

Building control shows planning how to provide a service

Faced simultaneously with a Government review aiming to simplify planning procedures and the imposition of complex new application and validation protocols, building control suggests a better way.



Local Authority BUILDING CONTROL Decades ago the main and much complained of delays and confusion for development was building control; now it is planning system. So how was this transformation achieved?

The answers lie in the excellent consultation paper *'The Future of Building Control'* just published by DCLG*. This not only describes how the system works but proposes enhancements and an over-arching vision too.

The transformation stems mainly from the introduction of competition. Applicants have the choice of seeking approvals from the local authority (LA) or an Approved Inspector (AI). It also allows 'Competent Persons' to self-certify their own building work (there are 14 CP scheme operators providing 45 schemes such as electrical, window and heating installations).

The Government supports the work of the LABC Partner Authority Scheme which enables a company or

adviser to have a working relationship with a preferred local authority for advice and plan appraisal, while the site inspections are carried out by the local authority where each project is carried out. There are over 2,500 successful partnership agreements throughout the country.

Over recent years the areas covered by the Building Regulations have been extended from pure health and safety related issues to ensuring greater conservation of fuel and power and improving accessibility into and around buildings for all those using them. Given the increasing overlap between planning and BC, one of the paper's proposals seems obvious: "To create a seamless planning and building control service." It goes on: "In discussing the issues of overlapping regulatory regimes with stakeholders, it is clear that the interface between planning and building control caused the most problems ..."

The paper suggests integrating BC applications with the new 'standard' national planning application form 1APP and re-branding the Planning Portal to deal with both regimes.

But what is really called for is the full integration of the controlling end of both processes. An expansion of competition by both allowing architects and other approved persons to certify and self-certify for BC, planning and party wall compliance; and to allow applicants and agents to partner with authorities to process applications regardless of the location of the development, as with the LABC scheme.

"The Government's view remains that competition between local authorities and Approved Inspectors in the provision of building control services provides a stimulus to greater efficiency and higher standards of service to the customer as long as appropriate performance standards are applied" says the paper.

The introduction of competition in development control is the logical beneficial outcome of the new planning fee regime aiming at 'full cost recovery', which is about to bite harder with the evaporation of Planning Delivery Grant. Far from creating a 'democratic deficit' as some might suggest, it would ensure impartial

and professionally managed local consultation and free LA members and their officers to focus on 'the vision': getting and keeping their policies and plan-making up to date – the proper role for democracy in planning. The efficient delivery of a poor environment isn't much good!

The paper's Question 10 asks: "Do you think we should do more to require planning and building control services to operate as a single function to ensure better joining up for the customer?"

When it becomes natural for planning applicants to think of themselves as 'customers' of the development control service, then we will know we have arrived.

**The Future of Building Control March 2008 <http://www.communities.gov.uk/publications/planningandbuilding/futurebuildingcontrol>.*

Readers interested in the future of planning are encouraged to respond at least to the questions with planning implications by 10 June 2008.

'An end to the waiting game for planning decisions'

As we were preparing to go to press the Department issued a release under this headline. Here is the gist:

A new red tape busting review to weed out bureaucratic hurdles and create a more efficient planning service for the public and business, is being launched today by Communities Secretary Hazel Blears, Business Secretary John Hutton and Housing and Planning Minister Caroline Flint. Major reform to the planning system is already underway to give communities a greater say in a faster decision making process for large infrastructure projects.

This review will look at the next challenge of improving the planning application process from start to finish to make it even more user

friendly.

Local authorities have significantly improved their speed at handling applications, with 75 per cent meeting their performance targets, up from 25 per cent in 2001. However, there are still slow and cumbersome parts of the process that the Government wants to tackle, from unnecessary paperwork to delays after permission has been granted.

The review 'Planning Applications: a faster and more responsive system' will examine what can disrupt the progress of an application from when it is submitted up to and beyond

when a decision is made, and will be carried out by Joanna Killian, Chief Executive of Essex County Council and David Pretty, former Group Chief Executive of Barratt Developments PLC. It will make recommendations for improving the process, but importantly it will not seek to shift the balance of decision making, weaken important safeguards, or reduce public consultation. www.communities.gov.uk, 25 March 2008

Oddly, no mention is made of the new validation procedures and 1APP form: see pages 17 and 18.

Heathrow expansion – bringing colour to the debate

London deserves the debate to be more than just black and white. **Barness Jo Valentine, Chief Executive of London First, believes bigger can and must mean greener.**



An old Irish proverb declares: "If I was trying to get there, I wouldn't have started from here". It may not be authentic, but it certainly rings true for London's airports.

Heathrow expansion has stirred much public debate. While the stark 'pro' or 'anti' camps will always shout loudly, interesting ideas emerge, such as a new airport to the east of London. And who knows? Had we been starting with a blank sheet of paper, this may well have been the ideal location, instead of Heathrow. But we are where we are. A new airport to rival Heathrow would take many decades. And should we need convincing, consider Heathrow's Terminal 5 planning inquiry a cautionary tale: at eight years from first application to government approval, it is Britain's longest-running inquiry on record. Heathrow is not just London but the UK's most important airport, one of the busiest in the world.

And its users are suffering for precisely that reason. My conversations with London's leading business figures have been dominated by "Heathrow hassle". Common complaints: notoriously unreliable departure and arrival times, long security and immigration queues and a generally unfriendly attitude. Recent pressure on Government, action from the airport's owner and the imminent opening of Terminal Five point towards an improved passenger experience. We will wait and see.

However, business and the public now face the pressing issue of where we stand on expansion.

The anti-expansionists recently

signed up the three principal Mayoral candidates, who dangerously declare a dogmatic 'green means no growth, not now, not ever' for Heathrow. The opposing clan is just as keen to muster support for its 'expansion at all costs' position, prolonging the black and white debate it helped to create.

We must be clear: our airports need to service growing international business travel to maintain the UK's global competitiveness and support London as a leading world city. Otherwise, business will ship out to Dubai, Frankfurt or Paris. London's future is at risk if we do not restore Heathrow's world-class status.

Competitiveness

London is a centre for world trade. Senior executives in multinational companies continue to rate easy access to markets, customers, clients and talent as a key influence on business location decisions. We have to be able to reach our customers and clients easily, reliably and comfortably. Or we lose business. Put bluntly, Heathrow and the international connectivity it represents is vital to London and the UK's global competitiveness. However, London's airports are full to bursting. A sixth of the world's international flights involve a UK airport. The Government predicts that passenger numbers at London airports will roughly double by 2030. Business travel is forecast to grow at an even faster rate.

So, airport policy needs to allow for growing international business travel if we are to maintain the UK's global competitiveness and support London as a leading world city.

Heathrow needs a passenger-centred service, high-quality transport

access and decongested airspace. We need a planning and regulatory regime that encourages infrastructure investment as well as the capacity to respond to growing demand. And one that recognises a high quality passenger experience. It also needs regulation to account for the cost of carbon and the social impact of aircraft noise.

It is beyond possibility that London's airports can expand at a fast enough rate to meet unfettered demand. Supply is constrained by capacity. The conclusion is simple: make the best and most efficient use of what Heathrow has now before considering its future growth.

Why consider growth at all? Because, against a range of factors, air accessibility remains key to London's competitiveness.

