

LONDON PLANNING & DEVELOPMENT FORUM

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Minutes of the Meeting of the Forum held. At GLA City Hall The Queens Walk, London SE1 2AA in Committee Room 5 between 2.30-5.30pm on Tuesday 20th March 2012. Our host was **Colin Wilson**

Attendance:

Brian Waters: Chairman
Andrew Rogers: Association of Consultant Architects
Anita Morris: Child Graddon Lewis
Ben van Bruggen: van Bruggen urban design
David Bradley: Former Hon. Sec.
Esther Kurland: Urban Design London
Giles Dolphin: Planning Consultant Formerly GLA
Judith Ryser: Isocarp/Cityscope Europe/UDG
Lee Mallett: Regeneration and Communication
Michael Bach: London Forum
Mike Coupe: London Society and Coupe Planning
Nicola Furlonger: NLP Planning
Riette Ousterhuizen: HTA
Steven Smith: Urban Narrative
Tim Wachter: RICS
Tom Ball: London Forum
Drummond Robson: Honorary Secretary and Robson Planning

Introductions and Apologies.

The Chairman introduced the speakers for the two topics, Lee Mallett and Anita Morris with Nicola Furlonger. Apologies were received from Adam Cook, Alastair Gaskin, (Treasurer), Bob Dolata, Brian Whiteley, Duncan Bowie, Emma Fitzgibbon, Ghislane Trahearne, Jonathan Mann, Michael Chang, Michael Edwards, Liz Peace, Owen Wainhouse and Peter Eversden (who is unwell).

Discussion Topic 1

LM agreed to open the discussion making the case that “Planning in the UK has Ossified into Development Control.” *

**We need to rebuild confidence in urban design as an active component in improving places, envisioning the future and helping to remove risk from the planning system by making “planning” more accessible and open.*

We have to do this alongside the existing development control system, because this has established a formal means of rationing and managing land use – but we mustn’t let this stifle creative urban thinking, or exclude people – which it does.

My proposition is that councils and the private sector should be encouraged to find ways of exploring urban design ideas at a macro and micro level as a new component of the planning system to engage people and stakeholders at an early stage, to break down stasis, provoke discussion and encourage improvement.” Lee Mallett.

He began with the Proposition “Thou Shalt not” which is unhelpful for investment or spending money. He suggested that the skill to use and ration land use wisely, as done in post war Britain by Abercrombie, should return. Instead we have the weighty and tedious tomes of Local

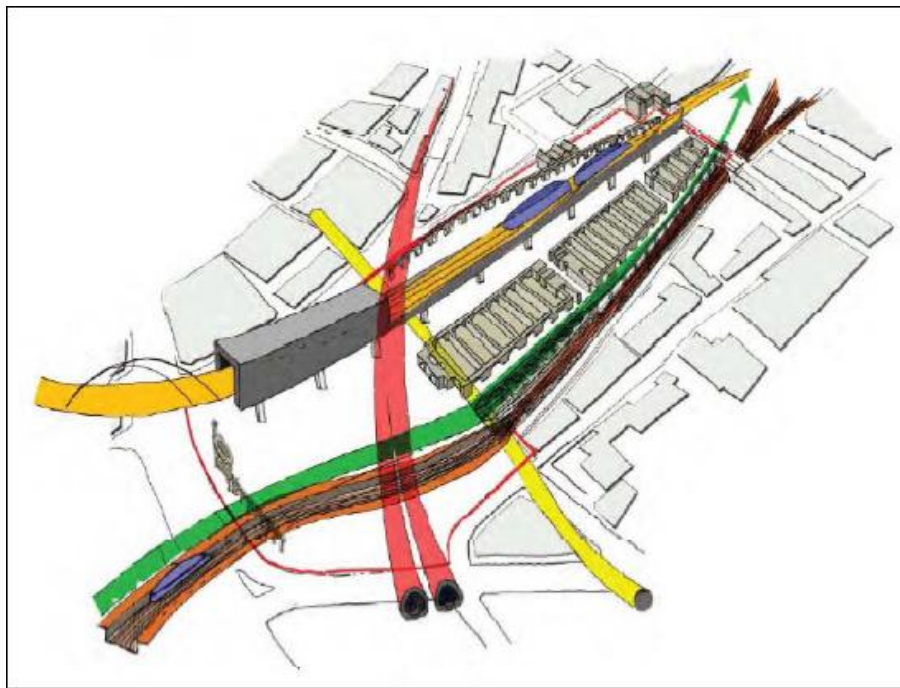
Development Frameworks and example such as the Westminster Management Plan of 353 pages, which though comprehensive is certainly not succinct for public comprehension. He showed an image of Sienna representing the latest design for Chelsea Barracks - symbolic of another area of poor planning. The effects are delay and slowing development down, (as well as reducing incentives to invest or create) associated with declines in the economy. These add up, he suggested, to unacceptable impositions, like endless salami slices of Bologna ham.

