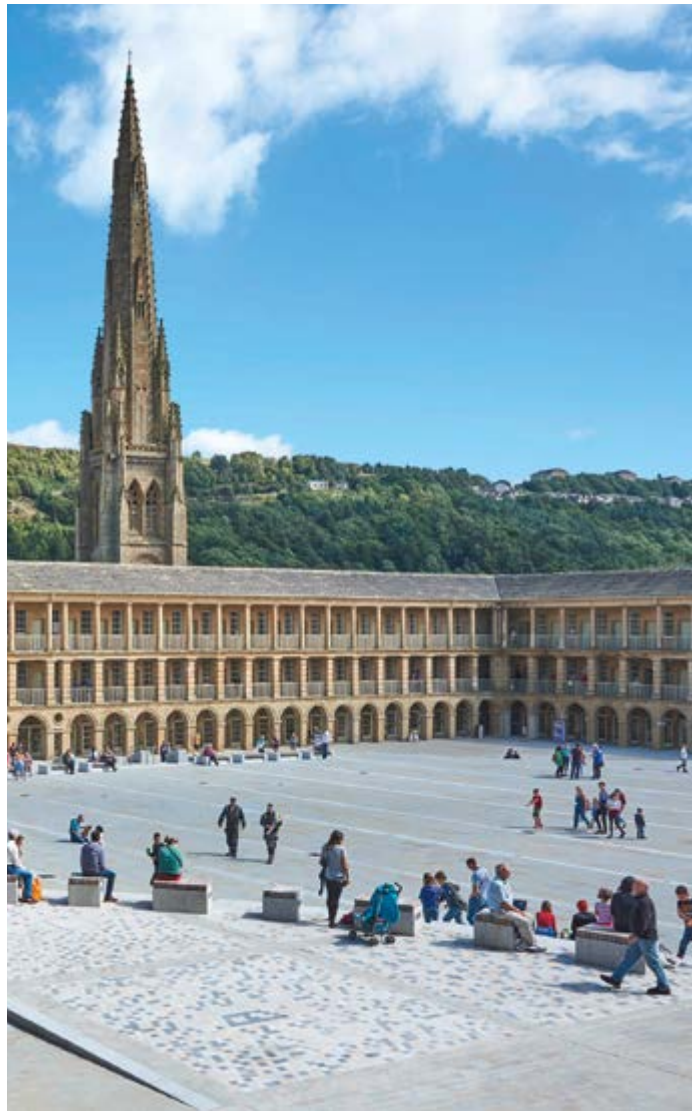


Living with Beauty

*Promoting health, well-being
and sustainable growth*



The report of the
Building Better,
Building Beautiful
Commission

JANUARY 2020

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*“Like the pleasure of friendship, the pleasure in beauty is curious:
it aims to understand its object, and to value what it finds.”*

Sir Roger Scruton FBA FRSL
27 February 1944 – 12 January 2020



Malmesbury, Wiltshire

EXECUTIVE SUMMARY

In this report we propose a new development and planning framework, which will:

- *Ask for Beauty*
- *Refuse Ugliness*
- *Promote Stewardship*

Ask for Beauty.

We do not see beauty as a cost, to be negotiated away once planning permission has been obtained. It is the benchmark that all new developments should meet. It includes everything that promotes a healthy and happy life, everything that makes a collection of buildings into a place, everything that turns anywhere into somewhere, and nowhere into home. So understood beauty should be an essential condition for the grant of planning permission.

Refuse Ugliness.

People do not only want beauty in their surroundings. They are repelled by ugliness, which is a social cost that everyone is forced to bear. Ugliness means buildings that are unadaptable, unhealthy and unsightly, and which violate the context in which they are placed. Such buildings destroy the sense of place, undermine the spirit of community, and ensure that we are not at home in our world.

Promote Stewardship.

Our built environment and our natural environment belong together. Both should be protected and enhanced for the long-term benefit of the communities that depend on them. Settlements should be renewed, regenerated and cared for, and we should end the scandal of left-behind places, where derelict buildings and vandalised public spaces drive people away. New developments should be regenerative, enhancing their environment and adding to the health, sustainability and biodiversity of their context. For too long now we have been exploiting and spoiling our country. The time has come to enhance and care for it instead. Our recommendations are designed to ensure that we pass on to future generations an inheritance at least as good as the one we have received.

We advocate an integrated approach, in which all matters relevant to placemaking are considered from the outset and subjected to a democratic or co-design process. And we advocate raising the profile and role of planning both in political discussions and in the wider debate concerning how we wish to live and what kind of a country we want to pass on.

Our proposals aim for long-term investment in which the values that matter to people – beauty, community, history, landscape – are safeguarded. Hence places, not units; high streets, not glass bottles; local design codes, not faceless architecture that could be anywhere. We argue for a stronger and more predictable planning system, for greater democratic involvement in planning decisions, and for a new model of long-term stewardship as the precondition for large developments. We advocate a radical programme for the greening of our towns and cities, for achieving environmental targets, and for regenerating abandoned places. The emerging environmental goals – durability, adaptability, biodiversity – are continuous with the pursuit of beauty, and the advocacy of beauty is the clearest and most efficient way forward for the planning system as a whole.

Living with Beauty

‘We all want beauty for the refreshment of our souls.’

OCTAVIA HILL (1883)

‘Human society and the beauty of nature are meant to be enjoyed together.’

EBENEZER HOWARD (1898)

‘to secure the home healthy, the house beautiful, the town pleasant, the city dignified and the suburb salubrious.’

AIMS OF THE PLANNING ACT (1909)

‘A happy awareness of beauty about us should and could be the everyday condition of us all.’

CLOUGH WILLIAMS-ELLIS (1928)



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

FIONA REYNOLDS (2016)

‘Some housebuilders... believe they can build any old crap and still sell it.’

**SENIOR EXECUTIVE IN HOUSING AND DEVELOPMENT
INDUSTRY SPEAKING TO THE COMMISSION (2019)**

‘New places are designed by the wheelie bin operators.’

PARTICIPANT IN A COMMISSION WORKSHOP (2019)



Timekeeper's Square, Salford



1. Our proposals

We naturally aim for beauty in our everyday lives, and many people are puzzled that we seem to have lost the art of creating beauty in our built environment. All around us we see ugly and unadaptable buildings, decaying neighbourhoods and new estates that spoil some treasured piece of countryside or are parasitic on existing places not regenerative of them.

Clearly, we must change the incentives. Beauty must become the natural result of working within our planning system. To achieve this result, we propose three aims for the system as a whole:

Ask for Beauty. Beauty includes everything that promotes a healthy and happy life, everything that makes a collection of buildings into a place, everything that turns anywhere into somewhere, and nowhere into home. It is not merely a visual characteristic, but is revealed in the deep harmony between a place and those who settle there. So understood, beauty should be an essential condition for planning permission.

Refuse Ugliness. Ugly buildings present a social cost that everyone is forced to bear. They destroy the sense of place, undermine the spirit of community, and ensure that we are not at home in our world. Ugliness means buildings that are unadaptable, unhealthy and unsightly and which violate the context in which they are placed. Preventing ugliness should be a primary purpose of the planning system.

Promote Stewardship. Our built environment and our natural environment belong together. Both should be protected and enhanced for the long-term benefit of the communities that depend on them. Settlements should be renewed, regenerated and cared for, and we should end the scandal of abandoned places, where derelict buildings and vandalised public spaces drive people away. New developments should enhance the environment in which they occur, adding to the health, sustainability and biodiversity of their context.

Those three aims must be embedded in the planning system and in the culture of development, in such a way as to incentivise beauty and deter ugliness at every point where the choice arises. To do this we make policy proposals in the following areas:

1. Planning: create a predictable level playing field
2. Communities: bring the democracy forward
3. Stewardship: incentivise responsibility to the future
4. Regeneration: end the scandal of left behind place
5. Neighbourhoods: create places not just houses
6. Nature: re-green our towns and cities
7. Education: promote a wider understanding of placemaking
8. Management: value planning, count happiness, procure properly

EIGHT PRIORITIES FOR REFORM



- **Planning: create a predictable level playing field.** Beautiful placemaking should be a legally enshrined aim of the planning system. Great weight should be placed on securing these qualities in the urban and natural environments. This should be embedded prominently as a part of sustainable development in the National Planning Policy Framework (NPPF) and associated guidance, as well as being encouraged via ministerial statement. Local Plans should give local force to this national requirement, defining it through empirical research, including surveying local views on objective criteria. Schemes should be turned down for being too ugly and such rejections should be publicised. We have one of the most adversarial and litigious planning systems and one of the most concentrated development markets in the world. We need a clearer approach to reduce planning risk and to permit a greater range of small firms, self-build, custom-build, community land trusts and other market entrants and innovators to act as developers. In this way our planning system will better respond to the preferences of people as a whole,

within a more predictable framework. This needs to be accompanied by greater probability of enforcement and stricter sanctions when the rules are broken.

- **Communities: bring the democracy forward.** Local councils need radically and profoundly to re-invent the ambition, depth and breadth with which they engage with neighbourhoods as they consult on their local plans. More democracy should take place at the local plan phase, expanding from the current focus on consultation in the development control process to one of co-design. Having shorter, more powerful and more visual local plans informed by local views ('community codes') should help engender this; but councils will also need to engage with the community, using digital technology and other available resources. The attractiveness, or otherwise, of the proposals and plans should be an explicit topic for engagement, rather than being swept aside as of secondary importance. Beauty should be the topic of an ongoing debate between the public and the planners, with the developers bound by the result.
- **Stewardship: incentivise responsibility to the future.** Our proposals aim to change the nature of development in our country. In the place of quick profit at the cost of beauty and community, we aim for long-term investment in which the values that matter to people – beauty, community, history, landscape – are safeguarded. Hence places, not units, high streets not glass bottles, local design codes, not faceless architecture that could be anywhere. At present elements of the legal and tax regimes create a perverse (and unintended) bias in favour of a short-term site-by-site approach as opposed to a longer-term stewardship model. To change this we must confront legal and fiscal obstacles at the highest level and create a new 'stewardship kitemark.'
- **Regeneration: end the scandal of 'left-behind' places.** Too many places in this country are losing their identity or falling into dereliction. They are noisy, dilapidated, polluted or ugly, hard to get about in or unpleasant to spend time in. Such places create fewer jobs, attract fewer new businesses and have less good schools. They do not flourish. Government should commit to ending the scandal of 'left-behind' places. We need to ask 'what will help make these good places to live?' It is never enough to invest in roads or shiny 'big box' infrastructure. Development should be regenerative not parasitic. A member of Cabinet should be responsible for ensuring that new places reach the right standards, co-ordinating perspectives between the 'triangle' of housing, nature and infrastructure. At the local council level there should be a Chief Placemaker in every senior team and a member of the local Cabinet who has responsibility for placemaking. Government should align VAT on housing renovation

and repair with new build, in order to stop disincentivising the re-use of existing buildings. Brownfield sites should be promoted over greenfield sites, as targets for development. The strategy for high streets should aim to make high streets attractive places to live and spend time in; and it should respond flexibly within a clear framework to changing patterns of demand.

- **Neighbourhoods: create places not just houses.** Too much of what we build is the wrong development in the wrong place, either drive-to cul-de-sacs (on greenfield sites) or overly dense ‘small flats in big blocks’ (on brownfield sites). We need to develop more homes within mixed-use real places at ‘gentle density’, thereby creating streets, squares and blocks with clear backs and fronts. In many ways this is the most challenging of our tasks, which is to change the model of development from ‘building units’ to ‘making places’.
- **Nature: re-green our towns and cities.** Urban development should be part of the wider ecology. Green spaces, waterways and wildlife habitats should be seen as integral to the urban fabric. The government should commit to a radical plan to plant two million street trees within five years, create new community orchards, plant a fruit tree for every home and open and restore canals and waterways. This is both right and aligned with the government’s aim to eradicate the UK’s net carbon contribution by 2050. It should do this using the evidence of the best ways to improve well-being and air quality. Green spaces should be enclosed and either safely private or clearly public. The NPPF should place a greater focus on access to nature and green spaces – both existing and new – for all new and remodelled developments.
- **Education and skills: promote a wider understanding of placemaking.** Our evidence gathering and discussion have discovered widespread agreement on the need to invest in and improve the understanding and confidence of professionals and local councillors. Crucial areas include placemaking, the history of architecture and design, popular preferences and (above all) the associations of urban form and design with well-being and health. The architectural syllabus should be shorter and more practical, and the government should consider ways of opening new pathways into the profession.
- **Management: value planning, count happiness, procure properly.** Planning has undoubtedly suffered from budget cuts over the last decade, with design and conservation expertise especially suffering. By having a more rules-based approach, by moving the democracy forward, by using clearer form-based codes in many circumstances, by limiting the length of planning applications and by investing in digitising data entry and process automation, it should be possible

to free up resources. We don't pretend this profound process of re-engineering will be easy. There is also a crucial need to change the corporate performance targets for Homes England, and the highways, housing and planning teams in central government and councils. They should be targeted on objective measures for well-being, public health, nature recovery and beauty (measured *inter alia* via popular support). We should be measuring quality and outcomes as well as quantity. Finally, there is an urgent need to make changes to the procurement targets, process and scoring within central and local government and, above all, Homes England. Until recently the sale processes of Homes England and other public bodies have largely failing to take adequate account of any metrics of quality. This urgently needs to change if the state is not to be effectively subsidising ugliness.

We won't be able to achieve all these changes overnight (in chapter 14 we set out a possible timeframe of implementation). However, some could be implemented very readily. While we have been working the government has published its welcome *National Design Guide* and its guidance document *Design: process and tools*, partially fulfilling our first policy proposal.

The evidence shows that a planning system and development market that had evolved in the ways we set out in this report would tend to encourage better public health, happier people, and more sociable communities. It would also help to end the scandal of 'left-behind' places whilst restoring the place of nature in the urban environment to the benefit of our lungs and our mental health. The polling and pricing data strongly suggest that such a move would be welcomed by our fellow citizens thus helping break out of the vicious circle of poor development and opposition to new homes.

That would be a good thing for those who are already well housed, for the many who have yet to find somewhere affordable to live in, and for our society as a whole so that it can be more prosperous and truly inclusive. We should again aspire, with Clough Williams-Ellis, for 'a happy awareness of beauty about us' to be 'the everyday condition of us all.'

2. What we've done



COMMISSION VISITS TO EVERY
CORNER OF ENGLAND



Part I

Our report



3. Ask for beauty

It is not often that a government adopts beauty as a policy objective. But such is the remit of this Commission, and we fully endorse the thinking that has led to it. It is widely believed that we are building the wrong things, in the wrong places, and in defiance of what people want. A comprehensive recent study agrees, arguing that about three quarters of new housing developments are mediocre or poor.¹ At a time when there is an acute shortage of homes, there is therefore widespread opposition to new developments, which seem to threaten the beauty of their surroundings and to impose a uniform 'cookie cutter' product that degrades our natural and built inheritance. People want to live in beautiful places; they want to live next to beautiful places; they want to settle in a somewhere of their own, where the human need for beauty and harmony is satisfied by the view from the window and a walk to the shops, a walk which is not marred by polluted air or an inhuman street. But those elemental needs are not being met by the housing market, and the planning system has failed to require them.

The Commission on building beautifully was set up at the end of 2018, asking us to review the planning system that has regulated construction in our country over the last hundred years. Ours is a discretionary system. The right to build has been nationalised. However, it does not proceed by top-down control from government, but by the granting of permissions decided locally. This allows a voice to the many interests involved, including the interests of neighbours, and reflects the historical origins of our legislation, largely introduced under pressure from civic associations motivated by the desire to protect our natural and architectural legacy from thoughtless destruction in the wake of the industrial revolution. It has also meant that, in comparison with many other countries, the planning process as we know it is both uncertain in its outcome and unclear in what it permits, involving high risk for the developer and sparking often fierce resistance from local communities.

Large estates of low-quality housing naturally arouse opposition from those whose amenities and property-values they threaten, and precious aspects of our built environment and countryside give rise to a strong desire to protect them from changes that might spoil them. The cumulative effect of this, together with a rise in litigation from developers, has been a stagnation in the planning process, and a sense that – despite the greatly increased wealth that this country now enjoys, in comparison with what was enjoyed by our predecessors in the early 20th century – we are building less beautifully than they, and indeed littering the country with built debris of a kind that nobody will want to conserve. What has gone wrong, and how can we change it? Those were the questions before the Commission, and this report is our answer to them. It is not the final answer; but it is the first step towards understanding the direction in which our planning policy should go.

Beauty is not just a matter of how buildings look (though it does include this) but involves the wider 'spirit of the place', our overall settlement patterns and their interaction with nature. It involves both the visual character of our streets and squares, and also the wider patterns of how we live and the demands we make on our natural environment and the planet. We should therefore be advancing the cause of beauty on three scales, promoting beautiful buildings in beautiful places, where they are also beautifully placed.

BEAUTY AT THREE SCALES



This means accepting that new development should be designed to fit into the life and texture of the place where it occurs; and also that it should aim to be an *improvement* of that place, regenerative not parasitic, an illustration of the way in which a new street may be more beautiful than the buildings or fields that preceded it.



New development may be the cause of ugliness; but it can also be the cure

We need to turn our planning system round, from its existing role as a shield against the worst, to its future role as a champion of the best.

Although British people do not talk much about ‘beauty’, their lives reveal that they are prepared to make great sacrifices for the sake of it. This is clear in the decisions they make collectively. The Green Belt, the Areas of Outstanding Natural Beauty, the listed building system and the conservation areas are vastly expensive in terms of the development that we forego in order to maintain them. And yet they command near-universal public support. Much money could be made by concreting over the Chilterns and the South Downs, by replacing our historic centres with tower blocks, and by crowding houses onto every ridgeline in the Lake District. But most people believe that the beauty of our country is more precious, and that the financial sacrifice is unquestionably worth it. How else do we explain the existence of the National Trust, with nearly 6 million members, the Campaign to Protect Rural England, the Civic Trusts and the long history of civic-inspired town planning movements, culminating in the Royal Town Planning Institute (RTPI) and the Town and Country Planning Association (TCPA) today?

Many of the things that make settlements beautiful also make them healthy, happy and sustainable. A beautiful place is a place in which people wish to walk, rather than a place that the car helps them to avoid. It is a place in which they enjoy spending time with one another. Beautiful buildings are conserved and adapted, like the Victorian public buildings that survive long after their initial uses have gone. Ugly buildings are torn down and replaced, at a huge cost in terms of ‘embodied energy’.

Recycling buildings in Manchester



In general, all that we seek by way of human health and environmental sustainability is bound up with beauty. So, what went wrong? What is it that stops us from building as beautifully as the Georgians and the Victorians, despite being so much richer than they were? A complete answer to this question could fill many volumes. But we shall mention some of the most important reasons.

The most evident factor behind this striking historical change is the rise of the car. The traditional settlement was built for walking because it had to be: people had limited alternatives. The car has greatly enhanced the scope and comfort of human life, but it creates a collective action problem: if everyone drives everywhere by car, then huge highways are needed together with the massive provision of parking spaces, both around people's homes and around their workplaces and shopping centres.

Cities built with the aim of accommodating the car therefore have to look very different from the traditional city. If three parking spaces are required per household, as occurs in some local authorities, then terraces, streets, squares and mansion blocks become nearly impossible. The traditional shopping crescents and high streets tend to be abandoned and replaced with out-of-town retail centres, surrounded by fields of cars. Offices and government buildings are transferred to business parks, with their own parking lots. Walkability and mixed-use neighbourhoods are swiftly imperilled. We do not need to imagine this: in much of the United States it is the norm, with residential settlements starting life and remaining as car-dependent sprawls. Once the car starts to take over, the process becomes self-reinforcing: even people who would prefer to walk to the shops have to drive if there are no shops in walking distance.

Nor is it only in America that the destructive effect of motor transport has been so powerfully exhibited. The belief arose during the mid-twentieth century that not only could the car help us travel between settlements but that it should help us travel within them. We confused the freedom of cars on 1930s rural roads with the inevitable future of our towns. This required that the street must be adapted to the car, not the car to the street, reflecting the principle that the primary purpose of the street is as a conduit, rather than a place to be. Pedestrians therefore had to be given a safe passage through, while the street itself was surrendered to motor traffic. The result was bleak underpasses, railed crossings, and pedestrian traffic lights, all serving to annihilate the street as a public space and to undermine the sense of a walkable neighbourhood. The overwhelming evidence assembled by our Commission is that the street is the primary urban space, the place where people go to hang out, to enjoy the sense of being at peace with strangers (which is the primary source of urban contentment), and – if they are lucky – to find the shops and facilities that they need.² The findings of practitioners here are embodied in the current *Manual for Streets*. But, as yet, this has only an advisory force, and our observations suggest that a lot of thinking remains to be done.



The centre of Siena and a highway interchange in Houston are of similar size. The first is a home to 30,000 people; the second is a home to no one.

The question of street design connects with the larger remit of our Commission. We have been asked to consider new building generally, and this means how things should be constructed in both town and country over the next fifty years or more. Clearly, we should be envisaging ways of building that are sustainable and resilient, with low environmental impact, and which adapt to changes of use and lifestyle. In general, our traditional towns satisfy those requirements. They consist of permanent structures, built in local materials, and slotted into the landscape in friendly and walkable patterns. They offer a variety of building types and scales, and have shown themselves to be adaptable to all the many socio-economic changes that we have witnessed during the last century. By designing for a car-using population we can easily increase the number of saleable units. But we also lock the resulting development into a condition of car-dependency.

Revolutions in the manufacture and use of motor transport may push us back in the opposite direction. The reduced need for private cars, together with internet car-hire and shopping, may in the long-term spell the death of the out-of-town shopping mall. From the point of view of beauty, such a change could be a massive gain; but we should prepare for it now. Our proposals are therefore designed to take account of what may prove to be a major change in the assumptions underlying all public policies. Our way



of life has been in part created by the car, and this dependency has been built into much public policy, even though it is increasingly evident that it is, in the long run, unsustainable. Our proposals must be seen as first steps towards a far broader agenda, in which long term environmental concern will trump short-term expediency.

Emerging hand-in-hand with motor transport has been the radical upheaval in methods of construction. Much of the character of the older settlements of England comes from the materials used in their construction: moulded brick, crown glass, wrought iron, oak, slate, limestone, sandstone, thatch, lead. People did not use these materials primarily because they are beautiful: they used them because they were the most practicable materials to hand. But it so happens that it is in fact easy to build beautifully when working with such materials: limestone, moulded brick and unprocessed wood have varied textures that seem to give the materials themselves a kind of character. Beauty can even spring forth wholly unintentionally: the farmer who built a barn of oak and thatch may have had no thought at all for its appearance, but if his barn survives today, it would almost certainly be listed, and might well be a boutique hotel.



Beautiful buildings will always find another use

The Industrial and Scientific Revolutions have yielded a range of new materials: reinforced concrete, corrugated iron, breeze blocks, chrome steel, plastic, plate glass, engineered wood. These materials are capable of astonishing technical feats, and it is entirely possible to build beautifully in them, as many modern architects have demonstrated. But this seldom happens by accident: the barn of breeze blocks and corrugated fibre is cheaper and stronger than its predecessor, but it is hard to argue that it is equally attractive.

The basic model of the English terraced house was largely fixed in the seventeenth century: it was developed by Inigo Jones, who in turn based it on Métezeau's terraces in the Place des Vosges and on the palazzi of Raphael and Bramante in Rome and Florence. For the next two hundred years both the plan and section of virtually every terraced house in England followed this model, though adapted to the wealth of the prospective owner,

the evolving fire regulations and the materials that were available locally. All architects and builders were trained in this, and pattern books were produced that showed less skilled builders what to do. This meant that when ordinary commercial builders saw an opportunity to build and sell a terrace of houses, they knew exactly what those houses would look like, and were more or less guaranteed aesthetic success. Builders had a small but refined creative toolbox with which to solve the architectural problems that were likely to arise. Bloomsbury, Marylebone, Kensington and Islington testify to the success of this system.



Walkable streets of variety and intensity

Architects today, like other artists, are not constrained to work within a given framework and style in this way, and the possibility of consciously adopting an old style is often felt to be somehow fake, like a sort of fancy-dress. Hence the rise of the term ‘pastiche’ as a term of abuse. In a curious way, this makes architects’ task harder: they must either work without a determinate style, or invent a style anew for each commission, rather than being able to fall back on an inherited set of refined solutions. Many architects have risen to this challenge with great success, and the triumphs of twentieth and twenty-first century architecture are the product of this.



Prize-winning: Goldsmith Street, Norwich and Accordia, Cambridge.

But it seems nevertheless that the median has fallen. It cannot be doubted that the average business park today is not as beautiful as the average high street in the eighteenth century. The commercial housebuilder, on the other hand, generally does have a fixed set of solutions which are deployed to the individual site. But cut-off from the leadership of the architectural profession, the quality of these solutions has declined: architects today do not usually write pattern books for the volume builders. As a result, the detraditionalization of architecture affects the quality even of building that remains traditional.

We must recognise that none of those trends is reversible. We cannot abolish the car, or work without modern materials, or return to the unthinking belief that there is only one possible style in which to build. Nor ought we to do these things, even if we could. Instead we must learn to live with the changes that they have wrought, to preserve the many blessings while overcoming or mitigating the difficulties. The solution is not to wish away the modern world, but to work to humanise it. And this is why we have a planning system.

For too long now we have been turning our country into an unsightly nowhere, so forcing up the price of beauty and confining it to those enclaves where only the wealthy few can afford to live. The issue is not about style – any style can prove acceptable if it generates a real settlement. This point is recognised by a great range of contemporary architects, many of whom have developed fascinating and creative responses to it.

*Picturesque massing, fine materials and creative detailing
at Great Kneighton, Cambridge*





The Bourne Estate and Savoy Circus, London



The Wintles, Shropshire

At the same time people may not want an 'iconic' building in their immediate environment if it does not fit in or harmonise. For many planning protesters, the best outcome is also the outcome that will not be noticed.



Ugliness intrudes and desecrates

Moreover, natural beauty has a special place in the feelings of British people, and no planning system will enjoy their support if it does not acknowledge their attachment to ‘unspoilt countryside’.

We should recognise that the pursuit of beauty is an attempt to work *with* our neighbours, not to impose our views on them. As Kant argued in his great *Critique of Judgment*, in the judgment of beauty we are ‘suitors for agreement’, and even if that judgment begins in a subjective sentiment, it leads of its own accord to the search for consensus. What people want is buildings that reflect the history, character and identity of their community and that belong in their surroundings: somewhere, not anywhere. Hence a walkable settlement, in which the streets are an improvement on what preceded them, even when what preceded them was open countryside. And people want and appreciate these things, regardless of whether they themselves are the ones who will directly be enjoying them.

Beauty is an intrinsic value; but it has social and economic value too, and is indeed fundamental to the happiness and well-being of human communities. Much of our research highlights the enormous social cost of ugliness, as well as the way in which beautiful urban textures contribute not only to the well-being of those who live and work in them, but also to a massive uplift in economic value. We should aim to spread that value from those who can afford to put beauty at the top of their personal

agenda to those – including the disadvantaged and the homeless – who depend upon the wise use of planning in order to provide them with their legitimate share.

Part of the problem here is the distortion introduced into the housing market by the planning process itself. One unavoidable consequence of that process is the huge uplift in land-value that is conferred by planning consent in areas of high demand. In the immediate post-war period this was simply confiscated by the state, through taxation of capital gains from development at 100 per cent, a counter-productive move that was soon reversed. But all the ways of returning the uplift to those who actually pay the cost of new developments – namely the neighbours – through Section 106 agreements, Community Infrastructure Levy and the like, tend to fall short of securing real consent, since they so often fail to prioritise what really matters to the public, which is *the enhancement or degradation of a place*. At present, developers are able to pass on the true cost of their schemes, which is the cost in terms of beauty and amenity, borne by society as a whole.

Many criticisms of the planning process have therefore focussed on the routine marginalisation of beauty in the interests of short-term economic gain. There is also an unresolved disaggregation problem. Highway regulations, building regulations, environmental briefs and other matters are all outside the planning process, and for the most part take precedence over it. This tends automatically to marginalise non-statutory demands, such as the demand for beauty.

In this report, we press for a more joined up approach, in which all matters relevant to placemaking are brought into the discussion at the earliest possible time, in such a way as to secure effective stewardship of the result. We are critical of the existing practice of treating highway design as an issue separate from placemaking; we are concerned that recent government support for house-building has often failed to create successful new places; and we question the effect of the National Infrastructure Commission, which constitutes a new tier of deliberation tending to undermine existing attempts to harmonise the factors involved in placemaking. In general, our intention in this report is to bring forward into the local plan, and thus into every planning decision, more of the matters that bear on the beauty and liveability of the result and to find a way to integrate the many questions that arise into a single and holistic solution. Our aim is for a planning process that secures active stewardship of our built and natural environment and which does so by enhancing its beauty.

Our planning process has been much criticised, and many of those charged with maintaining and implementing it are understandably unconfident and demoralised. In our view, many of the criticisms overlook what is precious in our approach, namely civic involvement and the trust that this has

engendered. Our planning procedures are not conceived on the continental model, as exercises in top-down government. Planning officers represent the community, on whose behalf they negotiate with the landowner and the developer. And one of the conclusions of our Commission is that their powers, their rewards and their education must reflect this role. It is they, and not the developers, who have beauty as their primary responsibility. Our planning process has deep roots in the experience of the British people, and its results – especially in the matter of protecting the countryside and confining the towns – have been widely praised, with other countries now seeking advice and striving to emulate our achievement. (It is a remarkable fact that England, although probably the most densely populated country in Europe, is still only 11 per cent developed – a fact looked upon with envy by the Belgians and the Dutch.)

Demographic pressures in parts of the country have meant that planners have found themselves overwhelmed with applications of a kind that they are not necessarily accustomed to dealing with; they are under-resourced and thinly spread at a time when the most urgent of our national needs has been placed in their hands, and the proposals we make are phrased in a spirit of sympathy for their task, and a desire to support them in working towards the outcome that the country needs. Our aim is not to abolish the network of planning constraints, but to provide a fast track for beauty that will keep all the precious safeguards in place. As the RIBA (Royal Institute of British Architects) said in its response to our Interim Report, we need to make ‘structural changes to the market that help put quality at the centre of the housebuilding model’. This means changing the incentives, so that beauty is no longer penalised as an economic cost, but promoted along with the vast economic uplift to which it is an indispensable means.



Georgian Whitechapel reinvented

4. How do we want to live?

The task of this Commission is to establish how we can incentivise the creation of beautiful new homes and neighbourhoods in this country. To do this, we must also say something about what it is that makes settlements beautiful, and the part that beauty plays in a good life, happily lived. We have collected information from focus groups, civic societies, academic researchers, planning enquiries and local government; from developers, architects, planning officers and landowners; from successful and unsuccessful schemes, local plans and the many government and non-government organisations devoted to understanding and applying some aspect of the planning process. A powerful consensus has emerged concerning what people prize in the design of new developments, and about how beauty in human settlement is generally understood. In this chapter we summarise this consensus, although we do not attempt to compete with the multiple frameworks that different agencies and researchers have suggested.³

Townscapes. In a successful settlement the buildings form a whole that is greater than the sum of its parts: in the words of the RIBA's guidance *The Ten Primary Characteristics of Places People Want to Live*, it forms a 'townscape'. By building along streets and around squares, we create enclosures and sequences, rather than a smattering of units. By ensuring that those streets form a well-connected network, flowing towards civic centres and public spaces, we create the beginnings of a liveable town, something that forms a unity like an artwork.



Creating a new neighbourhood in Nansledan, Cornwall

To make a place we must connect what we build to the space where it stands, creating structures that are woven together, as the streets of our ancient settlements are woven together in a continuous and walkable fabric. Places are made by an architecture of connection; too often we are given an architecture of atomisation instead.

Mixed-use. A closely related element of civic beauty is the blending of homes with shops and civic buildings, what professionals call ‘mixed use’. In the older areas of English cities, it is still common that one can walk, not only to shops for groceries and household goods, but to primary and secondary schools, a library, a post office, a church, several pubs and cafés, restaurants, at least one park, a GP’s surgery, a dentist, a vet, a war memorial and a town hall. Neighbourhoods like this bring well-known health benefits to their residents by encouraging walking, and corresponding benefits to the environment by removing the need to drive. But they also feel different since, to put it simply, they are *alive*. In these public spaces, strangers become neighbours, and a community is formed.

This point is widely recognised, and has been a central theme of official guidance on urban form, from the *Urban Design Compendium* to the recent *National Design Guide*. Yet much recent residential development still lacks this: as Place Alliance and the Campaign to Protect Rural England note in their Housing Design Audit, the national average density for new housing developments is around 31 homes per hectare, a level at which walkable, mixed-use, car-independent communities are very difficult to sustain. New developments tend towards a grouping of housing estates, attached to a business park and a shopping centre, each zone connected to the others by roads designed solely for cars. In such a development, residents must drive out of their neighbourhood for almost everything. The negative effects this has on health and the environment are well-attested, but it also feels strangely inert, as though the separate zones have no real connection with each other, and as though life stagnates within their boundaries.