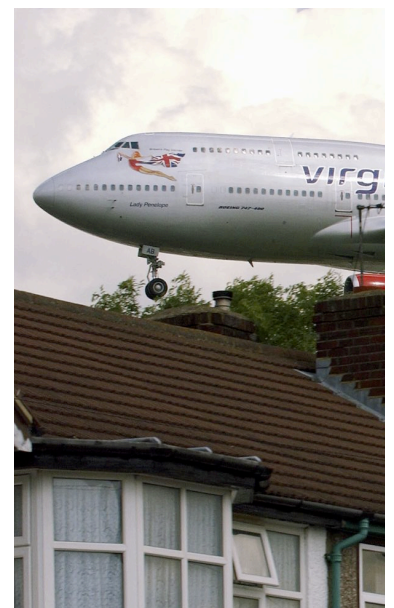
Environment

But here's the rub. Air travel – and airport expansion – comes with an environmental cost, both local and global. We urgently need to provide for growth. Equally urgent, however, is the need to confront the environmental cost of flying. Any expansion must be accompanied by environmental measures.

The £2bn or so Air Passenger Duty collected a year by the Treasury should be ring-fenced and used to improve public transport access to and environmental measures in and around airports. Road pricing could be introduced in the vicinity of the airport. A European emissions trading scheme with bite, which secures real overall carbon reductions, should be pursued. Price regulation could allow landing charges to more strongly reflect the noise and pollution planes produce, whereas airspace should be allocated to reduce emissions and

noise for those living under flight paths. And crucially, the price of a flight ticket should include the full cost of its global environmental impact.

The debate on Heathrow expansion has been hijacked, reduced to black or white, pro or anti. But over and above the clamour emerge snatches of a crucial debate – how to marry safeguarding economic success with safeguarding our local and global environment. Plans for a world class Heathrow must come with measures to capture the full impact of more flying. I believe bigger can and must mean greener. As a leading world city, London deserves the debate to be more than just black and white. The nuances are critical. It should be in high definition colour.



A better not a bigger Heathrow

Tim Wachter calls for a better not a bigger Heathrow pending the building of a world-class airport in the Thames estuary.



The Department for Transport's expansion proposals for Heathrow – a third runway, terminal 6 and/or 'mixed mode' operation (ending runway alternation) – take no account of the existing transfer of passengers to Eurostar and London City Airport – 11 million largely business travellers in 2007 and rising (even BA are opening routes from LCA). The competition is top slicing valuable business revenue and this is perhaps BAA and BA's real motivation for wanting further short haul routes. Merely protecting BAA's competitive edge should not be a Government role. Surely the reverse should apply i.e. by encouraging international and internal rail travel on short routes to reduce carbon emissions, the Government would be endorsing its own policies. Whilst the CBI and London First are supportive, they must recognise the new role of Eurostar and LCA in the London and UK wide economy. The 'hub' argument might be important to BA, but

nobody else.

No really cogent evidence has been put forward for any economic need to expand Heathrow by some 80 per cent (totalling 122 million passengers). However the DfT Consultation (paragraph 2.2) also states that passengers can be increased from 67 to 95 million per annum 'without any additional flights'. An extra 28 million (approx 7.4 million business travellers) up to 2030 should surely be enough for UK plc, including transfers, without increasing the misery and loss of safety for 2 million people (an awful lot of voters) under the expanded flight paths.

According to press reports those consulted (nothing like 2 million) have been fed faulty information in a document likely to be judicially challenged: even the Environment Agency is not impressed! The DfT's Consultation has been described as 'destroying our trust in Government'. I'd just call it negligent and arguably devious. Noise [latest research (ANASE Report 2007) deliberately disregarded], health, emissions (not

meeting EU air pollution standards) all necessitate further research before any final decisions.

But perhaps more important is the issue of public safety. Everyone now agrees it is highly inadvisable for the predominant flight path to be over central and west London. With 222,000 extra and parallel flights per annum it is surprising that NATS has not yet carried out an assessment of the additional risk, particularly following the crash landing of BA 0038 on 17th January. Extrapolating from these new flight numbers, is that extra risk factor 46.25 per cent or some other figure? Do we really want two Airbus A380's – each capable of carrying 700-800 people – flying in parallel over Central London on mixed mode flight paths on a late November Friday evening (peak time) in stormy wind conditions? Multiple human / mechanical / computer errors might be hard to correct. Do ministers really want to take that risk with a relatively untried aircraft? Ninety A380's will eventually be flying into Heathrow everyday. Public safety must surely outweigh any 'prestige' argument for Heathrow's expansion. In any event CAA seems to be doubtful that sufficient airspace capacity exists over London and beyond.

