companies work with this way and are completely successful.'

Figures recently released from the Office of National Statistics show that in England and Wales the proportion of people working mainly from home increased from 9.2 per cent in 2001 to 10.7 per cent in 2011, further underlining the growing trend towards homeworking in the UK.

London saw the sixth largest increase in homeworking (4.5 per cent), with the South East and the South West being the

regions with the largest increases at 2.2 per cent and 2.1 per cent respectively.

Home workers have taken full advantage of the technological advancements of the last decade and removed the need to commute to a central office. This is more beneficial to workers living in rural locations as commuting distances would be longer than for their urban office counterparts – and there is a certain satisfaction to be gained from firing up your laptop in the morning whilst still in your pyjamas!

Our home business community iHubbub has seen an increase in people using their talents and passions to come up with fascinating business ventures, all the way from arts and crafts cottage industries via finance and IT home businesses through to people indulging their passions for animals with pet care franchises.

Flexible, home working hours can also prove of benefit to many companies that deal with customers or service providers who are in differing time zones. If, by working remotely, their staff are able to fit in other important commitments, many home workers are happy to work more anti-social hours than they would in a normal 9-to-5.

For example, by starting off early it is possible to get a couple of hours work filed away before sorting out the children (i.e. getting them up, dressed, fed and off to school or the childminder's). It's the same at the other end of the day; work can be stopped to ensure the children are picked up, fed and put to bed, and then recommenced during the evening. Working out of normal UK office hours means they can connect with people across the world when other companies have closed down for the day.

Recent research from Microsoft found that mobile working is already a deciding factor for three-quarters of UK workers when they are choosing a new job, but this is decidedly at odds with the paltry statistic that state less than a fifth of all UK businesses have a written flexible working policy in place. Many new mums (and home working dads) will already be aware of this as they struggle to find suitable, not to mention affordable, childcare to fit round their rigid working hours.

BT have stats to prove that productivity (home workers are 20 per cent more productive than their office counterparts), staff retention levels and, of course, environmental support all benefit from home working. Generally, working from a home office means far less distractions than if you are in an open-plan office, with your colleagues stopping by your desk for a gossip every time they pop to the kitchen to make a coffee!

Add to this a reduction in stress from a non-existent commute (no waiting on freezing platforms for delayed trains), and no worries over who is going to look after your suddenly sick child, and it is plain to see the positives of not being tied to a company office.



Paula Wynne is co-founder of home business community iHubbub.com

Could companies who allow flexible home working also inspire greater loyalty from their employees?

If your boss says yes to you working unsupervised, away from the office, then surely you will want to ensure their trust doesn't go unrewarded by working hard for them? One reason that many companies use for not allowing remote working is the inability to keep tracks on what their employees are doing; although with the plethora of ways to now stay in contact with them, that isn't really an answer any more. And surely managers are able to set targets that need to be achieved (just as they would do if the worker was in the office) and then could use these to ascertain whether the time spent working from home was productive or not? What did Sir Richard say again? Err, trust!

What about home workers who aren't connected to a large company? Do they run the risk of becoming cut off? Ken and I think not. There are plenty of ways for remote workers to remain connected to the outside world.

Ken says: "We run online networking sessions for our members and they are great at helping to generate ideas, as well as helping them to staying engaged with other professional home workers and home businesses."

We also work closely with them on Skype throughout the day making sure they are kept 'gathered' and within our team. You can easily see and feel if someone is not working and thus not performing. Distant and out of touch remote workers should be brought back in closer and nurtured to feel part of the team.

Century-old established, outdated working cultures and traditions broke down with the technology age. Adopting a modern day approach to our working lives has seen big leaps in productivity and competitiveness. This is even being filtered down to the workforce of tomorrow, with schools becoming increasingly aware of changes that will affect our children when they are ready to enter the workplace.

Wolverhampton's local council have set up the 'Learning2Go' initiative, which teaches IT skills using mobile devices as key tools for learning and interaction. Windows powered smartphones are used in the classroom, for homework and for the reading of e-books, and the scheme has been so successful in engaging the children with their learning that it is being rolled out across the UK.

Surely all this research is pointing plainly towards companies having to start shifting their stance towards home working? With the wealth of technology available to ensure a seamless transition to doing the same job in a different environment there are few excuses remaining for not allowing employees to work remotely, at least on a part-time basis.

There's a new generation heading this way; tech-savvy, mobile-working ready entrepreneurs who won't necessarily need the physical or logistical support of a large office-based company to bring their skills to the marketplace. It's not known yet what effect Melissa Mayer's decision to banish home working will have on the overall structure of Yahoo, but will the thought of potentially losing talented workers finally encourage businesses to factor remote working into their future plans? ■



ABOVE: Ken Sheridan and Paula Wynne in their home office

Paula Wynne is an award-winning online-entrepreneur and popular keynote speaker and co-founder of home business community iHubbub.com. She is author of the bestselling Create A Successful Website and Pimp My Site.

'Bedroom tax' will undermine efforts to encourage social housing tenants to work from home

The Government's new 'bedroom tax' will undermine efforts to encourage social housing tenants to work from home, Live/Work Network director Tim Dwelly has warned.

Under new rules which came into force at the beginning of April, social tenants deemed to have too much living space by their local authorities will receive a reduced housing benefit payment. The move is designed to free up underused social housing by encouraging tenants to move out of properties with more bedrooms than they need to live in.

However the move goes directly against the government's previously stated commitment to allow social housing tenants to work from home.

Launching a new guide to homeworking in social housing in

November 2010, the then housing minister Grant Shapps said that rather than waiting for tenants to come forward and ask for permission to set up their businesses, social landlords should make it clear to tenants that they will allow residents to work from home wherever possible.

However since moving from the housing portfolio to the chairmanship of the Conservative Party, Shapps has become a key advocate of the bedroom tax.

Live/Work Network director Tim Dwelly said: 'This bedroom tax will penalise low income homeworkers and undermines the whole thrust of the government's and Grant Shapps' stated commitment to encourage tenants in social housing to set up in business.' ■



Whose community infrastructure is it anyway?

Nigel Hewitson thinks that, unlike CIL, the New Homes Bonus really would allow communities to spend the money on “whatever the hell they want” and so incentivise development

The Government’s proposal to require the payment of up to 25 per cent of Community Infrastructure Levy (CIL) proceeds to communities to spend on infrastructure of their choice has caused concern within the property sector. The proposal, freely referred to as a “bribe” by Planning Minister Nick Boles when he announced it in January, is that decisions on the expenditure of 25 per cent of CIL proceeds in areas where there is a neighbourhood plan, and 15 per cent in other areas, will be made by the local community. The announcement was not particularly surprising. Proposals were published as long ago as 2011 indicating the Government’s intention that a “meaningful proportion” of CIL proceeds would come under the control of communities.

But where do the proposals leave developers, and equally importantly, local planning authorities in London? London developers are, of course, in the unenviable position of having to make potentially two CIL payments. The Mayor’s CIL was introduced on 1st April 2012. At the time of writing, two London Boroughs (Wandsworth and Redbridge) have adopted a CIL Schedule, and all but seven of the remaining 31 Boroughs have embarked on, and are at various stages in, the adoption process.

The Local Planning Authority Perspective

In some ways the proposals pull the rug out from under the feet of planning authorities – particularly those which have already adopted, or are at an advanced stage in the process towards adoption of, a CIL Schedule. The CIL Regulations require local authorities to take a very specific approach to setting CIL levels. They must assess the amount of development likely to come forward in the coming years, calculate the amount of infrastructure (school capacity, health provision, parks and open spaces etc) that will be needed to cope with additional demand generated by such development and thereby arrive at a charge (normally per square metre of floorspace) which will generate enough income to pay for the required infrastructure.

The short point is that this approach will produce just enough CIL proceeds to pay for the infrastructure considered by the local planning authority to be necessary as a result of development. It takes no account of the proposal to give 25 per cent of the proceeds to local communities. When he made the announcement, Nick Boles indicated that communities would be free to spend the money on “whatever the hell they want”, although subsequent statements have rather rowed back from this position to make it clear that expenditure may be on whatever infrastructure the community decides. The fact remains, though, that what the community wants to spend the money on may well not coincide with what the local planning authority has considered necessary.

The problem is magnified in London where, as noted above, in addition to the Borough’s CIL, there is the Mayor’s CIL to be taken into account. This is specifically intended to fund Crossrail

and was set using the same methodology as described above, so that the CIL level is designed to contribute just enough to fund the relevant part of the Mayor’s contribution to the cost of Crossrail. If 25 per cent of the Mayor’s CIL is given to communities, how will the shortfall be made up?

The Developers’ Perspective

Why should it matter to developers to whom CIL payments are passed, you may well ask? Surely, CIL is just a payment they have to write off as part of the price of getting planning permission? In one sense that is correct. But it misses an important point. The justification for the infrastructure payments under CIL is that introducing more development creates more demand for infrastructure. For example, if one builds a development of say, 200 two- and three-bed houses, inevitably a proportion of those houses will be bought by families, some with school age

The proposal stems from the Government’s firmly-stated belief, which underpins the localism agenda: that the reason people object to development proposals is because they can’t see “what’s in it for them”.

children. If existing local schools cannot accommodate these additional pupils then new provision (be that by way of extensions to existing schools or a new school altogether) will need to be made and this is precisely what CIL is intended for.

