

LEADERS

Hunting the unattainable

In regeneration,
delivery is all.
In development,
viability is all.
In planning,
pragmatism is
useful

You've seen the stories about redundancies in major architectural practices. And read those about the biggest fall in house prices for eleven years. That metric is going to get a lot bigger while central banks around the world, but particularly in the west, continue the battle against inflation, especially while employment markets remain buoyant post-Covid. Perhaps not for much longer.

Covid, Putin, Trussonomics, the outrageous, prolonged evisceration of Thames Water by a procession of cynical owners and shareholders. What has this economic, political and regulatory macro backdrop to do with planning in London?

"It's the economy, stupid," was coined by James Carville, a strategist in Bill Clinton's successful 1992 presidential campaign – another recessionary era. The other phrases in that campaign were "change vs. more of the same" and "Don't forget health care." A useful concatenation for anyone involved with planning and its policies.

This is because that fall in house prices, driven by the interest rate rises ignited in the UK immediately following the Kamikwasi mini-budget last year, which then had the petrol of Putin's invasion poured on, has burnt out viability from every single scheme that is in pre-app mode, or removed it from every scheme that has a recent longed-for and so expensively-won approval, and that would now be economic suicide to build.

That's why architects are firing, not hiring. The prospect of prolonged higher interest rates, perhaps hovering around the 6 per cent mark for another 18 months, which is what markets are predicting, is going to make that necessity more profound. It is better to cut sooner and deeper to avoid greater pain later. It's a Darwinian moment.

If planners expect "more of the same" in terms of wider benefits approvals for scheme might provide, they won't get it. And if we, as a society, wish to see investment made in things like the NHS and our utilities, we need to nurture the investment that brings growth and opportunity.

What the Conservatives have failed to do, and in the process undermined the economic achievements of their neo-liberal economics policies, is to regulate bad behaviours effectively. We are – again – contemplating paying the price. It's unlikely voters will stand for it.

Planning authorities are a regulator, using policy and, in extremis, law enforcement. Policy needs to flex to accommodate what is happening economically. Otherwise we will get a lot more of the same for several years – ie a much reduced amount of affordable homes delivered through private sector development or contributions to off-site provision. And fewer tax receipts from the economic activity that all development underpins.

In regeneration, delivery is all. In development, viability is all. In planning, pragmatism is useful, especially if you agree (to whatever extent) with James Carville. ■

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London has
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Paul Finch
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A new unfair burden for planners

Planning is tough enough as it is, without the imposition of inappropriate extra load

The Building Safety Act, among other things, requires architects to set out a statement of their fire design approach to a building project. Unfortunately, instead of this being a matter to be dealt with by building control once permission has been granted, it has to be part of the planning application. Yet another burden for hard-pressed planning departments, whose officers have not been trained to deal with fire design.

What are the planners supposed to do? Send statements across to the building regs folk to get a view? But why should the latter take on something which government has now decreed is the province of planning rather than regulation, which will in any event kick in later? It seems likely that architects will need to produce 'fire statement' which have been drafted, written or at least endorsed by an independent third party, ie fire engineers.

Local authorities may feel obliged to employ similar consultants to vet the statements being submitted. So more boutique consultants, more cost, and longer lead times for projects. Is this the best way to run a railroad? Moreover, once you remove direct responsibility for a particular design element, the less likely it is that the profession formerly responsible will think about it in quite the same way - responsibility will lie with the consultant whose name endorses the proposition.

It is now common for architects' professional indemnity insurance policies to exclude fire design, particularly in respect of facades and tall buildings. Cue more de-skilling when government wants the reverse.

There is another problem, which is the lack of any single profession or professional qualification in respect of fire design. Plenty of people have knowledge and skill, from the fire departments of engineering consultancies to the fire brigade, to building control. To whom, exactly, do you have to defer?

This magazine has always argued that matters which are to do with regulation and/or calculation should be dealt with by building control, and that planning should be about location, use, mass, form, materials and design (not at all the same as aesthetics).

Increasingly, planners are being required to make judgements about matters in which they have no particular expertise, and indeed there is no reason why they should have it. Planning is tough enough as it is, without the imposition of inappropriate extra load.