So what's to be done? In the short term Heathrow needs to be 'better not bigger'. Lack of investment in basic kit and too many staff redundancies have made debt burdened BAA a laughing stock. [Arguably BAA haven't the funds to proceed with major expansions, and for that reason would probably favour 'mixed mode' – extra profit for not much outlay.] Existing terminals should obviously be improved, but also demand better managed. Greater use could be made of other airports, including Stansted (connect-

ed to Crossrail as suggested by Michael Schabas in PIL 62 and 64), Manston for freight and even Northholt, if absolutely necessary.

In the longer term – on safety grounds alone – the answer, as Sir Peter Hall and Tony Hall proposed in their 2006 TCPA paper (see PIL 60), is a Thames Estuary Airport, maybe off the Isle of Sheppey as originally suggested by Brian Waters. As well as links to nearby High Speed Rail 1 and potentially Crossrail's southern branch, I would also suggest, incorporating a tidal hydro-electricity producing Thames Barrage (an Environment Agency option) needed to protect London and the Medway from global sea rises by say 2050 – 70. If the DfT and BAA really want a prestige national airport with 3-5 runways etc., then it has to be the Estuary: it is the only logical and safe solution. Jobs would be relocated, not lost and Thames Gateway might finally succeed. Undoubtedly one of the civil engineering challenges of the 21st Century – worthy of Brunel and Bazalgette – it would be a 'joined up' legacy of which any government could be proud.

The good news is that with a 'better not bigger' Heathrow, with capacity for another 28 million passengers, there is time to develop this solution to open sometime after 2030, but clearly major engineering, environmental, fiscal, logistical, and transport studies should be put in hand now. And Terminal 5? Well eventually it would make a rather good, well-connected, regional shopping centre – sounds sort of familiar. Isn't that what it's going to be now with 112 retail units?

Tim Wachter is a former chairman of the RICS Greater London Policy Group and chartered surveyor, who has lived under the Heathrow flight path for most of his life.



Designing for terror

Are we designing-in or designing-out terror? asks Jolyon Drury



There is nothing new about the challenge from terror in London. Agent provocateur Vertoc in *The*

Secret Agent, Conrad's dangerous anarchist seeking to kill and maim people based on the real Greenwich Bomb Outrage, left behind the indelible *Punch* image of the shady character with a smoking ball in his hand with "Bomb" written on it.

And that's the point: we Brits have always recognised the risk of terror and have shrugged it off with our sangfroid, our gallows humour. That is what perhaps differentiates the United Kingdom from the rest, and provided in some immeasurable way a greater innate level of security. The very nature of British colonialism and militarism always carried a risk of misplaced nationalist retribution; Guy Fawkes was an inside job discovered before it was too late, the murder of Airey Neave in the same location sadly was not.

All major buildings need a "back door" to operate successfully. Before wholesale cost cutting, the manning of corridors by tea ladies and departmental post room people whether it was a Ministry or an airport worked very well. The cheery "Can I help you?" not exactly covert, provided gilt-edged security as these lifetime

employees were encyclopaedic and were imbued with Service like a stick of Brighton rock. Cameras and out-sourced multi-screen security control rooms are remote and only as effective as the level of staff vigilance.

So why have we lost our sense of proportion now? With possibly the EU's highest population of CCTV cameras, tank trap sized concrete blocks, rising vehicle entry barriers that will break the back of the Chairman's Rolls and rapidly located crowd control fencing defacing our public buildings and open spaces surely we are demonstrating a National soft under-belly to a basket of potential and real enemies that will serve only to reinforce their resolve by providing visible targets previously unimagined.

