

'THE RIGHT ANSWERS TO THE RIGHT QUESTIONS'?

A report by an independent group of planning academics

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INTRODUCTION: FROM THE WRONG QUESTIONS TO THE RIGHT ANSWERS

Kiera Chapman, Andy Inch & Malcolm Tait

The ways we currently plan and develop our land are fundamentally flawed. And the costs of getting it wrong have become impossible to ignore.

We currently face a conjunction of at least three major crises related to the ways we use land. Firstly, the coronavirus pandemic has exposed the ways in which homes and neighbourhoods are harming people's health and wellbeing, a detriment that falls disproportionately on the poor, BAME communities, and women with caring responsibilities.¹ Secondly, the housing crisis, the use of property as a refuge for mobile global capital, the ability of developers to avoid obligations to build affordable homes, and the gentrification of neighbourhoods all continue to erode the rights of ordinary people to the city. Finally, by failing to build to the highest environmental standards in the right locations, we are collectively borrowing from the future, locking people into unsustainable lifestyles that worsen the climate emergency.²

We cannot go on like this.

The Government's White Paper, *Planning for the Future* argues that the planning system is the problem. They see it as a check on a 'can-do spirit', and a drag anchor on economic growth. As we argued in our previous report, *The Wrong Answers to the Wrong Questions*,³ the driving force behind these ideas is ideological. Powerful land, property, technology, and construction interests have sway over government thinking, along with the influence of think tanks who advocate free-market fundamentalism. They present what's left of the ground-breaking 1947 Town and Country Planning Act as an anachronism because they are opposed to its foundational commitments to the redistribution of land value and environmental justice. "Streamline planning," these interests say, "And the market will do the rest!"

¹ See Place Alliance (2020) *Home Comforts* placealliance.org.uk/research/research-home-comforts/ and the TCPAs' campaign for a Healthy Homes Act: tcpa.org.uk/healthy-homes-act

² Committee on Climate Change (2019) UK Housing: Fit for the Future theccc.org.uk/publication/uk-housing-fit-for-the-future/

³ The Wrong Answers to the Wrong Questions: tcpa.org.uk/the-wrong-answers-to-the-wrong-questions

But the evidence to support this claim is weak. Even though it seems counter-intuitive, increasing the supply of new housing alone will not, by itself, improve housing affordability . The structures of landownership and the development industry mean that market forces will simply not build the affordable homes that people need.⁴ Furthermore, the social and environmental costs of a poorly planned free-for-all would be hugely damaging. The shoddy outcomes and inequalities we see in our built environment today are not the products of too much regulation, but the consequences of a market-led model that for too long has put the exchange value of land ahead of the real needs of people and the planet.

In this Report, we will show that the White Paper's view of planning is alarmingly reductionist. It strips away much that is of value, reducing the system to little more than an aesthetic check on the design of new housing. While design controls are important, what we lose in such a view is any sense of planning's real purpose: to allow local, democratic say over spatial decision-making; to ensure that development is targeted where it is most needed, not where it is most profitable; to improve people's quality of life and health outcomes; to provide the amenities and infrastructure that communities need to thrive; to protect valuable environments, mitigate climate change, and preserve biodiversity; and to redistribute wealth from the richest to the poorest.

Our aim in this report is to present a hopeful alternative. By asking a series of alternative questions, we hope to show a wider range of possibilities, demonstrating the ways in which planning can help to build a better world. Our aim is to get beyond the cold-hearted logic of efficiency and profit in the White Paper, and to present a very different agenda for planning reform. Based on well-established principles, we argue that planning can be used to build more inclusive, equitable, healthy, and sustainable places, playing a vital, positive role in tackling the three crises outlined above.

The Right Answers to the Right Questions contains sixteen separate contributions from twenty-two leading academics and researchers, who are all actively engaged in researching, practicing, and teaching planning. Many of us are deeply engaged in the practices of planning. Collectively we have conducted thousands of interviews with stakeholders across the planning and development process and worked with many communities to support their efforts to

⁴For a summary of the reasons, see Colenutt, Bradley, and Clifford's articles in *The Wrong Answers to the Wrong Questions*

influence change through the planning system. This is not intended to be a comprehensive report and we acknowledge some clear gaps, perhaps most notably related to transport (though it is also notable that the White Paper is almost silent on this crucial aspect of planning). Collectively, however, we hope that our contributions help to stimulate debate about the difference that a more positive and progressive commitment to planning could realise.

Our contributions are framed around a shared set of values that form a set of core principles:

PLANNING MUST CARE FOR THE FUTURE

Today's decisions about what and where to build have long-term impacts on society and the environment. Planning should be premised on care for the future, ensuring we look after our built and natural environmental resources so that they can be enjoyed by future generations. Climate change operates on a lag: the consequences of the emissions we are creating today will not be felt for a decade or more. It is fundamentally unfair to require future generations to pay the costs for our current standards of living. 'Sustainable development' has often been abused as a term, but at its heart it means ensuring that we use resources carefully and that we stop mortgaging the future in favour of the present. Since the built environment makes a major contribution to greenhouse gas emissions, planning can play a very significant role in the move to carbon-neutral, energy-efficient building. Equally critical is the wider environmentally conscious restructuring of whole regions and sub-regions, especially so that low emission transport systems for new balances of residence, work and leisure can be worked towards.

Furthermore, we are facing an ecological crisis in the shape of habitat depletion and biodiversity loss. Planning can assist here by shifting away from a traditional emphasis on landscape value, towards the protection of ecologically valuable and biodiverse places. It can also be used to re-wild land, encouraging the development of green corridors, nature reserves, and wildlife belts that also have health and wellbeing benefits for communities.

PLANNING MUST FOSTER DEMOCRACY AND INCLUSION

There are many ways of knowing and valuing places. This means that spatial decisions are always political and often controversial, leading to sometimes bitter battles between different interest groups. Full, open, and democratic processes of engagement and consultation are important to ensure that all voices are heard, especially those who have the least power and

influence. To make this a reality, deliberative engagement must be far better resourced, funded, and targeted than it is currently.

However, these democratic conversations need to move beyond merely listening to people's pre-existing preferences, or passively engaging with planning issues online: they must seek to develop a set of shared values and ethics for how we use and develop land, based on a stronger acknowledgement of the issues and needs that are at stake, and a more developed understanding of what can be achieved through stronger collective action.

We acknowledge that this process can be troublesome and complex, and unlikely to lead to easy answers or please all parties in any given setting. However, engagement must give all participants a sense of common ownership of their future- the ability to bring about meaningful changes which can enhance quality of life in their area and the ability to realise them. Too often participants and communities are either framed as consumers/customers with market-oriented choices, or passive recipients to whom development happens. Giving people a genuine stake in- and responsibility for- the future of their neighbourhood can lead to empowerment and active local democracy. Planning here has the role of safeguarding equity in these processes- equity between areas and neighbourhoods to challenge distributional injustices, and equity between participants to challenge the dominance of the already privileged.

PLANNING MUST REDUCE INEQUALITY

The ways we use and develop land contribute significantly to wealth inequalities and structural injustices of race, class, and gender. These limit the health, wellbeing, and life chances of the poorest and most vulnerable groups in our society. Meanwhile, land and property are being used as an investment vehicle for capital (often on an international basis); a process that drives up prices, extracting value at the expense of communities.

Historically, planning practices have reinforced these processes. Any progressive agenda for planning must recognise a responsibility to ameliorate the effects of this, and instead to promote social justice. This requires change to amplify the voices of minority groups and to expand the choices of those who have the least power in society by promoting outcome-related rights to the city.

PLANNING MUST PROMOTE HEALTH AND WELLBEING

The 2020 Marmot Review revealed that increases in health and life expectancy have slowed since 2010, and that this effect is more pronounced in more deprived communities. The effect is regionally varied, with communities in the North being particularly hard hit. This negative effect on health is of a magnitude not witnessed in England for 120 years, and it is specific to the UK, and not seen across the rest of Europe or other OECD countries.

The Review links this explicitly to rising wealth inequality, stagnating wages, and austerity cuts to local authority and charity budgets. But it also devotes considerable space to the physical and mental impacts of spatial inequalities, especially poor quality housing, where damp, cold, noise, mould, insecure forms of tenure, and overcrowding are associated with a strong negative impact on health. Beyond this, the Review argues that both physical and mental health are impacted by a low quality public realm (including a lack of retail diversity), high levels of noise and air pollution, a lack of green space, unsafe roads, and non-inclusive urban design (e.g. cluttered pavements that disadvantage those with mobility problems). The explosion in the number of households in temporary accommodation, and the number of individuals who are homeless must also be considered as a public health tragedy. To put it simply, we are already witnessing the negative effects of a market-driven development system in the health statistics. Reversing this must be a top priority of a reformed planning system⁵.

The Marmot Review highlights the positive contribution that planning can play in promoting positive social determinants of health by producing better quality places in a way that is accountable and involves communities. Such spaces are key to reversing the leveling of life expectancy, but are also critical to build good communities, where people feel valued and secure, and where children can be given the best start in life. Resources must be made available at a national level to achieve this, and then targeted to the areas of greatest need.

PLANNING MUST THINK BEYOND THE LOCAL

Planning should coordinate the impacts of development decisions, ensuring that the benefits of investment in the built environment are shared fairly, and that the costs do not fall disproportionately on those least able to bear them. Many developments have impacts that stretch well beyond their immediate locality. The consequences of an energy-inefficient and

⁵ See Crookes' contribution below and the TCPAs work on health and planning: tcpa.org.uk/health-publications

wasteful development in one locality may well be borne not only by those living locally, but by vulnerable black and indigenous communities on the other side of the world. If decisions are framed only by local administrative boundaries then their wider regional, national or even international ramifications can be missed. Considering the distribution of wealth and spatial resources at a national, regional, and sub-regional level is also critical to rebalancing the national economy and redistributing wealth (or ‘levelling up’). This will not be achieved, however, by top-down, centralised government, but by empowering localities and regions to work together, and produce clear, regional plans.

PLANNING MUST REDISTRIBUTE THE VALUE OF LAND

Over recent decades, the value of land has increased significantly in many areas. This is helping to drive up the cost of housing, pricing out many lower value uses and many poorer users.

Planning permission triggers significant increases in land and property values: gaining permission to develop transforms an agriculture field in Hertfordshire that is worth £25,000 into a business opportunity worth £7.5 million⁶. The landowner has done nothing to ‘earn’ this money: it is effectively a gift from the state to landowners, and it harms the interest of ordinary people. It is important, and right, to recapture and redistribute a large proportion of this state-created uplift in value to provide the essential infrastructure and services that communities need, and to create happier, healthier places.

LAISSEZ-FAIRE HAS HAD ITS DAY

Recent decades have been dominated by the neoliberal belief that private enterprise and market competition are the most efficient and effective ways of developing society. Economic growth has been prized above all else.

It is now clear that this model is socially and environmentally unsustainable. Huge concentrations of wealth and market power have been accumulated by a small number of people via speculation in land and property, while the wider social costs of this have been ignored. An ever growing number of people are being priced out of both rented and mortgaged housing, and the quality of many new developments is low, with deleterious

⁶ Valuation Office (2019) Land Value Estimates for Policy Appraisal, London: MHCLG

impacts on quality of life. The pursuit of infinite growth on a finite planet has been shown to be a dangerous fantasy. To change things, we need much stronger forms of public intervention to shape more equitable and sustainable patterns of land ownership, development, and land-use

PLANNING MUST DEVELOP VALUES AND PURPOSES BEYOND PROFIT

The planning system in England has become a scapegoat. It is being blamed for the failures of a market-driven development process that is not only failing to provide the affordable housing we need, but damaging people's health and life chances, creating unequal places, and contributing to climate change and biodiversity loss. These are the consequences of profit-seeking in space, not the result of an inefficient system.

As the target of wave after wave of cuts and reforms, our current planning system stands in urgent need of reform. But the White Paper's suggestions represent a wholesale move in the wrong direction. We need to find much more holistic and *outcome*-focused ways of understanding the value of planning. We don't need less regulation, but *better* regulation, producing the healthy, sustainable, equal places that people deserve. We need a planning process that is staffed by well-funded, well-resourced local and regional planners, who will act as the guardians of a democratic process of spatial decision-making. But more urgently than anything, we need to *produce* better outcomes that improve people's environments, and therefore also their lives.

We see this as a further contribution to an urgent and important conversation about the role and purpose of planning. We would welcome additional input or ideas. For further information please contact: Andy Inch (a.inch@sheffield.ac.uk)

PART I:
WHAT CAN PLANNING DO FOR US?

Better outcomes for people, places and the planet

WHY WE NEED PLANNING 2

Quintin Bradley

What is the purpose of planning? Urban and rural planning allocates land for the needs of the community. Housing, shops, food, production and distribution, public services – they all require land but nearly all land is private property. Left to itself, the private property market will not supply all a community's needs. A free market in land and development creates environmental and social harm. What one property owner does with their property affects everyone else. It can cause harm to neighbouring property owners and anyone using that property or living near. And if everyone does what they like with their property we soon have a major problem. Individual property owners can develop their land to increase its value without thinking about the bigger picture. They can cram as many homes onto their land as they can. They can build housing sprawl without providing amenity, open space or public services. Someone needs to provide roads, schools, hospitals, parks and open spaces. So we need to plan for the land uses required by the community and we have to regulate development so that it works in the public interest.

The Raynsford Review of Planning⁷ said that planning regulates the supply and use of land to make sure development is sustainable, its benefits are shared equally, it enhances the environment and makes places and lives better. The local development plan should be the community's vision for its future and – in a democracy – that future should be for everyone. So planning is not only needed to regulate the supply of land but to distribute more fairly the benefits of development. Left to themselves, landowners and the private property market pocket all the increase in value from development. But that increase in value comes about because of the community. Planning permission unlocks the potential of land to benefit from the infrastructure, services, and market demand provided by the community. The increase in land value that results from planning permission needs to be distributed fairly to pay for the work of the community that brought it about. Uplift in land value should not only benefit the landowners and property market – it is needed to provide all the services that make development possible.

⁷ TCPA (2018) Planning 2020: Raynsford Review of Planning in England:
tcpa.org.uk/Handlers/Download.ashx?IDMF=30864427-d8dc-41bob-88ed-c6e0f08coedd

All the so-called reforms to planning in recent years have just returned to property owners the rights to develop their land and to profit from its uplift in value. Nothing gets built today unless it is going to increase the wealth of landowners and the property industry. Planning has been stripped of all its ability to plan for a better life for everyone. The National Planning Policy Framework in England returns property development rights to property owners. It presumes that property development is in the public interest unless it can be demonstrably shown otherwise. But the expansion of Permitted Development shows us why we need planning so badly. By allowing property owners to do what they like, Permitted Development has delivered the new slums – homes built without amenities with all the uplift in value going to benefit the landowner. The Planning White Paper believes that the private property market should have greater freedom and certainty and that planning regulations should be stripped down to the bare minimum. We have already seen where that will lead us. We need a planning system that has real vision and that is really democratic – one that works for everyone and not just the property market; one that prioritises the needs of future generations and those with the least choices; one that understands the importance of light, air, and open space to our lives, that provides decent affordable housing for all and that allows us to build healthy and hopeful lives and fairer communities.

SPATIAL PLANNING AND CLIMATE CHANGE 3

Elizabeth Wilson

A key societal challenge for England is how we can address climate change, and redress recent increases in health and social inequality.

Climate change, and biodiversity and ecosystem loss, are major risks to global and local human well-being. The UK has adopted a legally binding target to reduce carbon emissions to Net Zero by 2050, and is under pressure to accelerate this transition⁸. Britain has already experienced more intensive rainfall leading to flooding, increased coastal erosion, and higher night-time temperatures in urban areas⁹. Our state of nature is depleted, for instance with loss of peat in upland areas contributing to down-stream flooding¹⁰. The 2020 Marmot Review of Health Equity¹¹ showed that, in the last 10 years, life expectancy for some groups has actually decreased.

An effective and democratic system of spatial and land use planning is essential to address these inter-related issues.

THE WHITE PAPER RESPONSE

Planning for the Future acknowledges (p.10) that “the planning system is central to our most important national challenges...[including] combating climate change”, and that “planning matters” (p.16). It also proposes (p.54) that “a reformed planning system will take a proactive role in promoting environmental recovery and long-term sustainability”.

However, it fails to recognise the all-encompassing seriousness of climate change, relying too vaguely on a revised NPPF (p. 21) to target areas where a new planning system “can most

⁸ Committee on Climate Change, 2020a, Reducing UK Emissions: Progress Report to Parliament theccc.org.uk/wp-content/uploads/2020/06/Reducing-UK-emissions-Progress-Report-to-Parliament-Committee-on-Cli.-002-1.pdf

⁹ Committee on Climate Change, 2019, Progress in Preparing for Climate Change: Progress Report to Parliament theccc.org.uk/publication/progress-in-preparing-for-climate-change-2019-progress-report-to-parliament/

¹⁰ National Biodiversity Network, 2019, *State of Nature 2019* nbn.org.uk/stateofnature2019/

¹¹ Health Foundation, 2020, Health Equity in England: the Marmot Review 10 Years On health.org.uk/publications/reports/the-marmot-review-10-years-on

effectively address climate change mitigation and adaptation”, and stating (p.54) that development decisions will take account of flood risk. The proposals for three distinct planning zones (“protected”, “renewal” and “growth”), and the abolition of the Duty to Co-operate, will undermine these intentions.

There is insufficient commitment to community health, such as the need to avoid the mental and physical consequences of flooding or over-heating, and the essential role of planning across spatial scales in green and nature recovery programmes (COVID-19 showed the huge benefits of equitable access to quality green space¹²). Reference is made (p.59) to the Sustainable Homes standard, but no response is made to the Committee on Climate Change¹³ advice that these standards should go much further, and include over-heating, flood-risk and water-stress; no mention is made of the 2020 National Flood and Coastal Erosion Risk Management Strategy¹⁴, which calls for Climate Resilient Places, and flexible definitions of “place” (for instance, to prepare Local Plans for Shoreline Management Plan areas); and no acknowledgement of the high proportion of new development in the flood-plain since 2010¹⁵, reflecting the heavy pressure on Local Planning Authorities to meet housing targets.

No review or reform of the planning system is complete without setting out how local planning policy at different scales is empowered to address these (indeed, the White Paper at Q.7b begins to acknowledge this gap in its thinking.) It is not enough to rely on a reformed NPPF. The proposals for three distinct planning zones, the abolition of the Duty to Cooperate, and the single Sustainability Test for Local Plans, ignore the unique importance of spatial planning at a range of spatial scales in addressing and integrating climate change mitigation and adaptation, and in raising standards over time.

¹² Natural England, 2020, People and Nature Survey
[gov.uk/government/news/public-love-for-nature-during-covid-19-highlighted-by-new-survey](https://www.gov.uk/government/news/public-love-for-nature-during-covid-19-highlighted-by-new-survey)

¹³ CCC, 2020a, *supra*

¹⁴ Environment Agency, 2020, *National Flood and Coastal Erosion Risk Management Strategy for England*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920944/023_15482_Environment_agency_digitalAW_Strategy.pdf

¹⁵ Committee on Climate Change, 2020b, Presentation to TCPA webinar on *Planning for Climate Change*, Sept 2020

THE RIGHT QUESTIONS AND ANSWERS

Good and effective spatial planning should:

1. Involve a degree of national and local democratic public engagement, through statutory requirements for public participation;
2. Take a longer term (well beyond 25 years – up to 100 years) view of the development of an area;
3. Integrate land use decisions for a wider-than-local area¹⁶, such as land uses upstream of major urban areas to ameliorate flood-risk; and utilise infrastructure tariffs on new development to benefit existing development (for instance, through water-neutral development);
4. Ensure that new development contributes in an integrated way to climate change mitigation through energy-efficient and zero-carbon buildings, land uses and transport; to adaptation to unavoidable climate change through planning for river catchments, well-managed SUDS, and efficient use of water; and to health outcomes for new and existing development through planning for accessible green and blue infrastructure;
5. Reflect priorities at a local level where Local Authorities have declared a Climate Emergency, and want to go beyond (earlier or by adopting more stringent than) national targets
6. Co-ordinate with Local Authorities' low carbon economy skills development (such as in building and retro-fitting).

Any reform of the planning system in England should ensure that its capacity to exercise these important functions, as required by the Planning and Compulsory Purchase Act 2004 S19 , should be enhanced and increased.

¹⁶ Marshall, T, 2020 below, Planning between local and national levels

The White Paper, with its obsession with housing numbers, speed, and the removal of opportunities for democratic involvement, places our climate-resilient and equitable future at risk.

CREATING HEALTHY PLACES: 4 A MISSED OPPORTUNITY

Lee Crookes

The last two decades have seen a welcome resurgence of interest in the links between planning and health from academics and practitioners and there is a mounting body of evidence on contemporary relationships between social inequality, the built and natural environment and various physical and mental health outcomes.^{17 18 19} Engagement with issues of public health are part of planning's historic DNA and different elements of the built and natural environment – the social determinants of health - are now seen as being key in addressing issues such as obesity, air pollution, mental health and the needs of an ageing population, both in England and internationally. Planners, as one Local Authority Director of Public Health is keen to remind my students, have a greater potential to positively (and negatively) impact people's health than the future doctors being trained in our Medical School. Planning matters and it affects people's everyday lives in a myriad of ways across scales, ranging from the size of the rooms in one's home and the cracks in the pavement, right through to the neighbourhood, city, regional, national and global scale.

The White Paper acknowledges the importance of planning in relation to people's health and wellbeing, insisting that its reforms “are an attempt to rediscover the original mission and purpose of those who sought to improve our homes and streets in late Victorian and early 20th century Britain”. But that is as far as this attempt at rediscovery gets. ‘Health’ is only mentioned on four occasions. Despite the publication of Public Health England's guidance document, *Spatial Planning for Health* in 2017 and the recurrent emphasis on health in the Government's *National Design Guide*, the White Paper completely misses the opportunity to embed health at the heart of planning and any post-Covid recovery.^{20 21} Instead of re-stating

¹⁷ Health Foundation (2020) Health Equity in England: the Marmot Review 10 Years On
health.org.uk/publications/reports/the-marmot-review-10-years-on

¹⁸ Montgomery, C. (2015) *Happy City: Transforming Our Lives through Urban Design*. London: Penguin

¹⁹ Wilkinson, R.G. and Pickett, K. (2010) *The Spirit Level: Why Equality Is Better for Everyone*. New ed. London: Penguin.

²⁰ Public Health England (2017) *Spatial planning for health: an evidence resource for planning and designing healthier places*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/729727/spatial_planning_for_health.pdf

²¹ Ministry of Housing, Communities and Local Government (2019) *National Design Guide: Planning practice guidance for beautiful, enduring and successful places*.

and articulating the purpose of contemporary planning in terms of a fundamental concern with human health and wellbeing – the very concern of the Victorian reformers that it alludes to – the White Paper is preoccupied with housing numbers, speed of processing, PropTech and the accessibility of plans in machine-readable formats. In rushing ahead, the White Paper leaves people behind.

Unequal societies, as Wilkinson and Pickett²² have shown, invariably produce poorer health outcomes. In the wealthiest areas of England, women live 7.4 years longer than women in the poorest areas; the same gap is 9.4 years for men. Variations in healthy life expectancy are even more pronounced and, forced back into our homes and neighbourhoods as a result of Covid-19, the pandemic has further highlighted some long-standing disparities in relation to unequal access to good quality housing and green-space and it has cruelly exposed existing health inequalities across different social and ethnic groups. But, whilst the health of children and older people, for example, is disproportionately impacted by poor neighbourhood environments and poor quality housing, these groups are barely mentioned throughout the document and the White Paper is silent on issues of social isolation amongst older people and the challenge – and opportunity – of an ageing population. Issues of accessibility and the needs of people with disabilities are also largely ignored as are the challenges generated by increasing levels of obesity.

Instead, the Government contends that planning’s “original vision has been buried under layers of legislation and case law”. This is untrue. Planning’s original vision has, rather, been supplanted by an overriding concern with financial imperatives and narrow questions of performance and viability. Profit has taken precedence over people and nowhere was this more evident than in the Grenfell disaster where the safety and express concerns of tenants were tragically disregarded and deemed as being secondary to cold economic considerations. Considerations of people’s health, wellbeing and safety should therefore form the cornerstone of the Government’s reforms. Putting health at the centre of planning would lead to a new set of deeper, more important questions including:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

²² Wilkinson, R. and Pickett, K (2009) *The Spirit Level*, London, Allen Lane

- How can we broaden tests of sustainable development (Q7, p31) to include consideration of health impact as well as consideration of environmental impact and financial viability?
- How can we create safe, accessible places that work well for women, children and older people?
- How can planning reduce car use and encourage active travel to reduce levels of air pollution and obesity?
- How can planning support the creation of sustainable and inclusive local economies through the creation of good, secure jobs that support people's health and wellbeing?
- How do we create healthy and sustainable local food systems?
- How might any new proposed levy on development support the creation of healthier places and how can developers be incentivised to prioritise health in their work?

If the Government is struggling for answers to some of these questions then it might look to the existing work that has been done by the Town and Country Planning Association on healthy-weight environments or the joined-up approach to planning and health developed by London's Healthy Urban Development Unit, which could be replicated at a city-region or regional scale beyond the capital.^{23 24} There are also several useful lessons that are emerging from the NHS's Healthy New Towns initiative.²⁵ In short, there is already lots of good evidence available that can help planners to create healthier places but the Government seems fixated on matters of speed, zoning, beauty and visual harmony. These will not produce a planning system fit for the 21st century but a core emphasis on people's health and wellbeing just might and it would represent a rediscovery of the original vision that inspired the founders of modern planning, one which the Government claims is at the heart of its proposed reforms.