The life and death of British cities

Building to last. A durable settlement is possible only where buildings are adaptable to new uses and can be occupied through new forms of tenancy and ownership. Resilience and adaptability of that kind form part of what we mean by beauty – the ability of a building to stand above its purpose, and to lend to that purpose the aura of its own more permanent identity. The Campaign to Protect Rural England (CPRE) makes this point eloquently in its design and environmental performance standards:

‘High quality design [...] is not just about appearance; new housing should be future proofed. To secure the truly “sustainable” development sought by the NPPF, local and national policies should seek the highest possible standards of flexibility and environmental performance for new homes.’

The coming decades are likely to see increasingly more people working from home, rather than travelling to workplaces elsewhere, and homes should be adaptable to this change, with space that might be converted for offices or workspaces. We face many demographic challenges and our homes and neighbourhoods must work for their residents at every stage of their lives. Our traditional towns contain many buildings that have changed their use from commercial to domestic and back again, or from private residence to public use in worship or entertainment. It is often remarked that buildings built by our predecessors for one purpose – school, chapel, library, hospital – can be easily and agreeably adapted to another purpose – domestic or public.



The best buildings are recycled

The architecture is in itself so agreeable and so well adapted to the local idiom that the change of use is hardly remarked upon. We need to find ways for contemporary developments to reach the same standards of adaptability. Unless they do so, their construction, and subsequent demolition, will be unacceptable environmental costs. Adaptability is an inseparable part of stewardship.

Affordability. Home ownership continues to be out of reach for many in the housing market; despite government interventions such as ‘Help to Buy’ and investment into shared ownership. We urgently need more affordable homes and for the ones that are built to be genuinely affordable; not just for those on the lowest incomes, but for many working families who are squeezed from both ends of the housing market. We have a proud heritage of some of the finest social housing in the world. The great philanthropists such as Peabody and Sutton; the employers such as Cadbury and Salt that knew that better quality housing led to a healthier, more productive and loyal workforce. As we mark the centenary of the Addison Act, we look back at the first council-built homes and the enduring communities that they catalysed in the hope that the next generation being built now will also aim for beauty and quality of life. At the end of the Second World War, social housing was a central premise of the new Welfare State and standards for new homes were to be rigorously high and new estates were to be socially mixed, in line with Aneurin Bevan’s vision in 1945 to ‘try and introduce what was always the lovely feature of English and Welsh villages, where the doctor, the grocer, the butcher and the farm labourer all lived in the same street ... the living tapestry of a mixed community.’

How did we go from this to the creation of the soulless mono-tenure estates that blight their residents’ lives? Arguably because, as Lindsey Hanley noted in her social history, *Estates*, the government at the time focussed solely on chasing quantity and not ensuring quality. The government of Harold Macmillan did oversee the rehoming of vast numbers of the poorest families out of inner-city slums into the ‘fresher air’ of the new housing estate; arguably the highest annual delivery of new homes we have seen in this country. However, what happened next was cheap system-building, often corrupt procurement, the ‘vertical slums’ that were poorly constructed and often equally poorly managed, leading to isolation and crime, that and were a far cry from the neighbourliness and family life they promised.

We have learnt from these mistakes. Over more recent decades, new affordable housing has often been built by housing associations and councils to higher space and design standards than much of the housing for sale that this Commission has seen. As landlords, housing associations and councils have a long-term stake in these places and a commitment to the people living there, to offer the best quality of life they can. However, the severe shortage means that opportunistic developers can abuse permitted development rights to produce accommodation of the lowest quality to house those with no alternative. As the TCPA’s Raynsford Review pointed out, there is no beauty in a child having to use a car park as a play area or being housed in a glorified shipping container next to a flyover, on the argument that it is better than nothing. We believe that all homes – new build or conversions – should meet minimum standards for space, amenity and comfort, as well as the safety of the people that live there.

Respect for heritage. Planning disputes at the local level make clear how important heritage has become in the thinking of residents. The character of a place, like that of a human being, develops across time, and the older buildings of a place endow its character with a depth and complexity that it is difficult to achieve in developments built from scratch. This was poignantly demonstrated in the recent redevelopment of King's Cross, where the ingenious re-use of old industrial buildings anchors a fashionable new metropolitan district in memories of the hardship and ingenuity of its Victorian residents. Jonathan Falkingham of developers Urban Splash told us:

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

Respect for heritage is intimately linked to local distinctiveness. Some areas of England have easily accessible sources of stone, like the grey limestone of the Cotswolds and the blond or red sandstones used in parts of Lancashire. Other parts have distinctive clays, yielding the silvery bricks of Cambridgeshire, the yellow stock of London and the shiny blue textures familiar in Staffordshire. Houses in the South-West and some areas of the Borders are typically stuccoed, while in other parts of the country brick is usually left uncovered. These local materials and building traditions give each region of Britain an architectural *character*, what Alec Clifton-Taylor famously called the 'pattern of England'. They make it somewhere rather than anywhere: a row of stuccoed houses painted in cheerful pastel shades could only be in Cornwall, just as a house of knapped flint with red-brick dressings could only be in Norfolk.

Sensitivity to this local distinctiveness has been championed in several important recent publications, including the Design Council, Home Builders Federation and Design for Homes *Building for Life*, the Commission for Architecture and the Built Environment's *Councillor's Guide to Urban Design* and the RIBA's *Places Where People Want to Live*. Many fascinating examples of how to achieve it were given in *Distinctively Local*, a guide recently issued by four of the UK's leading residential architecture practices. But this sensitivity is often lacking from recent housing developments, which tend to feature the ubiquitous PVC windows and extruded brick facades, while commercial buildings still tend to revert to the 'glass box' model. We need to ensure that new buildings are sensitive to what has gone before, so that they deepen and enrich the characters of our settlements rather than ignoring and defacing them. In their response to the Interim Report, Historic England put this point well:

‘It is vitally important that the development of places is built on a foundation of understanding what is already there. It only by understanding a place that you are able to shape it in ways that respects and enhances local character and distinctiveness.’

Respect for nature. Respect for heritage goes hand in hand with a sensitivity to the landscape and natural environment, something that is again often lacking in new developments. Where the landscape is steeply angled, with amphitheatres and ridges, the urban texture may follow the natural contours, as in Bath, where the limestone terraces outline the escarpment to spectacular effect. When a settlement is approached across wetlands and meadows, a settlement may have a serene and comforting appearance, as with the traditional villages of the fens. In our most loved places, the waterways weave the town and the countryside together and there is a soft and permeable border between buildings and the fields that encroach on them.

All this is appreciated not only for its beauty but also for the way in which, in a town or village rich in street trees, green spaces and garden enclosures, birds and bees find a habitat side by side with people. We have opted for developments that take note of our commitment under international agreements to lower and cleaner energy, and that respond to urgent concerns about air quality, water resources, biodiversity and other ways in which the town succeeds or fails as an ecosystem in relation to the surrounding country. This point was made eloquently by the Green Building Council in their submission:

‘Any definition of beauty should reflect the fundamental role of nature’s beauty in the built environment, which is an idea that has deep roots in culture and society.’

Respecting communities’ aspirations. Although it is no part of the Commission’s work to advocate any particular style, it is nevertheless true that people have strong visual preferences which are by no means arbitrary and which must in general be respected, since they feed into the popular feeling for beauty. This was stated perfectly by the Heritage Alliance in their response to our Interim Report:

‘The core of any place value is in the appreciation of the communities living there, in their perception of what constitutes the place’s uniqueness, character, heritage and meaningfulness.’

People are attached to local materials and to vernacular ways of building that have inserted themselves comfortably into the landscape. Visual preference research is of the first importance, and design codes should take note of this research. As Ben Page, chief executive of Ipsos MORI concluded in his evidence to us:

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

Visual preferences are not isolated from the rest of human well-being. There is a growing body of research into the impact of contemporary ways of building on physical and psychological health, revealing a striking correlation between ugliness and mental health problems. This research informs our proposals, and we summarise it in our proposals in Part II.

Stewardship. The most beautiful neighbourhood can swiftly be ruined if it goes uncared for and unmaintained. Respublica’s 2015 research in collaboration with Ipsos MORI found that the three things that British people considered to be most important in making a local area beautiful are less litter, less vandalism, graffiti and crime, and fewer run-down buildings. Public spaces that look derelict or uncared for tend to be abandoned by local people, creating a downward spiral that compromises other kinds of beauty too. A model of stewardship needs to be developed that will ensure that properly resourced bodies take responsibility for maintaining public spaces and looking after the overall appearance of neighbourhoods.

Democracy. Finally, people want a voice in deciding what should be built – how the scheme looks, where it is, what quantity of houses it involves, and whether it is an enhancement of or a detraction from the surroundings. We should be offering the public a voice in planning decisions from the very beginning of the planning process, and with a view to adapting the result to the needs and desires of the local community, both existing and incoming. People want exactly what our Commission has to examine how to provide, which is the confidence that new developments will add to the beauty and

character of the place that is theirs. And they want the opportunity to see that this is so, and to share in the attempt to make it so. The RTPI echoed the words of many of those we have spoken to in its submission:

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

However, we should also recognise that people are often reluctant to voice their opinion, and that they may depend on others to define and articulate the problem. Indeed, many people esteem the planning system precisely because it frees them from the burdensome life of protest. We should not have had to think about this, they say, when asked to add their voice to a planning dispute that concerns them. Aren’t the planners there to protect our interests? As Demos noted in their response to our interim report:

‘Discussions may be dominated by those who have more time and resources to invest in them, who have more social capital or higher social status, who appear more confident, or are from dominant groups and so are not the subjects of prejudice.’

In drafting our proposals, therefore, we have stressed that the planning process must be both open to the broadest possible public involvement, as well as being able to represent the public interest even when local engagement is hesitant or absent. Demos recent report, *People Powered Planning*, contains many important points that policy makers should consider here.

All those aspects can be summarised under the heading of ‘place’, and the questions why they belong together, and what in human nature grounds the demand for them, are absolutely fundamental to our enquiry, even though beyond our terms of reference. The Congress for the New Urbanism raises these questions, and they have a long history too in the literature of town planning, not to speak of the ancient philosophy of the *polis* and the *urbs*. We need to introduce the public to the idea of urbanism and what it means, and why it has become such an urgent question in our times, not here only, but all across the world.

5. What should be done?

We wish to engender a renaissance of civic pride and revitalise the great tradition of civic involvement. Our proposals are designed to fulfil the three goals that we have set ourselves:

- To ask for beauty and ensure that new developments are beautiful places where people want to live and can flourish;
- To free people from the blight of ugliness by regenerating derelict and damaged places; and
- To ensure long-term stewardship of our built heritage and of the natural environment in which it is placed.

Emerging from our extensive programme of visits, round tables and working groups, we have evolved eight broad suggested areas of change and 45 specific policy proposals. We believe that these can answer popular discontent with new developments and incentivise a new and sustainable planning culture, that will enjoy the consent of all the interests involved.

Planning: create a predictable level playing field. The legal provisions embedded in the planning system do not place sufficient weight on beauty and placemaking. The National Planning Policy Framework (NPPF) sets out general aspirations to create attractive places, but does not effectively require that those aspirations be met. There is only an inadequate history of cases to show how such a demand could be incorporated into the planning process. In our policy proposals, therefore, we argue for the requisite statutory changes. Critically, the NPPF needs to be tightened, so that ugliness is excluded. At present there are many references to the benefits of ‘well-designed’ developments, but the critical paragraph that sets out where refusal is justified (§130) only says that ‘poorly designed’ schemes should be refused. As the Planning Officers Society put it to us:

‘Currently [the NPPF] sets out that councils should refuse bad design, which implies mediocre design should be accepted. Wording should be stronger to set out that councils should resist design which is not good.’

The NPPF should be defining a ‘duty of visual enhancement’. How to do this must be carefully considered, and we make suggestions in Part II below. In general, policies relating to overall design, infrastructure and placemaking must be more prescriptive.

It is regrettable but true that planners and local governments have accepted ways of building that dehumanize the places where they occur. Many of the ugly templates that are casually reproduced in our cities and industrial estates were not achievable a hundred years ago, when bricks and mortar

were the primary structural materials. Sheds, boxes, glass screens and envelopes are easily produced and have replaced the old functional, long-lasting and well-mannered archetypes. The result is there for all to see: buildings that stand without coherent relation to neighbouring structures, that are neither durable nor beautiful and which are therefore destined for dereliction. Such buildings are not truly functional either, and certainly not functional in the conditions that our environmental requirements are now calling for. We make suggestions concerning the practice and education of those who are best placed to address this problem.



Welcome to Swindon

Communities: bring the democracy forwards. The overwhelming consensus emerging from evidence is that citizen involvement comes too late in the planning process to effect anything more than a small adjustment, and that there is an unacceptable uncertainty built into the process, due to the multiplicity of planning briefs and the short timescale over which they apply. The local plan must put beauty and placemaking at the very front of any proposed development process, *from the first allocation of land* and prior to any planning application.

The local plan examination process should allow a choice between competing proposals. At present objectors can only appear to criticise a plan and cannot promote a better one. We should encourage a creative dialogue between the community, the planners and the developers, from the outset.

Before planning applications of strategic scale are made, the existing community should, if possible, play a part in choosing the overall design or masterplan, perhaps through the Enquiry by Design process involving charrettes, or through the Australian model of planning juries, composed from people chosen from the electoral roll. The detail will come once we have accepted the principle, though considerations of cost here are all-important and we should remember that some of the greatest aesthetic offenses have been committed in places where there is no resident community to oppose them (for instance the Walkie-Talkie building in the City of London). It should be noted that, at present, there is no demand that development proposals should be competitive. The developer who has acquired the land is the only one to put in a proposal. The charrette process enables real choices to be made, within the broad framework specified by the commercial interests involved. The planning officers would lay down constraints, notably the requirement to conserve local character and to respect the established vernacular of the region.

The statutory consultees (Highways England, Natural England, Historic England, service providers, archaeology experts etc.) should be brought in at this initial stage, so as to facilitate the planning process. An analysis of what is involved in placemaking, and how it can be asked for, forms the background to our report, relying on the evidence presented by the Place Alliance, the Prince's Foundation and the many other entities that have undertaken research into the matter in recent years. Once a decision has been made as to the conditions that will ensure the beauty of any finished development, this should be incorporated into a fast track to planning permission, so incentivising the developer to bear the costs of this process.

Building codes should normally form part of what issues from such a process, as at Nansledan and Faversham. The Ministry of Housing, Communities and Local Government has begun work on a national model design code, which we welcome below. However, it must be tolerant of and encouraging of local forms. As the RTPI put it in their response to our Interim Report:

'One of the best ways for achieving quality design in more major schemes has been to use design codes. [...] design codes are most successful if they: are evidence based (as for any other planning policy or guidance); are very localised; are drafted by urban designers or architects (depending on their content); and use clear language.'

We note the existence of contrasting local codes, and notably of the excellent *Cotswold Design Guide*, the purpose of which is to encourage sympathetic housing in one of the most aesthetically sensitive areas of

the country. Public confidence in the planning process would surely be enhanced by the knowledge that, whatever is built, must conform to those features of the local urban fabric that have proved durable and lovable to the people who live with them. Moreover, the patient work of Jan Gehl and others has shown that the heart of a building code is not the stylistic detail, nor even the choice of materials, but the massing, the spatial layout and the skylines, rooflines and enclosures thereby created. The unsightliness of the 'build by units' business model has a lot to do with the gaps between the houses, the ghost-filled partial enclosures which give no usable space and force the houses to stand apart like prisoners on parade. The first principle of placemaking is enclosure, followed by frontage, scale and skyline. The *Essex Design Guide* is instructive in this respect and ought to be studied by all planners and developers. Although we heard criticisms of this code from architects working in Essex, there seemed to be a general agreement that there is a need for such a thing, and that codes should be specific to the counties or regions where they are applied, taking into account the inherited character of the existing urban fabric, and the local ways of fitting into the landscape or enhancing its topological potential.

The importance of design codes will surely increase under the impact of modular building. A design code that answers elementary questions about windows, doors, texture, height, roofscape and skyline will bring certainty to builders who have found a way to assemble the necessary parts off-site, and allow them to apply their skills to the other and more flexible aspects of placemaking. Our conversations with modular builders suggest that some would welcome this, as a simplification of their task. Modular building can be, and sometimes has been, misused to create bland, clumsy and placeless buildings. There is modular ugliness as well as modular beauty. However, employed as a way of following a thoughtful design code at reduced cost and with some variety, modular building need not be different from the practice followed in Edinburgh New Town and Notting Hill Gate, or the ex-warehouses of downtown Manhattan⁴. That is certainly the view of some developers. To those who criticise the result as 'pastiche' the response is surely yes, in just the way that Georgian London is a pastiche.

Design codes might also serve an important function in citizen-led densification. We consider a proposal for the voluntary densification of the suburbs, according to which streets are allowed to give themselves rights to extend or replace existing buildings, within certain limits. This procedure could enhance existing neighbourhoods by allowing them to evolve from suburban sprawl to traditional European urbanism. Residents would also be required to agree to a design code, so that each of them could have confidence that any changes their neighbours might make would harmonise. We consider the options below.

Stewardship: incentivise responsibility to the future. We must move from short-term profit at the cost of beauty to long-term investment, with beauty as the goal. This means moving from the ‘build by unit’ model to the ‘patient capital’ model, in which the reward is deferred, but also augmented by the added value conferred on the individual house by the urban fabric into which it is woven. To achieve this, we will often need a masterplan, and a master developer, who retains control of the whole, and whose interest is in the uplift of value that comes from beauty and placemaking. The master developer’s mind is the controlling mind, and once he or she has possession of the land the interest is in building out, since it is only when the scheme is completed that the full value of the plans can be realised. This was the model followed by the great estates in London, Edinburgh and elsewhere, and is responsible for their adaptability, longevity and charm. It is also, as our research establishes, one way to achieve a reliable uplift in land value, while financing the aspects of placemaking that have no economic interest for the one who builds for an immediate sale.

Landowner-legacy procedure, as with covenanted land, can achieve this result. But it depends on a landowner with an incentive to produce a lastingly beautiful development, whether as owner of adjoining land, or as trustee for a family in long-term possession. We need a new planning process that makes that kind of stewardship into the norm, even when there is, at the outset, no single landowner to undertake the master developer role. We need to define procedures for assembling land for development prior to building, comparable to the ‘pooling’ procedures adopted in Germany, in which landowners share the risk and act as a single body. We also need procedures for exerting guardianship over the entire process, not allowing individual plots to slip from the master developer’s hand.

In addition to the controlling mind, we need developers with the skill-sets required to build integral places, in which landscaping, road and street-layout, varied building types, and the choice of materials can all be composed into the result. The model now should be new places, not edge of town extensions. Our remit refers to ‘garden villages’, though many take exception to this phrase, as simply being a whitewash for the ‘build by units’ model.

We recommend the creation of a ‘stewardship kitemark’ which can end tax disincentives to a long-term approach and possibly give access to longer term finance and more potential for ‘gap funding’ of a kind that is currently restricted by EU regulations. More work is required on precisely how this might function. The ideal would be place-specific partnerships, in which local people and civic leaders are involved, supported but not controlled by local government and, in the case of large developments and garden villages, able to draw on government funding. We address this question through our specific proposals.

One thing is clear, and made clear also by Sir Oliver Letwin's recent report on Building Out, which is that we cannot make viable and sustainable places if we do not include in the plan a diversity of building types, and a diversity of tenures. The stewardship model, which involves investing in the land as equity, facilitates this, by making long-term finance available for infrastructure and enabling build out by a variety of developers. It offers a clear scope for the build-to-rent sector, whether or not involving the production of affordable housing together with opportunities for new forms of tenure and specialist homes. It can also facilitate the introduction of site-specific codes responsive to the local vernacular and to popular preference. The stewardship model will also remove the motive to negotiate down the commitment to beauty, once planning permission has been granted. These matters are again in issue throughout our proposals.

However, there are difficulties in the way of achieving a stewardship model, arising at both the central and the local level of decision-making. For example, taxation policies incentivise taking uplift in land-value at the outset rather than along the way. We discuss these matters in our proposals, and advocate reforms that will create a neutral taxation system, in which there is no advantage, as at present, bestowed on the 'build by units' model.

We note that the current requirement for a five-year land supply is entirely inadequate for the planning required by placemaking and that a longer possibly 30-year strategic plan might have to be in place if the stewardship model is to be effective. Moreover, this can be effectively managed only at the higher than local level, and we recommend the involvement at the county, unitary or mayoralty level in order to achieve the necessary scale.

Regeneration: end the scandal of left-behind places. Many towns in our country that were dignified and flourishing places have declined into no-places, with derelict or semi-derelict areas, streets with unsightly gaps in them, and disused or abandoned public buildings: in short, collections of brownfield sites, ripe for restoration or redevelopment. Often the cause of this decline is economic: the death of a crucial local industry, or the decline of a skilled workforce. But it has aesthetic causes too: ugliness and dereliction drive young people away and taint the image of local businesses.

There is a vicious circle here, and it is accelerated by VAT and other provisions, which incentivise new build over restoration, so discouraging developers from taking an interest in these abandoned places, while putting them beyond the resources of local councils or conservation societies.



Who will save Devizes Assizes Court?

Among our specific proposals, we advocate radical reform of the VAT provisions so as to remove the incentive favouring new-build over re-use when it comes to discarded buildings. Such reforms will bring to an end the unnecessary and ecologically unacceptable destruction of adaptable and durable buildings, and their replacement by short-lived glossy boxes. It ought to be a requirement of any successful planning application that the buildings proposed be adaptable to new uses, and of more interest than the purpose that temporarily requires them. The lesson in this connection of Paris, Liverpool and lower Manhattan should be learned.

The spread of abandoned places is one aspect of the decline of stewardship and local pride, and our Commission aims to counter this tendency through proposals that put placemaking and beauty first, so as to encourage a sense of belonging in the local community, and to catalyse civic involvement. We encourage local councils and civic groups to declare war on ugliness, and to combine to remove the blight of the boxlands – those concrete plazas with scattered shoebox structures that have no frontage on the street and are semi-derelict throughout their life. These should be replaced with liveable and adaptable streets, at great saving of space, thereby producing a properly woven urban fabric in which people walk between the places that are important to them. The war on ugliness should be extended to the high street, in which dignified frontages and understated shopfronts have been integral to the community's sense of place. We make proposals

for reforming the rating system and introducing more flexible tenures and uses, so ensuring that the high street can retain its traditional character, as an expression and affirmation of the identity of the town.

In all measures of regeneration, we should remember that there is a great imbalance between different regions when it comes to the finance released by new development. This is one reason why certain regions become left behind. Measures for the redistribution of the gains from development might be considered in this connection. For example, gains from development in the South East could be taxed by a Building Better Fund, to be redistributed to those regions, such as the North East, where the infrastructure needs for new developments and conscientious placemaking cannot be met from local receipts alone. There is scope here for central government involvement of a kind that would greatly benefit the regions that are suffering most. Again, we make proposals to address this matter.

In many areas, the decline of the urban fabric has been the inevitable result of post-war development by 'estates', in which unadaptable and unpopular urban forms were hastily, and dogmatically, erected in response to the prevailing housing shortage. There have been recent attempts at estate regeneration, with varying success. Identifying successful ways forward, including introducing mixed tenures, proper stewardship and fostering a sense of ownership among the residents should form a central part of a comprehensive housing policy. Four experienced architectural practices (HTA, Levitt Bernstein, PRP and Pollard Thomas Edwards) recently produced *Altered Estates*, a powerful report on regenerating social housing. It emphasizes that current practice has evolved in reaction to the 'modernist dogma' that was responsible for the post-war 'sink estates', and that we are seeing a return to traditional placemaking. The Report argues that design should:

'Begin with a process of "visible mending" – we look for the frayed edges of the pre-existing street pattern, which can often be discerned in the area surrounding an estate, and we supplement our observations with study of historic maps and photographs. When we are replacing an estate we then lay down a new network of streets – also parks and squares on larger projects – which connect up those frayed edges, so that the new blends seamlessly into its surroundings.'

The principles that guide placemaking will therefore be just as relevant to the renewal, improvement or replacement of the housing estates – above all the principle that residents and stakeholders should be brought into the planning process from the outset. But the special situation of housing estate

residents entails that they will participate only if they feel secure – only if they are sure that, at the end of the process, they will still have a roof over their head, and that any improvements will answer to their own sense of what is needed.

Neighbourhoods: create places not just houses. Our aim is to ensure that large developments in our country conform to the goal of placemaking, guaranteeing a long-term posture of stewardship and civic pride on the part of those who live in them. We cannot shift the agenda in this direction without taking a stance on new towns, originally proposed as ‘garden cities’ but now construed on the model of Stevenage, Harlow and Milton Keynes, as comprehensive developments, built to traditional densities and connected to the infrastructure needed for commercial success. We largely agree with the point made by many of those who responded to our interim report, that greenfield sites should be considered only when all brownfield alternatives have been exhausted. But we cannot achieve the amount of development that is currently required without, in some cases, creating new places, and we should draw, in this, on the experience of the garden cities and New Towns, following their example where they have been successful and avoiding or rectifying their mistakes.

There is much literature on the creation of new settlements, from Ebenezer Howard’s idealistic proposals for garden cities to the ‘Toolkit for Garden Towns’ recently issued by Homes England. In our view, the principles that we advance in this report apply to new towns as they apply to other and smaller schemes. The concept of stewardship that we advance through our proposals should be extended to cases where land must be assembled according to a masterplan that transcends local government boundaries and calls on the powers and the expertise of central government.

Although the TCPA has issued important suggestions and guidelines that point the way to a future consideration of what is involved, the issue of who initiates a new town, and who oversees the masterplanning that will be needed, have not been seriously addressed, at least since the planning of Milton Keynes, one of the last New Towns in our country. There is therefore a danger that large-scale developments will slip out of any kind of integrated control, to be constructed without reference to their beauty or other planning constraints. This is indeed what many fear we are seeing with the proposed Oxford-Cambridge Arc, in which new towns risk coming into being purely as spores thrown out by infrastructure, the by-products of road and rail communication. Infrastructure matters of course. Towns have always grown at crossroads. But we must also ask for beauty, refuse ugliness and promote stewardship.

The New HS2 Vent Shaft.

How do we integrate infrastructure with neighbourhoods?



The root cause of the problem is the disaggregation of tasks that has afflicted planning and development throughout recent decades. We have a National Infrastructure Commission (NIC) which some feel pays insufficient attention either to beauty or to placemaking. It came into being overnight, and yet seems to be the critical entity driving the creation of large-scale settlements to match those undertaken in the eras of the Garden Cities and the New Towns. We believe that the powers and procedures of the NIC should be reviewed and its proposals and approach shaped according to our three fundamental principles.

In the creation of new towns, the question of density is paramount. Milton Keynes covers an area twice the size of Florence, but contains half as many residents. We don't have spare land to play with in that car-dependent way, and some kind of 'gentle density' is what we must aim to achieve. By 'gentle density' we mean density that is achieved at street level and without presenting alien or impersonal structures that challenge the ordinary resident's sense of belonging. Tower blocks in cleared spaces do not necessarily achieve greater density than the terraced streets that they replace. For example, none of the post-war estates achieved the density of Pimlico or Notting Hill Gate. And certainly, the highest density square kilometres in Europe are not high-rise estates, but historic parts of Paris and Barcelona.

We have examined carefully the negative health and well-being data for high-rise estates, as well as the possibilities of adapting the buildings on those estates to other uses. As we note above, aesthetic standards are just as important in this context as elsewhere in the housing market – if anything more important, since many residents on the big estates do not have the ability to get up and go. Nevertheless, there is much evidence for the view that we will not normally achieve the kind of humane densification that we are looking for by 'building upwards' – evidence that has not always been taken into account in recent urban developments, especially in London and Bristol.⁵ We need to weave the ground-level fabric more closely, not to stretch it to the skies.

Nature: re-green our towns and cities. The traditional town, built around a church and a market square, and filtering in to those central places via highstreets and local backwaters, was a highly successful ecosystem, with waterways that flowed among the buildings and small parks and gardens that refreshed the air. The centrifugal city of high-rise buildings, surrounded by scattered suburbs and zoned industrial areas linked to the town by freeways, is the opposite of that. Recent research has demonstrated the cost in terms of health and environmental sustainability of this second kind of layout, and everything we recommend is aimed at a return to the old centripetal concept of place⁶. We should be emphasizing walkability, and the need for people to feel at home in the streets and

squares of the city. We should recognise the social, environmental and economic cost of out-of-town shopping and leisure facilities, and strive to bring back into the centre the many functions that a town performs in the life of its residents, including residence itself. All this we have aimed to build into a revitalisation programme for the high street.

The government should commit to an environmental programme aimed specifically at the urban context, involving the planting of two million street trees over five years, the improvement of waterways and air quality, and the intelligent use of green spaces. A multiplicity of green spaces that are small, but frequented and cared for is preferable to a single large but neglected park, and a national policy should be developed to encourage the emergence of green spaces of the former kind, such as were provided by the garden squares of London in the early 19th century. The greening of the city should involve a systematic *weaving* of the natural world into the built world and with it a concern for the biodiversity of the entire area.

All this is connected with the question of density. Our proposals are designed to promote 'gentle density', in which homes are more closely placed in the townscape than at present, but without negating the environmental benefits of lower emissions, frequent small-scale greenery and pleasant views across streets patrolled by sunlight.

The Tudor Walters Report of 1918 argued for slum clearance, and the replacement of dense housing schemes with suburban developments at a density no greater than 30 units per hectare. The massive consumption of countryside that this entailed led to the foundation of the Council for the Preservation (subsequently Protection) of Rural England in 1926, and the pressure of opinion today is now in the opposite direction.

Education: promote a wider understanding of placemaking. There has been a great divorce in recent times between what the general public have appreciated and sought by way of a place to be, and what architects, developers and, often, planners have provided.⁷



The first study into the disconnect between architecture and non-architecture building preferences by David Halpern found that the consistently least popular of 12 buildings to non-architecture students was the most and second most popular among two groups of architecture students.

The disparity between popular taste and professional advocacy has many causes, not least the educational influence of the Modern Movement, as guided by Le Corbusier, the Bauhaus and the Russian constructivists. We admire much that they achieved. But they were a dominating force, whose influence far surpassed the reasons given in support of it. Their campaign against 'pastiche' and 'historicism' has intimidated planners and led to the uniform production of unadaptable boxes, supposedly expressive of the 'spirit of the age', rather than streets lined by neighbourly frontages and façades. This campaign has been conducted to similar effect all across Europe, though the tide is now turning, as witnessed in tendencies like Critical Regionalism and New Urbanism. Nevertheless, the evidence that the Commission received suggested that the education of planners, architects and other professionals often fails to give a sufficient grounding in empirical connections between built form and well-being, in public visual preferences, and in the art of integrating new buildings into the historic fabric of a settlement.

In the light of this we argue that the curriculum for planning and architecture qualifications should include much greater reference to what people have wanted and achieved, to the historical, architectural and settlement bequest of this country and to the development of popular involvement in the planning process. We have received no firmer support for this than that which we received from planning officers themselves. Responding to this section of our Interim Report, the Planning Officers Society said:

‘The Planning Officers Society strongly supports this and would urge the commission to engage with the RTPI so that any courses accredited to the RTPI should be heavily weighted on placemaking, history of architecture, urban design and the empirical links between design and well-being.’

Similarly, the RTPI argued that:

‘The teaching of urban design principles and practice on both architecture and planning courses could be strengthened, to increase an appreciation of context and sustainable development.’

It should no longer be assumed that the people are to be led by the architects and the planners, rather than the other way round. Several respondents argued that there should be more incentives to planners to pursue qualifications in urban design. We make suggestions to this effect in what follows. It is necessary too for planners to have knowledge of the broader questions of urbanism, and to be familiar with the research into health, well-being and visual preference which has entirely changed, for those familiar with it, the priorities involved in placemaking.

In some cases, local authorities need to draw on experts whom they cannot retain permanently. Design review, in which an independent team assesses an application and advises applicants and local authorities on how it might be improved, is an important way of providing this, and we support its use. We make recommendations regarding the use of design review, arguing that it should be based in empirical data on the links between built form and well-being, on a full understanding of the local natural and built environments and on clear evidence of local preferences emerging from the creation of local plans and supplementary planning documents. We also see the potential for an adjusted, more community-engaged design review process to be applied at the policy stage whether it be local plan or supplementary planning document.

In addition to requiring a high level of education for planners, we advocate a greater reward for achieving that and also propose a central fund on which they can draw when dealing with projects that transcend their local capacities.

Management: value planning, count happiness and procure properly. In general, we advocate an holistic approach to all large-scale developments, in which the rules are clear, the democratic deficit is overcome, and all relevant agencies and stakeholders are consulted and incorporated from the outset. Crucial in this is the attitude of Homes England, whose statutory powers and funding potential greatly influence the procurement of land and the stewardship of what is built on it. We make detailed proposals here, so as to bring the Homes England land sale process into line with the metrics of quality. The underlying principle here was put well by Victoria Hills, Chief Executive of the RTPI, at a Commission roundtable:

‘Procurement is important – don’t reward poor design, reward places that put good design at the heart of delivery.’

What we know concerning the preferences of people, and the effect of buildings on their health and happiness, should be factored in from the very outset, in every large-scale development. And the planning process must be re-engineered so as to overcome the delays and uncertainties that have deterred the kind of investment in house-building that is now needed.