A number of us in the design professions have a horror of modern-day bunkers. We have been educated in the old Modern Movement philosophy of transparency and openness as a metaphor for the modern condition and liberal democracy. We question the assumption that the threat of terrorism should drive us back to the fortified mottes and baileys of the Middle Ages. There is perhaps in the misery of the layers of airport security checks and the trashing of a perfectly reasonable London square an overtly political purpose rather than a technically-driven preventa-

tive solution.

No one is suggesting that we should not take every measure to protect our public in going about their daily lives. Indeed, there is a plethora of well-intentioned courses on defensible design, courses offered to equip planners and designers with the skills they need to incorporate counter-terrorist measures. But the time is now ripe to challenge some of the assumptions that may permanently damage our historic townscape and compromise the permeability and freedom of movement in our high quality public spaces. These issues can now be resolved by the selective and intelligent application a variety of technologies.

Towards this end, the Association of Consultant Architects with New London Architecture is planning a conference in September. It will explore the practical design issues in providing enhanced security in major buildings and public spaces. The context is the political and social challenges in a multi-cultural society and



maintaining a global peace-keeping commitment. The conference will examine with case studies public realm issues beyond the building boundary, and external and internal mitigation through design and risk avoidance for a range of building types.

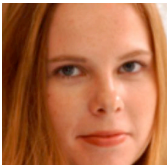
Jolyon Drury MA Dip Arch (Cantab) RIBA ACArch FCILT MInstRE is a member of the Association of Consultant Architects, Chairman of the Public Policies Committee of the Chartered Institute of Logistics and Transport and Director of Surge Logistics Consultants, providing strategic advice to the public and private realm for the access and movement of materiel and personnel.

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What does the new Infrastructure Levy mean for London?

CIL represents a positive move for London – a new addition to the capital's growth funding toolkit, says Catherine Glossop



The state of London's infrastructure is now approaching crisis point. In November 2007, the Planning Bill introduced provisions for the government's latest response – the new Community Infrastructure Levy (CIL). The idea is that developers contribute towards the increased pressure on the city's infrastructure that will arise from their development.

This levy is a step in the right direction – leveraging greater private sector contributions and providing local authorities with a small, but important addition to their growth funding toolkit. However, there is still a great deal of detail to be worked out in terms of practical implementation and it is becoming increasingly clear that CIL will have little impact on its own. Government still needs to address the root of the problem, which is that policies and budgets to deliver sustainable growth are not properly co-ordinated across departments.

There are many positives to the government's proposed CIL. As a locally collected and implemented levy, CIL represents a tentative step towards more financial devolution for cities – set against an otherwise largely centralised and top down government approach.

The levy has the potential to go some way towards front funding infrastructure investment and provides greater certainty both for the planning authority and the developer, arguably speeding up the planning system. There is great expectation

that CIL will help increase investment in London's deficient infrastructure and is already set to contribute towards Crossrail.

However, these expectations will need to be managed. In terms of practical implementation – although CIL will not require onerous individual land valuations, as per the original PGS requirements, the levy will still need to give consideration to both current and longer term land values, including increases in planning gain – or risk being set too high. This, alongside broader assessments of infrastructure need, will still prove hard to gauge – particularly on London's numerous brownfield and inner city sites. Such sites often require substantial remediation, in addition to the need to be developed as mixed communities – where developers are particularly likely to resist paying for both CIL and affordable housing provision through S106 Agreements.

In light of current macroeconomic uncertainty, CIL will need to be flexible if it is to be reactive to changing market conditions – or risk lengthy discussions at the strategic planning stage, and possible litigation. Such issues pose the ever-present question of whether local authorities have the capacity and resources to pull this off.

Further complexities are likely to arise with regards to larger infrastructure projects – where there may be difficulties in securing cooperation from several local authorities, each with their own priorities and political agendas. The link between the development and the infrastructure being provided will be more difficult to

demonstrate where the infrastructure serves a wider area and the benefit which any one development derives from it will be small. Moreover local authorities, who will have incurred costs in setting up CIL schemes, will then have a significant proportion of their levy top-sliced by government.