²³ TCPA (2014) *Planning Healthy Weight Environments*. tcpa.org.uk/Handlers/Download.ashx?IDMF=7166d749-288a-4306-bb74-10b6c4ffd460

²⁴ Healthy Urban Development Unit (undated) *About Us* healthyurbandevelopment.nhs.uk/about-us/

²⁵ TCPA, The King's Fund, The Young Foundation, Public Health England and NHS (2019) *Putting Health into Place: Executive Summary* england.nhs.uk/wp-content/uploads/2019/09/hip-executive-summary.pdf

WHAT WOULD IT TAKE TO 'SOLVE' THE HOUSING CRISIS? 5

Charles Goode

There is rightly a lot of discussion among politicians, the media and the public about the housing crisis. However, the White Paper, which mentions 'housing' 95 times, is premised upon the view that high house prices in England are primarily caused by inadequate housing supply and planning restrictions are the main barrier to housing delivery²⁶. Consequently, the White Paper assumes that (further) deregulation will successfully 'solve' this crisis²⁷. Nonetheless, arguably the crisis is much more complex with three, key interlocking components:

GEOGRAPHICAL VARIATION

There are a range of housing markets around the country facing different issues from poor quality housing with low demand in many parts of the North to high demand and constrained supply across most of the South East. Successfully 'solving' the housing crisis must involve recognition of these differences whereas policy-making is often 'place neutral/policy blind' as dominated by the spatial image of housing problems in London and the South East whilst the White Paper proposes centralisation of power regarding housing numbers²⁸.

DEMAND AND TENURE

Alongside locational characteristics, demand for housing is determined by national and international factors, including interest rates, the mortgage market, international and institutional investment (especially in large cities), second homeownership (in certain parts of the country) and government policy, like Right to Buy and Help to Buy. Recognising the importance of demand, the financialisation of housing and the 'porosity' of local housing

²⁶ See the 'Wrong Answers Report', especially Bob Colenutt and Quintin Bradley's articles.

²⁷ Gallent, N., Magalhaes, C. and Trigo, S. (2020) 'Is Zoning the Solution to the UK Housing Crisis? Is Zoning the Solution to the UK Housing Crisis?', *Planning Practice and Research*, 00(00), pp. 1-19.

²⁸ McGuinness, D., Greenhalgh, P. and Grainger, P. (2018) 'Does one size fit all? Place-neutral national planning policy in England and its impact on housing land supplies and local development plans in North East England', *Local Economy*, 33(3), pp. 329-346, p. 330.

markets is vital to solving the housing crisis rather than viewing housing supply as a ‘panacea’, especially as demand for domestic space increases with income²⁹.

THE LAND AND DEVELOPMENT PROCESS

Land, as the key input into the development process, has been financialised, is often the subject of speculation and there are widespread, opaque ‘option’ agreements between housebuilders and landowners³⁰. Additionally, opposition to development often stems from the pressure on local facilities from new housing arising from inadequate infrastructure provision³¹.

SOLUTIONS: BETTER, STRONGER AND PROPER PLANNING

As Neal Hudson³², formerly of Savills, helpfully argued, the most pressing question is actually what successfully ‘solving’ the housing crisis or the absence of the housing crisis would look like. This is the ‘right’ question as establishing a purpose for planning or ‘ends’ is vital for analysing the ‘means’ of what housing policy should aim to achieve³³. This aspirational purpose should be housing that is affordable, decent and carbon net-zero for all tenures alongside ensuring that communities are sustainable, healthy and green (through effective place-making and strategic planning). Arguably, more effective solutions would involve:

STRATEGIC PLANNING

A national plan is needed to help better integrate economic and housing growth alongside coordinating infrastructure provision. Alongside identifying broad locations for development, it could aim to reduce growing regional inequalities which arguably the new Standard Method could exacerbate. The Method is calculated according to an area’s affordability so, far from ‘levelling up’, it hugely increases housing numbers across the already overheated South East whilst numbers actually fall in many areas across the North³⁴.

²⁹ Bramley, G. (1993) ‘Land-use planning and the housing market in Britain: the impact on housebuilding and house prices’, *Environment and Planning A*, 25(7), pp. 1021–1057, p. 1046 and Gallent, N. (2019) ‘Situating Rural Areas in Contemporary Housing Access Debates in England – A Comment’, *Planning Practice and Research*, 34(5), pp. 489–497, p. 489.

³⁰ See Michael Edwards’ and Quintin Bradley’s articles in this ‘Right Answers’ Report, p.20

³¹ Goode, C. E. (2020b) ‘*The Green Belt and Local Communities*’, *Tripwire*. rtpi.org.uk/media/5753/tripwire-summer-2020-v4.pdf (Accessed: 4 August 2020).

³² Hudson, N. (2015) ‘New Build Supply - A Panacea?’, *Savills Housing Market Note*, pp. 1–3.

³³ Goode, C. E. (2020a) ‘In defence of planning: Do the justify the ends?’, *LinkedIn*. [linkedin.com/%0Apulse/defence-planning-do-means-justify-endszoning-charles-goode/](https://www.linkedin.com/%0Apulse/defence-planning-do-means-justify-endszoning-charles-goode/) (Accessed: 5 August 2020).

³⁴ Young, C. (2020) ‘Explained: Planning White Paper and “Current Changes”’ *LinkedIn*. [linkedin.com/feed/update/urn:li:activity:6709337597438672897/](https://www.linkedin.com/feed/update/urn:li:activity:6709337597438672897/), (Accessed: 24 October 2020).

The often ‘larger-than-local’ reach of housing markets and problems with Duty to Cooperate mean that housing numbers cannot be purely managed locally so, arguably, statutory regional planning is needed to manage and distribute housing numbers whilst being cognisant of regional specific issues³⁵. Indeed, there needs to be much more effective strategic integration and coordination to bring together the different aspects of place-making, like healthcare, education and transport.

LAND AND HOUSING: A FOCUS ON AFFORDABILITY

Whilst the financialisation of housing and the precarity of the labour market is largely beyond the direct planning system, policymakers must acknowledge the importance of meeting the needs of people who cannot afford to buy their own homes with Covid-19 and the lockdown demonstrating, for example, the importance of ‘key’ workers³⁶. There should be a significant expansion of social housing and the protection and increase of other non-marketised forms of housing, like housing associations and community land trusts whilst the adequate protection of renters, including tenancy, safety etc., is vital.

Local authorities need to play a larger part in land assembly, as they do in other countries like the Netherlands with compulsory purchase if necessary, to ensure design quality, especially that new homes built are carbon net-zero, and to better coordinate and fund infrastructure provision³⁷. Planning has a key role to play in the move towards a low carbon economy and healthier housing and communities.

CONCLUDING REMARKS

Although there may be a tension between what is theoretically desirable and what is practically possible, the clear objective of affordable, safe and decent housing for all tenures provides a way to broaden the narrow focus of the White Paper on market supply, in what is arguably a multifaceted, complex crisis, whilst opening up alternative, potentially more effective policy solutions.

³⁵ See Tim Marshall’s article on strategic planning in this ‘Right Answers’ Report.

³⁶ Goode, C. E. (2020c) ‘Viewpoint Pandemics and planning: immediate-, medium- and long(er)-term implications of the current coronavirus crisis on planning in Britain’, *Town Planning Review*, pp. 1–7.

³⁷ Catney, P. and Henneberry, J. (2019) ‘Change in the political economy of land value capture in England’, *Town Planning Review*, 90(4), pp. 339–358; Monbiot, G., Grey, R.; Kenny, T.; Macfarlane, L., Powell-Smith, A., Shrubsole, Guy. and Stratford, B. (2019) *Land For The Many* London: The Labour Party and Raynsford Review (2018) *Planning 2020: Raynsford Review of Planning in England*. (London: Town and Country Planning Association).

HOW CAN THE PLANNING SYSTEM HELP DELIVER AFFORDABLE, HEALTHY HOMES FOR ALL?

6

Ben Clifford

For a document that is so obsessed with housing supply and delivery, the *Planning for the Future* white paper contains a number of surprising absences in relation to housing. These stem, no doubt, from a market fundamentalist view of the ‘housing crisis’ as simply about supply and demand and a case of planning regulation restricting supply, hence the apparent failure to meet the oft-cited goal of 300,000 new housing units per year across England.

The housing crisis is, of course, a complex, multifaceted issue but there are two important elements which seem worth highlighting here.³⁸ Firstly, how can the planning system help in the delivery of sufficient truly affordable housing? Secondly, how can the planning system help ensure new housing is of sufficient quality to enable residents to enjoy a good quality of life and wellbeing, including physical and mental health? Both these issues are central to seeing housing as helping to promote greater equity in our society.

Amazingly, the term ‘social housing’ does not appear in the white paper once. There is discussion of affordable housing, but this is only as something secured as a residual from the profits of new market housing (or as a product of new supply potentially bringing down the price of new market housing). This is the approach which has been tried for the best part of four decades in England now and it manifestly doesn’t work. For example, Shelter report that 1.2 million households are on the housing waiting list and argues that there is a need to build 3.1 million new social homes over the next twenty years.³⁹

Neither the proposed reforms nor the current planning system adequately address this issue, with a view that local housing need can just be calculated and allocated in local plans in terms of sites for market housing. As Morphet and Clifford (2019) have recommended, the planning system needs to take a more holistic view of housing need, considering homelessness and

³⁸ Gallent, N., Durrant, D., and Stirling, P. (2018). Between the unimaginable and the unthinkable: pathways to and from England’s housing crisis. *Town Planning Review*, 89(2), 125-145.

³⁹ Shelter (2019). ‘A vision for social housing: The final report of Shelter’s commission on the future of social housing’, https://england.shelter.org.uk/support_us/campaigns/a_vision_for_social_housing

wellbeing, and to be able to ensure provision of sufficient housing of all different types of tenures.⁴⁰ This might involve, for example, allowing local plans to identify the mix of housing by type and tenure required on allocated sites or even distinguishing further between different types of housing in the Use Class Order rather than having one single category of ‘dwellinghouse’. These planning mechanisms could be combined with better public funding to help ensure sufficient sites and thus delivery of social housing (at rent levels affordable within our actual income distribution).

As well as ensuring sufficient social housing, we need to also ensure that all housing – every type and tenure – is of high quality. Our planning system is not currently perfect in this regard, but it is able to positively regulate to improve housing quality when able to exert an influence, as demonstrated in the case of the severely declining quality associated with deregulated ‘permitted development’ when the planning system has not been able to look at key aspects of the design of housing created from building conversions.⁴¹

The problems of tiny space standards associated with permitted development have been particularly acute (with only 22% of new permitted development housing units meeting suggested national space standards according to research reported in Clifford et al, 2020), but there have also been issues about poor natural light (daylight and sunlight) into homes, poor access to outdoor space (only 3.5% of the units researched by Clifford et al, 2020 has access to private amenity space) and poor locations for residential use (for example in the middle of business parks and industrial estates). It cannot be right that families are forced to live in small studio flats only 20m², no outdoor space and such poor natural light that they need to keep the lights on all day (for example, Wall, 2019).⁴² The links between housing quality and health are well established.⁴³

⁴⁰ Morphet, J. and Clifford, B. (2019). ‘Local Authority Direct Delivery of Housing: Continuation Research’, rtpi.org.uk/media/2043/local-authority-direct-delivery-of-housing-ii-continuation-research-full-report.pdf

⁴¹ Place Alliance (2020). A housing design audit for England, placealliance.org.uk/research/national-housing-audit/; Clifford, B., Ferm, J., Livingstone, N. and Canelas, P. (2018). *Assessing the impacts of extending Permitted Development Rights to office-to-residential change of use in England*. Report to the RICS Research Trust. London, RICS; Clifford, B., Canelas, P., Ferm, J., Livingstone, N., Lord, A. and Dunning, R. (2020). *Research into the quality standard of homes delivered through change of use permitted development rights*. London, Ministry of Housing, Communities and Local Government.

⁴² Wall, T. (2019). ‘It feels almost like prison’: the developers building homes with no natural light’, theguardian.com/cities/2019/dec/19/it-feels-almost-like-prison-the-developers-building-homes-with-no-natural-light

⁴³ WHO (2018). ‘WHO Housing and health guidelines’, who.int/publications/i/item/9789241550376

The solution would be to ensure that all schemes which are going to create new housing go through a proper planning permission process, whereby a holistic view of the merits of the particular proposal can be examined, but also to ensure that a well-resourced planning system is actually able to specify and require higher levels of housing design which go beyond just an aesthetic approach considering the exterior appearance of new developments to also considering whether it will be creating places fit for future residents to inhabit. This might be further bolstered by requiring, through legislation, new homes to meet some core, specified 'Healthy Homes' principles, as the TCPA are campaigning for.⁴⁴

The planning system can help us to deliver sufficient social housing and to ensure all housing is of sufficient quality for people to lead healthy lives, if these questions are considered important enough and different approaches to those suggested in the white paper are taken - approaches which ensure an adequately resourced planning system, able to work proactively with all stakeholders but with the regulatory ability to ensure land is reserved for housing of all types and tenures and uphold better standards of housing design to ensure homes fit for habitation.