Amalgamation is therefore a major item in any proposals to solve our problem: how are the developers and landowners put together, what should be the role of local government and, most importantly, what voice does the local community have in deciding the result? Prior to any development there should be an infrastructure plan, and highways and other statutory bodies should be brought into the discussion at the earliest stage. Aesthetic standards should be emphasised at the outset so that the cost of meeting them is factored into the price of the land, so preventing the current practice of undercutting rival bids for the land by stinting on beauty and character. And all this should be subject at the earliest stage to the voice of the people.

We should see planners as responding to that voice. Their task is to promote the values that matter to all of us – beauty and place – in a world where all such values are an obstacle to somebody’s profit. We advocate a cultural shift in favour of the planners, so that they will enjoy the rewards and the support that they need, in order to pursue their true mission of putting the shared need for beauty before the individual desire for gain.

There is much to be done to speed up the planning process, for example by digitisation. Uncertainty weighs heavily on the small builder and is also a deterrent to taking detail and placemaking as seriously as they should be taken. Moreover, there is much evidence that the quality of developments is scaled back after planning permission has been granted to reduce the costs to developers: so called 'value-engineering'. The RIBA addresses this problem in its publication 'Protecting Design Quality' and recommends Section 106 agreements which compel a developer to pay a 'Design Monitoring Contribution' for the assessment of work along the way as well as inspection prior to completion to ensure compliance. In this way, the developer has an incentive to continue to engage the original architect and in any case not to depart from the brief.

Whether that procedure will wholly rectify the problem remains doubtful however, and we recommend more robust penalties than exist at present for non-compliance. Planners must be encouraged to use their powers of enforcement and not to lose interest in a project once the initial consent has been given. They should be actively involved in reviewing not only the overall design of a development, but also its step-by-step realisation on the ground. We therefore advocate the regular recourse to the process of 'design review', in which planning authorities ask a panel of independents specialists to review a proposed development on its merits. The government's guidance on design, *Design: process and tools*, also recommends 'a strategy to maintain the original design intent and quality of significant schemes, such as by encouraging the retention of key design consultants... and using design review at appropriate intervals.'

A note on costs. The principal objection that will be raised to our proposals is that taking beauty seriously will raise the cost of the product and will therefore merely amplify the problem that the country faces, by reducing the supply of affordable housing. In reply we argue as follows:

Beauty is not necessarily costly. Joined-up terraces, proper squares and green spaces and so on might cost a little but people might also be prepared to pay for it. Properly integrated schemes for affordable housing have worked by locking affordability into the scheme from the outset, as with the Peabody estates and other Victorian initiatives, which saw beauty and affordability as inseparably connected, and whose estates have therefore stood the test of time.



New streets for people

On the other hand, to take beauty seriously may mean costly procedures, such as Enquiry by Design; it will mean involving architects and urbanists, and not merely to stick a plaster on the wounds; it will involve some changes to the house-builders' business model. Some of these processes will not come for free, but equally they may add more value over time. The extra cost, as long as it is anticipated, will also be assumed into the land price.

Looking at the matter more deeply however, we see that the objection is founded on a false estimate of costs, which ignores the costs that are externalised by the one who builds to lower standards. The real costs of shoddy building include the social costs of poor housing and non-existent facilities, the costs in terms of irritation, unhappiness and extended travel times. These costs are not borne by the developer, but inevitably the local community must pick them up in terms of raised taxation, social provisions, healthcare and so on. The evidence concerning the environmental, physical, social and psychological costs of our way of building is now immense and has been summarised in the Place Alliance's *Ladder of Quality* and the 2018 NHS report *Putting Health into Place*. A broader assessment shows that beauty *reduces* the overall cost of a development to the community. This is true even before taking into account the point noted above, that the

ugliness of new developments prompts local opposition to them, thereby delaying or impeding planning permission and exacerbating the national housing crisis.

We should not ignore the fact that new ways of modular building have made it easier and quicker (though not necessarily yet cheaper) to build attractive façades and street formations, as can be witnessed in many American towns such as Alexandria in Virginia. As noted above, many people object to modular building as heartlessly mechanical, and it is true that some modular buildings have been ugly and insensitive to their location. But earlier forms of modular building were normal procedure for our Georgian and Victorian ancestors when it came to windows, doors, frames and panelling, suggesting that, used properly, modular techniques ought to have a place within a humane building tradition. Used wisely, 3D printing will only increase this potential.

Finally, it should be remembered that we already require a great range of expensive things of developers, like minimum building standards, floor heights and room sizes. We have done this since at least the nineteenth century (see the influence of the Metropolitan Board of Works on housing in London or byelaw housing across England). It is perhaps true that if we did not do this, developers could produce houses more cheaply. But the case for these regulations is universally accepted. So, it is unclear why we should require that the buildings have a certain ceiling height, but not that they are attractive to the eye and landscaped into walkable neighbourhoods. The same broad questions of health and happiness are involved in both cases.

Living with Beauty

*Carefully chosen materials
can transform a facade*



Part II

Our recommendations



6. Planning: create a predictable level playing field

Ask for beauty. In the feedback to our interim report, the ideas that the planning system should ask for beauty and be able to refuse ugliness were the two proposals that most respondents felt would have the greatest impact. We consider them axiomatic. As one correspondent put it to us:

‘Everybody knows what’s ugly. Ugly buildings should be stopped most urgently.’

Unless our planning system is able to achieve this baseline, there is very little point to it.

We believe that a focus on beauty is a return to the early tradition of English town and country planning’s concern with health and well-being. It is also unfinished business from a 2008 amendment to the 2004 Planning and Compulsory Purchase Act.⁷ This amendment rightly embedded having ‘regard to the desirability of achieving good design’ within the planning system.⁸ We have concluded that there is immense scope at all levels of planning policy to give greater recognition to this duty.

Policy Proposition 1: ask for beauty. The National Planning Policy Framework (NPPF) defines the planning system’s purpose as ‘to contribute to the achievement of sustainable development.’

- a.** References to the importance of ‘placemaking’ and ‘the creation of beautiful places’ should be placed in chapter 2 as well as in chapter 12 of the NPPF, particularly in paragraphs 7 to 10, at the end of the first sentence of paragraph 17 and in paragraphs 72(c) on new settlement, 73 on buffers and 91 on green infrastructure. Beauty and placemaking should be strategic and cross-cutting themes.
- b.** References to ‘good design’ in the NPPF should be replaced with ‘good design and beautiful places’ particularly in the section on ‘achieving sustainable development’
- c.** Beauty and placemaking should be embedded more widely across relevant government strategies.⁹ They should also feature in relevant forthcoming government legislation, such as the Environment Bill.

- d. We have heard much support for the government's recent guidance document *Design: process and tools*, as well as its new *National Design Guide* (one public sector planner told us it 'would make things a lot easier'¹⁰). We warmly endorse both the *National Design Guide*'s aim – to illustrate 'how well-designed places that are beautiful, enduring and successful can be achieved in practice' – and its contents. We particularly commend its focus on character and identity.
- Local planning authorities should take up the strong encouragement in paragraph 34 to use the *National Design Guide* to prepare their own local plan policy, guidance and area-wide or site-specific codes in line with clear evidence of local preferences (see chapter 7).
 - Where relevant, a similar aim should be embedded in other planning policy guidance.
 - The *National Design Guide* could be improved further with even more emphasis and more visual explanation on façade quality and materials (the importance of elevational proportions, symmetry, window treatment, storey heights and a façade with both complexity and composure are not mentioned). The guide could illustrate more the importance of block size, type and structure (above all blocks with clear backs and fronts and the way in which houses face the street so that boundaries contain façades). The guide could also focus more on height to width (or enclosure) ratio and street proportions, grain and plot size and effective ways to meet the challenges of parking provision. It should contain even more on street trees and the need for a hierarchy of public squares, streets and green spaces.¹¹
- e. Paragraph 79e of the NPPF states that planning permission can be given for isolated houses in the countryside where design is 'truly outstanding or innovative'. This opens a loophole for designs that are not outstanding but that are in some way innovative in these precious sites. The words 'or innovative' should be removed. In cases like these, we should always insist on outstanding quality.

Policy proposition 2: expect net gain not just ‘no net harm.’ The planning system operates on the principle of minimising harm. The important paragraph 130 of the NPPF should be reworded to say:

‘Development that is not well designed should be refused. Well-designed development will take the opportunities available for improving the character and quality of an area and the way it functions, be properly served by infrastructure and will contribute towards meeting the needs of the wider community. It will also take into account...’

Policy Proposition 3: say no to ugliness. We have found good examples of schemes being turned down by the Planning Inspectorate on well-argued design grounds after developers appealed against rulings from local authorities.¹²

Such examples should be publicised, celebrated and used to encourage beautiful and popular placemaking and they should encourage neighbourhoods or local media to argue for less unpleasant development. Local planning authorities should feel the full support of government when they reject ugliness. Government and the Planning Inspectorate should have a consistent message about placemaking.

Policy Proposition 4: discover beauty locally. Local authorities, neighbourhood forums and parishes should be strongly encouraged to embed the national requirement for beauty and placemaking from the outset, before any decisions are made about allocating land or making development control decisions. What beauty means and the local ‘spirit of place’ should be discovered and defined empirically and visually by surveying local views on objective criteria as well as from deliberative engagement with the wider local population. Where appropriate, more detailed design codes should also be included in local plan documents, supplementary planning documents or neighbourhood plans. (See policy proposition 6 for more details).

These local codes should be living documents, able gradually to evolve, informed by ongoing engagement with residents on local preferences and desires. (See policy proposition 12). To affect this, the ‘achieving well-designed places’ section of the NPPF should, at paragraph 125, be more specific about what level of design detail is required and how local preferences are empirically understood. Paragraph 127 is helpful in defining some characteristics of good design. A requirement to apply this approach to policy for allocated sites would take it a step further.

‘Upstreaming’ planning to create a level playing field. Our system places too much focus on development control and not enough on plan-making. As one very experienced London official put it to us:

‘I was brainwashed into the world of thinking that development control is planning but it isn’t. The plan-making exercise has been marginalised.’¹³

Planning inspectors have suggested to us that there is considerable scope to improve the clarity of design policy in Local Plans. Policy in plan documents tends to be ‘too general.’ As a result, it often fails to provide the policy base for more area-specific supplementary planning documents and neighbourhood plans, as well as failing to support those who have responsibility for determining planning applications.

Some have argued to us that this can be achieved within the existing framework. (‘We’ve already got the tools – we just don’t use them.’¹⁴) Nevertheless, we have not been persuaded that the policy approach currently being taken provides sufficient ‘hooks’ to ensure that we are creating beautiful places, as opposed to just churning out homes by the boxload.

We need a clearer approach, so as to reduce planning risk and assist small firms, self-build, custom-build, community land trusts and other market entrants and innovators. The National Federation of Builders told us that:

‘99 per cent of housebuilders win work on reputation and build for their community and customers. 99 per cent of houses are not built this way. We need to work out ways to support those who are doing, and consistently have done, the right thing.’

We are not quite so pessimistic about current standards in the sector, but the basic point here is absolutely right. Competition among developers will encourage them to respond to human preferences within a more predictable planning framework (though without losing popular involvement – a subject to which we return to in chapter 7). A more strategic approach to the allocation of sites and a more predictable design policy and standards) are therefore necessary.

The way sites are allocated. There is little doubt that the location of new development has a considerable impact on whether a beautiful outcome can be achieved. Transport, utility and social infrastructure are fundamental components of placemaking. The adoption of a vision for a local district should allow a move away from calls for sites as a basis for allocation, to a more coherent, sustainable approach based on an analysis of opportunities and constraints.

At present, some local councils are too reactive in their process for deciding where homes should go. A 'call for sites' typically leads to an allocation of land for housing where the landowner is willing to develop. It is absolutely right to take account of the potential for land to be 'brought forward.' However, opportunities to develop well-designed new places sometimes get lost at the beginning of the process. Instead, planning should proactively look at how places can grow sustainably. Councils should be encouraged to masterplan for new and extended places and zone for possible intensification of use. (But, as a point of principle, they should do so in the light of empirical evidence of what people want and the relationships between design and urban form). Clearer master plans and firmer guidance as to what is (and is not) possible would set greater clarity for land values and guide future development. Improvements in geospatial and market data is making this easier to achieve. Beautiful development is also less likely to require subterfuge: it need not be hidden within the folds of a landscape but can enhance it.

In parallel, policy should also be clearer about how the planning of allocated sites should proceed following the adoption of the local plan and the design codes as set out below. Only by being clearer about quality can it 'compete' with quantity in the planning process. As one senior planning consultant put it to us: 'we have a planning system that lacks certainty... if the premise of the system is a plan-led system... we don't have plans.'¹⁵

Policy Proposition 5: masterplan, don't plan by appeal. Local planning authorities should be encouraged to take a more strategic and less reactive approach to their local plans. Steps to incorporate this would include:

- *More clarity on what and where.* The 'plan-making' section of the NPPF should make it clear in paragraph 16 that plan proposals should provide a clear indication of the scale and design features of development that is proposed, particularly on strategic sites. This could be elaborated in paragraph 23 (which deals with broad locations for development) and in the 'non-strategic policies' section in paragraphs 28-30. The soundness test in paragraph 35 should be reworded to read 'd) consistent with national policy – enabling the delivery of sustainable development, including the creation of beautiful places..¹⁶;
- *Thinking more broadly about optimisation.* We recommend the addition of text in paragraph 123 of the NPPF on the importance of area-based masterplanning in assessing and meeting the need to optimise, whilst also creating beautiful places. The piecemeal site by site approach leads to poor outcomes.
- *A process review.* We recommend a review of the way in which sites are identified including the 'call for sites' process. The review should consider which process changes could reduce the adversarial consequences of the current approach, reduce the resource-pressure on local authorities and better encourage 'the right growth in the right place.'
- *A timescale review.* It takes too long to prepare local plans, supplementary planning documents and area action plans. We recommend a detailed review of how the process of creating local plans can be speeded up. Ultimately, local plans should be quicker to write and 'living documents' which can be updated more readily when circumstances change.
- *Thinking long-term as well as medium-term.* We understand and respect why the government has increased the focus on five-year land supply. This has had the very welcome consequence of obliging councils to have local plans in place. However, a longer time frame is necessary when thinking about new settlements, urban extensions and infrastructure investment. We recommend that the phrase 'within the context of a longer 30-year vision is' added to paragraph 22 of the NPPF.

Throughout, local government should be encouraged and aided to make better use of improving geospatial and market data in achieving this. (See policy proposition 37)

The design approach to allocated or zoned sites. Our working group focusing on planning has assessed the National Planning Policy Framework (NPPF) and associated guidance. There is growing national government encouragement to incorporate more specific design policy in local plans. However, there is less evidence of it being applied on the ground. We have therefore considered opportunities to strengthen policy and guidance, and have been bolstered in doing this by the widespread support we have found for our Interim Report's recommendation that:

'Local authorities must feel empowered more confidently, publicly, visually, quantitatively and strategically to define the form, density and standards of development that are (or are not) possible in specific areas.'

Private sector planners, local authority planners, housebuilders and planning inspectors have all supported this proposal. One local official wrote to us:

*'Local plans should shift in focus from making allocations based on specific land use to more "form-based" approaches, which set out what kind of urban form and general intensity is suitable for a site.'*¹⁷

Although some planning authorities remain reluctant to go down the path of form-based codes, they are increasingly being used. Examples cited to us include the *Cotswold Design Guide* and the *London Plan* which was described as much clearer than most local authority equivalents.¹⁸ The London Borough of Southwark's *Old Kent Road Area Action Plan* has also been cited as providing detailed guidance on requirements for building typologies, height, materials and window openings.

Design or form-based codes are a set of illustrated design rules and requirements which instruct on the physical development of a site or area. They are more common in many other countries. There are now over 400 form-based codes in US and Canadian cities. Reviews of their use in the UK have concluded that they are very effective at improving the quality of new places.¹⁹



House types from Beauty in My Back Yard (BIMBY) framework

We should not assume that design codes are in themselves a panacea – certainly when they cannot be enforced, as we saw in our visit to Sherford. However, we are persuaded this is often the right approach. A more clearly and visually defined level playing field should permit a much greater range of small-to-medium-sized enterprises, self-builds, custom builds, community land trusts and other market entrants and innovators to act as developers within a more predictable planning framework. It would also remove a degree of speculation on negotiating down planning requirements to increase land values. Form-based codes should be local, should reflect local preferences, and be visual not verbal. They should always be based on empirical evidence on local preferences and desires. The National Trust's 2016 research project with Cheshire East Council is an important precedent. As they reported in their response to our Interim Report:

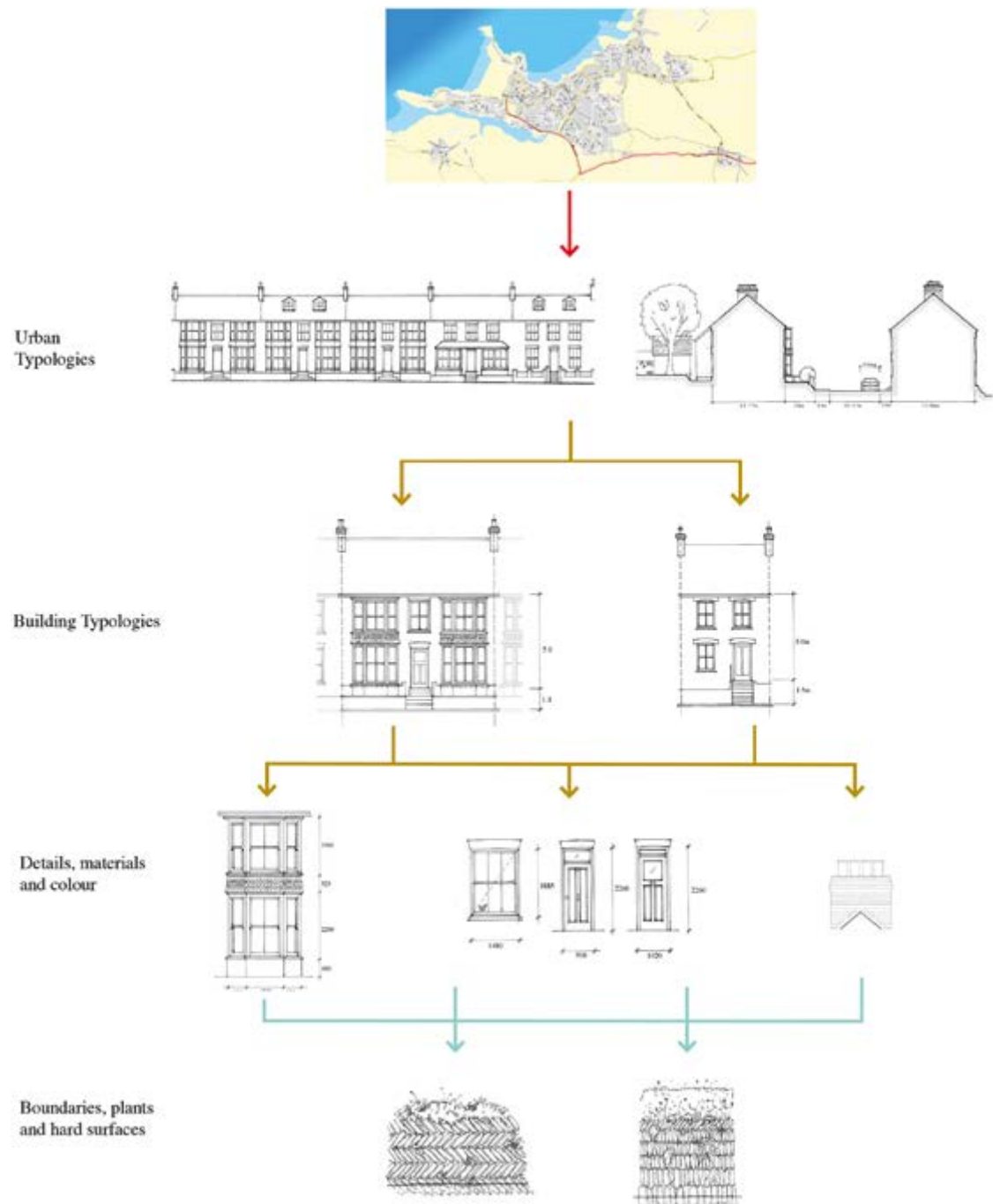
'We would welcome the prospect of other local areas undertaking similar exercises to understand what communities value about the unique beauty of their area, and in turn use this to shape how they wish to approach more sustainable, high quality and beautiful developments.'

We have heard different views on what types of coding intervention should be included in which documents and when and how they should be created. Different approaches may be appropriate for different sizes of site. We would expect to see more masterplanning work done at the allocation stage on a strategic site than on a small infill site. Options include:

1. ***Pre-allocation character appraisal, street typologies, materials and standards, based on a high-level design code at local, regional or national level, and incorporated into the local plan itself.*** This is the most prescriptive option but would provide a straightforward base for the planning application stage which could then be very much simplified. This approach will more appropriate in some situations than others.²⁰
2. ***A more general policy approach in the local plan with the more detailed master plan and street typology worked up via supplementary planning documents.*** The local plan policy would go beyond the encouragement of high-quality design to include a set of principles or criteria which could underpin more detailed site-specific work. This provides a more flexible basis for decision-making and allows for the possibility of relatively easy review if necessary. This must require a more rigorous process for the examination of supplementary planning documents.



A creative reinterpretation of the Victorian bay

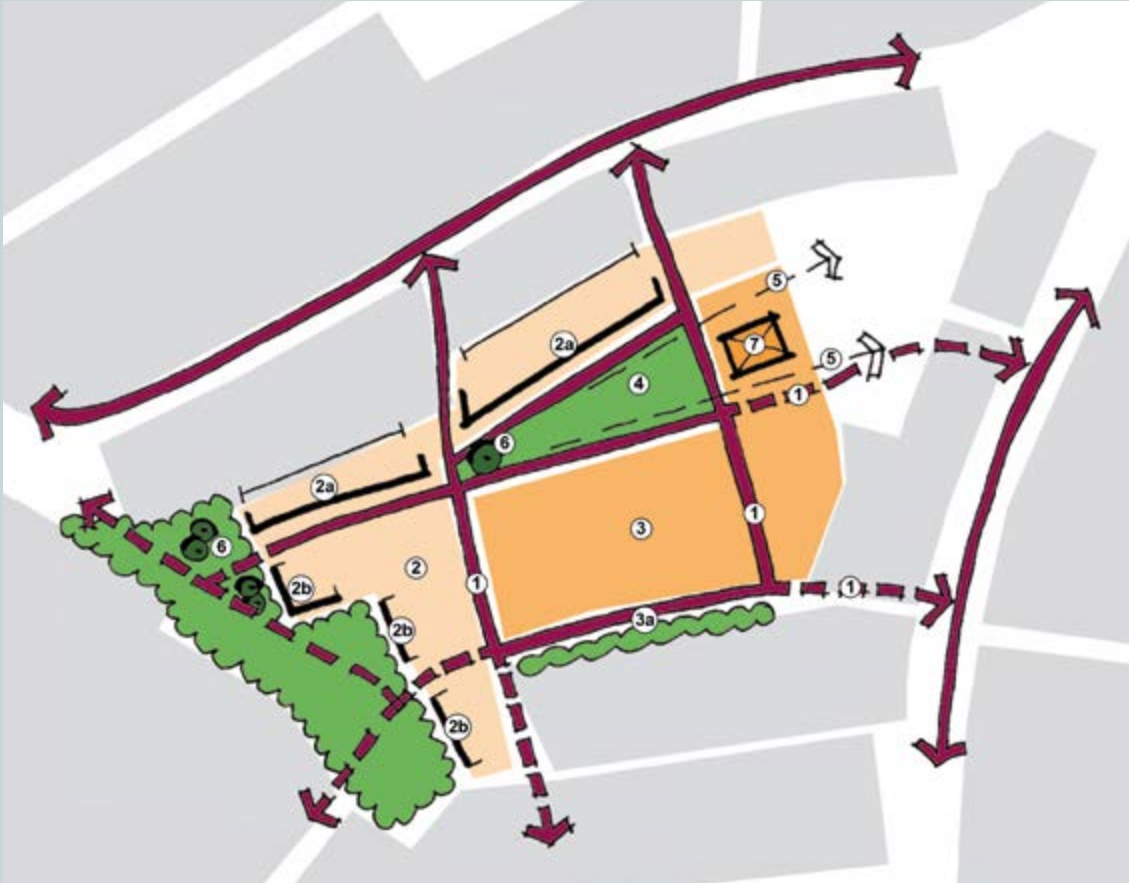


Example of a new development pattern book in Newquay, Cornwall

New homes in the timeless Cornish vernacular



3. *Co-ordinating codes incorporated into the local plan.* Professor Matthew Carmona has suggested a slimmed-down, very simple code to be used in the Planning in Principle process. These codes would focus on the four place issues that are common to almost all sites; community and land use, landscape setting, movement, and built form/massing issues. These would be illustrated through a simple plan graphic.



Co-ordinating code

We conclude that this approach should be incorporated into the local plan or in subsequent supplementary planning documents, based on a clear set of criteria in the local plan. The need and preparatory timescale for an area or site-specific Supplementary Planning Document should be clearly defined in the local plan.

Policy Proposition 6: use provably popular form-based codes. Local planning authorities should develop more detailed design policy interventions, such as provably popular form-based codes and pattern books, as a basis for considering planning applications.²¹ We believe that form-based codes and non-negotiable infrastructure including green infrastructure (as with the Community Infrastructure Levy) are often appropriate ways to embed quality in a popular and predictable way. In time, this should also help making some policies more machine-readable, so that we can use new technology efficiently to support the robust assessment of development quality. A series of changes to guidance documents would encourage this.

- The government's July 2019 guidance on plan-making in the 'What should a plan look like' section states that:

'Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interested parties about the nature and scale of development.'

This should be more specific, requiring a minimum level of detail.

- The local plan should apply the approach taken in the national planning practice guidance on design at the local level, reflecting local circumstances, by setting clear area-wide design criteria, and local planning authorities should consider adopting a co-ordinating code approach in the local plan, particularly for strategic sites. It should also define the requirement for masterplanned area action plans in order to coordinate development across sites in any defined growth area, as well as the application of a co-ordinating code or similar approach to allocated non-strategic sites. These should be prepared as supplementary planning documents or in Neighbourhood Plans prior to the commencement of any planning application process.
- Pages 23 to 28 of the government's July 2019 guidance on plan-making deal with the evidence required when preparing a local plan. Other than 'conservation and the historic environment' there is no section which deals with evidence that might support design policies, such as character assessment. This should be included.
- *The Town and Country Planning (Local Planning) (England) Regulations 2012* set out the legal requirements for local planning authorities when preparing local plans and supplementary planning documents. They specify their form and content very generally. There is no specific reference to design. There is scope to specify the minimum design policy level for different types of site.

- The government's *Design: process and tools* guidance gives helpful and positive advice to local planning authorities on design policy and its associated tools. It also provides useful advice on assessment frameworks, design review and effective community engagement on design. The 'What role can non-strategic policies play?' section refers specifically to the establishment of local and/or detailed design principles for an area, including design requirements for site specific allocations. The wording might however be strengthened to move from encouragement ('can') to something closer to requirement, ('should' or, in some circumstances, 'must').

Policy Proposition 7: localise the National Model Design Code. We support the government's proposal to publish a National Model Design Code, which will function as a template for local authorities to develop, their own codes in accordance with local needs and preferences and to support better urbanism and mixed use as described in policy proposition 27. The model code should include the following elements:

- *Design guidance relying on numbers, specifications and images more than words.* The model code should define the segments, ratios, façade patterns or cross-sections that make for popular and well-designed places. Local authorities would not be required to accept these definitions in their own codes, but they would form a template to help local planning authorities understand what they need to define. The national code should provide measured and illustrated exemplars of how all these good principles come together in street segments, public space segments, building and street patterns. These can be stylistically neutral and should take account of parking and servicing.
- *Guidance on what goes where.* A street hierarchy, and the difference between a good central, urban or suburban street (including levels of mixed use), needs to be set out and illustrated so that it is clear where different elements of guidance are most relevant in different types of place.
- *Guidance on scales of development.* The National Model Design Code should give examples of what is relevant for various scales of development so that local authorities are helped to be clear about what is (and is not) being scrutinised
- *Guidance on turning the The National Model Design Code into a local code.* The national code should contain a clear and straightforward suggested process to help turn it into local policy. This will need to include surveying local preferences empirically and should lay great weight on harmonising with local vernaculars.

A way to trial the approach might include only applying it to land allocated in the development plan, so that we can ensure the right development in the right place. Pilot design codes could initially be created deliberately in a community-led supplementary planning document. They might also be subject to a 'prior approval' procedure for layout and external appearance. In this way, beauty is used as a mechanism to shape, rather than prevent, development.

Fixing permitted development. As we explored in our Interim Report, the government has already made moves in the direction of travel outlined above. In the context of a system that was not working properly, and in responding to calls from the *Barker Review of Housing Supply*, and many developers, the government has endeavoured to streamline the planning system to be more quickly responsive to housing demand. Tools and processes introduced have included local development orders (LDOs), permission in principle (PiP) and permitted development rights (PDR). Some of these have been largely uncontentious (extending permitted development rights to larger back-garden extensions); some have been little-used (local planning authorities have used few LDOs in some cases because doing so would lead to the loss developer contributions through of Section 106 payments); and some have been relatively successful in driving up supply whilst also proving increasingly controversial in other respects. Most notably, permitted development rights for office to residential change of use has led to around 42,000 additional new homes over three years but also to much criticism for reducing quality, delivering lower levels of affordable housing and the lack of developer contributions. Town and country planning association (TCPA) President, Nick Raynsford, told us earlier this year that, 'some market players will produce slums, especially where no space standards are applied to permitted development.'

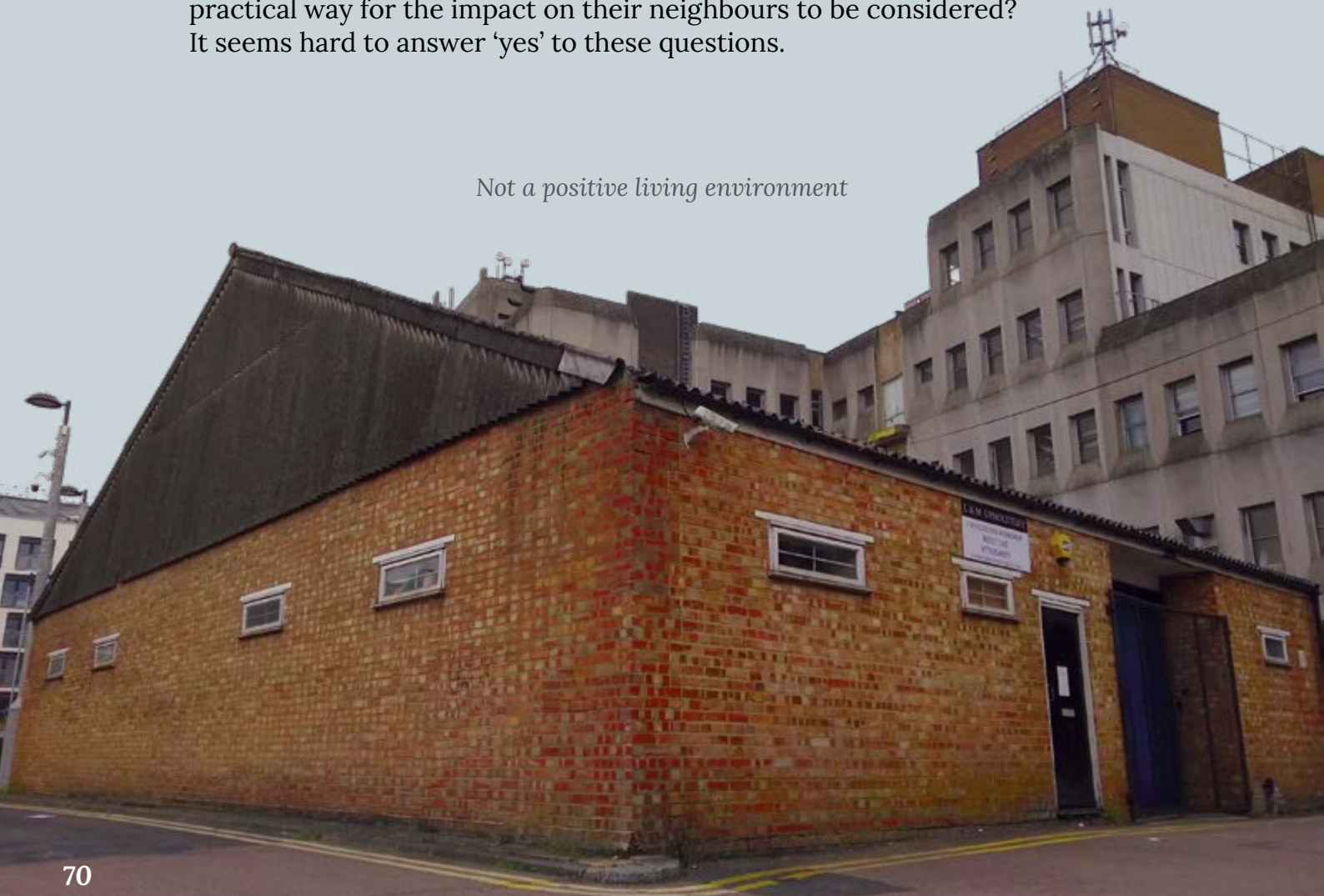
A Royal Institution of Chartered Surveyors (RICS) study of the extension of permitted development rights in just five local authorities found they may have lost £10.8m in planning obligations and 1,667 affordable housing units from approved conversions, as opposed to the more conventional planning permission route. (However, they also gained more homes). The report also criticised the small size of such new homes. They found that that just 31 per cent of the 1,085 permitted development homes examined in Croydon met national space standards. Only 14 per cent had access to private or communal amenity space.²² In some instances, we have inadvertently permissioned future slums. The recent decision of the planning inspector, on the ironically named Wellstones in Watford exemplifies this. He noted that, 'living without a window would not be a positive living environment'. However, he did not have grounds to refuse it.

