

Urban extensions, planning and participation

Lessons from Derwenthorpe and other new communities

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This report identifies key issues and lessons for current planning policy and practice concerning the development of new urban extensions.

It combines the first-hand learning of practitioners – including the Joseph Rowntree Housing Trust at Derwenthorpe in York – with an analysis of the strengths and weaknesses of the current policy framework, and draws conclusions that are relevant to planning all new communities in Britain.

The report emphasises:

- the importance of political leadership in strategic planning to provide a context for effective site development;
- that leadership in turn fosters broad-based participation across the local authority for sustainable development, including housing in new communities, taking into account future needs including those of children and coming generations;
- that this should lead to consensus on a vision for the city or town as a foundation for development planning, and means that minority objectors will no longer dominate debate about critical planning issues;
- the need for more efficient (and more fun) participation *earlier* in the planning process;
- the benefits of better integration between regional, local and site planning, and between strategic planning, development control and master planning; and
- the value of ‘participatory master planning’ for larger development sites.

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Executive summary

Planning for new homes in sustainable communities

There is an immense need for quality new housing in sustainable communities, with the Prime Minister pledging three million new homes, some of which may be in 'eco-towns' adjacent to, or near, existing settlements. To this end, recent planning policy and new legislation aims to improve local development frameworks (LDFs) by emphasising faster decision-making, integration between sustainability and statutory planning, enhanced citizen participation and a strategic role for local authorities in place-making. Taken together, these policy initiatives offer an opportunity to revitalise planning and make it relevant to the effective development of urban Britain.

But many practitioners developing new communities question the ability of a planning system characterised by delay and growing complexity to deliver, despite the intentions of new legislation. A recent trend to subject many aspects of LDFs to lengthy inquiries means decisions that could be taken on a common-sense basis in a week are taking six months or more.

Given planning's poor record in participation – with its past emphasis on professional, legal, technical and development control interests – there needs to be a steep learning curve on good ways to improve the process at all levels. This report therefore combines a review of evolving planning policy with 'on-the-ground' learning derived from monitoring the development process for new communities.

Evidence base for this analysis

This research began with the monitoring of the development of a new mixed-tenure neighbourhood in York, which was planned by the social landlord, the Joseph Rowntree Housing Trust (JRHT). This was initiated to capture

the learning from this development – much of that, in retrospect, turning out to be about the causes, and costs, of delays in planning. The researchers attended meetings, public and private, in connection with the York development, including some of the planning inquiry that became part of the process. In parallel, a series of seminars were held in other new communities around England, using Chatham House Rules, to debrief practitioners about their practical experiences of the planning and construction stages of development. Finally, the research team also conducted more than 40 key informant interviews with participants in the local and regional development process for Yorkshire and Humberside, and with policy-makers and planning experts active at a national level.

Key points of learning

Planning – a culture of objection or towards consensus?

As the report documents, the planning process is overly complex and adversarial. A clearer hierarchy of national, regional and local policy, identifying what is appropriately decided at which spatial level, combined with tangible (and financial) commitment to achieving specified development objectives is needed, as opposed to strategies full of platitudes about sustainability. That clear hierarchy can be achieved by using genuine participation measures at each spatial level to develop a measure of consensus about the future direction of planning policy. This will be a particular challenge in the implementation in legislation of the *Sub-National Review of Economic Development and Regeneration*.

Consensus in turn requires a sense of balance to be restored between the rights of the proponents of the social and economic benefits of new communities and the rights of objectors. This will arise from more confident leadership

on development issues, backed up by better participation processes at both strategic and local levels, so that, rather than allowing objectors to drive debate, objections are pre-empted by dialogue and strategic decisions *earlier* in the planning process. The objective is greater consensus around the need for new communities and for public investment in sustainable transport infrastructure to support those communities. The report argues that, with many of the right policies in place, the transition will be aided at the local level by linking reform of planning to the local government modernisation task – that is, to improve the organisational culture of local authorities to value partnership and citizen participation in planning.

Participation and leadership key to effective local planning

The designation of a greenfield site for housing is among the most contentious of local issues, but without such decisions the nation's housing needs will never be met. To facilitate decision-making, two things are needed: better participation and stronger leadership by local government. Participation and leadership are two sides of the coin of effective development.

Objection to new housing will be countered only when participation processes in planning are broad-based, involving citizens from across the local authority area in consideration of key strategic issues. Participation should occur early in the process, when longer-term vision is being formulated, rather than just after the plans have been prepared. The emphasis on the importance of the core strategy in the LDF in the Planning Act 2008 is a positive step, but implies genuinely effective rather than nominal participation – that is, citizen participation that influences decisions rather than 'rubber stamps' them.

Strong strategic leadership ought to be a primary role of local government in its 'place-shaping' role. Leadership arises from a longer-term vision of what is right for the city as a whole, developed with citizen and stakeholder participation. From vision (a real need for housing) comes strategy (housing on this site and not that one) and then operational plans (such as an area action plan or a master plan).

Systematic participation and local government modernisation

The report notes that a new, statutory, best value 'duty to involve' is intended to be a key driver for fostering community engagement across all local authority and local strategic partnership (LSP) activities. Local planning authorities are to be given 'more flexibility to decide how and when to consult and engage'.

This, combined with a new power of well-being established in the Sustainable Communities Act 2007, could begin to empower local authorities and their strategic partners to engage in more long-term, proactive strategic planning for sustainable development.

But, if local authorities and LSPs are more empowered, better community participation is also required. This means that local authorities will need better community involvement mechanisms for all aspects of service delivery, not just for planning. Rather than inventing participation for each service area – from education, to planning, to rubbish collection – they will need a *systematic participation* that cuts across service areas and values the time of citizens who participate.

A key conclusion is that genuine participation is most likely to be achieved as part of a comprehensive effort at local government modernisation across the board, with strong leadership from council leader and chief executive, rather than as *a planning initiative per se*. This suggests that planning departments themselves are unlikely to achieve positive results in institutionalising participation in the LDF unless they have the full support of the council leadership and are working with the grain of local government modernisation, which is improving and making efficient citizen participation across the range of local government services.

Planning as an inclusive learning process

The report stresses that planning is not about the production of plans but is a learning process about what works and what doesn't in the difficult challenges of place-making. This means all participants develop new competences in contributing to place-making – not just community organisations but also professionals who learn the value of working with communities.

Participation also needs to be for everyone. For example, children in school (who are experts about their neighbourhoods) could participate in planning activities, which would inform the planning process and would influence the children's perceptions and attitudes about local government in later life. Similarly, specialist efforts are required to connect with 'hard-to-reach' groups, such as some black and minority ethnic groups or frail older people. It is only when participation is regular, long-standing and inclusive that it contributes to the necessary revitalisation of local democracy.

A key task for local authorities in implementing new planning policy will be to establish meaningful mechanisms for participation both at strategic, city-wide levels and for the neighbourhood, which is where most people relate to planning issues.

Integrating land use and transport

Concern about off-site traffic impact is the primary barrier to the acceptability of new communities, and this will certainly apply to eco-towns as well as urban extensions. A concerted approach led by central government, and encompassing both policy and finance, is necessary to shift journeys to sustainable transport modes. In view of the continuing growth in the number and length of journeys, local authorities can accomplish very little without sophisticated national and regional transport strategies and investment.

Even were good regional strategies to be in place, the report notes that overcentralisation of what should be local transport decision-making in England, such as on trams, inhibits innovation by reducing opportunities for experimentation and local learning in the means of delivering local sustainable development. If the intentions of policy

in terms of planning reform and use of the new Community Infrastructure Levy are to be achieved, local authorities and their partners will need considerably more latitude in transport innovation.

LDF and master planning

The report concludes that there is poor co-ordination between planning activities in the public and private sectors, with master planning seen as a developer-led activity that has little relevance to formal LDF processes. This is a waste of valuable planning resources. If the LDF approach is to succeed, there needs to be better co-ordination between formal development planning, preparation of council-led development briefs and developer-led master planning. It should be made clear that issues are addressed in each and how the three levels of activity can be co-ordinated and sequenced to best advantage within the LDF.

Participatory master planning

Within the context of the LDF, therefore, there should be both broad strategies and a 'development timeline' showing when different sites are likely to move into a master-planning phase. City-wide policies and area-specific development briefs should be in place to provide an effective context for master planning. To reciprocate, landowners and developers should view their master-planning process not as a private or secretive activity but as an opportunity to involve key stakeholders, including planning and highways officers and local residents, in site planning. This 'participatory master planning' is a good mechanism for developing consensus around planning proposals.

1 Introduction

For the past five years, the authors have been monitoring the development process for a new mixed-tenure neighbourhood in York called Derwenthorpe, which is to be built by the social landlord, the Joseph Rowntree Housing Trust (JRHT). This proposal, initiated around 1998, is for a modest development of about 540 new homes adjacent to three existing city neighbourhoods. The project has been dogged by objection and delay, mostly factors outside of the control of the JRHT, including a planning inquiry, but work finally began on creating an access to the site in spring 2008.

The monitoring was initiated by the JRHT to capture the learning from this process of developing a new community. The researchers attended meetings and events, public and private, in connection with Derwenthorpe. They also conducted more than 40 key informant interviews of one to two hours with participants in the local development process, and with policy-makers and planning experts active either regionally or nationally. In parallel to the research, a series of seminars were held around England in other new communities, under Chatham House Rules,¹ to debrief practitioners of new communities and document their practical experiences of the planning and construction stages of development.

There was no idea at the outset that the main learning about Derwenthorpe would be about the reasons for, and the negative consequences of, delay in the planning process – but that learning is as valuable as any other. It is documented in this report.

The need for such learning is more pressing than ever, with Government's commitment to building three million new houses – in the face of housing shortage and population growth. Either we will learn quickly, as a nation, how to build genuinely sustainable communities in a

timely manner, which does not waste human and financial resources, or we risk complementing a growing housing shortage with a legacy of poorly built, dysfunctional communities – the regeneration task of the future.

Vision – a model urban extension for York

In the early 1990s, the Joseph Rowntree Housing Trust was considering a new residential development that could contribute towards York's housing needs. This ambition became linked to commemorating the centenary of JRHT's village of New Earswick, a community of around 1,000 homes built by the philanthropist Joseph Rowntree at the turn of the last century.

New Earswick was designed by the leading architects of what came to be called the 'garden cities movement', Barry Unwin and Raymond Parker. The village, now on the fringes of suburban York, remains an exemplar of good planning, with homes and gardens facing pedestrian walkways, traffic calming, excellent landscaping and recreation areas, and a primary and secondary school – centred mostly around a local shopping area, library and community-run 'Folk Hall', which includes a community café.² The village continues to house a range of people, though the majority of homes have always provided much-needed family housing to rent.

Creating another model community, this time for the twenty-first century, seemed an appropriate way of marking New Earswick's centenary. This new development would benefit from the knowledge gained from stewardship of New Earswick and the outcome of numerous research studies supported by the Joseph Rowntree Foundation (JRF) into what makes a good community.³

The housing site at Derwenthorpe

While the JRHT was thinking about a latter-day New Earswick, the City of York Council was looking to develop a high-quality housing scheme on land that it owned on the edge of York. Within the council, unease was growing about a lack of quality and vision in new housing developments built by volume housebuilders, and a lack of any positive relationship to their local environmental and historical surroundings.

York was also facing many of the housing challenges familiar to the prosperous areas of England: a population rise of more than 10 per cent between 1982 and 2002, spiralling house prices, construction of many more flats than family houses, growth in the buy-to-let sector and young local households unable to get a foothold in the market. While exact figures vary, housing market analysis shows consistently that the city needs around 1,000 new homes a year just to keep pace with its growing population.

To meet these challenges, York had only two large housing sites left undeveloped, only one of which was in the ownership of the council. This had been bought by the city fathers in 1927 and held for the day when more housing land would be needed. Since then, the fields have been grazed at different times by cows and horses, electricity pylons march across the site, while part is derelict land that was formerly an electricity sub-station. Until the latest round of boundary changes, this site, now known as Derwenthorpe, was within the boundaries of neighbouring South Ryedale District Council.⁴

In 1995, local government reorganisation brought the site within the city council's boundaries. Having been intended as housing land since the 1920s, sitting within York's ring road, and now surrounded on three sides by suburban communities, Derwenthorpe seemed a logical location for an urban extension. It was so designated in York's draft local plan, which had been in preparation since 1997.⁵

The city council wanted to do something special on the site. Its reported priority was to build an environmentally sustainable development, as growing awareness of global warming implied a fundamental change in the way that houses were constructed. For the JRHT, the priority was to

create a well-functioning community, rather than simply a housing estate, with a mix of people with different incomes – a community that would still be a pleasant place to live in a hundred years time, as New Earswick is today.

To realise their complementary aspirations, JRHT and the City of York Council (COYC) formed a partnership to develop the Derwenthorpe site, with the city transferring the land to JRHT in return for careful attention by JRHT as lead developer to environmental and social sustainability, provision of affordable housing and community participation. Housebuilders would be brought in later in the process by JRHT, after planning permission had been secured.

Master planning started in the lead-up to the millennium. The final master plan proposed 540, mainly family, houses on the site, with more than one-third 'affordable'. The community would have high-quality design, 'lifetime homes', traffic calming in home zones, sustainable urban drainage and careful attention to social mix, while provision of community facilities was intended to benefit both Derwenthorpe's residents and surrounding neighbourhoods. The East–West power lines would be put underground for aesthetic and safety reasons. Finally, as at New Earswick, JRHT would be committed to the long-term and beneficial management of the public areas and social facilities of Derwenthorpe.

Planning delay

Rather than starting on site by 2002, as JRHT originally intended, Derwenthorpe spent some ten years in the planning stages – with work on site not beginning until 2008. One cause of this delay, as described in Chapter 2 of this report, was York's difficulty in achieving an adopted local plan or (latterly) a local development framework, which would have clarified whether the site was in the green belt. During this much-delayed development process, the proposals (and JRHT) have been subject to a concerted process of objections by people who are opposed to the development.

Opportunities for objection were found in a protracted green belt review, which substantially delayed the adoption of the local plan. Finally, in having the outline planning application called in by the Secretary of State, it led to a lengthy

and expensive planning inquiry.⁶ Arguably, JRHT fuelled opposition by creating opportunities for, and supporting, intensive public participation from the start of the project, well in advance of any construction.

To add to these delays, two great crested newts were discovered on the site, which had not come to light during the original environmental assessment. Additional delay resulted as further field surveys were undertaken by environmental consultants and the master plan was adjusted to encompass the possibility that more newts might appear.

The site was granted planning permission by the Secretary of State in 2007, when objectors applied to have the site designated as a 'village common' under the Commons Act 2006 and another inquiry took place in early 2008. This inquiry rejected the notion that the site was in any way a village common.

Britain plc – the cost of delay in the planning process

Derwenthorpe's ten-year development process is not untypical, with other landowners reporting developments taking 12 and even 14 years to come to fruition, mainly because of delays in the planning system. In terms of the costs of delay, it is important to reflect on the opportunities foregone and the social benefits that might have resulted had these costs not been incurred. For a social landlord like JRHT, this would include some additional social housing that would otherwise have been provided and an ongoing risk that social housing grant allocation could have been reduced or even lost entirely.

But such additional costs are a drop in the proverbial ocean compared with the cumulative cost to the nation in wasted human and financial resources of planning delay in the face of a pressing national housing shortage and declining new-build completions. The Government in the recent Housing Green Paper (Communities and Local Government, 2007) argues that three million new homes are needed by 2020, two million of them by 2016, to meet growing demand and address affordability issues. To achieve this, the target is for 240,000 additional homes a year by 2016.

This national housing shortage fuels the exclusion of those who are aspiring to join the housing market but are unable to realise their aspirations, as well as increasing the gap between those in prosperous areas and those in areas where house prices are low. Delay in providing new houses means longer commuting distances between home and workplace for a growing number of workers – at a time when climate change suggests we should be reducing the need to travel.

The nation therefore needs to improve its ability to plan, design and build new communities. Pressurising planning officers to turn around planning applications a month or two sooner fails to resolve the issue of decade-plus delays in bringing new communities on stream. The issues are more fundamental, having to do with: the adversarial nature of the planning system; a failure to integrate national, regional and local development aspirations in a 'plan-led' system; and a failure to involve more citizens earlier in the planning process to develop a measure of consensus around development strategy and the value of new communities. Fortunately, the current direction of government planning policy is recognising these issues, particularly the 2007 White Paper, *Planning for a Sustainable Future* (HM Government, 2007).

A more sophisticated approach to planning is needed to make it easier to develop logical settlement strategies at a regional level, consult constructively and build new communities. There are a number of challenges to achieving this, which are explored later in this report.

Derwenthorpe and the new communities seminar series – a source of learning

In parallel to Derwenthorpe's development process, and in keeping with the Joseph Rowntree Foundation's (JRF's) role as one of Britain's leading research organisations on housing and community issues, the then Director of JRF and JRHT, Richard Best initiated a seminar series, which brought together practitioners of new communities. This initiative involved seminars around England and focused on communities under development.

It brought together their landowners, architects, engineers, town planning officers, local councillors, registered social landlords and officials from English Partnerships to pool knowledge of what worked and what didn't in the planning and design of Britain's much-needed new communities. Many, but not all, of these developments were urban extensions rather than free-standing new communities.⁷ The seminars were a valuable learning experience for those who attended – particularly the 'walkabouts' of new communities and the bringing together of a manageable number of practitioners to reflect on their experiences openly and honestly.

This report brings together the learning from both the Derwenthorpe experience and the new communities seminars to inform the debate on the future of planning, and citizen and professional participation in that important process.

Opportunity for learning and change – an evolving policy environment

During the ten years since this particular saga began, the planning policy context has evolved in many ways, and continues to do so. This makes it an opportune time to use what knowledge is available from the practical experiences of developing new communities, like Derwenthorpe, to inform that evolution of the thinking and practice of planning.

When Derwenthorpe was initially conceived, policy was emphasising environmentally sustainable development. By the late 1990s, free-standing developments in the countryside, which would almost by definition require car journeys, were less acceptable when compared to high-quality urban extensions that were knitted into existing towns and cities, and were hopefully adjacent to public transport. Urban extensions were recognised as a good way to meet housing need at a lower environmental cost. Planning and housing policy guidance, such as the influential PPG3 on housing (DCLG, 2000), also reinforced sustainability considerations and set out new standards for higher-density developments, which substantially altered the housing production process in the UK.

More recently, the *process* of planning, as well as its *objectives*, have been under review – to address, among other things, the slowness of planning and the fact that structure plans and local plans were frequently out of date even before they had completed the often tortuous process of being officially adopted. As will be seen in Chapter 3, York's Local Plan, at the latest point in its fourth draft prior to being incorporated into the LDF, is a case in point.

Overall the evolving national policy framework is stressing:

- enhanced integration between the objectives for sustainable development and statutory planning processes;
- better co-ordination between regional and local planning;
- enhanced citizen participation in all aspects of planning;
- recognition of the importance of a strategic approach to local development and the local authority's lead role in that.

A key piece of legislation in changing policy is the Planning and Compulsory Purchase Act 2004. This replaced the production of local plans with a comprehensive new local planning process called a local development framework (LDF).⁸ The LDF includes preparation of a core strategy for the local authority area and a statement of community involvement. The intention is to speed up planning and improve public participation in that process. In 2008, a new Planning Policy Statement (PP512) set out the key ingredients of LDF and their role in spatial planning.

Since the 2004 Act, a number of important policy events are reinforcing this attention to achieving better outputs from planning by improving the process. These include:

- a Local Government White Paper in 2006, *Strong and Prosperous Communities*, which was intended to strengthen the role of local authorities in plan making (DCLG, 2006);

- a new Policy Planning Statement (PPS3) in 2006 on housing (Communities and Local Government, 2006);
- the Barker Review, particularly its attention to larger projects (Barker, 2004);
- a 2007 Green Paper, *Homes for the Future: More Affordable, More Sustainable* (Communities and Local Government, 2007);
- a 2007 White Paper, *Planning for a Sustainable Future* (HM Government, 2007), and subsequent legislation.

The intentions of the Green and White Papers, with the results of their consultations, have come to fruition in two bills passed in the 2007/08 legislative session: the Housing and Regeneration Act and the Planning Act. Taken together, these streamline strategic planning for large infrastructure projects of national importance but also strengthen local government's place-making role by reinforcing the key role of the core strategy in local planning and the importance of citizen participation in that process.

Overall the intention of the two important pieces of legislation are described by MP Karen Buck as a:

... struggle to achieve compatibility between two opposing but equally desirable objectives of public policy: effective decision-making in the national interest on the one hand, devolved decision-making on the other ... Few dispute the need for more homes, but specific schemes can face fierce opposition. There is no silver bullet solution to these dilemmas.

(Regeneration and Renewal, 2007)

Finally, the recent *Sub-National Review of Economic Development and Regeneration* will give rise in the 2008/09 legislative session to new legislation addressing the quality of regional planning and the relationship of regional and local planning. The bill also intends to strengthen local democracy by passing more power and responsibility to local authorities, communities and citizens. Local authorities in particular will have more power over economic development. In part,

the legislation is intended to implement proposals put forward in the 2008 White Paper *Communities in Control: Real People, Real Power*.

This report

This report is about effective *and* participatory decision-making, and about balancing the local, the regional and the national aspects of the planning process. The role of leadership in that process is particularly emphasised.

The remainder of this report will draw out the lessons relevant to the development of urban extensions elsewhere in England and participation in the planning process. The next chapter sets out briefly the chronology of events that led to the substantial delay in the development of Derwenthorpe, with these events referred to in subsequent chapters. Chapter 3 looks at key lessons of Derwenthorpe as they apply to the formal planning system. Chapter 4 considers the challenging issue of public participation. A final chapter draws some broader conclusions on urban design, public participation and planning. Throughout the report, key points are summarised in italic text.

The evolving policy context for planning emphasises integration between sustainability and statutory planning, co-ordination between regional and local planning, enhanced citizen participation and a strategic approach to place-making, with local authorities taking a lead role. Taken together, these initiatives offer a real opportunity to revitalise planning and make it welcomed and relevant to the lives of most citizens, and to use planning, through the integration of land use and transport, to help achieve the nation's objectives for sustainable development.

However, given planning's poor reputation, poor record in participation and past emphasis on professional, technical and development control interests, there needs to be a steep learning curve on good ways to improve the process at all levels. This report draws on learning from the practical development of urban extensions and other new communities.

2 Derwenthorpe: why it took so long

The delays to the development of Derwenthorpe were caused by a variety of factors.¹ The nature of these delays is instructive in considering how to avoid a similar situation in future and for drawing lessons in subsequent chapters on the beneficial implementation of local development frameworks as a new model of planning.

The planning history

The main problem has been that the local authorities with responsibility for planning did not complete the required formal plans to the point where what was intended to be housing land was formally designated as such. The main reason for this was the failure of successive administrations since the 1950s to carry out a proper review of greater York's green belt boundaries.

Originally the site was within South Ryedale District Council and was designated for housing within its draft local plan. But this plan had not been adopted by the time of local government reorganisation in 1995. The North Yorkshire Structure Plan, adopted in 1995, shows the outer edge of a green belt around York but no inner boundary. In 1993, an inspector upheld the view that Derwenthorpe should not be in the green belt during the inquiry into York's green belt but that plan was not adopted. The new City of York Council did not inherit an adopted local plan and has not yet formalised its local development framework.

The green belt question first delayed development when the local MP for the constituency to the north of Derwenthorpe objected to the development and received a letter from the Department of the Environment stating that, in its view, the site was within the green belt, and the council did not therefore have authority to determine a planning application for

the site. Representations by the council caused the Department of the Environment to change its view and a second letter was sent conceding that the council did have the power to determine a planning application. Despite this exchange of letters, which delayed the project for about six months, the green belt question was not resolved and was subsequently cited as one of the reasons why the planning application was called in to be subject to a planning inquiry.

The fact that the planning permission was called in by the Secretary of State and a public inquiry needed to be held led to a 30-month delay. The call-in was not a surprise, as the site was owned by the planning authority, it was one of only two remaining large housing sites within York, there were no adopted plans and there was very vocal opposition.

Opposition to the development

The opposition to the use of the site for housing has contributed to delays in development in a number of ways, some direct and some indirect. The halting of progress while Government ruled on the green belt status was a direct result of objectors who lobbied their member of parliament to try to prevent the fields being developed. The development was held up again when objectors filed under the Commons Act 2006 to have the site designated as a village green.

The level of objection affected other issues less directly. Knowing that every move would be closely scrutinised, JRHT took care to follow the spirit and the letter of every regulation, and to answer every criticism if possible with positive action. The interesting question of how far JRHT itself may have fuelled opposition by its decision to consult intensively with local residents is addressed in Chapter 4.

Environmental statement

The decision that the site should be subject to an environmental statement (ES) was another reason for delay. Environmental statements (required by European legislation) were needed from the mid-1980s for hazardous or large sites. However, a number of court cases around 2000 suggested that ES could be required for a greater range of sites. In light of this, JRHT's planning adviser recommended that Derwenthorpe should have an environmental statement and the council agreed with this view. This led to a certain amount of delay, as a range of initial site reports had to be reconfigured to comply with the required ES format.

The fact that Derwenthorpe was now an ES site also delayed the hearing of the original planning application. The legislation requires that, if there is any alteration to the ES, it has to be resubmitted and sent round for consultation to the statutory bodies that are required to comment. A whole series of further information was needed on issues such as the state of the grassland, invertebrates, air pollution, contaminated land, cycle and pedestrian routes, and drainage. The most significant of the changes followed the discovery of the great crested newts, when the master plan had to be redrawn to preserve the habitat around the occasional pond where they were discovered. These changes contributed to a 19-month delay between the initial submission of the outline planning application and its consideration by City of York Council's planning committee in January 2005.

Site constraints

The Derwenthorpe site turned out to be more complex to develop than either of the partners had originally grasped. There were problems with access, with ownership of part of the site, with concerns about flooding and with the need to 'underground' the large electricity pylons crossing the site East–West. Resolving each of these issues took a long time, though other delays might have meant that they probably did not, on their own, extend the development time.

With regard to site access, one of the four proposed access routes turned out to be privately owned by 13 householders and a primary school.

A compensation package had to be negotiated before the opening of the public inquiry.

Delays in planning

Planning departments around the country are understaffed and York is no exception. The department was not able to provide a dedicated senior planning officer who could prioritise work on the Derwenthorpe site to ensure that everything proceeded as swiftly as possible. This accounted for some of the delay between submitting the original outline planning application (2003–2005) and its consideration by the planning committee.

Village green inquiry

As previously noted, Derwenthorpe was further delayed by a village green inquiry. The process first began in November 2007, but objectors then claimed a technicality made their initial application invalid and requested the chance to reapply. This was agreed by the independent inspector appointed by the council and a new inquiry start date was set for February 2008.

The inspector considered both the law relating to town and village greens and the evidence provided in support of, and in objection to, the applications. He recommended that the Commons Registration Authority (City of York Council) did not register the site, or any part of it, as a town or village green.

On 17 March, the inspector's decision was unanimously accepted by the City of York's Licensing and Regulatory Committee, meaning JRHT could go ahead with developing Derwenthorpe.

The delay to the development of Derwenthorpe was caused by a host of factors, including failure to adopt a local plan and define York's green belt boundaries, the need to prepare an environmental statement, flooding and access concerns, vociferous objection by some residents living in adjacent neighbourhoods, the outline planning application being 'called in' for a planning inquiry and by an application by objectors to have the site designated a village green, under provisions of The Commons Act 2006.

3 Lessons of planning for Derwenthorpe

A number of new policy initiatives – influencing both the objectives and process of planning – were noted in Chapter 1. While it is too soon to assess the impact of these important policy directions, some of which are embodied in new planning legislation, the experience of Derwenthorpe and similar new communities offers a number of lessons, which, if addressed, can assist in the positive implementation of planning policy and this legislation. Conversely, if these issues are not addressed, new policies will fail to resolve fundamental constraints on English planning processes.

The lessons addressed in this chapter include the need for:

- systematic leadership on local planning strategy;
- earlier and more broad-based participation to balance local objection to new housing development;
- better integration between the local development framework (LDF), master plans and development control practices;
- better integration between land use and transport planning;
- better linkage between regional spatial strategy (RSS), sub-regional strategy and LDFs.

Three broader themes relevant to planning suggested by the Derwenthorpe experience are discussed in the final chapter of this report. These are the need to:

- realise the intention of the 2006 Local Government White Paper by linking reform of the planning process to local government modernisation;

- decentralise planning functions;
- recognise the potential for innovation in an ‘intermediate developer’s role’ in new communities.

Need for strong leadership on strategic planning

The designation of a greenfield site for housing, such as Derwenthorpe, is among the most contentious of local issues in modern Britain, but without such decisions the nation’s housing needs will never be met. To facilitate such challenging decision-making, two things are needed: more broad-based participation, discussed below; and stronger leadership by local government. Positive participation and good leadership are two sides of the coin of effective development.

In the Derwenthorpe process, the City Council had designated the site for housing and invited JRHT to prepare a master plan. However, some non-council participants felt that the city might have taken a greater lead in promoting the importance of developing the site to meeting York’s housing needs. This was particularly important in view of the vociferous opposition to the development.

The city was no doubt concerned about its conflicting roles in the development process: landowner, development proponent, financial beneficiary, highway authority and adjudicator of the planning application as the planning authority.¹ But councillors could have acted with far more confidence if participation mechanisms that would have reassured them that the decision was for the long-term benefit of York and that it would be supported by the majority of citizens, had been in place.

Such strong and strategic leadership ought to be one of the primary roles of local government, in particular for what Sir Michael Lyons (2007)

describes as its ‘place-shaping’ role. Leadership arises from a longer-term vision of what is right for the city as a whole, which must be developed with citizen and stakeholder participation. From vision (a real need for housing) comes strategy (housing on this site and not that one) and then operational plans (such as an area action plan or a master plan).² York, for example, in order to prepare its LDF, is now concentrating on developing a long-term vision for the city as part of its core strategy, and is putting planning issues at the heart of debate, rather than isolated in a professionally dominated development control context.

Government policy now recognises the vital role of leadership. *Planning Policy Statement 3: Housing* requires that:

Local Planning Authorities and Regional Planning Bodies will have a key role in defining and communicating the spatial vision for their area, determining their strategy for delivering the vision and joining up planning, housing and wider strategies including economic and community strategies.

(Communities and Local Government, 2006)

Similarly, the Local Government White Paper (DCLG, 2006) recommends that local planning authorities take a strategic lead role in their local area, ensuring a high-quality framework for planning and for housing delivery.

Of course, the need for better leadership is a major challenge to modernising local governance in England and the subject of serious attention by many organisations.³ In planning for new communities, leadership is essential to ensure that local councillors are confident and knowledgeable about strategic planning decisions, and to avoid the debilitating situation where planning officers are left to take the flak at vociferous public meetings.⁴ Participation processes also need strong leadership to provide clear guidance on what is on the table for discussion and what isn’t, and to ensure that participation is both effective and efficient. Too often in the past, participation was professional and technical, and related to plans that had already been drawn up, rather than allowing citizen input into shaping those plans. The feeling of being excluded gives rise to negative, cynical views on local governance. These issues

are taken up in more detail in the next chapter.

The leadership role extends not only down to the neighbourhood but also upwards to secure regional support for local aspirations, and to find those aspirations reflected in, and supported by, the regional spatial strategy. Leadership is also required at the level of the region, particularly to integrate visions for co-ordinated development of land use and transport.

The planning system requires local authorities to set out their development aspirations in an adopted LDF. However, a plan itself is not enough and plans are only as good as the politicians who promote them. The plan must reflect the quality of leadership in terms of defining strategic ambitions and identifying the means to achieve them.

If based on good-quality decision-making processes, beginning with vision and strategy, new communities will benefit from a local ‘champion’ to make their case. The local authority, politically and professionally, is the right organisation to provide this leadership.

The need for earlier, broad-based participation

Looking across a number of new communities, seminar series participants felt that planners contribute to ‘the culture of objection’ by producing plans ‘behind closed doors’ in advance of public consultation, rather than plans that are in response to public consultation. If this happens, citizens can feel they are being excluded from important decisions about their future, and can resent planners and local government for that. The issue was flagged up in a report intended to help JRHT understand objections to Derwenthorpe:

Many people have at best viewed planning as something the state does for them. *Increasingly, people feel that planning is done to them.* (Bate, 2005, emphasis in the original)

Where citizens feel excluded from planning processes, and are therefore poorly informed of critical issues facing their locality, they tend to be either apathetic and thus absent from public debate, or deeply suspicious of decision-makers and thus almost ‘knee-jerk’ objectors to development. As noted, the debate about Derwenthorpe since the early optimistic days has been dominated by objectors.

Many of the stakeholders in Derwenthorpe felt that objection against new development could be reduced by *earlier, broad-based* participation, which ought to take place within the context of the local plan (or, now, local development framework) process and not on a site-by-site basis. Discussion of the LDF for the local authority area as a whole is the logical point at which to debate the merits of designating new sites for housing, including greenfield sites. York itself is now moving in that direction in its visioning exercises and a 'Festival of Ideas' for involving citizens and stakeholders in informing the LDF Core Strategy and the city's Statement of Community Involvement.⁵

Within this context, earlier participation means involving citizens in a complete planning process from the vision stage, and having and resolving the debate on the appropriate use of individual sites well before a development brief is prepared or an outline planning application is made. This way citizens are knowledgeable about planning issues and feel involved in the process rather than thinking it is owned by planners working behind closed doors. Earlier involvement is also a recommendation of the Government's White Paper, *Planning for a Sustainable Future*, which gave rise to the Planning Act 2008.

Thinking of the planning process as a whole, moving from issue or vision to strategy and plan is a key to identifying important points for broad-based participation. Here we can learn from the City Council of Utrecht in the Netherlands, which has identified a 'policy cycle', which begins with issues facing the city, and/or visions for the city in the future, and moves towards resolution or new policy in a series of logical and clearly defined steps. At each step, stakeholders (including politicians, officers, citizens and other experts) may be allowed to speak or required to listen, as befits the process, which gives each type of stakeholder a clearly defined role in the policy cycle. The result is a higher degree of consensus around key planning issues, with the city demonstrating strong leadership as necessary. For example, in a recent formal participation exercise on city centre regeneration, the city made clear that 'doing nothing is not an option'.

So the term 'broad-based' participation implies participation by stakeholders from across the city, rather than debate dominated by objectors

living close to the site. This ensures that debate is about strategic issues, such as the strategic role of a greenfield site, rather than about just local preferences. Broad-based participation also means empowering community groups as equal members in LSPs.

To date, the UK experience of consultation on planning issues at a strategic level in our cities and towns is poor or non-existent. But we must do better if the aspirations of the RSS/LDF approach are to succeed, and if attitudes to local democracy, too often characterised by deep mistrust, are to change for the better. Conversely, if effective participation could be engendered across the planning framework, where many decisions are bound to be contentious and to impact on many people's lives, then there would be a real opportunity to reinvigorate local democratic processes. This would fulfil an objective of the Yorkshire and Humber RSS for 'greater civic participation'.

Part of the solution will be genuinely involving citizens in strategic decision-making, rather than presenting plans and hoping no one will object too much. The next chapter looks more closely at how this might be achieved by combining 'bottom-up' and 'top-down' participation mechanisms.

Objection to new housing sites will be countered only when participation processes in planning are broad-based, involving citizens from across the local authority area in consideration of key strategic issues. Participation should occur early in the process, when longer-term vision is being formulated, rather than just after the plans are prepared.

Better integration in local planning processes

For Derwenthorpe the JRHT, working with its architects, put considerable effort into preparing both a design guide and design codes to control the quality of the neighbourhood and the buildings over the construction period of the project.⁶ The design guide reviews the qualities of the existing site and surroundings, then sets out a series of urban design principles, such as variety and permeability, which are translated into detailed guidance for neighbourhood structure, the built

form, the movement network and the landscape ecology. Every page has explanatory pictures and diagrams, including many examples of good practice elsewhere in Britain and Europe. The design code then translates this vision into practical rules that will govern the preparation of detailed plans by architects and landscape architects.

In addition to this, and alongside extensive master planning for the site, the City Council prepared a development brief for the site. The production of the brief was delayed because of the workloads of council planners. Although development briefs play a useful role in indicating the council's aspirations for a site or a neighbourhood, and in guiding the development process, for Derwenthorpe the intervention came too late. With the local plan now replaced by the LDF, a key lesson is that planning processes should proceed according to a logical cycle of events or the process can become both inefficient and overly contentious. For Derwenthorpe, once the optimum strategic use of the site had been resolved, the brief could have been written before master planning began. If this had been coupled with preliminary site assessment, it might have been discovered much earlier, for example, that one of the access roads to the site remained in private ownership. Alternatively the council could have accepted JRHT's consultants' reports in place of a development brief.

If the LDF approach is to succeed, there needs to be a better understanding of the relationship between formal development plans within the LDF context, development briefs, master plans and design guidance.⁷ For example, virtually every new community in England involves extensive master planning, sometimes over some years and with very substantial (and costly) professional input, as well as citizen participation. Some of the new communities are for up to 12,000 homes, so the scale of privately funded planning activity is substantial, and is potentially a tremendous resource for planning.⁸

But, currently, there is little co-ordination between planning activities in the public and private sectors, with master planning seen as a developer-led activity having little relevance to formal LDF processes. At worst, formal plans and master plans are completely out of sync,

with master plans prepared years in advance of formal strategic plans, a case of 'putting the cart before the horse'. When this happens, much of the potential benefit of privately funded master planning is lost to the nation and the locality. Sometimes the same site is master planned over and over while waiting for formal planning processes to catch up.⁹

Within the context of the LDF, therefore, there should be both broad strategies and a 'development time line' showing when different sites are likely to move into a master-planning phase. City-wide policies and area-specific development briefs should be in place to provide an effective context for master planning. To reciprocate, landowners and developers should view their master-planning process, not as a private or secretive activity, but as an opportunity to involve key stakeholders, including planning and highways officers and local residents, in site planning. This has been called 'participatory master planning' and is one mechanism for developing consensus around planning proposals.

At a more detailed level, sequencing of the master-planning process with site investigations can raise sensitive issues. At Derwenthorpe, development began with a master-planning competition, which unlocked many imaginative ideas. It was the focus for intense community participation and sparked very positive debate in the press.

However this approach had drawbacks. Although, at the time, it was stressed that the competition was to select a master-planning team, not a master plan, this was not what happened in practice. The process from the competition to the submission of the planning application was essentially one of adapting the original master plan as new information became available. With hindsight, the process needed to be ordered differently, with all the site investigations conducted and the implications drawn out before the master planners sat down to draw. Tearing up the original and starting again might have ensured that hard decisions were taken early on, easing pressure on the development process later.

If the Local Development Framework approach is to succeed, there needs to be better co-ordination between formal development planning, preparation of

council-led development briefs and developer-led master planning. It should be made clear which issues are addressed in each and how the three levels of activity can be co-ordinated and sequenced to best advantage within the LDF.

Integrating land use and transport planning

The objectors to Derwenthorpe are concerned about the traffic impact of the new housing on their family and their neighbourhood. Where roads are already very busy, concerns are magnified, particularly when higher-density housing developments and new places for employment and shopping are perceived as generating even more traffic.¹⁰

These concerns in York are against a background of a local authority that has done more than most to promote sustainable transport modes, with one of the country's most efficient local bus services and one of the highest rates of bicycle usage as a percentage of journeys. But this is not enough to convince objectors that most of Derwenthorpe's new residents will not make most of their journeys by car. This fear is borne out by national trends to ever higher rates of car ownership and longer distances travelled per trip, including by commuters into York who can't afford to live within the city. Residents object to additional traffic passing through their neighbourhoods, and also wonder why Derwenthorpe should have home zones when they don't.

Up and down the country, the experience of planning practitioners is that concerns about traffic are a primary barrier to the acceptability of new communities. Much more needs to be done by central and local government to address this issue, not least by concentration on shifting journeys from car to sustainable transport modes, such as tram, bus, bike and walking. There is a lot of rhetoric towards this end, but much less in the way of a concerted national programme to achieve it.

This is both a financial and a planning issue. On finance, rather than leading from the front, central government makes the right noises but provides only minor, and often temporary, additional resources to cash-strapped local

authorities for investment in sustainable transport modes. Short-term control of public expenditure takes precedence over long-term investment in infrastructure and, wherever possible, investment is levered out of developers through section 106 agreements and through whatever infrastructure tariffs are devised. The situation of new communities in Britain can be compared to the Netherlands where sustainable transport infrastructure, including new tram lines and sophisticated biking routes (with bridges carrying bicycles over intersections where required), are in place before any houses are constructed.¹¹

Reasonable concern about off-site traffic impact is a primary barrier to the acceptability of new communities in England, and this will include eco-towns. A much more concerted approach is necessary, led by central government and encompassing both policy and finance, to shift journeys to sustainable transport modes. In view of the growth in the number and length of journeys, and the benefits to individuals of car ownership and use, local authorities can accomplish very little without sophisticated national and regional transport strategies and investment.

The RSS ought to be the policy instrument that examines in detail the relationship between land use and transport at regional, sub-regional and local levels, and provides detailed policies for that integration in the region and sub-region to provide a foundation for local integrated planning. This suggests the importance of better vertical, spatial integration of English planning in the region, sub-region, city and neighbourhood.

Better linkage of regional and local planning

A frequent issue, evident at new communities as diverse as York and Harlow, is that what ought to be strategic decisions on regional issues made early in the policy cycle are loaded onto the development control process and then resolved in an adversarial manner, sometimes after lengthy planning inquiries. These issues include:

- whether greenfields are available for new communities;

- whether new communities should be free-standing villages or urban extensions;
- how to foster economic development and yet avoid urban sprawl in and between settlements;
- how to better balance housing markets between high- and low-demand areas, such as between York and nearby Hull;
- how new communities are linked by sustainable transport modes.

The new policy context for planning is intended to address these issues and strengthen the linkage between regional and local planning. The context of strategic planning for York and Derwenthorpe is the Yorkshire and Humber Regional Spatial Strategy (RSS), which is ‘a long term strategy and framework, guiding how things should take place in the future’, to 2026 and beyond. The RSS recognises the importance of linking regional strategy to local planning in that:

Local Development Documents ... must be in general conformity with the Plan. The Plan will form part of the statutory ‘development plan’ for each district or unitary local authority areas, so alongside local plans it now must be taken into account in determining planning applications.

(RSS, para. 1.5)

Within the RSS, the regional economic and housing plans are evidence-based and detailed.

The RSS also embodies the regional transport strategy (RTS), which must be taken into account by local authorities in preparing their LDFs and local transport plans. It is supposed to be:

... an important influence on housing, economic development, waste, renaissance and other strategies, and guide the investment plans and priorities of a range of agencies and infrastructure and service providers.

(RSS, para. 1.4)

In terms of evidence, the draft RSS noted that increased emissions of greenhouse gases to air

is ‘in the order of a 1–1.5% increase per year, mostly from transport’ (Table 2.5). Unfortunately for the proponents of new communities, the RTS is long on the rhetoric of sustainable transport improvements but almost devoid of any detailed policies for addressing the need for integrated transport and land use based on ‘modal shift’ from the car to other modes, other than ‘to increase urban density and related public transport networks, especially in the Leeds City Region’ (para. 2.21). There is also an aspiration for improved bus services (para. 3.14) but again no detail on how this is to be achieved in what is basically privatised service provision..

The usual high-level objectives are listed, such as ‘increase the use of public transport, and: develop high quality public transport systems, and:

reduce greenhouse gas emissions by 20% - 25% below 1990 levels by 2016 by:

- i) *Increasing urban density*
- ii) *Encouraging better built homes and energy efficiency*
- iii) *Reducing traffic growth through appropriate location of development, demand management, and improving public transport and facilities for walking and cycling.*

(Policy YH2)

The RSS also recognises that ‘significant increases in the capacity of the public transport network will be needed if a step change in modal share is to be achieved (para. 13.3). Similarly, Policy YH7 requires a more transport-oriented approach to the location of development, whether sites are in inner or peripheral areas. This approach is to place an emphasis on public transport (planned or existing) routes as a key factor for locating or intensifying new development. This also encourages ‘walkable’ neighbourhoods clustered along corridors and public transport corridors that radiate from within settlements to link one with another. This is also a specific requirement of PPS3.

Unfortunately for proponents of new communities, the RSS contains virtually no detailed proposals for improving public transport

between cities in the region, and within cities and towns in the region, detailed proposals being left presumably to local authorities or Network Rail, neither of which are in a position to take a decisive lead in regional transport development. For example, despite specific mention of the importance of public transport in reducing emissions in 'the Leeds City Region', no mention is made of the £4.5 billion proposal for a 'train-tram' linking Leeds, Harrogate, Knaresborough and York, as part of the Leeds City Region vision statement. Because of the critical need to link such proposals to sustainable settlement patterns for the region, addressing (and supporting) such issues is not something that can be left to local authorities or Network Rail.

A similar concern about lack of concrete policies that would give rise to sustainable settlement and transport in future was expressed by inspectors in the Examination in Public of the RSS, where they noted with regard to transport that:

As a policy direction these are laudable objectives, but they are expressed as very generalised aims and objectives rather than hard policy and we are not entirely sure if the Plan's policies and proposals are specifically directed against identified issues or predicted problems.¹²

The RSS also misses a chance to consider urban regeneration objectives in a regional context and to link the development of highly prosperous areas, such as York, and areas where a house can have little or no value, such as Hull, which is identified as a 'failing housing market' with a housing market pathfinder (policy section H). And yet the two cities are less than 40 miles apart. An aspiration for a fast public transport connection could enable people priced out of the York market to live in Hull and commute, as well as helping to make the rapidly improving city centre of Hull more accessible to a wider market, and assisting their pressing urban regeneration requirements. Current rail connections are poor and little used, even though the RSS labels this a 'main public transport corridor'.

This example of lack of attention to the opportunities for RSS to contribute to regeneration

requirements is found to be widespread by recent research for the JRF, which concludes:

There is only sporadic evidence that the economic and employment needs of deprived areas are being addressed under current governance arrangements. Where interventions have successfully linked deprived areas into wider economic and employment opportunities, this is often in spite of governance arrangements rather than because of them.

(North et al., 2007)

The Yorkshire and Humber Regional Spatial Strategy recognises the significance of linking regional to local planning, which could provide an important context for the development of new communities and for meeting environmental and social goals.

Unfortunately the RSS, while having many laudable objectives for sustainability, provides few practical strategies, plans or investment proposals in the all important transport sector. Regional planning without such substance fails to meet the need for local planning (and investors) to have a firm context for decision-making, and leaves infrastructure planning a vague 'wish list'.

It is possibly these very issues which are being addressed by Government following the consultation on the Sub-National Review of Economic Development and Regeneration, described in Appendix A. Following this review, new legislation will give Regional Development Agencies (RDAs) lead responsibility for regional planning but also intends to strengthen the local authority role in economic development, including a new statutory duty to assess local economic conditions, and support much-needed collaboration by local authorities across economic areas. If issues of democratic accountability are resolved this attention to better integration of regional, sub-regional and local planning could begin to resolve the issues with the RSS highlighted in this section.

4 The role of public participation

New planning policy, particularly the LDF with its core strategy process, puts planning or ‘place-making’ at the heart of local decision-making and emphasises the importance of public participation in this process. This is a wholly positive step in planning policy and redresses a long history of planning dominated by professional and development control interests, technical considerations and arcane language, when in fact many of the decisions, such as whether to build at Derwenthorpe, need to be informed by common sense. Vigorous debate is appropriate but also strong leadership and careful attention to the quality and parameters of participation. Participation needs to be both *effective*, in that citizens feel they have genuinely informed the process, and *efficient*, in that their time is valued and used constructively.

Given that our past record of citizen participation in planning is poor, being mainly consultation on decisions made and plans already prepared, there will be a steep learning curve on what works and what doesn’t in terms of genuine participation on how we want our cities and towns to develop in future. The experience at Derwenthorpe offers fruitful experience on aspects of participation that worked and others that clearly didn’t, and so informs wider consideration of how we can improve participation in planning and thus realise the aspirations of current policy directions.

Synopsis of JRHT’s participation process

Meaningful participation is a principle that informs all the work of the JRHT. With this in mind, the Trust intended that Derwenthorpe would be designed such that neighbouring communities would be inconvenienced as little as possible and that they would gain benefits perhaps including community facilities, for example. A member of staff who had worked on, and was inspired by, the

redevelopment of the Hulme estate in Manchester set the vision for a community involvement process, which was intended to win round opponents and produce a better development overall – because of the input of people with local knowledge that professionals might lack.

With this in mind, consultation began early – before the design process even started. A leaflet inviting people to give their views about developing the site went out at the same time as the council papers proposing the scheme for the first time. The decision the council took was to allow the JRHT to organise a master-planning competition with a view to the city selling the site to the Trust.

The participation process took two related forms: general participation events open to all comers and, in parallel, the establishment of a formal community panel. The first general consultation event (in a Portakabin in a pub car park) was held on the same day as the council meeting that approved the master-planning competition. During the summer of 1999, council and JRHT staff did a lot of ‘door knocking’ and had a positive response to the request for people to get involved in the consultation process. A consultation co-ordinator, from outside the JRHT, was appointed and the community panel got up and running.

The community panel had a range of people on it including local professionals, community representatives and residents. Meetings were open and anyone could attend, though, according to the rules formulated, only panel members could speak, leading to some comic moments when notes were passed and read out by panel representatives. The community panel quickly had to familiarise itself with the design and development process, so that it could assist in judging the master plans.

Public consultation ran alongside the work of the community panel. A community planning day was held in October 1999, when four architect teams were shortlisted to produce four differing

master plans, the winning master plan to be selected in competition among the four. The views of the 400 residents who attended the community planning day were fed into the brief for the competition. Once the master plans had been received, the bids were displayed for four days in four locations around the site. About 1,000 people viewed the plans and discussed them with the master-planning teams. This process is analysed later in this chapter.

From the start, the JRHT had intended to invite the community panel to send four representatives to sit with four councillors and four JRHT representatives on the selection board for the master-planning competition. In effect, the community was to be represented on equal terms with other key stakeholders, confirming JRHT's commitment to meaningful participation.

After such a strong beginning to the consultation process, the delays began. For the first few years of delay, the JRHT kept the community panel going to oversee the continuing planning process. For example, in 2002, when a formal partnership committee was set up to oversee the development, the panel was given four seats on the committee to match the four for the council and four for the JRHT.

However, after the planning application had been submitted and as delay continued, there was little more to consult about. Finally, all consultation was halted while the planning application was being decided, which included lengthy delay around the public inquiry. Since then, consultation has resumed, with a one-day forum being held in October 2007 to discuss proposals for open space and play facilities, and a second forum in May 2008 to consider the needs of young people aged 11–18. JRF has also allocated up to £650,000 for community facilities on or near the site. To spend this money wisely, and in accord with community needs, the JRHT has established a community facilities sub-group, which is helping to develop an action plan and criteria for this expenditure.

Benefits of consultation

Until delay became protracted, the early stages of participation were successful. Meetings and planning days were very well attended and hard work was put in by members of the community,

both within the panel and in general consultation events. While it is hard to pin down the exact contributions from the community, because the architects were responding to their information and opinions from the start, they certainly had an impact on, for instance:

- the design decision to create four separate 'quarters' in the development, with no through traffic between the quarters to avoid rat running (a bus route will go through, using a retractable bollard);
- an increase in the number of electricity pylons to be 'undergrounded';
- change of the name of the development – originally it was New Osbaldwick but the existing village of Osbaldwick didn't want the link to be made to its neighbourhood;
- consideration of the inclusion of flats for older people;
- alterations to the design around the edges of the site in terms of house height and distance of new houses from the existing homes.

Problems with consultation

There were difficulties from the beginning. There was strong opposition, particularly from one of the three communities around the site. Members of the residents' association from this neighbourhood made no secret of the fact that they were on the panel primarily to try to block the development, but they were never excluded from discussions.

As the consultation process ground on through unrewarding months and years, the delays described in Chapter 2 were damaging to the process. In particular, the absence of an adopted local plan and consequent uncertainty about green belt status created continuing opportunities for obstruction. The delays were frustrating because people had been attending meetings for years without seeing any results. Had the development proceeded more rapidly, opposition would probably have decreased as people accepted the inevitable and focused on improving the plans.

The JRHT's decision to keep objectors 'inside the tent' meant further frustration at meetings. The opponents adopted delaying tactics and raised procedural queries again and again. As opposition became entrenched and began to dominate proceedings, some supporters of the development stopped attending meetings. More concern was caused for people living nearby because the media covered extensively the possible negative impacts of the development.

There is a basic dilemma at work here. If the JRHT had waited until the numerous problems with the site had been cleared up before commencing participation, there would have been accusations of deals being done 'behind closed doors' and the design process would not have been responsive to the concerns of local communities. But, on the other hand, active participation in a process, which was then to take eight years with no positive output and much negative debate and ill will, was demoralising for many participants. This, in turn, has confirmed many people's negative views of the planning process generally.

Initiating early, active participation in development processes that then drag on for many years demoralises participants and discredits planning. To avoid this in future, it will be important within the LDF process to schedule appropriate participation on key issues at regional, city-wide and neighbourhood-specific levels in a logical progression. Leadership is necessary to make clear what is up for debate at which point in the planning process.

Other participation issues at Derwenthorpe

Participation in master planning

A basic error in the participation process played into the hands of objectors and generated continuing repercussions. This occurred when the four master plans were put out for consultation with the community in a series of open days attended by more than 1,000 people. As a contribution to this, the City Council distributed a form asking people attending to indicate which masterplan they preferred and then to deposit the form in a box.

The intention was just to gauge reactions in a systematic manner, but local residents construed this as a formal voting process and demanded to know the results. The largest number (47 per cent) turned out to have voted for a master plan that could not be selected because it ignored the master-planning brief, which required four access routes into the site. Instead, this master-planning team proposed a single new access road across green fields on the far side of the site away from the city. Adopting this master plan would have meant that the new community had no road connection with the adjoining neighbourhoods. This was not feasible from an urban design point of view, nor would the council approve road building across green fields.

The formal community panel recognised that the most popular master plan was infeasible – but the damage had been done. The protestors could claim – and still claim – that the council and JRHT had overridden the popular vote. With hindsight, the council could have asked for views about aspects of the different proposals that people liked. And JRHT could have rejected out of hand a master plan that didn't fulfil the brief, rather than put it forward for public consideration. JRHT might also, having established a knowledgeable and practical community panel have taken advice from it, not just on development options, but also on how best to lead the process of participation itself.

In a genuine participation process, citizens will feel that the time they devote is valued, that their views have been listened to carefully and that these views will inform the LDF. Citizens will also need to be aware that good decisions evolve from dialogue and debate between community, professional and political interests.

Citizen participation needs to be organised with care. Each step should consider what exactly is the role of citizens and community groups, whether views solicited and decisions taken are binding or advisory, and likely perceptions of the quality and 'fairness' of the process. Consideration is also required on the relationship between formal groups, such as a representative community panel, and open events for all citizens.

The form of consultation

The form of the consultation for Derwenthorpe raised false expectations among participants. Its model at Hulme was a consultation run successfully for the redevelopment of a council housing estate where the participants were mainly those who would live in the new houses themselves.

At Derwenthorpe, on the other hand, the consultees were mainly people living near the site whose quality of life was going to be adversely affected, particularly by extra traffic, and who had no personal interest in the development going ahead. Although meetings were open, most of the participants lived in a circle closely surrounding the site. Although much debate was about whether the development should go ahead at all, and thus its value to York as a whole, there was no expectation or opportunity for wider participation.

For Derwenthorpe, the initial idea was that the community panel would become the kernel of a residents' group – that people who were going to live in the new community would join the panel and its character would change. That would perhaps have made more sense of the consultation format used, and may yet come to fruition.

Conclusion

Initiating genuine public participation over contentious planning issues such as at Derwenthorpe will never be easy or simple. Although established with the best of intentions, the well-resourced consultation process at Derwenthorpe almost certainly fuelled opposition to the development, with objectors coming to dominate the process. The participation mechanism failed to connect adequately with people from across York who were in favour of the

development, while allowing opponents access to information and publicity that helped their campaign.

This opposition understandably exploited the good intentions of the JRHT. As one arena of protest shut down, others opened up. For example, after the lengthy public inquiry, the protestors sought to use village green legislation to block development – eight years into the formal planning process. A development important to York, and small by standards of new communities, has been subject to a 'war of attrition'.

The local press represents both sides of the debate but sensationalist stories from opponents can make better copy than support for development. The danger is that negative messages about all development are absorbed by the wider population and fuel almost knee-jerk opposition. It is important to continue to innovate in participation but also to sell the advantages of development and to make sure measures to mitigate the impact of schemes are understood.

Strategic issues require early participation at a strategic level – before planning applications come forward, for example, in the city as a whole. The LDF, through participation in the core strategy process, should help avoid the time-wasting situation where strategic issues are reopened at the planning application stage.

Given our poor record in the past of citizen participation in planning, most of which was consultation after plans were prepared, there will be a steep learning curve about what works and what doesn't. Central government, and regional assemblies, ought to help record and transfer learning among local authorities and other stakeholders in the development of new communities.

5 Conclusions

Planning – a culture of objection or towards consensus?

At Derwenthorpe, a relatively sustainable development that was planned from the outset to involve local residents and bring benefits to surrounding communities hit organised, effective opposition. In the current system, the rights of a small number of articulate objectors can seem to take precedence over the interests of the broader community. The very real issue of our collective failure to tame the traffic impact of new developments has helped to bolster the opposition to Derwenthorpe.

This situation has proved frustrating for the JRHT and City of York Council, both anxious to see badly needed new family houses built. It has also proved expensive for JRHT, the citizens of York and the public purse – for example, in terms of the cost of the planning inquiry and the opportunity cost of delay in adding to the city's housing stock. When this 'culture of objection' is replicated all over England, it represents a great waste of national resources.

Up until now, the English planning process has been adversarial – put forward a proposal and someone is bound to object. This right of objection to what may be an abuse of appropriate land use is important, but so is effective working of the planning system and the social benefits it generates. This is not to say that the rights of objectors should be swept away, as not all development has social benefit as its primary aim, but that a sense of balance must be restored.

A sense of balance needs to be restored between the rights of the proponents of the social and economic benefits of new communities and the rights of objectors. This will arise from more confident leadership on development issues, backed up by better participation processes at both strategic

and local levels, so that, rather than allowing objectors to drive debate, objections are pre-empted by dialogue and decisions earlier in the planning process. The objective is greater consensus around the need for new communities and for public investment in sustainable transport infrastructure to support those communities.

Barker (2006) calls this objective 'a positive planning culture'. But turning planning around so that it is viewed as 'positive' by the English public will not be an easy task, despite the aspirations embodied in the current policy framework. This final chapter argues that, with many of the right policies in place in new legislation and policy, the transition will be aided by:

- linking reform of planning to the local government modernisation task;
- further decentralising decision-making to encourage local innovation and reduce delay in the planning system;
- recognising the opportunity for innovation in an 'intermediate developer' role in new communities, which can combine social and ecological objectives with good business sense.

Integrating participation in planning with reform of local governance

As discussed in this report, the evolving policy framework offers a real opportunity to revitalise the planning process, return it to the forefront of civic decision-making and promote citizen participation in a manner that helps citizens to feel part of the planning process rather than cynical and antagonistic towards it. If this difficult transition were to be achieved, it could be a positive step towards revitalising local democracy.

An advantage of the direction of current policy is that it recognises the importance in achieving national and regional development objectives of co-ordinating different policy areas. For example, it recognises that strategic planning for land use and transport is critical for sustainable development, not separate from it. It recognises that housing and planning policy ought to have the same goals. And the Local Government White Paper of 2006 and the planning White Paper of 2007, taken together, recognise that reform of planning is not something for planners alone but part and parcel of an ongoing programme to modernise British local government and strengthen local leadership and competence. For example, the planning White Paper states that:

Since the planning reforms of 2004 we have encouraged a shift from viewing planning as a narrow, regulatory system to thinking of it as a positive way to shape the places and communities in which we live ... This thinking is reflected in the Local Government White Paper published in October 2006. It strengthened the leadership role of local authorities as placeshapers and set out a new settlement between central government, local government and citizens with greater devolution and a more streamlined performance management regime.
(HM Government, 2007)

The White Paper also notes that it is:

... essential that local authorities have effective arrangements to manage and improve the performance of the planning function ... Without effective spatial planning councils cannot deliver their place shaping role or the key priorities and outcomes in their local Sustainable Communities Strategies and Local Area Agreements.
(HM Government, 2007, Box 8.1)

The White Paper sets out three 'important consequences' of this new approach.

- Planning needs to be at the centre of an authority's corporate process and business.
- Planning needs to work more closely with local communities and reflect the needs and aspirations of local people and places.

- There needs to be a shift in emphasis towards delivering outcomes rather than process.

In terms of participation, the Local Government White Paper recommends replacing the requirement for independent examination of the statement of community involvement (SCI) with an approach that considers standards of engagement in all aspects of a local authority's business. Now a new statutory *best value duty to appropriately involve*, as well as inform and consult, in the exercise of the local authority's functions, including planning, is intended to ensure that local authorities practise high levels of community engagement. A comprehensive area assessment will include consideration of community engagement. The new 'duty to involve' is intended to be a key driver for incentivising high levels of community engagement across all local authority and local strategic partnership activities. Local planning authorities are to be given 'more flexibility to decide how and when to consult and engage'.

The implications of this statutory duty to involve are twofold. First, local authorities will need better community involvement mechanisms for all aspects of their service delivery, not just for planning. Rather than inventing a participation mechanism for each area of service delivery – from education, to planning, to rubbish collection – they will need a *systematic* mechanism, which cuts across service areas and values the time of citizens and community organisations that participate. Those community representatives do not want to relate separately to each department or service area, but to have their concerns addressed collectively and efficiently as required.

Second, a key task for planning will be to move from 'participation as public relations' to participation that genuinely influences decisions – using both systematic participation mechanisms within the structure of local governance and intermittent or one-off participation events. The latter can include 'planning days', such as JRHT organised for Derwenthorpe, and special events at the city-wide level, such as York's 'Festival of Ideas', which is part of its core strategy process. There are many inspiring examples of such one-off participation mechanisms.

More challenging to local authorities and their partners is to complement one-off participation

with systematic participation. Devising effective and efficient participation, for both citizens at large and organised community groups at city-wide and local or neighbourhood levels, is a major task for modernising local governments (Carley *et al.*, 2004). At the city-wide level are efforts to involve citizens and community groups in local strategic partnerships (see Carley, 2000). Some of the most satisfying initiatives include support for formal citizens' parliaments that input into city-wide decision-making. Planning issues always feature high on the list of concerns.

At a local level, where more citizens are likely to be engaged, there are efforts to empower parish or community councils within designated areas. Some of the best of these involve regular 'neighbourhood action planning' in 'logical neighbourhoods' (which make sense to local people) across the local authority area (Carley, 2004). These neighbourhood action plans can then input into area and city-wide plans, with the leading community group, such as the parish council, acting as a conduit to link the neighbourhood with the broader city-wide planning framework.

These efforts are important for a number of reasons. First, planning involves not just the production of plans but also an ongoing learning process about how we manage our cities and towns – what government now calls 'place-making'. Citizens have the right to be involved in a systematic manner, and better decisions will result from input of local knowledge and from public commitment to policies to which they feel they have contributed.

Second, systematic involvement means all the participants develop new competences in contributing to the planning process – not just community organisations but also professionals who learn the value of working with communities. Too often in the past, reliance on one-off participation mechanisms has meant competences and abilities at partnership working were lost between initiatives. This *inefficient participation* characterised many regeneration initiatives dependent on one-off grants, and often demoralised citizens when they ended abruptly (Campbell *et al.*, 2000). In Scotland, for example, it is for this reason that the aspiration of almost all participants in its new, country-wide community-

planning initiative is for the system to remain in place over generations, and through changes in party political control at national and local levels.¹ Citizens and community groups desperately want systematic participation that gradually gets better through 'learning by doing', rather than endless initiatives that come and go.

Third, participation needs to be for everyone, and there is no reason why it shouldn't be fun. For example, in a systematic participation framework, children in school (who are experts about their neighbourhoods) could learn about, and participate in, planning activities, which would inform the planning process and would influence the children's perceptions and attitudes about local government in later life. Similarly, systematic participation requires specialist efforts to connect with 'hard-to-reach' groups, such as some black and minority ethnic groups or frail older people. It is only when participation is regular, long-standing and inclusive that it contributes to the necessary revitalisation of local democracy.

Finally, although there are good examples around Britain and Europe of effective, systematic participation in local governance, it is a challenging task (Carley, 2004). For every workable effort, there are ten schemes with names like 'area forum' that begin with the best of intentions but come to nothing. One of the biggest challenges is that the organisational culture of local authority bureaucracies is seldom receptive to genuine participation, and elected councillors may view systematic participation as threatening to their role.

A key conclusion of research is that genuine, systematic participation is most likely to be achieved as part of a comprehensive effort at local government modernisation across the board, with strong leadership from council leader and chief executive rather than as a departmental initiative.² This suggests that planning departments themselves are unlikely to achieve positive results in institutionalising participation in the LDF unless they have the full support of the council leadership and are working with the grain of local government modernisation.

A final important point is that changed organisational structures, such as the LDF approach promoted by planning policy, may be necessary for changing organisational culture, but *are seldom sufficient*. Organisational change on its

own can divert resources, yet continue to support the same organisational culture within a more complicated structure. The key is to link strong leadership to organisational change, to motivate both citizens to participate and officers to respond positively to participation, and to encourage it, rather than be threatened by it.

To achieve the ‘statutory best value duty to involve’, local authorities need to develop sophisticated mechanisms for participation in planning, for both one-off events and, more importantly, for systematic or regular participation. Rather than inventing a participation mechanism for each service area, from education, to planning, to rubbish collection, a single participation framework needs to cut across service areas – that is, to take an integrated perspective on policy and services, and value the time of citizens and community organisations that participate.

Planning is not the production of plans but an ongoing learning process about place-making. This means all participants develop new competences in contributing to place-making, not just community organisations but also professionals who learn the value of working with communities. Participation should also be for everyone, young and old, and for all ethnic and minority groups.

Genuine, systematic participation will not be achieved by local authority planning departments working in isolation but, in each local authority, as part of a comprehensive effort at local government modernisation, with strong leadership from council leader and chief executive. In terms of national policy, more effort is required to link planning reform with the objectives of the Local Government White Paper.

Fostering local initiative by decentralising decision-making

A lot of effort has gone into planning Derwenthorpe. It has a partnership and land sale agreement, four draft master plans for community appraisal, a final master plan, a council development brief, a design guide on neighbourhood structure and built form, a design code with examples from around Britain and

Europe, reports on planning for children and for older people in the new community, and a local facilities audit. There have also been more than 40 meetings of the consultation panel. Given this effort, many people wondered if it was appropriate or productive for the planning application to be ‘called in’ by the Secretary of State, only for the Inspector to recommend approving the development.

It is water under the bridge for Derwenthorpe, but commentators from other new communities noted that calling in proposals is symptomatic of a larger issue, which is a chronic overcentralisation of government in England. In the words of a report prepared for the JRF:

Planning in the UK is strikingly controlled by central government rather than local choice, compared with many other countries.

(Bate, 2005)

One seminar series commentator noted that, if Britain’s centralised decision-making was delivering world-class new communities, there might be an argument for it, but in fact it stifles local partnership and innovation, and generates bureaucratic and legal costs. A review for the British Urban Regeneration Association draws a similar conclusion:

A sense exists that national government keeps a very close watch on local government, which acts as an inhibitor to performance. The consequence is that many local authorities become pre-occupied with justifying their funding by achieving specific quantitative targets. This results in less innovative and entrepreneurial working that would have a more productive impact in the longer term.

(Burwood, 2006, p. 10)

At a basic level, the situation implies that hard-working local organisations are not competent to plan and manage the future of cities and towns, or even local neighbourhoods. This attitude of superiority on the part of central government leads to what Jane Jacobs calls ‘a de-skilling of local society’ (Jacobs and Stein, 2002, pp. 18–22). By this, she means that the process of developing learning and skills in local governance – that is

'learning by doing' – is undermined by top-down authority being concerned with control rather than encouraging innovation.

Centralisation of planning also undermines national and inter-local authority learning by inhibiting the experimentation that would occur if different local authorities were free to pursue alternative means to realise sustainable development aspirations. For example, in the USA, no fewer than 33 local governments in places as far afield as Georgia and Utah are building new light rail systems, each of which devises its own unique funding mechanism in dialogue with financial institutions and its constituents – usually through a referendum. Central government has no role in this process. This can be compared with Leeds, which planned for ten years to build a tram system linked to its strategic regeneration objectives, only for the Treasury to pull the rug out from under all that effort. Where local innovation is stifled, the nation as a whole is the poorer for it.

Finally, where planning decisions are 'called in' to public inquiry, it reinforces the adversarial nature of planning, as well as being a grossly inefficient means of decision-making. One has only to attend such a public inquiry to realise that having expensive QCs and planning consultants spending days and even weeks discussing the minutiae of building 540 homes cannot be the best way to meet the nation's pressing need for new housing in sustainable communities.³ What is a particular matter of concern is that increasingly, in the LDF context, development planning documents (DPDs), local development documents (LDDs) and even area action plans (APPs) can all be subject to lengthy formal inquiries.

Centralised decision-making has other negative effects. One new communities seminar heard how DfES regulations on school site selection are 'ludicrously top-down', giving rise to school siting that makes no sense at a local level. More flexibility, taking into account factors such as drainage patterns, micro-climate and prevailing winds, and orientation for solar gain, would generate positive benefits for the life of the building. Similarly, national highway standards replicate unsustainable and unattractive residential road layouts that favour the car above aspects of daily life. Finally, for Derwenthorpe, City of York Council is not empowered to sell its land to JRHT

without express permission of the Secretary of State in what is termed a 'section 123 approval'.

To an extent, central government recognises there is a problem. For example, the Local Government White Paper proposes:

... giving local government and their partners more freedom and powers to meet the needs of their citizens and communities ... Planning is a core function of local authorities and is central to their role as place shapers. We are committed therefore to ensuring that decision-making is taken at as local a level as possible so that it can fully reflect local circumstances and needs.

(DCLG, 2006)

In turn, the planning White Paper proposes:

... a comprehensive review of the current planning policy statements and guidance. The key aim is ... separating out policy from guidance and limiting the amount of central guidance to those matters which are strategic and necessary to achieving a consistent approach to decision-making. In doing so the review will ensure devolution of decision-making to the local level where this is appropriate.

(HM Government, 2007)⁴

Certainly, if the intentions of policy in terms of reform of planning are to be achieved, there needs to be clarity about what kinds of policies and decisions are best made at which spatial level: nation, region, local authority, neighbourhood. This should then trigger a cascade of devolved authority on the principle of subsidiarity, or what was called, until recently in the UK, 'double devolution' – that is, from central to local government (and LSPs) and from local government to the neighbourhood, such as to parish councils and similar community organisations.

However, just as the organisational culture of local authority bureaucracies can inhibit positive and necessary change, a key question will be whether the organisational culture of central government will allow it to reform itself? Some people will certainly be sceptical in noting that a key objective of the planning White Paper

is to create a national infrastructure planning commission, thus removing opportunities for local control and local objection to larger projects. However, if this is the first step in a wholesale rethinking of subsidiarity in England, then it may well be a positive move. Certainly, strategic transport decisions, such as for high-speed rail lines, require decision-making that balances the ‘national good’ against local objection and sentiment.

Finally, this also reminds us that the quid pro quo of more empowered local authorities has to be decentralisation from local authorities to neighbourhoods and community organisations. Many English local authorities are notoriously ‘centralist’ when looking from a community perspective, but it is at the local neighbourhood level that most people would like to interact with the planning system. This means that local authorities need to establish meaningful participation structures, and the organisational culture to support these, at both local authority and neighbourhood levels, so that planning activities at both levels complement each other.

Overcentralisation of planning and local transport decision-making inhibits innovation in the UK by reducing opportunities for diverse experimentation and local learning in the means of delivering sustainable developments. If the intentions of policy in terms of planning reform are to be achieved, there needs to be lively debate about what kinds of policies and decisions are best made at which spatial level: nation, region, local authority, neighbourhood.

A key task for local authorities in implementing new directions in planning policy will be to establish meaningful mechanisms for participation at both strategic, city-wide levels and for the neighbourhood, which is where most people relate strongly to planning issues. This should then trigger a cascade of devolved authority – that is, from central to local government (and LSPs) and from local government to the neighbourhood.⁵

Fostering innovation in new communities by a ‘sustainable developer’ role

The main challenges in Britain to the creation of *sustainable* new communities are three-fold. The first is to foster radically higher ecological standards, both on site and in terms of the transport impacts of development. The second is to foster design innovation, so that new communities reflect the nation’s best design abilities and our historic vernacular building traditions, rather than being unimaginative and repetitive developments that look much the same the length and breadth of the country. The third is to ensure that new neighbourhoods continue to be well cared for in the long term. This is especially pressing as the proportion of affordable housing rises to 40 per cent and beyond. It is crucial that we don’t repeat the mistakes that were made on social housing estates when poor management was often the trigger for a spiral of decline.

It is not our ability to innovate or to create quality that is the problem. Rather it is our inability to foster *widespread* innovation and quality in the housing marketplace. Housing shortage is one aspect of the problem. As one seminar participant noted: ‘In England, if you stack up two bricks, someone will buy it’.

In this kind of a market, volume housebuilders, with a few exceptions, logically take the most risk-adverse options in terms of the characteristics of new communities, and this seldom extends to radical ecological approaches.

The experience of Derwenthorpe and other new communities is that ecological and social sustainability in new communities can be fostered by the involvement in the early stages of the process of what we have called an ‘intermediate developer’. By ‘intermediate’ we mean an organisation that has marketplace competences and sustainable development aspirations, as well as a long-term perspective and commitment to the new community. Considering the characteristics of the development activity of such intermediate developers alerts us to the approach that would need to be taken by volume housebuilders if all development were to become more sustainable, and some actions by local authorities that could support sustainable approaches.

In this regard, Derwenthorpe represents not only a new neighbourhood for York, but also an innovative partnership linking the Joseph Rowntree Housing Trust (JRHT) and the City of York Council

(COYC). The nature of the partnership is spelled out in the partners' complementary roles. COYC recognised the potential to achieve high-quality development on this significant site. It also knew from experience that few developers, left to fight it out in the risk-adverse marketplace, were likely to opt for innovation, sustainability or community-building. Such risk avoidance inhibits the creative innovation in finance and urban design needed to create sustainable new communities.

In light of this, COYC, having a pivotal role as the landowner, was keen from the outset for sustainability to be built into Derwenthorpe. JRHT and COYC then worked together to plan a community characterised by good design, environmental benefits and high levels of local participation. Attractive for the city was JRHT's long-term commitment to manage the new community and its track record of doing this at New Earswick.

So far, intermediate development organisations have been of many types. Housing associations, for example, have frequently been involved in innovative, high-quality developments such as Peabody Trust at 'BedZED', the Bournville Village Trust in its new community at Telford, or the work of the community-based Cordale Housing Association in Scotland.⁶ The latter, for example, not only is addressing the housing needs of its deprived community, but also has built and managed community, health and retail facilities, and homes for sale to diversify the village.

At a smaller scale, community-owned development trusts build and manage everything from houses, to shops, to cultural centres, to industrial units for community benefit, and, working with progressive local authorities, are moving into the area of neighbourhood management. At a larger scale, private-sector companies involved in developing new communities, such as Marshall of Cambridge or the BP Pension Fund, have a genuine long-term perspective, which recognises that the objectives of sustainable development and wise investment in the built environment are one and the same. This role can also be played by individual landowners. The Moen brothers in Newhall, Harlow decided, after an unsatisfactory experience selling land outright to a volume housebuilder, to take on a long-term development role themselves.

An examination of the characteristics of an intermediate developer role suggests requirements for fostering wide-scale sustainable development in the residential sector:

- bridging between public aspirations for quality and sustainability, and the market-based aspirations of the volume housebuilder;
- a risk-taking financial position essential to generate innovation;
- a design-led process intended to result in a strong community;
- high levels of support for participation;
- housebuilders working under licence and in compliance with a strict design code;
- recycling of increases in land values within the scheme, in subsequent phases, after initial investments have been paid off;
- commitment to be involved in the management of the neighbourhood, in partnership with the new residents, in perpetuity.

Given the scale of new housebuilding required, however, the nation cannot rely on the goodwill of a sufficient number of intermediate development organisations. A key challenge, therefore, will be to devise a combination of 'carrots and sticks' within planning and housing policy, and building regulations that would challenge and require volume builders to take a longer-term perspective.

As is happening now, these changes would need to encompass building standards mainly through building regulations that could specify the environmental standards required of all housebuilders. But housebuilders would also have to show how the new communities would be managed in the long term so that social sustainability is addressed. This is especially important for mixed communities with a high proportion of affordable housing. A high standard of maintenance of common areas is vital, as neglect can be the first stage in a process where a housing area starts to become unpopular. With high levels of social rented housing, it is important,

if social problems start to appear, that an organisation has the ability to step in to introduce initiatives to address those problems. This is a role that JRHT has carried out successfully at New Earswick.

Some environmental measures add to this dynamic. For instance, sustainable drainage systems (SUDS) or communal heating systems require careful, long-term management, which may be outside the competence or willingness of the local authority to provide. Safety issues around drainage ponds and reed beds will require a manager who can balance the potential benefits with the need to be, and be seen to be, providing a safe environment for children to play.

An interesting synergy may be at work here. Environmental standards that specified sustainable drainage, for instance, could bring pressure on developers to make beneficial arrangements for the long-term management of any new development.

Given the scale of the nation's housing challenge, a key challenge is to devise a combination of 'carrots and sticks' within planning and housing policy and building regulations, which would challenge and require volume builders to take a longer-term perspective both of physical development and of the management of communities.

Notes

Chapter 1

1. Chatham House Rules mean participants can speak freely without concern about attribution.
2. Inspired by the visionary planner Ebenezer Howard, later developments in the garden suburbs/cities movement in England included Bournville in Birmingham and Letchworth and Welwyn garden cities. The movement was influential around the world, in places as diverse as India, Brazil and the United States.
3. For example, Groves *et al.* (2003).
4. The site was known as 'land west of Metcalfe Lane'. In the early 1990s, the site was reconfirmed as housing land in a strategy document defining the long-term boundaries of the City of York and agreed by North Yorkshire County Council, York City Council and adjacent authorities. These strategic decisions were included in the draft Southern Ryedale Local Plan. During the inquiry into this local plan, an inspector agreed that the Derwenthorpe site should not be part of the green belt and could be developed for housing.
5. The site is bordered by three existing neighbourhoods: Tang Hall, Osbaldwick and Meadlands.
6. In September 2007, the Government provided spatial guidance for the York green belt through its review of the Yorkshire and Humber Regional Spatial Strategy.
7. These new communities included Allerton Bywater near Leeds; Lightmoor Village, Telford Millennium Community at East Ketley and Lawley in Telford; Newhall and Harlow North in Harlow; and Oakgrove and the Eastern Expansion Area in Milton Keynes.
8. See for example, City of York Council (2007).

Chapter 2

1. