

Creating space for beauty

The Interim Report of the Building Better, Building Beautiful Commission

July 2019

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"We all want beauty for the refreshment of our souls"

Octavia Hill (1883)

"Human society and the beauty of nature are meant to be enjoyed together,"

Ebenezer Howard (1898)

"to secure the home healthy, the house beautiful, the town pleasant, the city dignified and the suburb salubrious"

Aims of the Planning Act (1909)

"The modern Englishman is fed and clothed better than his ancestor, but his spiritual side, in all that connects him with the beauty of the world, is utterly starved as no people have ever been starved in the history of the world."

G.M. Trevelyan (1931)

"Houses, houses, houses! You come from them and you must go back to them. Houses and bungalows, hotels, restaurants and flats, arterial roads, by-passes, petrol pumps and Pylons – are these going to be England? Are these man's final triumph? Or is there another England, green and eternal, which will outlast them?"

E.M. Foster (1940)

"Most of England is a thousand years old, and in a walk of a few miles one would touch nearly every century in that long stretch of time. The cultural humus of sixty generations or more lies upon it"

W.G. Hoskins (1955)

"Where attempts have been made to give consideration to beauty, public policy too often collapses into consultation and guidance around 'good design' which, although important, does not encapsulate quite how holistic and all-encompassing beauty really is."

Philip Blond (2015)

"Today to talk of beauty in policy circles risks embarrassment: it is felt both to be too vague a word, lacking precision and focus and, paradoxically given its appeal by contrast with official jargon, elitist. Yet in losing the word 'beauty' we have lost something special from our ability to shape our present and our future."

Fiona Reynolds (2016)

"Some house builders ... believe they can build any old crap and still sell it."¹

Senior executive in housing and development industry speaking to the Commission (2019)

1. Terms of Reference

Purpose / role of the Commission

The purpose of the 'Building Better, Building Beautiful Commission' is to tackle the challenge of poor-quality design and build of homes and places, across the country and help ensure as we build for the future, we do so with popular consent. The Commission will gather evidence from both the public and private sector to develop practical policy solutions to ensure the design and style of new developments, including new settlements and the country's high streets, help to grow a sense of community and place, not undermine it.

Aims

- *To gather evidence from stakeholders and other sources.* The Commission will gather evidence to understand the scale and nature of the challenge. Identify opportunities to tackle this, promoting improved quality and greater community consent.
- *To advocate for beauty in the built environment.* Act as champions and advocates for the Government's commitment to beauty in the built environment, with a focus on the opportunity to improve the quality of homes and places through establishing Garden Cities/Towns/Villages and the renewal of high streets.
- *To develop workable ideas to help renew high streets and inform the planning and design of new settlements.* Through the commissioning of appropriate activity, and the gathering of evidence, the Commission will challenge current practices, policies and behaviours to develop pragmatic solutions to the challenges identified.
- *To develop practical ideas for the identification and release of appropriate land and the new infrastructure need to support development.* Draw in evidence on the best ways to achieve community consent as land is brought forward for development and the role new technological enabled infrastructure helps to support this.
- *To inform the work of the Ministry of Housing, Communities and Local Government and other Government Department policy teams.* Government policy development will be informed through the sharing of insight and workable ideas and solutions from the Commission.

2. Commission and advisers

Commissioners

Interim Chair: Nicholas Boys Smith, Founding Director of Create Streets. Create Streets was set up to promote high density, beautiful, street-based developments with community consent. Nicholas has led or supported multiple community engagement and urban design projects as well as studies into planning and associations between urban design with wellbeing, support for development and economic value. He is a Commissioner of Historic England.

Gail Mayhew, Smart Growth Associates, Property Consultants. Gail is a place making consultant, currently advising Purfleet Centre Regeneration Ltd on the development of 2,800 new homes, a new high street and film studios in Thurrock. She works with developers and local authorities to embed high quality design and place making from the outset of regeneration strategies and new development. She led research for the Princes Foundation, identifying innovative delivery mechanisms to support high quality development outcomes. She is an advocate of community engagement and has supported many neighbourhood groups in fighting for high quality, contextually appropriate development.

Mary Parsons, Chair and a trustee of the Town and Country Planning Association and Group Director at Places for People. Mary has over 25 years' experience working in the development and construction sector and is a Group Director of Places for People. Developments for which she is presently responsible include a 10,000 home new community in Hertfordshire, two new neighbourhoods on the Olympic Park and a new urban neighbourhood in Birmingham.

Advisers

Professor Yolande Barnes, Professor of Real Estate at University College, London. Yolande has been analysing real estate markets since 1986. As Director of World Research at Savills, she provided evidence-based advice and thought-leadership in real estate. She is an adviser to a variety of different enterprises and organisations. She writes regularly for research publications, national and international newspapers on property-related topics and regularly appears on television and radio.

Ben Bolgar, Senior Director of Prince's Foundation. Ben is the Senior Director for the Prince's Foundation and Design Director of the development company, Stockbridge Land. At the Princes Foundation he has led over 50 collaborative planning and design frameworks that cover city expansions, new towns, brownfield remediation, town centre regeneration, heritage, ecological and healthcare projects. Ben is a qualified architect and member of the Royal Institute of British Architects and the Royal Incorporation of Architects in Scotland.

Paul Monaghan, Director of AHMM and Design Council Trustee. Paul is a founding director of RIBA Stirling Prize winning architecture practice, Allford Hall Monaghan Morris. He is the Liverpool City Region Design Champion, a member of the CABI National Design Review Panel, an RIBA Client Design Adviser, and visiting professor at the Bartlett School of Architecture and the University of Sheffield, from which he received a Doctorate of Letters in 2018.

Adrian Penfold OBE, Adviser in Planning and Public Affairs. Adrian joined British Land in 1996, following his time in local government, working for the London Borough of Hammersmith and Fulham, the London Docklands Development Corporation and, as Head of Planning, at Dartford Borough Council. Adrian was a member of the Barker Review of Land Use Planning Panel of Experts and led the independent Penfold Review of Non-Planning Consents which reported in July 2010. He is non-executive Chair of the built environment charity Design South East, and a member of the Governing Council at the University of Warwick.

Sunand Prasad, Senior Partner and co-founder of Penoyre & Prasad. Sunand is co-founder of the multiple award-winning London architectural practice, Penoyre & Prasad, which has gained an international reputation for a distinctive architecture of health, education, residential, mixed use and civic buildings. Sunand was President of the Royal Institute of British Architects 2007-09 campaigning for action on climate change, reform of architectural education and promoting the value of design. He is a Chartered Architect and has authored a number of books, articles and broadcasts on architecture, on culture and on sustainability.

Dame Fiona Reynolds DBE, Master of Emmanuel College, Cambridge. Fiona became Master of Emmanuel College, Cambridge in 2012 and was Director-General of the National Trust from 2001-2012. Previously Fiona was Director of the Women's Unit in the Cabinet Office, Director of the Council for the Protection of Rural England (now Campaign to Protect Rural England) and Secretary to the Council for National Parks (now Campaign to Protect National Parks).

Stephen Stone, Executive Chairman of Crest Nicholson. Stephen was appointed to the Board of Crest Nicholson in January 1999, became Chief Operating Officer in 2002, Chief Executive Officer in 2005 and Chairman in March 2018. Stephen also holds company directorships at Home Builders Federation and National House-Building Council and is a member of the Construction Leadership Council. He is a Chartered Architect with over 30 years' experience in various positions in the construction and housebuilding industry.

Peter Studdert, Chair of Quality Review Panels for the London Legacy Development Corporation and London Borough of Haringey. Peter is an independent adviser on planning and design based in Cambridge. He was previously Director of Planning at Cambridge City Council where he played a leading role in setting ambitious quality standards for the new neighbourhoods being planned. He now chairs Quality Review Panels for the London Legacy Development Corporation and the London Borough of Haringey and is a Co-Chair of a number of other Design Review Panels in London and the wider South East.

Sir John Hayes MP is the parliamentary link for the Commission, adding valuable insight from his decades of service as an MP and former government minister.

The Commission would also like to thank *Sir Roger Scruton*, who Chaired the Commission until April 2019 and whose work is reflected in this interim report and landscape and environmental experts, *Kim Wilkie* (Commissioner) and *Patrick James* (Adviser) who contributed to the Commission from January to May 2019. As always in such collective

enterprises, of course, not every Commissioner or Adviser agrees with every single word in this interim report.

3. Proposals

The planning system and development market *can* deliver beautiful places today. But they do so far too rarely. The aim of future planning and development should be place-making, remodeling existing settlements and delivering enough good, beautiful, sustainable settlements in the right places in which people can live and work in ways that support choice, economic growth and progress, sustainability and healthy lifestyles. This will mean moving from the assumption that beauty is a property just of old buildings or protected parkland to the assumption that everyday beauty is a controlling aim in all that we do, and that new buildings, places and settlements can, indeed should, be beautiful. We need to deliver beauty for everyone, not just the wealthy, at three scales;

- **Beautiful buildings** – considering windows, height, space and materials;
- **Beautiful places** – the ‘spirit of place’, the nature of streets, squares and parks; and
- **Beautifully placed** – sustainable settlement patterns in the right place and sitting in the landscape.

In short, beauty is not just what buildings look like (though it does include this) but the wider ‘spirit of the place’, our overall settlement patterns and their interaction with nature. This entails both the beauty of our streets and squares, what makes them distinct and also the wider patterns of how we live and the demands we make on our natural environment and the planet.

Beauty at three scales



All are necessary if we are to ‘grow beautifully’ and meet our housing needs sustainably and with popular consent. To achieve this, we have identified eight priorities for reform, for national and local government and for the design and development professions.

- **Beauty first.** Beauty and place making should be a collective ambition for how we move forward and a legitimate outcome of the planning system. Great weight should be placed on securing them in the urban and natural environments. This should be embedded prominently and alongside sustainable development in the National Planning Policy Framework (NPPF), associated guidance and encouraged via ministerial statement. Local Plans should embed this national requirement locally, discovering and defining it empirically through analysis and by surveying local views on objective criteria.
- **Places not just houses.** In striving to meet our housing targets we should be building real settlements and walkable 'mixed-use' places for all our daily needs. This will require a review of changes in legal and tax regimes that could better support a long-term stewardship model of land and infrastructure investment (instead of the current site-by-site model) and moving more of the democracy upstream from development control to plan-making.
- **Regenerative development.** Developments should make existing places *better* not just minimise harm. We would like to investigate how the principle of 'environmental net gain' could be read across to the NPPF, how a reduction in business rates and a re-balancing of the ratings system could support existing and new high streets and their hinterlands. Local policy should encourage, wherever possible, the redevelopment of retail parks and large format supermarkets into mixed 'finely-grained' developments of homes, retail and commercial uses which can support and benefit from public transport.
- **Early collaboration not confrontation.** There is enormous scope to encourage the use of deliberative engagement and design processes to facilitate wider community engagement in design solutions at all levels of scale and throughout the plan making and development control process. Digital technology will increasingly facilitate earlier engagement with a wider section of the community. The attractiveness and otherwise of the proposals and plans should be an explicit topic for engagement.
- **A level playing field.** We urgently need to reduce planning risk to permit a greater range of small firms, self-build, custom-build, community land trusts and other market entrants and innovators to act as developers within a more predictable planning framework. More predictable design policy and standards (such as locally popular form-based codes and non-negotiable infrastructure as with CIL) should remove a degree of speculation on negotiating down planning requirements to increase land values. This needs to be accompanied by greater probability of enforcement if clearer rules are broken with stricter sanctions.
- **Growing beautifully.** At the larger than local scale, we would like to investigate how councils, might be further encouraged to work with the Local Enterprise and Nature Partnerships. The Duty to Cooperate could be extended to ensure that all public sector bodies in an area work collaboratively with local communities using new technology. Mixed-use and 'gentle density' settlement patterns around real centres which benefit from the advantages of density and from some of the advantages of lower density are often the best ways to secure community consent whilst also developing in more

sustainable land use patterns. The planning system should strongly encourage these. Everyone has told us we have to seriously tackle car dominance when designing places. The impact of roads, poor public transport and parking on place and community needs review.

- **Learning together.** There is a need to invest in and improve the understanding and confidence of some planners, officials, highways engineers, and local councillors in areas such as place making, the history of architecture and design, popular preferences and the associations between urban form and design with wellbeing and health. There is also an urgent need for more high-quality planning, landscape and urban design skills within local authorities. A new planning fast stream needs to be created for talented young planners to provide them the confidence to articulate a popular, sustainable and beautiful vision.
- **Making beauty count.** Further consideration needs to be given to how planning is resourced and charged to enable better quality, certainty, consistency and efficiency. By encouraging up-front engagement, clearer form-based codes in many circumstances, by limiting the length of planning applications and by investing in digitising data-entry and process automation, it should be possible to free up resources. This won't be easy. We also need to measure what really matters. Highways, housing and planning teams in central government and councils should have objective measure for wellbeing, public health, beauty (measured *inter alia* via popular support) and nature recovery in their key parameters. We should be measuring quality and outcomes as well as quantity.

This is an interim report and we do not pretend that all these proposals are fully formed (though several could be implemented quite easily). We are on a journey not at our destination and will be exploring these in more detail over the next six months. We warmly thank the many hundreds of people who have helped our work so far and we equally warmly encourage responses to our interim report.

The Bourne Estate, London



4. Introduction

Had this Commission been called the '*Building Better Commission*', or '*Planning What People Want*' it would hardly have raised an eyebrow.²

The Government's challenge to consider the question of 'Building Beautiful' is what sets this Commission apart. In so doing, it has attracted much challenge from the wide set of interests who either consider that beauty is not a priority in a world beset with grave difficulties or who feel themselves better placed to propose answers to this conundrum.

However, what we have seen through the process of extensive and systematic evidence taking, is that there is considerable consensus that beauty matters, and that beauty should be an aim of our collective endeavours as a society. Community groups we have spoken to have very warmly welcome our work. As Ian Harvey of Civic Voice told us:

*"This is a very timely commission... it's urgently needed."*³

Ultimately, people are confident and capable in talking about what beauty means to them when discussing historic places; the countryside; the beauty of nature. However, they are less confident when discussing the contemporary built environment. We sense that, for whatever reason, people do not feel empowered to ask for it; do not feel entitled to it, and perhaps fear that it might sound pretentious. Why this is has been central to our work.

We have also discovered far more agreement on what 'Building Better' means than we perhaps ever expected. In evidence sessions, round tables and meetings with over 100 specialists and experts around the country a surprisingly clear picture is emerging. There is a high degree of agreement as to what characteristics constitute 'a good place', and also around many of the design approaches to achieving this. A myriad of papers, reports and guidance documents from public bodies, institutions and think tanks have sought to address the question of design quality not only in buildings but also, very relevantly to our brief, in neighbourhoods. It seems that almost everyone subscribes to the need for place making – though few as yet succeed at it and some seem unclear what it really entails. The reason for this failure, in the face of such a weight of agreement, at translating principle to built form lies at the heart of this report. Either there is something very wrong with the principles, our understanding of them or our ability to deliver them.

References to 'beauty' are rarely found in the millions of words written in these papers. They used to be part of the discourse only a few decades ago. As one of our advisers, Fiona Reynolds has written,

*"There has been a marked shift away from the use of the word beauty in policy and legislation, towards a new language which may please the bureaucrats but leaves the human spirit cold."*⁴

The Commission and its advisers were excited at the aim of the Commission firmly to put beauty back on the agenda. *The question is how?* One place to start is to understand why

discussion of beauty has been avoided in official, architectural and built environment culture for so long.

That beauty might be subjective, purely a 'matter of taste' (if that is indeed the case) is a very bad reason to dismiss it. So much in our social, cultural and political lives is subjective. *Feeling* is what moves most of us more than reason. Public disenchantment with so much of what has been built since the war cannot be adequately captured in facts and numbers; it is a powerful and present feeling of loss. Some argue that to talk of beauty when we are in midst of a housing crisis is a distraction. Such an argument is based on the fallacy that somehow one precludes the other – that quality and quantity are at odds.

But there are good as well as bad reasons for finding beauty problematic in built environment policy. One good reason is that beauty is too important to attempt to capture by the type of utilitarian criteria that policy requires. In this way, thinking of beauty as simply another layer of mandated characteristics, such as adequate natural light, would be to trivialise it. This idea has deep roots. For John Ruskin, beauty was the manifestation of underlying religious and moral rectitude. In this conception we arrive at beauty not directly by aiming at it, but by profoundly understanding the conditions in the round in which the work is being created, and the purpose it is intended to serve. In the Zen view, you achieve your objective by thinking of everything but the object. What we might take from this is rather than making top-down rules to impose beauty, we need to create the conditions in which 'Building Beautiful' becomes as active an aim as 'Building Better.'

Immanuel Kant's elegant formulation that we are '*suitors for agreement*' from others in our judgement of the beautiful acknowledges that such judgement has subjectivity, but insists that there is a next step, a conversation to be had. What we must then do is to create the space for this conversation with the public and the professions. Currently judgements about beauty are being made covertly. Places and buildings look and feel the way they do not by accident but by choice. The problem is that that most people do not have access to the discussion about the choices or don't feel that their voices and opinions matter.

We need to ensure that communities have such access so that they can shape the future not just protect the past. Through prioritising beauty as a clear-cut objective of planning the built and natural environment, we hope that the arrangements which govern how development is taken forward in future will adapt to support this outcome – for all. We have heard too many views that communities feel development is "done" to them – not for them. Beauty is a part, not the whole part but an inescapably necessary part of the good life, of what, long ago, the Greeks called *eudemonia*. And beauty should be shared and democratic not forgotten. Helping make it so is the purpose of our work and of this report.

This interim report is set out in three parts. The first part considers the nature of our challenge, the nature of beauty and critical components of our housing needs, sustainability challenges and community engagement experience that encompass our terms of reference.

The second part reviews the evidence we have considered from our wide research, our 100 interviews or round tables, our seven regional visits to over 17 housing and development sites across the country, our analysis of over 70 responses to our call for evidence and our wider

research. It asks why people oppose development, what people want and where they flourish. It reviews the state of planning in England today and considers the barriers to building beautifully at multiple scales.

The third part of our report lays out our interim proposals to help the country create space for beauty whether it be in existing settlements, new settlements, high streets or in the identification and release of appropriate land and infrastructure.

The Wintles, Shropshire.⁵



Part I – The Challenge

5. Beauty and why it matters

5.1 The nature of the challenge. The question before the Government is not whether development is needed, but how it should proceed, where, and under what spatial and design constraints. We need to leave a legacy at least as good as the one that we have received at many scales. It has become clear to us that many, perhaps most, observers do not think we are achieving this either in the spatial pattern of our development or the architecture of the individual building or façade. As a result, the argument for beauty has been used to challenge and sometimes stop development for many years. As long ago as 1928, Clough Williams-Ellis's ground-breaking polemic against development, *England and the Octopus*, argued its case against development in terms of the defence of beauty.

*"It is the common background of beauty that this book seeks to champion and defend."*⁶

Arguably, little has changed since. And the tension between the need for quantity and the desire for quality has come to a head. When the need for more homes is clear, why is there so much opposition to new developments; often from across demographics and age groups? Too many neighbourhoods feel themselves the victim of development - unable meaningfully to improve – or even influence - its nature and simply bemused by its ugliness. One of the respondents (a private citizen) to our call for evidence could have been speaking for many when she wrote that:

"Developers then parachute in and seem to know what is best for the area."

Another added;

"My local experience is that the community is seen as an inconvenience to be swept aside during the planning process. Consultation has fallen to almost nil.... developers hold considerable sway."

The Town and Country Planning Association (TCPA)'s 2018 Raynsford Review rightly recognised this problem. As their evidence to us put it;

*"The Raynsford Review received extensive evidence on the anger and disconnect that many communities feel in relation to the planning system."*⁷

Something clearly needs to change. Our task, we believe, has been to try to reconcile those who wish to protect what we have, and those who wish to advance as quickly as possible to the acknowledged goal of a roof over everyone's head. However, because the public sees the planning process as a shield, rather than a sword, aesthetic considerations have been raised largely in the context of conservation. Beauty belongs to 'listed buildings' and 'conservation areas': it has become a backward-looking concern, which is of only marginal interest when planning for the future. Making beauty central to the development and planning process involves a radical change of attitude, in which cities, towns and villages are no longer divided into 'historic' centres governed by aesthetic values and 'modern'

extensions governed by utility, and seen instead as evolving fabrics, in which beauty is inseparable from utility, to be pursued through a continuous process of adaptation and experiment. We need to move from the assumption that beauty is a property just of old buildings that is threatened by new ones, to the assumption that everyday beauty is a controlling aim in all that we do, and that new developments can be, and must be, improvements to the place where they occur. It is certainly this hope that appears to have animated much of the evidence that has been sent to us. The Northumberland and Newcastle Civic Society, for example, wrote to us;

*"All too often we review applications whose proposed development will clearly have a negative visual impact and it is difficult to understand why their promoters have not considered a more empathetic design."*⁸

Members of the Commission and its adviser group represent a very broad range of built environment experience and architectural opinion. From the outset of its work it has been explicitly recognised that it is not the role of the Commission to dictate architectural style. Beauty is about much more than style and appearance. Nevertheless, we have collectively recognised that there is a pressing need to rebut the myth that judgments of beauty are merely 'subjective'. Beauty may be in the eye of the beholder, but the beholder is a complex social being who lives by dialogue, conciliation and attachment. Beauty is in the eye of such a beholder only in the way that love is, and like love the judgment of beauty is grounded in an apprehension of its object and a relation of dependence, the violation of which leads to unhappiness and alienation.

We need to change things in such a way that the argument for beauty, understood and discovered locally, is used from the very earliest moment to *shape* development, not to *prevent* it. The aim of this Commission is fundamentally to change that relationship and to set out what is necessary to achieve this. Only then will we be able to build sufficient new homes, evolve existing places and high streets and create new communities to be as good as, indeed better, than the old. At present, too many are worse.

In this interim report we have not taken refuge behind ambiguous phrases like 'good design.' We have come out fighting for the thing that we have been asked to defend – beauty. Beauty exists at many levels from how development tucks into the landscape to the sensitivity of materials. It includes all that is valued in our surroundings, and all that makes it into a place *where* we might want to be, and a place *that* we want to be, whether or not we reside there. This means accepting the fundamental premise that development can be, and ought to be, an improvement of the place where it occurs, that development can improve a derelict site and that a street may be more beautiful than the field that it replaces. Conceptually, this is not so different from the proposition of 'environmental net gain' the implementation of which is being overseen by the Natural Capital Committee.⁹ As we will set out, we believe there is scope for a complementary principle to govern the development of the built as well as the natural environment. We have a planning system that is designed to ensure no net harm – not to support a net gain.

We recognise however, that the beauty of a scheme is not the only impediment to gaining public support nor to leaving a valuable legacy to future generations. As the Chartered Institute of Housing put it in their evidence to us, "*gaining public support means going beyond aesthetics.*"¹⁰ This is correct. Aesthetics matter. But they are not *all* that matter. Beauty, to us, is a much bigger and deeper concept which embraces all three scales: buildings, places and sustainable settlement patterns. We need to create a new and interconnected set of processes that will deliver beauty at these three levels, and address the barriers that are preventing measurably better and more beautiful places. We have reviewed these barriers as well as the associations between design and development with wellbeing and support for development.

Through our work and our evidence-taking we have identified critical associated tensions. One is to permit a less concentrated development market with clearer long-term incentives better able to respond to community preferences. SMEs, self-build and custom build should be player a more prominent role – as they do in much of the rest of the world, operating within a clear framework. A second is to accommodate 'good growth' so that the urban footprint itself helps mitigate climate change, uses resources wisely and encourages healthy and happy lifestyles and greater equity. This has emerged from our discussions as a critically interconnected theme. We believe that the aim of all future planning should be place making, making good, beautiful, sustainable places for people to live in.

Our evidence very strongly suggests that this need for good growth is not in contradiction with the need for and desire to protect beauty but is in fact infinitely entwined with the developments and settlement patterns which most people prefer and are most sustainable. Put simply, in density terms, there is happy middle ground where most people's need for personal space, family space, proximity to shops, services, neighbourhood and community can be accommodated with more sustainable development patterns that place less reliance on cars and more on walking, cycling and public transport (which are inarguably better for our health and wellbeing)¹¹. This has been called 'gentle density' or 'the missing middle.' Creating the types of settlement with clear centres and a mix of uses that most people find beautiful can therefore underpin, not undermine, the attraction and long-term success of English cities, towns and villages. As the Green Building Council put it in their evidence to us:

*"Sustainability and beauty are not, and should not be perceived as conflicting. Truly sustainable places and buildings will need to be beautiful in order to stand the test of time, with features that deliver for public health, wellbeing and biodiversity."*¹²

Up and down the country we have also seen that people enthusiastically welcome regeneration schemes where under-used land and redundant buildings are sensitively brought back to life to create vibrant new uses. We have seen the outstanding outcomes that can be achieved (such as Granby Street in Liverpool) where the community owns the process and where a Turner Prize can be achieved for a street of terraced homes. We have also seen a revival of regional towns and cities taking place where some of the qualities associated with big city living are being brought to smaller settlements, bringing new opportunity and choice to people as to their lifestyle and homes. When coupled with the access to work and commerce afforded by digital technology, this encourages us to hope

that we might be observing the start of a regional renaissance in the UK. We have also seen a very few examples of greenfield development which positively add to the original settlement, and which people have rapidly come to enjoy with as fierce a sense of pride as the occupiers of historic conservation areas.

Not all development is unwelcome. Up and down the country, there are examples of beautiful, well-conceived development. Examples include Accordia in Cambridge, Roussillon Park in Chichester, Poundbury in Dorset, Nansledan in Cornwall, the Malings in Newcastle, recent work on the Bourne Estate in London or the Wintles in South Shropshire. Several of our advisers (notably Peter Studdert and Ben Bolgar) have been heavily involved with these developments. In different ways, all embody beauty and the spirit of place.