In September 2019 the Secretary of State for Housing, Communities and Local Government also announced the government's intention to permit purpose-built blocks of flats initially and ultimately all detached properties to be extended upwards by up to two storeys via permitted development rights, rather than going through the traditional planning process.

There is a role for permitted development rights. Not all building work or changes of use necessarily require permission from the local government. However, there is a problem at present with how permitted development rights work in practice and the circumstances in which they are being used. It derives from a general planning permission granted by Parliament, rather than from permission granted by the local planning authority.²³ This means that only building regulations apply. And there are reduced 'betterment payments.' No contributions towards local social or physical infrastructure via negotiable Section 106 agreements apply. However, Community Infrastructure Levy is not increased to compensate for this and developments may well create costs for local authorities. We have thrown the baby out with the bathwater.

Do we want to be encouraging people to live within former offices on business parks miles from public transport? Do we think it is going to be politically tenable in two-storey metroland England for individual home-owners to extend their homes upwards by two storeys with no practical way for the impact on their neighbours to be considered? It seems hard to answer 'yes' to these questions.

Not a positive living environment



Policy Proposition 8: require permitted development rights to have standards. There is scope for targeted and carefully drafted use of permitted development rights to free up the delivery of new development, whilst ensuring it achieves better placemaking. But we are not there yet. One way to keep the supply-side advantages of permitted development rights but with some basic standards, would be to move minimum home or room sizes into building regulations.²⁴ This would prevent some of the worst excesses that have come to light in office to residential conversion. We support this but it is not enough.

The government should evolve a mechanism whereby meaningful local standards of design and placemaking can efficiently apply to permitted development rights. This is not possible at present under the current legal arrangement. It should be. Where it is appropriate, to build housing via permitted development rights or permission in principle should require strict adherence to a very clear (but limited) set of rules on betterment payment and design clearly set in the local plan, supplementary planning document or community code as set out above. If these rules are followed, then approval should be a matter of course. There are precedents for this. For example, permitted development rights for residential extensions requires matching materials.

The Commission recommends that adherence to established design guidance, coupled with a certification process, not unlike the Building Research Establishment Environmental Assessment Method ('BREEAM') but directed to the sense of place, is embedded into an overhauled 'prior approval' process. It is outside the scope of this report to undertake that drafting, but we consider it to be an important 'next step' following these recommendations

A fast track for beauty. We also believe that in order to incentivise more attractive and popular development, there are situations where it should be possible for developments which improve their local area to make more speedy progress through the planning system or to have their own special 'fast track for beauty.' For example, where a master developer has demonstrated their commitment to quality through the initial phases of a scheme in line with provably popular and pre-agreed standards and design codes then councils should be encouraged and aided to put in place local development order or permission in principle regimes which aid the more certain delivery of these homes. This would remove work from the council.

Policy Proposition 9: permit a fast track for beauty. If a robust design policy, which is based on community engagement and which has been properly examined, has been established, the detailed planning application stage should be relatively straightforward. The focus should be on compliance with the site-specific design policy, whether contained in the local plan or in a supplementary planning document.

Building on Policy Proposition 8, the Commission sees a role for both development management policy, permitted development rights and local development orders to increase delivery of development, both in speed and amount, where it can demonstrate the achievement of beauty through building in a way which aligns with, rather than opposing, the locally distinctive sense of place. In this way, developers should be incentivised to deliver, indeed actively promote, beauty through their schemes. We believe that more will be achieved through a system that rewards beauty than one that seeks to impose it by regulation.

Again, developing legislative and policy pathways to reward beauty, and place its achievement at an advantage, is an important 'next step' for the purposes of this report.

Ensuring enforcement. This approach, and the system more widely, needs to be accompanied by a greater probability of enforcement. We have encountered much evidence and concern that planning consent, once granted, is then simplified or weakened by the builders or by subsequent purchasers of the land. Planners and other professionals report that this is very hard for local authorities to prevent. The weakening in question is often in the quality of the design, particularly with cheaper materials. 'Value engineering' has frequently become a euphemism for poor materials and shoddy finishing. As participants put it in our round table discussions:

'Design quality is the easiest requirement to trim off to fit with budget as the scheme evolves.'

'You're in a very weak position to be able to insist on quality because it's already been permissioned, and you get asked – why is this not being delivered... It's very hard to insist on quality post-permission.'²⁵

Policy Proposition 10: ensure enforcement. Where masterplans or designs are approved, it is those schemes that should be built – not a diluted version down the line. There should be more efficient management of conditions applications, of alterations and a greater probability of enforcement, with stricter sanctions where necessary. Clearer, shorter, more visual local plans should help, but additional ways to achieve this which we recommend include:

- Encouraging specificity on issues such as materials in detailed planning applications.
- Supporting the use of centres of excellence to aid local planning authorities' enforcement teams.
- Strengthening enforcement penalties for a Breach of Conditions Notice from a maximum of £2,500 to perhaps ten times that. (Breach of Enforcement Notice is already unlimited). The Government should also consider permitting authorities to obtain proceeds from a Process of Crime Act order in relation to breach of condition notices.
- Tightening the approach and digitising the process of signing off the discharge conditions and regulating non-material and minor alterations. Might it be a requirement that building control sign-off cannot be achieved without adherence to design quality requirements?
- Involving enforcement teams in early discussions about the scheme. This would permit them to understand the relative priorities of members and officers, and the importance of the design features of a scheme. This appears to happen very rarely, if at all, at present.

We recognise that these suggestions make requirements on the capacity and the capabilities of local planning authorities. The evidence we have received suggests many would currently struggle to meet these. The crucial issue of how we can help improve the capacity of the planning system is explored in chapter 13.

7. Communities: bring the democracy forward

The overwhelming consensus of the responses to our call for evidence is that citizen involvement comes too late in the planning process to affect anything more than modest adjustments. The Royal Town Planning Institute (RTPI) spoke for many when they wrote:

*From the community's and stakeholders' perspectives alike the earlier the engagement the better.*²⁶

Democracy happens too late and needs to be 'brought forward.' The unpredictability of the whole process has led to a systemic breakdown of trust. As recent research has shown, on large developments only 2 per cent of people trust developers and only 7 per cent trust local authorities.²⁷ Most neighbourhoods have little confidence that either private developers or local councils will stick up for the quality of what is built.

*'The practice of developers setting expectations – for example new neighbourhoods, with tree-lined avenues, which then do not materialise as the scheme is built, contributes to eroding trust between communities and developers.'*²⁸

This has to change.

Collaboration not just confrontation. Local councils need radically and profoundly to re-invent the ambition, depth and breadth with which they engage with neighbourhoods, as they consult on their local plans. More democracy should take place at the local plan phase rather than during the development control process. Having shorter, more visual local plans, as set out in chapter 6, should help achieve this. However, it will not be enough. There is also enormous scope to use deliberative engagement and design processes (so-called charrettes, 'Enquiry by Design', co-design or 'charettes') to facilitate wider community engagement throughout the plan-making and development control process.²⁹ The attractiveness or otherwise of the proposals and plans should be an explicit topic for engagement, rather than being swept aside as 'not important.'

Policy Proposition 11: ensure public engagement, is wide, deep and early using tried and tested tools for engagement such as ‘Enquiry by Design’ as well as testing place and visual preferences more widely by using surveys. Democracy needs to move forward to the local plan phase.

- Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the minimum consultation requirements at the start of the local plan preparation process. Regulation 19 requires publication of the proposed submission documents, before submission to the Secretary of State. Neither stage is really appropriate for effective community engagement on general or site-specific design matters. This is effectively recognised by many local planning authorities who often carry out more informal consultation exercises. We need to strengthen community engagement requirements in the regulations.
- In addition, landowners and developers might be able to fund local authorities to run a strategic planning exercise to plan for the most appropriate areas for future growth, based on predicted housing numbers. As part of this process, landowners and developers could be encouraged to put forward representations on specific sites with commitments against place standards and mixed use, specified by the local authority, to give an objective and equitable assessment process that would level the playing field before a housing allocation is granted. That would put those landowners and developers prepared to commit to higher standards in a better position at the local plan stage. Very careful protocols would be necessary so that participating landowners or developers could not exert undue influence.
- On large sites, many landowners and developers already prepare their own design codes. This should be supported and use of the *Model National Design Code* structure as a template encouraged when published. In this case perhaps a smaller commuted sum could be paid to provide resource within the local authority to help with the coordination of engagement events where local urban, architectural, landscape types and building materials are collated to avoid the local community being consulted separately multiple times on individual sites, creating consultation fatigue. Centres of Excellence could help with this. (See policy proposal 39).

This contribution to strategic planning and localised code making would create greater clarity and certainty for those sites being allocated and should permit greater speed through the planning process.

- Local planning authorities should follow a nationally recognised process for co-design (using for example Enquiry by Design or charrettes) to ensure that the right level of engagement is being carried out at the right time with the correct level of representation from statutory authorities, key stakeholders and professionals as well as local communities. This agreed process would make planmaking much more accessible to non-professionals and facilitate the transfer of best practice across the country.
- Much greater weight should be placed in planning applications on the criteria set out within the Statement of Community Involvement to demonstrate how proposals have evolved as a result of local feedback and how that information has been translated into local design codes and standards.

Engaging – from analogue to digital. Councils will dramatically need to increase their use of digital technology to assist earlier and more visual engagement with a wider section of the community. As a participant at our Collaboration and Co-Creation Working Group said:

‘It is easy now to show in great detail what new development will look like. Digital tools are better for getting more representative engagement and participation.’

Although planning submissions are meant to be accessible online, we are at present only scraping the surface of what should be possible. New technologies such as augmented reality, online surveys and visual comparisons can support hugely improved engagement with a much wider cross-section of the community, earlier in the process and with a more confident and truer understanding of popular needs and preferences. Much feedback to our interim report encouraged this.



Which house do you prefer? It is increasingly easy to test preferences visually and widely

Policy Proposition 12: move public engagement from analogue to digital. Despite some improvements, there remain huge opportunities to use digital technology more effectively to improve decision-making, option testing and to engage with a wider section of the community earlier in the plan-making and development process. The attractiveness or otherwise of the proposals should be an explicit topic for engagement. Government should encourage these for both plan-making and development control.

Three years from now it should be required that fully digital massing models and images of proposed developments or local codes are routinely available online and in a machine-readable format to the general public for all-round visiting, feedback and voting.

Planning needs to shift from being an analogue process to operate more effectively in a digital age. Clearer language and a lack of jargon should continue to be encouraged alongside greater use of imagery of possible development.

Stewardship through community and neighbourhood-led development.

There is currently a welcome renaissance in community-led development and community land trusts (CLTs). Community land trusts are not-for-profit entities that develop and steward housing, affordable housing, civic buildings, community gardens or other community assets. They are normally set up and run by local people. They act as long-term stewards – above all of housing-ensuring that it remains affordable, based on what people actually earn in their area, not just for now but for every future occupier. The evidence the Commission has received wholly corroborates what the National CLT Network told us in their response to our Interim Report:

‘Community-led housing is already demonstrating an ability to mobilise popular support for new homes. They are able to build support amongst interest groups as diverse as landowners, conservationists, environmentalists, employers and communities themselves. This is because community-led housing is led by the community and trusted by the community.’

Their growth reflects frustration at the lack of affordable homes accessible to local people and an appetite for more control over development. It builds on a growing momentum and experience since the birth of CLTs in the 1980s and it has been catalysed by the creation in the 2016 Budget of a £240m fund for community housing projects. This has already created the capacity to build 5,000 homes up to March 2020 and a pipeline of 16,600 if the fund were extended to 2024. Although most CLTs are small, others own hundreds or even thousands of homes.³⁰

In our experience these approaches are, by their very nature, excellent at delivering places that people like and value. Communities know best what they need and want. That’s why they can create successful neighbourhoods that people value and where they feel they belong, such as Marmalade Lane in Cambridge, which we visited and which is partly modular in construction. Empowered community residents can be wise placemakers and we would like to see if their role can be extended.

Policy Proposition 13: empower communities. We believe that the government should continue to support community-led development and to consider what policy changes can help CLTs, neighbourhood groups and small businesses to deliver more new homes and improve places. Many of our proposals should help with this, but in addition we would specifically recommend:

- Ongoing funding support for community housing projects, with a sensible long-term commitment, such as for the next five years;
- Considering how to align community housing, planning and regeneration funding alongside section 106 agreements and other resources to turbo-charge community-led development;
- Expanding the scope of the 2011 Localism Act’s Community Right to Build Orders and strengthen and streamline community rights to buy assets of community value³¹; and
- Empowering communities from council-owned estates with greater responsibility for their homes and their neighbourhoods’ development by investigating the facilitation of stock transfers to CLT housing associations³².

CLTs have a ‘discretion’ not to sell homes via Right to Buy. It would be sensible for a Written Ministerial Statement to make this clearer and exempt CLTs from future tenure reforms so that they can remain community-led.³³

Intensification with consent. Intensification of suburban neighbourhoods is widely thought to be a profoundly important step in making our cities more liveable by supporting more homes, mixed uses, more public services, the provision of public transport and enabling more sustainable lifestyles. It is supported by the RIBA, the RTPI and the Mayor of London’s Outer London Commission. The principle of intensification is also supported by this Commission. Top-down densification, often lumpen, huge and alien however, tends to be fiercely resisted by local communities, which has generally made it politically unviable. We believe that it is of great importance to find intensification and densification proposals that work through empowering local communities, rather than through coercing them. Several submissions to the Commission focussed on this question.

One interesting proposal was outlined in the evidence presented by Angela Koch, founder of Imagine Places. Koch proposes allowing individual streets or other areas to vote on opting in to permission to build upwards to a maximum of five storeys and take up more of their plots, such as by adopting a terrace format. Permission would be granted only after a successful supermajority vote. Development would be subject to rigorous design codes, also to be voted on by residents, and required to meet high standards of energy efficiency. We believe that such permissions should be unavailable in conservation areas and for listed buildings. Since residents would often enjoy an enormous increase in land values subsequent to such a vote, they would have a powerful incentive to support development. This might achieve intensification, but with the consent and goodwill of local communities, rather than against their intense resistance. As Bernard Hunt, the former head of HTA, said in his submission:

‘My experience as a “community architect” in both the public rented sector... and also in the owner-occupied sector... leads me to conclude that communities will actively support development/redevelopment IF there are clear incentives. Policy must be carrot- not stick-driven.’

Much of the ground area of English cities is covered by low-density suburban housing from the inter-war or post-war periods. Where residents wish, allowing streets to be built up to the gentle densities associated with Georgian or early-Victorian urbanism, and with a mix of uses, could create several million new homes in London alone.³⁴ One impressive community group in Bristol (the We Can Make project in Knowle West) is already starting to take a similar approach. There are real challenges, but this needs investigation.

Policy proposition 14: permit intensification with consent. The government should investigate ways of facilitating gentle suburban intensification and mixed use, with the consent of local communities. In particular, it should consider the possibility of allowing individual streets to vote to opt in to limited additional permissions, subject to design codes. The government should investigate which types of streets this approach might work in, how to pilot it and what the challenges might be.

As in chapter 6, these suggestions make demands on the capacity and the capabilities of local planning authorities that the evidence we have received suggests they would currently struggle to meet. The crucial issue of how we can help improve the capacity and capability of the planning system is explored in chapter 13.



Intensity can be popular and beautiful – low rise is not always best

8. Stewardship: incentivise responsibility to the future

From site-by-site to stewardship. Our third aim is, where appropriate, to replace the existing incremental addition of ‘units’ development model with a long-term model, that will encourage effective stewardship. We are persuaded, from a wide pool of evidence, that on-going involvement by the landowner very often leads to development which is better for residents’ well-being, more popular and, ultimately, more valuable.³⁵ Currently, however, most landowners sell or ‘option’ their land to developers or sign deals with land promoters.. If we are to achieve this stewardship model, there are six issues that must be confronted:

1. We need to encourage management structures that can guide longer-term placemaking projects or stewardship projects, as well as the expertise to staff them;
2. We should support and encourage sources of patient capital investment;
3. We need to address ways in which the tax code unintentionally discourages landowners and developers from putting together stewardship projects;
4. We need to use the spatial planning system to encourage the right stewardship projects and infrastructure in the right place (using improving geospatial data where possible);
5. We need to help public bodies pool their land with private landowners for long-term schemes; and
6. We need to encourage competent long-term stewardship (or trusteeship) of the result.

Who should guide long-term developments? There is no ‘secret weapon’ for an ideal administrative structure to develop land in a long-term stewardship model. We have seen both very poor and exemplary schemes (and everything in between) from the fully private sector, the public sector and from partnership entities where the public sector procured a private sector or housing association development partner. The critical factor is that place quality is weighted as a substantial objective and is enforced through all aspects of decision making and procurement.

Through our research, we have observed that, very often, this commitment to quality has sat with the land interest. It has been enforced through contracts set-up between the landowner, or land stewardship entity, and the various contractors and developers who built out the scheme. In this way, quality was driven not just by criteria and oversight set by the planning system, but also through contracts that run with the land. This structure reflects the experience of the New Towns, though it needs to be conceded

that many of these have not been successful. It was also the basis on which many landowners developed their estates in previous centuries – a regime which operated in tandem with surprisingly strict local Building Acts.³⁶ We have heard from legacy and public interest developers that the four key ingredients of a successful scheme are:

- *The right culture and people* – appointing senior leadership who care about the quality agenda and ensure it happens;
- *Good governance* – setting the right budget and appraisal processes to allow quality;
- *High standards* – through briefing, masterplanning, design codes and sustainability and space standards quality standards; and
- *A quality-focused supply chain* – procuring design-led architects, landscape architects, builders and building products.

We would encourage the private, public and third sectors to take this approach to land, but believe more is necessary.

Policy proposal 15: create a recognised ‘stewardship kitemark’ and associated training. We recommend that industry bodies, landowners and the government should co-operate to create a recognised ‘stewardship kitemark.’ This would reflect the quality developers and advisers’ previous projects and have a series of legal and management standards on the approach to land, mixed use, the pooling of risk and returns, governance, place standards and supply chain. Some level of independent monitoring of these would be necessary. It could make use of existing resources such as the Urban Design Compendium 2.

Attainment of this ‘stewardship kitemark’ would come with costs but it would also provide access to benefits of finance and tax treatment as set out below. It could underpin new protocols of public and private partnership working.

The skills required to deliver this would include planning, surveying, urban design, project management and knowledge of public/private partnership working and governance, corporate and project finance and community engagement. Industry, educational bodies and government could co-operate on a new mid-career course (perhaps a specialist MBA or the like) to develop the right skills.

For schemes that are good enough and take this approach, the public sector can also help with appropriate access to long term finance.

Policy proposal 16: provide access to a patient capital fund for schemes meeting the ‘stewardship kitemark’. For situations that meet the ‘stewardship kitemark’ the public sector should make available long-term funding to support infrastructure, stewardship and placemaking expenditure. This means not ‘competing’ with the banking sector on the same terms (as is currently happening with some Homes England support) but rather carefully assessing the ‘gap’ in the funding landscape and applying patient publicly sourced capital to plug the gap, and to demonstrate a new investment asset class in land and infrastructure.

This could be structured in many ways. One might be for the government to set up a thematic fund, conditioned specifically on a ‘stewardship kite mark’ to support high quality placemaking on a long-term, patient equity basis. Such a fund might be administered nationally, although deployed in partnership with local authorities and Local Enterprise Partnerships.

If state aid rules no longer apply following Brexit, such a patient capital fund might provide long-term competitive rates, with flexible repayment options. This approach would probably require an important change in the strategic aims and focus of Homes England (see policy proposition 42).

Tax and timeframes – why the current system discourages long-term placemaking and how to fix it. At present, UK tax codes encourage the short-term approach to development (which seeks to maximise value at the point of sale) rather than the long-term approach (which seeks to maximise long-term value).³⁷ They potentially more than double the tax liability to landowners who take a long-term interest or who co-operate to ‘land pool’ to create a better place. This is not an act of intentional public policy but the unintended consequence of case law and complex tax codes and decisions for other purposes over many years.³⁸ We believe this should be reversed. The tax treatment of a long-term approach to placemaking should at the very least be neutral with the land-trading ‘next field’ system which the current tax system unintentionally favours. The current tax code favours the ‘short-term next field’ approach in four main ways:

- The short-term approach creates a capital gains tax liability for the landowner which is likely to be half an income tax liability. A long-term approach increases the likelihood of a proportion of the receipts to the landowner being charged to income tax as opposed to capital gains tax. Income tax is likely to be 40 per cent. Capital gains tax is at most 20 per cent;

- *A landowner taking a short-term approach may well benefit from reliefs and exemptions further reducing the tax liability.* A capital gains tax receipt is also likely to benefit from the annual capital gains exemption (currently £11,300) and valuable reliefs such as Entrepreneurs' Relief. This can reduce the capital gains tax to 10 per cent for gains up to £10m;
- *A short-term approach creates no tax liability when the landowner has not been paid.* A landowner selling their land to a promoter or housebuilder only creates a major tax liability when they sell their land and thus have cash to pay their tax bill. By contrast landowners 'pooling' their land with other landowners to permit the creation of a better designed and better place may well create tax liabilities before they have received major receipts – known to tax experts as 'dry tax liabilities'. In short, they have tax bills to pay without necessarily having the cash available to pay them; and
- *A long-term approach creates an inheritance tax risk for the landowner.* If the original landowner dies during the development period of a longer-term approach, the heirs are unlikely to benefit from inheritance tax reliefs in a 'pooled' structure and may be subject to inheritance tax on theoretical land value which they would probably not be able to pay.

The Property Market Innovation Group and the Country Land and Business Association have highlighted these issues and the Chartered Institute of Taxation has concluded:

'These tax consequences provide a strong incentive to a landowner to adopt the traditional route.'

In short, our tax regime has unintentionally created a bias in favour of a short-term site-by-site approach to development (the volume housebuilder model) as opposed to a longer-term stewardship model of land and infrastructure investment. As longer-term investors are more incentivised to be interested in place quality and beauty, this cannot be right. The system should at the very least be neutral between these two approaches. There is a good case to be made for a neutral tax system which focuses on receiving receipts as simply as possible. However, if there were to be any 'slope' in the tax system, it should surely be in the other direction towards more popular, beautiful and sustainable development outcomes?

Policy proposal 17: create a level tax playing field between long-term and short-term approaches to development above all for schemes meeting the recognised ‘stewardship kite mark’. The accountancy firm Saffery Champness and the Chartered Institute of Taxation have suggested to us various ways to achieve this:

- One possibility is a land pooling vehicle that ‘freezes’ the tax status of the land at the point of entry into the pooling vehicle if it passes an agreed ‘stewardship kite mark’. This would preserve the status of the land pre-pooling. As with the traditional model, tax would be charged at the point a tranche of land is sold and a *pro rata* share of the proceeds paid out. If the development does not proceed, the land would revert to the landowner without triggering a tax charge.³⁹
- A second possibility would be more discretion for the government to grant case by case tax treatment for stewardship development schemes. This would require wider permissive statutory power to HM Revenue and Customs (HMRC) to grant particular tax treatment to landowners participating in a development that satisfies the defined requirements of a sustainable stewardship development. The costs of agreeing and exercising the power would need to be met, at least in part, out of the development.

A range of different specific steps might make this possible. These include:

- The timing of the taxation liabilities in true joint ventures could be addressed by amending the current relief which defers the capital gain into the trading stock cost;
- The vagaries in relation to the application of the transactions in land rules could be better set out in HMRC’s guidance;
- Consideration should also be given to the extension of rollover relief and Entrepreneurs’ Relief to receipts under building lease arrangements;
- The current land-pooling trust could be brought into the statute so there is no doubt about its taxation status. Consideration should also be given to extending rollover relief and Entrepreneurs’ Relief to receipts from a land pooling trust, if the land in question would have qualified before the trust was established.
- This principle could be extended to the creation of a new Tax Transparent Vehicle to bring landowners, developers, investors and infrastructure expertise together along with funding from public sources, institutions or individuals. Consideration could also

be given to introducing a tax credit system, similar to that enjoyed in the creative sector, for developments which adhere to strict criteria in relation to quality and sustainability.

- Finally, consideration could also be given to extending the current replacement property provisions for agricultural property relief and business property relief to interest in land-pooling trusts, so that the current IHT consequences are mitigated.

These are obviously technical issues of tax law and accountancy. Whilst we are confident that this is an important issue that needs resolution, more work is required together with HMRC to agree the optimum way forward. A short-term expert commission should be established to review these options in more detail working with HMRC, HM Treasury and the Ministry of Housing, Communities and Local Government.

The right development in the right place. We reviewed in chapter 6 some of the potential to improve the site allocation process. In addition, there are likely to be many strategic, longer-term or stewardship developments where co-operation is required over large areas, including potentially across district or county boundaries. We suspect that the best ultimate framework in England is a system which follows the current direction of travel for unitary authorities and for empowered city mayors. For example, in the countryside, the default authority for the local planning authority should often be the county as opposed to the district. The county has more capacity to think at the larger-than-local scale, has more historic local identity and does not require extra layers of government. Indeed, it can be associated with fewer tiers as part of the ongoing push to unitary bodies. As one experienced planner put it to us:

‘Let’s build the design capacity in the counties.’⁴⁰

Parishes should continue to play a crucial and growing role via neighbourhood plans in defining what new places look like and in defining where new places are created, where existing settlements are extended or where intensification of use is permissible to pre-agreed standards as set out in chapter 6. The right approach in towns and cities is likely to involve more powers at the city mayor level, whilst maintaining an important role for boroughs and a growing role for neighbourhood forums.

Policy Proposition 18: support the right development in the right place. We recommend that the government:

- Investigates how county councils, unitary authorities and mayoralities might be further encouraged to work collaboratively, together with the Local Enterprise and Local Nature Partnerships (LEP and LNPs) – perhaps by extending the Duty to Co-operate to more public sector bodies in an area;
- Investigates whether in some cases county councils can be encouraged to produce spatial development strategies (without duplication of districts) as unitary authorities are required to do by paragraph 119 of the NPPF;
- Investigates the scope to increase modelling capacity and bring together datasets that sit within different government departments to help improve geospatial and market data to inform larger than local decision making⁴¹; and
- Investigates more widely whether counties, city mayors and parishes should be taking a more material role in the strategic and spatial planning process. If there *were* to be a reduced role for districts in strategic planning, it may be appropriate in some circumstances to recreate counties lost in the 1974 reforms to help link decisions to local identity.

Any changes of this nature should be phased in slowly.

Public sector land. There is an associated problem with public sector-owned land. As our and previous research has highlighted, public authorities are under a legal obligation to sell their land ‘for best consideration.’ This does not necessarily or always mean for the maximum cash payment immediately. But in practice it often does, particularly if the difference is greater than £2 million.⁴² This is a further effective disincentive to long-term development models if public sector land is ‘in the mix’ for a potential development.

Policy Proposition 19: end the disincentive to public sector involvement in stewardship schemes. In the medium term the government should update guidance on when sales below highest value can take place in order to facilitate long-term schemes especially where it would further the goals of the Public Sector Equality Duty. In the long-term reform of S123 of the Local Government Act 1972 should be considered.

Estate Management. It has proved difficult to provide for adequate ongoing management of new places. Leaseholds are unpopular and rule changes put off investors. High service charges are resisted other than in very high-density developments. Commonhold has not taken off in the UK as it has in the US. And the record of local government management of public space is very patchy with poor design and materials often demanded in the name of cost savings leading to higher long-term maintenance costs. Due to budget pressures, local authorities are often very reluctant to take on the management of new public realm.

We believe we need provisions for maintenance of new places. There are different potential models. These include: the vesting of community assets to create a long-term income stream to supplement service charges (the Letchworth model); the vesting of a dowry amount within an investment trust, to produce income to support on-going estate management (as highlighted to us by the Land Trust); or the hypothecation of on-street parking revenues towards the upkeep of the public realm.⁴³ A further option is provided by community land trusts (see policy proposition 13). A similar approach would be to require a developer to vest some rental properties into a social enterprise company and then give control of this company or trust in perpetuity to homeowners on the development.

However, service charges can impose a heavy burden on occupiers, and it is important to be realistic as to affordability and the costs of estate management. The Law Commission is currently reviewing leasehold tenures and ground-rents, which is potentially relevant. We are encouraged that interest in this issue is gaining momentum across the political spectrum, from the Letwin Review to Shelter, as well as increasing action on the ground.

We recommend that more work is done on possible options. Making appropriate arrangements for trusteeship should be made a condition for receiving the 'stewardship kite mark.' Trusteeship arrangements could also be included in Planning Practice Guidance if appropriate. This will be critical as we create new towns and settlements in the years to come.

9. Regeneration: end the scandal of 'left-behind' places

The problem of left-behind places has bedevilled parts of Britain for many years. But it seems to be getting worse. According to the official *Community Life Survey*, more people believe that their neighbourhood is worse than a few years ago and fewer are satisfied with their neighbourhood.⁴⁴ As we have conducted our visits and roundtables, we have come to realise that even in more affluent areas, many people seem to be losing their sense of home, of community and of their place in the world. They worry that their local neighbourhoods are losing their heart, their sense of being from *here*. Many people appear to be losing confidence in their ability to influence what happens locally. 56 per cent of people believe it is important to them to influence local decisions. But only 25 per cent believe that they can.⁴⁵ This disconnect may be because some communities have no place to meet communally.⁴⁶ It may be because a high street is failing or because of development that feels alien in its ugliness or the process of its creation. One private citizen responding to our first call for evidence could have been speaking for many when she wrote that:

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

Another added:

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

The government has, rightly, recognised this phenomenon. In the last few months millions have been pledged on high streets and on urban investment. In September 100 towns (45 across the 'Northern Powerhouse' and 30 in the 'Midlands Engine') with 'proud industrial and economic heritage' were invited to draw up plans to transform their prospects for economic growth as part of the £3.6 billion Towns Fund.

But will the money have an impact? The wrong type of investment can make things worse. There are so many examples including public support for out-of-town shopping or arts centres which promptly drained life from town centres. We should only be thinking of massive infrastructure projects when we have an idea of what the places they are meant to serve are trying to be.

It may often be the case that local infrastructure (the quality of streets, ease of public transport) is a better investment than major new roads. We are worried that the government's proposed Towns Fund's welcome aim for 'transformative investment in transport, technology, skills and culture' is incomplete. Where are crucial words such as 'identity,' 'place,' 'beauty,' and 'liveability'? Is there sufficient focus on public transport? (44 per cent of all public sector expenditure on local public transport is in London and it has grown twice as fast per person as in the North over the last few years)⁴⁷. Streets and public transport are necessary if people are to choose to live and work somewhere – or to remain there. Beautiful and walkable streets are infrastructure too.

There is a risk that top-down funding streams will prioritise the type of 'easy to conceive' infrastructure spend that is readily managed, designed and delivered from on high. The good news is that some of the third sector (notably funds like Power to Change, campaigns such as the Place Alliance, and charities such as Civic Voice and the Local Trust) are admirably focused on identity and community-led business, activity, regeneration and placemaking. Government has both the opportunity and the obligation to step up and help lead this emerging movement as they invest in 'left-behind' places. At times this will mean 'gap-funding', which has been a hugely successful tool for de-risking investment. It also means championing place more confidently.

Policy Proposition 20: appoint a Minister for Place. Placemaking and supporting the spatial quality of life of our citizens in villages, towns and cities should become a primary concern of government. Caring about people means caring about place, as up to 40 per cent of our personal health outcomes are a function of *where* we live, not *who* we are.

- There should always be a member of Cabinet who is a 'champion for place' and whose responsibilities include the quality of place in England.
- This would at present be the Secretary of State for Housing, Communities and Local Government but might in a future cabinet be the Deputy Prime Minister or Chancellor of the Duchy of Lancaster.
- In addition, there should be a Minister for Place at the Minister of State level.

We are not going to move away from necessary government specialisms ('silos') in housing, transport and other infrastructure. We are not suggesting organisational change. But the role of the Minister of Place is to help the unavoidable silos to work better strategically together so that issues of new housing and transport are better integrated.

Policy Proposition 21: appoint a Chief Place-maker in all local authorities to champion beautiful placemaking. Championing good design and placemaking should come from the top in each council and should include an understanding of the whole place and what necessarily distinct silos (housing, highways and infrastructure) are trying to achieve.