He then asked, through the mouthpiece of Marlon Brando (Johnny Strabler: outlaw biker in *The Wild One*) Whaddya got? [What are you really against?] in a world of deprived economic activity, where you can't get into what you'd like to. After Margaret Thatcher's "There's No such Thing as Society" we have had a new round of austerity which has underlain the discourse since. For example the Isle of Dogs, though reusing an area of derelict docklands and "forcing money into it" resulting in world renown for what can be achieved as a business area it has done little for the surrounding area to ignite the local economy.

The Big Society after Labour argues for a community focus and taking people with you. "Only when people and communities are given more power and take more responsibility can we achieve fairness and opportunity for all." This means a need for local engagement (a local shop for local people) driven by real interest. To date this is expressed in the concept of Neighbourhood Planning. LM advocated this can result from bypassing politics and politicians. The letters PPP should now mean not Public Private Partnership – as so far practised as a contest and a financing process – but Positive Propositional Planning.

LM asked what might happen in places journalists don't go such as Balham High Road and what is its future? This is an area where teenagers are running a family, where it is possible to start collecting ideas. (Brando now says "I say, that sounds jolly interesting!")

LM cited some examples of more action oriented planning using design to engage the local community shown with clear graphics:



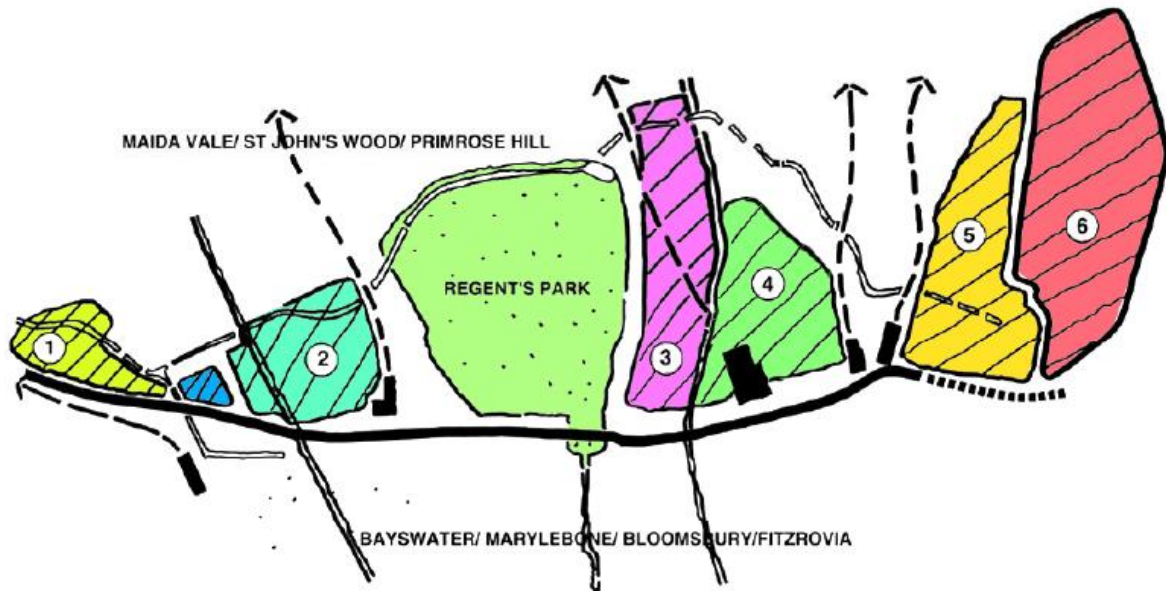
and Roger Zogolovitch's (AZ) Castleford project in Wakefield as a case study.