This element of safety legislation should be rewritten. ■

What we should design for

Without collaboration, we have nothing, says Paul Finch

Exactly what are the duties, responsibilities and liabilities of the architect/engineer/designer? And perhaps more important, exactly to whom do they apply?

A complicated question, which is one reason why design and construction is a matter of interest to lawyers. But it is one which involves more than the letter of the law, since it may concern ethical and moral issues which, if you are lucky, may not arise over the course of a professional career. On the other hand . . .

One conventional answer embracing all of the above is that the first duty is to the client. After all, it is the client who pays the fee and sets or agrees the programme. If you don't like that programme, then walk away. If you undertake it, then the implication is that you are happy with what is being proposed.

This is why various practices decline to work, for example, on prisons, nuclear power stations, or houses for very rich people. Sometimes this extends to avoiding work for particular countries or political/religious regimes. In a free country you can pick and choose.

Having chosen to work for a particular client on a specific project, is that the end of the story? Not really, for a variety of reason. First come the demands of your professional institution or registration board. These generally refer to obligations to wider society rather than simply the person or organization paying your fee. Such obligations may be quite specific, or more general, especially in respect of (these days) having regard to the environmental implications of what it is that you are designing.

These are not contractual obligations as such, but they do raise a fundamental point about the relationship between designers and what you might describe as the 'real' client for the outcome of a project. That client is, of course, the users who occupy or make use of the building or facility provided over, potentially, decades or even longer.

I describe that relationship as being the 'unwritten contract' between designer and users the design-

ers have never met. The fact that is unwritten does not make it unimportant, far from it, because it has greater significance for a far greater number of people than that initial client. Even where the client is a company or public body, the formal client will be the people who sign off on the design. The users will be other people, sometimes in their thousands, or in the case of infrastructure projects, millions.

While a family house may see a close relationship between client and user, at least for a period of time, most other buildings or infrastructure projects affect people who had nothing to do with their creation. A developer creates an office building on behalf of commercial investors, but the users comprise the office workers who will occupy the space for decades. Doesn't the architect have a duty to these people as well as the formal client? What about the users of a rail station or airport or shopping mall?

Who cares about office workers, passengers or shoppers, you may say. But suppose the project is a school with a site bisected by a busy road and the project is to provide new accommodation on both sides. Is it acceptable to force children to cross that busy road if they need to use a particular classroom or facility? Or would it be safer and more appropriate to build a bridge? The latter is more expensive, but the risk of an accident involving pupils is eliminated. What should the designer recommend, and possibly resign over?

This is not just a question for the designer. However, there may be the occasional moment in a professional career where moral and ethical considerations outgun the prospect of a commission and a fee. Think about that potential road accident involving children: it won't be the contractor who gets blamed, or the engineer who designed the road crossing. It will certainly be the architect and possibly the client (who will probably have moved on).

Professional indemnity insurance exists because of a cultural assumption that professional decisions are not identical to those of a purely commercial nature. There is rarely a requirement for contractors

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to be insured – this is an observation, not a criticism. It does, however, point to a different lexicon of priorities which apply to the various parties involved in the creation of our buildings and infrastructure.

These days, priorities in respect of carbon emissions, health and safety and future-proofing carry far more weight than a few decades ago, when there was a greater emphasis on efficiency of form and operation, reduction of structural strength to the minimums set in building standards, and scant regard for the retrofit potential of what was being created.

Today's design priorities can be summed up in that splendid admonition in respect of what we should design for: 'long life, loose fit, low energy'. Coined in 1972 by the then president of the RIBA, Alex Gordon, it is as valid today as it was then, and remarkably prescient.

When it comes to priorities, the biggest mistake public clients make is to assume that you have to make a choice between quality and quantity, especially in relation to housing. You need minimum space, volume and insulation standards, then designs which are excellent examples of working to a realistic if tight budget given the numbers required. Expensive buildings are not necessarily well designed, but cheap ones can and should be.

Synthesis is the name of the game in respect of the balancing of priorities which, we should always remember, are not simply a matter for the design professions.

Without collaboration, we have nothing. ■
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MALLETT

Don't smash it, fix it

Planning needs to create exciting and accessible stories about future places, says Lee Mallett

A critical head of steam has been growing for planning to be sped up, to approve more new homes and for a "threadbare" system worn out by budget cuts to be better resourced, as The Times put it recently.