- Quality of place should be a primary corporate responsibility of the Leader and Chief Executive of all local authorities.
- There should be a Cabinet Member responsible for place and a senior officer with this responsibility within the senior management team. This role will often (though not always) be the Chief Planning Officer, though they will need experience beyond planning, particularly in infrastructure or the environment.
- Quality of place needs to be understood in terms not of 'good design' but of provable relationships between urban form with health, well-being and sustainability, as well as empirical data on what local people like.
- This role should explicitly operate across departmental silos so that placemaking is used to enhance environment, social, economic and built capital.
- Placemakers should receive support to underpin their understanding of the relationship between urban design with well-being, health and sustainability.

Policy Proposition 22: regenerate 'regeneration' to being place-led.

It should become normal to expect both central government and local government to have very clear strategies and operating plans for places. Public sector equity and investment should be used to help share risk, and future rewards, over a longer time horizon than five years. In this context, we welcome some of the government's recent spending announcements on towns and high streets.

For central government this will be about supporting local government. For local government, it will be about improving the bottom-up infrastructure of beautiful streets and buildings. Very often government support should stay focused on the core question: what improvements to 'place quality' can help improve the desire of people to live and work; start businesses and raise families in this settlement?

Fair tax for existing places. VAT is charged at 20 per cent on repair, maintenance and adaptation work to buildings. However, new buildings are not charged VAT. This incentivises demolishing existing buildings and starting again. It discourages regenerative development. It encourages greenfield over brownfield development. Government VAT rules are therefore not in alignment with its policies on planning, as set out in the NPPF. This should change. As the Northumberland and Newcastle Civic Society put it to us in their evidence earlier this year:

*'It is desirable to make better use of existing buildings in city centres given not only the colossal challenges facing traditional urban based business but critically the need to better use finite natural resources... we want to dispel the perception that renovation represents poor value for money in comparison with demolition and reconstruction.'*⁴⁸

The built environment sector is currently responsible for 35-40 per cent of total greenhouse gas emissions in the UK.⁴⁹ To meet our legally binding commitment to becoming a carbon neutral nation by 2050, we need to incentivise the reduction of emissions from buildings. It is estimated that the carbon embodied in new residential buildings can account for more than 50 per cent of their lifetime greenhouse gas emissions.⁵⁰ Recycling buildings is normally more sustainable than demolishing them and starting afresh. For example, constructing a new-build two bedroom house uses up the equivalent of 80 tonnes of CO₂. Refurbishment uses eight tonnes. Even with the highest energy-efficient specification the new build would take over 100 years to catch up.⁵¹ The embodied energy in the bricks of a typical Victorian terraced house would drive a car more than ten times around the world.⁵² 'The greenest building is the one that is already built.'⁵³

When looking specifically at the demolition of listed buildings, then the loss becomes more profound. What many historic buildings and conservation areas have in common is their adaptability. They often have had to be adaptable to remain functional throughout a longer life-span. Their continued existence and use also highlights their built quality as they have had to be long lasting. Indeed, over 20 per cent of our residential

building stock is now over 100 years old. A further 16 per cent dates from before the Second World War. However, there are currently few policies targeted at extending the life of these buildings or reducing their carbon emissions. Historic buildings that are underused and vacant could provide much needed homes and spaces for businesses. For example, it is estimated that there are over 2,400 underused or vacant mills in the North West and West Yorkshire. If refurbished, these historic mills could provide over 52,000 new homes, without the substantial carbon emissions from equivalent new builds.⁵⁴

The retention and use of historic buildings also brings about secondary social and economic benefits. Research indicates, for example, that the quality of the historic environment is as important a factor as road access when businesses decide where to locate. The greater the density of heritage assets, the better the performance of the creative industries and the greater the level of specialisation towards the creative industries.⁵⁵

All of this highlights the inconsistency of the VAT position within a system that seeks to ensure the most sustainable and popular outcomes. The need to address this commands increasing public recognition, having been championed by the *Architects' Journal* in its RetroFirst campaign. Many of the submissions that the Commission received included strong calls for this reform, including those of the TCPA, the UK Green Building Council, the Home Builders Federation and Historic England.

Policy Proposition 23: align tax for existing and new places. We believe that the government should make bringing derelict buildings back into use VAT free, or charge at most a reduced VAT of 5%. It should do the same for core improvements to existing buildings, including reroofing, extensions, conversions and renewable heating. It is not necessary that VAT be reduced for DIY or interior decoration, which do not have corresponding environmental significance. We believe that it is possible that such a move could;

- Provide a £15.1 billion stimulus to the wider UK economy and 95,480 extra jobs by 2020; and
- Lead to almost 240,000 tonnes of CO₂ equivalent savings from 92,000 homes⁵⁶

Similar VAT reductions have resulted in an increase in consumer demand and employment in the Isle of Man and the Netherlands.⁵⁷



Euston Station (left) and King's Cross Station (right). Both perform the same function – but which will last longer?

Recycle buildings as well as bags. There has been much commendable recent focus on energy efficiency in buildings standards. There has been less on encouraging the recycling of buildings which, as set out above, is very necessary for reasons both of place quality and of sustainability. This goes to the heart of the environmental problem posed by modern ways of building. A Victorian hospital can be converted to residential use in a way that satisfies normal criteria of liveability and produces a dignified component of the urban scene, as in Lincoln. It is doubtful that a Lego-set office block can be converted so successfully. We should be demanding that buildings in our town centres be as adaptable now as they have been in previous times. For example, plans for a new office block should be given preferential treatment if accompanied by an empirically based analysis, showing how the block could be converted to a new use compatible with its position in the urban fabric.

Policy Proposition 24: encourage the recycling of buildings.

Government and local authorities should consider an 'adaptability test' embedded in the process of granting planning permission. We should take the measure one stage further, since adaptability is the *sine qua non* of durability, and therefore part of any long-term environmental success.



Keeping the concrete frame but creating a better building and place

Resilient high streets. Many high streets are facing difficult challenges of evolving retail patterns. This is exacerbated by the discreditable ease with which large online retailers arrange their corporate structures to pay lower rates of tax than are possible in the ‘offline’ economy. However, people still want and need well-connected places to meet. As Jan Gehl has observed:

‘In a Society becoming steadily more privatized with private homes, cars, computers, offices and shopping centres, the public component of our lives is disappearing. It is more and more important to make the cities inviting, so we can meet our fellow citizens face to face and experience directly through our senses. Public life in good quality public spaces is an important part of a democratic life and a full life.’⁵⁸

The same technology (the internet) which is driving shops out of business has also made possible a much wider range of micro-business and self-employment, leading to a need for pop-up offices, flexible space and places to meet. There is also evidence of a revival of independent stores, community shops and pubs (particularly when rates are not too high), as well as a growth of shopping for services, not things.⁵⁹ Often these can only be delivered locally and in person. We do not believe that the high street needs to die, or that it is out of step with how people want to live and congregate sustainably. It just needs to evolve and change, as is always true of our villages, towns and cities. (Over a hundred years ago people were worrying about the amount of horse manure on our streets – technologies and life change!)

For high streets to ‘work’ in future they will need to be flexible and to rediscover their older, wider role as the centre of functioning human settlement with places to live and work blended with places to meet and

shop. This approach was widely supported in response to our interim report. One official spoke of the need for a 'more form-based policy and policy centred around intensity of use, rather than specific use classes.'⁶⁰ High streets need to 'mesh in' with surrounding site streets and back streets and they need to be beautiful places in which people wish to spend their time. We commend the government's recent investment in high streets and many of the findings in recent reports.⁶¹ We are also impressed by Historic England's work to cultivate the distinctive characters of our older high streets in its High Streets Heritage Action Zone programme.

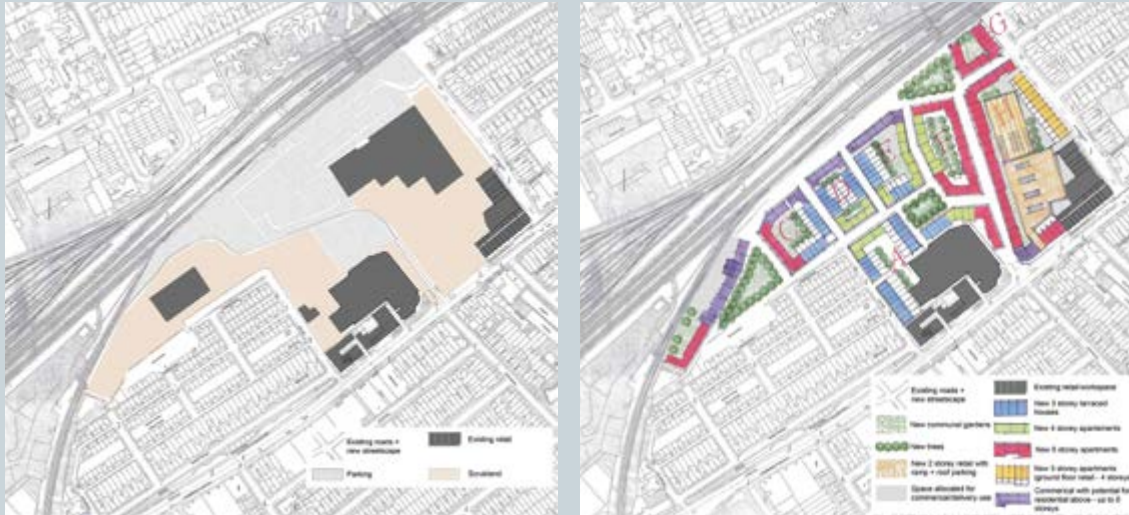
Policy Proposition 25: encourage resilient high streets. We recommend that central and local government strategy for high streets needs to be focused on the surrounding town centre streets, not just the high street itself, and should focus on helping town centres be attractive places to spend time, live and work, which can respond flexibly within a clear framework to changing demand.

- We need to rebalance the rating system to favour shops below a certain floorspace. A good approach would be zero rating for single outlet shops (or single in that settlement) below a certain size. This would encourage independent stores. (A corollary for this would be an empty stores penalty, to encourage reoccupation, or repurposing.)
- We support the use of local policy to permit the shrinkage of A1 space where appropriate. High streets will often get shorter, more concentrated and more diverse in their uses. However, this is a very delicate area. Given the systemic under-supply of homes in some parts of the country, there is a danger that an unregulated implementation of the current policy will see all shops converted to homes. This might be very hard to manage, with consequences for ground floor design and location of bin stores. This can lead to a 'disastrous impact on the beauty and character of local high streets and contribute further to their decline.'⁶² To prevent this we, recommend the protection through what are known as Article 4 Directions of the 'core' of high streets and the very strict use of design codes through which change of use is facilitated. At present, it is not possible to insist on design codes when a permitted development right is the route being taken. As set out in policy proposition 8, this needs to be resolved.
- Local policy should encourage 'gentle density' style increased residential densities in and around high streets (many parades of shops were once houses. Some can return now to being so). Offices should also be encouraged near high streets.

- Public sector investment into high streets should support public realm improvements (and sometimes the restoration of historic buildings) to encourage people to spend time in their high streets by making them more humane and attractive environments that are less dominated by cars. Currently available funds for improving the physical fabric and occupation mix of high streets should be continued and reinforced and should be supported by Community Infrastructure Levy payments. As explored in other reports, another focus may be supporting less fragmented ownership so that a more strategic approach is possible.
- Local policy should recognise that façade quality really matters for high streets to thrive. As a statement of empirical reality, most people don't want to spend time in front of sheer glass walls and are more stressed and more rushed when they must do so.⁶³ Local policy should insist on variegated 'walking architecture' in high streets with attractive ground floors, even if not every building is a shop.
- Permitted development rights, carefully revised in line with our suggestions in Policy Propositions 8 and 9, will be a relevant tool in strengthening high streets.
- Government should consider how to support the creation of community owned High Street Data Trusts. This could include providing a one-stop shop for local communities to access data, such as mapping, title deeds, planning approvals, and licenses.

Banishing Boxland. Too many sites, even within towns and cities, are characterised by very low-density inefficient space usage. This abuse of urban space is not merely wasteful; it is a paradigm of ugliness, since it removes space from common use without creating a publicly acknowledged civic embellishment. It should be compared with the abundant use of squares in a city like Rome, in which shared public spaces create places of relief and recreation among densely woven façades.

Already many local policies, for example policy E7 in the London Plan, encourage the intensification of land use on these types of site. However, there is much more that could be done to revitalise this type of 'boxland' into proper mixed use neighbourhoods. This will not be the right solution everywhere, but it should be the default expectation. It should be subject to the test of whether an intensified land use plan is responsive to context and represents 'the right development in the right place' delivering overall net gain.



We should banish boxland

Policy Proposition 26: banish ‘boxland’. As long-term retail demand and shopping habits change, local policy should encourage authorities to work with investors on the redevelopment of low density single use commercial space, retail parks and large format supermarkets (‘boxland’) into mixed use ‘finely grained’ developments of homes, retail and commercial uses which can support, and benefit from, public transport.

This is a matter for local government, but should be strongly encouraged in guidance by the government for reasons of sustainability and well-being. This should be co-ordinated with guidance in the new design code and other proposals in chapter 6.⁶⁴

10. Neighbourhoods: create places not just houses

We need to develop more homes within mixed-use real places at ‘gentle density’. As evidence the Commission received, particularly from the Town Country Planning Association (TCPA), Royal Town Planning Institute (RTPI) and the Green Building Council, emphasised, the polling, focus group and pricing data is fairly consistent and compelling on the types of homes, places and settlement patterns that most people want most of the time. The precise nuances and relative weightings vary from time to time and place to place. There may even be generational patterns. However, the research is remarkably consistent. Most of us prefer places we can walk in, where there is greenery frequently present and where we find the streets and squares beautiful to look at and be in. We prefer places that do not cost the earth but can help us live in harmony with it. This, the evidence seems to say fairly coherently and consistently, is what most people want and where they flourish.⁶⁵ As the RTPI put it to us:

‘Nor is good design subjective; there are clear, objective criteria against which the quality of design can be assessed – yet there seems to be a reluctance to take such an approach and as a consequence, there is a widely-held view that planning should not consider design in detail.’⁶⁶



The planning system has already started to encourage mixed-use, 'gentle density' settlements. The government's new design guidance supports this. However, in practice a range of building regulations, planning policies, poor public transport (and the subsequent need for parking) as well as the preferences of some (not all) who manage parts of the system tend to act as a barrier to delivering the types of 'gentle density' which most people prefer. Key barriers can include:

- Guidance in building regulations on daylight and sunlight which can make it impossible to build in a traditional mansion block street pattern;⁶⁷
- Guidance in local plans on minimum back to back distances between buildings and on minimum street widths between habitable rooms can make it hard to build in a traditional terraced street pattern;⁶⁸
- Requirements for lifts for all non-ground floor access homes can make it very hard to build medium rise flats in all but the very highest value areas therefore incentivising either houses or much bigger blocks of flats by height or length;⁶⁹ and
- Expectations for parking levels based on suburban land use patterns which are not necessary in denser, more walkable and more finely grained neighbourhoods. For example, some planning authorities may require two cars for a new three-bedroom home and require them to be off-street – even in near town-centre developments. This makes anything approaching a traditional, popular (and valuable) development all but impossible.

We have spoken with many developers who have made this point to us. One said simply:

*'It is harder work to get my high-quality projects through the planning system.'*⁷⁰

Things are getting better. For example, the new 2018 version of the NPPF has made explicitly clear that rules on daylight and sunlight should not be used to impose suburban densities on city centre sites. Nevertheless, more is necessary.

Policy Proposition 27: end the unintended bias against ‘gentle density’ neighbourhoods. The following changes would make it easier to build more attractive, healthy and walkable settlements at ‘gentle-density.’

- Strongly encouraging councils not to impose suburban parking requirements in non-suburban situations;
- Strongly encouraging councils not to impose minimum back to back or front to front distance between habitable room requirements which make it impossible to build more finely grained and popular traditional settlements;
- Making more explicit the existing guidance in the NPPF to councils not to use daylight and sunlight regulations to make it impossible to build more finely grained and popular traditional settlements; and
- Encouraging councils to consider what proportion of homes with above ground floor entrance require lifts so as not to impede viable infill in existing sites.

Underpinning these detailed points, government and the Planning Inspectorate should have a consistent message about placemaking. They should ensure that the rhetoric and policy doesn’t relate solely to housing numbers in a way that excludes other priorities. These proposals can in part be supported by the local versions of the National Model Design Code discussed in policy proposition 7.

A range of changes to public transport investment and street design policy and practice are also relevant if we are consistently to deliver more attractive and walkable places. These are set out below.

From building roads to creating streets. Every sector of the industry has told us, and our specialist working group and wider research has confirmed, that overly car-dominated places tend to be less attractive or popular places in which to spend time. We have seen some excellent work on how highway design can help reclaim streets for people, with the provision of cycle infrastructure or public transport supporting more humane and popular places. This now needs to become the norm, not the exception.

Creating gentle density in Chichester





Creating healthy streets for people

Policy Proposition 28: create healthy streets for people. This is an important need to update and improve the government's guidance on street design (known as Manual for Streets). Again, this should be co-ordinated with the government's new National Model Design Code (see policy proposition 7).

- Manual for Streets 1 (2007) and Manual for Streets 2 (2010) should be brought together into one combined manual.
- More visual and measured detail and clarity and prescription should be provided on street layout for different street types such as tree lined avenues, lanes, courtyards, squares, variable width streets and other typologies. A framework should be provided nationally which councils can then adapt or amend locally.
- The government should consider and formally consult on upgrading all or part of Manual for Streets to become policy rather than guidance. This would require highways authorities to adopt it. Following the same logic as set out in chapter 6, this should remove a degree of speculation on negotiating down planning requirements. It also follows the success of (the Scottish) *Designing for Streets* whose strengths and weaknesses should be considered by the government.
- Previous guidance (known as DB32) which is unhelpful should be more firmly withdrawn and superseded by the Manual for Streets. At present some local councils continue to apply the poor DB32 layouts which were withdrawn (rightly) in 2007. They should stop. The Planning Inspectorate should reject any evidence for the design of schemes based on DB32.

Policy proposition 29: clean urban air. As the data on poor air quality in our towns and cities becomes clearer and as the effect this has on people's health becomes better understood, there is a seismic shift in attitudes taking place. We are encouraged by the recent Environment Bill and encourage the government to consider the full range of potential policies to improve urban air quality. In addition to re-greening actions (set out in chapter 11), these could include:

- Supporting a National Car Free Day. Guidance and support for a programme of car free days across England's towns and cities;
- Supporting a denser network of air quality sensors with live monitoring available online (you can't act on what you can't measure);
- Supporting expanded cycle networks, car-pools and station e-bike hire;
- Supporting more walking in towns and pedestrian neighbourhoods;
- Imposing tougher emissions standards for cars, consulting on legalising e-scooters and encouraging small clean city cars;
- Planning car routes away from schools; and
- Encouraging the restriction of lorries or highly polluting vehicles from towns and cities, particularly at peak hours.



Reworking local materials anchors a building in a place and its history

11. Nature: re-green our towns and cities

Sustainability and beauty are not in conflict. Rather they are in symbiosis. This is true at all three scales of building, place, and settlement and has been evident on our visits. It is also reflected in polling and well-being data.⁷¹ Much of the evidence we received, particularly from the Parks Alliance and the Green Building Council stressed this point.

‘There is a considerable body of evidence that shows green spaces in rural and urban areas are highly beneficial to health and well-being and also provide space for people to meet. The perception of beauty is an important factor for realising these benefits.’⁷²

Put simply, green is good for us, as Natural England argued in their evidence to us.⁷³ The presence of greenery in the urban environment normally has a positive impact on our mental and our physical health. Street trees seem particularly important. They are associated with cleaner air, slower cars, fewer accidents.⁷⁴ They provide shade in hot summers. And, perhaps astonishingly given the complexity of human life, street trees have a measurable effect on human health even taking into account income, age and education.⁷⁵

At all three scales, we therefore believe that it is necessary to ‘re-green’ our lives. It is important not to be naïve, however. Many essentially very poor development proposals attempt to cover up their shortcomings with some token tree planting. A strip of grass or a couple of trees cannot rescue a polluted, ugly and profoundly inhumane place.



Greenery does not in itself make a place

Nor is more greenery *always* a good thing, particularly if the urban grain is poorly designed with unclear private and public spaces or front doors tucked away from the street. We are aware of at least eight studies that find high levels of general fear, or fear of crime, to be associated with denser vegetation. One summary of the evidence concluded that ‘fear of crime is higher where vegetation blocks views.’⁷⁶

The evidence also suggests that greenery has the most beneficial consequences when it is ‘little and often’, when you encounter it frequently throughout your daily life. For maximum impact, public green space needs to be frequent, close and, therefore usually, modest in size. Large parks are great for those who live by them, have to pass through them daily or have the leisure to visit them. They are not so helpful for everyone else. Evidence suggests that people will frequently go to an open space if it is less than 2-3 blocks away (about 225m) but very sharply less frequently if it is further away than that.⁷⁷ In MORI focus groups many (particularly parents) would trade off even further in favour of immediate access to private green spaces.⁷⁸

We therefore conclude that government and local government should embark on an ambitious, even visionary, programme to plant urban trees and re-green our towns and cities. This is both right and aligned with the government’s aim of eradicating the UK’s net carbon contribution by 2050. However, it should do this within the context of the clearer place strategies set out above and on the evidence of the best ways to improve well-being and air quality. We do not wish to return to a dystopia of towers in the park. Green spaces should be enclosed and safely private, or clearly and safely public. We should open and restore canals and waterways.



Not all squares are the same – Bonnington Square: a green refuge in South London thanks to residents

This follows on from a successful tree planting programme in London. It also builds on the 25 Year Environment Plan which pledged to plant one million new trees. Nevertheless, the total number of street trees continues to decline, and this trend needs reversing.⁷⁹

The reason for this systemic decline, as our detailed working group analysis has revealed, is that trees are very often omitted (or even taken out of schemes) due to local authority reluctance to take on the cost of planting and maintaining street trees.

- Local councils often charge a commuted sum to ‘accept’ a street tree due to high perceived ongoing maintenance cost and insurance costs. These high costs can be real, particularly if streets are poorly designed in conjunction with utilities. And, with major pressure on local budgets, councils are understandably very nervous of additional costs.
- There is therefore a definite reluctance of some housebuilders and local authorities to promote trees in streets (problems cited include the expense, hassle, liability risks and not wanting to argue with the local council).
- Some highway engineers (particularly outside some big cities) very often seem to be culturally and instinctively opposed to street trees as things that make the street more complex. ‘Risk averse not risk aware.’ There can be a complete lack of awareness of the measurable benefits they bring in their reliable associations with resident health.

Living with Beauty

Even a little greenery can transform a neighbourhood



- Poor coordination with utilities means trees are often omitted or impossible to locate in a street once utilities are placed. This needs to be coordinated so that they can be placed with correct soil volumes and root protection in place. Similarly, street trees are often objected to, frequently incorrectly, as impeding sightlines.

In short, we have got ourselves into a vicious circle of inexperience, lack of planning for trees and risk aversion which makes it even harder than it should be to plant street trees.

Policy Proposition 30: ask for more access to greenery. The NPPF should be updated to place a greater focus on access to nature and green spaces – both existing and new – for all new and remodelled developments. This must not be negotiated away on ‘viability grounds.’ Policies such as those set out in policy G5 (‘Urban greening’) in the London Plan and the concept of the Urban Greening Factor should be applied more widely though adjusted as necessary for less urban environments.

Policy Proposition 31: plant two million new street trees. The government working with city mayors and local government should set a target to plant two million street trees and provide the funding for their planting and maintenance.

Achieving this will not just be a matter of top-down targets and central funding – though it will cost money. It will also mean helping councils change the whole way that they think about their role and their priorities.

- Local councils should be further encouraged to change highways guidance so that in most situations, trees are considered as essential as the structure of a road or surface water drainage. If they are a non-negotiable, then planning will need to take place up-front with the presence of trees as a given.
- Given their provable health benefits, it should be considered whether other public budgets (above all health) should support their planting.
- Parishes, civic societies, neighbourhood forums and other local groups should be able to apply for funds to plant trees. It should be made much easier for neighbourhood groups to win local councils’ support for new trees – particularly if there is neighbourhood commitment to support their maintenance.

- Government, local government and fund-making bodies should fund charities and neighbourhood groups who wish to plant and maintain street trees. Work being done by Trees for Cities and Start with Local is of interest in this context.
- Government and local government should investigate whether it is feasible to remove or cap the commuted sums that councils require when street trees are planted.

Policy proposals 34 and 35 in chapter 12 also set out the need for better training for highways engineers so that more are better able to judge the benefits of street trees and set the right framework for planting and maintaining more trees in the right places. The potential for hotter summers in future heightens the importance of this proposal.

Policy Proposition 32: plant urban orchards – one fruit tree per house. In addition to the wider benefits set out above, there is a need to reconnect children with nature and with the sources of their food. The government should:

- Support a programme of urban orchards within our towns and cities;
- Encourage, via guidance, local councils to require one fruit tree per new house built; and
- Encourage housebuilders to plant one fruit tree per house.

Policy Proposition 33: regreen streets and squares. Other actions which the government should support and encourage should include:

- Bricks for bees and birds in new build homes;
- Greenery low to the ground to capture particulate matter;
- The retention of existing hedges in greenfield developments and planting of new hedges;
- The designation of some streets as ‘green corridors’;
- New garden squares to provide safe and easy-to-access greenery for residents; and
- Sustainable drainage systems (known as SUDS) to integrate urban drainage better into natural drainage systems

Living with Beauty



A new tree-lined street

12. Education and skills: promote a wider understanding of placemaking

Isaac Nunn, a planning officer at the Suffolk County Council, made an important point about the need for gentle densities, streets and centres in his evidence to the Commission:

‘It seems to me that academics and journalists who spend time thinking about urbanism are pretty much in consensus on this point, but for some reason this doesn’t seem to be explicitly translated into planning policy.’

He is correct. There is now an academic consensus on the effects of urban design on health, well-being and sustainability, a consensus that has been carefully summarised in Place Alliance’s *Ladder of Quality*. But most new development in the UK does not reflect that consensus, as shown in the *Design Audit* carried out by Place Alliance and the CPRE. Part of the reason for this is that the bodies that make key decisions in our system are short of the necessary knowledge and skills. This has been one of the most persistent themes in the evidence that we have received. Responding to it is the key theme of our recommendations in this section.

Planners, if they are to perform their role in safeguarding the public interest, must have a firm grounding in urban design, and its effects on health, well-being and sustainability. They should study urbanism as a comprehensive activity and take note of the large and ever-increasing body of literature devoted to this theme, not least by the Academy of Urbanism, with its well documented analyses of successful city fabrics from all across Europe. As Matthew Carmona of UCL’s Bartlett School put the point,

‘Many planning schools do no actual “designing” with their students and only teach a rudimentary design appreciation [...] urban design is typically seen as a specialism rather than a common grounding that all built environment students should cover.’

The skills deficit that this leads to was frequently mentioned in the evidence we have received. The RIBA told us that ‘We strongly agree with the need for more urban design skills within local authorities’ while the National Housing Federation expressed ‘strong support’ for ‘efforts to remedy this situation, which is currently leading to slower, more expensive and poorer quality outcomes’. The RTPI should require that validated programmes cover urban design, including both its history and practice. It should also

require that they include empirical research into sustainability, well-being and visual preferences. The Planning Officers Society strongly supported this recommendation in its response to our Interim Report, and the RTPI also expressed support for expanding coverage of urban design in planning programmes (see Chapter 5).

Architecture students usually receive extensive design education, but we have heard very mixed views on the degree to which architecture programmes make use of empirical well-being research. When regulatory powers return to the Architects Registration Board (ARB) subsequent to exit from the European Union, the Board should require that validated architecture programmes acquaint their students with the effects of architectural form and urban design on health, well-being and the environment. They should also teach the growing body of knowledge concerning people's visual preferences, and the foundation of those preferences in social and neural adaptations.

In the meantime, the government should invest in the skills of existing planning officers and inspectors as well as highways engineers. This recommendation was made repeatedly in the evidence the Commission received, for example from the Design Council and the UK Green Building Council. Planning inspectors currently receive some basic training in design as a component of a two-week induction course, as well as later training through the 'Design Champions' programme. These should be expanded to include the empirical research referred to above. The training of planning officers should be similarly expanded, and the government should provide resources to enable this. The government should also encourage planning officers and inspectors to take mid-career postgraduate qualifications in urban design, with the cost of programmes covered by the government, and with completion of such programmes opening opportunities for career advancement. The government should also consider providing a short course on the impact of urban design for local councillors who sit on planning committees.



Urban design matters for health and happiness – and more people should understand why

Another tool for addressing design shortcomings is the process of design review, in which planning authorities ask specialist organisations to review a proposed development on its design merits. It has traditionally been provided by a string of non-departmental government bodies, from the Royal Fine Arts Commission to the Commission for Architecture and the Built Environment to the present Design Council. The Commission believes that design review can be a useful way of bringing in skilled professionals to scrutinise complex projects, since not all of England's 343 local authorities can permanently employ specialists with all of the relevant skills. We also welcome the emergence of a more diverse range of organisations offering design review services, such as Places Matter, Design North East and Design South East.⁸⁰

In its response to our Interim Report, the housebuilder Redrow argued that:

'It is fundamental that any attempt at a definition of beauty reflects those of the community likely to live in the completed developments. For example, we have evidence from our customers (who form the communities on our developments) that they have a preference for and an attachment to traditional Arts and Crafts style architecture when it comes to choosing a new home.'

We agree, and we believe that design review can and should support this aim through being grounded in empirical evidence on local public preferences, as well as evidence on well-being, health and sustainability. Hopefully the quality and availability of such information will improve over time if some of the reforms set out in chapters 6 and 7 are implemented. Although we recognise that it would change their nature, one suggestion for how to foster such an approach was made in the response of an architect to our Interim Report:

‘Design Review panels should not be populated solely by professionals. They should include two representative members of the local community. This would help experts not get caught in their ivory towers and will also engage local people in the process which is the aim of planning. Local residents are more likely to engage with issues of what is seen locally as good or bad and this may lead onto the subject of what is beauty and what is not.’

Finally, although steps are now being taken, we have encountered much concern that the current model of architectural education has been too exclusively weighted towards academic study. Architectural training takes at least seven years, with most students taking longer still. A minimum of four years, often five, take place within universities. This is slow and expensive for students, raising worrying barriers to entry into the profession for those from disadvantaged backgrounds. It means that aspiring architects who are unable or unwilling to spend long years in formal study – a group that would have included Hawksmoor, Borromini and Michelangelo – are excluded from the profession. As Prof. Robert Mull, Head of Architecture at the University of Brighton, has argued in *Dezeen*:

‘The result has been a gradual exclusion of those students whose diverse life experiences make them best suited to address pressing social issues.’

The Commission recognises that extended formal study is valuable for many architecture students, but we are unpersuaded that it should be the only legal pathway into the profession, or that other pathways should be marginalised and denigrated. Many American states offer a pathway to licensing as an architect based solely or primarily on professional experience, and it is not clear why the British government should forbid this. The RIBA’s recent education review, which supported the development of ‘integrated’ programmes with a greater emphasis on

professional experience, is a very positive step that deserves full backing. The Commission also strongly supports the apprenticeship programme announced last year, led by the RIBA and the Institute of Apprenticeships and involving twenty practices, including Foster + Partners. We are encouraged too by some of the innovations at the London School of Architecture, and by the efforts made at many other schools to develop pathways through architectural training that are faster and more integrated with professional practice.

The Commission believes that these initiatives should be taken further. After regulatory powers return to the ARB and the UK government, subsequent to exiting the European Union, the government and professional bodies should consider what further steps can be taken further to open pathways to registering as an architect, based solely or at least primarily on professional experience. Such reforms would complement rather than replace existing academic provision and help to bring to the sector the full range of skills it needs.

Policy Proposition 34: promote planning excellence. The government should extend and fund professional training for highway engineers and planning officers and inspectors in urban design, its effects and public preferences and in public engagement. It should also support, both financially and by way of subsequent career advancement, planning officers who wish to take mid-career postgraduate qualifications in urban design. It should investigate the possibility of providing a short course on the relationship between urban design and well-being, health, sustainability and public preference for councillors on planning committees. We need to change the culture of planning, so that it reflects the seriousness of its task, and both the stress suffered and the devotion exercised by planning officers in their daily work. The planners and their role should be celebrated as part of the culture of placemaking, and all public bodies, such as Homes England, should be encouraged to emphasise the importance of planning in safeguarding the public interest in beauty.

Policy Proposition 35: promote a common understanding of place. Empirical research on the relationship between urban design and well-being, health and sustainability, as well as public visual preferences and preferences on urban form, should form a central component of all courses in architecture, planning and other built environment qualifications – particularly highways engineers. The RTPI should require this of validated programmes, as should the ARB once regulatory powers return to it. Also subsequent to Brexit, the government and the ARB should investigate the possibility of opening a route to validation as an architect based solely or primarily on professional experience rather than academic study. This should help aspiring architects with a more diverse range of backgrounds than at present.