To pick one example, The Malings is a Newcastle development on a central riverside brownfield of 76 new homes. It reflects the local house type, the 'Tyneside Flat' and a form similar to terraced housing. One resident said of it;

*"Living in the Ouseburn valley, the rehearsal rooms, the Tyne Bar, the scrap yard crane – all of them are unique to our little part of the world. And we have great neighbours too. Wherever we've lived before, we've certainly never lived anywhere surrounded by so many people who genuinely love where they live."*¹³

Schemes such as these, where people feel such a profound association between the beauty of the place with their own lives should be the rule, not the exception.

*The Malings, Newcastle*¹⁴



The aim of improving the planning process, and the aim of conserving beauty, are ultimately therefore complementary parts of a single endeavour, which is that of producing and enhancing beauty overall so that our existing and new cities, towns and villages are consistently better places in which to live, love and work.

5.2 The nature of beauty. What is beauty? Many of us do not talk much about it. We tend to prefer other and less exalted words by way of ducking out of the conversation: well-designed, harmonious, appropriate, fitting. But most of us *do* care deeply about beauty all

the same. And, when pushed, we admit that we value it. 81 per cent of us think that everyone should be able to experience beauty on a regular basis. Only three per cent disagree.¹⁵

Beauty is not confined to the realm of high art, or to the wonders of nature untouched by man. There is an everyday beauty, which we pursue in our daily lives, and on which we depend without necessarily knowing why. About this ordinary, everyday beauty we strive for agreement, and we make sacrifices in order to achieve it. It is a symbol of social harmony and mutual belonging, and its absence is often felt as a violation. Beauty of this kind matters to us, and ugliness matters too. In a survey of 792 Civic Society members (kindly conducted by Civic Voice as part of their evidence to us), 86 per cent felt that “beauty is important” in “how a new development looks.”¹⁶

Sceptics respond with a rhetorical question: how is beauty defined and who is defining it? Briefly, there can be no direct definition of beauty that will be immediately accepted by everyone. Beauty, like truth and goodness, has an ultimate and foundational character. Take it away and you undermine the bond between human beings and their world. We pursue beauty, as we pursue truth and goodness, because in doing so we are realising our nature as free, self-conscious beings. And because the need to do this is so profoundly embedded in what we are, we can never find a definition of beauty that is not trivial or paradoxical. The question ‘what is beauty?’ is therefore no more susceptible of a straight and clarifying answer than the question ‘what is truth?’ Our inability to answer that last question has never persuaded anyone that truth does not matter, that we can make it up, and that it is all subjective in any case.

But we can make a few general remarks nevertheless. ‘Beauty’ is a general term for the ways in which the look, sound or feel of our surroundings become intrinsically valuable to us. We appreciate charm, atmosphere, life, peace, good humour and agreeable manners, all of which are part of beauty, and all of which we find abundantly in our architectural heritage. If we are to do justice to that heritage we must continue to build in a way to which people can connect, so as to make places where feel they are at home and which work well now and in the future. That is what the pursuit of beauty is about, and the purpose of this report is to examine how that might be done, and how the obstacles to doing it might be overcome.

So understood, beauty is not a veneer that is laid on top of utility. It is the most important *part* of utility, since it is what makes buildings and settlements into fit places to live. This is revealed in the adaptability of beautiful buildings and the disposal nature of ugliness. And this is why there are good philosophical reasons for rejecting the idea that beauty is a matter of subjective opinion, without foundation in human nature or in our desire to live at peace with our neighbours.

Britain has been good at producing beauty, especially in the form of serene countryside and harmonious domestic and civic buildings. Our enjoyment of beauty in the built environment is complex. It is conditioned by a reverence for the landscape and nature. We were struck by the words used by residents describing settlements in their rural neighbourhood at a community design day we attended:

“the village is the lovely spire you see from the field” and “it’s in the bend of the river.”¹⁷

The Green Building Council agreed writing in their evidence to us that;

*"any definition of beauty should reflect the fundamental role of nature's beauty in the built environment, which is an idea that has deep roots in culture and society."*¹⁸

Such feelings are not new. They certainly date back to the romantic movement and the intervention of the picturesque (and arguably much longer). William Wordsworth recalled how his youthful exploration in the "fords and shallows" of the River Derwent gave him;

*"A knowledge, a dim earnest, of the calm
Which Nature breathes among the fields and groves."*¹⁹

But it also encompasses the impact of climate and light, a rejection of pomposity and display, the enjoyment of authenticity, a fascination with technology and the occasional burst of flamboyance and chutzpah: the rural idyll, the simplicity of the country cottage (perhaps Thomas Hardy's childhood home in Higher Brockhampton) set within the complexity of the abundant garden, both crafted by hand and set within a strong, structural landscape; Gold Hill in Shaftesbury; civic buildings who proclaim their purpose to educate, improve and share knowledge; Alfred Waterhouse's great cathedral to nature and to science – the Natural History Museum which reimagined Romanesque architecture to an utterly new purpose. Beauty is about our whole approach to land use and the way we live and is about process as much as outcome. It will require not just different approaches to building design but land use and different processes that work more effectively with more people.

Such beauty is not the exclusive property of the landed and wealthy. It belongs to us all or it should do. We should strive to ensure that every citizen, however deprived or disadvantaged, has a proper share of it. At present this is not happening. Beauty is unequally distributed. Those who feel they are most able to access beautiful places, spaces and buildings tend to live in higher income households.²⁰ We should not tolerate this. Beauty should be democratic, available to everyone, as Octavia Hill and John Ruskin argued. No more should we tolerate ugly buildings, ugly neighbourhoods, settlement patterns that are bad for us or our environment or places from which the residents wish to flee. Nor should we allow our countryside to be spoiled by unsightly developments or our historic cities to be mutilated by structures that tear their fabric apart.

Beauty therefore comprehends all that feeds into the sense of being at home in a shared world. People make sacrifices for beauty as they do for love and this is revealed, as we shall see, in house-prices, holiday destinations, retirement plans, and all the art and literature of settlement. At the same time, we should distinguish natural beauty, artistic beauty and everyday beauty. What matters in everyday life and settlement is 'getting things right', 'fitting in,' etc. We have received much evidence on this from civic groups and others concerned to safeguard their sense of place. People may not want an 'iconic' building in their immediate environment, and for many planning protesters the best outcome is also the outcome that will not be noticed. In many situations the requirement of a scheme is that it should be appropriate and contextual, and the maintenance or enhancement of beauty of the whole settlement will flow from that.

What people want, what will best deliver for people and beauty, therefore, is buildings that reflect the history, character and identity of their surroundings: somewhere, not anywhere. As the Royal Institute of British Architects put it in their evidence to us:

*"Local context is ... crucial in determining what will be considered beautiful in a particular area."*²¹

Hence streets, squares, high streets, centre, a coherent network of green spaces: a walkable and communal settlement, in which the streets are as beautiful (in a different way) as were the green fields that preceded them. And most people desire and appreciate these things, regardless of whether they themselves are the ones who will directly be enjoying them. The judgment of beauty is impartial and disinterested, and abstracts from all merely individual desires.

Understood as the overall *Gestalt* character of a place, beauty is not only an intrinsic value: it has social and economic value too and is indeed fundamental to the happiness and well-being of human communities. Much of the evidence we have received has highlighted the social and often economic cost of ugliness, as well as the way in which beautiful urban textures contribute not only to the well-being of those who live and work in them, but also to a massive uplift in economic value. Our aim is to help spread that value from those who can afford to put beauty at the top of their personal agenda to those – the deprived, the disadvantaged and the homeless – who depend upon the wise use of planning in order to provide them with their legitimate share.

As we have seen, beauty is now generally seen as a backward-looking concern, a matter primarily of conservation. We have been asked to make it into a forward-looking concern, and this requires a sea-change of attitude. This is our role. We are reassured that our existence seems to be changing that. As one neighbourhood campaigner told us;

*"Now, it does not feel ridiculous to be talking about beauty."*²²

This is welcome. We hope that when our work is complete, it should be perfectly normal for those involved in planning and development to seek beautiful *new* development as well as hoping to protect the old. The national planning framework and related policies and practices should encourage this. We were very encouraged that 63 per cent of the 73 evidence submissions we received agreed that beauty should be an objective of the planning and development process. By the same token, it is clearly not right for the definition of beauty to be defined nationally, rather the framework within which it can be discovered locally and contextually.

6. The context

Our work is not taking place in a vacuum but in the context of the need, to cite our terms of reference, for more “homes and places” which are built both “for the future” as well as with “popular consent.” This chapter very briefly sets out this wider housing and sustainability context which we have tried to take keep in mind during our analysis and in drafting our recommendations.

6.1 Political and economic context. This is not the place to rehearse all the arguments about the need for new homes and the wider need to deliver high quality, healthy and productive places in England. However, a few points do set the background to our work.

- *It is unarguable that there is a crisis of housing affordability.*²³ This is having profound consequences for standards of living and wealth inequality.
- *There is very wide agreement that there is a need for more homes in many parts of the country.*²⁴
- *There is nearly as wide agreement that such homes should be of a mix of tenures* from market, build-for-rent and social and affordable housing.²⁵
- *There is a challenging regional dimension.*²⁶ England’s economy remains spatially very unbalanced with too great a focus on London and a few other ‘hot-spots’.
- *We are now delivering more homes and a growing proportion of them will be led by the public or third sectors.*²⁷ But what will everyone build? And will it be good enough? The Secretary of State for Communities, James Brokenshire MP, was clear in a speech in June 2019: “I’ve challenged the development industry to raise the bar on the standard and quality of the new homes we build.”²⁸
- *There is a growing political realisation that this is not just a numbers game and not just about homes. We are not making good enough places for people.*²⁹
- *The impact on health and wellbeing of good place making is becoming widely recognised.* The NHS faces exploding costs due to lifestyle related disease. Through their Healthy New Towns programme there has been a recognition of the benefits that well-designed places can bring to the physical and mental health of residents.
- *The link between place competitiveness and productivity is becoming clearer.*³⁰

6.2 The policy response – place-making and sustainable growth patterns. At the last election both of the two largest parties committed themselves to support more new homes, avoid unsustainable “urban sprawl”, to build better homes and, with differing emphases, to build a mix of social and affordable homes. Both recognised that the country, as a whole, has not been building enough homes nor of the requisite quality in the right sustainable settlement pattern. Indeed, it’s beginning to be realised the building homes alone is never the answer, unless we are building places as well.

We have tried very hard to evolve interim options that could appeal to governments and councils of different political perspectives, to neighbourhood groups with different priorities and to landowners and developers with different time horizons and investment models.

6.3 Sustainable development. Critically, the debate on housing and development, is taking place in the context of growing concern about the environment and climate change. The same generation which is most disadvantaged by high housing costs, the young, are the generation who are most worried about the sustainability of our lifestyles and development patterns. This is doubly relevant as settlement patterns and transport choices have a measurably important impact on our energy usage. Put simply, those living in denser settlements tend to use much less energy getting around. They can use feet, bicycles, trains and trams. Those living in extended suburbs or the countryside tend to be far more reliant on cars.³¹ Those living in suburbs support by local rail are 'in the middle' in terms of energy usage. The evidence on energy usage within buildings (primarily for heating or cooling) is little more complex. Detached homes tend to be less energy efficient than terraced homes. But tall towers and very wide buildings also seem to be less energy efficient.³² Perhaps the best approach for sustainability of movements and buildings is one of gentle density not hyper density or extended suburbia?

From the Paris Climate Agreement in 2015, to the forecast rise in global temperatures by the Intergovernmental Panel on Climate Change in 2018, and protests in London this year, world powers, scientists and individuals are giving the issue their attention and taking action. There is an increasing awareness of the extent of the global challenge, as well as the need to do more to protect the environment closer to home, and the impact that the decision making of Government, business and individuals can have from the macro to the micro level. This makes the job of building more homes much harder, but it does not make it impossible. As Professor Dieter Helm, chair of the Natural Capital Committee, told us in an important conversation in one of our evidence sessions:

'It is possible to build the homes we need, while at the same time enhancing nature and human quality of life.'³³

The concept of sustainable development has therefore been embedded in international agreements and domestic planning legislation and national policy for some time, in particular following the definition set out by the World Commission on the Environment and Development in 1987:

'development that meets the needs of the present without compromising the ability of future generations to meet their own needs.'

This is a crucial backdrop to our work: making sure we build the right development in the right place to enable sustainable lifestyles.

Crucially, in June 2019, the Prime Minister announced that the UK will eradicate its net contribution to climate change by 2050 and is amending the Climate Change Act 2008 to pass this into law. This policy change was made following advice from the independent Committee on Climate Change who also forecast significant benefits to public health and

savings to the NHS from better air quality and less noise pollution, as well as improved biodiversity.³⁴ How and where we provide for future development is absolutely critical in whether we achieve net zero.

6.4 Environmental net gain

The Government's *25 Year Environment Plan* (2018), sets out Government action to help the natural world regain and retain good health. It also emphasises the critical importance for physical and mental health of access to nature for people, especially children. The Plan aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats. The 25 Year Plan notes that the Government is committed to building many more homes, but will also ensure that development and the environment will be supported by embedding the principle that new development should result in net environmental gain – with neglected or degraded land returned to health, and habitats for wildlife restored or created.

As well as setting a broad range of targets including the improvement of air and water quality and biodiversity, the Government has set itself a goal to conserve and enhance the beauty of our natural environment, to make sure it can be enjoyed, used by and cared for by everyone. This includes making sure that there are high quality, accessible, natural spaces close to where people live and work, particularly in urban areas, and encouraging more people to spend time in them to benefit their health and wellbeing.

6.5 Clean Growth, Regional Strategy and Planning. Also relevant is the Government's Clean Growth Strategy (2017) which sets out how the wider economy, including new homes, can contribute to a lower carbon future. This includes a vision that new development should avoid the need for later retrofitting and be designed to accommodate low carbon heating. This could involve all new homes off the gas grid from the mid-2020s being heated by a low carbon system, such as a heat pump.

The Quality of Life Commission Report argued for a more sustainable urban footprint to underpin healthier more fulfilling lifestyles and as part of the fight against resource depletion and climate change. This is consistent with work being undertaken by NHS England's Healthy New Towns programme and with a strong body of academic and professional evidence internationally as well as in the UK. This includes Jeff Kenworthy and Peter Newman's work in Australia and the many practitioners working on 'sprawl repair' in the US, such as Andres Duany, Peter Calthorpe and Jeff Speck.

The Industrial Strategy also has begun to address the inter-connectedness of place and prosperity. Coupled with place driven City and Growth Deals, the newly announced Stronger Towns Fund and prospective Shared Prosperity Funds, there is an increasing strand of policy driving the development of 'place competitiveness'. This needs to be more closely linked to the place making and housing agenda to produce greater synergies. We have observed that on a worldwide basis places that are attracting investment and are most successful and popular in the twenty first century tend also to be those that display a strong commitment to place quality and sustainability.³⁵

The National Planning Policy Framework (NPPF) confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, by pursuing the three overarching objectives linked to the economy, society and the environment. These three overarching objectives are defined as interdependent and needing to be pursued in mutually supportive ways. Most relevantly the 'social objective' is to meet 'future' as well as present needs and the environmental objective is defined as;

"to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

The Commission sees a clear elision between the goals of beauty and sustainability which we believe emerges from the evidence in favour of pleasing development in popular mixed-use settlement patterns.

6.6 Previous reviews and current reviews. Of course, we are not the first to review the state of housing, planning and development. Housing experts' bookshelves are groaning with reviews into different elements of affordability, supply, planning, design and the housing market. Notable studies are listed below and further information about them is included in the Appendices.

- *The Independent Review of Build Out* by Sir Oliver Letwin in 2018, looking at build out rates of housebuilding.
- *The Raynsford Review of Planning* by Nick Raynsford in 2018, looking at improvements to planning.
- *The Farrell Review of Architecture and the Built Environment* by Sir Terry Farrell in 2014, looking at design and architecture.
- *The Review of Non-Planning Consents* by Adrian Penfold in 2010, looking at ways of deregulating the development process.
- *The Report of the Quality of Life Commission – A Blueprint for a Green Economy*, commissioned from Zac Goldsmith and John Gummer by the Conservative Party in the run up to the 2010 election, to consider how sustainability could be embedded as a cross-cutting objective of policy.³⁶
- *The Report of the Urban Task Force*. The Urban Task force findings put place quality firmly on the map in Government thinking and, while focussed narrowly on urban regeneration, many of its findings equally apply to the greenfield scenario.

There are a range of current reviews which are also relevant to our work. These include the Law Society Commission on Leasehold Enfranchisement Reform, the Business Energy and Industrial Strategy Committee Inquiry chaired by Rachel Reeves MP and The UK2070 Commission.

A question we must address as a Commission, and will do so at the next stage of this report, is to interrogate the question of why, when there is so much agreement as to the principles that underpin high quality places do we see so many schemes being built which fall so far short of these aspirations?

6.7 Towards a new model for change: co-design and community architecture. A further critical reference has been the transformational role that community and stakeholder engagement can play in helping to formulate development proposals that are informed by local and specific knowledge, and which engage the buy-in of the communities who will go on to live with and in them.

Community architecture and the rise of Community Land Trusts. There is a direct line of inspiration and influence running from the early days of the community architecture movement to the Localism Act, and the increasing adoption of collaborative design through methods such as charrettes or Enquiry by Design. “*Community architecture*” was a phrase coined by Charles Knevitt describing the work of Rod Hackney in his design of the Black Road Estate in Macclesfield, whereas Paul Finch put it:

“It was the threat of compulsory demolition of well-liked homes that prompted the creation of an alternative, based on listening architects and determined residents.”³⁷

Other critical moments were the revolt in London against the redevelopment of Spitalfields and Covent Garden. In parallel early Community Land Trusts (the first was the Stonesfield Trust in rural Oxfordshire) and then the success of the Coin Street Community Housing project showed how a community could come together in the face of development to deliver architecture and place making of the highest quality sometimes in the face of commercial forces.³⁸ Could people become clients and influencers or architecture rather than just recipients? The answer of architects such as Walter Segal (who pioneered a system of timber-framed self-build housing using modified to modern materials) and John Thompson (who introduced a community planning tool to the UK) was a resounding ‘yes’.

We are very lucky to have considerable expertise in the UK in this area. *Community Planning* by Nick Wates was a seminal publication and has taken the idea of community planning as practiced in the UK worldwide. The Prince’s Foundation for the Built Environment has been another critical influence, initially through its encouragement of community planning, and subsequently through its championship of Enquiry by Design (EbD) as a method of proactively engaging communities and stakeholders in the urban design process. EbD was taken up by English Partnerships (now Homes England) and the urban extension of Upton in Northampton was the first development in the UK to be designed on this basis.

Enquiry by design

Also referred to as “charrettes” (after the carts in which students at the *Ecole des Beaux-Arts* used to transport their models), the main differences between the enquiry by design (EbD) method of public engagement and standard consultation are that:

- *Planning is a ‘sequentially reactive’ process and EbD is ‘simultaneously proactive’.* The full range of professionals are engaged in the exercise of interrogating the capacity and

design potential of a site alongside the community, stakeholders and the local authority. It can even make planning dynamic and fun.

- *Normal interaction with the community can be cynical 'consultation.'* This involves pinning up designs and asking people questions in a way that will give developers the answer they want. EbD is collaborative 'engagement' where people are listened to and co-create the design alongside professionals and other stakeholders. That doesn't mean neighbourhoods or developers always get what they want but it helps to build common ground and builds trust when everyone is trying to solve the same problem.
- *The EbD process has four parts:* technical briefings made simple for people to understand, a site visit to further understand and remember the technical constraints and opportunities, a general workshop in mixed groups where all groups look at the same problem out of which the commonalities are recorded as a 'consolidation plan' and then technical scrutiny where the professionals are allowed to revert to their specialisms to test the plan and feedback any refinements as required. If the redesign is major due to an unforeseen technical constraint then professionals and neighbourhood need to get back into groups to create the new consolidation plan.

Proponents argue that this approach has many benefits for community and developers:

- The design team learn very quickly about a place from the people who live there. People like talking about their neighbourhoods. Developers therefore get a remarkable amount of information.
- If people see their ideas and concerns emerging through the design work they will tend to feel that their ideas are being responded to which builds trust, and often helps to build the basis of support for a scheme.
- People learn a lot about the planning and design process which they enjoy and it empowers them to demand better.
- If people feel they have contributed to a plan they are more likely to feel ownership and support it.
- If people feel the process is fair and based on sound planning and design principles then even if they don't get what they want they respect that it has attempted to reflect local views. They often learn how to be more meditative and effective in negotiating..

A growing range of firms and landowners are now taking this approach. As Ben Bolgar, one of our advisers and Design Director at the Prince's Foundation told us:

"EbD is like going to the GP. The first thing they do is ask you how you are and listen to understand you better and what might be wrong. The next thing they do as a medical professional is examine you and undertake possible tests. They may need to refer you to a specialist in order to get in deeper to the issue. Ultimately a diagnosis is made and then a remedy suggested. For an EbD we listen, we then undertake a technical analysis of the place (with people so they understand what we are doing and

finding as we go), we then identify where issues are and see if, as part of developing land, we can address and fix problems.”

In our call for evidence, the use of deliberative co-design techniques was largely supported – above all when done early in the process. 47 per cent were very supportive of collaborative planning and 40 per cent were broadly supportive. Only five per cent felt this approach was unhelpful or time or money ill spent.³⁹ Almost everyone was keen to stress that they had to be deployed early in the process. The RTPI (Royal Town Planning Institute) could have been answering for many when they wrote:

“Such engagement can be highly effective in helping communities to accept new development.... From the community’s and stakeholders’ perspectives alike the earlier the engagement the better.”⁴⁰

The Duty to Consult and Neighbourhood Planning. This growing ‘movement’ was partially recognised by the 1990 Town and Country Planning Act which required local councils to undertake statutory consultations on proposed development. It also helped lead to the 2011 Localism Act. This added a duty for developers to consult the public on their plans prior to the submission of the planning application. This is often honoured more in the letter than the spirit: indeed a sub-culture of property PR firm exists to create superficially impressive but profoundly vacuous statement of community engagement. Many of those who have submitted evidence to us were powerfully convinced that much consultation was rigged to get a pre-determined answer. For example, the Alliance of Canterbury Residents Associations told us;

“Local experience has been that a first round of engagement in a local plan tends to ask leading questions.”⁴¹

Nevertheless, this duty establishes a base line. However, the most far-reaching consequence of the 2011 Act is probably the right to formulate a Neighbourhood Plan. Neighbourhood Planning was intended to be “a substantial and lasting shift in power away from central government and towards local people.... reform to make the planning system more democratic and more effective.”⁴² It gives parish councils or specially formulated Neighbourhood Forums the right to create Neighbourhood Plans which can set policies within the framework of the NPPF and the Local Plan.

One thing is certain. Neighbourhood planning has ‘taken off’. Over 2,600 groups have started the neighbourhood planning process since 2012, in areas that cover over 14 million people (over a quarter of the English population). Over 1,100 draft plans have been published for pre-submission consultation, over 800 have been submitted for examination and 750 plans have now been finalised. The term has fallen out of political fashion but that may be a working example of the ‘Big Society.’⁴³ We will address in Part II the efficacy of current arrangements to secure the development communities want. However, it is undoubtedly testament to those community activists who fought for better development and the professionals who supported them that this area of law came into being.

From bonfire of the guidance to people-centred planning? England's overarching planning policy document is the National Planning Policy Framework (NPPF). This gives guidance to local authorities as to how they are meant to apply policy. The 2012 NPPF was a simplification from a previously much larger number of Planning Policy Statements. It was expressly intended to, in the words of the then Minister for Planning Greg Clark MP in 2012;

*"replace over a thousand pages of national policy with around fifty, written simply and clearly to allow people and communities back into planning."*⁴⁴

In July 2018 a revised NPPF was issued. It placed much more focus on design and early neighbourhood engagement. This is welcome though it could go further and developers are not meeting its ambitions. Key new points of focus included;

- a greater emphasis on the importance of plans setting out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. (It refers to a sense of arrangement of streets, spaces, building type and materials to create attractive, welcoming and distinctive places to live, work and visit);
- a particular focus on the importance of design policies being developed *with* local communities;
- a focus on communities themselves using the opportunity that neighbourhood plans present for setting out their design ambitions;
- local planning authorities using the right tools and processes for assessing and improving design (including "visual tools such as design guides and codes") including those for engaging communities; and
- ensuring that the quality of approved development is not materially diminished between permission and completion, as a result of changes made to the permitted scheme.

These are all welcome steps. However, it is too early to tell yet what effect they will have. Another view which we have heard is that this deliberative stakeholder and community engagement process is what a good designer or developer does as part of their practice, and it does not require regulation or policy prompting but rather a sage choice of design consultant. Equally there is a practice of design enabling, administered through such bodies as the Design Council and the regional design enabling bodies, which can assist communities and clients. One senior local planner praised this model highly in one of our roundtables for its ability to inform over-stretched officials and, critically, to do so *early* enough in the process.

*"The key thing is we've had engagement with Design South East, along the process of production of these documents. We've done that rather than waiting for [the housebuilder] to finish and then putting to a design review for them to say we don't like this or that."*⁴⁵

A bigger future for CLTs? Since their birth in the 1980s, Community Land Trusts (CLTs) have slowly spread across the country (above all in Cornwall) as a way of securing community ownership of land and permanently affordable housing. In total there are now over 330 in England and Wales with 935 homes. Most have been modest and rural. Though some are

more substantial and urban. In 1992, Waltherton and Elgin Community Homes took ownership of over 900 homes from Westminster City Council. It is currently building 45 more permanently affordable homes on the land it owns.⁴⁶ In the 2016 Budget, the Government announced a £300m fund for community housing projects in rural and coastal areas where there was a high proportion of second homes. This has led to an enormous increase in community-led development. There are now more than 5,000 homes in the pipeline and over 17,000 people are members of CLTs.⁴⁷

Consulting and impact-testing online and in virtual reality. Planning in this country was described to us as “an analogue process in a digital age.” Technology is now making it easier to engage more efficiently and more effectively with an ever-widening pool of local residents and stakeholders. The Prince’s Foundation have created the online ‘Build in My Back-Yard’(BIMBY) toolkit to support co-design, private firms have created online tools to gather people’s likes and dislikes about different places for masterplans and pre-applications and online visual preference surveys have permitted hundreds of residents to express their preferences for the future of their neighbourhoods.⁴⁸

6.8 Conclusion. In short, we are working in a context of more homes being built, more being built by the public and third sectors across a variety of tenures and in which there is rapidly growing awareness of the urgent need to evolve the emphasis from house-building to place-making and to develop more sustainable settlement patterns. There is a widening renaissance in community involvement within development taking place but even wider cynicism that much ‘consultation’ is a pretence. And what is being built, especially by many volume housebuilders, is, according to much of the evidence we have received, pretty bad. The Commission acknowledges the important body of work represented by the community architecture movement and the efficacy of community engagement techniques to help the discussion to take place between professionals, communities, stakeholders and developers of what a scheme should be and how it can add to rather than subtract from the beauty of a location. It also recognises the burgeoning capacity of innovative technology to support better informed, more rigorously-tested, decision-making. But there is still very far to go. More will be needed to reach a carbon net zero position by 2050 and there are critical concerns about the resourcing and capacity of local councils to engage substantively early enough in the plan-making (as opposed to development control) process.

Part II – Our findings so far

7. What's gone wrong?

Despite being immeasurably richer than our predecessors we build less beautifully than they at all the three scales of beauty that we have defined, at the level of settlement pattern, at the level of place making and at the level of building design. The Georgians managed to build beautiful, large scale new development with controls on development exercised through local municipal building acts which were relatively minimal in their scope, however with detailed controls being exercised through contracts attaching to landownership. During the Victorian and Edwardian eras large areas of the UK's cities were laid out in fine, if undistinguished, neighbourhoods of every level of affordability, again on the basis of limited planning and controls exercised through the ownership of land and through the Housing and Building Acts and the Public Health Acts.

7.1 What went wrong in the twentieth century. Is there a timeless way of building from which we, in our forward-looking arrogance, have deviated, as Christopher Alexander declares? The sense that somehow we have begun to build against nature runs deep in the prevailing criticisms, from environmentalists like George Monbiot, from urbanists like Andras Duany and Richard Sennett, and from social philosophers like Rudolf Steiner and Alexander Mitscherlich. Why do so many of the places built over the last hundred years fail to satisfy us? (And, it is worth stressing, as we will explore in chapter nine, polling and pricing data *does* show this to be the case more often than it is not). Perhaps there are four fundamental reasons for the apparent inhumanity of much that we have built. These are set out in more detail in appendix 4.

- *Building technology.* It has just become possible to build cheaply and simply at huge scale in a way that was simply not technically possible until seventy or eighty years ago.
- *Increasing labour costs.* Broadly speaking, after World War I the cost of labour increased and building techniques or technologies that minimised the need for manual labour became comparatively more attractive.
- *Pattern book building.* In attempts to get large numbers of houses built, all attempts to reflect local vernacular styles, distinctiveness, or building materials disappeared in the face of ubiquity and ease of replication.
- *Confusion about cars and towns.* Also important is that for seventy years we got profoundly muddled about how to manage the interaction of the car and the urban realm. As important writers such as Jan Gehl and Jeff Speck have brilliantly set out, it is just hard to make for liveable, popular and, yes, beautiful places if there are too many metal boxes hurtling past you at fifty miles per hour.⁴⁹
- *Rejection of the traditional settlement's variety and pattern.* In parallel with these largely technological changes were changes of mindset. Self-consciously and deliberately twentieth century planners and architects rejected the traditional town with its clear

centre, composed facades, mix of uses and its walkable density. We have encountered in our evidence much consternation at the injuries done to older settlements though much of the twentieth century by buildings' scale, nature and positioning. To pick just one example, the Matlock Civic Association wrote in their evidence to us;

*"The impression is gained that before the 1970s the existing character of Matlock, and the need to perpetuate traditional stone buildings, was often overlooked. Matlock is not alone. Between 1950s and 1980s development throughout the United Kingdom brought a rash of buildings which are out of scale with their surroundings, obtrusive flat roof buildings, discordant building materials and poor window design."*⁵⁰

Latterly, the British market has also become increasingly concentrated in the hands of a small number of volume housebuilders.

7.2 The historic opportunity. Hopefully we are now at an inflexion point and it is possible to do something about this. More and more of us want development that will not cost the earth. We understand more fully than ever the high cost that inhuman scale, poor air, too much traffic and stress-inducing places impose on our souls and our societies.⁵¹ Inspired by such pioneers as Jane Jacobs and Jan Gehl, many professional designers and highway engineers now realise that profound historic mistakes were made in our approach to towns for much of the twentieth century and are again celebrating the humane urban form and a 'sense of place.' A growing number of landowners and developers have realised the same – that providing what might be called 'Duplo' development (coarse grained and 'lumpy') is less attractive to humans, and thus often less valuable than more finely-grained 'Lego' development. Finally, improving technology is making possible the creation, once again of buildings that are more finely textured without unsustainable labour and manufacturing costs.⁵²

7.3 What is going wrong now? Nevertheless, and despite these hopeful trends, our evidence has made very clear that something continues to go wrong with much that we build and permission. Our technological capacity to build huge and inhumane boxes cheaply has not gone away. If anything, it is increasing. Public sector planners feel unable to turn down unsustainable 'drive-to cul-de-sac' developments. And an oddly unpredictable approach to planning embeds far higher degrees planning risk and encourages an increasingly concentrated development market. Levels of trust in the planning and development system remain low.

England is not unique in facing some of these challenges. Indeed, in many ways our designers, developers and planners are coping better with their challenges than some of the international counterparts. Certainly, the planning and listing system has protected much that we all hold precious. And, some brilliant new places have been created over the last few decades.

However, the development and planning process is not delivering sufficient new homes for people and their needs, or for the planet. Too much of what we build is poorly aligned with the evidence on popular places or places that are good for their residents - evidence that we will review in chapter nine.

'Anywhere-ville' and mass-produced boxes. A consistent refrain in our work has been despair at "the lorry load of boxes dumped in the field next door", with no prior attempt at place making, landscaping, lay-out or provision for local character and local needs. One developer put the point starkly in his evidence to us:

'the quality, both architectural and build, of the houses that are being delivered in the United Kingdom by the volume house builders is, in 2019, as bad as it has been for many generations'.⁵³

No one we have spoken to seems to have really tried, let alone managed, to convince us that this is not correct.

Buildings which efface or deface the character of a street or townscape rather than harmonising with it or adding to it: building types like the Basingstoke cube and the glass bottle. Such buildings by their absence of a façade, their non-alignment, their alienating materials, their height and scale offend most of us, most of the time. Civic Voice's survey in their evidence to us asked the public 'What do you think needs to happen to make modern schemes more acceptable to the general public? Only 12 per cent agreed that they need to make bold statements and use modern materials.

The erasure of the urban fabric by over-sized or unadaptable buildings whose sole meaning is their function, and whose function will very soon be lost. One part of this is sprawl, the scatter of functional or semi-functional buildings over a no-place.

Neighbourhoods that make you ill. In general people dislike ways of building that increase anxiety, depression, ill-health and alienation, whether in residents or in those who live nearby. The group, On Your Bike Too, stressed the need for accessibility in this context in their evidence to us.⁵⁴ Fortunately, as we have seen, thanks to advances in statistical techniques and the ever-growing amount of available data, we are able to be increasingly confident about the relationships between urban design and mental and physical health and a small but growing number of organisations are focusing on this issues. These include the TCPA and the Place Alliance both of whom submitted powerful evidence to us. (Though there is, as yet, we believe only one course of environmental psychology in the UK and many architecture and planning courses appear to cover this topic very fleetingly if at all). As regards buildings, we have also heard growing concerns as to the combined impacts of air-tightness and toxicity of materials and the need to mitigate any impacts on health and wellbeing.⁵⁵

Neighbourhoods that make you poor. Poor design can suck up your surplus income: the cost of commuting and multiple car ownership, unfair service charging or the lack of employment opportunity near cheaper or affordable housing. In Portland, Oregon, the 'Skinny Streets' programme aims to create safer neighbourhoods which encouraged walking and cycling to save residents money.⁵⁶

Why is this true of too much recent development? And does the answer differ at our three levels of scale – beautiful buildings, beautiful places beautifully placed? From our research,

and with reference to the terms of our enquiry, we believe four key reasons underpin this failure.

Firstly, because the nature of risk in the planning system and land market sets up the wrong incentives and timeframes. It does not set clear quality or volume criteria which set the land price and incentivises the 'next field' business model of the volume builders rather than the master-builder model. Particularly on large scale land releases, it therefore effectively excludes small building firms and self-builders and does not encourage either coherent place-making or stewardship of the result. We have heard that some developers acquire land at a certain price on the basis of an expected return for a certain type of housing development, before engaging fully with the planning system. The planning system then presents a range of demands including on design quality which lead the developer to question the viability of the scheme, and seek to negotiate away some of those demands which would lead to quality design. The Royal Institute of British Architects said in their evidence to us:

*"Failure to effectively engage local communities and stakeholders in new development has led to a breakdown of trust in the planning process. There is often scepticism towards developers and a lack of belief that local engagement can influence outcomes."*⁵⁷

As things stand, therefore, beauty and place making are an uncompensated cost to a short-term developer rather than a source of value to a long-term place-maker. In our evidence sessions we consistently heard views that the standard housebuilder model tends to take a short term approach to building housing units in a way that minimises cost to the developer, compared with a master developer model, which takes a longer-term approach aiming to create a development scheme in a way that creates and adds value. One private developer who takes a long-term approach to value-generation put it to us:

*"Developers need to see the long-term value and legacy in what they build - although may be difficult to get this past shareholders. Great places have more value over long term."*⁵⁸

An architect added in another evidence session:

*"Housebuilders will sell as quickly as possible as that is their model. They will only stay involved if they are intelligent to stay in the development until prices pick-up and have well briefed management companies."*⁵⁹

Clearer expectations of quality would make a place making approach more viable and competitive.

Secondly, because the planning system does not ask for it, or insist it is delivered. The NPPF sets out general aspirations to create attractive places but does not seek beauty, define a process to discover what people like or effectively require that those aspirations be met. As Ian Painting of the planning consultancy Barton Willmore powerfully told us;

*"We're not very good at asking for quality...and we're not very good at enforcing it."*⁶⁰

Hastoe Group (a rural housing association) made the same point in their evidence to us.

*"There is currently no specific reference to the beauty of buildings or the built environment in the current NPPG.... However, beauty should certainly be an objective of the planning process. It is especially important in a rural context where the local built vernacular is very important to the local community."*⁶¹

Many of our respondents think that this failure even to ask for beauty really matters in real decisions. 65 per cent of respondents to Civic Voice's survey felt that beauty was not currently considered by their local planning authority when considering new developments "at all" or "enough." A further 19 per cent felt it was considered but "not given enough weight." Only five and a half per cent felt beauty was adequately considered by their local planning authorities.⁶² Many of our respondents also agree with us that beauty should be an objective of the planning and development process. 63 per cent of those giving us evidence on this point agreed that beauty should be an aim of the process. The Green Building Council put the case excellently when they wrote;

*"UKGBC support the inclusion of beauty as an objective of the planning and development process. The pursuit of beauty is valuable for its own sake, in promoting high quality development people can support and be proud of. Furthermore, it offers a valuable opportunity to address multiple social and environmental concerns around new development, helping delivery progress on related policy objectives."*⁶³

The TCPA also saw beauty as an important component of the statutory purpose for planning which the Raynsford Review recommends though stressed that

*"Beauty should be a part of this definition but must fit within an overarching objective to deliver sustainable development and to promote the safety, health and well-being of the public."*⁶⁴

Linked to the failure to ask for beauty is the failure to enforce it, or indeed quality more generally. As our architectural advisers, Sunand Prasad and Paul Monaghan counselled us;

*"More local authority resources need to be put into managing the discharging of conditions.... It is clear that this is where most cost cutting occurs and often the special and more expensive details are lost.....It should be made more difficult to change architects after planning. If an architect is good enough to get planning then they should be allowed to develop their vision in more detail with the builder. Failing this, should a change in architect have to occur, the local authority should have approval in the choice of any new architect. I think this power already exists but few local authorities use it."*⁶⁵

Thirdly, because taxation policies deter landowners from taking active role in securing a high quality final product. We have seen that many of the most high quality schemes have been driven by patient landowners committing their land alongside long-term capital and expertise to create high quality new places. Tax signals presently operate to discourage this position and incentivise taking uplift in land-value at the outset rather than along with returns being enhanced by place making. This barrier needs to be removed and we recommend a review of the tax treatment of the landowner so as to ensure that impediments

to the participation in long-term land stewardship method of delivery is removed. By encouraging land interests to commit land as equity to schemes, the crystallisation of land value is postponed to a much later stage in development, in many cases enabling development to come forward and for available investment to be committed to infrastructure and design quality. It should be noted that, under this model, the landowner does not participate directly in property development - the ultimate product is a permissioned plot or phase within an 'infrastructured' and masterplanned site.

Equally, in many situations there is not a single land interest, and different landowners need to be brought together into a land pool to support an optimal development. At present this could potentially trigger tax for land interests ahead of value being created. Again, this situation needs clarification, and the disincentives to land pooling should be removed.

Finally, due to the property industry's breaking up into producers of single-use buildings, and perhaps an over-focus on housing land supply, we have lost the ability to create mixed use settlements, particularly within the greenfield context. We build homes or we build places to work. We rarely build settlements or centres or towns. One of the biggest failings of planning over the last few generations has been the silos created between housing and other land uses. Too often, we have lost the ability to make and regenerate places, integrating and making it possible for people to live, work, access the services and enjoyment they need without incredibly wasteful patterns of travel and resource consumption. Since the 1980's, when the role of the public sector in delivering large scale development all but ceased, we have had a reliance on the private sector housebuilder model to deliver the homes and places we need. As their label suggests, their primary focus is on delivering housing and the inclusion of other uses was often viewed as a secondary by-product rather than being the vital ingredients to sustainable and vibrant places rather than dormitories. There are signs that this is changing but there is a long way to go.

The consequence is that too few people have faith in the planning and development process to insist on beauty or the creation of real settlements. While recognising the unarguable need for homes in much of the country, the intuitive reaction too often to potential development is to be suspicious or actively hostile. This is not the case for everyone. But it is the case enough for the politics of housebuilding to remain problematic from the inner London borough to the most rural of English counties. People just don't have confidence that 'people like them will benefit' or that change will fit in with an existing place or population. As the results of the May 2019 local elections show, concern about new housing remains a very potent political force. For example, following the 2019 local elections, the BBC reported that in Surrey local councillors at two authorities cited dissatisfaction with the planning process and opposition to new development as reasons for change in political control.⁶⁶

7.4 Letting beauty back into the system – at all three scales. Starting to resolve these problems, particularly in the current climate of mistrust and mutual political antagonism will not be easy. But, at heart, we need to let beauty back into the system. As we have seen beauty has generally entered the planning process as a backward-looking concern, a matter primarily of conservation. But beauty should not just be for those lucky (and wealthy) enough to live in a listed house in a conservation area or to have ready access to an area of

outstanding natural beauty. It should be for all of us. This will mean letting beauty back into the system. And it will mean thinking about how we resolve the problems at the three separate scales we have defined; at the level of beautiful buildings ('building design'), at the level of beautiful places (the 'spirit of place') and at the level of beautifully placed ('settlement pattern'). The 1909 Planning Act defined its aims in similar terms of three scales.

*"to secure the home healthy, the house beautiful, the town pleasant, the city dignified and the suburb salubrious."*⁶⁷

Beauty at three scales



We should aspire to make beauty into a forward-looking concern, and this requires a sea-change of attitude. We need to reconcile those who wish to protect what we have, and those who wish to advance as quickly as possible to the acknowledged goal of a roof over everyone's head. The aim of easing the planning process, and the aim of conserving beauty, should be complementary parts of a single endeavour, which is that of producing and enhancing beauty overall. Making beauty central to the planning process involves a radical change of attitude, in which towns and villages are no longer divided into 'historic' centres governed by aesthetic values and 'modern' extensions governed by utility, and seen instead as evolving fabrics, in which beauty is inseparable from utility, to be pursued through a continuous process of adaptation and experiment. We need to move from the assumption that beauty is a property of old buildings that is threatened by new ones, to the assumption that beauty is a controlling aim in all that we do.

There are great benefits to our planning system. Our aim is reform not revolution. Planners have found themselves overwhelmed with applications of a kind that they are not necessarily accustomed to dealing with; they are under-resourced and thinly spread at a time when the most urgent of our national needs has been placed in their hands. Proposals need to be made in a spirit of profound sympathy for their task, and a desire to support them in working towards the outcome that the country needs. Our aim is not to abolish the network of planning constraints but to improve their direction and focus, reinforce their efficiency and provide a way to embed beauty in all our thinking, from first principles to last details.

8. Why do people oppose development?

How do we achieve “greater community consent” as our terms of reference require? The good news is that there has been a remarkable increase in the support for new development over the last decade. Support for new homes has increased from 28 per cent in 2010 to 55 per cent in 2017.⁶⁸ However, despite the growth of ‘in principle’ support for new development, councillors and developers routinely cite opposition to development as a significant constraint that undermines the creation of new homes and settlements - as much from developments that are never even attempted as from planning applications turned down. One Planning Director commented recently:

‘If you talk to developers, there are places where they go and work, there are places where they don’t go and work. It depends on a hassle factor.’⁶⁹

For every new development that is denied planning permission, there are many more that were never made in the first place, written off as simply being too difficult. Why do people oppose development close to home despite often claiming to support it ‘in principle’? What is the relevant importance of the three scales that we have defined of settlement pattern, place making and building design? Understanding these questions is crucial to our purpose. It may reveal parts of the design, planning or development process which need to adapt if we are to secure public backing for growth and a genuine excitement about what development can deliver. It is extremely time consuming, often thankless and sometimes extremely expensive to resist development. So why do people put their time and resource on the line if only to be obstructive? Is there scope for accommodation of seemingly oppositional views about development, and what might this encompass?

8.1 The inherent fear of change? The psychological evidence seems reasonably strong that many of us intuitively worry about novelty much of the time. Psychologists even have a name for it: metathesiophobia. For example, a 2010 study found that most people have a marked preference for older things. People who saw a painting, described as having been painted in 1905, found it more pleasing than those who saw the same painting described as having been created in 2005. People rated art, nature and even chocolate higher if they believed it to be older.⁷⁰ If anything this seems to be more the case with our physical environment, where emotion and memory colours our views just as much as rational thought, according to most neuroscientists.⁷¹ We like *our* street, our park, our neighbourhood simply because we have got used to them and, however imperfect, they are the crucibles in which we have lived our lives. Accepting that these innate human preferences exist is necessary if we wish to understand how to enable physical change with consent.

8.2 The love of nature. A desire to preserve greenery at all scales (from sweeping countryside to single street tree) is a strong and consistent theme in *every* survey of British opposition to new development. For example, thirty per cent of those saying they had opposed new housing gave this as a reason in a September 2017 survey.⁷² There can be little doubt this is why most people consistently prefer building on brownfield rather than greenfield sites. In a 2004 poll, 72 per cent agreed that the UK needed more homes but only 5 per cent agreed that ‘I don’t mind new homes being built on greenfield sites’. 27 per cent

felt that greenfield sites should never be built on and the majority felt that they could be only as a last resort.⁷³

Building on green belt also remains consistently unpopular. Around two-thirds oppose it and it was the least popular housing policy, out of ten tested for the Home Owners Alliance in 2015.⁷⁴ These strong views probably also underpin varying attitudes to new housing in different places. In the 2017 British social attitudes survey, three times as many people opposed building homes in the country as in large cities (36 per cent versus 16 per cent).⁷⁵

This visceral desire to protect our landscape and environment within the edge of urban and rural context must however be set against an equally strong demand on the part of urban dwellers to resist over-densification, inappropriately tall development and consequential infrastructure fatigue.⁷⁶ An important mediation needs to take place between these equally important but seemingly oppositional positions.

As we shall see in chapter nine, this intuitive desire to protect greenery at all scales is very rational in terms of personal wellbeing and happiness, to say nothing about the wider discussion on sustainable land use patterns.

8.3 Risk-reduction strategy? Clearly a mixture of personal memories, place-attachment, love of local greenery, financial concern and sheer fear of the unknown and the uncertain have played, and will continue to play, a role in much opposition to new housing. But to interpret at this level is partly to miss the point. We cannot, by definition, know the future. In an important article, an economist argued that 'among the uninsured risks of homeownership is devaluation by nearby changes in land use' and that opposition to housing (following the US, often known as 'NIMBYism - Not in My Back Yard') is a rational response to the uninsured risks of homeownership:'

*'NIMBYism is weird only if you think solely about the first moment, the rationally expected outcomes from development. NIMBYism makes perfectly good sense if you think about the second moment, the variance in expected outcomes, and the fact that there isn't any way to insure against neighbourhood or community-wide decline.'*⁷⁷

However, it is not just about home ownership and value. And it is not only owners who worry about new homes and development patterns. As we have seen, for everyone, where they live is often tied up with personal memories, investing it with an emotional significance. In the light of this wider evidence, on why and how people become attached to their neighbourhoods we can extend the logic of this argument and interpret it far more broadly. Concern about new development is often a rational response to the risk of uncontrollable change to one's neighbourhood – economic, environmental or emotional. This might be an economic impact on property value of your property, or your ability to continue to afford to live in your neighbourhood. It might have an emotional impact on your memories of home. You might worry about the impact on local wildlife or unsustainable living patterns. It might create uncertainty on the ability of local schools or roads to cope. If change is uncertain, then no change is often (not always) more certain and more controllable. This theme was picked up in much of our evidence. The rural housing association Hastoe Group told us that;

*"Certainty... can make the design process easier. If the Government mandated higher standards (space, energy-use, water), volume builders would factor these higher standards into their residual land value calculations."*⁷⁸

This seems an important idea which can tie together so many alternating motivations. Those opposing development are managing risk to their economic, practical and emotional interests. The more uncertainty there is, the more they are likely to oppose development. This is perhaps one reason why concerns about development appears to have been a bigger phenomenon in Britain than nearly anywhere else. This is, surely, why people who have lived in a neighbourhood longer are often more concerned by development than those who have lived there for less time.⁷⁹ And it is surely why older people, or rural dwellers, tend to be more resistant to change than young city-dwellers.⁸⁰ Older people have more memories invested in their homes. And people have moved to the countryside precisely because they like the peace and quiet, away from other homes and streets. Opposition to new development can be emotional. It can be rational. But reducing uncontrollable risk runs through it.

Therefore it is important to chart a path between human preference and the 'right' use of land (to quote the 1944 White Paper *The Control of Land Use*). There are some patterns of development that are inherently unsustainable and will not meet human needs or desires (these should be resisted) and those which can meet both, which should be encouraged. The problem is that the current planning process tends to lock people into confrontational views without enabling a constructive dialogue about what's best for the future. That is the ambition we must now meet.

In particular, those who castigate 'the NIMBY problem' need to understand that those opposing development are good and normal people, acting rationally, or comprehensibly, rather than pantomime villains.⁸¹ This opens up a new question: what types of development and development process are most likely to manage their concerns and help them mitigate risk to their financial self-interest, or emotional wellbeing?

8.4 What types of development and process exacerbate or diminish opposition to new homes? Poor design certainly plays a part in such opposition to new homes. Much of our evidence has touched on this. Professor Matthew Carmona of UCL and Chair of the Place Alliance told us based on his recent research;

*"Councillors are worried about local character and over-development. Councillors are absolutely convinced that design is a key factor in getting support for more housing."*⁸²

The important survey of their members run by RTPI, as part of their evidence for us, supported this. 87 per cent of respondents reported that good design helped communities accept new development and 77 per cent felt good design was equal to a range of other considerations in helping communities accept new development.⁸³ Lots of local, or specific, evidence chimed with this. The Alliance of Canterbury Residents Associations told us that opposition to current applications, *"is frequently very localised and often relates to building design."*⁸⁴ From another perspective, Hastoe Group told us that, *"Beauty and design quality is vital to achieve buy-in from local people."*⁸⁵

However, it is sometimes hard to disentangle interrelated concerns with new development. The Green Building Council wrote in their evidence to us that; “*Opposition to development is commonly linked to interconnected concerns over visual and environmental impacts.*”⁸⁶

A 2018 literature review also reveals the complex nature of concerns with new development. It found that the two principal reasons that locals oppose new homes was the perceived unfairness of the process (28 per cent) and the poor quality of the new homes and places themselves (34 per cent). This was followed by concerns about an under-provision of necessary additional infrastructure (15 per cent).⁸⁷ This implies that three important ways to allay fears and permit different risk-reduction activity should be;

- Improving the quality and acceptability of developments;
- Running what is felt to be a fairer development process; and
- Convincingly guaranteeing that necessarily increased infrastructure and social and related facilities will be delivered.

Do recent British empirical studies support this overview? An important resource are the recent British Social Attitudes surveys from 2017, 2014 and 2010. These question 6,500 households over year to gain a full understanding of priorities and preferences. They reveal the factors that voters say would make them more likely to support new homes. As we have seen, one key factor is that *people want to be involved*. 51 per cent of people said that having a say in proposed developments in the neighbourhood would make them more supportive, or much more supportive, of new homes.⁸⁸

A 2017 Government report, summarising research carried out by the University of Sheffield in 2015, largely corroborated this. Its survey of 109 opponents of new housing found that 53 per cent said they would, or might, change their minds if they could have more of a say over design and layout. 59 per cent said they would or might change their minds if more money was spent on local infrastructure or other improvements.