⁴⁴ TCPA (2020). 'Campaign: The Healthy Homes Act', tcpa.org.uk/healthy-homes-act

LEVELLING UP AND LOCAL ECONOMIC DEVELOPMENT 7

Bob Colenutt

It is striking that despite Government rhetoric about levelling up those areas left behind by recent decades of economic change, the Planning Reform White Paper does not mention it. The White Paper is largely about process (removing democratic regulation over development) and is not about substance i.e. the social, economic, or environmental problems the country faces - that planning (with other parts of Government) is there to deal with. It is a sign of how narrowly the government's agenda is focused around housebuilding that planning is not seen as a key means of reshaping regional and local economies.

And it is important to ask whether the reforms help or hinder the levelling up agenda? The difficulty with answering this question is to define what is meant by levelling up. In the 2019 Queen's Speech, the Government said it would 'unleash the potential of all regions across the country levelling up every city, town and county'.⁴⁵

Beyond that there have been few details or commitments except suggestions about spending on capital projects such as transport, Freeports, and on the pet projects of new MPs from the 'Red Wall' areas of the North and Midlands. There has been less said on inequalities of incomes, jobs, public services, or health. Nor is it a planning framework for facilitating local economic development and community wealth building that are so important in the deprived areas of the country. It is thus far from a new vision for addressing regional inequalities or introducing a green transition⁴⁶.

The White Paper does not address any of this. An obvious way in which we might expect to see planning used as a guiding spatial framework is on transport and housing. There are already extensive plans developed by local authorities for transport investment in the North⁴⁷. However, the problem with accelerating these schemes is not town planning – local authorities are fully behind the projects. It is Government funding that is holding them back.

⁴⁵ [gov.uk/government/speeches/queens-speech-2019](https://www.gov.uk/government/speeches/queens-speech-2019)

⁴⁶ Berry, C., Craig, D., Jones, K., A Beta Bailout: The near future of state intervention, *Soundings*, Summer 2020

⁴⁷ see <https://transportforthenorth.com/press-release/rebuild-and-transform/>

Likewise with housing – local authorities have detailed plans for housing renewal, with sites located for new build, but the problem is lack of both public and private funding particularly for social and affordable housing. In this regard, the White Paper in fact may make things worse. It suggests that affordable housing would be funded from CIL payments but acknowledges that in low value areas there will be zero or very little CIL payment – and thus no affordable housing from planning gain. Moreover, there is perversely a formula for national housing targets that aims for lower new build targets in areas that are more ‘affordable’ than London and the South East.

The UK 2070 Commission, an independent inquiry into city and regional inequalities in the UK, chaired by Lord Kerslake, has identified five criteria which should be applied if levelling up is to be taken seriously⁴⁸ [4]. They are: filling the productivity gap; access to jobs; a unified standard for basic services; raising educational attainment; and equitable proposals for social mobility. The Commission argues for a comprehensive Roosevelt-style New Deal to deliver a compelling regional realignment. Strong, purposeful spatial planning should surely be at the centre of achieving this agenda, directing development to where it’s most needed to address long-standing processes of uneven development.

The conclusion thus far is that the planning reforms do not address the social and economic problems of the North and Midlands, and may make things worse because it will reduce regional democratic influence and agency. Beneath the spin, the reforms have evidently been produced to remove barriers to housebuilding primarily in London and South East, thus to level down, rather than to level up.

⁴⁸ UK 2070 Commission. Go Big: Go Local. Nottingham: UK 2070 Commission

TACKLING INEQUALITIES 8

Nezhapi-Delle Odeleye and Karen Horwood

“We know that disadvantage can come from your gender and ethnicity; as well as your sexual orientation or your disability; your age or your religion or belief or any combination of these. But overarching and interwoven with this is the persistent inequality of social class – your family background and where you were born...” (Foreword, NEP, 2010, v)⁴⁹.

Planning has an important role to play in ensuring our town and cities, and rural areas, meet the needs of all people. We know from the work of women who challenged the established ways of enacting planning, that this has not always been the case⁵⁰. Planning has prioritised some needs over others resulting in places that do not meet the needs of all, for example employment opportunities that are less accessible to those without a car, or journeys to work that are overly complex if they also include caring responsibilities.

The White Paper speaks to a need to ensure a democratic process, and emphasises the role of digital technologies to enable this. However this raises questions of who has access to this process? Who has the time to engage? Who has the resources? Who has the digital literacy? And crucially in a world where online engagement can lead to racist and misogynistic attacks, what will be done to ensure this online engagement is genuinely accessible to all and that all are able to express their views unhindered.

The White Paper emphasises the use of data to inform planning decisions. However we know that data collection and use is biased (see Chapman et al below on Technology). As has been the subject of recent discussions, if data is not viewed through an equalities lens, planning decisions will be made that do not consider the needs of all groups. A reliance on data without a nuanced consideration of impacts on different parts of the community risks development which further consolidates spatial inequalities.

⁴⁹ National Equality Panel (NEP), 2010, *An Anatomy of Economic Inequality in the UK*, Report of the Government Equalities Office

⁵⁰ Greed, C (1994), *Women and Planning* London: Routledge

Unfortunately, the *only* question on equalities in the white paper – is on page 74 of 76 main text pages. It is vaguely worded and purports to enable respondents to raise issues about 23 earlier proposals in which *demonstrable* regard has not been given to equalities.

In 2003, The Gender Mainstreaming toolkit⁵¹ developed a series of questions planners need to ask to ensure that gender is considered in planning policy development and implementation. This included asking who are the planners and the planned? How are statistics gathered and who do they include? Who has been consulted and involved? These questions remain pertinent when considering the government’s White Paper. Building on these foundational questions, below we raise some of the key equalities issues raised by the White Paper proposals and then highlight some of the questions we should be asking instead:

THE RIGHT QUESTIONS

Firstly - in a highly centralised planning system - set to become even more so, and in which ‘the public’ and ‘community’ are referred to as a monolithic block - is it really plausible that any diverse, non-majority, public interests would be sufficiently taken into account where; “*Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building*” (WP Proposal 5) Rather, on the contrary, deprived areas will be mostly likely to be designated for physical regeneration-related ‘growth’ - ensuring their long-term gentrification and further economic disenfranchisement of currently diverse residents. *How will such acceleration of a planning-led, ‘ethnic’- /‘class’- cleansing of such areas be prevented?*

Secondly - how will the “fast-track for beauty ... to incentivise and accelerate high quality development which reflects local character and preferences” (WP Proposal 14) - actually ensure any meaningful involvement of ‘hard-to-reach’ groups when a high proportion of consents will be deemed granted in outline or full in plans. This seems highly doubtful within the context of increasingly centralised Plans, with elimination of local development management policies (WP Proposal 2) and where generic national codes will cover LPAs that lack resources to produce local codes. These presume identification of a ‘local’ vernacular’ style is sufficient to secure the benefits of locally-informed design needs, which is not merely about appearance, but about how places function, and how opportunities are maximised, communicated, and made accessible ‘on the ground’,

⁵¹ Reeves et al (2003) *The Gender Mainstreaming Toolkit* London: RTPI

Thirdly - what benefits if any, will deprived communities with a high level of poverty be able to gain from greater “... freedom ... given to local authorities over how they spend the Infrastructure Levy” (WP Proposal 22)? Particularly as fewer deprived neighbourhoods have the capacity or means to adopt Neighbourhood Plans - (the condition for accessing a community share of the 25% of infrastructure Levy).

Fourthly - if, as seems superficially plausible; “The cost of operating the new planning system should be principally funded by the beneficiaries of planning gain – landowners and developers – rather than the national or local taxpayer” (WP Proposal 23) Then what impact will such a *completely* commercially-dependent planning system have on meeting the needs of local communities in general (including the currently disadvantaged) and minorities, in particular?

Finally - current planning enforcement already has great powers that are infrequently used, albeit direct actions and forced evictions seem to be taken more often against small traders, householders and minorities (Home, 2012)⁵² – So how would strengthened “...enforcement powers and sanctions” (WP Proposal 24)– in a less discretionary system, be prevented from falling disproportionately against the same vulnerable groups – furthering inequalities? Particularly given the new system will be funded by developers & landowners?

THE RIGHT ANSWERS ON EQUALITIES

We need creative, new methods of –

1. Providing local planner & community development-facilitated guidance on Neighbourhood Plans and capacity-building with disadvantaged communities;
2. Enhancing a local, plan-led planning system -composed of neighbourhood plans with an overarching local strategic planning vision prepared by the local planning authority;
3. Ensuring better local accountability (checks and balances) for discretionary decisions;
4. Regionally integrating local planning authority’s strategic visions and spatial planning for transport, housing allocations, climate change and health;

⁵² Home, R. (2012), "Forced eviction and planning enforcement: the Dale Farm Gypsies", *International Journal of Law in the Built Environment*, Vol. 4 No. 3, pp. 178-188.

5. Reshaping the enforcement regime to enable communities-assisted working with planners and a wider range of neighbourhood representatives;
6. Positively securing through planning, greater equality of opportunity for all to engage, reduce spatial inequalities in liveability, nurture local economies, quality of life, and health prospects.

These are surely, goals worthy of a new age of progressive, innovative planning - one that is capable once again, of inspiring us to become our better selves - individually, and most of all, collectively in the places that matter most.

DECOLONISING BRITISH PLANNING 9

Yasminah Beebeejaun and Kiera Chapman

Two major events of 2020 concern the legacy of racism and colonialism on UK soil. The first is the COVID-19 pandemic, and particularly its disproportionate effect on BAME communities. The second is the resurgence of Black Lives Matter protests in the US this year, which moved across to Britain and ignited a public debate about the figures we memorialise in British public spaces. In particular, the statue of slave trader Edward Colston was removed and thrown into the river Avon in the latest turn of a long-standing dispute in Bristol about the veneration of men who benefited from slavery.

At first sight, these issues appear to be separate, even disconnected. Yet when Marvin Rees, the black mayor of Bristol, addressed the Digital, Culture, Media, and Sport (DCMS) Select Committee's 'Hearing into Physical Heritage', he was keen to emphasize the relationship between them. He argued that the challenge to the Colston statue had to be seen in the light of a wider landscape of socio-spatial inequalities, which have a particularly negative effect on BAME people: "I think there is a lot that has been built up over the years", he said, "whether we're talking about unaffordable housing, gentrification feeding into this, or being left behind by the national or the international economy".⁵³ Elsewhere, he and Cllr Asher Craig explained that the increase of hate crime against Black Bristolians in the aftermath of these events demonstrated the need to establish a history commission: "we will be in a better position to bring the whole city with us as we understand who we are, how we got here, and whom we wish to honour".⁵⁴ Such a position links the representational and symbolic politics of the Colston statue to unequal material conditions, in a manner that reveals the role of planning in generating inequality, and its responsibility to ameliorate these effects.

Planning must address the makings of BAME inequalities in the UK, not least because it bears some responsibility for their creation. Britain's post-war history created a series of spatial inequities that directly impacted the lives and health of BAME communities, the ramifications

⁵³ Cole, W (2020). 'Bristol mayor says toppling of Sir Edward Colston statue was fuelled by 'years of unaffordable housing, gentrification and being left behind'. *Daily Mail*, 6 October 2020. [dailymail.co.uk/news/article-8811337/Bristol-mayor-says-Colston-statue-toppled-unaffordable-housing-gentrification.html](https://www.dailymail.co.uk/news/article-8811337/Bristol-mayor-says-Colston-statue-toppled-unaffordable-housing-gentrification.html). Accessed 6 October 2020.

⁵⁴ Rees, M and Craig, A (2020) 'Why leadership matters and how the One City approach is fundamentally important for encountering institutional racism'. *Journal of Race, Ethnicity and the City*, 1(1) Online First

of which we are witnessing today in these times of pandemic.⁵⁵ In the realm of housing, a discriminatory labour market, different housing needs (e.g. multi-generational dwelling units), formal policies of housing allocation, exclusionary financial conditions on products such as mortgages, and informal racism all combined to ensure that black and minority ethnic people settled in poorer urban areas, where housing was of a lower standard.⁵⁶ Many BAME communities could only access housing in “twilight zones”, blighted areas, left behind in post-war planning redevelopment schemes.⁵⁷ Even where housing allocation systems were ostensibly based on need, negative perceptions of BAME applicants for housing could influence decision-making.⁵⁸ More recently, algorithmic decision-making around financial issues like credit scores often contains inbuilt racial assumptions.⁵⁹ The move away from Government Equality Impact Assessments have concealed how planning reforms, such as permitted development of office to residential, consign poorer groups, including BAME communities, to housing disadvantage in a way that creates multiple deprivations. The result has been a long-term association between BAME communities, and poor quality housing, which is a major determinant of poor health outcomes.⁶⁰

Furthermore, BAME communities face other types of adverse environmental conditions as a direct result of planning policy. The location of transport infrastructure, waste facilities, and industry close to poorer neighbourhood has ensured that poor BAME communities in the UK are disproportionately affected by issues such as bad air quality and exposure to toxic

⁵⁵ Marmot, M, Allen, J., Boyce, T., Goldblatt, P., Morrison, J. (2020). *Health Equity in England: The Marmot Review Ten Years On*.

health.org.uk/sites/default/files/upload/publications/2020/Health%20Equity%20in%20England_The%20Marmot%20Review%2010%20Years%20On_full%20report.pdf. Accessed 6 October 2020.