But what happens if the additional school places cannot be provided because there is a CIL shortfall as a result of 25 per cent having been paid to the community for other “nice to have” but not essential infrastructure? The answer seems to be that it will be more difficult to sell the houses. The availability of good schools is often a key factor in the decision-making process for home buyers with young children. Even if the local schools are excellent, if there are insufficient places available, it must be less likely that parents will be attracted to buy the houses concerned. The same sorts of arguments apply to other infrastructure: people will want a GP surgery with capacity to take them on as patients; they will want nearby public parks where the children can play and/or they can take the dog for a walk. If those things are not present because of a CIL shortfall, the houses will prove more difficult to sell, may need to be reduced in price, affecting profitability and, in a worse case scenario, could end up sitting empty.

The Planning Practitioners’ Perspective

The proposal stems from the Government’s firmly-stated belief, which underpins the localism agenda: that the reason people object to development proposals is because they can’t see



Nigel Hewitson is a partner and head of planning at Norton Rose

Chelsea Barracks soap opera

“what’s in it for them”. Give the community a direct say in how the CIL money is spent, so the argument goes, and they will not object to the underlying development proposal.

Does that analysis stand up to scrutiny? I, and many others in the industry, think not. Experience suggests that people object not because they can’t see “what’s in it for them” but because they quite like their neighbourhood just as it is, thank you very much, and/or they fear or are suspicious of change. That is an entirely legitimate viewpoint to take and it is the role of the planning system, when it comes down to it, to weigh the disadvantages of development to those directly affected by it against the benefits it brings to the wider community. On this basis there is clearly no guarantee that, just because the community stands to gain from development in some tangible way, they will not object.

Even if the Government’s analysis is by and large correct, it would be a mistake to think that communities speak with one voice. It is entirely possible that large sections, perhaps even a majority, of the community will be satisfied by, say, a promise to fund a new community centre but a minority, who perhaps don’t see a community centre as particularly desirable, will still object. However you look at it, if the intention of the proposal is to “buy off” objections, it is almost bound to fail on that particular score. Someone will object.

So What is the Answer?

Despite the fact that making payments to the community might not be 100 per cent effective in preventing objections, there may still be some merit in giving something to communities for accepting new development. It must be conceded that ensuring communities stand to benefit in a way that is meaningful to them is likely to at least reduce objections, thus smoothing, to some extent, the path of development proposals as well as increasing social cohesion. The key issue with the current proposal is that such payments risk being at the expense of essential infrastructure which would otherwise be paid for by CIL.

The answer may lie in the New Homes Bonus (NHB). The NHB is a payment to be made to LPAs when they approve new housing in their area. It is intended to be an incentive to local authorities to permit housing. The NHB scheme could be extended and adapted so that the community, rather than the LPA, will determine how a proportion of the NHB monies should be spent. This really would allow communities to spend the money on “whatever the hell they want” as there is no overriding policy reason why expenditure would need to be limited to infrastructure. That way we provide an incentive to communities to accept new development while leaving CIL payments intact and available to pay for the infrastructure new developments necessitate as intended. ■

It is now nearly six years since the Candy brothers and Qatari Diar acquired the prime 5.18 hectare Chelsea Barracks site. Since then there have been two planning applications, an intervention by the Prince of Wales, the Candys stepping away from the scheme and a high profile court case between them and Qatari Diar.

The eventual grant of an outline permission has been followed by over a year of inactivity that has culminated in Westminster recently delivering a very public ultimatum to the Qatari Diar to either get on with the scheme or let someone else do so.

On the face of it, the scheme should be relatively straightforward – certainly when compared to significantly more challenging neighbouring schemes such as Earl’s Court and Battersea that have been brought to life and progressed in much less time. Indeed QD themselves have built the Shard whilst all this has been going on. What therefore has gone wrong at Chelsea Barracks and what are the options for taking the scheme forward?

In 2007 the Candys won the tender to acquire the site for the eye-watering price of nearly £1bn. At the time that must have seemed to be worth paying for this unique SW1 site and the sale went through with QD’s backing. Lord Rogers was commissioned and a planning application for his modernist scheme was submitted to Westminster in 2008. The same year the Candys and QD parted company but with the Candys effectively retaining an overage based on the outcome of the pending application.

Then the Prince made his infamous intervention that resulted in QD withdrawing the application for the Rogers scheme in 2009. There was no certainty that the application would have been successful but its withdrawal led to protracted litigation as the Candys sought to claim the overage that they might otherwise have been entitled to. The litigation was eventually settled in July 2010 with a significant payment being made to the Candys.

QD had to start again and appointed Dixon Jones, Squire & Partners and Kim Wilkie Associates to come up with a revised scheme. Their more conventional proposal based around a central avenue with traditionally planned London squares containing up to 448 residential units gained a resolution to grant in June 2011 with outline consent following in December after completion of the s106 Agreement.

QD have until December 2014 to submit their reserved matters application for the first phase and thereafter until 2016 to commence development. No further progress has been made and QD had said in January this year that the whole project was under review because of the economic climate. Apparently QD have subsequently pledged their commitment to the scheme but this remains to be seen. QD >>>

Could the fear of ‘loss of face’ bring it on? Jason Tann sees a positive outcome



Jason Tann is head of commercial real estate at Pemberton Greenish LLP

Chelsea Barracks
continued >>>

are likely to have lost momentum because they have already incurred such significant, unanticipated costs in connection with the scheme that there is little if any profit for them in building it out. In addition the s106 obligation to pay commuted sums of up to £78m on commencement of and during development front-loads QD's expenditure even further.

For QD, this has to be weighed up against the costs and consequences of having to resubmit if the permission lapses in less than a couple of years time. Do they really want to go through it all again and pay CIL to boot? If it came to it they would have to just to preserve their land value.

If QD won't take the scheme forward can they be made to hand it over to someone who will? Given the generous s106 package there is clearly a public interest in the scheme progressing. That may be enough to put together a case for the

use of compulsory purchase powers by Westminster. That would require a great deal of political will at both local and central government level and someone else from the private sector to stand behind Westminster. QD also has the counter-argument that they do still have nearly two years to submit their reserved matters.

It is probably premature and politically undesirable for even the threat of compulsory purchase and I suspect that the waiting game will continue. It has been suggested that QD would never voluntarily sell as this would be seen as an admission of defeat. In addition, what would cause them a greater loss of face would be if they failed to deliver the scheme given the surrounding success stories. I believe that this, more than anything else, will ultimately bring about a positive end to the saga. ■

Who designs buildings, estate agents or architects?

Robert Adam argues that if something new is going to add value, someone has to recognise that it's good design

Who designs buildings? Lots of people design a building. The design is the end product of all their decisions. If architects think they're the principal designers they're deluded. They're way down the line. The main thing that makes commercial building is the market. Most design starts life as a formula for turning space into profit.

Architects can shuffle the space around and put a skin on it. Engineers can make it all stand up. Other engineers can make sure it's lit and heated. And quantity surveyors can tell you how much it'll all cost to build. But in the end they're all dancing to the difference between the site purchase price and the end-product sale price. And who advises on the site purchase price and who advises on the end-product value? Estate agents.

Development is a game played between estate agents. The cost of the site is offered through estate agents and negotiated between estate agents. What goes on the site is based on what estate agents reckon will make most money. Whoever buys or lets the final product is told the price is right by an estate agent. It doesn't matter if it's a house for an ordinary buyer or a city centre development, sitting at both ends of the deal is an estate agent. Everyone else is meat in the sandwich.

Estate agents don't just set value, they control design. They'll tell you how the office floors should be planned. They'll tell you what the office entrance should look like. They'll tell you what house types go where. They'll tell you how big the bedrooms should be. They'll tell you what a building should look like so that other agents will tell their clients that they should have it.

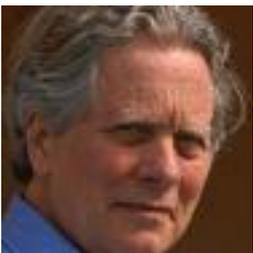
In a big-risk high-capital industry, estate agents are at the end of the line in the back-covering game. Developers have to show funders that they've checked out the commercial options. Buyers have to show investors that they're paying a fair price. Due diligence is estate agents' advice. As purveyors of high-value advice, estate agents have to be sure that no one

can come after them for over-egging the value. And the tricks of their trade have a major impact on design.

The best way to make sure you're fireproof is with comparables. If it can be shown that something similar sold or was let recently then that's a fact and it's provable. But this depends on two things, that it is similar and that it sold or was let. If what's compared as similar is not very good, then all the calculations are based on the assumption that the new design won't be any better. And if the buyer's advisors use the same comparables, there's no point in making anything better.

However good or bad, if a design sold well last month, the assumption will be that it'll sell well this month. Comparables mean advice is only as good as information from the last sale. This is an excellent way of making sure that nothing changes. It perpetuates the work of the same architects producing the same product over and over again.

Architects live on another planet. They believe not only that originality is good design but that it'll add value. But if something new is going to add value, someone has to recognise that it's good design. As value is left to estate agents, it's estate agents that'll have to recognise good design and put a value on it. This is a problem if estate agents don't understand architecture and architects don't understand valuation.



Professor Robert Adam is a director of Adam Architects

© Robert Adam, March 2013

A recent commercial building by Adam Architects, 192 Piccadilly W1



Achieving good design

In the film *Educating Rita* there is a wonderful exchange early in the film between Michael Caine playing the role of the University Professor Dr Frank Bryant and his budding student Susan (aka Rita) played by Julie Walters.

Caine Rita, you can't go on producing work as thin as this, not if you want to pass an exam.

Walters I thought that was the right answer. I sort of encapsulated all me ideas into one line.

Caine It's the basis for an argument but a single line is not an essay. You know that as well as I do.

Rita grabs the pen and after a few seconds represents her work to Caine

Caine What?

Walters I've done it.

Caine You've done what?

Walters Me essay.

Caine (*reading from the essay*) "In attempting to resolve the staging difficulties in a production of *Peer Gynt* I would present it on the radio because, as Ibsen says he wrote it as a play for voices, never intending it to go on in a theatre. If they had had the radio in his day, that is where he would have done it."

In seeking to achieve good design in our work at Quintain, we are often dealing with projects where there is a requirement for some form of Design Code or Design Framework. Occasionally such codes run to pages of good intent but run the risk of becoming a pattern book which in the wrong hands may only deliver a lowest common denominator.

The simplicity of Rita's essay answer is perhaps a useful



guide. How do you achieve good design? – Engage good designers.

At Quintain, through a selection process led by qualitative selection criteria and backed up by the quantitative (fee) and credentials, we engage with a broad range of designers across the spectrum from masterplanners, urban designers, architects, engineering, landscape through to interiors and graphics.

We make sure that we give the designers the best brief possible at the outset of the project and then evolve that brief iteratively during the design phases, through planning and up to the conclusion of RIBA Stage D / Final Proposals. This ensures that the definition of the Employers Requirements for the construction procurement process are as fully defined as needed whilst allowing for the constructive input of the contractors / constructors. The guiding design principles which Quintain sets out as part of the overall project brief are summarised on one side of A4 paper (*see box below*).

In considering these principles we also remind designers

Julian Tollast sees himself as a "Poacher turned Gamekeeper" being a trained architect turned developer. He explains his approach to design.

>>>

Ten principles for the design content of project briefs

Placemaking implemented by Quintain Estates, Development, Masterplanning and Design	4 Design in 3D avoid plan driven – elevated stack proportion as much as section architecture not elevational treatment as experienced at eye level as well as helicopter hero view	Weathering Estate and building management
1 Existing context Emerging and virtual context Physical, environmental, social and economic context	5 Design for manufacture Component based design Appropriate modules BIM for all	8 Design for occupation Moving in Moving out Lifelong
2 Urban Design Public to Private Realm Infrastructure Space positive	6 Design for delivery Recognise the form of procurement Robust and visually integrated not bolt-on / bolt-off	9 Memorable images Single defining image Context Architectural images People images
3 Design from the inside out and outside in District scale Doorknob scale Lessons learned, lessons shared and lessons applied	7 Design for longevity Commodity, firmness and delight	10 Defining features Would I live there / work there / shop there etc Will I be proud of what was achieved Added values; economic, social and environmental



Julian Tollast is head of masterplanning and Design, Quintain

that their work should activate all five human senses. Whilst sight may be the dominant stimulus for many, the more powerful memories are often those of aroma and acoustics. We may not yet have designed a building good enough to taste but the concept of edible landscapes is certainly something to consider.

In our two major London Urban Regeneration projects at Wembley and Greenwich Peninsula we are delivering substantial new areas of London with major elements of mixed use retail, commercial, leisure and residential. They are both projects which have been created through a period of time with masterplanning and planning frameworks and which are now well in to their respective delivery phases.

The context for any part of the overall design may involve a mixture of the real and the virtual. The sites may appear unconstrained but the history of each, together with the new and emerging physical and environmental constraints, have greatly shaped both projects. As we progressively deliver both projects, the infrastructure and public realm followed by the individual buildings shape the context for the next design.

Taking the respective masterplans, planning documentation and parameters, the multi-disciplinary team at Quintain effectively act as “guardians” of the future communities working in close collaboration with a broad range of stakeholders, statutory and non-statutory. The level of community engagement has grown over the years. This initially involved the existing residential, business and educational communities adjoining the developments together with the amenity societies.

We have continued to work closely with all of these groups and now have the benefit of the feedback from those people who now live, work, study and visit Wembley and Greenwich Peninsula. In both projects we have established estate and building management teams that help to feedback the “lessons learned” from one phase in to the briefing and design for the

next.

At Wembley and Greenwich we have benefitted greatly from the quality and consistency of our relationship with the respective Local Authorities - The London Borough of Brent and the Royal Borough of Greenwich. In both authorities we have worked closely with the leadership of the elected members and officers through to the case officers, design officers and Design Review Panels to ensure that the ambitions of all parties can be brought forward. At the wider London level, the Greater London Authority has played a full and proactive role both in planning, wider policy issues and, in the case of Greenwich Peninsula, as a major landowner.

Amongst all the facts and figures of development perhaps it is clearer to talk about the people. At Greenwich Peninsula, 25,000 people will live there, 24,000 people will work there and 23,000 people per event have been enjoying great nights out for the past 5 years. At Wembley the Arena and Stadium already bring over 4 million visitors per annum and now people are recognising the potential of the excellent transport connections as a great place to live. “Swell the dwell” has been an underlying principle that, with the opening of the London Designer Outlet later this year, will make the area between Wembley Park and Wembley Central a place to visit on a day-to-day basis as well as for major music and sporting events.

Both places have a very high profile in London and on a worldwide stage. Wembley has been synonymous with exhibition, event and celebration for over 100 years. Greenwich Peninsula is a more recent arrival to the world stage but has, through the great success of The O2, become a recognisable part of London. To some extent with both projects we are dealing with the delivery of “legacy masterplans”. In both cases Quintain has invested heavily in the physical and social infrastructure of placemaking and the buildings are now more rapidly taking shape. ■



DOCKLAND RULES. O.K !



A documentary film produced in 1978 and narrated by the broadcaster and journalist Benny Green chronicled the past, present and future of London's docklands. It marked the beginning of the extraordinary 'stop-start' roller-coaster ride of the regeneration of the Royal Docks. The film featured luminaries of that era including Sir Horace Cutler leader of the GLC, his planner and architect Fred Pooley, Environment Secretary Peter Shore (later Lord Shore of Stepney) and docklands developer and activist Ted Potts. The film was meant as an affirmation of the area's potential in terms of urban development, but the exclamation mark in the title could more presciently have been a question mark.

The Royal Docks were the last group of docks to be built between 1850 and 1921 and the last to close in 1981. Surviving both the Silvertown explosion in 1917 when a fire in a TNT plant damaged 60,000 houses and killed 73 people and the much worse devastation of the London Blitz of 1940, the sheer scale of the Royal Docks – a water area of nearly 100 hectares and a total estate of 440 hectares – meant that the pace of development could never match that of the much smaller Isle of Dogs. It came in a series of waves reflecting property booms and recessions. First City Airport was developed on the land area between the Royal Albert Dock and the King George V Dock by Mowlem in 1986-87. Originally a STOL (short take off and landing airport) it has been extended to allow the use of small jets. In 2011 it served nearly three million passengers and has a plan without the addition of a second runway to grow by 2030 to 8 million passengers.

That would require expansion of the terminal designed by Seifert Ltd and completed in 1987 that Pevsner described as a dreary shed. Then came Britannia Village and the Royal Victoria Dock Bridge to the south of the Royal Victoria Dock that was developed by the LDDC and Wimpey in 1994 –2000, along the lines of the master plan prepared by Tibbalds Munro. The yellow bricks buildings mimic London terrace houses but now look



somewhat dated. The East London University Docklands Campus designed by Edward Cullinan Architects opposite the City Airport opened in 1999. The student rooms are brought together in painted paired drums along the dockside in front of the main academic buildings. The ExCeL exhibition centre built on the north quayside of the Royal Victoria Dock opened in 2000. Phase II of Britannia Village (subsequently renamed Silvertown Quays) stalled and several schemes were shelved . This area was included in the Royal Docklands Enterprise Zone in March 2011.

So even now decades later there are extensive areas with waterside frontage still undeveloped. One current advantage is that governance is much simplified. The principal landowner is the London Development Agency, the regeneration and planning authority is the London Borough of Newham and the water assets are managed by RODMA (The Royal Docks Management Authority). What we see now broadly replicates the concept of a Water City for the 21st Century that was one of the eight alternative development options put forward in the seminal report "Docklands" by Travers Morgan published in 1973 and commissioned by the government and the former GLC. This was the only option that kept the bulk of the dock water areas and proposed market led housing together with hotel and leisure uses and a marina at the Royal Albert Dock. Prior to the report dock water areas such as in the Surrey Docks had been lost and filled for development.

After more than thirty years these delays may prove to have been a blessing in disguise. The physicist Geoffrey West has become well known for his theoretical work on the growth of cities and the parallels between urban areas and living organisms. Growth he asserts requires change and as population grows, major innovation cycles must be generated at a continually accelerating rate to sustain growth and avoid stagnation or collapse. Change in dense urban areas can be politically and socially best achieved in areas of decay or obsolescence. The Royal Docks could prove to be a laboratory for West's ideas.

Back in 2010 not long after leaving Birmingham City Council Clive Dutton the London Borough of Newham's executive director of regeneration, property and planning emphasised that in trying to accelerate development in the Royal Docks area, the emphasis would not be on developing "apartments in which no one is going to live" but "knowledgeable developments "to drive more people to Docklands. Early that year the Mayor of London had announced The Green Enterprise District including the Royal Docks to create a low – carbon economy region in Greater London. It coincides with the Lower Lea Valley and London Riverside sections of the Thames Gateway.