*What do opponents of development say would change their minds*⁸⁹

Would you be less opposed to new housebuilding if...	Would change their mind	Might change their mind
... more money was provided to help fund local public services such as transport, education, health and/or environmental facilities	44%	15%
...you could have more of a say over the design and layout of development at the planning stage	32%	21%
...anything else ⁹⁰	28%	11%
...if you were to receive a financial payment if new housing went ahead	6%	4%

As Ben Page, the chief executive of Ipsos MORI told us, “on consultation there is a general feeling that people are being done to.”⁹¹ A 2015 YouGov survey for Shelter also placed a major focus on ensuring that new developments deliver for existing residents as well as new

ones. It found that improvements to infrastructure and housing, for local residents, were crucial in garnering more support for development.⁹²

Factors that would make adults more likely to support development

Factors that would make people more likely to support development	Might change their mind
If local roads and infrastructure improved	47%
If the developers were also putting money into community facilities	41%
If local services increased in number/ improved (i.e. schools, hospitals etc)	40%
If it provided jobs and apprenticeships for local people	35%
If a high proportion of the new properties were affordable	34%
If local people were given priority for buying/ renting the properties	34%
If the properties were in keeping with my local area	33%
If a low proportion were for social rent (i.e. were part of social housing schemes)	14%

A 2017 YouGov survey for CPRE spoke to 4,931 adults and asked who had actively participated in the planning system, to oppose or support new development. 65 per cent had not participated; 28 per cent had opposed development; 7 per cent had supported new housing. The aggregated answers of those who had taken an active role are set out below.⁹³

Reasons specific to the site, its design and its local impact dominated the stated opposition to new housing; above all the threat to greenery (66 per cent), poor overall design (66 per cent) and the provision of necessary infrastructure (36 per cent). Only 12 per cent of active objectors said there was no need for new housing. No doubt, at other times and places this number would be higher. Support for new housing was also primarily local – above all, good design (56 per cent) and support for the specific site chosen (31 per cent). The full results are set out in appendix 4. Much of our evidence reflected these interconnected themes.⁹⁴ Recent case studies lead to similar conclusions of the primacy of design (including greenery), process and infrastructure. A 2011 study of two towns, in the East of England (Wymondham and Downham Market) surveyed 495 residents on the towns' growth and development.⁹⁵ Wymondham is more affluent and has had recent employment growth. Downham Market has a relative paucity of higher wage, knowledge-driven employment. It is more dependent on retail employment.

In Wymondham, 59 per cent of established residents (those who had lived there for over 15 years) agreed that they did *not* want to see any further homes built. Amongst those who had only moved in the last five years, only 28 per cent agreed. In Downham Market, these figures were only 49 percent and 23 percent respectively. This implies that better-established residents in prosperous towns are more opposed to development and that newer residents in less prosperous towns are more supportive. Detailed residents' comments illustrated the social conservatism, love of place and love of the *status quo*, which grow with time. The town's nature really mattered to people. Their most consistent complaint was with the implementation of new development – that it would either overwhelm local infrastructure

and services, or undermine their town's character. Also, very present were fears that development would be too big, or would destroy local green spaces. 52 per cent of those in Wymondham, who had lived there for between five and fifteen years, raised this concern. 'Established' residents were more likely to say that housing growth was negatively affecting the social balance in both towns. (It is worth adding that context matters. Wymondham, lying eight miles east of Norwich, had already had very significant expansion. Some would argue that settlement there has in fact reached its 'natural' limits of growth, whereas Downham Market has further capacity to grow.)

A wider case study, of the work conducted by Prince's Foundation for Building Community, over fifteen years agreed that the most popular types of development was that which 'safeguards and promotes green spaces, supports employment and the local economy' as well as 'heterogenous, traditional-style and lower density housing.'⁹⁶ By contrast, participants did not want homogenous, high-rise modern apartment blocks. The key likes and dislikes are set out in appendix 4.

8.5 Agency and timing. An important final observation is about the timing and nature of dissent. Most other approaches tend to have stronger and regulatory local plans which zone for (or against) change rather than plans which set policy and allocate on a case by case basis. This has major consequences for the time and way in which neighbourhoods engage with development. In most countries, opposition focuses on preventing 'the wrong kind of development' at the plan-making stage. In the US, opposition to development generally seems to take the form of opposition to re-zoning a neighbourhood for non-residential uses or for flats as well as single homes. This is because campaigners know that once they have lost this battle, they have lost the war.⁹⁷ In Britain plan-making is typically ignored by the wider public and this is reflected in the literature. One of the most consistent themes in the evidence that we have received is that public engagement should be as early as possible and too often is not. This appears to be due to our development-control led system and also perhaps to resource pressures on local planning authorities.

8.6 Conclusion. There is no completely simple answer from studying such a complex subject of opposition to development, but the poor quality and sustainability of much of what is built has much to do with it. Evidence suggests that we need to bring democracy upstream and engage proactively at the plan making stage and (where necessary) the formulation of 'larger than local' strategies for infrastructure prioritisation and land release. We need to keep in mind the three scales of settlement pattern, place making and building design. We need to create a wider and deeper common understanding of the nature of place, aspirations for future change and the full range of social, green and physical infrastructure requirements so there is less controversy on a site by site basis. At a site by site level, the detailed response to concern about new housing has to be local. However, a systematic answer has to be national. Six themes suggest themselves. We will return to these themes in our interim recommendations in part III.

1. Start with the question '*What is the spirit of a place?*' What is considered to be beautiful and important? What do people care about? Ask 'what can development bring to the site and the community to enhance and beautify it'. How will existing residents benefit?

2. Give people certainty about the look and feel of the places, streets and homes that will be built.
3. Increase the sense of genuine agency. Engage as early as possible. Ensure people feel they (or people they trust) have meaningfully fed into the overall design and development process.
4. Give people confidence that necessary infrastructure and services will accompany new development so that meaningful places are built, not just housing estates.
5. Give people confidence that local landscape and biodiversity will be preserved or enhanced.

Accordia, Cambridge⁹⁸



9. What do people want and where do they flourish?

If we are starting to understand *why* people oppose development, we also need to understand what people do like and where they are more likely to flourish and live more sustainable lives. This is essential if we are to achieve our end of development of higher “quality”, with “greater community consent” for the “future” as our terms of reference require. The good news is that these aims of sustainability, wellbeing and consent need not be in conflict, particularly if we look at the data carefully.

The polling, focus group and pricing data is fairly consistent and compelling on the types of homes, places and settlement patterns that most people want most of the time. The precise nuances and relative weightings vary from time to time and place to place. There may even be generational patterns. However, the types of place, even adjusting for socio-economic status, in which most of us feel happier, normally prefer to be, know more of our neighbours, will measurably wish to live and whose creation we are more likely to support are remarkably consistent in most research – though with increasing focus on settlement patterns and sustainability. We were delighted that some of the evidence we received, particularly from the TCPA, RTPI, RIBA (Royal Institute of British Architects) and the Green Building Council, emphasised this point. As the RTPI put it to us:

“Nor is good design subjective; there are clear, objective criteria against which the quality of design can be assessed – yet there seems to be a reluctance to take such an approach and as a consequence, there is a widely-held view that planning should not consider design in detail.”⁹⁹

Above all (of course) people need a home they can afford and which meets their basic wants of shelter, settlement and ready access to place of work. This is the necessary bedrock. Over and above this, people also have clear needs and wants which interact with these underpinning requirements. Most people prefer places which preserve the best of the past, are real settlements with real centres where they can access the services they need, are walkable, are not overwhelmed by traffic, are places in which they can form real bonds with neighbours, are somewhere not anywhere, are restful when necessary but can also stimulate when required and in which they can influence their environment not merely be passive recipients of what they are given by the man in City Hall or Big Developer plc. Beauty plays a part, often a crucial part, in this matrix of human preferences but it is not the only part. Beauty matters. But, as we have seen, it cannot be understood in isolation but only as part of a greater whole. As RIBA put it to us in their evidence:

“Beauty must be incorporated into a broader definition - quality design - which is focused on securing positive outcomes for the people that will use and interact with the place.”¹⁰⁰

As with our wider review, what people want and where they flourish needs to be understood at three scales of settlement pattern, place making and building design.

9.1 Good and big enough homes in the right place – including access to transport. Above all, polling and pricing data show that people are looking for homes that meet their needs and are in the right place. Every academic or commercial study we have been able to find has shown that, other things being held equal, bigger homes are worth more and so are better connected ones. For example, a study of every single property sale in six British cities showed that in, say, Liverpool, every additional bedroom brought an additional £15,000 of value. Similar patterns were visible in Leeds, Newcastle, Manchester, Birmingham and London. In their response to our call for evidence, the RIBA also highlighted their polling research into user needs that highlighted the importance of generosity of space, high ceilings, windows that flood principal rooms with light and detail that adds character.¹⁰¹

But accessibility to jobs and income matters too. This matters at a regional level and is the greatest single driver of inter-regional price variation. That is why the price of a similar four-bedroom house might be £4.7m in Westminster but only £270,000 in a less prosperous town.¹⁰² Accessibility also matters at the local level. A review of over 50 international studies showed price premiums, of between 6.4 per cent and 45 per cent, for housing located within a ¼ to ½ mile radius of commuting stations, compared to equivalent housing outside that radius.¹⁰³

9.2 Affordable homes. Crucially, homes also need to be able to afford. People are increasingly focused on this as costs and values spiral beyond reach in some parts of the country. In 2018 47 per cent felt house prices were too high, rising to 57 per cent in London. 86 per cent of those in private rent feel there is a housing crisis – though only 76 per cent of those in owner occupation.¹⁰⁴ This is reflected in the politics of housing which have got sharper in the last few years as we heard from an architect in one of our evidence sessions.

"There needs to be a rebuilding of faith in the planning process Affordable units on exception sites need to be affordable within the context of the community."

New development needs to be able to accommodate the workforce and the age-groups that the community needs, and help to provide for older people, the young, the homeless and the excluded, who have suffered most from the growing distortion in the housing market. People need to know they will have somewhere to live which they can afford.

9.3 Access to nature. Many of the Commission have worked on or run community engagement events associated with development proposals. Anyone who has ever attended such an event will say that the demand for the preservation of nature and indeed increasingly its recovery is always prominent in the conversation. This is true at all three scales of building, place, and settlement and was evident, for example, in the public engagement event we attended in Oxfordshire. It is also reflected in polling and wellbeing data.¹⁰⁵ Much of the evidence we received, particularly from The Parks Alliance and the Green Building Council stressed this point, summarised some of the research and rightly saw the wellbeing effect of greenery on everyday life as deeply intertwined with notions of beauty.

*"There is a considerable body of evidence that shows green spaces in rural and urban areas are highly beneficial to health and wellbeing and also provide space for people to meet. The perception of beauty is an important factor for realising these benefits."*¹⁰⁶

Put simply, green is good for us as Natural England argued in their evidence to us¹⁰⁷. The presence of greenery in the urban environment normally has a positive impact on our mental and our physical health. This has been widely demonstrated and is definitely a physical phenomenon. The presence of greenery in towns and cities has been frequently associated with less pollution, less noise and more physical activity.¹⁰⁸ But it can also be a psychological phenomenon. To cite one study among dozens, one 2015 Stanford-led study, published in *Proceedings of the National Academy of Science*, found that a 90-minute walk in a natural setting, as opposed to an urban setting, was associated with a 'decreased activity in a region of the brain associated with a key factor in depression.'¹⁰⁹

Many studies have found an association between regularly looking out at an attractive green environment and mood, stress, recovery from mental fatigue and wellbeing. The most famous was carried out in 1984 by Roger Ulrich and found that a carefully controlled sample of patients recovering from operations in a ward which overlooked a natural scene were able to leave hospital more quickly than those who did not.¹¹⁰

Similarly, there is excellent recent evidence that (at least in prosperous areas) well managed communal gardens can be positively associated with high levels of neighbourliness, activity and community awareness.¹¹¹ Other studies have shown some level of vegetation, near to buildings, can be associated with lower levels of expected crime, fear of crime or with lower levels of residents' violence.¹¹² Street trees seem particularly important. Perhaps astonishingly in the complexity of human life, street trees have a measurable effect on human health even taking into account income, age and education. One recent study was able to map the precise location of 530,000 trees and compared them to the health records of 30,000 residents. They found that 'people who live in areas with higher street tree density report better health perception and fewer cardio-metabolic conditions compared with their peers living in areas with lower street tree density.'¹¹³ Another recent London study found an association between the density of street trees and the rates of antidepressant prescribing:

*"After adjustment for potential confounders ... we find an inverse association, with a decrease of 1.18 prescriptions per thousand population per unit increase in trees per km of street (95% credible interval 0.00, 2.45). This study suggests that street trees may be a positive urban asset to decrease the risk of negative mental health outcomes."*¹¹⁴

9.4 Neighbourhood and community. Polling, behavioural and pricing studies also show a consistent, probably a growing, desire for better connected places where we know more of our neighbours, where we speak to them more often and which are also safe from crime and anti-social behaviour. Perhaps this is a reaction to the growing pressures and tensions of a globalised world? Certainly, some have argued so.

At any rate, thanks to improving research, we know the types of neighbourhood in which people tend to know more of their neighbours. For example, streets with less traffic and with modest front gardens are clearly associated in several studies over several decades with knowing more of your neighbours and speaking to them more frequently. This, in turn, is good for us. For example, a study in Bristol in 2008 looked at three streets with different levels of traffic (140, 8,420 and 21,130 vehicles per day). They found that, on average, people

living on streets with heavy vehicular traffic tended to have fewer friends on their street (1.2 on average) than with medium traffic (2.5) or low traffic (5.4).¹¹⁵ A similar pattern was found for acquaintances and in an older US study.¹¹⁶ Lots of cars make for bad neighbours.

A comparable pattern emerges for garden sizes. One key determinant of social interaction has been found to be the presence (or absence) of modest front gardens. One study by the important Danish urban researcher, Jan Gehl, compared levels of activity on 17 residential streets, some with and some without front gardens. The most activity (69%) very clearly took place in front of the houses with front yards or gardens. It was by these types of houses that children stopped to chat or children played.¹¹⁷ Another 1980s study of two parallel streets (one with and one without modest front gardens), saw 21 times as much activity in the street with front gardens as the one without. *"Where people are, people will come."*¹¹⁸

Similarly, clear block patterns with clear 'backs and fronts' are associated with safer movement patterns and lower crime. The front needs clear, well observed entrances to the public realm. The back should normally be a safe entirely private place, very hard or impossible to access from the public realm. Analysis (for example of urban blocks in Perth or London) has shown how such blocks with this shaper distinction between public and private typically suffer from less crime.¹¹⁹ Other studies have associated design 'features that allow unrestricted pedestrian movement through residential complexes' with higher crime or show how reducing multiple pedestrian permeability reduces crime.¹²⁰ The public realm (the street, the square) needs to be carefully delineated from the private interiors of urban blocks with their private or communal gardens.

9.5 Conservation of existing aesthetic heritage. Most people appear to value a sense of place and to place a high premium on the preservation of the best of the past. Homes in conservation areas, for example, are consistently worth more even adjusting for other factors. A carefully controlled study found a price premium of 23 per cent post adjusting for other factors.¹²¹ Dr Anna Bornioli told us in one of our evidence sessions and reflecting her research, that;

*"Historical elements in the city can support psychological wellbeing and are generally preferred to modern design."*¹²²

This theme emerges consistently from planning disputes, media communications, letters in the press, the work of SAVE Britain's Heritage and all the warriors of the conservation movement from Ruskin and William Morris to Gavin Stamp, Colin Amery and beyond. It is also shown in surveys and studies of community engagement process which reveal a strong and consistent desire for development that seems to be from 'over here' not 'over there' or 'somewhere else'.¹²³ Some developers work with this. Jonathan Falkingham of Urban Splash told us:

*"You need to find a route back into the history...if you can keep the old buildings we always do."*¹²⁴

People fear that the places they love will be spoiled, and the fear is very often justified. Instead of directing their energies towards ensuring that new developments will enhance the

places where they occur, they devote their energies instead to stopping development, whatever form it might take. Local governments are vividly aware of this, and local councillors know that the principal way of losing your seat on the council is through alignment with planning decisions that have been resisted in vain. As Sir Mark Boleat wrote in a report for the Housing and Finance Institute;

*"Elected members are often put in a near impossible position. They have been elected and need to be re-elected and therefore are responsive to their electorates, who invariably are opposed to development."*¹²⁵

9.6 History and memory. Places we know personally matter more to us and become imbued with personal memory. We tend to go to or stay in these places – this is sometimes known as *topophilia* or love of place. In fascinating recent research brought to our attention by and commissioned by The National Trust, this emerged very strongly. Twenty people were shown images of everyday places and places meaningful to them such as woodlands and historic sites and their mental reactions scanned. When participants were looking at meaningful places, researchers observed deep emotional processing in the amygdala and higher activity in the medial prefrontal cortex. This is an area, in the frontal lobe of the brain, that evaluates whether a situation is positive or negative. Researchers found that 78 per cent of participants had a measurably stronger response to places, which were linked to childhood memories, friends or the present, than to unknown ones. (It should hardly be surprising, therefore, that people often oppose new development which may unsettle imperfect, but emotionally settling, neighbourhoods).¹²⁶ Of course, these memories vary and reflect personal history. Some may find beautiful and reassuring places that others find stressful or painful. As David Halpern told us;

*"Different things then get re-imbued with meaning – which is strongly emotionally positive."*¹²⁷

There are important patterns in what we prefer but none of us are identical.

9.7 Place making. People appear to be happier and to lead more fulfilled lives in real places which is to say settlements with streets, a clear block pattern, a distinctive and well cared for public realm, mixed uses, adaptable buildings of diverse types and the whole conforming to landscape, scale, local character and materials. The evidence of the associations of places with real character, with higher wellbeing, more sustainable living patterns and greater public support has become increasingly clear in recent years and there seems to be no dissent from this. Indeed it has been increasingly promoted by the design industry through numerous practice guides. The *Building for Life* guidance is quoted by many as a valuable remaining guidance note acknowledged by both Homes England and the housebuilders. Interviewees were of the view that 'it helps to frame issues and cut out subjectivity from the process'.¹²⁸ The principles of effective place making have been recently revisited by the RIBA in its important publication *Ten Characteristics of Places People Want to Live*.

As part of this desire, people wish to retain the sense of place in our established towns, villages and cities or to replicate it in new build. Much work has been devoted to the question of how to add to an existing settlement while retaining its character – with well-conceived

examples already built or in progress. Numerous publications on the theme demonstrate a value premium can be achieved by building new neighbourhoods in this way. Best known in the British debate is the 2007 report, *Valuing Sustainable Urbanism*, which looked in detail at three newbuild schemes which built in the characteristics of mixed use, street-based urbanism and compared their performance against standard housebuilder schemes within the same property market. In each case, the scheme with higher levels of place making demonstrated a value premium. In the sample it was between 18 to 45 per cent on gross development values.¹²⁹ More recent reports from surveyors' firms CBRE and Savills have reached similar conclusions.¹³⁰ Nor is the evidence restricted to those three studies or even to the UK. The American developer, Charles Leinberger, has concluded that compact walkable developments command a value premium of between 40 and 100 per cent.¹³¹ Controlled academic studies are normally a little more cautious but still typically find a premium of about 15 per cent.¹³² If you count carefully, place making pays.

9.8 Places that are walkable and mixed-use. Linked to the theme of place making is the theme of walkability, especially between homes and the places where people access work and the services and facilities they need. Places in which it is easier to walk are normally more popular, more valuable and, in most, though not quite all, available studies are associated with better physical and mental health. When people can walk more, they usually do. (For example, one study which rated high walkability by greater land use mix, higher street connectivity and high population density, found that residents took the equivalent of an additional one to two 13-15 minute walk per week.¹³³) In turn, walkable neighbourhoods are meaningfully correlated with lower rates of obesity, diabetes, heart disease and high blood pressure. Two recent studies have been particularly clear.¹³⁴ One recent literature review found that 50 out of 64 relevant studies highlighted an association between compact walkable neighbourhoods and positive health outcomes. The remainder were unclear. None showed a reverse correlation.¹³⁵ As Sports England put it, in their evidence to us, "*the easiest and most acceptable forms of physical activity are those that can be incorporated into everyday life.*"¹³⁶

Walkable neighbourhoods have an additional benefit which most of us hugely value, which is that they are dense enough to support shops, schools and leisure facilities, but not so dense as to create an effect of crowding or anonymity. Such 'mixed-use' areas are not just convenient to be in. Most people also seem to find them more attractive and, yes, beautiful. In a recent study of the popularity of nearly 19,000 streets and squares, the most popular were typically areas with a rich diversity of uses (as well as older buildings and a conventional street pattern). 'Richness of land uses' influenced measured attraction of a place almost 60 per cent more than the average of all urban elements studied.¹³⁷

Similarly, a Commission site visit to Poundbury showed us that these characteristics can successfully be built into a contemporary urban extension on the edge of a market town. Poundbury is fully mixed-use accommodating 1,410 homes supporting around 1,600 full time equivalent jobs that are new to the area and adding approximately £98 million *per annum* to the Dorset economy.¹³⁸

9.9 True sustainability not 'green wash'. Increasingly, we want homes and developments that respond to our growing awareness of environmental challenges. We are seeing growing concerns about climate change especially amongst younger people, for example, the recent 'calls for action' that have taken place around the world. This has very profound implications for how we deliver our third scale of beauty; development beautifully placed in sustainable settlement patterns sitting in the landscape.

People are profoundly and increasingly concerned about air quality, water resources and run-off, bio-diversity and other ways in which the town succeeds or fails as an eco-system in relation to the country round about. Recent polling by Ipsos MORI has found that "over a third of people around the world think that global warming/climate change (37 per cent), air pollution, (35 per cent), and dealing with the amount of waste we generate (34 per cent) are among the top three environmental issues facing their country."¹³⁹ Polling and research has also pointed to the fact that people are increasingly willing to take personal actions to help tackle these issues and that financial considerations such as dissatisfaction with high energy bills, are an increasingly important consideration in home choices.¹⁴⁰

Increasingly people also want to know where their food comes from. We should aim to provide opportunities for connection with local supply chains whether through allotments, farmers markets, farm shops and market gardens.¹⁴¹

People also seem to want buildings to be adaptable, not fixed in a single use that will require their speedy demolition. Instead they want them to be part of the urban fabric, to play their part as landmarks, whether as the iconic docks at Liverpool or the everyday reuse of buildings which can flex and change with behaviour and demand.¹⁴² Adaptability of that type is part of what we mean by beauty – the ability of a building to stand above its purpose, and to lend to that purpose the aura of its own more permanent presence. It is also making sure that the homes we build can adapt to the changing needs of the people that live there and the society they serve. It is fair to say that many of the new homes built over the last 30 years, with the exception of those designed to standards such as Lifetime Homes, are not flexible. One volume housebuilder noted in our discussion on adaptability, "Our typical new build house purchaser chooses to move on average every seven years. They do not value adaptable homes". Maybe. Or maybe they move so often because the home they are in cannot readily adapt to their evolving needs.

9.10 Stewardship of places. Not surprisingly, many people look to the future in choosing what will work in the present. When evaluating homes or neighbourhoods, confidence in their future management as well as awareness of their present status is a crucial factor. As the TCPA's evidence to us put it;

*"The long-term stewardship of assets is ...vital to people's well-being in terms of the management of community facilities and the public realm."*¹⁴³

For example, and though the sample is unavoidably self-selecting, early purchasers at the Nansledan urban extension in Cornwall, which we visited on 1 May, are very supportive of the neighbourhood's Design and Community Code. This is a legal covenant on freeholders which purchasers are obliged to enter into as part of their purchase. It sets out verbally and

visually what changes can (and cannot) be made to homes. It sets, for instance, what colours walls and door can be painted or what changes can be made to windows. Clearly the early residents of Nansledan are likely to be accepting of the Design and Community Code, or they would not have bought houses there. But in interviews carried out in late 2017 the support was strikingly strong. Journalist and copywriter, Steve Fountain, observed;

"Once you get over the initial shock, it's a great idea. It preserves the long-term look and feel of the development."

Taura Lloyd, a bank compliance officer, agreed;

*"I didn't know if I was keen on it at first. In hindsight, it means everything stays looking right. For instance, you can't put up satellite dishes. There's a central satellite dish. That means everything's not ruined by ugly dishes."*¹⁴⁴

Similar patterns can be observed in conservation areas. Happier, more content people pay more. One data-rich study of over a million property sales found an average price premium of 23 per cent for properties within designated conservation areas and of 16.5 per cent in areas prior to their designation.¹⁴⁵ People care not just about the current attributes of an area but about the future. (Of course, there is much more to conservation areas than higher prices!)