⁵⁶ Smith, S. (1987). ‘Residential Segregation: A Geography of English Racism’. In: Jackson, P. (ed.) *Race and Racism - Essays in Social Geography*. London: Allen and Unwin. Enderson, J. and Karn, V. (1987). *Race, Class and State Housing: Inequality and the allocation of public housing in Britain*, Aldershot, Gower.

⁵⁷ Bristow, M and Adams, B N (1977) Ugandan Asians and the Housing Market in Britain.

⁵⁸ Pawson, H and Kintrea, K. (2002). ‘Part of the Problem or Part of the Solution? Social Housing Allocation Policies and Social Exclusion in Britain’. *Journal of Social Policy*, 31, 643-667. Preece, J and Bimpson, E *Forms and Mechanisms of Exclusion in Contemporary Housing Systems: an Evidence Review*. Sheffield: UK Collaborative Centre for Housing Evidence. housingevidence.ac.uk/wp-content/uploads/2019/06/Forms-and-mechanisms-of-exclusion-in-contemporary-housing-systems-June-2019.pdf

⁵⁹ Kear, M. (2017). ‘Playing the credit score game: algorithms, ‘positive’ data and the personification of financial objects’. *Economy and Society*, 46, 346-368. See also the section on technology in this report.

⁶⁰ Khan, O, Finney, N, Lymperopoulou, K (2014). *Drifting upwards or sliding back? Ethnic inequalities in local authorities in England and Wales, 2001-2011*. London: Runnymede.

runnymedetrust.org/uploads/Runnymede%20Ethnic%20Inequalities%20Briefing.pdf Khan, O. (2020). *The colour of money: how racial inequalities obstruct a fair and resilient economy*. London: Runnymede Trust.

pollutants from traffic, industry, and incinerators.⁶¹ They are also far more likely to live in areas where there is a lack of high quality green space for healthy exercise.⁶²

If we shift to a more international lens, we begin to see a powerful intersectional relationship between these environmental injustices suffered by communities in the UK, and the uneven geographical distribution of carbon emissions versus climate change harms at a more international level. As black activists have recently argued, there is a deep and historically extensive relationship between racial and colonial justice and environmental justice.⁶³ The development of fossil fuel capitalism in the UK was made possible by expropriative and extractive forms of colonialism and imperialism, involving black slavery and coerced labour elsewhere.⁶⁴ This neglect of the black ‘other’ outside of our national borders persists today, in our racialized failure to consider the impacts of the contemporary decisions we make on poor, vulnerable and marginalised black and indigenous communities in the global south.⁶⁵ Since building and construction account for 36% of global energy use and 39% of energy-related CO₂ emissions, the controls that the planning system can exert are potentially vital if we are to meet our wider ethical responsibilities to BAME communities, both in the UK and abroad.⁶⁶

Planners must also consider their own disciplinary heritage, including the ways that British planning expertise continues to be exported overseas, as a colonial and imperial technique to manage and control land, territory, and peoples. Far too little attention has been paid to this

⁶¹ Fecht, D., Fischer, P., Fortunato, L., Hoek, G., De Hoogh, K., Marra, M., et al. (2015) ‘Associations between air pollution and socioeconomic characteristics, ethnicity and age profile of neighbourhoods in England and the Netherlands’, *Environmental Pollution*, 198: 201-10. Greenpeace (2020). ‘UK waste incinerators three times more likely to be in poorer areas’, <https://unearted.greenpeace.org/2020/07/31/waste-incinerators-deprivation-map-recycling/>

⁶² De Zylva, P., Gordon-Smith, C, Childs, M (2020). England’s green space gap - How to end green space deprivation in England. London: Friends of the Earth. Sharp, L., Kenyon, A., Choe, E., (2020): Designing Blue Green Infrastructure (BGI) for water management, human health, and wellbeing: summary of evidence and principles for design. The University of Sheffield. Report. <https://doi.org/10.15131/shef.data.13049510.v1>

⁶³ Yeampierre, E and Gardiner, B (2020) ‘Interview: Unequal Impact: The Deep Links Between Racism and Climate Change’ https://e360.yale.edu/features/unequal-impact-the-deep-links-between-inequality-and-climate-change?utm_source=tw&utm_medium=tweet&utm_campaign=EJ

⁶⁴ The literature in this area is vast and varied, for example Williams, E (1944). *Capitalism and Slavery*. Chapel Hill, NC: University of North Carolina Press. Harvey, D (2010) *The Enigma of Capital and the Crises of Capitalism*. Oxford, UK: Oxford University Press. Moore, J (2015) *Capitalism in the Web of Life: Ecology and the Accumulation of Capital*. London, UK: Verso. Vergès, F (2017) ‘Racial capitalocene’. In: Johnson, GT, Lubin, A (eds) *Futures of Black Radicalism*. London, UK: Verso. Smallwood, S (2007) *Saltwater Slavery: A Middle Passage from Africa to American Diaspora*. Harvard: Harvard University Press

⁶⁵ Gardiner, S (2011). *A Perfect Moral Storm: the Ethical Tragedy of Climate Change*. Oxford: Oxford University Press. Sealey-Huggins, L. (2018) ‘The Climate Crisis Is a Racist Crisis: Structural Racism, Inequality, and Climate Change’ in *The fire now: Anti-racist scholarship in times of explicit racial violence*, ed. A Johnson, R Joseph-Salisbury and B Kamunge

⁶⁶ Global Status Report (2017). International Energy Agency. worldgbc.org/sites/default/files/UNEP%20188_GABC_en%20%28web%29.pdf

history, with professional institutes like the RTPI virtually silent on the racist history of certain spatial tools. To give a recent example, the government's White Paper suggests that the UK planning system should adopt techniques of zoning. Yet in the US, zoning was a technique of racial exclusion and segregation, and this legacy persisted despite legislative attempts to eradicate it. This potential for zoning to act in ways that exacerbate racial inequalities means that this tool should be used in a manner that reflects its potentially discriminatory possibilities.

We should not assume that BAME communities lack agency or power. There is a need both for BAME political and professional representation within planning, and for a greater knowledge of, and interest in, racial and ethnic inequalities or experience. However, while we remain ignorant or silent about planning's colonial history or the role it has played in sustaining racial inequality in Britain, attempts to engage with the BAME community are likely to remain tokenistic and unable to influence meaningful change.

How would we begin to decolonise planning? There are a number of areas that require attention:

- Acknowledge the racial and Eurocentric history of planning techniques, both in Britain and abroad.
- Recognise the structural existence of racism, beyond individual actions and behaviours, and use the planning system to combat it.
- Ensure that robust spatial redistribution is approached through a lens of race, as well as class, acknowledging the pressing needs of BAME communities when it comes to access to services and green space, high standard housing, etc.
- Diversify the planning profession, removing barriers to BAME entry.
- Critique ideas of professional technical expertise as a form of 'neutrality' that doesn't need to concern itself with race; recognise the different views and voices of the BAME community.
- Question taken-for-granted assumptions about the use of space, and challenge the attitude that the alteration of existing regulations to accommodate BAME life is a 'special accommodation'.
- Consider the racial implications of participatory elements within the planning system. For example, the appearance of hostile and racist public comments on planning

portals is common, particularly where the proposed development concerns non-Christian places of worship. This issue needs to be discussed and addressed.

- Engage in a dialogue with communities about public spaces and memorialization, and the messages that they send. Develop more inclusive places that welcome and visibly recognise the contribution made by the BAME community to British life.
- Commit to strong principles of environmental justice, and adopt an international lens on the climate change impact of changes to the UK built environment, developing preventative and mitigation policies.

HOW CAN PLANNING SUPPORT BETTER URBAN DESIGN? | 10

Lucy Natarajan

The White Paper gives a falsely narrow impression of the purpose of urban design, which in reality goes way beyond aesthetics. At its core, urban design focuses on identifiable public interest outcomes⁶⁷, not some unspecified generalised notion of beauty. Good designs focus on how places can function well for society, and all communities should be able to expect this. So it is important to ask, how can a planning system support better urban design?

The White Paper suggests that planning and urban design might be simply brought together at the same point in planning processes on the basis that this will save time in development and provides the ‘right point’ for public involvement, early on in processes. Yet, even if urban design and planning are undertaken at the same time, this will not change the level of design work required or the need for ongoing public engagement throughout the development process. And even if processes were found to be speedier, there is no evidence that shackling the design and public engagement to the earliest stages of planning would enhance the quality of urban environments (or even their beauty). Rather, the conflation of urban design and planning will likely reduce opportunities for consideration of design matters, by unduly focusing efforts and attention on the outline consent stage⁶⁸. When urban design and planning are treated separately, urban design can be more connected to communities. Where design is merged into earlier stage of planning it often loses its power to take account of present circumstances. Good designs will have social objectives but they cannot be mass produced in advance of development. They are constructed through techniques applied with an appreciation of the actually existing context for a particular development. They respond to environmental changes in a place, and the needs of the present community. Working with local knowledge to understand the current context of a development can enhance designs for the ultimate stakeholders, the people who live in the places we create. Design can be improved by learning with local communities at the moment when applications for development are

⁶⁷ See Carmona, M. (2019) Place value: place quality and its impact on health, social, economic, and environmental outcomes. *Journal of Urban Design* 24(1), pp. 1-48.

⁶⁸ For example permission in principle may reduce the level of attention of the developer, or give a false sense of security to communities who might otherwise raise concerns, as seen in the controversy surrounding Oxford University’s Roger Dudman Way development oxcivicsoc.org.uk/tag/roger-dudman-way

submitted, working with residents to understand local need and the implications for design. Planning on the other hand, can provide guidance on local need, when it is phased in advance of design stages.

Irrespective of phasing of planning and design work, a nation-wide set of socially oriented design standards will help the planning system to support better urban design. And the White Paper does note the importance of design principles, and how these can be made part of consenting rules. But these need to be rooted in principles of social value not beauty⁶⁹. Clear national guidance is needed on the quantifiable dimensions of social performance and protections for community amenities. This would be a set of universal minimum standards that are expected in every place. There are well known social dimensions of design such as adequate floorspace, private outdoor space and balconies, shared outdoor space and children's play areas, sunlight, daylight, disability access, priority design for pedestrians and cycling facilities. A set of standards based on such quantifiable dimensions would make it possible for planning authorities and communities, as well as designers, to articulate and account for the performance of designs. This also makes it possible where needed to take action to enforce the expected standards.

The White Paper rightly notes the dearth of design skills in Local Authorities, and indeed there are real concerns about 'design supply' in England⁷⁰. However not all planners or planning committee members can be expected to have all the design expertise in-house that might be needed any time. Further, the need for specific design skills only becomes clear once plans are in place. In any case, design skills are developed over time and honed with experience. Things like digital technologies will continue to evolve, and design skills must evolve with them. A body to support design supply used to exist in the form of the Commission for Architecture & the Built Environment⁷¹. As an Non-departmental Public Body (QUANGO) it gave a platform for continual up-skilling of urban designers. More critically it enabled the sharing of urban design expertise with planning authorities across the country. Specialisms could be more easily developed and Local Authorities could tap into this network, which was a reliable and

⁶⁹ i.e. in order to provides a legitimizing principle for reform, and since beauty is only an urban design goal because it can make a contribution to social goals (e.g. supporting community and individual wellbeing as argued in Kieran, M. (2010) *The X factor : beauty in planning*, London, CABE.)

⁷⁰ <http://placealliance.org.uk/category/design-skills>

⁷¹ Carmona, M., de Magalhães, C. and Natarajan, L. (2017) *Design governance: The CABE experiment*, London, Routledge.

independent source of expertise. Without proper resourcing design efforts will only be seen in one or two fortunate places where the resources already exist, further privileging the best off.

In summary then, consent cannot be a given based on simple conformity to basic general rules. A national set of standards would provide a backstop against poor design, but they are not a substitute for local considerations or democracy in planning. It is critical that there is supplemental local guidance and opportunities to engage the public on decisions, to identify where design will need to go further than the universal requirements in light of the particularities of context. A planning system can support better urban design in four ways. Firstly by having a separation of design and planning phases for all types of 'land use' so as to maximise input, particularly from the local public, to design considerations. Secondly by providing statements of local need that help inform design decisions. Thirdly by providing a set of clear quantifiable national guidance that can be understood and used by all involved in the processes. Fourthly through a national platform to produce a good and equitable level of design supply across the country. These will also help to produce a clearer understanding about the purposes and social goals of urban design and promote a national culture of expecting 'good design'.