The flagship of the district (LEFT) is the Siemens Crystal

By a stroke of good fortune the 'stop-start' character of the regeneration of the Royal Docks has meant that there is scope in the area to respond to the pressure for innovation and growth, says Nigel Moor



Nigel Moor is the author of *The Look And Shape Of England: How Politics Has Influenced Its Appearance Over The Last Century* published by Book Guild Publishing (ISBN 9781846244391) and available on Amazon in Kindle format.



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pavilion located on the western edge of the Royal Victoria Dock. Opened last autumn this £30m investment from the German technology company combines research facilities, exhibition venue and visitor attraction and hosts Siemens' global centre of competence in cities. It marks the company's transition from a manufacturer of technological products to that of a provider of advice and expertise on sustainability on a global basis. The building hosts the world's largest permanent exhibition centre dedicated to urban sustainability and has both BREEAM outstanding and LEED platinum certifications. A visitor to the exhibition first heads upstairs to the Forces of Change theatre to watch three short videos on the challenges that face cities today and then heads downstairs to the main exhibition area. This includes eight zones demonstrating technological solutions culminating in the Future Life Gallery. Here a vision of 2050 is set out if urban sustainability is embraced. The glass clad prism sits aside other iconic buildings including the Millennium Dome across the river and Canary Wharf to the west with the ExCeL centre nearby. To the west of the Crystal is a large area presently used for industrial storage that is earmarked to accommodate the hoped for spin-off from the exhibition venue.

The architects Wilkinson Eyre are also the designers of the new Emirates Airline cable car that spans the Thames between North Greenwich and the Royal Docks. The cable over the river is supported by two 96 metre high towers and is capable of carrying 2500 people an hour. Attractive to tourists and businessmen travelling between ExCeL and the O2, critics assert that it does not significantly change London's lack of river crossings east of the Blackwell Tunnel. But since the Olympics it has already become a tourist attraction and on a sunny Sunday, I was impressed by the efficiency and speed with which the staff coped with the large crowds wanting to experience the unparalleled panoramic views of the City and Docklands from the cable cars with the O2 building almost virtually underneath. Already there is a spin off to hotels and cafes on

both sides of the river. Opposite the north station located on the Royal Victoria Dock planning permission has been granted for the 24 storey Pinnacle block comprising 161 dwellings and commercial and retail space. Construction is anticipated to start this year. Next to O2 one of Europe's largest hotel conference centres is proposed by developer Queensgate Investments.

Building magazine's architectural correspondent Ike Ijeh praises the "evangelical rigour with which the design of the Siemens Crystal reflects and responds to the ethos of its content" but some others are more circumspect. Writing in the *Evening Standard* architectural critic Kieran Long concludes "Until Siemens (or indeed anyone) brings some production, and some skilled work, to Newham, I'll reserve judgement on Newham's Green Enterprise District ". Although a major investment by Siemens, he cites the relatively low number of jobs created being the 150 people based at the Crystal, many of whom will be travelling the world and the 50 local jobs in support roles. But reflecting on West's theory of urban innovation is this not missing the point. Innovation cannot hark back to the Victorian docks and may not produce all of the jobs that the local populations have the aptitude or training for. Innovation will bring in new people, which has been the history of East London for centuries. It is a real paradox of urban change and one that politicians often do not confront.

Continuing the theme of innovation Chelsfield unveiled last September a masterplan for its £1.2bn "brand experience" park at Silvertown Quays. The first phase of the twenty hectare acre site features 20 glass "brand pavilions" alongside an incubator space for start-ups and technology firms at Millennium Mills, a former flour mill on the site. It will feature a broadwalk, inspired by New York's High Line; this spine will link the ExCeL to Custom House Crossrail station with the Pontoon Dock DLR station. To the north of the Royal Victoria Dock on the site of the former Custom House rail station Crossrail are building this new station which will provide a transport interchange with the DLR and local buses. One stop from Canary Wharf it will be only seventeen minutes ride from Bond Street station in the West End and is scheduled for completion in 2018. The huge change in accessibility that this will bring will be similar to that experienced in Islington when the Victoria line opened and the Jubilee line reached Canary Wharf.

There have been significant improvements to public transport in the last thirteen years but not all journeys can be made by public transport and at the invitation of the Mayor TfL consulted on a range of options for new river crossings in East and



Photos by the author
The Emirates Cable Car Terminal
ExCeL with Britannia Village in the foreground
The Cable Cars and The Royal Victoria Docks
The Cable Car Pavilions
Iconic Buildings: O2, The Crystal and the Emirates Terminal

South East London earlier this year. Four problems were identified. The first and second are the regular long delays at the Blackwell Tunnel, particularly at peak hours, and the frequent closures, often at short notice of the tunnel that can be as many as one thousand times a year. The third is the need to replace the Woolwich Ferry as it nears the end of its operating life and finally the need for additional road crossings to support growth at the Royal Docks, Thamesmead and Beckton.

TfL consulted on two options. These were the "Silvertown Tunnel" a road tunnel between the Greenwich Peninsula and Silvertown and the "Gallions Reach Ferry" a vehicle ferry between Thamesmead and Beckton, potentially replacing the Woolwich Ferry. The earliest the road tunnel could be delivered would be by 2021 and it would cost £600m. The new ferry which would double the existing capacity to 300 vehicles an hour in each direction would cost £150 m and be available by 2017. The crossing would be further east than the existing ferry so as better reflect demand and relieve Woolwich town centre of much of its congestion. The options are not seen as alternatives but part of a comprehensive package. However as there is no funding in TfL's budget for either both would have to be paid for by tolls. These would be similar to those charged on the Dartford crossing. If TfL go ahead with the projects more



detailed consultation would take place in late 2013 and then they would formally apply for powers to implement the schemes.

A forceful advocate for the area is Sir Stuart Lipton who sees East London as the new Croydon. The company Chelsfield Partners he founded with Elliott Bernard, we have noted, is behind the brand park at Silvertown Quays. He exclaims: "It is already bigger and the land is available. Crossrail, Eurostar and London City airport can make East London a new place to link Cambridge to Kent and provide a growth opportunity as a welcoming place for business for multinationals and Europe." By a stroke of good fortune the "stop-start" character of the regeneration of the Royal Docks has meant that at a pivotal time in London's growth as a world city, there is scope in the area to respond to the pressure for innovation articulated by West. ■



New rights of light

The Law Commission published its eagerly awaited consultation paper on rights to light in February with time to comment until 16th May. Anthony Aitken explains the significance



Rights to light are valuable: they give landowners certainty that natural light will continue to be enjoyed by a property – increasing its utility, value and amenity.

The 'right to light' is an easement that gives landowners the right to receive light and the owners of land burdened with the right, cannot interfere with it without the consent of the owner. This sounds quite logical in theory, but in practise becomes ever more complicated, due to the this right being acquired by prescription. This dates back to the Prescriptions Act of 1832 where right to light automatically occurs once light has been enjoyed through defined apertures of a building for an uninterrupted period of 20 years. The legislation, as is self evident is dated and requires to be modernised and brought up to date.

In order to be clear the right is to a certain amount of light and not to all of the light that was once enjoyed. Mathematical calculations are used to determine whether or not a development causes an infringement. As one can imagine this is actually quite a technical area of law.

Whilst rights to light are essentially civil matters between neighbours. Rights to light are independent of the planning system. Even if planning permission has been granted, care requires to be taken not to cause an infringement to the rights to light enjoyed by nearby buildings. However, most developers will take this matter into account as part of their design proposal in seeking to advance a development and secure planning permission.

An infringement is likely to give the neighbouring owner the right to seek an injunction to have the proposed development reduced in size. If the loss of light is relatively small and can be adequately compensated by money a court may decide to award compensation instead of an injunction. In extreme cases a court may award an injunction to have the offending part of the building pulled down. It is court rulings that have resulted in buildings that have been built and which benefit from planning permission, having to be subsequently altered and modified, due to rights of light judgements, that have pre-

ceded this review e.g. the Heaney Case in Leeds where Highcross were facing the prospect of having to remove two upper storey's of their newly developed building that were fully let out in 2010. This case settled before an appeal was held. However, as one can imagine this is both expensive and inconvenient for developers. There is a groundswell of opinion that the right to light legislation was being mis-used as a final weapon in the armoury of well informed and litigious objectors to development. Resolution of disputes rarely occurs swiftly and simply.

Within the context of this consultation the Law Commission are focusing on:

- A proposal that for the future it should no longer be possible to acquire rights to light by long use (prescription)
- A proposal the introduction of a new statutory test to clarify the current law on when courts may order a person to pay damages instead of ordering that person to demolish or stop constructing a building that interferes with a right to light.
- A proposal the introduction of a new statutory notice procedure, which requires those with the benefit of rights to light to make clear whether they intend to apply to the court for an injunction (ordering a neighbouring landowner not to build in a way that infringes their right to light), with the aim of introducing greater certainty into rights to light disputes
- A proposal that the Lands Chamber of the Upper Tribunal should be able to extinguish rights to light that are obsolete or have no practical benefit, with payment of compensation in appropriate cases, as it can do under the present law in respect of restrictive covenants.