This included widely discussed ideas for a new town centre improvement strategy, a bridge over the River Aire, the refurbishment of a local park, a new playground for a neglected suburb and the revitalisation of a town centre neighbourhood. It involved an analysis of what was not working and how to engage with people over a short period. Wakefield District Council were enthusiastic which led to more serious engagement and encouragement to local groups to choose the architects. The bridge which offers a new urban design focus has been designed by Renato Benedetti of McDowell+Benedetti and opened in 2008. (The Castleford Growth Delivery Plan is being promoted

now). This demonstrates that once a community has become enthused with a project it is much more likely to happen.

A second case study is the sequence of opportunities north of the Marylebone Road as identified by Terry Farrell:



New ideas are being considered for the open area in front of Euston Station and for Summers Town. Roger Madelin (Argent) opined of Kings Cross that Camden and Islington are not ready for what is being offered.

Another set of teams put forward ideas for Guys Hospital assisted by CGIs. (For example a pool or fitness space in Guy's quadrangle and new floors on the listed courtyard allowing higher density to pay for the improvements for a SAGA retirement village.

Evening Standard's London Festival of Architecture in June 2010 considered Waterloo Place at the lower end and overlooked by the Atheneum to become part of a "Nash Ramblas" instead of simply a car park. Varied ideas came forward and Alastair Moss of Crown Estate is thought likely to consider public realm improvements associated with its fronting buildings. Already in Trafalgar Square nearby is the 4th plinth which acts as a constantly changing ideas site.

LM asked if you live in a town or city that is not working what do you do? It is important to engage with the community if the right brief is to be set. For some in areas of deprivation the need is for greater security, not less – children concerned at the risks of mobile phone theft for example. Planning at present is not tackling what it needs to.

A further opportunity area cited was at The Oval Bethnal Green, which is an area waiting for something to happen. Why hasn't the Copuncil got a policy for it?



LM concluded by expressing that “Thou Shalt” should replace “Thou Shalt Not (so long as you convince me it is a good idea).

Discussion:

Tom Ball took up the theme of Neighbourhood Planning. He considered that neighbourhood planning is held in check by a hierarchy of plans. It emerges from bottom up propositions. There should be a map showing what should be demolished resulting in propositions coming forward to justify replacement. TB was concerned that officers were almost entirely reactive to what is put in front of them, which is not easy to turn into something implementable.

Ben van Bruggen thought this situation gave rise to the need for specialists such as CABI, [Design Council CABI?] Savilles and his own practice.

LM added that anything other than reactive officers was seldom encouraged politically.

Esther Kurland said there were some 80-90 public realm publicly funded schemes sometimes using public money but there is no overlap between this and neighbourhood planning.

Tim Wachter was concerned that even section 106 agreements were not tied in with something overarching.

Drummond Robson said that a great weakness was lack of transparency in planning. There were notable exceptions such as GLA (for example Giles Dolphin) but the whole structure of Local Development Frameworks, (not just the extensive range of documents produced as LM indicated) was not conducive to open planmaking.

LM reinforced this by saying that Westminster was very powerful in what it would allow or dictate.

TB contrasted this with the much wider remit open to earlier planners such as Abercrombie in post war Britain. In Westminster the public are seldom entitled to speak.

Giles Dolphin considered that there is no shortage of ideas as to how to plan such as Planning for Real revealed. Councillors tend to ask “What are you going to do about it?” and see the purpose of Committees as providing something you can hide behind rather than speaking directly to the public.

Mayors on the other hand have a different remit and love doing it. They are more responsive, take an idea and run with it. Much of the problem lies with political structures as he sees it. He contrasted this with the local mayor system in France where direct discussion between the mayor and residents is necessary to achieve things.

Mike Coupe said that Councillors are often not able to speak and it would be better if they were local activists.

Ron Heath, a former Councillor himself said that his experience was to get in touch with the local community, deliver newsletters and seek to overcome the fear of change which results in people saying no. As an architect too he would write notes on the plans (though many Councillors without his training are unable to read plans at all). He thought that often High Street Traders were key objectors.

Steve Smith said the narrative was important in order to engage people, asking simple questions of the public like Who are you? Where are you from? in order to start with a vivid response. Also engagement with Councillors and politics helps. Providing an historical analysis of the area is a way of engaging to ensure a perspective on change. Words and drawings are powerful tools to justify building at all. Planning policies seldom give encouragement to people to come together.

Michael Bach said there was a clear misconception about Localism. If proposals are by consent and agreed with the Council there is no need for a referendum, which means that it is important to decide what people actually want.

LM thought that much planning has ossified as development control and planners have failed to rebrand themselves to engage with positive growth or to take people with them. This contrasts with Abercrombie who offered solutions to post war needs.

He asked who can say no to good architecture (which says it is something not something else)?

Plan making is seen as a process, interpretation is lacking. In Westminster for example areas are considered more for their problems rather than picking out exemplars to follow.

Esther Kurland said that highway schemes such as at Oxford Circus were undertaken independently of planning control and had been very successful in opening the space and removing railings and other clutter. Brian Waters said the crime was that these were there in the first place.

Emma Fitzgibbon said that in Lisbon 10% of the budget has to be used on a project and this could provide a model for London.

Colin Wilson considered there is a lot of proportionate planning and problems occur with provocative schemes that provoke a reaction.

Charrettes in which a designers draft a solution to a design problem are a way of allowing engagement by contrast with design preferences which do not.

The Chairman thanked LM for provoking an interesting discussion.

Discussion Topic 2:

Departments to Apartments. Case Studies on the Proposed UCO change.

Nicola Furlonger of Nathaniel Lichfield and Partners and Arita Morris of Child Graddon Lewis presented their findings based on the NLP report. See <http://nlpplanning.com/nlp-insight/departments-to-apartments-october-2011>

The subject was originally described as Boardrooms to Bedrooms and derived from the policy need highlighted in the consultation document to seeking to grant permitted development rights to changes of use from commercial to residential, i.e. to allow such changes of use without the need for planning applications. The formal outcome is expected shortly after the release of the National Planning Policy Framework on 27th March.

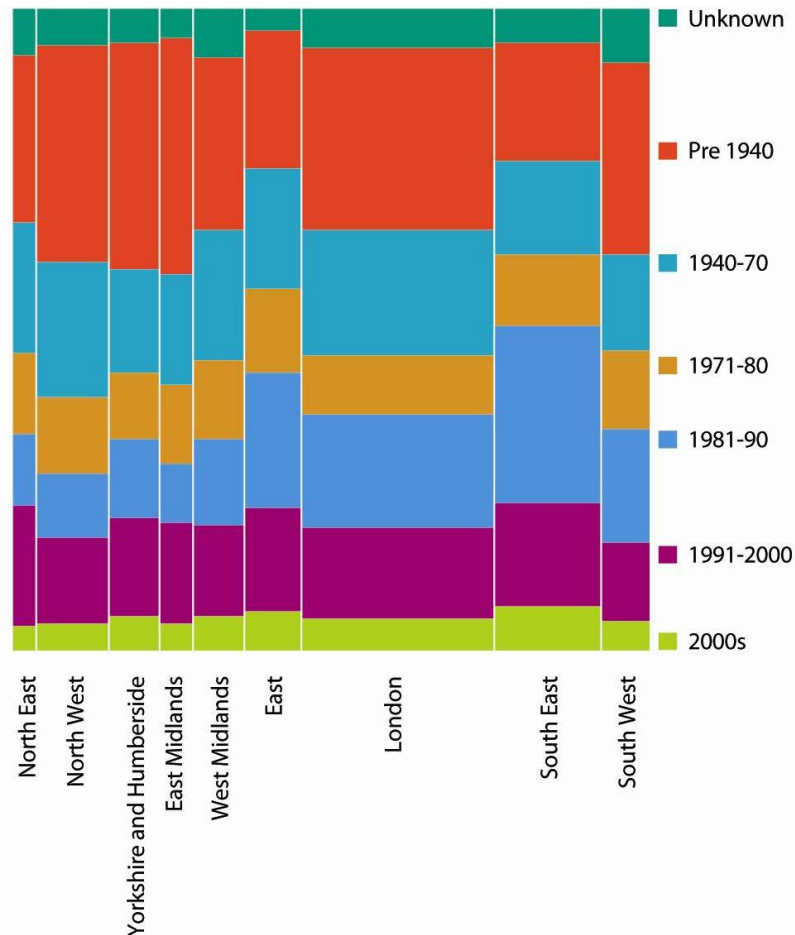
The Research study asked:

- What is the extent of the opportunity?
- What are the practical and policy implications?

It thought that for London the opportunities could be great.

The report is a practical guide for landlords and developers with a focus on the scope for conversion . London currently has a 7-9% vacancy rate in offices and 10% of offices are thought to become obsolete by 2018.

Age of Office space by region: percentages. (horizontally proportionate to amount)



This should be contrasted with the housing problem of shortage.

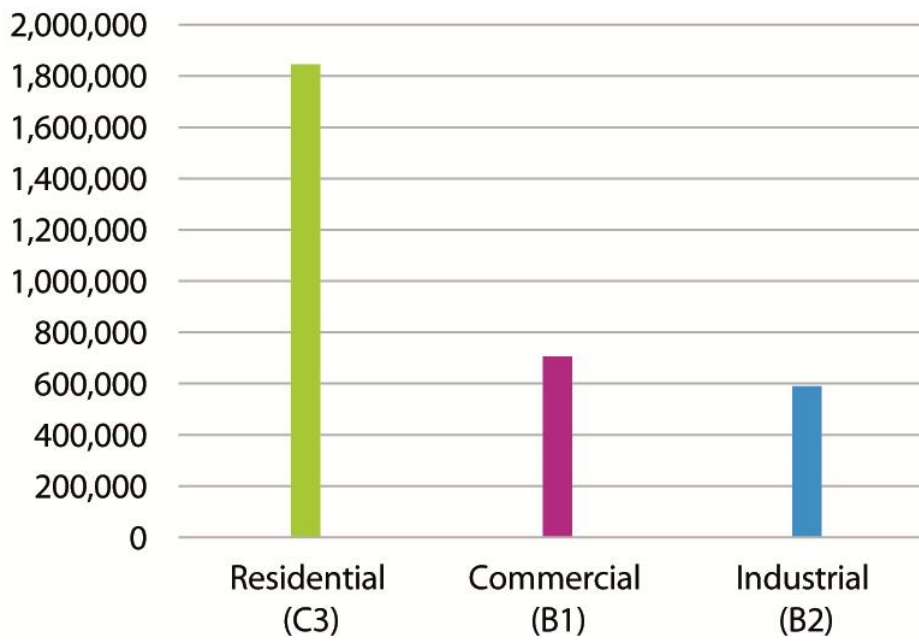
It is estimated that in London an Annual Supply of housing
 230,000 p.a. new homes needed (London Plan 2011 target is 322,100 by 2021)
 103,000 p.a completed 2010
 160,000 p.a maximum before 2007

The solutions considered for PD rights are

- Offices, R&D, light industrial (B1) to residential (C3)
- General industrial, storage & distribution (B2, B8) to residential (C3)
- Buildings and land
- 5 year reversion clause

A key incentive is the differential between office and housing values which reflect housing scarcity.

Average National Land Values (£/ha)



WHAT IS THE SCALE OF THE OPPORTUNITY ?



Types of commercial space

Office buildings (B1 type)

- a. pre – 1940
- b. 1940 – 70
- c. 1980 – present

General Industrial (B2, B8 type)



Conversion opportunities were assessed through case studies: e.g.