Similarly, trees and green space near homes are associated with far deeper emotional connections and also with more of a value-uplift if their future is secure. In one robust study, permanent open space increased nearby residential land values over three times as much as an equivalent amount of developable open space.¹⁴⁶ Homebuyers put a value on the future as well as the present when considering open space. Place, people are smart enough to realise, is not 'flash in the pan' but something that needs to endure and persist. The TCPA has produced a practical guide to long-term stewardship. This provides local authorities and their delivery partners with a high-level overview of approaches that can be taken to the long-term stewardship of community assets. The guide sets out a range of types of stewardship bodies – from those formed to take on responsibility for green space management, to private sector management companies and bodies set up under the 'Letchworth model.' In the 'Letchworth model' a charitable organisation commits to proactively share and reinvest money created through the town's development and management in order to support community services, art or healthcare.¹⁴⁷

9.11 Character and animation. In addition to all those very basic requirements it is also clear that there are quite specific details that feed into the popular feeling for beauty. Vistas, sky-lines, patina, nooks and crannies serve to anoint a place with character and as 'ours'. Buildings that *face* the street, with definite frontages and façades, a comprehensive vertical order and a 'human' scale regularly come at the top of people's list of visual preferences.¹⁴⁸ In recent and comprehensive studies, the most visually popular streets and squares were normally streets with more complex facades, more colour and more sense of place: they had a sense of enclosure and something to look at different scales – both complexity and composure. For example, a recent study of nearly 19,000 streets and squares found that 'presence of listed buildings' influenced attraction 19 per cent more than the average of all

urban elements studied. It also found that having at least one historic building, within a 100-metre radius area, was associated with places that people found more attractive. The most popular places in six cities analysed tended to be parks, or enclosed small squares, with a variety of urban furniture, and surrounded by historic buildings, or façades rich in detail.¹⁴⁹

There are good reasons for this in neuroscience which we are increasingly starting to understand. Our brains, for example, appear pre-programmed to prefer symmetrical or near symmetrical images and to be able to process face-like facades very readily and easily.¹⁵⁰ Most of us intuitively prefer variety in a pattern. Individual preferences may be personal but beauty is not entirely in the eye of the beholder. At heart some of it seems to be because we are human.

9.12 A voice. As we saw in chapter eight, people want a voice in what is done, from the very beginning of the planning process, and with a view to adapting the result to the needs and desires of the local community, both existing and incoming. They no longer trust that the man (or woman) in Whitehall or City Hall necessarily knows best. People want to be confident in the belief that new developments will add to, not detract from, the beauty and character of the place where they are built. And they want the opportunity to share in the attempt to make it so. This is a theme we will return to in Part III when we will also consider how we ensure that as wide as possible a demographic has the opportunity to influence development.

9.13 Streets or towers? Terraces or bungalows? Finally, within all these components of wider urban, street and settlement design, what type of homes do people most want to live in or see built near them? And where do they tend to be happiest? Given the need for popular consent for new places, and the sheer volume of homes now being built, these are important questions. Recent opinion polling in London found that terraced houses (24 per cent) and low-rise mansion flats (21 per cent) were felt to be the most suitable buildings to meet the needs of Londoners. Outside London, detached and semi-detached houses tend to be more popular.¹⁵¹ As households buy properties later, the country's measurable preference for houses over flats is, if anything, increasing.¹⁵² As Ben Page, chief executive of Ipsos MORI concluded in his evidence to us:










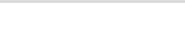







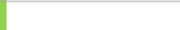





















*"The broad preference is against tower blocks, in favour of the vernacular, in favour of human scale, some vernacular details, it doesn't have to be pastiche, it doesn't have to be cobbles... You get a strong preference for housing and medium rise. Towers always come bottom."*¹⁵³

People are being profoundly rational as these tendencies are also mirrored in the wellbeing research. For example, many studies and several important literature reviews have all tended to the conclusion that while living in huge buildings *can* work well for residents, they are an inefficient and unsatisfactory form of housing for most people, most of the time.¹⁵⁴ They probably work best for the rich (who can afford their high maintenance costs) and for the childless. The most complete academic literature review concluded:

*'Many, but by no means all, residents are more satisfied by low-rise than by high-rise housing. High-rises are more satisfactory for residents when they are more expensive, located in better neighbourhoods, and residents chose to live in them. Children are better off in low-rise housing; high-rises either restrict their outdoor activity or leave them relatively unsupervised outdoors, which may be why children who live in high rises have, on average, more behaviour problems. Residents of high-rises probably have fewer friendships in the buildings, and certainly help each other less. Crime and fear of crime probably are greater in high-rise buildings. A small proportion of suicides may be attributable to living in high-rises.'*⁴⁵⁵

9.14 Conclusion: place and beauty. All those aspects could be summarised under the heading of 'place' though in fact they stretch across all three scales of our enquiry from the building, to the place, to the settlement pattern. The questions why they belong together, and what in human nature grounds the demand for them, are fundamental to our work.

What do people want and where do they flourish?  Relevance at difference scales

Attributes of place	Beautiful buildings	Beautiful places	Beautifully placed
Good and big enough homes – in the right place			
Affordable homes			
Access to nature			
Neighbourhood and community			
Conservation of existing aesthetic heritage			
History and memory			
Place-making			
Walkable and mixed-use			
True sustainability not "green wash"			
Stewardship of places			
Character and animation			
A voice			
Streets or towers?			

And what of beauty? We believe that beauty is composed of *all* these elements and that is why beauty needs to be considered at the three scales of building, place and settlement. It is not just to be found in the gothic trefoil, the classical capital or the modernist piloti. It is found in the beauty of the whole place and the lives we can lead there. It is found in our whole approach to land use and the way we live. It is found in the sustainability of our settlement patterns and the public engagement that produces them. We crave real places where it easy not just to 'get to work' but where we can also lead meaningful lives and are as able to interact with our neighbours as we are to retreat into the privacy of our home and household. Places that feel like they belong in their surroundings – and help the people that live there feel the same. Most of us prefer places we can walk in, where there is greenery ever present and where we find the streets and squares beautiful to look at and be besides. We prefer places that do not cost the earth but can help us live in harmony with it. This, the evidence seems to say fairly coherently and consistently, is what people want and where they flourish.

10. Planning and preservation – the past and present

Much of our evidence and many of our trips and round table conversations have turned into discussions about what is loosely called ‘planning’ but which also encompasses building regulations, highways and Government’s use of its own land or financial muscle. We have heard much evidence on the need for planning, but also on its current shortcomings, about its impact on what development happens where, on the prevailing economic model of development and on how the local community is (or is not) involved in the process. This chapter summarises some of the key themes that have emerged in our discussions, research and evidence-taking. Some are critical to understanding our interim recommendations and we pick up many of the themes that emerge in this section in Part III.

10.1 The (very) long history of Government intervention in land use patterns – planning is age old. Too much political debate appears to believe that state intervention in land use decisions ‘started’ with the 1947 Town and Country Planning Act. Planners know this is not true and look back to the nineteenth century garden city movement and its important attempt to plan a way out of the coal-encrusted filth of Victorian cities. However, this too is incomplete. And this is crucial to the current debate where ‘planning’ (for and against) too readily and unnecessarily becomes a political football between those who support, or oppose, what they perceive as municipal socialism. In fact, for as long as there has been a Government, it has sought to minimise disputes between its people and land use has been a perennial part of this. To cite the most distantly available evidence, two of the oldest cities in the world, for example, were Mohenjo Daro and Harappa in the Indus Valley. Their design was clearly centrally set with urban blocks of broadly equal size and a clear distinction between main streets (up to 9m wide) and the alleys which ran off them. Similar evidence could be adduced about hundreds of other cities across time and continent or even for the winding alleys of the typical medieval Islamic city (which may seem the antithesis of a regulated city of straight alleys and orthogonal blocks) which were based on a code of acceptable ratios derived from the Qur’an and a body of traditions known as the Sunnah.¹⁵⁶

This profoundly changes the question from *should* society and government regulate land use and urban form – a question that has been answered emphatically ‘yes’ many times in the past – to *how* do we do so as efficiently and effectively as possible. The entire debate needs reframing.

10.2 We have preserved much that is precious and beautiful. It also needs emphasising that thanks to ‘planning’ we have preserved in Britain much that is beautiful and could so readily have been lost in the twentieth century. Critical to this has been the listing of buildings with architectural and historic interest, the protection of countryside and separation of town from country, and the creation of conservation areas. To cite just one iconic example, in the 1950s and 1960s, British Rail made repeated attempts to demolish St Pancras Station. It was finally Grade I listed just days before demolition was due to begin. It may have been the campaigning Sir John Betjeman who garnered headlines. But it was the listing system that saved the building, now universally regarded as a masterpiece. There are thousands of similar examples.

In their evidence to us, Historic England highlighted the benefits that preserving the historic environment can bring, including improved well-being, environmental and economic benefits, and the links between heritage, the desirability of a place and its wider success. The regeneration of central Lincoln, for example, is a case study of the reuse of architectural heritage to general social and economic benefit – creating successful commercial premises and public spaces.¹⁵⁷

From around the world, heritage, landscape and conservation experts travel to our shores to understand how we have been able to grow our economy whilst still preserving huge proportions of our rural and urban inheritance. This is an achievement of monumental importance, a precious gift from our forebears to us which we must in turn pass on. One relevant theme that has emerged in some of our evidence and discussion is whether the differential VAT treatment of repair and restoration building work should be harmonised so as not too continue discouraging the repair and reuse of existing buildings and places. At present new buildings are promoted via zero-rated VAT, whilst VAT is charged at 20 per cent for repair, maintenance and adaptation work.¹⁵⁸ (We will recommend that this anomaly is redressed.) Repair and maintenance is an enormously important and otherwise cost-effective way to sustain our existing settlements (and heritage) with the many social, economic and environmental benefits that that brings.

10.3 It is possible today to build beautifully. As several of our learned and expert witnesses have told us, there is nothing in the National Planning Policy Framework (NPPF) which existentially prohibits creating beautiful and brilliant places. Stephen Ashworth told us;

*"The planning system can do whatever you want it to – it is a framework for political decisions."*¹⁵⁹

Some of the recent developments we have studied illustrate the same point. New developments or renovations which have been largely delivered over the last few years and which most people would probably term beautiful include Marmalade Lane in Cambridge, the Malings in Newcastle and Nansledan in Cornwall. It can be done. But it does not follow that it is easy. Some of those giving evidence wondered whether those developing land or working for local councils, or even the government, understood the power that the NPPF gave them. Developers at one of our evidence sessions observed that:

"Policies for good quality design appear at both the local and national level. However, political leadership needs to be stronger. The general consensus is that Government doesn't appear to believe in its own policy. This means residential development is being delivered without quality."

*"The NPPF only works when implemented by those who feel empowered."*¹⁶⁰ Others were less certain and critically felt that the focus on design quality and engagement did not give councils enough power to say 'no' if housing supply was not assured (which was arguably the Government's intent given the desperate need for new homes). Stephen Ashworth of law firm, Dentons, noted that:

*"Government policy emphasis on good quality design is stronger now in the revised NPPF. But the acid test is that it doesn't give enough clauses for LPAs to say no."*¹⁶¹

10.4 Crisis but which crisis? However, these important facts do not mean that everything in the garden is lovely. Pretty much all the evidence we have received agrees that there are major problems with how planning is working in England right now. Nearly everyone agrees there's a problem. However, there is wide disagreement as to what this problem is. As the TCPA's important Raynsford Review observed;

*"The broader civil society consensus around the need for planning has fragmented and many people are simply unclear what the system is for."*¹⁶²

Some believe the problem is too much planning. Some believe that it is too little. We have to understand the dynamic of different perspectives, and to get beyond them where we can. Our planning process is criticised from nearly all sides as 'broken', and those charged with maintaining and implementing it seem often to be de-moralised. But planning for the public good should be a noble and exciting profession. And there is much that is precious in our approach: civic involvement and the trust that this has engendered, to say nothing of the protection of many beautiful landscapes and historic buildings. So this loss of trust is a serious derogation from our inheritance. How do we win trust back whilst building enough beautiful and popular homes in the right places and in the 'gentle density' sustainable settlement patterns which we know are better for residents and for the environment?

Some important and relevant themes have emerged from our evidence sessions, our visits and our research to date.

10.5 Where are the planners? There can be no doubt that planning teams and their specialist advisers up and down the country are under very sharp resource pressure. The TCPA's Raynsford review cited National Audit Office analysis that budgets for planning and development teams had fallen by between 24 per cent (district councils) and 46 per cent (single tier and county councils) between 2010-11 and 2014-15.¹⁶³ This has implications not just for efficiency of process, but for quality of judgement on matters of conservation, landscape and urban form. In a 2018 survey of development professionals, the resourcing of planning departments emerged as the greatest barrier to the delivery of new housing.¹⁶⁴ This has certainly been a consistent theme in much of our evidence. A local authority official told us:

*"Where an applicant or developer has taken on a large site but doesn't have the in-house skills or experience to manage the process, this puts a huge pressure on the Local Planning Authority for resourcing and phasing."*¹⁶⁵

The Design Council's evidence to us also stressed this point:

*"It is crucial that additional resources are provided to rebuild design skills and capability in local planning authorities, with a greater focus on whole-place approach to designing and planning the homes and communities we need and delivering healthy place making."*¹⁶⁶

As the Local Government Association also wrote;

*"Council planning departments need sufficient funding to deliver effective, proactive planning services.... We urge the Commission to be mindful of this when making recommendations which could introduce new duties on councils."*¹⁶⁷

This is very fair warning and one we hope we have kept in mind. We recognise that the resourcing issue is one that has to be considered if we are to get the planning system and outcomes the country needs.

10.6 Do planners have the right capabilities? Limited resources have important knock on effects on morale and capabilities for planners and specialist advisers. As the TCPA's evidence to us argued;

*"In some cases, Local Planning Authorities simply do not have the resources to plan efficiently nor to adequately train and develop the skills of their staff. In many cases there is a critical morale problem reflected in lack of resources and career progression."*¹⁶⁸

This theme was picked up multiple times in our evidence. One comment made at our roundtable discussion with housebuilders was;

*"The design conversation with planners is difficult because the competencies and skills and capacity in the Local Planning Authority is not there. Churn of planners means that interpretation of policies could change from officer to officer."*¹⁶⁹

This has consequence in both rural and urban contexts as the discussions in our roundtables revealed;

"The budget isn't there for permanent urban design officers, and there is difficulty in finding the right skills."

*"Landscape skills within the public sector have haemorrhaged, and we've lost over 50 per cent of landscape people in the public sector. The regulatory context is not being interpreted and applied due to these lack of skills, there isn't the understanding of place and management of land."*¹⁷⁰

Clearly, a public planning service that feels under-loved, untrusted and is too stretched to invest in its own personnel is in no one's interest. We should aspire to restore pride in the crucial role that planners perform. Their importance, expertise and status should be celebrated and invested in.

10.7 Five year housing land supply – forcing homes through the funnel at the expense of place-making? As we have seen, there can be no argument that the number of homes being permissioned has increased dramatically over the last decade. Completions, however, have not kept pace. From 2011 to 2018 the number of homes permissioned and new builds completed increased by over 100 and 49 per cent respectively.¹⁷¹

One of the important ways that this has been achieved is by the introduction of the five year housing land supply test and the associated hugely increased pressure on local councils to adopt a local plan. The NPPF (first introduced in 2012 and updated in 2018) requires councils

to establish their housing need and then devise a clear plan for delivering the required number of new homes. Local authorities are required to have enough sites ready for development to meet their housing need for the next five years. This is an example of the way in which a focus on housing rather than place-making has been so damaging.

A planning authority's Local Plan is meant to identify the development sites that will allow it to do this. The problem is that many councils don't have up-to-date Local Plans or are still updating them. (It can take years. For example, in May of this year 41 per cent of local councils had a plan that is older than five years and 12 per cent have no adopted plan at all - though of these two thirds are in the examination process).¹⁷²

Where councils can't demonstrate this five-year supply, national planning policy overrules out of date local plans. It says that there should be a "presumption in favour of sustainable development" for housing. This means that if a site can be considered to deliver "sustainable development" then planning permission should be granted, even if there is no support from the council for housing in that location or the site sits outside the Local Plan.

In practice, this has led to "planning by appeal." Councils reject a site and it is then won on appeal. It is obviously to be welcomed that more homes are being built, easing the pressure particularly on the young and the less prosperous. But it does raise two challenging questions.

First, is development that is deemed "sustainable" really so, by any objective understanding of the word? It is hard to argue with the words that define sustainable within the NPPF (the need for economic, social and environmental objectives). But do the profusion of drive-to cul-de-sacs we are creating actually meet this test¹⁷³?

Secondly, are we achieving our national targets to some degree by forcing them through from "on high" and with a subsequent profound loss of place making quality? Developers certainly told us there had been a decline of focus on design versus delivery over the last few years with supply and delivery targets being pre-eminent: *"aesthetic control is the weakest planning tool in the pack"*.¹⁷⁴ Homes England was also criticised in similar terms by some. Councils also feel that they have "lost control" over where new homes are built by whom and to what design quality. This theme emerged frequently in our evidence. As local officials explained to us;

"In a low or medium housing market demand area, putting most of one's eggs in one basket of a strategic site or new settlement means that the various land promoters hold back progress towards development of the site. This is because it pushes down housing land supply to below five years, due to lack of delivery. Then the presumption in favour of sustainable development encourages speculative development proposals which forces out any prioritisation of design, affordable housing and infrastructure provision because all of the land promoters have the whip hand. The NPPF isn't strong enough to enable these conversations in these scenarios."

"The five-year housing land supply [test] isn't a tool but a green card to anything anywhere."

*"Planning has become more about control and less about vision. Local authorities have lost control over place."*¹⁷⁵

The Planning Officers Society also argued in their evidence to us that the unintended impacts of the Housing Delivery Test and the presumption in favour of sustainable development, was allowing medium or low-quality designed buildings.¹⁷⁶ This also emerged as a key theme in the Raynsford review of planning which concluded that;

*"The evidence submitted from those in the public sector reinforced a view that in most places, most of the time, a development plan can be challenged and overturned where a developer can demonstrate the lack of a five-year housing land supply."*¹⁷⁷

Obviously, this puts a major onus on Local Authorities to 'move the democracy forwards' and have clear Local Plans in place. They do seem to be doing so. The number of councils with local plans in place has gone up from 63 per cent in 2015 to 88 per cent in 2019.¹⁷⁸

10.8 A breakdown in trust? Is consultation working? Another consequence of 'planning by appeal' seems to be falling public confidence in the engagement and planning process as something that can protect their place or insist on beautiful development. As we have seen, councils and developers have a legal duty to consult. And there is a growing tradition of community architecture and co-design.

However, with the understandable but major pressure to deliver at scale, consultation is very clearly not working everywhere or in all circumstances. There appears to be a widespread perception in our evidence that, to cite one civic society; *"this process of collaborative engagement is now practically defunct."*¹⁷⁹ This may seem unfair to many hundreds of well-intentioned and decently run development processes. Nevertheless, it kept emerging in our evidence and in the evidence of earlier studies such as the Raynsford review. At our Local authority roundtable, one very experienced rural councillor explained that by the time local communities were aware of site allocation it was usually too late to alter the fact.

*"Some communities need to realise that they can spend five years arguing about housing that is coming anyway, or five years getting the design right"*¹⁸⁰

This lack of confidence in the consultation and engagement process underpins a wider breakdown in trust with the planning and development process itself, which also emerged in our evidence and in the evidence submitted to other planning reviews. For example, Paul Miner of the CPRE commented at our rural roundtable:

"Planning safeguards to disappointing development could focus on early engagement, but this doesn't seem to count for much because of the appeals system, five-year housing land supply and large sites. Viability seems to have a negative effect on design – for example Sherford near Plymouth."

A parish councillor told the Raynsford Review simply;

*"Planning is ... not about people, it's about greed."*¹⁸¹

10.9 The cost and risk of planning is growing. A linked theme that has consistently emerged is that the risk and cost of planning has been increasing. At our housebuilder roundtable one council representative noted that:

*"Submitting a planning application is possibly the single most risky stage of the process. Once the land has been acquired, if planning permission cannot be obtained the land is worthless."*¹⁸²

We have also heard that the planning environment is more litigious now than it has ever been and that, although more is required of the developer in terms of a submission, yet the quality outcome appears to be very inconsistent. The NPPF, though shorter, does not yet seem to be giving clarity.

The nature of our planning system is that it is a discretionary planning system rather than rules-based. As our adviser Peter Studdert put it:

*"It is essentially transactional and requires judgement and interpretation at key stages in the planning process."*¹⁸³

They are often much lower levels of clarity about what is and is not acceptable. This leads to a process which can respond more specifically to individual sites and where debate takes place at each individual decision rather than strategically. However where mixed messages are being received (for example the primacy of the five year land supply and housing targets) some have told us that this can lead some to adopt a highly litigious position so they can "drive" a scheme through the system.

This lack of clarity is particularly an issue in planning for large scale new growth. New strategic land releases are not conditioned to follow certain rules but individual sites are allocated for housing. Permission is then granted case-by-case after detailed consideration of proposals for particular sites. Local Plan policies are statements of principle with allocation of specific sites. Planning permission is only given after an examination of how these principles are translated into a project or master plan.

As the Raynsford Review rightly highlighted, and has emerged in analysis by the EU, the Joseph Rowntree Foundation and Create Streets, this is in sharp contrast to the US, Europe or indeed most of the English-speaking world.¹⁸⁴ This difference is highlighted by the name of the main permit required to construct a new building. In every other European country (other than Ireland and Portugal) the main permit required is conceived of and indeed called a building permit not a planning permission.¹⁸⁵ The starkly different level of planning risk is also brought out sharply by a comparison of the required link between permits to build and main policy instruments, and the level of permitted exceptions to the plan. These are set out in the table below.

Required link between development and policy in European countries¹⁸⁶

Country	Link to policy instruments	Exceptions to the plan?
Austria	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'Only very limited flexibility to vary from the plan'
Belgium	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'Only when not in conflict with the plan principles'
Denmark	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'There is only very limited flexibility to vary from the plan'
France	<ul style="list-style-type: none"> • 'The application must conform with the POS' 	<ul style="list-style-type: none"> • 'There is only very limited flexibility to vary from the plan'
Germany	<ul style="list-style-type: none"> • 'The application must conform with the B-plan' 	<ul style="list-style-type: none"> • 'Exemptions from the provisions of a B-plan may be allowed in certain circumstances'
Greece	<ul style="list-style-type: none"> • 'Decision should not infringe provisions of town plans' 	<ul style="list-style-type: none"> • 'For areas covered by town plans there is only very limited flexibility to vary from the plan'
Ireland	<ul style="list-style-type: none"> • 'The Plan is binding' 	<ul style="list-style-type: none"> • 'Flexibility to vary from the plan through the material contravention process'
Luxembourg	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'No Exceptions to the plan'
Netherlands	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'Departures from the plan are allowed in some circumstances'
Portugal	<ul style="list-style-type: none"> • 'Application must be in compliance with binding plans & regulations' 	<ul style="list-style-type: none"> • 'Minor changes that do not conflict with the plan's principles'
Spain	<ul style="list-style-type: none"> • 'The application must be in compliance with binding plans and regulations or the old plan modified' 	<ul style="list-style-type: none"> • 'Only for state public works, in case of exceptional public interest'
UK	<ul style="list-style-type: none"> • 'The plan is not binding, but is the primary consideration in determining an application. Each application is considered on its merit.' 	<ul style="list-style-type: none"> • 'Departures are allowed if other material considerations justify this, but they are subject to a special procedure.'

In France, for example, zoning can pre-set a very large range of elements. The standard elements of a regulatory document include 15 criteria. These include the maximum building footprint on site and the maximum building height including form. This can include criteria

such as eaves height, ridge height, and floor setbacks. External appearance can be further set, via criteria for materials, sizes and shape. While the maximum outline shape is always defined, not all criteria are always enforced.¹⁸⁷ The Raynsford review correctly talked of the “the weakness of the local development plan.” In comparison to this English Local Plans are very weak documents indeed.

There are very important advantages of a more discursive system. If you regulate for the wrong thing (for example demanding suburban housing in city centres as much of the US has done for 70 years) than you can entrench an approach to development that is fundamentally unsustainable.¹⁸⁸ A case-by-case approach also has advantages for large sites. You can set the right framework for a new settlement without having to defer to older places down the road if that is not what people want. Others highlight the difficulties of inflexible ‘zonal’ planning. Certainly the associations with design quality have yet to be fully analysed.

However, there are also disadvantages to our more adversarial and judgement-led approach. As one planner with experience at the highest levels in the public and private sector said:

‘At the beginning of the planning process there is very little policy to guide as to what should happen. There’s a bit about affordable housing, but very little about form, apart from things like view corridors. The risk does not diminish, as you might expect it to do, as you go forward. Even with a recommendation from planning officers, a proposal could still “go down on the night”, and then there’s still risk of judicial review, of s106 negotiations, whether or not a building should be listed.’¹⁸⁹

Similarly, officials at one local authority told us that nearly half of all applications they receive are deemed ‘invalid.’ This is surely a grotesque waste of time and effort. Standard frameworks of good regulation suggest that regulation should be predictable, certain, not subject to producer capture or to ‘whom you know.’¹⁹⁰ Nearly all economic studies conclude that when regulation is uncertain, unpredictable, easy for experts to guide and hard for the public meaningfully to influence then markets become ‘hard to enter’ and are unduly influenced by an oligopoly of large firms and producer not consumer interests. As the Housebuilders Federation (HBF) argued;

‘The fragility of the standard SME business model and the inherent risk associated with planning are a source of frustration for all builders but these challenges can be disastrous for the smallest of companies.’¹⁹¹

This is precisely what has happened in England. Greater uncertainty and a slow process with major expense up-front before the right to build is certain has increased planning risk, enormously pushed up land prices which have permission and acted as a major barrier to entry for small developers, minor landowners, self and custom builders and innovators generally. As we heard in one of our evidence sessions it permits, even encourages, “speculation on policy.”¹⁹²

The proportion of homes that small builders develop in the UK continues to decline in the face of high land prices and high planning risk and costs. Thirty years ago small builders were responsible for 40 per cent of new build homes compared with 12 per cent today. In parallel

the membership of builders' professional bodies for builders has declined from over 12,215 to 2,710. In a recent survey of over 500 small firms, they were very clear that their main challenges were the planning process and associated risks, delays and costs. 38 per cent (the highest number) voted this their primary challenge and 31 per cent the second highest. Only the (deeply interconnected) problem of land prices was comparable. Most firms felt that the costs associated with the planning process were getting worse. 60 per cent felt that the length of time and unpredictability of the planning were a serious impediment to delivering houses. Main concerns were: 'the length of time it takes to achieve a decision, the unpredictability and inconsistency of the process, the fees and tariffs involved, and the internal resourcing of, and communication with, planning departments'. Factors such as these, and the pre-application process, are now greater concerns for small house builders and developers than in 2014.¹⁹³ In the latest available data smaller British firms built fewer new buildings proportionally than any other European country.¹⁹⁴

Another disadvantage is that it can make it harder for planners, or local neighbourhood groups working on neighbourhood plans to set out certain approaches to design (materials, façade pattern or building height). In consequence, form based codes appear to be far less used in England than in much of the world.