Rights of light in their current form, act as a barrier to development potential, especially in the urban area and in vogue with the current coalition governments aim to 'reduce red tape' the consultation chimes with current government thinking. However it is important to note that rights to light are not being abolished, merely modified and brought up to date, seeking to strike the right balance between property owners and developers. ■



Anthony Aitken is head of planning at Colliers International

Do we need to control uses?

I was asked to contribute this paper for the May 2007 publication 'Planning the Future' by the Smith Institute edited by Denise Chevin, then editor of 'Building' and introduced by Sir Stuart Lipton.

The 1947 Town & Country Planning Acts took the development of land and buildings into state control, defining development to include both building operations and changes of the use of land and buildings. This was an affordable way of trying to achieve the political wish to nationalise development land.

The consequence is a system of land rationing which predictably has created both shortages and millionaires. The Barker Reviews of Housing and of Planning have been commissioned by H M Treasury to consider ways of overcoming the side effects of the planning system which are perceived as damaging the country's economic performance.

Two of the principal legal mechanisms for maintaining such control go by the names of the Use Classes Order (UCO) and the General Permitted Development Order (GPDO). Both have evolved to become complex to the point of sclerosis. A review of the GPDO is already under way as a necessary condition for freeing up smaller domestic developments, house extensions and the like, as called for last year by the Householder Development Consents Review steering group (the steering group). This said: "Parts 1 and 2 of the General Permitted Development Order have become so complicated and so difficult to understand that they need to be redrawn from first principles. A new Permitted Development Order designed to meet the needs of Householders is required. Explanatory guidance in plain English should accompany it." (para 3.17).

They went on to say: "It is important to continue to seek a streamlined mechanism for low impact householder developments that raise no neighbour objections. The aim in developing such a process would be to speed up the planning process rather than change the outcome of any decision. It could be designed to operate in parallel with proposals for more streamlined processes for dealing with householder appeals now being developed by the Planning Inspectorate." The Barker Review of Planning supports this process and suggests it be widened to embrace smaller commercial developments such as shop fronts and signage.

Redefine developments in terms of their impacts

The steering group homed in on the need to redefine developments in terms of their impacts rather than by reference to a host of dimensional criteria which has evolved into a playground for lawyers and other experts. In the process they acknowledge the desirability of merging planning control with building and environmental health regulation particularly in view of the increasing overlap of these regimes as they grapple with environmental, 'sustainability' and climatic conflicts and criteria. They also saw the merit, not only of achieving greater permissiveness for its own sake, but of allowing consenting neighbours to manage agreements where potential conflicts can be resolved without recourse to the local planning bureau-

cracy. A modernised planning regime can thus go further and privatise the majority of low-impact and policy-compliant developments through the engagement of certified professionals as happens now with both Building Regulations and the Party Wall Act. Impacts will have to be cleverly defined, and guidance in the form of 'deemed-to-satisfy' examples produced.

Pursuant to the Barker Review of Planning, a member of her team is drafting a new Use Classes Order and it is my contention that it should follow a similar direction to that being taken by the reform of the GPDO. The Town and Country Planning (Use Classes) Order 1987 is a Statutory Instrument which revoked and replaced the Town and Country Planning (Use Classes) Order 1972 which itself followed earlier Orders of 1948 and 1963. The 1987 order has since been amended seven times, most recently by the Use Classes (Amendment) Order 2005 which came into force on 6 April 2006 [and had the unexpected and as yet not fully appreciated effect of allowing all pubs and restaurants to be changed into shops or professional service offices without planning permission].

The Order specifies classes of use of buildings or land for the purposes of the current Planning Act. It specifies operations or uses which are not to be taken for the purposes of the Act as involving development, and which therefore do not require planning permission. It provides that a change of use is not to be regarded as involving development where the former use and the new use are both within the same Use Class.

Confronting the excesses of the market

First it has to be acknowledged that part of the purpose of the planning system involves confronting the excesses of the market and that it has to reconcile conflicting interests not all of which are economic. Equally it tends to lose touch with changes in society and to run behind market realities inhibiting such changes often in a costly and damaging way. Plans and policies take an inordinate length of time to fall into place by which time the realities on which they are based have often moved on.

A 'plan-led' system should provide a common basis for setting expectations and making decisions, but with layers of plans evolving at different paces and sometimes contradicting each other, it is presently not working well. There needs to be a heavy pruning of development control so as to release planning skills and political focus to concentrate on a continuous and up-to-date plan making process, one capable of responding to unpredicted but welcome development proposals with amendments to the plan.

The Barker Review of Planning makes these points about the control of uses: "... the importance of other economic issues, such as the need for a range of high-quality sites for small busi-

With government questioning the validity of several aspects of the Use Classes Order, Brian Waters revisits the case for its abolition



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nesses to grow, should not be neglected. A marked reduction in the extent to which sites are designated for single or restricted use classes could improve efficient site provision... In addition, ... national policy should reflect the need for planning to be more responsive to changing circumstances, due to an increased rate of economic change driven by technological innovation and globalisation. This implies including an emphasis on the changing nature of the economy and employment. Planning needs to take better account of the changing economy. There has been substantial growth in the retail sector, for example, but the use class for allocating land for use as shops is different from the use class for businesses, meaning that the employment benefits of the retail sector may not be fully reflected in local development documents. Equally, increased live-work uses mean that the boundaries between housing and employment use classes are now blurred, particularly for start-up firms."

Reduce designation by use

Her recommendation 6 includes: "a marked reduction in the extent to which sites are designated for single or restricted use classes – the need to ensure provision for live-work units is relevant in this context; the impact principle could also be brought to bear on the Use Classes Order. This currently acts as a proxy for impact through, for example, prohibiting any change of use from a hotel without applying for planning permission. But in reality there may be numerous instances where a change of use has no impact. Requiring planning approval in these circumstances loads extra burdens onto the system for no public interest benefit."

The UCO has been reviewed from time to time. The professed aim has been its simplification; the outcome is nearly always to add more classes or subdivisions so making the control more restrictive. At the last count we have 15 different classes of use, broken down into 42 subdivisions. Given that there are perhaps thousands of different actual uses of land or buildings, grouping them into 42 categories may not sound so bad, but in reality many uses are defined as *sui generis*, ie of a class of their own, and so cannot be changed to anything else without an express planning permission.

A rare example of a relaxation of the UCO was the merger in 1987 of light industrial with office uses to create a 'Business Use' class. This change was attributed with as important a boost to the economy as Big Bang. It illustrates both the power of the Order to inhibit the economy and how out of touch with reality it gets. I was fighting appeal after appeal seeking the use of abandoned factory buildings in the inner city by new, creative enterprises. We made special pleadings and described the office uses as studios and such like – and won the appeals until the change rendered that distinction redundant and small businesses were allowed to flourish in areas abandoned forever by manufacturing.

Following the 1990s recession areas like Shoreditch, just north of Broadgate, were blighted by 'Defined Employment Areas' restricted to manufacturing and a policy prohibition on residential use which would conflict with noisy, smelly industry. Again I found myself contriving to get permissions for live/work units and working with Hackney planning officers to populate this urban desert. Once the benefits were understood the area

was allowed to blossom; values went up and creative industries took root along with residents – often the same people. Now seen as too much of a good thing, the planning brakes have been slammed on again by changes in local policy!

Stephanie Fischer's analysis [elsewhere in this monograph] discusses the interaction of the creative industries with urban regeneration. She is right to emphasise their importance and the idea of clusters, but they flourish by having the freedom to colonise low-cost areas of decline, not because a planner has drawn a line on a map and earmarked a protective zone for them. Yet another Use Class would merely reduce such opportunities. Creatives and artists germinate in run-down, low cost areas with a whole mixture of mutually supportive activities including entertainment and residential. They move through like a wave, raising values as the areas regenerate and establishing successful businesses. Others are attracted to join the wave and move on to adjacent areas to continue the benign process. Shoreditch moved north to Hoxton and the wave has now moved happily on to the eastern reaches of inner Hackney.

The best analysis of the phenomenon is Richard Florida's book 'The Rise of the Creative Class'. He says: "The key to success today lies in developing a world-class people climate... This entails remaining open to diversity and actively working to cultivate it, and investing in the lifestyle amenities that people really want and use often as opposed to using financial incentives to attract companies... An effective people climate needs to emphasise openness and diversity, and to help reinforce low barriers to entry. Thus it cannot be restrictive or monolithic." So, fewer restrictive Use Classes, not more!

Base management of changes of use on impacts

Barker's suggestion that the management of changes of use should be based on impacts, as with the reform of the GPDO, implies a merger of planning with building and environmental controls and their more objective processing. The Association of Consultant Architects (ACA) has responded to government consultations on planning policy with a proposal that there should be just three classes of use: Domestic, Commercial and Noxious. Although elegant, majoring on impacts should eliminate Noxious, but live-and-work will straddle Domestic and Commercial, perhaps suggesting the obvious: there should only be one class of use and changes between all uses should only be regulated in relation to their impacts.

OK, maybe a bit too ideal and, as well as pulling out the prop which artificially supports specific property asset values, it fails to acknowledge legitimate, positive policy aspirations, such as maintaining a certain proportion of retail frontages in designated high streets. But it is not so fanciful if we look abroad.

On the continent there is generally nothing to prevent a solicitor or a dentist setting up shop in a flat, or vice versa. Take for one example a building at 33 Rue Marbeuf, Paris which at the same time contained these uses: a penthouse flat, a firm of accountants, a financial consultancy, Nina Ricci perfumes, a film prop rental company, an English language school, a boutique, and a restaurant, not forgetting the formidable concierge! This shows how rich mixed uses could emerge if the grip of the UCO were to be sensibly relaxed.