Policy Proposition 36: support design review but not from ‘on high’. Design review is an important tool for bringing specialist assistance to local authorities that they are not able to maintain permanently. Design reviews need to be empirically grounded and should take advantage of community engagement, visual preference evidence and consultation with local civic societies and amenity groups. We advocate the proliferation of competing design review bodies, with none emerging as a final ‘court of appeal’. There may be the need for a design review to focus on national infrastructure.



Thoughtful treatment of corners, not ‘lopped off’ end terraces

13. Management: value planning, count happiness, procure properly

Valuing planning and resources. One of the most consistent themes in the evidence we have received is that planning teams and their specialist advisers are under sharp resource pressure. The Town and Country Planning Association's *Raynsford Review* cited National Audit Office analysis that budgets for planning and development teams fell by between 24 per cent (district councils) and 46 per cent (single tier and county councils) between 2010-11 and 2014-15.⁸¹ This has implications not just for efficiency of process, but for quality of judgement. In a 2018 survey of development professionals, the resourcing of planning departments emerged as the greatest barrier to the delivery of new housing.⁸² One local authority official told us:

*'Where an applicant or developer has taken on a large site but doesn't have the in-house skills or experience to manage the process, this puts a huge pressure on the Local Planning Authority for resourcing and phasing.'*⁸³

By moving the democracy forward, by having a more rational land allocation environment, by using clearer form-based codes in many circumstances, by limiting the length of planning applications, and by investing in digitising data entry and process automation, it should be possible to free up resources. However, we do not pretend that this profound re-engineering will be easy. Nor would we blame those responsible for the work we are suggesting if they are nervous reading our recommendations.

There is a transitional cost challenge here. It will probably be difficult to lower costs in development control before costs have increased in strategic planning. We have no magic wand to increase budgets, but as resources do become available, supporting the transitional costs of the shift to strategic planning should be an urgent priority, particularly due to the long-term savings that this can generate. We aspire for planners to be freed up to plan not process-manage, to be able to take professional and civic pride in their work and to be valued by their communities for doing so.

Within this clearer framework, data entry and data processing needs to be digitised and, where possible, automated so that the speed and comprehension with which spatial and design information is processed and reviewed is revolutionised. (As explained in chapter 7, this should also help with early engagement with affected communities). Key developments which should be supported include:

- *Helping local planning authorities to move from an analogue to a digital culture.* Government needs to help 'apply the culture, practices, processes and technologies of the internet era' (the phrase is from Government Digital Services) to planning authorities.
- *Introducing digital building passports.* At present building information is produced and collected throughout its life. However, once used for its specific purpose it is usually discarded. This means that data often needs to be reproduced many times and that there is no way to monitor a building's performance against the assumptions made when it was designed. As suggested in the Hackitt Review, building information should be digitised to permit a growing repository of information for every building in the UK. Government can use its powers in setting National Planning Validation Requirements to kick-start this process. This repository of information should cover the whole property lifecycle of a building, from early planning stages to maintenance decades into the future. This data-set should start life as a single line representing the boundary of a planning application, growing over time to accommodate all the assumptions generated during the planning stage, used as a Building Information Model (BIM) during construction and finally becoming a Digital Twin of the building including its performance and impact over its whole lifecycle.
- *Where possible treating policy as code which can be visualised and shared easily.* Design policies are often the most ambiguous and subjective of planning policies. This makes it very difficult to make the most out of new technologies, which could save time by screening the thousands of developments assessed by planning case officers every year. Where possible, we need to start writing some planning policy as if it were code. Each policy with a measurable outcome, could thus be effectively illustrated to developers and the public. This would help officials and communities understand and monitor their compliance and impact.
- *Encouraging digital repositories of architectural knowledge.* There is no single source of good design knowledge and principles. All this information needs to be brought together and digitised into a limited number of repositories of architectural knowledge. (The only example we are aware of so far is the Place Value Wiki). Every item in such repositories should be linked to the evidence on which it is based on, creating a 'pattern web' of architectural knowledge and policies. These can be used by local authorities in producing new plans or design codes and can be scrutinised by the design community and by the general public.

- *Encouraging digital feedback loops.* Very little data is collected once a building is occupied, and none of the assumptions set out in the planning stages are ever validated or used to build our knowledge. We need to consider new ways to learn and measure how a building or place is performing. This may include the use of new technology such as sensors or image recognition. It could also include more longitudinal surveys and tapping into other existing data sources which might serve to indicate performance.

Another way for local planning authorities to perform their task more efficiently is by using third sector bodies that can act as centres of excellence. There are a range of possible models.

- *A reconstituted ATLAS type team in support of the local authority.*
- *Design review.* A range of charities and commercial bodies provide design review support to planning authorities paid for, at present, by developers. Reviewing bodies should be able to demonstrate that their process is grounded in empirical evidence on local popular design preferences and on the links between urban design and well-being.
- *Secondment.* Another model is a new not-for-profit social enterprise that is placing additional built environment skills within local authorities across London and the wider South East and promoting public planning as an exciting and creative career opportunity. They offer authorities specialist expertise which they would otherwise find difficult to recruit.⁸⁴ They have been funded by a mix of developers, Registered Social Landlords and public sector bodies.

Policy proposition 37: streamline planning and shift resources from development control to strategic planning partially, through revolutionising the use of digital technology.

Local planning authorities need radically to improve the efficiency of the planning process. The government should:

- Support local planning authorities moving from an analogue to a digital culture;
- Introduce digital building passports;⁸⁵
- Where possible write common policies, such as those governing householder-development, as machine readable code which can be visualised and shared easily;
- Encourage digital repositories of architectural knowledge; and
- Encourage digital feedback loops.

As part of this transition, we are attracted to a regime in which local plans are living documents, regularly updated to capture and reflect changing trends. We recommend that the government sets this as their target, though it will take some years to achieve.

We also recommend that as funding for investment becomes available, government support for better and more digitally enabled strategic planning should be a priority. Mechanisms to pay for improvements via developer contributions should also be considered.

Policy proposition 38: limit the physical length of planning applications. Outline planning permission was initially created to provide a light-touch way of achieving more certainty. It has ended up becoming a complex process in itself, with needlessly long and verbose applications obscuring the key points. The government should consider issuing guidance on the maximum physical length and complexity of planning applications.⁸⁶

Policy proposition 39: support centres of excellence. The government should review whether they can more effectively help support public or third sector bodies that can act as centres of excellence. Government should consider a national expansion of these types of programmes to help build and support high quality planning, landscape and urban design skills within local authorities across the country. Expansion should be based on consultation.⁸⁷ There is an unavoidable risk that such centres of excellence, at one remove from the democratic process, lose their link with genuine public preferences. It should be a condition of any government support that they can demonstrate how they are effectively managing this risk, and ideally involving interested citizens as much as possible.

Counting happiness to encourage 'good lives.' There is also a crucial need to change the management targets for teams and officials in Homes England, as well as the highways, housing and planning teams in central government and councils, creating a new focus on quality and outcomes as well as quantity. They should be targeted on objective measure for well-being, public health, nature recovery and beauty (measured via popular support). Examples might include air quality, average distance walked, bike use, polling on popularity of new streets or buildings. The Planning Officers Society suggests that, in order to measure local opinion on beauty, 'an electronic stand could be placed outside a new building with green to red

buttons pressed by passers by, similar to tracking experience of airport security'. We think this is an interesting proposal, although other measures might be necessary to avoid selection biases.

One example of an organisation that has made use of new targets is Transport for London, which for some years has been improving its focus on healthy streets and cleaner air. Many professionals we spoke to praised the success of this policy, and highlighted it as an important model, though there remain questions about how far it is influencing action 'on the ground.' If the performance of transport and highways teams was measured on health and well-being outcomes, there would be a greater desire to see street trees, benches, streets where children can play rather than a debate on 'adoptable standards.'

We have encountered much evidence of the importance of the five-year land supply test in obliging authorities to have local plans in place and to ensure that enough homes are being built. We understand why this pressure has been placed in the system and it has worked in its own terms. The number of councils with up to date local plans in place has increased from about a quarter to over half.⁸⁸ It is now time to place some countervailing pressure. Local planning authorities should also face measurable and comparable requirements on design quality, design popularity and environmental indicators.

Policy proposition 40: count happiness and popularity. Council chief executives, chief placemakers, highways, infrastructure and planning teams should be set key targets and performance indicators which speak directly to the beauty and popularity of what is being permitted, and to the effects on community well-being, health and sense of neighbourliness. Key targets and metrics which we would suggest for both residents of new developments, and for all residents, could include:

- Standardised scores on local health, well-being and reported happiness;
- Standardised scores on place satisfaction;
- Local polling and visual preference surveys on local council new buildings, new development and investments in public realm;
- Average minutes walked per day and level of cycling;
- Local perceptions of community safety;
- Number of neighbours known;
- Local air quality; and
- Ratio of new trees to new homes.

Procuring properly. We have frequently heard that ‘procurement designs out beauty.’ In order to understand *where* in the procurement process this happens and *why*, our procurement working group therefore considered questions such as:

- How the public sector (and some legacy landowners) procure development partners to secure good (or bad) outcomes;
- How vision, targets, development briefs, procurement processes and scoring mechanisms secure good (or bad) outcomes;
- How forms of contract (in particular ‘Design & Build’ type contracts) have a negative or positive impact on final design and build quality; and
- How government funding is, is not, or should be linked to qualitative outcomes.

Our work has convinced us that our approach to procurement helps explain why so many publicly-commissioned projects are so poor. It was felt that we hide behind EU procurement and risk of challenge as grounds to accept ugly and sub-optimal outcomes. However, the same legislation applies across Europe and very different outcomes can be achieved. Many felt that procurement is no longer the ‘means to the end.’ In many instances it has become the end; an industry where a, perhaps exaggerated, fear of challenge and litigation means we often limit our ambition. Procurement now is a set of rules, practice and precedent not legislation. We must stop hiding behind it.

The Commission appointed the Design Council to map the critical pathways of procurement, test areas of weakness and strength at a multi-disciplinary workshop and to make recommendations on how we can improve outcomes. Their summary recommendations are in the appendix. There has been general consensus from our working group that there is an urgent need to improve. Issues we have encountered include:

The need to be intelligent clients. Too frequently, public sector clients are insufficiently clear on what they do and do not want and are too focused on process rather than outcomes. Realistic budgets are not set to reflect the client’s aspirations, resulting in a cost-cutting focus above everything else. There is a danger of ‘conflicting objectives’ creeping in thanks to single issue officers focusing only on their area and not considering the cumulative impact of their requirements. Workshop participants made comments such as:

‘Too often the brief is a cut and paste of the last job.’

‘The best briefs are not written, or bids evaluated, by a Committee.’

‘Loading on layers of requirements into bids does not necessarily guarantee the best outcomes for either side.’⁸⁹

At times clients fail to acknowledge, understand or align their bidders' business models with their own objectives. We have learnt of two distinct groups of developers – the 'cost-reducers' and the 'value-adders.' A commissioning client should be clear which they are seeking and procure accordingly.

Quality as well as quantity. This is the heart of the procurement challenge. Quality, and beauty, are normally viewed as cost-inflators and not sources of social or civic value. In consequence, issues of cost management nearly always trump all considerations of quality.

Value engineering or cost-cutting. Value engineering has become a euphemism for cost-cutting to improve contractors' margins, particularly in so-called 'Design & Build' contracts where the client typically transfers design ownership to their contractor. It was noted that the phrase '... or similar and approved' gives free reign to the contractor to source lesser quality alternatives. Frequently they appear to do so. As Dame Judith Hackett observed after the Grenfell fire:

*'Value engineering is anything but value, it is cutting costs and quality ...The structure of industry has to change to make it more effective. We need to put a focus on the way in which buildings are procured. If we have a process that makes people bid at a cost they can't afford to deliver at, we set ourselves up to fail.'*⁹⁰

It was refreshing to read the architects of the 2019 Stirling Prize win for Goldsmith Street comment that, 'we were paid to do the value engineering. That's unheard of.'⁹¹ We need to reinstate value engineering back into the design development process for its original purpose – to focus on balancing the triumvirate objectives of time, cost and quality that exist on every project. It was strongly felt that we do need to re-cast the relationships between client, professionals and contractors to ensure more collaborative outcomes with a request, given the move to off-site manufacture and new methods of construction, to revisit the Sir Michael Latham's 1994 Report, 'Constructing the Team' to reflect how we can build better as well as more beautifully.

Ensuring procurement isn't limiting to only big firms. Many 'pass or fail' procurement exercises result in the same large companies being selected. The sheer work required to apply, the high risk and the need to demonstrate a track record all mitigate against innovation or new entrants. Small firms are squeezed out.

What is the aim of Homes England? Above all, while we recognise that there have been very welcome recent improvements, such as the use of ‘Building for Life’, our working group reviews have convinced us that at present, the Homes England land sale process fails to put quality first on every occasion and it still remains much easier to win a site based on financial offer than design quality. This very urgently needs to change to ensure that the state is not effectively subsidising poor quality and ugly development, with insufficient focus on placemaking.

The evolution of Homes England from its former life as the Homes and Communities Agency (HCA) has had a transformational impact on the land and housing markets. Their land ownership, availability of capital and ability to intervene in markets has driven housing delivery across all housing markets.

When the Homes and Communities Agency was established in 2008 we were in the depths of the last recession. The housing market had all but flat-lined and the priority was to resuscitate it; stimulate mortgage provision and open up access to housing. Quality slipped down the agenda, as did many of the standards the predecessor land and regeneration agency, English Partnerships, had advocated. ‘You had to “nickel and dime” it’ as one workshop attendee reflected. Design, materials and public realm requirements were watered down. Subsequently, pressure on government expenditure led to a focus on land disposal to the highest bidder to maximise the capital receipts back to the public purse. Times have thankfully changed

However, Homes England is still viewed primarily as a ‘housing accelerator.’ It lost the ‘Communities’ from its name in 2018 and their key measure of success is very binary – the number of homes they deliver. As the organisation matures, so should their metrics, moving from measuring homes to positive impacts on places and wider resident well-being.

Within their inaugural *Strategic Plan* document, for the period 2018-19 through to 2022-23, there is much to applaud. However, it is disappointing that ‘quality’ is only mentioned a handful of times within the entire report, is not part of their mission and is usually only referenced in the context of ‘homes’ and not places. Given this background, it is perhaps not surprising that we have heard many concerns about Homes England’s approach that include:

- The relative under-weighting of design versus price in many land sale decisions;
- The much lower weighting put on design in land sales in poorer locations with lower land values;

- The exclusive reliance on ‘Building for Life’ as their only metric of design quality. Building for Life has merits, but there have been concerns consistently voiced that this is still a ‘lowest common denominator’ approach and needs to have greater emphasis on local character;
- Consistent evidence that ‘on the ground’ Homes England teams are not indicating to third parties that design and quality are important factors; and
- Lack of qualitative standards attached to funding offers, including their affordable housing strategic partnerships. This means that grant funding can be used by Housing Associations to buy ‘off the shelf’ from housebuilders without any minimum standards.

Most startling of all is that metrics for quality of design in Homes England procurement processes appear to be lowest weighted in the lowest land value areas where quality really should be paramount.

The powers and opportunities open to Homes England are vast and will have a huge impact on the delivery of the built environment over the coming years. We need to make sure that those powers are directed correctly to drive quality placemaking in everything it touches.

Policy proposition 41: value design as well as price. Homes England (and other government agencies) should:

- Ensure that the strategic focus on design in public sector land sales, or joint ventures, is real and is fully percolated throughout the organisation in decisions ‘on the ground’;
- Place a greater weighting on design quality in their scoring of land purchasers and development partners. This should be achieved through both weighting and scoring;
- Be more transparent and simpler about scoring and weighting mechanisms. One option might be to set a target price and encourage bidders to ‘solve’ to that price. Alternatively, only top scoring bids on quality might pass through to the final round;
- Evolve a wider framework for quality which goes beyond ‘Building for Life’.

There do not appear to be clear qualitative standards or requirements for grant funded affordable housing. We do acknowledge that Homes England funding comes in many forms and programmes and, for example, where they are providing debt funding, often on challenged schemes, it would be difficult for them to impose additional standards that a bank or other funder would not. However, where grant or equity is provided, they should exert a much stronger influence on the outcomes.

Policy proposition 42: review Homes England's remit, targets and investment timeframes to increase the focus on quality and long-term placemaking. To support this, Homes England will need longer-term business planning periods and targets – often 40 years is a better timeframe for planning places than 5 years. This will permit Homes England more flexibility to not have to reduce quality in order to manage cashflow challenges within the financial year. It would also make it easier for them to say 'no' to poor quality proposals in low-value areas.

We would like to see government supporting Homes England with a more balanced scorecard, demonstrating a wider definition of success that addresses the quality and sustainability of the places they invest in within their future Strategic Plans. This should also include reference to support for schemes meeting the 'stewardship kite mark' discussed in policy propositions 15 to 17.

HM Treasury may also need to give latitude to enable Homes England to be geographically agnostic, to ensure equitable outcomes and quality in all areas. This could allow a more creative approach to cross subsidise across their portfolio.

Policy proposition 43: encourage Homes England to take a clearer master developer role and consider establishing a code zone ('permission in form') approach to large sites to increase the role for smaller firms. Code Zones' for larger sites would mean Homes England working to create a popular result, though a masterplan and form-based code. Development would then be possible 'as of right', via permission in principle, for buildings that met the masterplan and code.⁹²

Civic pride. Beyond points concerning procurement mechanisms, there lies a deeper cultural question about public buildings. Surely, they should be worthy of their civic purpose, popular and beautiful? Many of the proudest buildings in England's towns and cities are civic buildings built with public funds, particularly in the nineteenth century: the Houses of Parliament in London, Leeds or Rochdale Town Hall, or St George's Hall in Liverpool. However, somehow, somewhere, we have lost not just the ability but even the desire to create public buildings of beauty and moral worth. We were very struck by the evidence of Anna Mansfield, who told us earlier this year:

‘I was working on a PFI project ten years ago, and we were told by the contractor to put in a more expensive material that looked cheaper, because there was real sensitivity about anything in the NHS looking expensive.’⁹³

This is ridiculous. A hospital is a noble building built for a noble purpose. It should not be built to look disposable and cheap. We need to rediscover the confidence and ability to create public buildings of popular beauty and civic pride. The response to this proposal in our interim report has been almost universally popular, with consistent praise for the quality of Victorian as opposed to more recent civic buildings.

Policy proposition 44: re-discover civic pride in architecture. New public sector buildings should be popular, and beautiful sources of civic pride. In addition to the changes set out above, it should be routine for public sector procurement process for new buildings or public realm schemes to:

- State clearly in their aims that beauty and popularity with the local population are key elements of the design brief;
- Involve charette co-design process following protocols described in chapter 7;
- Involve polling on local popular design preferences; and
- Seek to make use of the emerging ‘science of place’ on the likely impact of different design approaches on metrics such as resident happiness, air quality and sustainable transport.

Throughout, public engagement, citizen involvement in scheme selection and data on local preferences should clearly underpin the process to avoid some of the major errors of the last 50 years in public sector procurement.

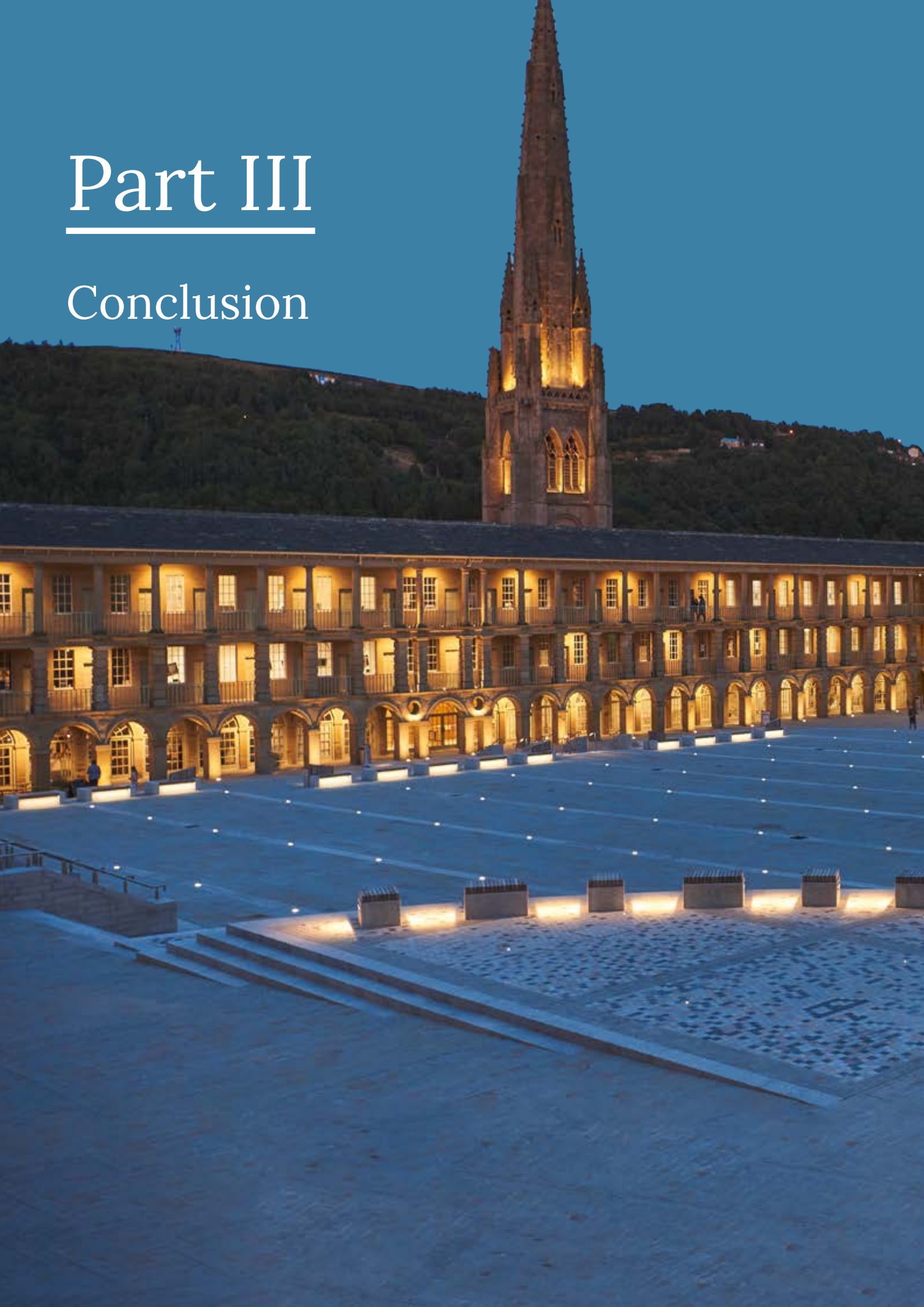
Public and third sector bodies should also consider publicly-voted prizes for the most beautiful and popular public buildings every year and ‘sin bin’ prizes for the ugliest and least popular. An annual ‘celebration’ of the ugliest building paid for by the public purse, as voted for by the taxpayers who funded it, would certainly attract attention.

A beautiful building outlives its original function



Part III

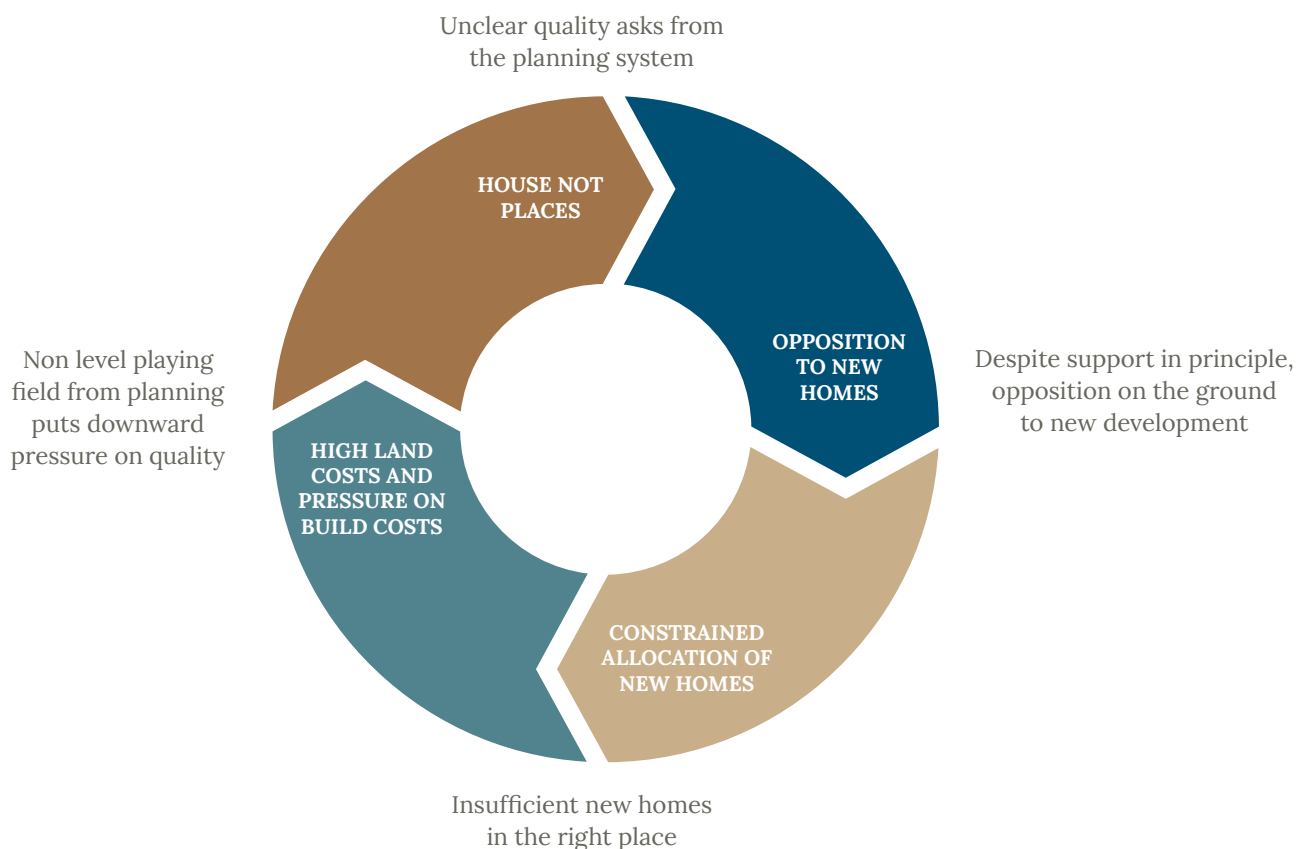
Conclusion



14. What next: from vicious circle to virtuous circle

At present we are in a vicious circle of unpopular and unsustainable new development, often in the wrong place, an instinctive opposition to new housing in practice (whatever people say in principle), and a political debate about development and planning which, at its simplistic worst, has been unable to break out of a false polarity of either 'blaming developers' or 'blaming planners.' People have lost confidence in both the industry and the regulators.

VICIOUS CIRCLE OF PARASITIC DEVELOPMENT



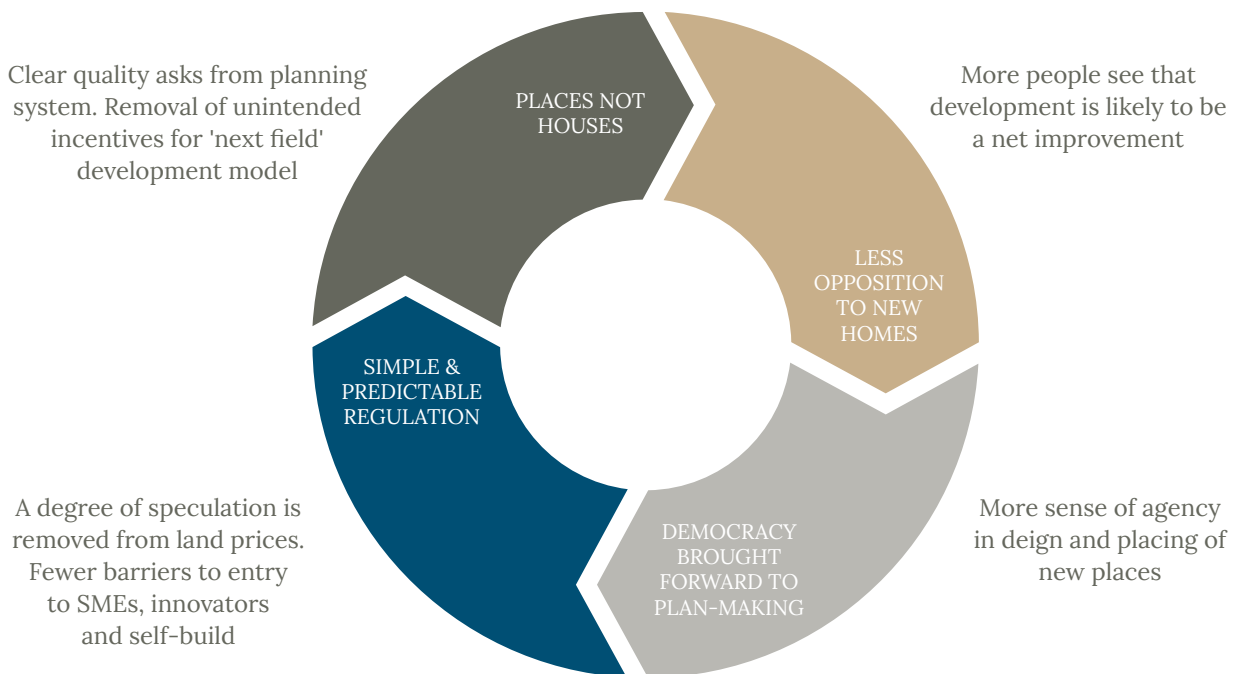
We need to move to a virtuous circle of a simple and predictable regulatory approach to land use planning, under effective democratic control, so that a higher proportion of new developments are beautiful, popular, regenerative of existing places and aligned to measurably higher well-being outcomes for residents.

This will also involve a less concentrated market with a greater role for stewardship and community development models, as well as for smaller firms and self-build rather than a small number of big players. We believe

that the successful introduction of these policies over time could engender a renaissance of civic pride and revitalise the great tradition of civic involvement. They are intended to achieve our three goals:

- To ask for beauty and ensure that new developments are beautiful places where people want to live and can flourish;
- To free people from the blight of ugliness by regenerating derelict and damaged places; and
- To ensure long-term stewardship of our built heritage and of the natural environment in which it is placed.

VIRTUOUS CIRCLE OF REGENERATIVE DEVELOPMENT



These changes will take many years, although many could be started pretty soon. They will also require actions from government, local councils, investors and developers, design professionals and wider civic society – although the key early steps are for the government to take.