A design or form-based code is a set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. It is a set of detailed written and illustrated instructions or rules which set out what future development can (and can't) look like. Used well, they can create certainty about what should be built.

Design or form-based codes can give communities confidence that what they want to see in their neighbourhoods is what ends up happening, as well as providing certainty for local government and developers. A design code, put simply, visually and numerically defines all or some of the range of possible plots scales, shape, materials, layouts, urban forms, street and style of all development in a certain area.

They typically therefore set out parameters and standards to set some matters and give flexibility within these. They aim to ensure the 'parts become a whole' where time and many hands are involved. Codes sit somewhere between outline and detailed planning in the process and can be enforced through reserved matters through planning or land covenants. Land covenants, where developers build under license and can transfer the freeholds to purchasers upon meeting the code standards, is the most effective. Codes enforced through planning are weaker.

There are two distinct types of code:

1. *Form-based*: typically drawn up by designing a place and the abstracting the rules into parameters and standards to give flexibility; and
2. *Generative-based*: more like a computer coding or DNA where a simple set of messages are sequenced to unlock almost limitless permutations and combinations governed by a unifying structure.

Codes' main advantage is that, because they are visual, they are clearer. As one local planning officer told us:

*"It's all very well at asking applicants to set out great words. They say all the right things. The words are fine. But then you look at the drawings and then it's a bit weak. It can't all be one housing estate."*¹⁹⁵

First introduced in 1981, their use in the US has grown sharply (with over 300 form based codes now in use in US and Canadian towns and cities). Examples include Columbia Pike, Arlington, the City of Miami, Montgomery and in Cincinnati where a community-focussed approach has been used. In Europe their use is also increasing with schemes such as Hammerby in Stockholm being one example. Their use is also growing in the UK with examples including Knockron, Knowle West, Nansledan, Ravensbury Park in Merton and Western Harbour, Edinburgh.¹⁹⁶ However, they can be hard to insist upon. We learnt from our visit to Sherford that, even where design codes had been developed, it can be challenging to find ways of ensuring that developers adhere to these as they build out the scheme.

An alternative, or perhaps complement, to design codes is the use of local and regional design guides which assist developers of all scales with advice on local and regional building form, traditions, styles and materials. These are deliberately not intended to be prescriptive, leaving room for creative interpretation and innovation, but they can achieve a huge amount in ensuring that new development is respectful, empathetic and a positive force for good, as well as enabling the continuation of traditional skills and building techniques. We also intend to look more closely at their use and potential further development in our future work.

Interestingly, and with different emphases much of our evidence has called for clearer standards on some elements which can be judged more simply. For example, the Local Government Association have argued that *"there is a critical need for renewed national standards for new homes."*¹⁹⁷ Nor did the Raynsford review reject the idea, though it (rightly) stressed that it is not the whole answer to our challenges.¹⁹⁸

Where things can be simply regulated, and in a fashion that can be tied to community preferences, this certainly seems attractive. It would also fit the internationally-recognised tenets of good regulation which does not create systemic advantages to large, well-established players such as the work of the *Better Regulation Taskforce* and the 2005 OECD *Guiding Principles for Regulator Quality and Performance*. Importantly, improving online techniques are also making this easier to achieve – a theme to which we will respond.

10.10 Permitted development, Permission in Principle and Local Development Orders – throwing out the baby with the bathwater? In responding to calls from the Barker Review of Housing Supply and many developers, Government has endeavoured to streamline the planning system to be more quickly responsive to housing demand and need. (This is perhaps not surprising in the context of England's comparatively weak local plans and high levels of planning risk). For differing reasons, these have not quite worked. Outline Planning

Permission (first introduced in 1990) was meant to increase certainty but has instead, to cite RTPI research;

*"developed into a lengthy process that requires considerable upfront investment for preparation of masterplans and other technical documents. It can also still leave significant uncertainty about so-called reserved matters that need to be agreed later."*¹⁹⁹

Local Development Orders (LDOs) give a type of permission at local plan stage. They can be issued by local planning authorities and grant the right to develop specific types of scheme within defined areas. They do not need further permission. Nor do they require Section 106 contributions. They appear to have been little used as they reduce Section 106 income and remove planners' discretion.²⁰⁰ We have heard however of situations where when, content with the quality of development a master-developer is producing, a local authority is considering putting in place a *post hoc* LDO, shifting the burden of masterplan compliance to the masterbuilder however with regular oversight from the Local Authority.

Permission in Principle and 'Permitted Development' for home extensions and for office-to-residential change of use are more recent, attempts to increase clarity.

- Permission in principle is a form of consent which establishes that a site is suitable for a specified amount of housing-led development, in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.
- Permitted development rights are rights to make certain changes to a building without the need to apply for planning permission. They derive from a general planning permission granted by Parliament, rather than from permission granted by the local planning authority.²⁰¹

However, these have either not taken off or have led, particularly in the case of office-to-residential change of use, to much criticism for reducing quality, levels of affordable housing and developer contributions. For example, TCPA President, Nick Raynsford, told us that:

"Permitted development rights leads to poor accommodation with no thought to accessibility and safety. Some market players will produce slums especially where no space standards are applied to permitted development."

An RICS (Royal Institution of Chartered Surveyors) study of the extension of Permitted Development in just five local authorities agreed. It found they may have lost £10.8m in planning gain and 1,667 affordable housing units from approved conversions. The report also criticised the small size of such new homes.²⁰² The recent Government announcement of minimum homes sizes regulated through building regulations rather than planning would be a solution to this part of the problem.²⁰³

10.11 Confusion over capturing value uplift? One inescapable consequence of any system of Government permissioning is a value uplift when permission to build is granted. Indeed, the level of the uplift is a pretty good proxy for the adequacy of the supply in the right places and the predictability of the process.

Most countries therefore find ways to use this increase in value to fund affordable housing, or infrastructure. According to the OECD, this is most frequently achieved via an 'impact fee' or 'betterment levy'.²⁰⁴ Impact fees are* paid by landowners for the construction of infrastructure, which directly services their plot. Betterment levies are similar but can be charged at any point in time when a public action causes an increase in property values.

Since the Town and Country Planning Act of 1990, England has had a form of 'impact fee' called Section 106 payments (normally shortened to S106). These are negotiated contracts between the developer and the local planning authority. They can, and often do, involve protracted negotiations.²⁰⁵ Concerns about their complexity and lack of transparency led to the introduction of the Community Infrastructure Levy (CIL) in 2010 which is a more codified regime. This is intended to be a predictable planning charge to help deliver infrastructure to support the development of their area – unlike the negotiable S106. London also has a 'Mayoral CIL,' introduced to support major Infrastructure investment in the capital. However, a 2016 review found that only 130 (out of 329) local authorities had CIL charging regimes, they are not being introduced in less prosperous areas and are only meeting between five and twenty per cent of total infrastructure costs (though much else is met by non-hypothecated public spending.)²⁰⁶ Progress is being made. By June of this year, the number charging CIL had increased to 154 (47 per cent) with another 69 *en route* to do so.²⁰⁷ Nevertheless, it is perhaps not surprising that concerns about the fairness or trust of these betterment payments have emerged in our evidence and in wider research.

*"There is a lack of transparency in both CIL and section 106 planning obligations – people do not know where or when the money is spent."*²⁰⁸

10.12 Are we analogue planning in a digital age? We have also heard considerable evidence that planning is 'remarkably analogue in a digital age.' There is a linked active debate about how 'big data' and digital innovation can revolutionise the real time management of cities and the planning process. This has been led by Connected Place Catapult (known until April 2019 as Future Cities Catapult).

There are clearly important opportunities that are emerging to use digital technology to support decision-making and engagement. Big data market analyses, option modelling and impact testing can support more informed, more efficient and evidentially based planning decision making.²⁰⁹ In parallel, new technologies such as augmented reality, online surveys and visual comparisons can support hugely-improved engagement with a wider cross-section of the community, earlier in the process and with a more confident and truer understanding of popular preferences. This is a theme to which we will return in our recommendations.

10.13 Highways and humans. Highway regulations and the culture that underpins them are of particular importance. Robert Moses's attempt to surrender New York to the automobile was so effectively criticised by Jane Jacobs that few people now would defend thru-ways, inner ring roads and urban roundabouts. But the problem remains and has been well presented by Jake Desyllas in one of the best of CABE's publications, *The Cost of Bad Street Design*. The belief arose during the 20s and 30s that the street must be adapted to the motor

car, not the motor car to the street, this belief reflecting the principle that the primary purpose of the street is as a *conduit*, rather than a place to be. Pedestrians therefore had to be given a safe passage through, while the street itself was surrendered to motor traffic. The result was bleak underpasses and railed crossings, both serving to annihilate the street as a public space and to undermine the sense of a walkable neighbourhood.

The overwhelming evidence, assembled by the New Urbanists, by Jan Gehl, Jane Jacobs, Create Streets and a hundred more, is that the street is the primary urban space, the place where people go to hang out, to enjoy the sense of being at peace with strangers (which is the primary source of urban joy), and – if they are lucky – to find the shops and facilities that they need: *'where people are, people will go'*. Fortunately, there are now important guidelines (such as the excellent Manual for Streets) which are righting these historic wrongs. However, whilst these are being used proactively in some parts of the country (for example embedded in some design guides for Essex and Cambridgeshire and the new Streetscape Guidance for London), they are not having nearly a significant enough impact on most of the streets and places we make. In their evidence to us, housebuilders and local authority officials were as one on this.

"Highways is much more of an engineering approach which is not based on place making...a culture change is needed."

*"The shift with Transport for London [Healthy Streets] is that public health was added into their strategic objectives, which unlocked the necessary creative thinking."*²¹⁰

"Design is driven by the highway engineer like never before"

*"Utilities, highways and infrastructure can very much upset the apple cart e.g. if the highways don't want to adopt then you're into private roads. Infrastructure providers aren't interested in place making."*²¹¹

10.14 The future of the high street. We have specifically been tasked to look at the case of the high street. Underpinning the challenge modern high streets are facing, of course, is the change in retail patterns as a result of the internet and home delivery. Retail planning used to be divided into 'convenience' (essentially food) and 'comparison' (non-food). These were divided into 'bulk' (weekly supermarket shop/buying a dishwasher) and 'top up' (daily or *ad hoc*). Then there was 'local' (small parades and centres of small settlements) and 'higher order' (city centres to which people from neighbouring settlements travel).

Put simply, internet shopping and delivery has rendered this model obsolete. Landlords are therefore sitting on property held at a book value that the potential rental income no longer supports. However, it is often hard to support change of use to lower rent commercial or other uses due to rates liability. Sometimes change of use is also not permitted. Thus, too many high streets are not evolving as they need to do.

Critically, local rates also appear to be biased in favour of 'big box' drive-to units (what some have called 'boxland'). And they appear to be making it hard to re-balance use in favour of micro-business and more and smaller units.²¹²

In parallel, we have been too complacent for too long about our high streets. Many have long been “homogenous and bland,” and so people have “voted with their feet”, particularly once the internet created a world of accessible opportunities. This can lead to a cycle of decline – especially in areas which have not seen the urban revival of places like London over the last 25 years - with boarded up shops, unoccupied flats above, no town-centre businesses and no investment in local public realm. The good news is that in parallel, lots of trends or perennial realities of human existence in towns and cities continue to support the high street (although some of these create challenges as well).

- People still want and need well connected places to meet.
- There is a revival in city and town centre living (particularly in London and the South East). This creates a new density of (often younger) potential customers.
- The internet has made possible a much wider range of micro-business and the self-employed who need micro-offices, pop-up offices or places to meet.
- There is a growth (particularly for the young) of shopping for services not things. Often these can only be delivered locally and in person.
- There is growing policy focus (for sustainable travel purposes) on the 'joint trip' (shopping, banking, dentist, council services etc.). This is good for the truly multi-purpose high street.
- There is a growing movement to reduce focus on cars in town centres. This will help make most high streets better places to be though may pose access challenges in some circumstances.

Therefore, for high streets to ‘work’ in future they can no longer just be a place for ‘local’ or ‘high order’ shopping (depending on location). They will need to rediscover their older, wider role as a true part of a properly functioning human settlement with a main centre and with subsidiary centres: the ‘market place’ of meeting, being and interacting – the public *agora*. We need to stop thinking of the high street as ‘just’ the high street but also the surrounding side streets and back streets and indeed the whole community. Previous reviews have focused too much on retail and not enough on place, and on all the reasons people might want to congregate. This is not to say that the process will be easy. Fluidity of future use will probably only increase whatever some might wish. Airbnb is very unpopular with some councils (we think the reaction is over blown). But, like it or not, it is unarguable that the technology that supports is not going away.

Many high streets of the future will probably therefore need to be capable of more flexibility of use – possibly with tighter control of place quality (following, we would hope principles as set out in chapter nine). They will need a greater diversity of residential, services and office uses surrounding local high streets. The question is: how do we help ease this transition particularly given the challenges of over-valued assets and rates that do not support small shops or micro-businesses?

How do we permit managed flexibility and transition? There is a very real concern that with the systemic backlog of housing supply and sky-high residential value, residential uses will trump all value in regions such as the South East right now. How do we manage this whilst permitting evolution, flexibility and change? A location can 'fall apart' with lots of different owners with different interests. Interest should go beyond maximising the value of retail spaces. Instead we should maximise value as a whole. How can councils achieve this when they don't own the land?

The regulation/tools to manage high streets will evolve as well. The same technology that is changing high streets can be used to manage them as well. (For example, some experts say that Google knows more about our high streets and the shops on them than the council does). Public authorities must and should increasingly be able to collect better data for management, especially since there are multiple landlords on a single high street.

Finally, it is important not to be naïve and have shops that are actually used not just ones people like the look of. One council official told one of us that their survey of shop use found that residents enjoy having local shops as a backdrop, but when asked if they personally shop there, most responded "no".²¹³

10.15 Conclusion – quality *and* quantity or quality *versus* quantity? Planning is delivering more homes but suffering from major challenges of consent, confidence, quality and public trust. In focusing on the quantity of homes, we risk losing the quality of places. The 1940s settlement was initially designed to work in a world with no private development, with (by modern standards) very generously staffed local councils, with far fewer spatial constraints on development (green belt is really a creation of the 1950s to the 1990s with its size doubling from 720,000 hectares in 1979 to 1,650,000 in 1997) and, perhaps crucially, with much greater trust in central and local government.²¹⁴ ("If they could win a war, they can build the homes we need....") None of those tenets hold true today. In many ways it is remarkable that the system has survived as well as it has. It is a testament to many remarkable people that it has.

However, it is only working in supply terms (the number of homes permissioned has doubled over the last decade) because it has started to fail in many other terms. New homes are being built. But too many are not good enough, are not in the right places and are not in proper settlements.²¹⁵ Many are not beautiful at any of our three scales of building, places and settlement. This is leading to a collapse in public trust. Few have enough confidence that the planning system is able to insist on what is good and beautiful. In meeting quantity targets, we risk losing the focus on quality. And then many crucial cross-cutting issues about the nature of risk and certainty also kick-in making it hard for neighbours to be sure that what is promised will be delivered – whether that be in terms of green infrastructure, affordable homes or beautiful street design. Many of these issues will require resolution if, in meeting our quantity targets, we are to conceive, design and build more beautiful settlements and streets, homes and places. The final section of our interim report turns to what we can do about this.

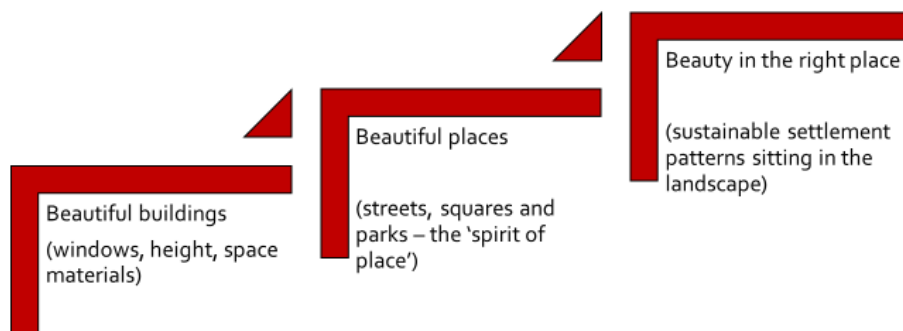
Part III – Creating space for beauty

11. Beauty first and Places not just houses

Tackling the problem of poor-quality design and of creating the places we need for the future with popular consent is not a linear problem. There is no one “killer app” or simple solution. It is what Sherlock Holmes used to call “a three-pipe problem.” So how do we tie all these disparate threads together?

The aim of future planning and development should be place making, remodeling existing settlements and delivering enough good, beautiful, sustainable settlements in the right places in which people can live and work in ways that support choice, economic growth and progress, sustainability and healthy lifestyles. We need to do this at the three scales of building, place and settlement pattern.

Beauty at three scales



To 'grow beautifully' and meet our housing needs sustainably and with popular consent we will need to focus more on making places and less on just building houses. We need to create a virtuous circle of;

- **Beauty first and Places not just houses;**
- **Regenerative development and Growing beautifully;**
- **Early collaboration not confrontation and A level playing field;** and
- **Learning together and Making beauty count.**

Creating space for beauty



Here are some suggestions for how to achieve this more consistently at all three scales. They are intended to be ideas that could be “workable” as our terms of reference demand. However, this is an interim report and we don’t pretend that all are fully worked up or fully formed (though several could be implemented quite easily). We are on a journey not at our destination and these are, for now, suggestions. We warmly encourage responses.

11.1 Beauty first. No one, least of all members of the public, feel empowered to demand beauty. Rather they feel embarrassed and foolish. This needs to change and the planning system nationally and locally should encourage this change.

Since 2018, the new NPPF has placed more focus on popular design than its predecessor. This is very welcome. However, is more required? The NPPF defines the purpose of the planning system as to contribute to the achievement of sustainable development. Within this broad purpose there are three objectives - economic, social and environmental. The only design reference under the environmental objective refers to protecting and enhancing our natural built, and historic environment and helping to improve biodiversity. There is no reference to the beauty of the places that we create and their overarching positioning within the landscape. We believe that in a future iteration of the NPPF there should be.

Policy Proposition 1: ask for beauty. Beauty and place-making should be a collective ambition for how we move forward and a legitimate outcome of the planning system. Great weight should be placed on securing beauty and great place making in the urban and natural environment. This should be embedded prominently in the National Planning Policy Framework (NPPF), associated guidance and encouraged via ministerial statement. This should both seek to protect that which is acknowledged to be beautiful through heritage and other protection regimes and should influence what we build in future at every scale.

Policy Proposition 2: beauty and the ‘spirit of place’ defined and demanded locally. Local Plans should embed this national requirement for beauty and place making from the

outset, before any decisions are made about allocating land or making policy decisions. What beauty means and how it relates to locality should be discovered and defined empirically and locally by surveying local views on objective criteria as well as from deliberative engagement with the wider local population.

One of the disconnects that emerged in our evidence was about very different levels of confidence in the public sector's ability or even desire to deliver beauty. Many officers felt passionately frustrated at their inability to influence developments 'on their patch'. In contrast, some civic societies appeared to have no confidence that local authorities would support beautiful development even if they could.

As one of our advisers, the experienced public and private sector planner, Adrian Penfold, put it;

"Government can and does directly affect the quality of what it builds itself, as well as through the use of agencies such as new town and urban development corporations, which dispose of land subject to building agreements requiring a particular form and quality of development to be built within defined timescales."

But is Government doing enough with this power to produce beautiful places, streets and buildings? We are not convinced. To take the important case of public buildings, surely they should be worthy of their civic purpose, popular and beautiful? Many of the proudest buildings in England's towns and cities are civic buildings built with public funds, particularly in the nineteenth century: the Houses of Parliament in London, Leeds or Rochdale Town Hall or St George's Hall in Liverpool. However, somehow, somewhere, we have lost not just the ability but even the desire to create public buildings of beauty and moral worth. Anna Mansfield of the public realm consultancy told us;

*"I was working on a PFI project ten years ago, and we were told by the contractor to put in a more expensive material that looked cheaper because there was real sensitivity about anything in the NHS looking expensive."*²¹⁶

This is ridiculous. A hospital is a noble building built for a noble purpose. It should not be built to look disposable and cheap. We need to rediscover the confidence and ability to create public buildings of popular beauty and civic pride. The contrast between too much modern practice and the spirit of civic pride explored in Tristram Hunt's exploration of the Victorian City, *Building Jerusalem*, is particularly stark. He cites, for example, Sir Charles Barry that a town hall should be "the exponent of life and soul of the city."²¹⁷

From the evidence we have received, it is also far very from clear to us if public subsidy and support is actively helping the delivery of patient capital or beautiful developments. As one very large patient capital developer put it to us:

*"Development of this type do not necessarily fit clearly with existing Homes England funding streams. A dedicated Innovation Fund... would help"*²¹⁸

Similarly, paragraph 130 of the NPPF states that 'permission should be refused for development of poor design.' When this happens, it should be celebrated and explained.

Policy Proposition 3: re-discovering civic pride in architecture. Public sector procurement of buildings should place major focus on beauty, place-making and civic pride. Public engagement, citizen involvement in scheme selection and data on local preferences should axiomatically inform this. Placemaking should be a corporate responsibility of the senior Leadership of Local Authorities, and not just the Planning Department. Chief planning officers should sit within the Senior Management team.

Policy Proposition 4: saying no to ugliness. The new NPPF already supports refusing development on grounds of poor design although at present greater weight is afforded to the five-year housing land supply. Examples of poor and ugly schemes turned down by Local Authorities, the Planning Inspectorate and the Secretary of State for Communities should be celebrated and used as exemplars to encourage beautiful and popular place making. Local Planning Authorities should feel the support of Government behind such decisions as they are making them.

11.2 Places not just houses. The Commission is very interested in how the strategic land and infrastructure investment model could further help to open up the market to competition from a range of smaller builders – including self-builders - committed to mixed uses, local delivery and competitive on product, as well as satisfying the land requirement of large scale producers and mixed use developers. For strategic scale schemes, a longer-term investment approach is successful by securing a value uplift through place making and building investment value as opposed to minimising build costs and therefore quality.

We also believe we need provisions for trusteeship of new places, of the kind adopted by new towns like Letchworth. This might be a local government responsibility, funded by ground rents or similar, or the responsibility of estate managers or master builders. The Law Commission is currently reviewing leasehold tenures and ground-rents which is potentially relevant. We are encouraged that the model does seem to be gaining momentum with support across the political spectrum from the Letwin Review to Shelter and action on the ground. The Nationwide Building Society, for example, have submitted evidence to us about their development at Oakfield in Swindon.

*"With the Oakfield development Nationwide is going back to the roots of the building society movement. Building societies were originally set up by groups of workers to enable them to fund the building of a home of their own to escape poor housing conditions."*²¹⁹

In parallel, as we have seen there is currently a renaissance in the potential supply of community land trust and community-led development. In our experience, empowered community residents can be incredibly wise place-makers and we would like to see if their role can be extended to the benefit of civic engagement and beautiful places.

Policy Proposition 5: placemakers not housebuilders. We would like to explore how, public policy should support a growing role for the strategic land and infrastructure investor, master-builder, place maker or legacy business model as opposed to the building of single use housing estates on the 'next field' basis that currently prevails. Mixed-use

developments are essential to creating places, delivering sustainability and a range of other beneficial outcomes. One option would be helping public sector bodies play a more active role in land assembly, when appropriate, by strengthening compulsory purchase orders and making it easier to buy land at existing use value plus a pre-set premium. This might be controversial and could require changes to the 1961 Land Compensation Act, to limit compensation for prospective planning permission.²²⁰ Another option would be actively to encourage land pooling.

Policy Proposition 6: moving the democracy upstream from development control to plan-making. The quality and breadth of public engagement with the plan making (as opposed to the development control) process is not good enough. This needs to be systemically improved so that the public are better engaged with strategic decisions on where development may happen and what it looks like. At present there is a competitive 'call for sites' process which leads to a competitive allocation of individual sites for development and often to protracted litigation. Local Authorities must feel empowered more confidently, publicly, visually, quantitatively and strategically to define the form, density and standards of development that are (or are not) possible in specific areas. Alongside clarity on betterment payments and affordable housing, this would ease more certainty into the system and an earlier agreement of quantum and consequent land values. Much opposition to development is on its location not just its form and local communities must be more effectively engaged within Local Plan development.

Policy proposal 7: incentivising stewardship and long-term development. There should be a review of what changes in legal and tax regimes would better support a long-term stewardship model of land and infrastructure investment in the development of new or remodelled settlements as opposed to a speculative, short term approach. New vehicles to achieve this whether fully public, public-private partnerships, fully private or community-driven should be explored according to the requirements of regional property markets and location.

Policy Proposition 8: empowering communities. Communities are very well placed to understand what they want. Consideration needs to be given to how 'right to transfer' regulations and the upgrading of the right to buy assets of community value could further strengthen the growing community-led housing movement.

12. Regenerative development and growing beautifully

12.1 Regenerative development. Development should be regenerative not parasitic. It should make existing settlements better not drain the life and activity out of them. We should be expecting not grateful when it happens.