How might a relaxation of the UCO help with the priority being given to the provision of new housing? It will have to go

hand in hand with a loosening of restrictive land use policies so that 'windfall' sites of all kinds – think of a builders' yard or a car park site – can go over to use for a residential development without the change in the use itself being an obstacle. Provided both that the impacts and the design of the proposed development were acceptable, it would be easier to add to the housing stock. Presently the system implicitly carries a presumption in favour of the status quo and against change. Eliminating the UCO will help to change this and to achieve a return, as suggested by Kate Barker, to the presumption in favour of development, which used to prevail.

Another control well overdue for scrutiny is the extraordinary protection afforded to agricultural land. It is not in any use class and agricultural buildings are generally exempt from planning control. This is an inheritance from a wartime subsistence economy (and suited the landed gentry), but farmed land can be reasonably protected by policy and the Green Belt, though this is also overdue a fundamental reappraisal.

As to the affordability of housing, the provision of new homes will always be of marginal effect and it is time the people who qualify for subsidy to meet their housing costs were given access to the whole housing stock and the nonsense of subsidising the bricks and mortar was dropped. But back to the control of uses.

ACA recommendations

The ACA produced concise proposals for the reform of planning in its response to the Barker Review. In summary, its recommendations are

- Big things like airports and nuclear power stations are for government white papers and Parliament to decide, while government policy dictates regional things like motorways, housing allocations and national parks;
- mayors and local planning authorities make plans and determine locally strategic developments such as major sports stadia, transport interchanges, land releases for housing, green-belt developments and new centres;
- the GPDO is rewritten as suggested by the HDCR to determine development rights only on the basis of measurable impacts – supported by 'deemed-to-satisfy' guidance – and the Use Classes Order is simplified by focusing on impacts rather than specific uses; development proposals comply with the new-style strategic plans and compliance is certified by 'approved agents' who, as with building control, can be officers of local authorities or professionals, but are appointed and paid by applicants. If a proposal does not comply, an application is made to the local planning authority for determination. Their decision may be appealed and determined by the Planning Inspectorate as now;
- three levels of proposal may be considered: outline, full, and approved for construction. Outline and full will generally be subject to conditions which may call for the approval of reserved matters in the subsequent stage(s). Full applications will be able to deal with sustainability issues in principle – performance specifications – but not in detail. Local development plans cannot duplicate matters covered by other legislation (public health, access regulations, building regulations, etc.), except where special local conditions apply. Approved for construction proposals will have to satisfy both planning and build-



33 Rue Marbeuf, Paris in 1996: a proliferation of uses coexisting in a single building. Drawn by Keith Scott

ing regulations requirements, on a 'deemed-to-satisfy' basis which will rely on clear guidance with the option of a determination or appeal in exceptional cases (as now for Building Regulations approvals);

- only strategic decisions and clearly non-compliant applications need be considered by elected members, all others being delegated to officers or agents. Planning resources are focused on planmaking and keeping adopted policies up-to-date;
- approved agents assess the impacts of proposals and only where these affect other owners are they obliged to follow a consultation procedure, which is modelled on the Party Wall Act (including provision for a 'third surveyor'). No such agreement may override a clear plan policy. Agents deal with planning compliance, building/environmental regulations and party walls in an integrated way, with specialist input as necessary for matters like engineering, traffic impacts and biodiversity; and approved agents certify completion of developments in compliance with certified proposals. Architects and other qualified professionals may self-certify compliance (as they, in effect, do today), but owners are obliged to notify the Land Registry once development is complete, and attach specified information to their title deeds.

In this spirit, control of changes of use should be managed only in terms of conflicts such as noise and other disturbance and traffic, and by reference to clear, unambiguous, positive and up-to-date policies. The current UCO, adapted from time to time, should remain available for the sole purpose of defining classes of uses and may be referred to in policies, leases and other contracts.

The procedures outlined by the ACA provide the means for achieving this outcome through real rather than imagined simplification, and planning can become more of a visionary process rather than a continuing burden on the economy. ■

Planning for a more successful high street

Retailers are being told to upgrade their offering to attract shoppers back to the high street, but could an upgrade in public realm have an equally important role to play? Carlos da Rocha offers examples.

The decline of the high street is a stark reminder of the UK's economic slowdown. The collapse of big-name retailers such as HMV, Blockbuster and Jessops show how tough trading still is and recent results released by the Local Data Company reveal that an average of 20 stores per day closed last year. Consumers have reigned in their spending and what they do spend is increasingly going to online retailers.

But for those of us working in the built environment it's counter-intuitive that bricks-and-mortar retail should resign itself to the stockpile.

Convenience is king for the modern shopper and our historic town centres – inherently at the heart of local communities – still fulfil this role. High street stores are adapting to new challenges with click-and-collect, convenience formats and improved in store experience. Many are becoming 'hubs' for online retail deliveries, a new trend which is bringing shoppers back to town centres.

In many ways London's town centres are an untapped resource, areas which have been highly successful for a number of years due to their good accessibility, provision of services and resident shopper base. Many of these advantages still remain, but unlocking them requires intelligent urban design – creating safe, social spaces with key transport links. Modern retailers are adjusting to shoppers' changing behaviour. The onus is on careful design to provide an environment in which they can thrive.

Intelligent design

Urban design principles for modern retail don't have to be

elaborate, but they do have to foster safe, convenient and vibrant social spaces. For example, creating a consistent, attractive environment that links transport and retail areas gives a sense of place and a feeling of safety.

Outdoor surfacing has demanding requirements in that you have to balance aesthetics with durability to account for footfall and accommodate vehicles. But the use of modern materials, such as light-coloured paving which is aesthetically superior to old concrete, can meet both of these requirements. It is hard to overstate the perceived difference between a pavement with a smooth and light finish than one that boasts a cracked and grey surface.

Planting trees, providing ambient and architectural lighting, and creating open spaces all add to the general look and feel of an area. So too does using high-specification footway materials which rival those of shopping centres while maintaining resistance against the elements. Allowing for extra-wide pavements or 'plaza' areas can even allow for outdoor seating which make cafés and restaurants more appealing and give areas a vibrant feel.

Promoting a shared space

Another design challenge for high streets is that they are not just for retail but are spaces shared by both pedestrians and traffic. Noisy, busy and congested roads aren't welcoming to shoppers – a reason why many people choose to go instead to shopping centres or pedestrianised areas. It is not always possible to divert vehicles from the high street, but balance can be achieved between pedestrians and vehicles and the

Bromley North Village: revitalising a historic town centre in the London Borough of Bromley

Bromley North Village is a regeneration scheme aimed at increasing footfall in the historic heart of the town, boosting occupancy and creating a more attractive area for shoppers, businesses and residents. The scheme encompasses Market Square, High Street North and East Street areas of Bromley town centre. The scheme will develop pedestrian friendly, clean and safe open spaces with improvements to the street scene and environment. There will be a focus on attracting new independent businesses and specialist retailers.

The area has seen footfall ebb south towards the town's expansion areas and main train station. As a response, the plan aims to encourage residents to make greater use of the Bromley North Village area by making it more pedestrian-friendly, and by creating a more attractive and consistent feel from the town's market square to the main shopping and dining areas.

Councillor Peter Morgan, Executive Councillor for Renewal and Recreation, explains, "Bromley North Village is an untapped resource that we're aiming to unlock through our improvement plans. "A main factor will be to strike a better balance between pedestrians and vehicles. For example, we're widening the pavements, allowing restaurants and cafés to host outdoor seating, and retailers to make better use of outdoor space without blocking the way. We shall be re-paving with attractive, long lasting natural materials, installing a better lighting, planting more trees, encouraging more awnings outside the shops and where possible cleaning up-lighting some of the really attractive buildings which, presently, people rarely notice.

"We're also making major improvements to Market Square by making it a more accessible communal space.

"We are committed to encouraging investment into the area and promoting conditions for specialist and independent traders to do business and this exciting scheme will bring our vision to fruition."



Carlos da Rocha, is project manager for FM Conway

Destination Wimbledon: comment from the London Borough of Merton

FM Conway worked with the London Borough of Merton to deliver Destination Wimbledon – an urban realm improvement scheme completed ahead of the 2012 Olympics to improve the use and aesthetics of Wimbledon town centre.

The £3.1m project was conceived to open up Wimbledon town centre to pedestrians and cyclists through environmental measures, developing public space and creating a safer environment in five key areas, including major junctions and the forecourt to Wimbledon station.

One of the project's initial justifications was a study, carried out in 2008 by the local Chamber of Commerce and Civic Forum, that identified the area's poor pedestrian environment as a barrier to business success.

Paul McGarry, future Merton Manager, explains, "Wimbledon has always had a great town centre, but it's been very car orientated. It's a linear centre which was more vehicle-dominated, rather than valuable public space, and we wanted to reverse that trend so shoppers and visitors would have a greater experience and increase dwell time in the town centre.

"We've created better quality and wider footways; improved crossings and provided more seating. One of the biggest changes has been to bring the

entrance of the station back into public space. It's now a civic square and the first impression people have of Wimbledon town centre. Having previously been a congested drop-off point – it now provides a safe, attractive and intuitive link between transport and commercial and retail areas.