Theme	Proposal	Primary responsibility							Possible timing		
		Government	Local Government	Homes England	Professional bodies	Landowners	Developers	Educational bodies	Civil Society	Short term (<2 years)	Medium term (< 5 years)
Planning: create a predictable level playing field	1. ask for beauty	●								●	
	2. expect ‘net gain’ not just ‘no net harm’	●								●	
	3. say no to ugliness	●								●	
	4. discover beauty locally		●						●		●
	5. masterplan don’t plan by appeal		●								●
	6. use provably popular form-based codes		●								●
	7. localise the National Model Design Code		●						●		●
	8. require permitted development rights to have standards	●								●	
	9. permit a fast track for beauty	●									●
	10. ensure enforcement		●							●	

Theme	Proposal	Primary responsibility							Possible timing		
		Government	Local Government	Homes England	Professional bodies	Landowners	Developers	Educational bodies	Civil Society	Short term (<2 years)	Medium term (< 5 years)
Communities: bring the democracy forward	11. ensure public engagement is wide, deep and early	●	●	●	●	●	●		●		●
	12. move public engagement from analagoue to digital		●						●		●
	13. empower communities	●							●		
	14. permit intensification with consent	●							●		●
Stewardship: incentivise responsibility to the future	15. create a recognised 'stewardship kitemark'	●		●	●	●	●	●			●
	16. provide acces to a Patient Capital Fund for schemes meeting the 'stewardship kitemark'	●		●							●
	17. create a level tax playing field between long and short term approaches to develoment	●									●
	18. support the right development in the right place	●									●
	19. end the disincentive to public sector involvement in stewardship	●									●

Theme	Proposal	Primary responsibility								Possible timing	
		Government	Local Government	Homes England	Professional bodies	Landowners	Developers	Educational bodies	Civil Society	Short term (<2 years)	Medium term (< 5 years)
Regeneration: end the scandal of left behind place	20. appoint a Minister for Place	●								●	
	21. appoint a Chief Place-maker in all local authorities		●							●	●
	22. regnerate 'regeneration' to being place-led	●	●		●				●		●
	23. align tax for existing and new places	●								●	
	24. encourage the recycling of buildings	●		●						●	
	25 encourage resilient high streets	●		●						●	
	26. banish boxland	●		●						●	
Neighbourhoods: create places not just houses	27. end the unintended bias against 'gentle density' neighbourhoods	●	●							●	
	28. create healthy streets for people	●	●							●	
	29. clean urban air	●	●							●	

Theme	Proposal	Primary responsibility							Possible timing		
		Government	Local Government	Homes England	Professional bodies	Landowners	Developers	Educational bodies	Civil Society	Short term (<2 years)	Medium term (< 5 years)
Nature: re-green our towns and cities	30. ask for more access to greenery	●								●	
	31. plant two million street trees	●	●			●	●		●		●
	32. plant urban orchards - one fruit tree per house	●	●			●	●				●
	33. regreen streets and squares	●	●			●	●			●	
Education: promote a fuller understanding of place	34. promote planning excellence				●			●			●
	35. promote a common understanding of place				●			●			●
	36. support design review but not from 'on high'				●			●		●	

Theme	Proposal	Primary responsibility								Possible timing	
		Government	Local Government	Homes England	Professional bodies	Landowners	Developers	Educational bodies	Civil Society	Short term (<2 years)	Medium term (< 5 years)
Management: value planning, count happiness, procure properly	37. Streamline planning and shift resources from development control to strategic planning partially through revolutionising the use of digital technology	●	●								●
	38. limit the physical length of planning applications	●								●	
	39. support centres of excellence		●	●							
	40. count happiness and productivity		●	●						●	●
	41. value design as well as price	●	●	●	●	●				●	
	42. review Homes England's remit, targets and investment timeframes	●		●						●	
	43. encourage Homes England to take a clear master developer role and consider establishing in code-zone (permission in form) approach to large sites	●		●							●
	44. Re-discover civic pride in architecture	●	●	●						●	
Conclusion	45. Monitor the implementation of this report	●								●	●

	From	To
Planning: create a predictable level playing field	• A shield against the worst • Sustainability • High levels of planning risk • High 'barriers' to entry • Verbal planning policy • Permitted development with insufficient standards • Beauty increases cost	• A champion of the best • Sustainability, beauty & placemaking • Lower levels of planning risk • Lower 'barriers to entry' • Visual planning policy • Permitted development rights with standards • A fast track for beauty
Communities: bring the democracy forward	• Consultation during development control • Limited understanding of local preferences • Long and verbal local plans	• Consultation during local plan • Empirical understanding of local preferences • Short and visual local plans
Stewardship: incentivise responsibility to the future	• Short-term development • What is stewardship? • Options agreements • Tax incentivising short-term development	• Stewardship development • Stewardship kite mark • Joint venture agreements • Tax not incentivising short-term development
Regeneration: end the scandal of 'left-behind' places	• No Minister for Place • No chief Place-maker in all local authorities • Infrastructure-led regeneration • Tax favours new build over regeneration	• A Minister for Place • Chief Place-maker in all local authorities • Place-led regeneration • Aligned tax for existing and new places
Neighbourhoods: create places not just houses	• Barriers to gentle density • Streets for passing through • Streets for cars • Air not clean enough	• No barriers to gentle density • Streets for being in • Streets for people • Clean air
Nature: re-green our towns and cities	• Declining number of street trees • Declining biodiversity	• Two million more street trees • Urban orchards – one fruit tree per house • Increasing urban biodiversity

	From	To
Education: promote a wider understanding of placemaking	Limited understanding of links between urban design and health	Wide understanding of links between urban design and health
Management: value planning, count happiness, procure properly	- Analogue planning - Resources focused on development control - Count costs - Place resignation - Less walking - Homes England focus on price	- Digital planning - Resources focused on strategic planning - Count outputs - Place happiness - More walking - Homes England focus on price and quality

Policy proposition 45: monitor the implementation of this report. The government should create a time-limited independent commission or ‘light touch’ body to monitor and report back publicly on the implementation of this report on a regular basis. It should also promote the growing public and professional discussion about how we evolve our villages, towns and cities in ways that are popular, beautiful and good for us. The wider views of the general public should be evident in such a body’s terms of reference.

Our proposals are detailed. Some of them are tentative. But all of them reflect the aims of this Commission. We seek to move planning from a culture of fear to a culture of affirmation. We are heirs to beautiful towns, set in incomparable countryside. Our goal should be to pass that heritage to our successors, not depleted but enhanced. That is what it means to build beautifully.

As we have tried to show, beauty is not an arbitrary addition to the builder’s aims but fundamental to promoting health, well-being and sustainable growth. Beauty, as Stendhal wrote, is a promise of happiness. We hope that, fifty years hence, more of our fellow citizens will be ‘living with beauty’ and that our labours will have played some small part in helping them do so. For if they are living with beauty, then they are to that extent enjoying good lives.

APPENDICES

15. Terms of reference

Purpose / role of the Commission

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

Aims

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

- To inform the work of the Ministry of Housing, Communities and Local Government and other Government Department policy teams. Government policy development will be informed through the sharing of insight and workable ideas and solutions from the Commission.

16. Commission, advisers and acknowledgements

Commissioners

Co-Chair: Sir Roger Scruton, FBA, FRSL. Roger Scruton was a well-known writer and philosopher, whose ground-breaking work on the philosophy of architecture, *The Aesthetics of Architecture*, has been widely studied and translated. He taught in many universities in Britain and America, and endeavoured, through his popular writings, to raise public consciousness of the relation between the built environment and the happiness of human communities. Sir Roger died on 12 January 2020 less than two weeks after the final text of this report was completed.

Co-Chair: Nicholas Boys Smith, Founding Director of Create Streets. Nicholas has written widely on the associations between urban design with well-being, sustainability, prosperity and support for development. He has led or supported multiple community engagement and urban design projects. Create Streets is working with neighbourhood groups, landowners, charities and councils around England and internationally.

Gail Mayhew, Smart Growth Associates, Property Consultants. Gail is a placemaking consultant. She works with developers and local authorities to embed high quality design and placemaking from the outset. She led research for the Princes Foundation, identifying innovative delivery mechanisms to support high quality development outcomes. She is an advocate of community engagement and has supported many neighbourhood groups in fighting for high quality, contextually appropriate development.

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

Adrian Penfold OBE, Adviser in Planning and Public Affairs. Adrian joined British Land in 1996, following his time in local government, working for the London Borough of Hammersmith and Fulham, the London Docklands Development Corporation and, as Head of Planning, at Dartford Borough

Council. Adrian was a member of the Barker Review of Land Use Planning Panel of Experts and led the independent Penfold Review of Non-Planning Consents which reported in July 2010. He is non-executive Chair of the built environment charity Design South East, and a member of the Governing Council at the University of Warwick.

Advisers

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

Ben Bolgar MVO, Senior Director of Prince's Foundation. Ben is the Senior Director for the Prince's Foundation and Design Director of the development company, Stockbridge Land. At the Princes Foundation he has led collaborative planning and design frameworks that cover city expansions, new towns, brownfield remediation, town centre regeneration, heritage, ecological and healthcare projects. Ben is a qualified architect, a visiting fellow of Kellogg College, Oxford and an honorary fellow of the University College of Estate Management.

Andrew Cameron. Andrew is an engineer with a background in transport, architectural engineering and urban design. He has contributed to many masterplanning and regeneration projects for villages, towns and cities in the United Kingdom and worldwide including Poundbury, Derwenthorpe and the new town of Madinat Khalifa in Bahrain. He has co-authored design guidance including Manual for Streets, The Urban Design Compendium and The Abu Dhabi Urban Street Design Manual. He regularly sits on design review panels for Design South East and The Design Council, and is a visiting lecturer at Kellogg College, Oxford University.

Euan Mills is the Head of Digital Planning at Connected Places Catapult where he co-leads a programme of work looking at how new technology can help us plan cities better. Prior to this, he spent 16 years, working in the built environment industry including six providing design advice to the Mayor of London and his planning team.

Paul Monaghan, Director of AHMM and Design Council Trustee. Paul is a founding director of RIBA Stirling Prize winning architecture practice, Allford Hall Monaghan Morris. He is the Liverpool City Region Design Champion, a member of the CABA National Design Review Panel, an RIBA

Client Design Adviser, and visiting professor at the Bartlett School of Architecture and the University of Sheffield, from which he received a Doctorate of Letters.

Sunand Prasad, Senior Partner and co-founder of Penoyre & Prasad.

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

Dame Fiona Reynolds DBE, Master of Emmanuel College, Cambridge.

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

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

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

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

As always in such collective endeavours, not every Commissioner or Adviser agrees with every single word in this report.

Acknowledgements

We would also like to express the warmest possible thanks to our excellent and dedicated secretarial team at the Ministry of Housing, Communities and Local Government (Liz Hobman, Alex Turner, Nicola Laszlo and Meshkath Begum) with whom it has been a consistent pleasure to work; for the generous counsel we received from the Chief Planner, Steve Quartermain, and the Director of Planning, Simon Gallagher; and for kind additional help from the Ministry of Housing, Communities and Local Government's Chief Architect, Andy von Bradsky and Head of Built Environment Jennifer Thomas. The co-chairs would like to thank Samuel Hughes for support with drafting and research and Nada Elfeituri and Robert Kwolek for help with photos and graphics for the final report.

The Commission would like to thank the many hundreds of professionals, interest groups, civic associations and members of the public who have generously given their time in support of our work, including all those who attended our evidence meetings and roundtables, specialist working groups, hosted our site visits and provided representations in writing. Their experience and advice have provided a vital evidence base for our work, and we are very grateful to them all.

In particular, we need to thank the following for their expertise, experience and practical help in our round table discussions, evidence sessions and eight working groups: Robert Adam, Charlie Anderson, Peter Andrew, Michele Anderson, Stephen Ashworth, John Barnett, Craig Beevers, Claire Bennie, John Beresford, Christopher Boyle QC, Brian Buckingham, Matthew Carmona, John Cullinane, Katherine Dawe-Lane, Merrick Denton Thompson, Karl Fitzgerald, David Fursden, Dee Haas, Euan Hall, Professor Dieter Helm, Emily Gee, Victoria Hills, Alex House, Andrew Howard, James Jamieson, Anthony Keown, Mike Kiely, John Lyall, Sally Anne Logan, William McKee, Luke Mills, Paul Miner, Anthony Moore, Ian Morrison, Ben Murphy, John Myers, Duncan Neish, Terence O' Rourke, Alan Penn, Ben Pentreath, Roy Pinnock, Simon Ricketts, David Rudlin, Lindsey Richards, Anna Rose, Alex Simmons, John Slaughter, Lynn Smith, Louise Speke, James Stone, Ian Tant, Matthew Taylor, Peter Vernon, Kate Willis, Colin Wilson, Sarah Whelan and Roger Zoglovitch. We would also like to extend our thanks to the teams from Homes England who answered our questions.

Matthew Weiner and his team at U+I kindly hosted our interim launch and Ian Harvey of Civic Voice spoke at it. Charles Dugdale and Kami Nagy of Knight Frank and Sarah Weir and Sue Morgan of the Design Council have led research for us. Thanks to the Design Council's Built Environment Experts Maayan Ashkenazi, Kimball Bailey, Peter Neal, Valerie Owen and Nick Sharman for adding their expertise and insight to the Design Council research.

Our site visits were made possible thanks to the time and expertise of Nick Pollock of the Duchy of Cornwall, Tim Gray of Landowner Legacy, Hugh Petter of Adam Architecture, Nicholas Tubbs, William and Carolyn Molesworth-St Aubyn, Kenji Shermer of East Devon District Council, Toby Gallagher of Urban Splash, Euan Hall of The Land Trust, Nigel Brewer of Places for People, Merlin Fulcher of the Architecture Foundation, Paul King of Lendlease and Jonny Anstead and Neil Murphy of Town.

17. Research

Research Rationale & Methodology

As a Commission we recognise the difficulty of innovation within the property market, which is a by-product of the multiple interests involved, extended timeframes and the value implications on very substantial interests and investments.

To assist our deliberations, and in supplement to the many views we received through submissions, we considered that an important strand of our work should be to review a cross section of built schemes which are widely considered to have produced substantially better outcomes from a quality and placemaking perspective, to consider how these came about, and what we might learn from them. By looking beyond the characteristics of the masterplanning and scheme design to consider what the commercial arrangements were which underpinned these schemes, we have sought to discern key commonalities and departures from the standard development trajectory- to help to inform a proposition as to how innovative delivery arrangements might be framed, to support a move towards quality placemaking on a mainstream basis.

To this end we compiled detailed case studies of identified schemes, which we visited in the course of the Commission's work, and which we reviewed in detail to compare outcomes and differing delivery arrangements. These are appended to this report. From this review, submissions received, and broader research, we identified that while a robust and clear planning position on design quality together with excellent design are necessary conditions for high quality delivery, these are not sufficient to produce the desired quality outcomes. The presence of a long-term land interest with a patient investment time horizon, appears to be a critical additional factor that enables delivery of high-quality urbanism at significant scale. It was also drawn to our attention however that a number of substantial barriers operate - under present arrangements - to impede land interests from adopting such a patient equity position, both within the private and public sectors.

The research we commissioned from Knight Frank and The Design Council aimed to consider what these barriers to the mainstreaming of a 'stewardship' development and investment approach with a high-quality placemaking aspiration are, so as to inform our policy recommendations. The initial findings from the research were subsequently tested through a series of thematic focus group sessions, to bring a range of expertise and experience to robustly review the emerging propositions.

The Knight Frank research summarised below, and which can be found in full on the MHCLG website, considers in detail what the obstacles and challenges are for a land owner who chooses to vest land on a patient equity basis. The research further identifies a series of proposals for how these barriers might be mitigated, which inform the policy recommendations in our final report.

In a second exercise, Knight Frank considered the cost and value performance of a range of stewardship-led schemes, across a range of measures of value, and contrasted these with the performance of standard residential development within the same property market. This work aimed to discern whether the prejudice that quality costs more to the developer, is substantiated through evidence, and whether this precludes the delivery of high-quality, affordable homes and neighbourhoods. On the value side, we aimed to discover whether high quality schemes are able to generate a value premium; whether this is sustained, and who is the beneficiary. A final piece of work commissioned from the Design Council reviewed aspects of public procurement across the development trajectory, to review how decisions are currently made, whether these support a quality outcomes, and how arrangements might in future be better conditioned to do so.

We are indebted to the individuals, organisations and businesses who supported this work with access to their data, staff time, expertise and insight.

It should be noted that the research was conducted within a short time frame to support the findings of the Commission. It was further constrained by the availability of information, and the research team has made recommendations on the need for greater transparency of information in this area, to underpin the emergence of a stronger market and improve decision-making.

The Commission is acutely aware that differences across property markets must be taken account of, and that different factors operate upon schemes at different levels of scale and ambition. The exercise is intended as a starting point for further work to consider the robustness of the propositions across all property geographies and contexts, and to identify what critical innovations might be adopted to standard land and property development and investment practice, and institutional arrangements to deliver the high-quality homes, amenities and mixed-use neighbourhoods this country so badly needs.

Knight Frank

Identifying how the planning and development process may be improved to enable the delivery of high-quality housing and mixed-use development

Introduction and objective

Knight Frank was commissioned by the Building Better, Building Beautiful Commission to identify how the planning and development process may be innovated to enable the delivery of high quality and mixed use, residential-led development. The Commission was particularly interested in understanding how, given that many of the higher quality development schemes seemed to have benefited from the involvement of a landowner in a long term stewardship role, this approach could be more widely encouraged.

Approach

Knight Frank sought to understand why landowners do not typically remain as stewards of good quality housing-led schemes on their land, including identifying whether there are dominant, but corrigible, obstacles that discourage this approach and /or issues that require or incentivise landowners to sell their land at various points in the development process, which possibly operate to the detriment of the overall project outcomes.

The Commission's focus on the potential of the role of the land interest emerged from comparative review of high quality schemes which identified long term land owner involvement as a common characteristic of many of the best residentially-led schemes that have emerged in recent years and historically. Prior research in this area (*Delivering Sustainable Urbanism*, Princes Foundation 2010) underlined the critical role that the initial form of contract over the land plays in determining outcomes.

This research identified that where a land interest adopts a patient equity position, delivery and improved outcomes can be assisted by enabling the postponement of land value crystallisation as far as possible in the development cycle. This helps higher levels of investment into the built product to be supported at the critical early stages of a project and is reflective of established practices within the regeneration sector. A parallel advantage of this 'stewardship' approach is that through maintaining a long term interest in the land and the execution of the masterplan as conceived and agreed with the community and local authority, the land interest can also effect enforcement of quality and overall compliance through contract, in complement to the planning system. The arrangement has the further

benefit of potentially creating stronger alignments of interest between the stewardship entity, local authority and local community around high quality placemaking.

We prepared a questionnaire which was sent to 17 parties, representing housing and development teams, seeking views on their experience and ideas for how issues/obstacles and risks could have been overcome or mitigated.

Responses were received from representatives of nine schemes including Bartons (Nottingham), Fairford Leys (Aylesbury), Beaulieu Park (Chelmsford), Saltwell Road (Gateshead), Salford Central (Salford), Newhall (Harlow), Tornagrain (Inverness), Upton (Northampton), Roussillon Park (Chichester).

In order to draw out the themes of the questionnaire responses, we created a fictional landowner with a fictional development site to illustrate a typical critical path of a greenfield development scenario. We acknowledge that the critical path illustrated varies considerably according to land market and specific variables, and that the conclusions drawn should be tested across a range of development situations and land markets to demonstrate robustness.

The landowner's story is one of a typical farmer whose land, on the edge of a growing town, becomes appropriate for large-scale development. We have aimed to use his journey as a means to show the multiple - but significant - choices and difficulties that landowners face in relation to their involvement in supporting or delivering high quality housing and mixed use, residential-led developments.

Key findings

1. A consistent theme from respondents' experience is that the decision to participate in a high quality development has been made despite significant obstacles. This is also a theme arising from our wider involvement in many development projects, where a landowner might have stayed involved but decided to exit in favour of taking a capital gain as opposed to a future income. From discussions with many landowners this decision is entirely down to tax policy, which strongly favours an early exit.
2. The present tax treatment also operates against land pooling which can be highly beneficial to outcomes were it to be enabled rather than impeded.
3. For the few landowners that do decide to take the additional financial risk of participating in the development project, the most significant challenge is financial viability. Our research suggests that there is a disconnect between the perception of the profitability of development and the financial realities for landowners. To a

layman, there is a perception that a landowner – say a farmer – who owns land on the edge of a settlement can simply apply for planning permission and will, overnight, have the value of his land increased many times over as its potential use changes from agricultural to residential. However, in our experience, the value uplift associated with the granting of planning permission does not guarantee the landowner a significant return, and in many cases, major development areas with planning permission struggle to reach the ‘Benchmark Land Value’ (BLV). The BLV is the existing use value of land plus a premium to provide a reasonable incentive for a land owner to bring forward land for development. If the value with planning permission fails to meet the BLV then the uplift has been insufficient to justify the cost and risk of the planning application

The infrastructure burden – the costs of servicing the land with utilities, drainage, access and providing the requisite community contributions and affordable housing – places many potential schemes on the cusp of viability. It is infrastructure cost that our respondents most regularly referenced as the largest burden on viability. At Fairford Leys, Aylesbury, the substantial, initial infrastructure costs created a negative cash flow until year nine of the development. This is not an isolated example. In some cases, such as Salford Central, the burden of infrastructure on the viability of development has been mitigated by local authorities adding land into a joint venture at nil value.

In others, such as in Great Yarmouth, despite the local authority offering land for free, the enabling costs are too burdensome for development to come forward. This shows that, given the current system, many parts of the country are unviable. As a result, in these areas, nationally-enforced local housing targets can require planning authorities to permit developments that might not otherwise be acceptable and which do little to regenerate places instead locking them into low quality placemaking which compounds overall decline.

This raises two separate financing issues. First, it raises the question of how strategic and site infrastructure can be more effectively funded than under present arrangements. Secondly in market failure situations such as Great Yarmouth, the question arises as to how the funding gap can be met to bring forward regenerative development. In the past such areas were the beneficiaries of gap funding regimes, which were transformative of local property markets, and there could be a strong case for reviving this practice as state aid rules are revisited within a Post-Brexit environment.

4. We strongly recommend that a follow on research exercise is prioritised to review the findings across a range of property markets and development scenarios to test the findings for robustness. A further exercise should look at a number of stalled schemes

at different levels of project scale and in different locations to test how, on the basis of real market scenarios, the application of the stewardship model might have affected development outcomes and delivery.

Summary of key themes:

Factor	Issue	Mitigation
Tax: Participation taxed as income	The current tax regime encourages landowners to sell development land up front	Equalise treatment: Introduce rollover relief on income and consider an efficient ‘wrapper’ to bring together land and infrastructure investment within a corpo-rate structure
Tax: Collaboration Agreements	Equalisation agreements face issues with double charging if the land is sold in a different proportion to the percentages set out in the agreement. Access to Entrepreneurs’ Relief or Business Asset Rollover Relief on the proceeds of land sales can be difficult for Land Pools. Restrictive covenants can result in a capital gains tax charge on creation.	Land pool: Bring the current land-pooling trust into the statute so there is no doubt about its taxation status. Reliefs: Extend Rollover Relief and Entrepreneurs’ Relief to receipts from a land pooling trust, if the land in question would have qualified before the trust was established. APR / BPR: Extending the current replacement property provisions for APR and BPR to interest in land-pooling trusts, so that the current IHT consequences are mitigated.
Infrastructure: Burden on large schemes	The average CIL rate for residential development is currently £95 per square meter. Major development sites contribute, on average, £550 per sq m. This is 579% more.	CIL Guidance: The cost of major infrastructure items should be equalised across all new developments within a sub-regional geography through an appropriate and fully enforced levy. CIL offset: Encourages large sites to deliver local community benefits based on evidence of local need. The cost of these benefits should be assessed within a viability assessment.

Factor	Issue	Mitigation
Infrastructure: Funding	The cost of infrastructure is overly burdensome and front-loaded. The costs can be compounded by expensive finance rates and short-term loans, which force participants into joint ventures with larger corporate investors and dilute ambitions of quality.	Patient Capital Fund: Government should establish a fund to provide long-term lending at competitive rates, with flexible repayment options (e.g. tariff repayments when homes are sold), and where developments meet certain criteria that encourage good quality sustainable settlements
Planning: Reactive Process	Planning is a reactive process which leads to a distrusting and confrontational system where NIMBY-ism is commonplace.	Higher tier: A systematic and objective approach to defining the right place for development. Geospatial information systems used to map the existing sustainability credentials and future strategic infrastructure projects. Local Tier: Local and/or Neighbourhood Plans can respond to the above in order to define the vision for development. Localism would remain with stakeholder engagement (e.g. via Enquiry by Design, BIMBY, charrettes) encouraged by the probability of development coming forward in a given sustainable location.
Planning: Cost	Planning is prohibitively expensive for most landowners. The level of advice required from statutory consultees can cause disproportionate costs.	Data collation: New tier of evidence collation and publication to define known unknowns. This would allow any future planning applications to be informed by that material and reduce the cost burden on applicants.

Factor	Issue	Mitigation
Planning: Speed	The current system required numerous rounds of public and political consultation which means that the time-scales for larger schemes is much longer. We expect it to take greater than 6 years for developments of more than 2,000 homes.	Permission in principle: removes time taken on this fundamental point Risk: Lower risk (given principle established) may lower benchmark land value, and give sufficient confidence to bring forward s106 discussions. Proportionate: Engagement with statutory consultees proportionate (given principle established, and existing data).
Best Consideration: Public Sector Selling Out	S123 is a duty to obtain best consideration but it is not a duty to obtain that consideration instantly. This is not often properly understood. Reform required to re-engage public sector.	Guidance: Government guidance updated on where sales at undervalue, in order to facilitate placemaking, can take place, especially where it would further the goals of the Public Sector Equality Duty or meet established local need. Evidence: Prove that participation can maximise long-term consideration Reform s123: Remove 'Triple Bottom Line' cap to include value of social, economic, and environmental well-being
Masterplanning	The up-front cost of exceptional masterplanning design can be prohibitive. Landowners are likely to take a more incremental approach which may not lead to the best possible masterplan.	Sponsor masterplans: Government sponsored masterplanning fund potentially vested on an equity return basis. Warranties: Review warranties on non-standard new build housing.

Knight Frank

Identifying the cost and value of good quality housing and development schemes

Introduction and objective

Knight Frank was commissioned by the Building Better, Building Beautiful Commission to carry out research into identifying the cost and value of good quality housing and development schemes. The aim of the research was to identify overall whether there is added value where schemes are developed with quality as an explicit aim compared with mainstream housebuilder-led schemes.

Approach

The research aimed to compare housing development schemes, using a range of measures and, where, possible, within the same local property market. It draws on projects, identified by the BBBB Commission, where achievement of quality has been a specific aim. This included Fairford Leys (Aylesbury), Poundbury (Dorchester), Oakgrove (Milton Keynes), Newhall (Harlow), Accordia (Cambridge) and Coed Darcy (Neath).

We analysed selected projects by comparing historic new build and resale values against benchmarks we identified as being the most appropriate, for example, a similar new-build scheme in the local area or wider local property market. Our analysis draws on data sources including Land Registry price paid data, Energy Performance Certificate (EPC) Data, market listings matched at address level, BCIS construction costs.

Key findings:

- The relative cost (of development) and value (from sales/other returns) are the key variables driving development and not (as is so often presumed) the land value. Land value is the residual function of value and cost and not a function of demand and supply of land.
- The research indicates that high quality housing and mixed use schemes may cost more to deliver compared with standard schemes, but the values derived will tend to cover those additional costs.
- Adopting a higher quality approach is a viable choice, particularly over the longer-term.
- Housebuilders believe that higher quality housing erodes profitability over the short-term.

- Landowners (public and private) are the one group that have a longer-term vested interest that can engender a behavioural change by delivering land in patient partnership structures. The longer the time a landowner or developer participate in a high quality development, the more value they will benefit from. If longer-term interests can be encouraged we can expect to see more landowners and developers nurturing successful communities.
- The uplift in housing value does not mean that affordable homes are not provided. In general, the case study schemes have delivered on relatively high percentages of affordable housing, as well as on a full range of amenities and community infrastructure. We have seen that more effective use of land, and the long-term perspective that tends to flow from a stewardship-led scheme can enable securing a wider range of housing typologies and tenures.
- Developing successful mixed-use sustainable developments at speed is limited by the pace at which commerce and employment generating uses can be fostered.
- The research has been severely limited by the availability of data. There is a pressing need for Government to regulate so that better and richer data is captured when properties transact and are constructed so as to provide a more transparent basis for policy and market analyses.

Key points arising from case studies

The case study of Great Yarmouth illustrates why the relative cost and value are the key variables driving development and not (as is so often presumed) the land value. Land value is the residual function of value and cost and not a function of demand and supply of land. Great Yarmouth is helpful because it is a relatively extreme example that illustrates this point.

Despite the existence of willing developers (demand) and a willing landowner (supply) there is no development land value. Even though the Local Authority is willing to offer its land for free, the land has not come forward for development because the costs exceed the value that can be generated and therefore has a negative development land value. It would need subsidy to come forward for development.

High house prices are not caused by high land values. Just like the price of oranges is not underpinned by the cost of an orange grove; the price is simply down to the supply of and demand for oranges. Whereas, if an investor is considering buying an orange grove they will consider the price of oranges, the cost of cultivation and calculate the price of land based on their required return. If there is competition from other investors, the buyer of the land will be the person that takes the keenest view on their

required return, or the most aggressive assumption on pricing, but the price paid will principally be a function of the cost of cultivation and the price of oranges. In this way, land value is a function of the value of housing and the cost of construction and if, like in Great Yarmouth, the costs exceed value, no development will come forward. It would be wrong to say that the development has not come forward because of the cost of land, which in this example was zero.

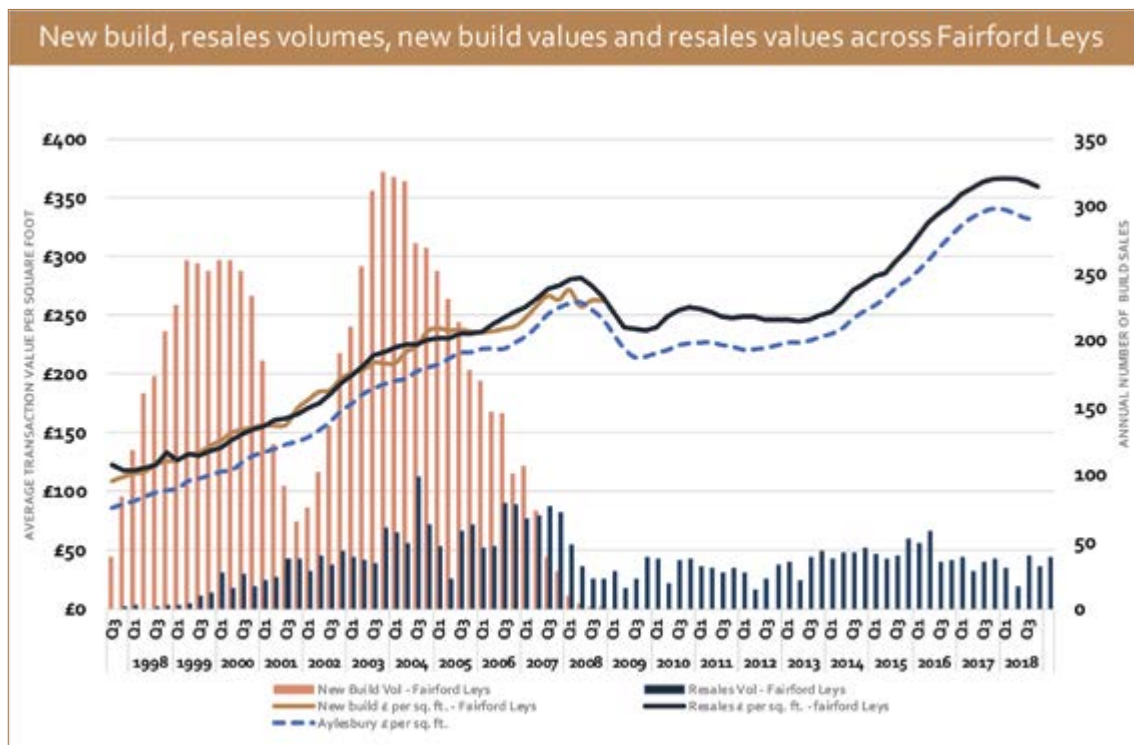
The case study of Fairford Leys illustrates that housebuilders often believe that following a high quality agenda will erode the profitability of a development. The housebuilders at Fairford Leys submitted a paper to the landowner in 1999 stating that the masterplan and design ambition were reducing their saleable floor area, increasing their build costs and infrastructure costs such that the amount left to share with the landowner would fall by 77%. Only with the benefit of hindsight can our research now show that the value premium generated from following a quality agenda offsets the additional costs involved.

Of the sites studied, it is felt that Fairford Leys in Aylesbury and Oakgrove in Milton Keynes have the most appropriate benchmarks in their surrounding housing markets and therefore offer the most meaningful conclusions. In both cases, nearby typical new build housing correlated closely with surrounding local housing and, given its large sample size, we preferred to use the local housing as the most appropriate benchmark. The value premium they generated ranged between 14% and 16% compared with their benchmarks and we have therefore concluded that 15% is a reasonable expectation. It is evident from the analysis (and as illustrated by Fairford Leys overleaf), that this value premium is established from the start of the project and is maintained throughout. The value premium can also be seen in the resale values following the end of the project, benefitting the occupiers or anyone that has held an economic interest in the housing.

The Oakgrove case study shows how a longer-term alignment between landowner and development partner creates an environment that incentivises good quality development and can create a commercial success. The landowner at Oakgrove (English Partnerships and later the HCA) adopted a patient approach investing their land into the project and taking a share of the profit. The sharing of this profit created the alignment of interests, and the fact that it was over 1,100 units meant that both parties had a commercial incentive to invest in the long-term success of the project. Over the early part of the project, the value premium might not have covered the additional costs, but towards the latter stages it undoubtedly did. This reinforces the conclusion that longer-term partnerships between landowners and development partners will

encourage the delivery of good quality housing. If longer-term interests can be encouraged we can expect to see more landowners and developers nurturing successful communities.

The Woodstock case study shows a landowner electing to become landlord for all the affordable housing delivered. Given their vested interest in the long-term success of the local economy they have elected to discount the housing by 40% (as opposed to the required 20%) without subsidy in order to attract key workers into the local community and to enable young people to remain in the communities where they have grown up. As well as truly affordable rents, shared ownership homes are available for part buy and part rent with the aim of keeping all their affordable homes affordable in perpetuity.



Good quality housing development costs more to deliver. Whilst data is limited in this regard, anecdotal evidence across the projects studied suggests that the cost premium might range between 10% and 22%. Our analysis showed that this could be offset by the value premium, concluding that following a quality agenda is a viable choice. The choice to adopt a higher quality route need not preclude cheaper housing. Both may be equally profitable and both may sit comfortably alongside each other offering choice to consumers at different price points.

The case study of Poundbury illustrates that sustainable developments add value to the community beyond housing. The community benefits if house value is maintained over the longer-term and has lower maintenance

costs from the use of materials that last. The community also benefits from thriving commerce, both in terms of retail amenity but also local employment. It is estimated that Poundbury has fostered almost 2,400 permanent (non-construction) jobs and will have permanently added c.£105 million per annum to the local economy.