REALISING THE OPPORTUNITY

Case study building

- Long term vacant
- Location
- Age / condition
- Framed structure
- Access
- Neighbours



REALISING THE OPPORTUNITY

Case study : Proposal

- 108 apartments
- New facade (planning?)
- New and upgraded services
- Amenity – private, communal, daylight, sunlight, noise
- Redesigned entrance level



1940's to 1970's 14.6m depth floor plates were ideal to become residential.

Technical issues to consider include:

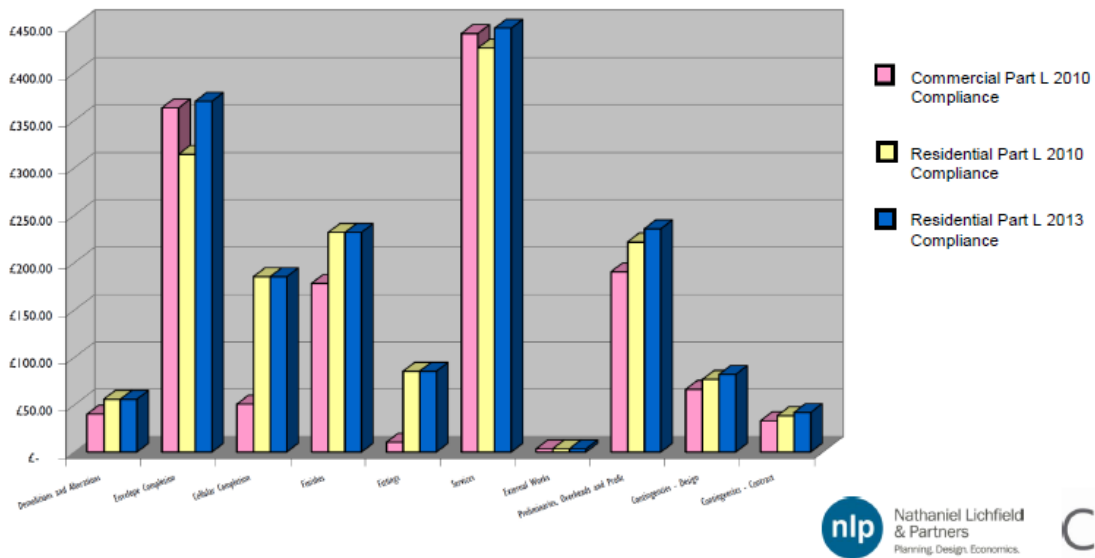
- Daylight to all habitable rooms
- Circulation
- Extending floorplate?
- Mix of units / tenure?
- Upgrading lifts
- Building Regulations Structure Fire strategy Energy efficiency Thermal capacity

What you need to do even if you don't go through planning:

- Part L 2010/ Part L 2013 compliance
- EPCs

The part L reduction in CO₂ for the case study shown above would need to be from 61.4kg to 16.5kg

CONSTRUCTION COSTS



Cost Comparators indicate that Part L 2010 compliance for office to residential requires an uplift of 19% and for compliance with Part L 2013 a further 6%

The recent CLG study of a baseline case of flat/city infill indicate that Part L 2010 compliance requires uplifts of 6.2% for Code 4, 27.9% for code 5 and 49.5% for code 6.

In its favour are

- Urgent need for housing widely accepted
- Government intent on cutting red tape and mending a “broken planning system”
- Support from development industry
- Some fierce reactions:
- Potential threat to key economic areas, creation of sub-standard housing, loss of affordable housing etc. – the unintended consequences
- Threat to carefully managed release of commercial sites, based on robust evidence – a serious matter for policy makers
- Other similar proposals disappeared; permitted development for schools
- Not in Laying the Foundations, the Government’s Housing Strategy

How could it work?

- The employment issue – exclusion zones / Article 4 directions
- Self-certifying conditions
- What would they be?
- Amenity space
- Internal space standards
- Code levels
- Parking
- Thresholds above which prior approval process activated?
- Complexity potentially undermines benefits

Concluding remarks: Implications for wider Use Classes review

- Use Classes Order subject to wider review

- Commercial to residential is the second major permitted development right change proposal; the first proposals failed.