"The square is also a great space in its own right. Seating was absent in the town centre before, and we've adapted the area so it reflects people's use of the area as a spot for lunch, stopping while shopping or waiting for people at the station. The space really comes to life at night with the feature lighting and public art.

"The public realm sets the tone for local retail and leisure services. Attractive, safe spaces are vital and we've seen quick changes since we completed the works on Destination Wimbledon. For example, we've had new occupiers, including Waitrose and Pret'a'Manger which add to the vitality of the streetscape. It's a huge upgrade for the area and a key part of Merton's plans for bringing people into Wimbledon town centre to ensure its ongoing success."

FM Conway's work on the project included the upgrade works to the forecourt of Wimbledon station, which was transformed into a pedestrian area with attractive paving, LED lighting and new street furniture. Major junctions were also transformed, and FM Conway worked in partnership with Merton from an early stage to turn the area into a thriving town centre.

impact of traffic reduced significantly through proper design.

The most effective way of doing this is to widen pavements as much as the street will allow. Widening pavements gives shoppers a greater share of street space, increases the number of people who can access stores and physically moves traffic away from shops. It also allows retailers and leisure providers to 'spill out' onto the street – breaking down barriers between the road and stores and creating a more vibrant space.

We've also found that by raising the road to a similar level as the pavement – rather than having a high kerb – traffic slows down as drivers become more aware of pedestrians around them. It may seem counter intuitive, but by making one level street scene and removing pedestrian barriers – as done at Oxford Circus, Kensington High Street and other busy junctions – you remove a false sense of security and force driv-

ers to think more carefully about their speed.

Capitalising on transport

Town centres are inherently well served by transport and modern urban design needs to promote the movement of shoppers to, and along, the high street. Barriers to movement can slow and disrupt shoppers from moving down the street. It is important to do away with excessive benches, bins, utility cabinets and other street furniture in order to improve pedestrian flow and open up all available space. Combining lighting with CCTV and signage is one way of cutting down on clutter.

Planning for success

Retail is under pressure at the moment and all stores have to consider how to improve their offering and entice shoppers back. But proper street design and redevelopment can give an area a huge boost by making the high street an attractive and shopper-friendly environment. It isn't a case of 'build it and they will come', it is all about providing a platform on which retailers can rebuild success. ■

LEFT: Bromley North Village - graphic by Studio Egret West
BELOW: Destination Wimbledon - the area in front of Wimbledon's station has been transformed as a public space



Modern gains

Darren Stacey responds to Patrick Clarke's article in PiL 83: 'Everything to be gained!'

The way we live is changing. How we shop, socialise and work has completely transformed over the hundred years since the Garden City principles were put in place, and are continuing to adapt as new technologies are developed and as population increases place greater demands on the green belt. We therefore need a revived approach to town planning for a modern way of living.

Whilst much can be taken from looking back to the Garden City principles, these do need to be interpreted and moulded for modern living - something that is not always being achieved. For example, the Town and Country Planning Association (TCPA) published a centenary celebration re-exploring Raymond Unwin's 'Nothing Gained by Overcrowding'; a report into how the Garden City principles can be used to 'benefit both owner and occupier' with regard to efficient use of space for housing.

The TCPA report compared what they call a 'current' approach to housing development with a 'new' approach based on Garden City principles, as outlined in Patrick Clarke's 'Everything to be gained' article in the Autumn edition of Planning in London. The TCPA report concludes that a more efficient use of land can reduce the input of roads and car parking and increase private and public land for recreation and bio diversity.

While we applaud the Garden City principles, it must be noted that several things have changed in society since those principles were put in place. People's life-work-shopping habits now mean that some developments, many similar to those discussed in the report, have become dormitory towns as they no longer cater for today's lifestyles.

Whilst TTSP is not principally known for residential design; we can stand back as architects and observe the guiding principles behind modern residential developments and their appropriateness for modern lifestyles. These observations have led us to believe a different approach is required when designing towns. This approach should take inspiration from Unwin's principles, but be founded on 21st Century housing needs.

Requirements of modern living

One of the fundamental changes of contemporary life that must be taken into account in any edge of town location is transport. Car use in particular has risen exponentially and both courtyard and on-street parking have become a problem for designers. Therefore it is a concern that the TCPA's 'new' approach seeks to reduce road quantity by straightening out the streets, homogenising development tenure and reintroducing communal external space behind the gardens.

Furthermore, fear of crime has risen significantly. Gone are the days when we would leave our back door open for friends and family to pop in. Instead we interact minimally with our



neighbours whilst our friends and family generally live further afield. Therefore, the designs outlined by Clarke that show private gardens backing onto public playspace are unsuitable for modern day residential development and likely to put off potential buyers.

Designing for 21st Century living

Immediate solutions for modern living requirements are to be found in mixed use developments. Shared spaces out in the open and a mix of uses creates activity which removes the desire or the ability to 'hang about' unobserved, which often leads to the anti-social and criminal behaviour found on closed in residential estates. This is not a new idea. Mixed use schemes are the very thing that Jane Jacobs spoke about some 50 years ago. However, we seem to have lost sight of these concepts in residential development.

For these mixed use developments to be successful there also needs to be a change of attitude to the car orientated street design. Instead we propose streets where people have to circulate and where neighbourhoods are rebuilt, where a mix of uses creates opportunity for contact, as opposed to jumping into a car to visit the 'local' supermarket, which is a fundamental character trait of a pure residential development. A mixed use scheme can provide a more natural and connected environment for residents and encourages them to constantly move around on foot.

If we are going to meet housing demand without building on too much green belt then we cannot be fearful of density. However, done correctly, density need not look cluttered and can generate greater opportunity for mixed use and tenure as well as for biodiversity. To achieve this in our work we have reassessed people's attitudes to public and private space and



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how they use their houses. It is important to distinguish clearly between private, semi-private and public space so everyone is clear where the thresholds are.

Illustrating the theory

Two residential projects by TTSP demonstrate this way of thinking. These designs take inspiration from Unwin's ideas, but are developed to a level appropriate for modern living.

In our Cottingham Road project we used the natural features of the site to create opportunities for recreation and biodiversity along an existing river and between the dwellings. A watercourse creates a natural boundary between public circulation routes and semi-private space delineated by timber decking without the need for fences. Purely private external space is provided by traditional gardens in the case of family houses and by carving out external space between rooms or on rooftops. This allows natural light to permeate into the middle of a deep plan house and for living rooms to extend directly into private external spaces.

This model also requires less land take than a traditional house and garden model and therefore allows for more public space than would traditionally be enabled on the rest of the development site.

At Upperton Road in Leicester the solution for a thin sliver of land between a road and linear park was to create a similar house type with internal-external space and rooms which face the front and rear of the house. In this way it is clear what is public and private. Land that would otherwise be difficult to develop becomes valuable and public space benefits from natural surveillance.

Admittedly, one difference between our projects and the various proposals in the TCPA report is that we have included blocks of flats. Whilst this creates greater density on one hand, it also takes into account modern lifestyles. There needs to be multi-tenureship in 21st century developments to provide for all sectors and age groups in society. A mix of family houses alongside houses for the young and elderly creates a healthy mix and enables people to remain in the area as their lifestyles and financial needs change. This form of tenure mix also means that the place will be inhabited throughout the day by different people coming and going – creating a safer neighbourhood than a single-tenure development.

If we are to build successful residential schemes for now and for future generations it is imperative that we design for 21st century housing requirements by understanding people's needs. We welcome a rethinking of the methods in delivering Garden Cities that starts with the neighbourhood in order to deliver safe, attractive and functional living and working environments. In summary we propose a denser form of mixed use and multi-tenure living with more emphasis on open and useable shared space at the front of dwellings and a return to neighbourhood principles. ■

LEFT & ABOVE: Upperton Road in Leicester
BELOW: Cottingham Road



Community commissioned neighbourhoods

We've heard a lot about neighbourhood planning, but what about community-led housing development? asks Levent Kerimol

Self-build housing is not a new idea, but appears to be coming to the fore again recently. Collaborative self-build can achieve greater social benefits, as well as better quality, more affordable places to live. Residents can retain development gains, and can make savings by investing their time in the process.

Self-builders have an inherent interest in adopting sustainable technologies and better design to suit their particular lifestyles, taste or ethics. This ultimately increases the diversity and quality of future housing supply. Residents are less likely to move away and have an inclination to take care of their local environment. Cooperation during development also means neighbours get to know each other before they move in.

Self-build housing output in the UK is still much lower than other parts of Europe, accounting for around 12,000 new units produced each year. The *Grand Designs* programme gives a glamorous snapshot of the sector; typically featuring wealthy retired households developing one-off houses in the countryside. Occasionally there are young professional couples carrying out more urban projects on a site which is too small to interest a mainstream developer.

Surveys suggest 53 per cent of people in the UK would like to build their own home, and a recent MORI survey found at least 1 million Londoners are seriously considering it. However the most significant challenge is finding and securing a suitable site. The former housing minister, Grant Shapps, stated he would like to see the number of self-build homes double over the next decade and for the sector to move into the mainstream. The idea chimes with the localism and big society agendas with people providing the homes they want for themselves. The NPPF places a duty on local authorities to assess the demand and make provision for "people wishing to build their own homes" (NPPF, para 159).