COMMUNITY ASSETS, SHARED PLACES, CREATIVE SPACES | |

Katie McClymont

Rising Arts agency: ‘a powerful, collaborative community of artists and creatives mobilising for social change’⁷² ask ‘who is allowed space to create (in the city)?’ I think this question is a good place to start when considering the role of community spaces, arts spaces and other less readily definable spaces in cities, and their role in promoting wellbeing and connectivity across individuals, groups and times. It provokes a related question- who is allowed to create space- to develop, steer and inhabit public and collective space. Community assets are rightly described as ‘everyday places where extraordinary things happen’⁷³ but remain in the margins of development discussions and proposals too often.

Planning, as nominally the key determiner in changes to existing urban form and in the directions of development of new places should have a lot to say about this. Reading the Government’s White Paper would suggest markedly otherwise. The term ‘art’ has no mention, ‘culture’ one mention (when discussing culture change in planning) as does ‘public space’ (only in relation to the design framework). ‘Community facilities’ are mentioned as an undefined add on to housing and business on page 23, and despite community/communities having over 100 mentions in the whole document, the opening paragraph which sets of the remits of planning and planning reform does not consider community assets or actually spaces for anything other than housing and economic growth (done beautifully, of course).

It is not so much that the government’s proposals are explicitly bad for community, creative or public spaces: they just don’t consider the vital role which they play. Eric Klinenberg’s 2018 book, *Palace for the People*⁷⁴ sets out starkly the value of community spaces in keeping people alive during natural disasters or securing up to ten years more life expectancy. He demonstrates how neighbourhoods with services such as a library- what he describes as *social infrastructure*- – bring people together and allow them to look after each other. Despite this, community assets are being sold off at an alarming rate, fuelled by the austerity cuts imposed

⁷² Rising Arts Agency (2020) *Who we are* <https://rising.org.uk/us/>

⁷³ Locality (2018) *the Great British Sell-Off*, <https://locality.org.uk/wp-content/uploads/2018/06/The-Great-British-Sell-Off-FINAL.pdf> p4

⁷⁴ Klinenberg, E. (2018) *Palaces for the People: how to build a more equal and united society*, Bodley Head

on local government⁷⁵ and only a few of these are being preserved for community use via asset transfer mechanisms, and more often than not these are in wealthier areas and neighbourhoods.

This brings us back to the question posed by Rising, which I drew on to open this piece, and demonstrates the importance of planning in considering its role in this agenda. The creation of space is not just building and developing physical entities, but also the inhabitation of places whether for temporary art installations, refugee support centres, foodbanks or toddler groups. Places where people can come together for practical support and shared emotional belonging—quite often merely a place to be, and remain, without having to pay. The sorts of places I am discussing here are diverse and often transient— their temporariness being part of their nature in many cases: people do not always remain toddlers (or parents of toddlers), refugees, in need of emergency food; artists inhabit create and recreate spaces (see Centre of Gravity and Sactum for two Bristol based examples). It may be this lack of permanence that planning finds challenging but suggestions such as a ‘community ownership’ use class⁷⁶ (Monbiot et al, 2019) and a revoking of permitted development for office-to-residential changes could help, recognising that these ‘empty’ spaces offered opportunities for artists and community groups to inhabit cheap space⁷⁷. These can also be supported by policy and discussions locally about ‘meanwhile uses’ of unoccupied shops and other buildings. In new developments, especially of the scale suggested by the white paper, planning has the scope to ensure community space provision goes ahead in a meaningful and useful way, but this remains overlooked and under-resourced amongst the myriad other demands placed on planners. But if we are to ask the right questions as planners, we need to think about the whole range of spaces we are creating, and who has access to and ownership of them.

⁷⁵ See Locality (2019) <https://locality.org.uk/news/public-spaces-are-being-sold-from-under-you/>

⁷⁶ Monbiot, G. [Ed] (2019) *Land for the Many: changing the way our fundamental asset is used, owned and governed*. Independent report commissioned by the Labour Party, <https://landforthemany.uk/wp-content/uploads/2019/06/land-for-the-many.pdf>, see p59

⁷⁷ Harvey, E, (2020) The Pursuit of: The picture postcard city, in ArtspaceLifespace, Futur Ville

PART II:
HOW CAN WE PLAN FOR A BETTER FUTURE?

Fair, effective and democratic processes

WHAT WOULD AN EFFICIENT PLANNING SYSTEM LOOK LIKE? 12

Philip Booth

At the heart of the Planning White Paper is a concern to make the planning system more efficient, by simplifying procedures and reducing the constraints on effective decision making. This represents the continuation of a long-running concern about the costs of delay in the planning system to developers. It makes no sense, however, to talk of efficiency in vacuo: a system is only efficient in respect of articulated and assumed objectives. But it is also to be measured by the effectiveness of processes. For example, a major issue has long been that of the effective involvement of the public in decision making and it can be argued that the system has often been inefficient in ensuring that public opinion is factored into decisions taken on the public's behalf. Simply making planning swifter is not necessarily to make it more efficient in delivering outcomes or ensuring that processes are effective in achieving objectives that have been set.

The classic measure of efficiency in the British town planning system has all too frequently been the time taken to process planning applications. The system has repeatedly been criticised for unnecessary delay, which has been seen as acting as a brake on necessary development; this is also the refrain of the Planning White Paper. But the measure of performance, the processing times set by the regulations, is arbitrary. The period of eight weeks for processing minor applications dates from at least 1932; the extension to 13 weeks for major applications is more recent and was introduced in 1991. The rationale for such limits is nowhere apparent, but perhaps equates to an administrative understanding of what would be reasonable. It need hardly be said that since those time limits were introduced, the scale of the task has changed out of all recognition and a simple failure to observe an eight-week or thirteen-week period for processing planning applications cannot be other than the crudest measure of efficiency.

Where the planning system might indeed require reform is in a much clearer statement of its aims and an articulation of the specific objectives that give effect to those aims. Once that has been done it becomes possible to define appropriate processes to achieve the objectives. That, however, is too neat a way of considering planning processes. If a major part of planning is

resolving conflict between competing interests in the planning and development of land, an efficient system must be able to provide the means for resolving conflict in a way that can be accepted as far as possible even by those who do not necessarily agree with the decision taken. That would place the emphasis on the nature of the process and in particular on the transparency and accountability of decision making.

HOW CAN WE MAKE PLANNING DEMOCRATIC? | 3

Sue Brownill

The planning white paper claims it will promote ‘*genuine community involvement rather than meaningless consultation*’⁷⁸. However, its proposals will restrict democratic involvement and the rights of the public through;

- 1) Cutting involvement in half by removing the right to comment on planning applications and restricting involvement to the earlier stage of local plan and design-code making
- 2) Channelling participation to commenting on design; ie what buildings look like, not whose interests and needs the uses in those buildings serve
- 3) Reducing the scope of Neighbourhood Plans to making them more in line with local plans and focused on design
- 4) Removing the right to be heard at inquiries
- 5) Proposing prop-tech as ‘the solution’ to wider participation without considering the impacts of the digital divide
- 6) Extending permission in principle across large areas (particularly growth and renewal areas), thereby restricting citizens’ rights to comment on development (in addition to the impact of extending permitted development rights before any new legislation is even introduced) and
- 7) Centralising decision-making on eg Community Infrastructure Levy levels and some design aspects, reducing the community’s role to be able to influence local policy.

⁷⁸ MHCLG The Future of Planning, p 22

Based on a philosophy which sees participation as one of the deficiencies of planning because it gives space to ‘objectors’⁷⁹, the question the White Paper appears to be asking is how can we get the community to support our preferred development outcomes, rather than what we consider to be the right question: *how can we make planning a more open, democratic process?*

Answering this question has been one of the most challenging dilemmas that planning has faced since its inception and one which current practice has failed to resolve. Nevertheless, the answers lie in:

- 1) Clearly asserting the public’s right to involvement. Replacing a tickbox, largely un-enforced procedure for LPAs to follow with rights to information, rights to challenge, rights to participation and rights to see how engagement affects decisions.
- 2) Recognising and clarifying the different democratic models used in planning, particularly at the local level, as stated in the Raynsford Review⁸⁰. These include elements of direct (Neighbourhood Plan referenda); representative (linked to the legal/bureaucratic planning system) and participatory democracy. As part of this there should be a shift towards more participatory democracy in planning and more of a genuine co-production of local plans. Thought will need to be given to how decision-making at the local, regional and national levels will be integrated; however, the default should be a principle of subsidiarity with decisions devolved to the local level where possible.
- 3) Promote digital democracy not Prop-Tech through a proper assessment of how digital engagement can broaden and deepen democratic involvement in planning and how to overcome the issues of digital exclusion. (see below on the role of Technology))
- 4) Recognise that consultation takes time and costs money and that the quality of planning outcomes that results is as important as the speed of planning decisions.
Consider introducing a ‘community development’ stage prior to plan production.⁸¹^[4]

⁷⁹ See Rethinking the Planning System for the 21st Century, Policy Exchange, 2020

<https://policyexchange.org.uk/publication/rethinking-the-planning-system-for-the-21st-century/>

⁸⁰ TCPA The Raynsford Review of Planning, 2018 [tcpa.org.uk/raynsford-review](https://www.tcpa.org.uk/raynsford-review)

⁸¹ Wargent, M. and Parker, G. (2018) Re-imagining neighbourhood governance: the future of neighbourhood planning in England. *Town Planning Review*, 89 (4). pp. 379-402.

5) Create a wider and more equitable basis for participation through directly funding community groups and NGOs, particularly targeting less affluent areas, BAME groups and others who are currently under-represented in planning (see other sections on promoting equality and decolonising planning). Any funding should not be tied to delivering specific outcomes as has happened for example in the past with neighbourhood planning groups and site allocations.

6) Enshrine outcomes in planning i.e the right to a decent home. Participation is an important right but it's purpose should be to ensure the interests of the public and local communities are met and to deliver a more equitable and accountable planning system. This needs to be supported through stronger legal requirements. Communities should be encouraged to pursue their own policies and to develop their own purposes for planning to meet these outcomes.

7) Require, train and fund local Planning Authorities to engage more widely and to proactively reach out to those individuals and groups who have traditionally been underrepresented in planning debates. This should be accompanied by shifts in professional skills and culture.

WHAT ROLE SHOULD TECHNOLOGY | 4 PLAY IN PLANNING?

Kiera Chapman, Alexander Wilson,
Jennifer Manuel, Andy Inch, and Malcolm Tait

Digital technologies are increasingly influencing government decision-making processes.⁸² Planning is no exception: the White Paper strongly emphasizes harnessing “the benefits which digitisation can bring” (page 18). Many have welcomed these aspects of the proposals; however, there are also real dangers in the uncritical use of technology.

Of particular concern is the emphasis (over all else it would appear) on facilitating the entry of ‘PropTech entrepreneurs’ to create markets for ‘new digital services’ (2.39). PropTech — short for ‘Property Technology’ — is a burgeoning area of business that is endeavouring to find a foothold in the construction, urban planning, and development sectors. Behind these businesses sit a number of venture capital firms, who specialize in financing (and profiting from) these startups.

The potential risks inherent in embracing the seductive promises of PropTech to simplify, streamline, and democratise planning include:

- The use of technology to fragment, and then reorganise service delivery, in a piecemeal privatisation driven by profit (replicating many of the issues with current use of closed and proprietary software by local authorities).
- The replacement of nuanced, case-by-case decision-making by democratically accountable planners with automated decision-making, removing space for professional judgement, and making it much harder for communities to understand and challenge underlying logics

⁸² Yates, S and Rice, R (eds) (2020) *The Oxford Handbook of Digital Technology and Society*. Oxford, UK: Oxford University Press. Available at: oxfordhandbooks.com/view/10.1093/oxfordhb/9780190932596.001.0001/oxfordhb-9780190932596 (Accessed 13 October 2020).

- The deepening of existing patterns of digital exclusion, as technological processes are inaccessible to some demographics.
- The establishment of one algorithmic set of decision-making principles as universally correct, risking loss of nuance, and further marginalisation of the voices of underrepresented groups.
- Further movement towards a situation where development is targeted not where it is needed to correct inequality and unevenness, but where it is most profitable.⁸³

Despite these concerns, however, digital technologies can play a role in realising democratically engaged, equitable, and environmentally sustainable forms of planning – technologies can be used to bolster democratic processes, rather than bypass them. However, to achieve this, we need some foundational principles. As a first step we suggest:

I. USE TECHNOLOGY TO SUPPLEMENT A HOLISTIC PUBLIC PLANNING SYSTEM, NOT TO REPLACE IT

Technology can play a positive role within an adequately resourced planning system, which brings together planners with specialist local knowledge, working with communities who care about place. In such a context, it can be used meaningfully to enhance our knowledge and understanding of spaces, and to facilitate conversations about their future. Against the tenor of the White Paper, technology should not be used to reduce the necessarily contentious process of spatial decision-making to a series of automated decisions, made on the basis of reductive logics. In other words, technology should not be used to develop a post-political bypass around the ethical difficulties of decision-making, to enshrine the unequal and unjust logic of the economic status quo, or to use the planning process as an opportunity for private profit.