Policy proposition 9: net gain not 'no net harm.' The planning system operates on the principle of minimising harm. We would like to see how this could be restored to a value-add proposition. The tool of 'environmental net gain' is acknowledged as a potential means of nature recovery alongside necessary new development. The Commission would like to investigate how this could be read across to the National Planning Policy Framework and guidance in association with the ambition to build better and more beautifully.

One other issue that has emerged several times in our evidence is that, at present, the tax system effectively represents an incentive to rebuild rather than to renovate. Renovation on non-listed historic buildings is subject to VAT. Building new structures in their place is not. As the Northumberland and Newcastle Civic Society put it to us in their evidence:

*"It is desirable to make better use of existing buildings in city centres given not only the colossal challenges facing traditional urban based business but critically the need to better use finite natural resources.... we want to dispel the perception that renovation represents poor value for money in comparison with demolition and reconstruction."*²²¹

This is not just a matter of not pulling down historic and beautiful homes. Needless destruction of buildings is also a matter of sustainability. As was reported in a parliamentary select committee publication.

- The largest producer of waste in the UK is demolition and construction which produces 24 per cent of the annual 434 million tonnes.
- For every inhabitant in the UK, six tonnes of building materials are used every year.
- It takes the energy equivalent of a gallon of petrol to manufacture six bricks. The embodied energy in the bricks of a typical Victorian terraced house would drive a car more than ten times around the world. Reusing historic buildings can significantly reduce energy consumption.²²²

Repair and maintenance is an enormously important and otherwise cost effective way to sustain our existing settlements (and heritage) with the many social, economic and environmental benefits that that brings. As we have seen, one theme that has emerged is whether the differential VAT treatment of repair and restoration building work should be harmonised so as not to continue discouraging the repair and reuse of existing buildings and places. At present new buildings are promoted via zero-rated VAT, whilst VAT is charged at 20 per cent for repair, maintenance and adaptation work. Repair and maintenance is an enormously important and otherwise cost effective way to sustain our existing settlements (and heritage) with the many social, economic and environmental benefits that that brings.

Policy Proposition 10: fair tax for existing places. As awareness of the benefits of a 'circular economy' approach to the environment and the economy increases, we should look at ways to incentivise re-use of existing buildings to prevent new build being the default 'easier' option. For example, we would like Government to consider the alignment of VAT treatment of repair and maintenance work for existing buildings with construction of new buildings.

As we have seen, many high streets are facing some difficult challenges of evolving retail patterns. However, they could also be poised to benefit from the revival in city and town centre living. People still want and need well connected places to meet. And the same technology (the internet) which is driving shops out of business has also made possible a much wider range of micro-business and the self-employed who need pop-up offices, flexible space and places to meet. There is also a growth of shopping for services, not things. Often these can only be delivered locally and in person. We categorically do not believe that the high street needs to die, or that it is out of step with how people want to live and congregate sustainably. It just needs to evolve and change as is always true of the history of our villages, towns and cities (over a hundred years ago people were worrying about the amount of horse manure on our streets – technologies and life change).

For high streets to 'work' in future they can no longer just be a place for 'local' or 'high order' shopping. They will need to rediscover their older, wider role as a true part of a properly functioning human settlement with a main centre and with subsidiary centres. They need to 'mesh in' with surrounding site streets and back streets and be high quality, nice to be in, ideally beautiful. How can they evolve to do this? We believe that the right approach is to equalise the treatment of rates and consider permit more flexibility of evolving use though with important constraints.

For example, most observers believe that the revival of town centre living is a positive development for high streets, bringing more potential for their historic role. However, there is legitimate concern that with the systemic backlog of housing supply and sky-high residential value, residential uses will trump all value in regions such as the South East right now. Unfettered transfer of use might go too far. How do you permit necessary flexibility without permitting rapid transfer to a monoculture for shortterm highest value? Some have suggested the permitted development shrinkage of A1 retail space to permit the easy re-purposing of floor space to residential, commercial or cafés. Could this be limited on floorspace size or with Article 4 Directions? And, as our adviser Peter Studdert has cautioned, how do you control changes to shopfront design and location of bin stores to prevent a "disastrous impact on the beauty and character of local high streets and contribute further to their decline."²²³ What is the right balance?

The Commission has personal experience of peaking online demand in some local markets. Is there an option that realistic rents and rates on a more equitable basis for high street as opposed to 'boxland' retail might again lead to booming high streets. We must be careful not to foreclose on this possibility though overly rash change of use.

Policy Proposition 11: hope for the high street. Even in an internet dominated age, humans are fundamentally sociable creatures. There is clear future for high streets as beautiful, walkable, well-connected places for people to live, work and meet with a mix of convenience and smaller shops, leisure and cultural facilities. We need to focus on physical services, experiences and social interactions that the internet, even with advances in virtual reality, cannot provide. High streets need to be more pleasant with a greater mix of retail, service, offices (including micro-offices) and homes. Some may need to be shorter and more intense. Previous reviews have perhaps focused too much on retail demand and not enough on all the reasons people might want to congregate. We would like to investigate further how national or local policy can permit or encourage a greater diversity of appropriate uses on and surrounding high streets and how a reduction in business rates and the re-balancing of the ratings system might help to sustain smaller shops, ceasing to favour 'big box' drive-to units. We are also interested in how CIL investment in the public realm can benefit high streets.²²⁴ Finally, new local high streets should be planned for and required in new settlements so as to achieve a sustainable urban footprint, encourage modal shift and bring land value uplifts.

The scope and means to deliver beauty is challenging in many lower value areas. 'Gap Funding' had been a hugely successful tool for de-risking investment in quality in such areas.

Policy Proposition 12: regenerating 'regeneration.' Consideration of how public sector equity may be used to share risk, and future rewards, over a longer time horizon than five years if necessary would help ensure that quality and beauty is for everyone, even when the local market alone cannot initially deliver it.

As we have seen, how we mingle land uses is very important to human wellbeing and sustainable land use. Too many sites, even within towns and cities are very low-density inefficient space usage. Already many local policies, for example policy E7 in the London Plan, encourage the intensification of land use on these types of site. However, we believe there is much more that could be done to revitalise this type of 'boxland' into proper neighbourhoods. This will not be the right solution everywhere and should however be subject to the test of whether an intensified land use plan is responsive to context and represents 'the right development in the right place' and delivers overall net gain.

Policy Proposition 13: revisiting 'boxland'. As long-term retail demand and shopping habits change, local policy should encourage authorities to work with investors on the redevelopment of low density single use commercial space, retail parks and large format supermarkets ('boxland') into mixed 'finely-grained' developments of homes, retail and commercial uses which can support and benefit from public transport.

Similarly, until the early twentieth century and the imposition of regulations mandating suburban house forms, cities have organically become more intense as they develop. As suggested by Ben Derbyshire (currently President of RIBA and chair of HTA Design) one interesting idea (which he termed 'superbia') in contexts such as London with major demand

pressure would be development from two storey suburban housing, to medium-density terraced developments, plot by plot, on a pre-approved code.²²⁵ This may not be appropriate in all areas but we would like to explore it further.

12.2 Growing beautifully. As a part of building beautifully, we must seek to ensure that we work collectively, across public and private sectors to achieve '*the right development in the right place*' such that we protect the inherent beauty of the urban and rural areas, stimulate economic growth, quality of life and wellbeing, local economic capture and productivity, and meet our obligation to take a lead in the fight against resource depletion and climate change.

Policy Proposition 14: master-planning not planning by appeal. There are already good practices in the approach to delivering and assessing good design which have delivered positive outcomes. These are usually the result of effective master-planning, but are also likely to include landscaping, communal and green infrastructure and popular design codes at the outline and detailed design phase which help define the settlement pattern, block, street and plots. More needs to be done to require or strongly encourage the wider use and acceptance of such approaches to ensure both certainty of quality and flexibility for innovation. Clearer master plans and expectations at the local and (where appropriate) at the larger than local scales would set greater clarity for land values and guide future development.

Policy Proposition 15: the right development in the right place. At the larger than local scale, we would like to investigate how county councils, unitaries and mayoralities might be further encouraged to work collaboratively, together with the Local Enterprise and Nature Partnerships (LEP and LNPs). The Duty to Cooperate could be extended to ensure that all public sector bodies in an area work collaboratively with communities to articulate a spatial and infrastructure vision reflective of local geographies, culture and economic priorities. This can be supported by emerging new technologies and might form the basis of more strategic approaches to land allocation, and when tied to infrastructure prioritisation will help us to build or create by re-modelling well-served, sustainable economically viable new communities.

Policy Proposition 16: create mixed use 'gentle density' with centres and edge. Efficient land use is important in delivering on a broad range of policy objectives. Mixed-use and gentle density settlement patterns around real centres which benefit from the advantages of density (such as more neighbourliness, more walkable lifestyle patterns) and from some of the advantages of lower density (more personal space, more greenery, cleaner air) are very often the best ways to deliver beautiful development and secure community consent, whilst also developing in more sustainable land use patterns and building local economies. This is typically associated with higher wellbeing, more neighbourliness, higher values, greater ability to support affordable housing and less reliance on cars. The planning system should strongly encourage mixed-use and 'gentle density.' The impact of roads, poor public transport and parking on place needs review.

Policy Proposition 17: highways and byways. Every sector of the industry has told us, and our wider research has firmly agreed, that overly car-dominated places tend to be less

attractive or popular. We have seen some excellent work on how highway design can help reclaim streets for people; making them safer, considering parking provision and how provision of cycle infrastructure or public transport can support more humane and popular places. We would like to investigate what more should be done in this area to reduce car reliance. There have also been concerns raised on more strategic highways design and the impact of lighting, air quality etc on local communities and the landscape and how this can be addressed from a placemaking perspective in the planning and delivery of large-scale developments. We would like to investigate what more should be done in this area.

As several of our witnesses powerfully told us, sustainability and beauty are not in conflict. Rather they are in symbiosis. More can be done to embed the existential principle of sustainable development with the humane principle of beauty. This is both right and aligned with recent Government announcements on the eradication of the UK's net carbon contribution by 2050.

Policy Proposition 18: biodiversity rules - We have a biodiversity crisis and urgently need to aid nature recovery; at the same time many people are deprived of access to nature. Turning this round would be a crucial element of achieving beauty and supporting wellbeing. More needs to be done to build in as central elements of all planning decisions access to nature and green spaces – both existing and new – for all new and remodelled developments. This must not be negotiated out on 'viability grounds.'

Nansledan, Newquay²²⁶



13. Early collaboration not confrontation and a level playing field

13.1 Early collaboration not confrontation. Despite the very best of intentions, not enough people are able meaningfully to influence what is built, where it is built or what it looks like. That needs to change. The overwhelming consensus of what we have heard to date is that citizen involvement comes too late in the planning process to effect anything more than a small adjustment. Democracy happens too late and needs to be 'brought forward'. However, this needs to happen in the context of our need for more homes in much of the country. How do we square this circle and create beautiful places?

We particularly recognise the important opportunities that are emerging to use digital technology to support decision-making and engagement. Big data market analyses, option modelling and impact testing can support more informed, evidentially based planning decision making. In parallel, new technologies such as augmented reality, online surveys and visual comparisons can support hugely-improved engagement with a wider cross-section of the community, earlier in the process and with a more confident and truer understanding of popular needs and preferences. This should be encouraged and invested in.

We would also like to examine whether there is scope for deliberative engagement and consultation on road schemes to be improved. Some have argued that the Department of Transport Web Tag guidance on schemes' impact appraisal is not sufficiently rigorously applied.

Finally, we want to examine how design reviews can improve design quality (which they clearly can) and be used more without becoming superficial or remote. As Professor Matthew Carmona put it in his evidence to us:

"I would absolutely recommend design review councils ... [but when] experts are parachuted in who come in, walk the site, don't talk to us and then leave again, that is the way that bad design review happens"²²⁷

Policy Proposition 19: collaboration not just consultation. There is greater scope to encourage the use of deliberative engagement and design processes to facilitate wider community engagement in design solutions at all levels of scale. Consideration needs to be given to how this might be better resourced whether through public / private partnership arrangements or neighbourhood planning; by adopting protocols for community and stakeholder engagement in the production of detailed visual design briefs for important sites; and through the use of 'enquiry by design' or similar techniques to assist the master planning of strategic and sensitive sites. There should be much greater weight placed in planning applications on the criteria set out within the Statement of Community Involvement to demonstrate how proposals have evolved as a result of local feedback. The Commission is concerned with the quality and breadth of public engagement with the plan making (as opposed to the development control) process. This needs to be systemically improved and is critical. We need to move the democracy forwards to an earlier point in the process

Policy Proposition 20: engagement in a digital age. There are huge opportunities emerging to use digital technology to improve decision-making, information co-ordination, impact and option testing and to engage with a wider section of the community earlier in the plan-making and development process. The attractiveness and otherwise of the proposals should be an explicit topic for engagement. We wish to consider how such technologies have been successfully deployed at different scales in the UK and abroad and highlight priorities for investment to ensure that planning shifts from being an analogue process to operate more effectively in a digital age.

Policy Proposition 21: design review but not from 'on high.' When carried out well, design review has proved to be a powerful tool for better development. However, as design review spreads, maintaining the quality and inclusivity of judgement becomes harder. There are also instances of their becoming detached from local preferences and, in common with most current discussions on architecture and the built environment, whether a project is 'beautiful' or not is often only tangentially addressed. The Commission believes that design review has a role to play but further consideration is needed on how best to enable innovation, benefit from best practice, reflect local preferences and regional challenges whilst also ensuring this can be resourced and managed. We would like to explore with the Design Council their future role in helping ensure consistently high standards nationally.

13.2 A level playing field. We need to de-risk beauty. As we have seen attempts to reduce planning risk within the very loose English approach to plan have not been without controversy. Some also risk, to cite London assembly member Tom Copley, creating the 'slums of the future'²²⁸. We need to evolve the approach being taken to be less politically controversial and better able to advantage beautiful and popular places. Our architectural advisers, Sunand Prasad and Paul Monaghan, have counselled "*better certainty in the planning system.*" One crucial element, they argued convincingly, is an "*early agreement of quantum*" so that the land value can be set.

*"Stage 1, in which the viability of the project is established, needs to be quicker. If stage 1 is completed more quickly clients will feel more secure about getting planning consent the biggest risk to a developer will be eliminated. Planning officers will need to be more emphatic at this stage for this to work. It would then allow more time for the development of detail (stage 2) and therefore "beauty". This would also speed up stage 3 too because the scheme would be more developed."*²²⁹

One option for setting the quantum and more besides might be through the greater use of more visual and more clearly defined form-based codes embedded into more confident and clear Local Plans that set what can and cannot be built and thus cease to act as a barrier to entry to self-build, custom build and smaller firms many of whom may be more responsive to neighbourhood preferences (particularly if they are of the neighbourhood). The sense of big developers 'parachuting in' has been a consistent theme of our research.

This approach has been recommended by former reviews. For example, the Local Plan Expert Group reported to Government in 2016. It considered how plans, SPDs and

Neighbourhood Plans communicate what that development should look like. It concluded that more certainty for residents, developers and decision makers on design requirements could be provided for local residents, developers and decision makers by better graphical representation and a zonal map-based approach. It concluded that:

"...the simplification of the plan making process... should free up resources for masterplan based work in areas where significant change is envisaged. This might be in the plan itself or more typically in SPD's and Neighbourhood Plans. This approach can we believe improve the legibility of the plan, excite interest, and encourage engagement in the plan making process. It is in no one's interest for change that is being promoted through policy to be so vaguely communicated that, when the development management stage is reached, proposals that are consistent with policy come as a surprise. We also hope that more focus on place making in policy may lead to an improvement in design quality."

The utility of clearer standards in London emerged several times in our roundtable discussions with a perception that the London Plan was clearer than most local authority equivalents.²³⁰ Interestingly, the London Borough of Southwark's Old Kent Road Area Action Plan has recently provided detailed guidance on requirements for building typologies, height, materials, window openings and expressed structural frontages. This might be a way forward though it would need (as explored above) a clear link to an empirical understanding of what local people like and value.

Policy Proposition 22: predictability to reduce planning risk. We wish to explore in more detail the role of design policy, standards and guidance to see how we might achieve certainty in matters of place making, density, design and other factors such as timely infrastructure delivery. This might be achieved by form-based codes and by non-negotiable infrastructure including green infrastructure (as with CIL). By setting a more clearly (and visually) defined level playing field this should permit a much greater range of SMEs, self-build, custom build, Community Land Trust and other market entrants and innovators to act as developers within a more predictable planning framework. It would also remove a degree of speculation on negotiating down planning requirements to increase land values. Form based codes should reflect local preferences and be visual not verbal.

Ways to trial the approach might include only applying this approach to land allocated in the development plan so that we can ensure the right development in the right place. Design codes should be created deliberately in a community-led SPD. They could be subject to a 'prior approval' procedure for layout and external appearance. In this way, beauty is used a mechanism to shape rather than prevent development.

Our adviser, Ben Bolgar has suggested;

"The opportunity exists to write varying degrees of prescriptive and accurate design code that encapsulate what has come out of the public engagement process, need accurate translation into suitable new forms and can be scrutinised properly by the public when

built. In the terms of reference for the commission implied in democracy and beauty, any regulations or design codes should apply to the public realm: namely public thoroughfares (roads and pavements), private frontages (set backs and boundary treatments) and building types (facades). Codes may also cover servicing strategies (block courts) in that they impact on the beauty of the public realm when poorly considered.

"When writing design codes the most potent written instructions are concerned with building materials and specifications. This is like an outline building specification which can be costed to ascertain what is being allowed for building a place and how that related to what was promised earlier on in the planning process before the right to build was granted. In addition, any written codes should adopt the language 'shall, should or may' to convey varying degrees of regulation. Drawn information should relate to public thoroughfares, private frontages and building types/elevations which sets out the dimensions of space and give qualities of proportion and light. The combination of well-proportioned spaces and buildings with a beautiful palette of materials are key ingredients in making beautiful buildings and places.

Developers that conform to the precise default setting could be given a fast track to planning, even permitted development rights, making the planning process more efficient and leaving more time for unconventional designs which can have due consideration paid to them in the form of design dialogue and review panels. Once built areas have been scrutinised, regional/local codes and pattern books of types can be adjusted based on public opinion and peer review in the spirit of continual refinement."

There is more work to be done but we would like to explore this in more detail. Nor should we assume that design codes are in themselves a panacea – certainly when they cannot be enforced as we saw in our visit to Sherford.

We also wish to explore in more detail if there are situations (for example where a master developer or land stewardship has a demonstrated record of their desire and capacity to enforce a masterplan) where it might be possible to permit small developments specifically designed to advance beauty, and which comply with design guidance, to make speedy progress through the planning system.

This type of approach, and the system more widely, needs to be accompanied by a greater probability of enforcement. If clearer rules can permit more competition and hopefully faster and more straightforward permission, the public need confidence that developers will keep their commitments. We have encountered much evidence that planning consent, once granted, is then simplified or weakened by subsequent purchasers of the land or the builders, once the job is obtained. The RIBA addresses this problem in its publication *Protecting Design Quality* and recommends S106 agreements which compel a developer to pay a 'Design Monitoring Contribution', for the assessment of work along the way as well as inspection prior to completion to ensure compliance. In this way the developer has an incentive to continue to engage the original architect, and in any case not to depart from the brief. Another option would be to mandate the retention of an architect from planning permission

to the completion of developments, so that quality does not diminish post planning as RIBA have also suggested. As one architect put it to us: *"procurement designs out beauty."*²³¹

Alternatively, if moves are possible away from the current system, with its comparatively very weak local plans, or from the site by site nature of the residential development sector this would enforce design quality through contractual obligations which run with the land stewardship regime, as well as through more predictable planning. Local Development Orders (LDOs) might be used more where a land stewardship investor has demonstrated track record in complying with plan and quality to self-permission within a masterplan, and with the oversight of the local planning authority.²³²

Policy Proposition 23: ensuring enforcement. Where good master plans or designs are approved it is *those* schemes that should be built – not a diluted version down the line. There should be a greater probability of enforcement and stricter sanctions. Consideration should be given to what is actually approved at outline consent to ensure quality is delivered – such as the Design & Access Statement.

Procurement has been raised from many quarters; both how we procure public architecture, development partners and the delivery of the built form.

'Value engineering' appears to have become one of the most abused terms – what should be a complete focus on designing what adds value for the customer has become a means to cut costs, quality – and corners. 'Design and Build' forms of contract have been cited as the greatest concern; where a reasoned transfer of construction risk has inadvertently resulted in loss of control over the quality of the outcome and an 'Intelligent Client' approach that briefs well and retains control is essential.

As one architect put it to us:

*"Contractor led Design and Build is the main reason why quality in public sector buildings has been undermined. By transferring risk, clients and their architects lose control of design quality and 'value engineering' becomes purely an exercise in cutting costs and improving contractor margin"*²³³

Luke Tozer added:

*"Procurement designs out beauty. Skilled in design is not skilled in procurement. Procurement is not skilled in design.... The approach being marketed at the bid stage, is not then carried forward to the contract and delivery."*²³⁴

Similarly, the pursuit of best price certainly can undermine the achievement of the best value to society in terms of design quality and the appropriateness of development. The developers at one (highly lauded) development explained to us that there had been a two-stage procurement process where the first stage was judged entirely on the basis of design quality, then the second stage on financials. A senior public official in a county council also explained to us that it has become so expensive and convoluted for him to procure development partners on public sites that he is moving into direct development. This clearly should not be the end point of a forced competitive procurement regime. We also know

(from our own personal experience as well as from what we have heard) of many examples where convoluted public procurement processes effectively lock out all but the largest bidders, thus reducing competition.

Procurement process would appear to have become unwieldy and to be deprioritising good outcomes.

Policy proposition 24: proper procurement. More work is required on this topic but we would wish to see design outcomes weighted as heavily as other outcomes. Procurement methods and costs should at all times be considered to be proportionate where the process of procurement throws the viability of an exercise into question, then alternative simpler routes should be available. We need to make sure that the promises made by prospective developers at bid stage flow through into the contracts and can be enforced through step-in rights or the use of building licences and leases. We will work with Homes England and others to provide best practice guidance and templates to support other procuring authorities. The Commission would like at the next stage of our work to explore specifically Design and Build and other forms of construction contracts and their impact on out-turn build quality. We will seek further evidence to inform this and enable recommendations on how to ensure design quality is not compromised through the build process; engaging both designers and contractors as well as commissioning clients in this process.

Roussillon Park, Chichester²³⁵



14. Learning together and making beauty count

14.1 Learning together. The curriculum for planning, architecture, surveyors, landscape design, highways engineers and builders should include more focus on place making, the history of architecture and urban design and the empirical links with wellbeing. What people have wanted and achieved, the historical, architectural and settlement bequest of this country and the development of popular involvement in the planning process are crucial and insufficiently understood issues. It should no longer be assumed that the people are to be led by the architects and the planners, rather that we need to continue to evolve new ways to work together, local resident and professional – both learning from each other. Those who addressed this question were unanimous in decrying the loss of the history of architecture from the curriculum in schools of architecture and we should recommend bringing it back and also installing it in the curriculum for other built environment courses.

Policy Proposition 25: understanding beauty. Concerns at the level of skills and design knowledge within Local Councils (officers and members), many developers and some professional advisers have been raised many times. There is a need to invest in and improve the understanding and confidence of some planners, officials, highways engineers, developers and local councillors in areas such as place-making, the history of architecture and design, popular preferences and the empirical associations between urban form and design with wellbeing and health. ‘Single issue’ specialists will invariably design by constraints and not see the bigger opportunities for beauty.

Policy Proposition 26: a common understanding of place. The university curricula for architects, planners, surveyors, highways engineers and builders should all include some elements of place making, the history of architecture and urban design and the empirical links between design and wellbeing – ideally as a joint and shared series of modules at the start of their built environment courses whether at higher or further education level. As a foundation, the principles of good place making should be addressed within the geography element of the national curriculum.

Policy Proposition 27: planning excellence. There is an urgent need for more high quality planning, landscape and urban design skills within local authorities. Planning needs to be seen as an exciting and creative career opportunity for bright and ambitious graduates. As with teaching and other key public services, a new planning fast stream needs to be created for talented young planners to provide them with the confidence to articulate a popular, sustainable and beautiful vision, the experience they need to deal with the complexities of the property and planning environment; and the practical exposure to a range of experiences to provide confidence and an accelerated pathway to senior positions. This will help to maintain talent in the public sector.

14.2 Making beauty count. As we have seen, the desperate need for more resources and skills in planning (with budgets having fallen by up to half) has been a consistent theme of our evidence. This Commission does not have a magic wand to increase budgets. However,

the Government should support moves which can make the delivery of planning services more efficient and effective. Digitising of data entry and processing and some elements of the vision we are starting to sketch out (above all better planning certainty) should have potential to liberate public sector planners to perform their role more effectively.

Policy Proposition 28: making space for planning. Many local planning departments have insufficient capacity to focus on design quality or deliver sufficient certainty or efficiency to development. By encouraging up-front deliberative engagement, the setting of clearer form-based codes in many circumstances, by limiting the length of planning applications and by investing in digitising data-entry and process automation, it should be possible to free up resources and liberate public sector planners to perform their role more effectively. This won't be easy but it is crucial. Further consideration needs to be given to how planning is resourced and charged for to enable better quality, certainty and efficiency.

You need to measure what matters. It won't be possible to put beauty into the KPIs of local planning departments. However, it is possible to measure many of the outputs which (as we saw in chapter nine) tend to be associated with greater wellbeing and popular places that most people find attractive. It is also possible to measure outcomes of public health. More work is required to consider how to do this, but we would urge that metrics for beauty (measured *inter alia* by popularity), wellbeing and public health should be key parameters for highways, housing and planning teams – particularly highways where there still seems to be a desperate need to design our highways better. Similarly, we would also like to consider departmental and Homes England targets. Are they driving quality of place as well as housing numbers?