Land values in London will probably mean most people wishing to commission their own homes will have to work in groups to be able to afford sites and achieve urban densities. Multi-unit "group self-build" projects only account for a small proportion of self-build, although they are more common in Europe, and have the greatest potential for growth in the UK self-build sector. The government hopes to support this growth with a £30 million rolling capital loan fund to assist groups with the cost of site purchase and construction, of which £5m is controlled by the GLA's Build Your Own Home fund in London¹.

A recent DCLG survey found that 61 per cent of self-builders would be interested in or consider being part of a group scheme. It is notable that the interest in group schemes is skewed towards younger households and clustered around lower-middle income groups, which reinforces its relevance to London given the comparatively younger population and difficulties with affordability. Group self-build may well provide an

opportunity for those who are just out of reach of the housing ladder.

There are currently a number of examples of multi-unit self-build in London. Many have been initiated by communities who have chosen the legal and governance arrangements to suit their particular circumstances and ambitions, from a complicated landscape of models and approaches. These include; Cohousing, Co-operatives, Community Land Trusts (CLTs), Development Trusts and Community Self-build. Each has its own support and lobbying organisations which are coalescing under the banner of the Mutual Housing Group at a strategic level.

At its most basic a community group may be constituted as a limited company to allow them to pool their capital and secure a site and development loan, with the individual households purchasing their completed property with a conventional mortgage. There are many examples across the country. In London they include Cohousing Woodside, who are re-developing a former hospital site in Muswell Hill, and the Hackney Cohousing Project who are building 14 units on a council-owned redundant nursery site in Stoke Newington. Both groups have partnered with a housing association to aid with the high land costs in London and also take on the affordable housing requirements of their developments.

Affordability is integral to some development models based on co-ops, such as CLTs, and Mutual Home Ownership, which seek to achieve affordability in relation to incomes rather than surrounding market values. These usually maintain joint ownership of a completed development, with individual households effectively renting from an entity they own a stake in, and democratically control.

A resale formula allows residents to benefit from the appreciation of property in line with general inflation, whilst avoiding the increases due to property speculation. This keeps units affordable in perpetuity. Some of the newer models have been running in other parts of the country for some time, and have also included the purchase of existing homes as well as new-build development. Most of these models are only just beginning to be explored in London.

The Vauban neighbourhood in Freiburg, Germany is frequently cited as an example of how groups can be supported by a local authority (or by specialist facilitators) to build four or five storey apartment blocks as part of a coordinated masterplan. This approach is now fairly common in Germany. It ensures a sense of community and achieves higher densities with well maintained public realm. The first British example of 'local authority enabled cohousing' is taking shape in Cambridge, where the council decided to take an alternative approach to their remaining development sites in Orchard Park. The council is putting the land forward and working in



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partnership with members of existing co-housing groups and other Cambridge residents. The council may appoint a development partner to enable the construction of around 40 units according to the resident group's decisions.

In most cases, local authorities around the country who are beginning to take a more active promoter role tend to act as plot developers, dividing a large site into serviced plots to enable mass individual self-build. This is a fairly straightforward model that has been underway in mainland Europe over the last few decades, and has increased in prominence in the UK since Grant Shapps led a delegation to Almere in the Netherlands last year.

Particular attention must be given to fostering a sense of community and avoiding isolated individual houses that fail to achieve the social benefits of community commissioned developments. This is quite unlike the extreme proposals by Policy Exchange to impose self-build development in potentially unsustainable locations as a penalty for local authorities who fail to meet housing targets.

Newham Council is taking forward a scheme on a redundant garage site in Custom House, where they hope to procure a development partner, who will build a terrace of custom designed units in accordance with the resident's desires. A similar model is being explored by a number of developers, who may sell serviced plots with outline permission for individual self-build houses or offer to develop a customised unit on a fixed fee basis. Developers such as Igloo and Solid Space are pioneering models in London on the basis that it is less risky than speculative development and ought to provide some savings to customers. It should be possible for boroughs to negotiate a portion of a major development site to be delivered through this custom build method, although the benefits may be purely cosmetic, unless particular attention is devoted to ensuring residents have a strong say over the design and development process and ongoing management.

There are a plethora of models being explored at the moment, and each can be attuned to the aims and objectives of a particular project. As specialist facilitators, 'Our London' is currently working for a Housing Association to explore the most suitable models for their particular circumstances and ambitions, as well as acting as enabling project manager to take a project forward in line with objectives.

The London Legacy Development Corporation is also considering taking forward some form of large-scale self-build development on the Olympic Park site. They are currently carrying out feasibility and survey work to assess demand and determine the mix of models that would be preferred.

Despite certain claims, community-led development is unlikely to provide a panacea to the current housing crisis. However a more diverse approach to the delivery of housing



ABOVE: Springhill Cohousing, Stroud.
BELOW: Ashley Vale, Bristol

should make for a healthier market in the long run. More importantly, giving more control to residents in the development process will result in higher quality places both physically and socially, and local authorities should be in a position to reap the rewards of a proactive enabling attitude.■

¹ <http://www.london.gov.uk/priorities/housing/homes-and-communities/build-your-own-home>



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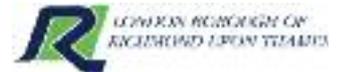
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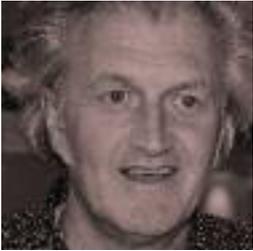
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Taming the urban motorway



Farrells partner
John Letherland
on tackling
London's 'inner
ring road'

London is growing, possibly by another million people by 2031, and it must continue to evolve to sustain itself as a world-class city. To avoid continued sprawl at its edges, London's growth should primarily be focused on the transformation and intensification of the post-industrial 'suburbs' that once inhabited the perimeter of the city centre. Recent regeneration plans for historic districts such as Paddington, Kings Cross and Nine Elms all exemplify this pattern of renewal. These inner London districts are growing in importance as vibrant places to live, work and play and we now consider them to be emerging or integral parts of the city centre.

Once again, as London's centre continues to transform and grow, we are wrestling with conflicts between people and the motor vehicle. London's Inner Ring Road was a route that once represented the outer edge of London's core and moved traffic in large numbers. Now it is being absorbed into London's expanding city centre with this same road forming the outer edge of the Congestion Charging Zone.

Many of London's recent regeneration initiatives sit astride this urban motorway and will bring vast numbers of people who will live and work alongside it. Yet the imperative to keep a free flow of traffic remains a top priority and we have yet to reconcile our need to create more of 'live-able' London with the desire to keep large volumes of traffic running through it. Gyrotories, one-way systems and dangerous contra-flow cycle lanes were all conceived in a less enlightened era and we are struggling to reconcile the traffic flow with the need to create new 'places'.

Attempting to live with the motor vehicle is something we have been wrestling with for years. Colin Buchanan's pioneering work was a thoughtful attempt to improve the existing road network and relieve traffic congestion whilst rebuilding our bomb-damaged towns and cities in the aftermath of World War 2. Buchanan emphasised the widely held expectation that

'progress' would see an increasing dependency on the private motor car.

His prediction that 40 million vehicles would be registered for use on Britain's roads by 2010 (or 1.3 vehicles per household) proved surprisingly accurate.

In September 2012, 37.7 million vehicles were registered (or 1.3 vehicles per household).

In the process of accommodating this anticipated growth, the Inner Ring Road destroyed thriving town centres at Paddington, St Pancras, Vauxhall, Spitalfields and Elephant & Castle. Flyovers, underpasses and traffic gyratories sliced through communities, isolating people from their local high street or park, from neighbours, friends and jobs.

As a result, we now consider the Inner Ring Road to be an inhospitable urban motorway. Our streets became part of a 'system' in which some became 'traffic distributors' whereby their urban function was removed. Others were designated as streets within an environmental area and through traffic was inhibited. With the Mayor's 'Roads Task Force' due to publish its findings this Spring, the time is ripe for a reappraisal of the Inner Ring Road and how it might serve the needs of London today.

In his 2003 study of the Marylebone-Euston Road - a component part of the Inner Ring Road - Sir Terry Farrell argued that, far from being an urban motorway serving only through traffic, the Marylebone-Euston Road is London's best connected street with a rich and varied history. More a manifesto for change than a design proposal, this study set out to change perceptions that the Inner Ring Road is nothing more than a through route. It is a place where people live, work and play, with many residents and numerous businesses, shops, bars, restaurants, rail and tube stations, listed buildings, parish churches, hotels, universities, hospitals and tourist attractions.

We are more enlightened now. At Kensington High Street, Daniel Moylan has shown what can be achieved when place-making and plain old-fashioned common-sense is applied to a major road and the dominance of motorist over pedestrian is re-balanced. It looks like a street once again. Our own work now being realized at Euston Circus has the same simple ambition - make it function like a piece of city again instead of an urban motorway.

Streets will become two-way again, guardrails and island 'refuges' are being removed, 15 staggered crossings will be replaced by 4 straightened pedestrian crossings, signage will be decluttered and unnecessary traffic paraphernalia will be removed, more trees will be planted and street lighting will replace motorway floodlighting.

Perhaps the most surprising thing of all is that this is being achieved without inhibiting traffic movement. In fact, it will improve the time it takes for buses to cross the junction and it has received support and funding from TfL as a result. That's what can be achieved when urban designers and transport engineers work together instead of in isolation.

The lesson is that it is not an issue of traffic volume but of traffic speed and vehicle dominance. If we are to grow and cherish our public realm, then the pedestrian has to be the King. ■



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