Not really news if you're familiar with the system, or planner-bashing commentary on it. But the increased support for more radical reform in places like The Economist, the Financial Times, the Daily Mail (even) and the Guardian, has become noticeable in the last year or so.

The Times' headline was "Housing crisis 'to worsen' unless planners are given more funds". You can hear the cheers in planning departments – presuming that any planners read such a balanced medium.

It kicked off quoting "official figures" from the DLUHC (too tedious to spell out that department's clunky, politicised title) which show the proportion of major applications decided within eight weeks has halved from 70 per cent in 2014-15 to 36 per cent in 2022-23. Those decided within 13 weeks has more than halved, from around 58 per cent to 19 per cent.

What most planners will know, because their professional institute the RTPI has analysed this, the funding of planning offices fell by "55 per cent in real terms from £1.07 billion to £480 million between 2010 and 2021."

Imagine the outrage if those cuts in funding and performance were hinted at for the NHS. "Only one in ten local authority planning departments is fully staffed" the article adds, and reminds Michael Gove, our latest housing secretary, wrote to ten councils in May threatening to take over their planning role unless they improved. Ha!

The most remarkable thing about this is the tiny number of planning departments on the receiving end considering the starvation diet, this most central of local government functions, has been forced to exist on. Is that why all those local plans are unfinished? Don't smash it, fix it

How to explain the stark consequences of this to a knackered rump of an anti-planning

Government? Or indeed to its hapless replacement, soon to be strapped into the electric chair of economic circumstance? Labour too has been making noises about reform.

Let's put it this way. If you don't build enough homes, you will be toast. If you don't get levelling up working, the UK might be toast. If you don't get enough wind turbines built, we will all be toast.

The nail we are in want of is a planning system that a) plans, and b) decides efficiently what gets built where in a timely fashion while delivering some sense of egalité and fraternité.

Yet the Tories cravenly ditched their 300,000 homes target. Only 200,000 a year are being built. A figure falling as you read this because viability has evaporated, yet it is unlikely that our system is flexible enough to reflect this soon enough. Our inflation is worse too because we are far from self-reliant on home-spun renewable energy while our planning system keeps saying "no" to new onshore wind farms.

If that isn't off-pissing enough, should you be unable to afford a new mortgage and need to extend or alter your existing home, you will find that the 70 per cent of applications for minor works approved within eight weeks a decade ago has also halved, to 35 per cent. Yet, a total 87 per cent of all applications, large or small, were approved over the past year, a proportion that has remained constant for ten years. If they are mostly being approved, why the hold-up?

In the same period, it has become easier for people with non-planning degrees to become planners. Some feel this desperado move has diminished the profession. Lack of competency is a frequent complaint.

If you can't organise a nation without properly resourced central and local planning, how can you possibly do it with cuts of such sustained magnitude? "The sky is dark with the wings of chickens coming home to roost," Denis Healey once told the House of Commons.

There is talk of further increasing application fees to solve recruiting and resources in planning

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departments. If you speak to those paying, the extra paid for Planning Performance Agreements, can produce patchy results. And PPAs bring with them a dubious convergence of interests requiring proper separation.

You will meet few applicants opposed to paying for development control, provided that's what the money is spent on, that it is affordable, appropriate to the scale of project, and does not act as a deterrent. They will agree there should be a balance between the financial demands placed on local authorities to police development and the amounts received from those benefitting.

But there is so much more to planning that controls and guides the potential of communities to grow and offer opportunity. That is the most precious aspect of planning as an art and science, and a tool for levelling up. The function most diminished in forty years of neo-liberal policies prioritising the private market's visioning role.

The financial tithes paid to a planning system that grants value when desirable development is proposed, is used to fund local improvements that new development and existing communities rely on. But it could also be used to enhance the sustainability and functionality of the underlying system that any civilised state needs and preserve its independence.

Planning needs to create exciting and accessible stories about future places – which takes substantial resources. We need a functional development control system that balances individual and collective interests to deliver the vision. Otherwise, things fall apart. Our system is based on that ideal, but the reality of it needs fixing. ■