Policy Proposition 29: measure what really matters. Highways, housing and planning teams in councils should have measures for beauty (measured *inter alia* via popular support), wellbeing and public health and nature recovery in their key parameters.

Policy Proposition 30: don't subsidise ugliness. The delivery of beautiful and resilient places should be made a condition of targeting of Government subsidy and grant regimes such that measurable outcome and targets are reset to incentivise delivery on the public side. The increased role of Homes England in terms of land and infrastructure as well as housing investment offers immediate opportunities. Consideration should be given to how value for money (VfM) methods should be clarified to count in environmental and social net gain arising from projects and beauty such that all disposals of Government land and procurement should count in overall value and not just financial. Any development on public land should similarly aim for beauty and sustainable development as an outcome alongside demonstrating best value. Procurement regimes should be adjusted to support this. Beauty should be locally and empirically understood, defined and discovered from the wider population, survey analysis of the local context and, where possible, encoded for greater certainty at the site selection, outline and detailed design scale.

15. Conclusion – beauty as the ‘everyday condition’ for us all

In June 2019, the Prime Minister said;

*"I do not accept that, in 2019, we can only have sufficient and affordable housing by compromising on standards, safety, aesthetics, and space. That is why I asked the Building Better, Building Beautiful Commission to develop proposals for embedding beautiful, sustainable and human-scale design into the planning and development process. I look forward to reading the interim report next month."*²³⁶

We hope that we have started that process of defining these proposals in this report. During the rest of 2019 we will be testing these interim proposals in more detail, refining some and no doubt altering or discarding others. To do this we will focus research and working groups on detailed consideration of the policy ideas explored in our eight key themes. These groups will include necessary expertise in areas of design, public engagement, planning, tax and development.

Accompanying this more detailed work will be ongoing industry and wider engagement. We are very conscious that we have not yet taken sufficient evidence from some groups including (for example) representatives of the growing Community Land Trust and self-build movements. As we analyse options for planning or fiscal reform in more detail we will also need to engage more closely with lawyers and public agencies, notably Homes England whose role in the provision of homes is becoming seminal.

We started this interim report with a citation from Clough Williams-Ellis. He was one of the founding fathers of the proud, though now rather obscured, tradition of design and planning as the pursuit of beauty for the many not the few, the tradition which had defined its aims, in the words of the 1909 Planning Act as *"the home healthy, the house beautiful, [and] the town pleasant."* Williams-Ellis hoped that *"a happy awareness of beauty about us should and could be the everyday condition of us all."*²³⁷ He was right. That should again be our aim. If Government, councillors, architects, planners, developers and housebuilders can again see "beauty about us" as a legitimate and universal goal for *all* our citizens not just a privileged few, if we are starting to evolve ways in which beauty can be discovered from the views and needs of neighbourhoods and communities and if the options we are starting to sketch out in this report can help our society achieve this, then our work, so far, will not have been in vain.

¹ The full quote was: "some house builders knowing they have access to help to buy believe they can build any old crap and still sell it."

² Elements of this introduction are developed from a note that Sunand Prasad and Paul Monaghan wrote to the commission.

³ Evidence presented to Commission on 14 March 2019.

⁴ Reynolds, F. (2016), *The Fight for Beauty*, p.59.

⁵ Photo credit - *The Living Village Trust*.

⁶ Williams-Ellis, C. (1996 ed). *England and the Octopus*, p.23.

⁷ Evidence submitted to Commission call for evidence, May 2019.

⁸ Evidence submitted to Commission call for evidence, May 2019.

⁹ For information on the Natural Capital Commission see: <https://www.gov.uk/government/groups/natural-capital-committee>

¹⁰ Evidence submitted to Commission call for evidence, May 2019.

¹¹ See evidence in chapter nine.

¹² Evidence submitted to Commission call for evidence, May 2019.

¹³ <https://www.chroniclelive.co.uk/news/north-east-news/newcastle-housing-development-won-top-11600616>

¹⁴ Photo credit - The Housing Design Awards.

¹⁵ Harvey, A. & Julian, C. (2015), *A Community Right to Beauty?*, p. 7

¹⁶ Evidence submitted by Civic Voice to Commission call for evidence, May 2019.

¹⁷ Commission visit to West Oxfordshire District Council (WODC) and Grosvenor Developments Community Design Charrette for the Oxfordshire Cotswolds Garden Village on 16th May 2019.

¹⁸ Evidence submitted to Commission call for evidence, May 2019.

¹⁹ Worsdworth, *The Two Part Prelude*.

²⁰ Harvey, A. & Julian, C. (2015), *A Community Right to Beauty?*, p. 3

²¹ Evidence submitted to Commission call for evidence, May 2019.

²² Private conversation with one of the commissioners.

²³ For instance, the ratio of average UK house prices to average incomes has doubled since 1998, the UK had the highest growth in real house prices of any Organization of Economic Cooperation and Development (OECD) country in the 45 years before 2015 and an average home increased in price by 378 per cent from 1970 to 2015 compared to 94 per cent on the OECD as a whole. This means that Britain's housing challenges are not just delaying the age of home ownership, they are fundamentally changing generational fairness. DCLG (2017), *Housing White Paper*. <http://ec.europa.eu/eurostat/web/housing-price-statistics/data/database>. In the US, for example, housing challenges in popular cities are delaying the age at which people buy homes but not on the whole preventing it. See *City Lab* (8 Aug 2018), 'Who Owns a Home in America, in 12 Charts.' A smaller proportion of people born between 1981 and 2000 are homeowners, at this stage in their lives, than for any previous generation since 1926. What they are paying in rent has increased from around 10 per cent of their net income 30 years ago (15 per cent in London) to around 30 per cent now (and 40 per cent in London). Corlett, A. & Judge, L. (2017), *Home Affront*. O'Brien, N. (2018), *Green, pleasant and affordable*, p. 11.

²⁴ This perspective is shared by all main political parties, by nearly all academic and policy experts and by most of the evidence we have received. Some disagree arguing that low housing affordability is mainly due to capital inflows, low credit rates or more borrowing and has very little to do with supply. However, this has not met widespread acceptance. Nor does it seem possible to reconcile with data on comparative credit rates, econometric studies, homes to household ratios or historic building rates.

²⁵ Some place more emphasis on the overall volume of housing irrespective of tenure and others place far more emphasis specifically on the need for more affordable housing but consensus on the need for mix is widespread.

²⁶ There is not one identical housing crisis across the country. In some regions the lack of supply is uppermost. In others the challenge is primarily productivity, income and economic security.

²⁷ The number of net new homes increased from 124,720 in 2012-13 to 217,350 in 2016-17, an increase of 74 per cent. The Government's lifting of the borrowing constraint on the Housing Revenue Account (HRA) in 2018 means that local government can borrow more to build new homes. And this has been matched by a growingly interventionist Homes England and more long-term deals with Housing Associations. This seems set substantially to increase the proportion of homes commissioned by the public and third sectors. Net additional dwellings is boosted by conversions and change of use. However, it also takes account of demolitions). House Builders Federation (2018), *Housing Pipeline Report—Q4 2017 Report*, p. 3. Stephens (2018), *UK Housing Review 2018*.

²⁸ Speech by the Rt Hon James Brokenshire MP to Policy Exchange, 3 June 2019.

²⁹ Over the last five years particularly a growing tide of home-buyers' complaints, data, academic and think tank studies, the Farrell Review (see below) and case studies on when different communities welcome or oppose new development have led to a growing realisation of the importance of better and more popular design and placemaking. This is increasingly seen

as a necessary part of the political solution – as well as the right thing to do given the improving data linking urban design with resident wellbeing.

³⁰ On a global basis it is increasingly acknowledged that people, businesses and investors are chasing locations that offer a combination of quality of life and affordability. For example, see Mercer's Quality of Life Survey. Sometimes, where the 'place' offer is sufficiently compelling, these factors can even trump some of the traditional locational dynamics driven by access and hard infrastructure. This notion of 'place competitiveness' was reflected in a recently published study by WSP 'Productive Places.'

³¹ For example, see Newman & Kenworthy, (1999), *Sustainability and Cities* though many other summaries could be cited.

³² For the most recent comprehensive summary on this see the work of Professor Philip Steadman:

<https://www.ucl.ac.uk/bartlett/energy/news/2017/jun/ucl-energy-high-rise-buildings-energy-and-density-research-project-results>

³³ Evidence presented to the commission on 24 April 2019.

³⁴ <https://www.gov.uk/government/news/pm-theresa-may-we-will-end-uk-contribution-to-climate-change-by-2050>

³⁵ For example, see: https://www.ted.com/talks/jeff_speck_the_walkable_city?language=en

³⁶ The Quality of Life Commission brought together the views of many leading environmental planners, businesses and organisations. Although now almost 10 years old much of its analysis into development models and settlements patterns remain relevant. One of our commissioners, Gail Mayhew, served on this commission.

³⁷ Finch, P., 'Community architecture has survived, albeit in a mutating form', *Architects' Journal* (30 June 2016).

³⁸ <https://coinstreet.org/who-we-are/history-background/the-campaign>

³⁹ 58 respondents answered this question.

⁴⁰ *RTPI Response to BBBBC Call for Evidence*, (May 2019), p.6.

⁴¹ Evidence submitted to Commission call for evidence, May 2019.

⁴² DCLG (2011), *A plan English guide to the Localism Act*, p.1.

⁴³ We would like to thank MHCLG for this data.

⁴⁴ <https://webarchive.nationalarchives.gov.uk/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁴⁵ Evidence presented to the commission by a Local Government planning official on 13th June 2019.

⁴⁶ <http://wech.co.uk/company-who-we-are/about-us-who-we-are-what-we-do-etc/how-we-started.html>

⁴⁷ <http://www.communitylandtrusts.org.uk/what-is-a-clt/about-clts>

⁴⁸ For example, 711 Wimbledon residents filled in the 2016 Wimbledon town centre survey run by Create Streets – almost one per cent of the local population.

⁴⁹ For example, see Gehl J, (2010), *Cities for People*.

⁵⁰ Evidence submitted to Commission call for evidence, May 2019.

⁵¹ For example, see Montgomery C. (2013), *Happy City*.

⁵² Francis Terry (2019), 'Can beautiful homes be built in a factory?' in *Building Beautiful*, pp. 80-4.

⁵³ Evidence presented to the commission on 28 February 2019.

⁵⁴ Evidence submitted to Commission call for evidence, May 2019.

⁵⁵ See Woolley, T. (2016) *Building Materials, Health and Indoor Air Quality*. We anticipate that as data improves, awareness and worry about this issue will, rightly, grow.

⁵⁶ https://www.ted.com/talks/jeff_speck_4_ways_to_make_a_city_more_walkable/transcript?language=en

⁵⁷ Evidence submitted to Commission call for evidence, May 2019.

⁵⁸ Evidence presented to the commission on 21 March 2019.

⁵⁹ Evidence presented to the commission on 28 March 2019.

⁶⁰ Evidence presented to the commission on 7 March 2019.

⁶¹ Evidence submitted to Commission call for evidence, May 2019.

⁶² Evidence submitted to Commission call for evidence, May 2019.

⁶³ Evidence submitted to Commission call for evidence, May 2019.

⁶⁴ Evidence submitted to Commission call for evidence, May 2019.

⁶⁵ Prasad, S. and Monaghan, P. (April 2019), *Beauty and the planning system*. Note to the commission.

⁶⁶ <https://www.bbc.co.uk/news/uk-england-surrey-48142680>

⁶⁷ Cited in Reynolds, F. (2016), *The Fight for Beauty*, p. 32.

⁶⁸ British Social Attitudes Survey (2017).

⁶⁹ Sims, S., Bosetti, N., (2016), *Stopped: why people oppose residential development in their back yard*, pp.15-16.

⁷⁰ Eidelman, S., Pattershall, J., Crandall, C. (2010) *Journal of Experimental Social Psychology* 'Longer is Better,' Vol 46 Issue 6, pp.993-998.

⁷¹ See Robinson, S., Pallasmaa, J. (2015) *Mind in Architecture*.

⁷² www.cpre.org.uk/media-centre/latest-news-releases/item/4682-public-has-little-faith-in-government-to-build-right-homes-in-right-places

⁷³ www.uklanddirectory.org.uk/majority-supports-house-building.asp

⁷⁴ Shelter (2017), *New Civic Housebuilding*, p.34.

⁷⁵ MHCLG, (2018), *Public attitudes to house building*, p.9.

⁷⁶ 'The sky's the limit? Londoners' attitudes to tall buildings', Ipsos MORI, August 2016 <https://www.ipsos.com/ipsos-mori/en-uk/londoners-support-restrictions-new-tall-buildings>

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- ⁷⁷ Fischel, W. (2001), 'Why are there NIMBYs?', *Land Economics* 77.1, pp.144-52.
- ⁷⁸ Evidence submitted to Commission call for evidence, May 2019.
- ⁷⁹ For example, the case study of Wymondham and Downham Market. Powe, N. and Hart, T., 'Housing development and small town residential desirability', *Town Planning Review*, 82(3), 2011, p.317-340.
- ⁸⁰ The propensity of older and more rural dwellers to oppose new housing more comes out clearly from the 2014 British Social Attitudes survey. 25 per cent of those aged 55-64 were opposed to new homes as opposed to 17 per cent of those aged 18-34.
- ⁸¹ The quotation is taken from *City Metric* (15 February 2019) 'How can we defeat NIMBYism' though this is a little unfair as the article is well conceived and makes important points.
- ⁸² Evidence presented to the commission on 14 March 2019.
- ⁸³ Evidence submitted to Commission call for evidence, May 2019.
- ⁸⁴ Evidence submitted to Commission call for evidence, May 2019.
- ⁸⁵ Evidence submitted to Commission call for evidence, May 2019.
- ⁸⁶ Evidence submitted to Commission call for evidence, May 2019.
- ⁸⁷ Boys Smith N. & Toms K. (2018), *From NIMBY to YIMBY*, p.68.
- ⁸⁸ DCLG (2015) *Public Attitudes to House Building* p.11
- ⁸⁹ DCLG, (2017), *Attitudinal research on financial payments to reduce opposition to new homes*, pp.23-25.
- ⁹⁰ This answer covered various very different levers. For example, some said *more* social housing would induce them to support more housing. Some said that *less* social housing would do so.
- ⁹¹ Evidence presented to the commission on 14 March 2019.
- ⁹² Shelter (2017), *New Civic Housebuilding*, p.86.
- ⁹³ https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/m722hm6rfg/CPREResults_170805_housingdevelopment_W.pdf.
- ⁹⁴ For example, the success of the Greenwich Millenium Village was linked in one of our discussions with the early delivery of transport, education and health centre infrastructure.
- ⁹⁵ Powe, N. and Hart, T., 'Housing development and small town residential desirability', *Town Planning Review*, 82(3), 2011, p.317-340.
- ⁹⁶ Prince's Foundation (2014), *What do people want?*
- ⁹⁷ For example, Peter W. and Salsich, J. (1986) 'Group Homes, Shelters and Congregate Housing: Deinstitutionalization Policies and The Nimby Syndrome', *Real Property, Probate and Trusts Journal*, 21:413, pp.413-34.
- ⁹⁸ Photo credit - FCB Studio.
- ⁹⁹ Evidence submitted to Commission call for evidence, May 2019.
- ¹⁰⁰ Evidence submitted to Commission call for evidence, May 2019.
- ¹⁰¹ Evidence submitted to Commission call for evidence, May 2019.
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- ¹¹⁸ Gehl, J.(1986), "Soft Edges" in Residential Streets', *Scandinavian Housing and Planning Research* 3, pp. 89-102.

- ¹¹⁹ For instance, see presentation made by Tim Stoner at 11 March 2014. Available at: www.slideshare.net/tstonor/tim-stonor-predictive-analytics-using-space-syntax-technology
- ¹²⁰ Poyner & Webb (1991), 'Crime Free Housing' Butterworths-Architecture.
- ¹²¹ Before designation this figure was a premium of 16.5 per cent pre-designation which rose to 23 per cent post designation. In other words the recognition and confidence in the future increased the inherent value of the area itself. Ahlfeldt, G. M., Holman, N., & Wendland, N. (2012). 'An assessment of the effects of conservation areas on value.'
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- ¹²³ For example, see Prince's Foundation (2014), *What People Want*.
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- ¹²⁵ Boleat, M., (2017), *The Housing Problem in London*, p. 24.
- ¹²⁶ National Trust (2017), *Places that make us*.
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- ¹²⁸ Evidence presented to the commission on 13 June 2019 by a development corporation.
- ¹²⁹ Prince's Foundation for the Built Environment, *Valuing Sustainable Urbanism*. See especially pp. 81-97.
- ¹³⁰ Savills (2016), *Spotlight Development: The Value of Placemaking*.
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<https://www.dpz.com/Initiatives/AgrarianUrbanism?from=Thought.AgrarianUrbanism>
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https://www.researchgate.net/publication/301638332_Adaptable_buildings_for_sustainable_built_environment
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- ¹⁵⁴ See Halpern D. (1997), *Mental health and the built environment*.
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- ¹⁵⁷ <https://historicengland.org.uk/content/docs/planning/heritage-foundation-for-success/>
- ¹⁵⁸ The Heritage Alliance has explored this issue in depth. For example see, their 2018 response to the Treasury Select Committee. <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/treasury-committee/securing-the-tax-base/written/83831.pdf>
- ¹⁵⁹ Evidence presented to the commission on 7 March 2019.
- ¹⁶⁰ Evidence presented to the commission on 11 April 2019.
- ¹⁶¹ Evidence presented to the commission on 7 March 2019.
- ¹⁶² TCPA, (Nov 2018), *Planning 2020. Raynsford Review of Planning in England*, p. 23.
- ¹⁶³ TCPA (May 2018), *Planning 2020 – interim report*, p. 25.
- ¹⁶⁴ Boys Smith (2018), *More Good Homes*, p.68.
- ¹⁶⁵ Evidence presented to the commission on 13 June 2019.
- ¹⁶⁶ Evidence submitted to Commission call for evidence, May 2019.
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¹⁷⁰ Evidence presented to the commission on 11 April 2019.

¹⁷¹ House Builders Federation (2019), Housing Pipeline Report Q4 2018. <https://www.gov.uk/government/statistical-data-sets/live-tables-on-house-building>

¹⁷² Thank you to MHCLG for this information.

¹⁷³ See *Transport for New Homes* (2018).

¹⁷⁴ Evidence presented to commission particularly on 11 April 2019.

¹⁷⁵ Evidence presented to the commission by local officials, 13 June 2019.

¹⁷⁶ Evidence submitted to Commission call for evidence, May 2019.

¹⁷⁷ TCPA, (Nov 2018), Planning 2020. *Raynsford Review of Planning in England*, p. 52.

¹⁷⁸ Thank you to MHCLG for this information.

¹⁷⁹ Evidence submitted to Commission call for evidence by Northumberland and Newcastle Civic Society, May 2019.

¹⁸⁰ Evidence presented to the commission by a local planning official, 13 June 2019.

¹⁸¹ TCPA, (Nov 2018), Planning 2020. *Raynsford Review of Planning in England*, p. 33.

¹⁸² Evidence presented to the commission, 11 April 2019.

¹⁸³ Note for the commission, 2 July 2019.

¹⁸⁴ TCPA, (Nov 2018), Planning 2020. *Raynsford Review of Planning in England*, p. 18.

¹⁸⁵ See summary in Boys Smith (2018), *More Good Homes*, p.34

¹⁸⁶ A comprehensive 1997 EU analysis, showed that most countries have binding local plans. Only Britain and Ireland do not. See: *The EU Compendium of Spatial Planning Systems and Policies*, European Commission (1997) p.85.

¹⁸⁷ See Tulloch, R. (2018) 'How to write planning rules (and why) – a lesson from France'. Available at www.createstreets.com

¹⁸⁸ See Speck, Jeff (2019), *Walkable City* for a brilliant exposition of what went wrong in the US and how enlightened planners, communities and developers are fixing it.

¹⁸⁹ In discussion in a workshop 17th July 2018.

¹⁹⁰ The most influential such frameworks in the UK context are perhaps the 1997 UK government *Better Regulation Taskforce* and the 2005 OECD *Guiding Principles for Regulator Quality and Performance* See N Boys Smith, N. (2018), *More Good Homes* pp.38-43.

¹⁹¹ HBF (2017), *Reversing the decline of small housebuilders: Reinvigorating entrepreneurialism and building more homes*, p. 21.

¹⁹² Evidence presented to commission on 13 June 2019.

¹⁹³ NHBC Foundation, (2017), *Small house builders and developers*, p.3, pp.13-24.

¹⁹⁴ 2015 Data from Eurostat defined as proportion of production value of residential and non-residential building constructed by firms with below 50 employees. Eurostat. Cited in Boys Smith (2018), *More Good Homes*, p.26.

¹⁹⁵ Evidence presented to the commission by a local planning official, 13 June 2019.

¹⁹⁶ <https://www.cnu.org/publicsquare/2019/06/18/buffalo-and-lafayette-lead-way-form-based-codes> and <https://formbasedcodes.org/resources/>, <http://www.aeg7.com/assets/publications/hammarby%20sjostad.pdf>

¹⁹⁷ Evidence submitted to Commission call for evidence, May 2019.

¹⁹⁸ The Raysnford Review concluded that "prescriptive standards in the build environment have a powerful role to play, not least in securing people's safety, but it is hard to see that such an approach offers a complete solution to the management of complex change." TCPA, (Nov 2018), Planning 2020. *Raynsford Review of Planning in England*, p. 71.

¹⁹⁹ RTPI Research Paper, *Planning Risk and development*, p. 19.

²⁰⁰ They have mainly been used for commercial developments and, after much work, have been used for at least one of the very few custom build schemes in the UK. RTPI Research Paper, *Planning Risk and development*, p. 19.

²⁰¹ <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN00485>

²⁰² RICS (2018) *Assessing the impacts of extending permitted development rights to office-to-residential change of use in England* p.40, p.92.

²⁰³ Speech to the CIH Conference, 26 June 2019. <https://www.gov.uk/government/speeches/pms-speech-on-housing-26-june-2019>

²⁰⁴ Australia, Austria, Finland, France, Germany, Greece, Israel, Italy, Japan, Korea, the Netherlands, New Zealand, the Slovak Republic, Sweden and Switzerland all use a form of betterment fee. Other countries, such as Germany, use not just impact fees but also the public purchase of land at unimproved valuations. Property tax is also used in some countries. OECD (2017), *Land-use Planning Systems in the OECD: Country Fact Sheets*.

²⁰⁵ See Raynsford Review discussion. TCPA, (Nov 2018), Planning 2020. *Raynsford Review of Planning in England*, pp. 33-5

²⁰⁶ CIL Review Team, (2016) *A New Approach to Developer Contributions*.

²⁰⁷ Thank you to MHCLG for this information.

²⁰⁸ MHCLG (2018), *Supporting housing delivery through developer contributions*, p.11.

²⁰⁹ One possible prototype is the work of Open Systems Lab with Southwark and Lambeth Councils as part of Plan X. It calculates savings of up to 100,000 hours. www.planxuk

²¹⁰ Evidence presented to the commission at local authority roundtable on 13 June 2019.

²¹¹ Evidence presented to the commission at local authority roundtable on 13 June 2019.

²¹² Bessis, H. (Centre for Cities, 2017), *Business rates: maximising the growth incentive across the country*.

²¹³ Private conversation with official in a West London borough, June 2019.

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- ²¹⁴ Lund B (2017), *Housing politics in the United Kingdom*, pp. 48-50.
- ²¹⁵ In addition to the evidence on public trust cited above, and to cite just one study among many see *Transport for New Homes* (2018).
- ²¹⁶ Evidence presented to the commission on 14 March 2019.
- ²¹⁷ Hunt, T. (2004), *Building Jerusalem*, p.181.
- ²¹⁸ Evidence submitted to Commission call for evidence, May 2019.
- ²¹⁹ Evidence submitted to Commission call for evidence, May 2019.
- ²²⁰ For a recent detailed discussion of this see Shelter (2019), *Ground for Change*.
- ²²¹ Evidence submitted to Commission call for evidence, May 2019.
- ²²² <https://publications.parliament.uk/pa/cm200506/cmselect/cmcumeds/912/912we59.htm>
- ²²³ Note for the commission, 2 July 2019.
- ²²⁴ See Iovene M, Boys Smith N., Seresinhe, C. (2019), *Of Street and squares*, for evidence on investment in public realm and visual improvements.
- ²²⁵ <http://www.hta.co.uk/news/posts/supurbia-intensifying-londons-suburbs>. John Myers, the founder of London YIMBY and the YIMBY Alliance, made a similar argument to us in the evidence he gave us though with street by street ballots. Evidence presented to the commission on 7 March 2019.
- ²²⁶ Photo credit - Adam Architecture.
- ²²⁷ Evidence presented to the commission on 7 March 2019.
- ²²⁸ - https://www.london.gov.uk/sites/default/files/slums_of_the_future_-_permitted_development_conversions_in_london_by_tom_copley_am.pdf
- ²²⁹ Prasad, S. and Monaghan, P. (April 2019), *Beauty and the planning system*. Note to the commission.
- ²³⁰ This emerged for example at our roundtable with NHF members on 13th June 2019.
- ²³¹ Evidence presented to the commission on 28 March 2019.
- ²³² This is what is *de facto* (and very successfully) happening
- ²³³ Evidence presented to the commission on 28 March 2019.
- ²³⁴ Evidence presented to the commission on 28 March 2019.
- ²³⁵ Photo credit - wstirland.co.uk.
- ²³⁶ Speech to the CIH Conference, 26 June 2019. <https://www.gov.uk/government/speeches/pms-speech-on-housing-26-june-2019>
- ²³⁷ Williams-Ellis, C. (1996 ed). *England and the Octopus*, p.23.