- Prompts strong reactions - the unintended / unexpected consequences

- Is the policy approach more palatable? Is it strong enough?

- Use Classes Order – largely not broken as a regulatory tool?

- Some future potential amendments:

 - Meanwhile uses

 - Betting shops

Discussion

Tim Wachter said he was concerned about the unintended consequences of allowing this change in the Use Classes Order. In the 1960's Sam Levy influenced the design of offices with the 14.6m wide block and this was developed in a widespread area, notably the Inner City Horseshoe. These buildings are largely in multi-occupied tenancies providing Inner City support to the Central Business District. If they are converted to residential use this support space will be lost to the CBD creating a huge problem in an arc linked to WC1. He recalled large losses on the south bank following a decision to lower densities suddenly.

Arita agreed with this making a comparison with affordable housing thresholds. She thought that the pattern outside London would however be different. In the 1980s in London conversion was widespread – led by Manhattan Loft, Regalian, Berkeley Homes etc.

Brian Waters commented that the pattern is related to values and can work both ways. The present pressure residential from offices. Historically it has been the reverse. These patterns are cyclical. In Kensington the pattern is for smaller and finer grained buildings leaving some 1,500 vacant buildings. Here the 14.6m problem will be less common.

The benefit of the change is in to allow for flexibility and the freedom to change the use in either direction.

Steve Smith was less concerned with rules based on office block typologies saying in a diverse metropolitan area uses will adapt to almost anything.

Ben van Bruggen supported adaptability and cited the example of Starbucks who occupied the largest space in the building. Mike Coupe agreed.

Michael Bach raised the implication for parking of the change of use since the needs of offices and residential differ. In Westminster car parking is wanted. Conversely other boroughs prefer car free or low parking requirements.

Another issue is the opportunity site stripped down to the frame but essentially demolished. In other cases much of the change involved is in simply redoing the windows, now with double or triple glazing to comply with Part L.

Esther Krland thought it would be better to keep the building going by conversion if possible rather than simply replace it.

Tim Wachter thought that the concept of the flayed factory is more likely to be reconsidered.

In the Tec City areas such as Old Street residential accommodation could be converted. Brian Waters added that some areas are not attractive to conversion but large properties may be suitable for conversion at low cost.

Lee Mallett considered the unsuitability of preserving uneconomic unoccupied uses as a key principle. It is analogous to laying out large areas of turf to attract woolly mammoths!

In the special case of the City of London the fear is of residential values twice those of offices. Resulting in no money to keep the offices.

Michael Bach was concerned that a misspelling of policy could work in well located areas leaving poorer areas still unchanged. He thought that the Policy Exchange idea is half baked. He also drew attention the implication for a change of use which resulted in no affordable housing being built. No CIL is payable since there is no net increase in floorspace in most instances. The result is a planning free zone.

Giles Dolphin gave the historic precedent of the Brown Ban – office development permits which led to scarcity, artificially increasing values and resulting in a large office growth in Croydon which would otherwise not be there. He thought there was no need for this freedom. There is the example of a building in Merton on the northern line which would become residential in an area where there is no need for it.

Brian Waters said that the impact of the increased upgrade costs through more onerous building regulations could force the choice of redevelopment as the only option.

Ron Heath considered some of the large office buildings with large car parking are often formulaic rather than useful and so the freedom to convert would be beneficial. He thought some joint use developments could work too. Knocking down buildings and then not allowing a new building of the same size would affect choices of how to proceed.

The Chairman extended the discussion to draw attention to the wider context of more relaxation of the UCO which is also being contemplated.

Minutes of Meeting held at RICS, 12 Great George Street, Parliament Square London SW1P 3AD on Monday 12th December 2011 and matters arising.

Agreed with no matters arising.

Treasurer's report.

None. The Chairman asked that the Treasurer be invited to bring the biscuits to the next meeting to encourage his attendance.

Next Meeting.

The next meeting will be at RIBA 77 (not 66) Portland Place when the consequences from the National Planning Policy Framework to be issued on 27th March 2012 will be discussed. Further details to follow after 27th.

AOB

None.

DR/dbm 23.3.12