Fostering commerce within sustainable developments takes time. Without a landowner that is prepared to adopt a stewardship role over the development, it is likely to be ignored. Within the report and as included overleaf, we have included a spatial comparison between Poundbury and Elvetham Heath: two developments with a comparable population (once finished). The richness of uses, the walkability and sustainability of Poundbury is self-evident. The role of the landowner (whether public or private sector) appears critical as they are the one entity that has a vested interest in the long-term performance of the local economy. Our research suggests that the stewardship role of landowners should be encouraged if high quality, sustainable, mixed-use settlements are to be achieved.



Elvetham Heath



Poundbury

Design Council

A critical path analysis to determine where quality and beauty 'touches' procurement: summary of the report prepared by the Design Council.

The Design Council, was commissioned by the Building Better Building Better Commission (BBBBC) to respond to the following brief: "To process map the critical procurement stages; from initial brief, market engagement, evaluation & selection, contract and implementation to determine where the key decision points sit that determine quality outcomes."

A Design Council-led workshop was held on 29 October 2019 and attended by public and private sector professionals with long-standing and diverse experience in the field. This included the mapping of the procurement process and identification of where design quality was at risk and where remediation action could be taken. The workshop used the OGC procurement gateway stages as the preferred industry standard, to anchor the workshop exercises.

The following summary grouped under six points conveys a high-level analysis of the main issues to affect quality outcomes and beauty in procurement.

Risk and liability – Highly risk-averse procurement processes often result in generic products which override quality, particularity and beauty.

Recommendations

- Different client types have different risk aversions/capabilities. The regulatory landscape needs to take account of this and respond through policy and funding in order not to let a few large players dominate the market.
- Sub-contracting is often used to minimise risk. This practice increases process opacity and diminishes the client's ability to take ownership of the design. Design better support and clarity into policy to allow this to change. Only then can clients take better ownership over the project.

Stewardship – long term vision and committed stewardship is not currently afforded by the procurement process.

Recommendations

- Identify policy and regulatory mechanisms for long-term accountability and stewardship.
- Develop Post Occupancy Evaluations best practice
- Actively challenge short term thinking in project development. Create funding mechanisms to support long term stewardship to secure a long-term legacy of quality and beauty.

Accountability and measurement – the effect of quality on social interaction is profound and can form a basis for accountability which is currently lacking.

Desired outcomes need to be stated early and need to be revisited at the end of the project's realisation in order to build in measurement and accountability to the process.

Recommendations

- Investigate how Post Occupancy Evaluations can be tied to mechanisms of long term accountability.
- Conduct review of benefit realisation tools to serve as guide to support clients, local authorities and suppliers.

- Quality, beauty, sense of place and social value may be intangibles, but their tangible results can nonetheless be built into benefit realisation tools at the start for necessary scrutiny and accountability.

Proper value engineering which balances multiple values, including, but not limited to financial value, is desperately needed.

The appropriate and skilful balancing of multiple values including the competing pressures of time, cost and quality, needs to occur throughout the entire process.

Recommendations

- Land valuations need to account for its unique status as a shared resource so that clients can factor this into business assessment. Only regulation can change this. Without regulatory clarity, the market cannot adjust.
- Procurement is still largely driven by price, rather than delivering true value for money. Accounting for social value, well-being, beauty and quality may be tricky to evaluate but this is precisely the role of good value engineering. When value engineering is limited to financial values, then this key tool loses its ability to safeguard desired project benefits. There must be full recognition of the broader and appropriate use of this mechanism.

Current planning frameworks champion beauty and quality but are easily undermined. Planning needs strength, support and resources.

Recommendations

- Local authorities can barely afford more than two appeals a year, better funding is required.
- Local engagement is not well utilised when brought in merely to approve a predefined set of options rather than engage local communities as co-definers of value. Case studies of good practice abound, but remain unintegrated in general practice. This urgently requires a multi-dimensional solution (research, guidance, policy and funding.)

- National and local policies are often compromised at design stage due to change of client/contractor. The Design Review process is invaluable at these stages and requires qualified design assessment to be built into the procurement process.
- The National Planning Policy Framework 2018 (NPPF) has been lauded for championing quality and local sense of place (prerequisites for beautiful designs). Its requirement for a Housing and Economic Land Availability Assessment – which builds in an assessment of site suitability – is precisely the kind of mechanism to account for a site's wider values which should be built into any project's full life cycle.

Culture change – the current procurement process fundamentally needs a change of values and habits (achievable through consistent and robust legislation) to secure quality.

Recommendations

- Procurement's evolution as a rule-centred process – as opposed to an outcomes-centred process – compromises the ability to safeguard quality and beauty as desired outcomes throughout the process. Commission guidance document: 'Framework Busting Questions'
- The Procurement gateway's business development vocabulary entrenches procurement 'blindness' to quality or beauty. These must be aligned with RIBA stages to reflect the procurement of buildings rather than business investment.
- Clear and strong regulation has a key role to play in culture change. For quality and beauty to take hold in procurement, clear and strong regulation is needed, in the same way that CDM regulations can tie a client to a project's full life-cycle, and create the robust framework of rules in which a culture change can take place.

The workshop also generated recommendations in relation to the role of the 'intelligent client', and other cross-cutting issues as follows:

Client Leadership

Recommendation

Create a guiding check list of the essential elements for the best exercise of leadership. These might include:

- “Intelligent” – i.e. with necessary skills and experience, clarity of vision, strategy and long-term objectives, clearly documented in terms of outcomes and benefits, and shared with relevant stakeholders including members of the design team from the beginning;
- membership at the appropriate range and seniority – i.e. able to represent the vision, particularly in the case of public bodies;
- an open, cooperative culture that supports active dialogue with stakeholders throughout the process.
- Find a way to build accountability into the process. Currently this is desperately needed where the long-term ambitions of a project, whether they are quality, beauty or social value, are at present on different time scales to the client’s delivery time scales.
- Define clearly what is required from the procurement process in terms of outcome and quantified benefit (including beauty/quality), to bring about a shift from procurement’s current rule-centred approach, to an outcomes-centred one.
- Share with all relevant stakeholders a clear and common view of what “good” and “value” will look like in a future state, as well as how the client will know that it has “got there”, to be enshrined in the brief, specification and tender documentation.

Stakeholder Involvement

Currently stakeholder involvement is largely confined to public consultation exercises, usually near the end of the process. Yet, as the Commission itself has acknowledged, a development project’s success ultimately depends on long term support by users and public. This can only be fully achieved by their early (i.e. pre-gateway) and continuous involvement during the process. The aim is not simply to seek user/community acceptance but to aim for an active contribution throughout.

Recommendation

A stakeholder involvement plan drawn up by the client leadership team at project initiation stage should be part of the team’s responsibility to monitor its implementation through each stage.

Social Interaction

A third, and related, issue is how to secure the social benefit through the specifications, design and implementation of beautiful buildings and their environment. User/community involvement becomes especially

important since it is their activities and view of the project benefits that in the end drive regeneration project success. They need therefore be central to an assessment of the development. One good outcome indicator of regeneration scheme success is the degree of social interaction created by the development.

Recommendation

Make social interaction a core objective and measure of success in the procurement process. This would in turn demand as clear specification of results as possible. There is a robust body of academic work that describes how this has been done in practice.

18. Case Studies

Visits to housing and development projects		
Visit 1: Birmingham	13th February	The Commissioners participated in a Community Design Workshop in Birmingham with a diverse range of local people discussing their priorities and preferences in relation to the design of their local area.
Visit 2 – Cambridge	18th February	The Commissioners visited housing and development sites in the Cambridge area and discussed issues with local residents and planner/developer experts. Sites included: Accordia – 382 homes close to Cambridge City Centre. The scheme was developed by Countryside Properties and Redeham Homes and designed by Architects Feilden Clegg Bradley, MacCreanor Lavington and Alison Brooks. The Landscape Architect was Grant Associates. It was the winner of the 2008 Stirling Prize. Great Kneighton – 2400 homes and local facilities, in Cambridgeshire, promoted and mostly built by Countryside Properties, but some by Bovis, Skanska, Hill, Cala and Crest Nicholson. Includes Abode by Proctor Matthews Architects and Aura by Tate Hindle. www.greatkneighton.co.uk. Trumpington Meadows – 1200 homes and local facilities, in Cambridgeshire, promoted by Grosvenor Developments but built by Barratt Homes. Architects Allies and Morrison. www.trumpingtonmeadows.com. Eddington – a large scale urban extension of 3,000 homes in North West Cambridge as part of the expansion of the University of Cambridge. The plan is to provide a mixed use neighbourhood with new homes, student accommodation, research space and local facilities in a mixed academic and urban community. The scheme is being developed by the University of Cambridge and involving a range of architects. Marmalade Lane – a 42-home co-housing development at Orchard Park, just north of Cambridge City Centre. The scheme is being developed by TOWNhus, a partnership between TOWN and Trivselhus and the homes were designed by Mole Architects. The Commissioners met with developers and residents. Further information at www.marmaladelane.co.uk.

Visits to housing and development projects		
Visit 3 – Upton, Northampton	8th March	The Commissioners visited an urban extension scheme of 1,350 homes in Upton, Northampton. The scheme includes homes and neighbourhood facilities including a school, community centre and opportunity for retail businesses next to a country park. Homes England facilitated the set up of the scheme and different parts of the site were taken forward by a range of developers. The Commissioners discussed issues with local residents, architect, planner, developer, scheme management experts.
Visit 4 – Newcastle	29th March	The Commissioners visited: The Malings, <i>a city scheme of 76 homes</i>, developed on difficult, steep, brownfield site next to the river. The site had been formerly used for industrial purposes, including a pottery, scrap metal traders and warehouses. Smiths Dock, <i>a riverside regeneration area, with plans for 815 new homes</i>, in North Tyneside. Involved extensive remediation of the site, including infill of some of the docks in the area. Around 115 homes are currently built, including using modern methods of construction Commissioners discussed issues with architects, planners and developer.
Visit 5 – East Village, Newham, London	5th April	The Commissioners attended a walking tour of the East Village neighbourhood, <i>with plans for 3,000 new homes, local facilities including a school</i>, on previous industrial land next to the former Olympic site in Newham, East London. The development is part of the wider Olympic legacy development led by the London Legacy Development Corporation (LLDC) which aims to develop new homes and jobs in the area up to 2030. The London Legacy Development Corporation has a strategic developer role as well as planning powers and development on the East Village site has been taken forward by a range of developers. The visit included talks by architects who had designed the schemes and discussion of issues.

Visits to housing and development projects

Visit 6 – South West	30th April to 1st May	The Commissioners visited schemes in the South West including: Cranbrook, East Devon – <i>a new town and neighbourhood centre in East Devon with an ambition to create 8,000 new homes</i> and linked by new transport to Exeter. Around 1,900 homes are already built alongside a school and other local facilities such as a new train station and shops. The project is being led by a developer consortium including Taylor Wimpey, Persimmon, Bovis and Galliford Try. Sherford, Plymouth – <i>a large urban extension, with plans for 5,500 homes</i> and other facilities of the edge of Plymouth. The project is being developed by Red Tree LLP and involving a range of housebuilders. Nansledan, Newquay – <i>a new neighbourhood on the edge of Newquay with plans for 4,000 homes</i> as well as shops, businesses and a school. Around 100 homes are currently built (66 open market, 35 affordable). The project is led by the Duchy of Cornwall and includes local developers. Tregunnel Hill, Newquay – <i>a scheme delivering 174 new homes</i> on the edge of Newquay, led by the Duchy of Cornwall. Tetcott, Devon – <i>a small rural village scheme</i> with plans to extend the village to create new homes and jobs. Tregurra Park, Truro – <i>a new, mixed-use scheme with plans for 100 homes</i>, close to Truro city centre. The project is a joint venture between Cornwall Council, Waitrose and the Duchy of Cornwall, with Zero C involved as residential developers.
Visit 7 – West Oxfordshire, Charrette	16th May	The Commissioners attended a community design charrette in West Oxfordshire to see the process in action and hear views from local organisations and residents. The charrette was hosted by West Oxfordshire District Council and Grosvenor Developments Ltd as part of the Oxfordshire Cotswolds Garden Village programme of community engagement and was an opportunity for invited local stakeholders to play a role in shaping key elements of the Garden Village. The aim was that the findings from the charrette would help inform the development of the plans for the planned Garden Village.

Visits to housing and development projects		
Visit 8 – Dorset	28th May	The Commissioners visited Poundbury, an urban extension, with plans for over 2,700 new homes and the equivalent of 1,760 full-time jobs, in Dorchester, Dorset. So far around 1,800 homes, alongside 207 businesses and 1,630 full-time equivalent jobs have been created. Approximately a third of the overall land is committed to green space, including allotments, orchards, play areas, parkland and woodland. The Commissioners heard presentations from the landowner and strategic developer, the Duchy of Cornwall, and architect, Leon Krier. The visit also included an extensive walking tour of the development.
Visit 9 – Manchester	30th September	The Commissioners visited the New Islington and Ancoats developments, <i>with plans for 1,400 homes, a community school, clinic and shops</i>, close to the city centre in Manchester. The scheme is being developed by English Partnerships (now Homes England), Manchester Methodist Housing Association (now Great Places), Manchester City Council and Urban Splash in a public-private partnership. It has involved major investment in the site to create a new waterside park, marina and new transport links, by tram to connect to the city centre. Around 2,000 new homes have been completed or are underdevelopment (as reported in November 2016).
Visit 10 – Elephant and Castle, London	19th November	The Commissioners visited the Elephant Park scheme, <i>with plans for over 3,000 new homes</i>, as part of the wider regeneration of the Elephant and Castle area, a central London location. The scheme is being developed by Lendlease aiming to provide a mix of homes – rented as well as homes for sale – and the creation of a new park and other public spaces, accommodating small businesses, extensive tree planting and development of a community energy centre. Around 900 new homes have been completed so far with the majority of them already occupied.

19. Glossary

Affordable Housing. Affordable housing includes social rented, affordable rented and intermediate housing, provided to households whose needs are not met by the market. Affordability is calculated by dividing house prices by annual earnings.

Absorption Rate. The rate at which newly constructed homes can be sold into the local market without materially disturbing the market price.

BIMBY. Beauty in my Backyard. The BIMBY Housing Toolkit is a simple and practical online tool which enables communities, organisations, local authorities and developers to collectively or individually create a regional BIMBY Housing Manual. It is specifically designed to give certainty to house builders, who can be sure of their housing's popularity, whilst also granting security to the community and local authority that new building projects will tie in with local preferences and needs.

Brief. A brief sets out the aspirations and technical requirements of a scheme. It is at this stage that stakeholder and community involvement is often most effective. If a brief is produced by a Local Planning Authority, it can be adopted as supplementary planning guidance (SPG). SPG will be given more weight as a material consideration in the development control context if it is prepared in consultation with the public, and is adopted by council resolution.

Charrette (see Enquiry by Design). The terms charrette and enquiry by design are used interchangeably. Charrette tends to be the adopted term in the US, while Enquiry by Design (q.v.) has become associated with UK and Australian practice.

Design Code. A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Design Guide. A design guide is a document that promotes and sets clear design expectations, identifies design guidance concerning urban form, height density, urban and landscape character and development types. It can include visual aids to illustrate good practice, typical or desirable materials and details and checklists and possible solutions.

Enquiry by Design. The Enquiry by Design (EbD) process is a planning tool that brings together members of the community with key stakeholders and a full professional team to collaborate on the creation of a vision or masterplan for a new or revived community. An EbD exercise should be preceded by the production of detailed technical studies and a scoping exercise. EbD can be used at any level of planning scale. It involves bringing all parties together within a deliberative framework with a drawn outcome.

Proponents of EbD suggest that the process can help to arrive more quickly and effectively at consensus as issues can be dealt with simultaneously rather than sequentially.

Environmental Impact Assessment (EIA). A process of evaluating the likely environmental impacts of a proposed project or development, taking into account inter-related socio-economic, cultural and health impacts, both beneficial and adverse.

Environmental Net Gain. An approach which aims to leave the natural environment in a measurably better state than beforehand.

Estate Management. The long-term management regime of the scheme or wider area covering all parts of the scheme that are not 'adopted' by the local authority (i.e. they have not taken responsibility).

Local Development Order. An order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Plan. A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Masterplan. A masterplan sets out proposals for blocks, buildings, spaces, street hierarchy, movement strategy green infrastructure and land use in three dimensions and matches these proposals to a delivery strategy.

Master Developer. A developer who specialises in taking raw land through planning, putting in place an enforceable masterplan and site infrastructure, then selling plots and phases to be built out by third-party developers.

Mixed-Use Development. A 'mixed-use' development is one that has both residential and non-residential elements.

National Design Guide. A document recently published by the government that sets out 10 characteristics of a well-designed place at a national level for England.

National Planning Policy Framework (NPPF). The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. Local plans, which actually govern development in local areas, must be prepared in accordance with the NPPF.

NIMBY. Acronym of Not In My Back Yard.

Outline Planning Permission. An application for outline planning permission allows for a decision on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more 'reserved matters'.

Permission in Principle. A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent (q.v.) before development can proceed.

Pattern Book. A set of standard generic building typologies to establish the basic form of buildings and to provide key architectural elements and detail.

Permitted Development Rights. Permitted development rights are a national grant of planning permission which allow certain building works and changes of use to be carried out without having to make a planning application.

Placemaking. Placemaking is a multi-faceted approach to the commissioning, briefing, planning, design and management of public spaces.

Strategic Environmental Assessment(SEA). A systematic decision support process, aiming to ensure that environmental and other sustainability aspects are considered effectively in policy and plan making. In this context, SEA may be seen a structured, rigorous, participative, open and transparent environmental impact assessment-based process, applied particularly to plans prepared by public planning authorities and at times private bodies. Effective SEA works within a structured and tiered decision framework to support more effective decision-making for sustainable development and improved governance by providing for a substantive focus regarding questions, issues and alternatives to be considered in policy and plan making

Technical Details Consent. If a development is granted 'permission in principle' (q.v.), permitting the basic principles of the proposed scheme, technical details consent is subsequently required for 'reserved matters', i.e. those elements of the scheme that were not included in the basic principles covered by permission in principle.

Tenure Mix. The mix of tenure types like owner occupied, privately rented and socially rented. Mixed-tenure developments, in which a range of tenure types are present in one development, are often considered desirable.

Urban Design. The design of the overall layout including the movement hierarchy, street hierarchy, sites utilities (pipes and wires), site infrastructure (parking, movement, water, waste, energy, green infrastructure), distribution of use mix, plot and phase plan, block plan, site capacity, massing and density. The urban design commission can also go on to establish the masterplan, but this can also be done by a separate commission.

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ENDNOTES

- 1 Carmona, M. (forthcoming), *A Housing Design Audit for England*.
- 2 The 'seminal' book is of course Jane Jacobs, (1961), *The Death and Life of American Cities*. More recent empirical studies include Jan Gehl (2010), *Cities for People* and Boys Smith et al (2019), *Of Streets and Squares*.
- 3 For example see the frameworks suggested by the Project for Public Space (PPS) in New York or RIBA in their recent guide to the 'Ten Primary Characteristics of Places where people want to live.'
- 4 At present modular construction is not cheaper than conventional construction however this appears mainly to be due to lack of economies of scale compared to conventional methods.
- 5 See Robert Gifford's well-known meta-study 'The Consequences of Living in High-Rise Buildings', *Architectural Science Review*, 50:1 (2007): 2-17. Cf. Nicholas Boys Smith, *Heart in the Right Street* (Create Streets, 2016), ch. 8.
- 6 For summaries of research see C. Montgomery (2015), *Happy City* and N. Boys Smith (2016), *Heart in the Right Street*.
- 7 Cf. David Halpern, *Mental Health and the Built Environment: More than Bricks and Mortar?* (London: Routledge, 1995) and Graham Brown and Robert Gifford, 'Architects predict lay evaluations of large contemporary buildings: whose conceptual properties?', *Journal of Environmental Psychology* 21 (2001).
- 8 See debate here: <https://publications.parliament.uk/pa/ld200708/ldhansrd/text/81112-0003.htm>
- 9 The duty is for local planning authorities as well as the Secretary of State to consider alongside 'contributing to the achievement of sustainable development' when preparing or considering local development documents.
- 10 Key ones are likely to be the Department for Business, Energy and Industrial Strategy, the Department for Transport and the Department for the Environment, Food and Rural Affairs
- 11 Planning working group discussion, 23 October 2019.
- 12 These points are made, or partially made, in paragraphs 52,55,68, 76, 83-86,90 and 100 but more focus would be helpful and more visual clarity perhaps in the forthcoming National Model Design Code.
- 13 For example, decisions made on Fareham, Hampshire, on Tileyard Road and York Way in London N7 and on Freston Road in London W10. APP/A1720/W/17/3192431; APP/V5570/W/19/3224373; and APP/K5600/W/18/3217957.
- 14 Planning working group discussion, 23 October 2019.
- 15 Planning working group discussion, 23 October 2019.
- 16 Discussion with Commissioner, January 2019. Another official commented in response to our Interim Report: 'It is no wonder, given the epistemological gap, why planners find it difficult to find that poor design can outweigh housing supply needs in reaching a planning balance.'

- 17 In addition to meeting our terms of reference we believe that this strengthened focus on design in the plan-making section of the NPPF (or something like it) is particularly relevant to the point made at the start of chapter 6: namely that the 2009 Local Democracy, Economic Development and Construction Act, at F4 included a reference to 'the desirability of achieving good design' which has arguably not been fully taken into account.
- 18 Evidence to the Commission, September 2019.
- 19 This emerged for example at our roundtable with National Housing Federation members on 13th June 2019.
- 20 Carmona, M. (forthcoming), *A Housing Design Audit for England*; DCLG (2006), *Design Code Practice: an evaluation*, pp. 14-5.
- 21 Design Codes are very useful tools in historic towns, suburban sites and the countryside. However, in some city contexts they can be very difficult to create because of the complexity of the existing urban fabric.
- 22 As explained above, these can use established mechanism such as Local Plans, Supplementary Planning Guidance, Area Action Plans or Supplementary Planning Guidance.
- 23 RICS (2018) *Assessing the impacts of extending permitted development rights to office-to-residential change of use in England* p.40, p.92.
- 24 <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN00485>
- 25 The government has already floated this idea. Speech to the CIH Conference, 26 June 2019. <https://www.gov.uk/government/speeches/pms-speech-on-housing-26-june-2019>
- 26 Round table with RTPI, Manchester, 30 September 2019. Planning working group discussion, 23 October 2019.
- 27 RTPI Response to BBBBC *Call for Evidence*, (May 2019), p.6.
- 28 <https://www.grosvenor.com/our-businesses/grosvenor-britain-ireland/rebuilding-trust>
- 29 RTPI Round table, Manchester, 30 September 2019.
- 30 The 'charrette' comes from the French word charrette meaning cart. Professors of art schools drove carts to collect the work of their students. From this came the modern meaning of the term: a collaborative group effort to come up with a design solution.
- 31 Over 17,000 people are now members of over 300 CLTs. <http://www.communitylandtrusts.org.uk/what-is-a-clt/about-clts>
- 32 Helpful changes would be increasing the size of possible developments possible and reducing the scope for local planning authorities to obstruct CLTs. It would also be helpful to define more clearly what is and is not a community-led organisation.
- 33 One way to achieve this would be through restoration of the Tenant Empowerment Programme and review of the Right to Transfer Regulations.
- 34 See <http://www.communitylandtrusts.org.uk/what-we-do/our-campaigns/the-right-to-buy>.
- 35 A range of detailed reports by the former chair of RIBA, Ben Derbyshire and by London YIMBY have supported this approach. https://www.london.gov.uk/sites/default/files/supurbia_-_hta.pdf and <https://static1.squarespace.com/static/583efdfd03596e5fc7f6ee71/t/5d37efeba9f0540001137e3f/1563946991352/Ostrom+paper+John+Myers+2019-06-27.pdf>
- 36 For example, see Prince's Foundation (2019), *Building a Legacy* and Boys Smith et al (2017), *Beyond Location*, pp. 99-107.
- 37 For example, see Jenkins S. (1975), *Landlords to London*, Olsen D. (1964), *Town Planning in London* or Boys Smith N. (2018), *More Good Homes*.

- 38 The analysis in this section is based on: Chartered Institute of Taxation (2017), *Consultation: Fixing our broken housing market – Changes to planning policy and legislation in relation to planning for housing, sustainable development and the environment. Response by the Chartered Institute of Taxation* and on evidence provided to us as part of our stewardship working group by chartered accountants Saffery Champness.
- 39 The two key cases are *Jenkins v Brown*, *Warrington v Brown* and *Booth v Ellard*. HMRC has indicated their acceptance of this case law in the CG manual at CG3441. See CIOT (2017), *op cit*, p.7.
- 40 The focus would be on ‘freezing’ the tax position for capital gains tax and inheritance tax. However, other taxes would also need to be considered (Stamp Duty Land Tax, corporation tax, income tax, VAT) in relation to a land pooling vehicle.
- 41 Planning working group discussion, 23 October 2019.
- 42 The key government departments would be DEFRA, DfT and MHCLG.
- 43 See discussion on ‘best consideration’ in research commissioned from Knight Franks in our appendices.
- 44 This is done, for example, by the Royal Borough of Kensington & Chelsea.
- 45 Community Life Survey (2018-19). <https://www.gov.uk/government/statistics/community-life-survey-2018-19>
- 46 Community Life Survey (2018-19). <https://www.gov.uk/government/statistics/community-life-survey-2018-19>
- 47 Those living in areas without meeting places tend to have higher rates of unemployment and child poverty with less good health. https://localtrust.org.uk/wp-content/uploads/2019/08/local_trust_ocsi_left_behind_research_august_2019.pdf
- 48 House of Commons Library (16 Feb 2018), *Transport spending by region*. Also see: <https://www.ippr.org/news-and-media/press-releases/transport-spending-has-risen-twice-as-much-per-person-in-london-than-in-the-north-since-launch-of-northern-powerhouse>
- 49 Evidence submitted to Commission call for evidence, May 2019.
- 50 <https://www.architecture.com/-/media/gathercontent/whole-life-carbon-assessment-for-architects/additional-documents/11241wholelifecarbonguidancev7pdf.pdf>
- 51 <https://www.rics.org/uk/upholding-professional-standards/sector-standards/building-surveying/whole-life-carbon-assessment-for-the-built-environment/>
- 52 <https://www.theguardian.com/environment/green-living-blog/2010/oct/14/carbon-footprint-house>
- 53 <https://publications.parliament.uk/pa/cm200506/cmselect/cmcumeds/912/912we59.htm>
- 54 <https://www.acslawyers.com/is-the-greenest-building-the-one-that-is-already-built/>
- 55 <https://historicengland.org.uk/images-books/publications/engines-of-prosperity-new-uses-old-mills/>
- 56 <https://historicengland.org.uk/content/docs/planning/heritage-foundation-for-success/>
- 57 <https://www.ihbc.org.uk/resources/VAT-research-FINAL.pdf>
- 58 Ibid
- 59 <https://www.pps.org/>
- 60 For example, see *Power to Change Community Shops* 2019.
- 61 Evidence submitted to Commission second call for evidence, October 2019.
- 62 Specifically, we comment HCLG (2019), *High streets and town centres in 2030* and BPF (2016), *Town centre investment zones*.

- 63 Note for the commission, 2 July 2019.
- 64 Iovene, Boys Smith, Seresinhe (2019), *Of Streets and Squares*, p. 154.
- 65 There is scope in some local plans to reduce the support for ongoing industrial land. For example, policies E5 and E6 in the draft London Plan arguably give too much support.
- 66 For more detail on this, see chapter 9 of our Interim Report, *Creating space for beauty*.
- 67 Evidence submitted to Commission call for evidence, May 2019.
- 68 London First (2017), *Unlocking London's residential density*.
- 69 For example, in a project which is a commissioner is currently working in a Midlands town, back to back guidance in the local plan is making it hard to “plug in” a new development to neighbouring Victorian streets.
- 70 For example, see *Architects' Journal* (8 October 2015), ‘Experts concerned over disastrous London housing guidance.’
- 71 Working group discussion, 22 October 2019.
- 72 For discussions of the links between greenery and well-being and physical health see Kuo, F.E & Sullivan, W.C. (2001), ‘Environment and crime in the inner city: does vegetation reduce crime’, *Environment and behaviour*. Also see Boys Smith (2016), *Heart in the Right Street*, pp. 17-26.
- 73 Evidence submitted to Commission call for evidence, May 2019.
- 74 Evidence submitted to Commission call for evidence, May 2019.
- 75 Boys Smith, (2016), *Heart in the Right Street*, pp. 55-8.
- 76 For example, one recent study was able to map the precise location of 530,000 trees and compared them to the health records of 30,000 residents. They found that ‘people who live in areas with higher street tree density report better health perception and fewer cardio-metabolic conditions compared with their peers living in areas with lower street tree density.’ Another recent London study found an association between the density of street trees and the rates of antidepressant prescribing. See Kardan, O. *et al.* ‘Neighborhood greenspace and health in a large urban center’, *Sci. Rep.* 5, (2015) and Taylor, M. Wheeler, B., White, M., Economou, T., Osborne, N. (2015) ‘Research note: Urban street tree density and antidepressant prescription rates—A cross-sectional study in London’, *Landscape and Urban Planning*, Vol. 136, pp. 174–179.
- 77 Kuo, F., Sullivan, W. (2001), ‘Environment and Crime in the Inner City: does Vegetation reduce crime?’, *Environment and Behavior*, p.345. The studies being summarised are: Schroeder, H., & Anderson, L. (1984). Perception of personal safety in urban recreation sites. *Journal of Leisure Research*, 16, pp.178-94 and Nasar, J. & Fisher, B. (1993). “Hot spots” of fear and crime: A multi-method investigation. *Journal of Environmental Psychology*, 13, pp.187-206. This would appear, at least on occasions, to be rational. ‘Not only has dense vegetation been linked to general fears and to fear of crime in particular, but two studies have pointed more directly at a facilitative role of vegetation in crime.’ Kuo, F., Sullivan, W. (2001), ‘Environment and Crime in the Inner City: does Vegetation reduce crime?’, *Environment and Behavior*, p.345
- 78 In a 1971 California study trips per week to a small local part fell from over 19 a week at one block’s distance, to an average of barely more than zero per week at more than four blocks’ distance. Alexander, C. (1977), *A Pattern Language*, pp. 305-308.
- 79 RIBA (2012), *The way we live now*, pp. 49-53.
- 80 <https://www.bbc.co.uk/news/uk-england-47541491>
- 81 One of the Commissioners, Adrian Penfold, is chair of Design South East.
- 82 TCPA (May 2018), *Planning 2020 – interim report*, p. 25.
- 83 Boys Smith (2018), *More Good Homes*, p.68.
- 84 Evidence presented to the commission on 13 June 2019.

- 85 The social enterprise in question is called Public Practice. Approximately two-thirds of the 660 applicants so far had not previously applied to the public sector. So far 94 per cent of Associates have chosen to continue working in the public sector beyond the end of their placements.
- 86 In 2011, the government set a deadline that by 2016 all public projects would be required to meet Building Information Modelling Level 2 Standards. This was highly successful. New milestones are now needed to encourage digitisation earlier in the process. A sequence might be: (i) creating a standard for Planning Information Models to be included in planning application submissions, incentivised with reduced response times; (ii) requiring them to be included in planning application submissions for buildings over a certain size by a date to be agreed between 2022 and 2025; (iii) requiring Planning Information Models to include all data required for Building Regulations submissions, and finally, (iv) use Planning Information Model to data to validate planning assumptions once a building is occupied and gone through post-occupancy evaluation. We will not have a fully modernised, digitised and state-of-the-art AEC industry until all the technical sides of construction are also designed digitally as standard practice. The way to ensure this is done is to make Building Regulation submissions include mandatory provision of a .ifc file of the building. Automatic building regulations compliance checking software already exists in its early guises and this will become ever more integrated into the design process itself, so that BIM models can be instantly checked for compliance. Beginning by requiring a .ifc file of sufficient detail to be included in the building control submission will be the first step to nudging this process along. Ultimately this will massively improve the efficiency of the design process and lead to faster building and reduced costs.
- 87 Where and when possible, the government should consider requiring the submission of raw data, certainly in many standard circumstances. The focus where appropriate should be on machine readable facts as structured data rather than long and verbose 'reports' and 'justifications.'
- 88 Consultation should be with local government and industry organisations to identify current and future skills and capacity needs and develop locally-specific and sustainable versions for different regions.
- 89 Talk at University of Reading based on: https://lichfields.uk/media/4864/planned-up-and-be-counted_local-plan-making-under-the-nppf-2012.pdf
- 90 Comments made at procurement working group discussion on 2 October 2019.
- 91 <http://www.constructionmanagemagazine.com/news/hackitt-root-and-branch-reform-needed-not-quick-fi/>
- 92 The article went on to outline a collaborative process. Norwich Council (the client) working with their appointed contractor engineered a better quality outcome by bringing all knowledge and expertise. The client apparently gave a strong view from on areas where 'value' could not be compromised for cost. *Architects' Journal* (10 October, 2019).
- 93 Large developments could then be 'split up' into a much larger number of pre-serviced plots which would permit construction by a wider number of developers and an enhanced role for self-build and custom build as is possible in most of Europe and the US. Proportions of affordable housing should be pre-set and non-negotiable.
- 94 Evidence presented to the commission on 14 March 2019.