The reality is that the levy will only have a significant role to play in front-funding smaller infrastructure projects. Due to the meagre sums involved, core public funding will continue to represent the lion's share of large infrastructure commitments. Introducing more small and complex funding streams, which represent a drop in the ocean towards large infrastructure costs, will only go so far. Moreover, there is still no guarantee when the infrastructure will be provided – agencies such as the NHS and the Highways Agency are subject to their own timescales and rules.

In sum, CIL represents a positive move for London – a new addition to the capital's growth funding toolkit. Greater thought will need to be given to practical implementation, at both the borough and GLA level, but this levy will have little impact on its own. What is needed is a fundamental reform of fragmented and backward looking departmental funding streams that result in new schools and roads being provided only once a critical mass of people already live in the area. Unless the government seriously turns its attention to this issue, we will continue to face limits to growth.

Catherine Glossop is a Researcher at the Centre for Cities.

CLIPBOARD



A free Yearbook '08 for the first reader to identify the underground structure pictured above: email planninginlondon@mac.com with the subject 'underground competition'.

Underground London

If NLA's recent exhibition of London's fascinating underground structures were not enough, **Kit Malthouse** (a businessman standing for election to the GLA) writing in *The Times* thinks we should make more of their potential. "Building ever upwards will change London's character irreversibly. Digging down would beautify it immeasurably and create some of the space the city needs."

Architecture Foundation

Zaha Hadid's cancelled HQ in Southwark has reminded, if that were necessary, how difficult it is to get daring buildings built in London. **Will Alsop** comments in *Building* "Attractive buildings bring people joy, and happiness saves the country a huge amount of money.. So if contractors are fighting shy of building great buildings, then they're doing the country a huge disservice."

Martin Pawley

Ian Martin's obituary in a recent *AJ* reminds us of why Pawley was so well regarded. Former architectural correspondent of the *Guardian* and *The Observer*, Martin says: "His many publications from *Theory and Design in the Second Machine Age* to *Terminal Architecture*, reveal the passion of a futurist. A proper one, with neither the sappy utopianism, nor the luddite miserabilism we now associate with the bad-weather brigade."

Quoting the remark that he was always full of mischief, he writes: "Exactly, Mischief. He was by some distance the most unscrupulous journalist I ever worked with. He wrote headlines first, then retrofitted the story."

Perhaps we can all learn from that!

Property cycles thwart urban planning

Fred Harrison argues that a systemic flaw undermines policy and planning, but that politicians are unwilling to learn the lessons of history.



The downturn that looms in the London economy will upset the plans to expand investment in housing

and infrastructure in the capital. This could have been avoided.

Sufficient historical evidence has been accumulated to alert government to the cycles in business activity. Corrective action could have been taken, 10 years ago, to head off the financial crisis that is about to alter the nature and scale of investment in the public services that are needed to preserve London as a world-class city.

Government-led projects – in the realm of housing, for example – depend on the buoyancy of tax revenue. A recession would reduce money into the Treasury coffers, forcing a scaling back of spending. Except for the two high-profile projects – Crossrail and the Olympics – we can now expect significant revisions to funding for all those services that are vital for tolerable living in a densely populated city.

Londoners are not the only ones vulnerable to what is now going to happen. Because of the size of the capital's economy, much of the rest of the UK relies on prosperity at the centre for economic activity in the regions. I forecast, in the first edition of *Boom Bust*, that the UK would be in a serious recession by the end of the decade. All the indicators, now, point in the direction of that downturn. There is no excuse for policy-makers who are now shocked at the turn of events in the markets.