2. USE TECHNOLOGY TO RECOGNISE THE COMPLEXITY OF PLACE AND THE IMPORTANCE OF LIVED EXPERIENCE

Technology can be used alongside the situated, lived experiences of communities, in a way that values nuanced personal and collective placed-based knowledge. This means co-designing technologies with marginalised communities, in a manner that recognises the problem of

⁸³ For more, see Chapman, K, Tait, M and Inch, A ‘The Dangers of Data’ *Journal of the Town and Country Planning Association*, 89(9/10):307-311

digital exclusion. Ultimately, technological tools must be subordinated to the need to support citizens in having access to information, in order to create opportunities to make a real change with the planning system.

One way this is being explored is through so-called ‘Open Data’ – data that can be freely used, re-used, and redistributed by anyone. When used with democratic principles at its core, open data can be used to promote dialogue, community action, and positive change⁸⁴ though its publication alone is insufficient. Citizens require further tools to be able to access, understand, interpret, and put that data into use. For example:

- Le Dantec et al. used open data to enable new forms of participation that directly impacted decision-making. They used charrettes (problem-solving workshops) to interpret data, and to discuss what to do with its insights.⁸⁵
- Puussaar et al. designed *Data:In Place*, a system which enabled communities to view open data in an easily accessible format and which gave them control over the ways such data was displayed.⁸⁶
- Johnson et al. used a digitally-enabled game to collect lived experiences that could sit alongside quantitative data and which served to question dominant narratives.⁸⁷ Other projects have encouraged people to interact, understand and ‘play’ with local data.⁸⁸

These initiatives demonstrate the use of technology in a way that enhances community, placed-based knowledge, rather than reducing diverse place experience to a series of data

⁸⁴ Etsy D and Rushing R (2007) The Promise of Data-Driven Policymaking, *Issues in Science and Technology* 23(4): 67-72. [jstor.org/stable/43314516](https://www.jstor.org/stable/43314516)

⁸⁵ Le Dantec, C, Watkins, K, Clark, R and Mynatt, E (2015) ‘Cycle Atlanta and OneBusAway: Driving innovation through the data ecosystems of civic computing’. *International Conference on Human-Computer Interaction*. 327–338. https://doi.org/10.1007/978-3-319-21006-3_32

⁸⁶ Puussaar, A, Johnson, I, Montague, K, James, P and Wright, P (2018) ‘Making Open Data Work for Civic Advocacy’. In *Proceedings of the ACM on Human-Computer Interaction*, 143. <https://doi.org/10.1145/3274412>

⁸⁷ Johnson, I, Puussaar, A, Manuel, J and Wright, P (2018) ‘Neighbourhood Data: Exploring the Role of Open Data in Locally Devolved Policymaking Processes’. In *Proceedings of the ACM on Human-Computer Interaction*. 2, CSCW. <https://doi.org/10.1145/3274352>

⁸⁸ Taylor, A, Lindley, S, Regan, T, Sweeney, D, Vlachokyriakos, V, Grainger, L and Lingel, J (2015). ‘Data-in-Place: Thinking through the Relations Between Data and Community.’ In *Proceedings of the 33rd Annual ACM Conference on Human Factors in Computing Systems*. 2863–2872. <https://doi.org/10.1145/2702123.2702558>. Gaver, W, Boucher, A, Jarvis, N, Cameron, D, Hauenstein, M, et al. ‘The Datacatcher: Batch Deployment and Documentation of 130 Location-Aware Mobile Devices that Put Sociopolitically-relevant big data in People’s Hands: Polyphonic Interpretation at Scale’. In *Proceedings of the CHI Conference on Human Factors in Computing Systems*. Association for Computing Machinery. Koeman, L, Kalnikaite, V and Rogers, Y. (2015) ‘Everyone Is Talking about It!: A Distributed Approach to Urban Voting Technology and Visualisations’. *The 33rd Annual ACM Conference (CHI ’15)*: 3127–3136. DOI: [10.1145/2702123.2702263](https://doi.org/10.1145/2702123.2702263).

points. They simultaneously reduced the need for communities to have programming skills and personal internet-connected devices to access data.

3. USE TECHNOLOGY TO ENHANCE PUBLIC ENGAGEMENT

Fifty years ago, the Skeffington Report called for greater public participation in plan-making.⁸⁹ Yet this goal remains elusive within the current system. The White Paper is unlikely to remedy this, given its emphasis on a digitally streamlined and standardised process in which an increasing number of elements are automated (both digitally, via technology, and non-digitally, via mechanisms like zoning and coding).

Yet technology could play a more liberating role in facilitating participation, encouraging new demographics to become involved in place-making, while improving the quality of creative engagement with the process. For example, experimentation with new approaches like video storytelling can encourage people to describe their local areas in new ways, supporting early and meaningful engagement with policy creation.⁹⁰

It can be important, however, to make use of the existing and everyday technology that many people already use, and to be aware of the skills needed to create engagement and participation through technology. Manuel co-designed engagement methods with citizens and urban planners, and found that tools that were less familiar were too complex for many citizens, who preferred familiar methods such as social media, online surveys, and simple map-based tools.⁹¹

4. ENSURE THAT THE METHODS AND OBJECTIVES OF TECHNOLOGY ARE THE SUBJECT OF CRITICAL AND POLITICAL REFLECTION

The way we design and configure technologies is always political. All data is “the biased output of unequal social, historical, and economic conditions”.⁹² Therefore, the narrative that data reveals is only one story amongst many. In the same way, algorithmic logics can be difficult for

⁸⁹ Skeffington Committee (1969) *House of Commons Debate*. 18 November. Available at: http://hansard.millbanksystems.com/written_answers/1969/nov/18/skeffington-committee-report#column_246w.

⁹⁰ Manuel, J and Vigar, G. (2020) Enhancing citizen engagement in planning through participatory film-making: *Environment and Planning B: Urban Analytics and City Science*. SAGE Publications Sage UK: London, England. DOI: 10.1177/2399808320936280.

⁹¹ Manuel, J. (2020) *Virtual Tools for Co-Design and Engagement*. Royal Town Planning Institute South East. Available at: [youtube.com/watch?v=gD_zfDiuOro](https://www.youtube.com/watch?v=gD_zfDiuOro)

⁹² D'Ignazio, C and Klein, L (2020) *Data Feminism*. MIT Press, p. 39

communities to understand, and therefore also to challenge. This points to the urgent need for critical reflection on the use and place of technology. To ameliorate this ‘blackboxing’ effect, both expert scrutiny of technology, and public communication about its assumptions are necessary.

Scrutinising the approach to technology design and use, including algorithms, data and any other form of technological tools, is not simply a matter of making a superficially hidden code ‘legible’, but about interrogating fundamental assumptions about what and who “shows up” within a given technological logic, what values it incarnates, and especially what types of future action are opened or foreclosed by its use.⁹³ Data feminism provides a framework to challenge, rather than reinforce, inequalities that can be embedded into technology.⁹⁴ It suggests ways of examining and challenging power, elevating emotion and embodiment, rethinking existing hierarchies, embracing pluralism, considering context, and making labour visible. In addition, design justice encourages designers to think of technology in terms of who benefits and who is disadvantaged⁹⁵: the Design Justice Network provides ten principles for meaningful public participation in the design of technology.⁹⁶

In other words, to use technology ethically, the question of ‘the political’, in its deepest sense, must be kept in full view. In particular, caution must be taken not to enshrine the inequalities of the status quo in the underlying assumptions of data collection and algorithmic applications: there must always be room for the creation of an alternative and radical politics. In tandem with this, caution needs to be taken that open data does not simply create a data resource for exploitation by private capital. Recent work on smart cities suggests that this can happen, leading to the enclosure and privatisation of elements within urban infrastructures.⁹⁷ To avoid something similar within planning, it is important to consider the issue of public ownership and control not merely over the data itself, but its use and integration within the planning system, and of enhancing the skills of planners to design and operate technology, rather than relying on off-the-shelf solutions or outsourcing of key planning functions

⁹³ Amoores, L. (2020). *Cloud Ethics: Algorithms and the Attributes of Ourselves and Others*. Duke University Press.

⁹⁴ D’Ignazio, C and Klein, L (2020). *Ibid*.

⁹⁵ Costanza-Chock, S. (2020) *Design justice: Community-led practices to build the worlds we need*. MIT Press.

⁹⁶ Design Justice Network (2018) *Network Principles*, Design Justice Network. Available at: <https://designjustice.org/read-the-principles>

⁹⁷ Luque-Ayala, A and Marvin S (2020) *Urban Operating Systems: Producing the Computational City*. MIT.

WHAT ROLE FOR PLANS IN DECISION-MAKING? | 5

Katie McClymont, Adam Sheppard
and Hannah Hickman

Plans, at whatever spatial scale, are the backbone of any effective planning system. They set the vision for placemaking and their policies provide the basis for decision makers and their communities to evaluate, negotiate and make important decisions about locally specific development in the most balanced and sustainable way. Good plans have a critical role in the development process. However, planning needs to be understood in its entirety from the kernel of an idea through to occupation and on-going management, and not as a series of separate and dislocated steps. The White Paper argues that streamlined and standardised local plans that zone land and automatically grant rights to build can dramatically simplify planning without any loss of quality. But this is dangerously reductive. This short piece will reflect on the under-appreciated value of the work that is done in decision-making processes and its impact on outcomes.

Local plan policies require careful formulation to make them useful for decision makers. Critically, they need to reflect their local and sub-regional context. Development management policies set at a national level (as proposed in the White Paper) are unlikely to provide the most effective basis for making good local decisions as they ignore the importance of ‘translating’ any broader statement of aspiration to its context. The more removed from local realities they are, and therefore the more generic, the less likely they will be of any use in a given context.

As argued throughout this report, community engagement, both on the plan and application processes, can and should provide a critical space for participative and representative governance through planning. Planning professionals too play an important role in influencing the detail and intentions of schemes (whether prescribed in a regulatory plan or via discretionary decision making). The aim is to balance local knowledge and democratic process with professional judgement, ensuring contextual appropriateness, acceptable impact, and positive change management. This balance is underplayed in the White Paper. The changes it proposes will not do away with the need for discretion, negotiation and debates in many

instances, however. Attempts to hide this within ‘codes’, ‘beauty’ and ‘Proptech’ all risk a loss of democracy and the flexibility to fit proposals to their context.

In parallel, the increased use of Permitted Development Rights (PDR) and Prior Approval (PA) looks set to continue. An approach further reduces the ability of local planning professionals, elected councillors, and local communities to engage with and influence the important detailing and provisions of schemes. The problematic implications of this are already clearly apparent in research on existing PDR/PA provisions where unacceptable outcomes have resulted⁹⁸.

Evidence suggests that both more discretionary and regulatory (or zoning) planning systems can enable the effective management of place⁹⁹, with participative and representative governance through planning decision making (either in plan creation/adoption or on individual planning decisions). But a resolution needs to be taken as to what form of system is actually desired in England. In practice, the White Paper seems undecided. Proposing a further overlay of elements of zoning through ‘as of right’ development in areas zoned for ‘growth’, alongside a presumption in favour of development in areas marked for ‘renewal’ and the continuation of more or less discretionary processes in those slated for ‘protection’. Despite protestations to the contrary, this package looks likely to further restrict opportunities for local state and societal participation in the micro-scale of planning decision making and place management, restricting discretionary decision making within the system without adopting a genuinely regulatory based planning construct to counterbalance the implications of this with regards accountable governance and impact.

The White Paper proposals to automatically grant outline planning permission in growth areas and to introduce a statutory presumption in favour of development being granted in renewal areas fail to acknowledge that important design details of development would still need to be negotiated and managed post-consent.

The handling of design quality post-consent can be challenging and complex. The journey from discharge of conditions, reserved matters, and non-material and minor-material

⁹⁸ Clifford, B., Ferm, J., Livingstone, N. and Canelas, P. (2018). *Assessing the impacts of extending Permitted Development Rights to office-to-residential change of use in England*. Report to the RICS Research Trust. London, RICS

⁹⁹ See Philip Booth’s contribution to the Wrong Answers to the Wrong Questions

amendments through to monitoring, compliance and enforcement, is complex, even for small schemes subject to change. The presumption that a shift in the point of decision making will speed up delivery, on the basis of current evidence is false. Much greater in-depth understanding is needed of the importance of the processes that will (presumably) still occur post-consent, their role in ensuring quality, and, critically, the time they require.

This has all been compounded by the ongoing impacts of Austerity which has resulted in very little local authority resource being applied to effective monitoring and evaluation of the developments for which they have granted permission. The limited monitoring efforts of local authorities has - in recent years - tended to focus on a few (so called) key indicators, with a prime focus on housing completions - defined in the terms of units (not homes). The effectiveness of a plan should, however, be judged by a range of placemaking measures and include a focus on development quality of built-out schemes. Without this, the effectiveness of professional advice and community involvement at application stage are impossible to judge. Far greater resource to proactively evaluate the effectiveness of planning would yield dividends, and where focussed on proactive compliance checking, would also circumvent the need for more stringent enforcement action. The whole journey of planning should be about democratically envisioning better places within the local context, and ensuring these are brought about in the ways suggested, permitted by the people who will be most impacted by them. In this, the value of planning can be better understood.