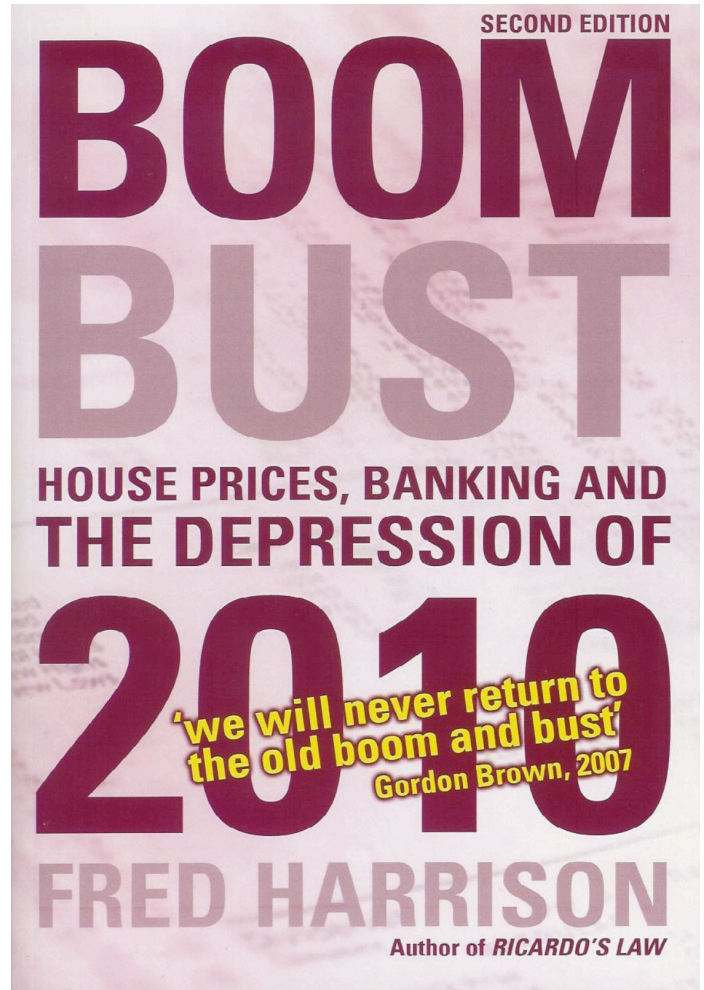
In the second edition of

Boom Bust,* I explain that back in 2005 investors – public and private – could anticipate the sub-prime credit crisis. A counter-cyclical policy could have been adopted which would have at least moderated the scale of the housing crisis that is now under way.

All of this creates terrible problems for those charged with the planning of public services. This is most dramatically illustrated by the policy shift in the housing sector. Government is now committing itself to raising the output of dwellings by 2016, at a time when the private sector is reducing its output. So far from hitting the target for new homes set by Prime Minister Gordon Brown, we can anticipate a seriously reduced level of production over the next five years. This creates difficulties in devising plans for the provision of infrastructure.

Another victim of the unfolding débâcle will be the planning system. The construction industry's record over these last 30 years has been lamentable, but it chooses to distract the public by blaming the planning process. Government has conspired in the consolidation of this mythology for obvious reasons – economic policy, ultimately, is behind the systemic failures (such as the shortfall in affordable dwellings). And government is responsible for formulating economic policy.

As increasing numbers of people who needed homes were excluded during the speculative phase of the property cycle, a raft of reports were commissioned from economists like Kate Barker. These claimed that an inadequate supply of land with planning permission was behind the



housing crisis. Not true. Britain has suffered from a shortfall in affordable housing for the last 200 years, 150 of which preceded the Town and Country Planning Act of 1947!

Furthermore, the boom bust cycle has run riot throughout those 200 years, thwarting the best efforts in both the private and public sectors to plan for prosperity. A systemic flaw undermines policy and planning, but the politicians are clearly unwilling to learn the lessons of history.

*Fred Harrison is author of *Boom Bust: House Prices, Banking and the Depression of 2010, 2nd edn., published by Shephard-Walwyn, £17.95 which is reviewed by Dan Lewis in Books.*