WHAT PLANNING BETWEEN LOCAL AND NATIONAL LEVELS SHOULD EXIST IN A NEW SYSTEM? | 6

Tim Marshall

The White Paper has almost nothing on planning between the scale of Local Plans and national level guidance or policy¹⁰⁰. This largely follows on from the approach of governments since 2010 when the previous system of regional planning was summarily abolished, although the Combined Authorities and Transport for the North type of initiatives trod gingerly into sub-national planning. More significant has been the infrastructure policy zone, which has revealed an implicit national spatial agenda through the embrace of big projects (HS2, Heathrow expansion, roads programme, above all)¹⁰¹. This may be made more coherent when the promised National Infrastructure Strategy is published, if it follows the National Infrastructure Commission's 2018 Assessment, with a strong emphasis on a national programme to invest in urban transport. The White Paper would add to national level control, as a very great deal of planning policy would be set centrally, including by a revised NPPF, a new housing numbers set imposed from the top, and national design and maybe other codes.

For now there is a big local to national gap, recognised by most planners, but apparently not by government, with just a query in the White Paper as to what might replace the current duty to cooperate. It is arguable that academic and professional thought has not given the following basic question enough attention: given current challenges, what should be set at national level, what very locally, and what will benefit most by being set at city region/county, regional or provincial levels? It will be essential to have significant amounts of planning direction set nationally, but these central decisions should work with proper local empowerment, in a tiered system[iii]. Three main fields can be considered.

¹⁰⁰ "The Duty to Cooperate test would be removed (although further consideration will be given to the way in which strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges);" and this question: "7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?" (*Planning for the Future* White Paper).

¹⁰¹ T Marshall, 2020, Infrastructure planning and spatial planning: current relationships in the UK, *Town Planning Review*, 91,1.

Housing policy will certainly require national decision making, although if this is to have any impact on need, it would have to be completely different from that of recent years. A properly needs-oriented policy would transform the dynamics in each locality, and would mean that far more could then be left to fairly local levels of decision making. Each locality should be empowered to make compacts with citizenry to approach real affordability, over a decade or more^[AI2]. This might learn from an experimental (model) German project in Muenster which some years ago explored ways to get such agreement with citizens across a set of municipal areas, attempting to steer the evolution of housing stock and prices, including for new sites for housing, with the affordability stipulated¹⁰². This would include programmes for genuinely affordable housing to rent - council housing most likely.

Major climate and environmental challenges will need new national as well as ideally regional/provincial policy frames, addressing the profoundly geographical nature of these challenges. Integration is the watchword when thinking about catchments, agriculture, urban development, transport, energy: these must be treated together. This requires work at, as a minimum, county or city-regional scales, enabling plans with teeth, resourced for the long term.

Economic transformation (or recovery) policy will need new interventionist plans tailored to each locality, with the scale ranging from city region to larger, but certainly well above the normal English district. Bodies like Local Economic Partnerships do not have the legitimacy or weight to lead on the enormous economic challenges which the 2020s will see, ranging from rebuilding the foundational economy to creating or maintaining export sectors. Heavyweights are needed, with long term funding handed over by central government. As the Commission on Economic Justice (2018) and the UK 2070 Commission¹⁰³ argued, the provincial level (4 English provinces) could be the best for this, but in the absence of that, city regions and county empowerment would be essential.

¹⁰² See muenster.de/stadt/exwost/boden_e.html.

¹⁰³ As argued by UK 2070 Commission, *Go Big, Go Local*, September 2020. And see IPPR Commission on Economic Justice (2018) *Prosperity and Justice. A Plan for the New Economy*, London: IPPR.

The answer therefore to the “levels question” is that a democratically elected and fully resourced county or city region tier of government is needed (with proper councils not the simply duplicating system of mayors), otherwise the tangled, failing and illegitimate forms of governing we have today will continue. This would also ideally be framed by regional / provincial associations who can set the planning and funding formulas for transport and environmental futures over bigger geographies¹⁰⁴. The provincial or regional levels would be best elected, but in the (very likely) absence of this, be made up of representatives of local government, to give at least some democratic legitimacy¹⁰⁵.

Both tiers will help on the three key fronts: setting credible and legitimate housing directions (for retrofit as well as new build), framing environmentally intelligent new geographies for living (transport, retail-logistics-deliveries, schooling, higher education), and integrating economic transformation with the first two fields. Alongside the democratic elected bodies, this should involve institutionalised debating on how to move forward, with these tiers having central roles in organising macro public debates on especially difficult and divisive issues.

Unfortunately the current government may well run away from most of the above. Why is this? Is it a basic ideological aversion of British Conservatism to all but very local planning? Would a well-articulated strategic planning arrangement for England really obstruct certain profitable opportunities eyed by parts of the development industry, be “bureaucratic” in the sense that is condemned by Conservatives? Must these two suggested motives (ideological and pro-development industry) overwhelm the case made here for the value of strategic planning in achieving critical gains for society and each locality, short and long term?

¹⁰⁴ Most countries have three or four tiers of democratic government. There is no need to see this as wasteful. Securing informed and intelligent consent to the steering of critical future changes is not a “cost”, but the key to deciding in a way which sticks. Each body is sized according to its tasks.

¹⁰⁵ For a more modest but well judged alternative, see a proposal for a new strategic planning system published in October 2020, by a highly experienced strategic and regional planner: Catriona Riddell, *Planning Reforms and the Role of Strategic Planning*, County Councils Network.

LAND OWNERSHIP, LAND SUPPLY AND LAND VALUES | 7

Michael Edwards

At the root of the problems we confront in planning is the ownership, control and taxation of land and property and the relationships which exist between owners, tenants and users of our national space: escalating housing prices, volatile speculation in commercial and residential property markets, the fiscal crisis of local government, the concentration of property wealth at the expense of the disposable incomes of tenant households, the private management of public spaces and so on. Britain's practices are an extraordinary mix of hangovers from feudalism, survivals of the privileges of the landed classes of earlier centuries and subsequent reforms to meet the needs of industrialisation and of contemporary financialised capitalism.¹⁰⁶

A central feature of these land ownership relations has been the massive extent to which private landowners and developers have made fortunes from the increases in land value unlocked by planning permission. This has attracted reformist attention ever since the Town and Country Planning Act of 1947 which separated the right to develop land from the other rights held by land owners. Subsequent attempts to socialise this uplift in value have been much discussed¹⁰⁷ and the country has ended up with two mechanisms for partial land value capture: Section 106 agreements negotiated project-by-project between developers and local authorities and Community Infrastructure Levy, a charge per unit of built space, set by the local authority in the light of studies of local infrastructure needs and not negotiable.

These measures do nothing to capture the uplifts in values which arise outside of new developments: uplifts attributable to improved infrastructure and public services, agglomeration benefits from nearby activity or to general inflation or changes in interest rates. Those uplifts go to owners of housing and other land and are subject to minimal taxation: the Council Tax system which is regressive at the low end and becomes negligible for high-end homes, a Business Rates system which is too rigid to respond to the volatility of business

¹⁰⁶ Shrubsole, Guy, 2019, *Who Owns England*, London; Christophers, B. (2019) "The rentierization of the UK Economy" *Environment and Planning A: Economy and Space*; Christophers, Brett (2019) *The New Enclosures: the appropriation of public land in Neo-Liberal Britain*, Penguin Random House

¹⁰⁷ Hall, Peter, (Ed) (1965) *Land Values*, Acton Society Trust; Crook, A.D.H., Henneberry, J.M. & Whitehead, C.M.E (2018) Second memorandum of evidence to House of Commons Select committee on Housing, Communities & Local Government on Land Value Capture

turnover and a complex web of exemptions and privileges for forestry, agriculture and owner occupation in inheritance and capital gains taxes.

The private appropriation of rents and of land value appreciation now diverts a large share of the social product from workers' disposable incomes and from the resources available to create and maintain superb environments for us all, reverse the growth of emissions and deal with the other major ecological challenges we face. Astronomical asset values have become essential to the stability of the banking system and to the domestic economy of many households. Thus a radical—and in particular a rapid—winding down of prices and values seems to be politically impossible in the short run.¹⁰⁸

So the right answers to the right questions would start with wide local and national discussions of these issues and of how to re-work property relations for a just and viable society. It may perhaps help that recent events have brought about a complete crisis of the mediaeval leasehold system: the Grenfell Tower scandal led to an almost-complete freeze of the market for leasehold apartments whose surface cladding requires certification and millions of households thus find themselves 'owning' assets with zero value. At the same time a number of big housing developers had been selling houses not as freeholds but as leaseholds with provision for escalating ground rents, a piece of skulduggery with complicit lawyers which has been another scandal. Finally leasehold has been dealt a third blow by the inability of many retail and catering businesses to pay their rents and the admission by landlords that, whatever it says in the lease, those who can't pay won't pay. This crashing of rental contract terms has not, however, yet extended to residential tenancies but an impending wave of evictions of those prevented from paying their rent during Covid-19 will further raise the political tension surrounding landlordism.

The White Paper proposes a fundamental change in land ownership: the entitlement to develop land would be returned to owners, restoring the pre-1947 situation, enabling them to develop as they wish in most of the country (the 'Growth' areas) and enjoy a presumption in favour of development in the 'Renewal' areas. They would need only to conform to the definitions set out for the area concerned and satisfy some design quality considerations. This

¹⁰⁸ Piketty, T (2013) *Capital in the 21st century*, Harvard University Press; Ryan-Collins, J., T. Lloyd and L. Macfarlane (2017) *Rethinking the Economics of Land and Housing*. London, Zed Press

shift to entitlement has been rather ignored in public discussion but is likely to be very hard to reverse and thus an enduring shift and barrier to real reforms.

In terms of land value capture the White Paper asserts, not very convincingly, that government seeks to capture more of the development uplift than does the current system by merging S106 and CIL to form a new Infrastructure Levy which would be non-negotiable, defined as a percentage of the gross development value of the scheme. This percentage would be determined by national government, either at a flat % rate (20% is talked of) or at different rates for different parts of the country. There would be a zero rate for low-value localities.

A positive feature of this proposal is that it could (if pinned down precisely) end the secretive, biased and often corrupt viability tests through which developers have been able to minimise their obligations¹⁰⁹

The right answer to the White Paper's proposals must be to insist on a number of changes which would minimise the damage they could otherwise do:

The new Levy must be set by local authorities. They can make politically and professionally informed judgements of needs for housing at various rent levels and of needs for infrastructure. Some national guidance on methodology for needs assessment would be needed to prevent authorities inclined to avoid their people's needs. It should be a non-negotiable charge and thus minimise uncertainty for developers which is an ambition for the government. Locally-determined charges, set as part of making a local plan, would be more likely to capture a high proportion of the development gain available in each area than a nationally-uniform rate which would undoubtedly miss out a lot in the highest-gain areas and discourage development in the lowest-value areas. The proposal to exempt the lowest value areas is a crude way out of this problem.

Finally, the new Levy needs to be allocated and accounted for according to some rules, and with a redistribution scheme between areas. Local authorities should not have the discretion—mooted in the White Paper—to spend some of their receipts on lowering council tax and

¹⁰⁹ Colenutt, B. (2020) *The Property Lobby: the Hidden Reality behind the Housing Crisis*. Bristol, Policy Press; McAllister, P. 2019. The taxing problems of land value capture, planning obligations and viability tests: some reasonable models? *Town Planning Review*, 90 (4). pp. 429-451

there should be a strict ring fencing of the affordable housing element, within which we need an explicit requirement for social rental housing.

Back to the right questions.

A fundamental set of changes is required, quite the opposite of what the White Paper envisages. Policies across government (including the Bank of England) will need to focus on a stabilisation of house prices and land prices, alongside regional development plans on the lines proposed by the UK2070 Commission. In a context of stabilised, or even falling, house prices It would be easier to move forward with expansion of non-profit development formats, experimenting with co-op, co-housing and other collective forms of development as well as revived building by local authorities themselves¹¹⁰ and local authority land-assembly & commissioning operations. There is a rich repertoire of proven exemplars internationally to draw upon.¹¹¹

¹¹⁰ Clifford, B and J Morphet (2020) *Reviving Local Authority Housing Delivery: Challenging Austerity Through Municipal Entrepreneurialism*, Bristol, Policy Press.

¹¹¹ *Land for the many* (2019). <https://landforthemany.uk> George Monbiot (editor), Robin Grey, Tom Kenny, Laurie Macfarlane, Anna Powell-Smith, Guy Shrubsole, Beth Stratford; *People's Land Policy* (2020) <https://peopleslandpolicy.home.blog/>; Hall, P and N Falk (2013) *Good cities, better lives: how Europe discovered the lost art of urbanism*. London, Routledge.

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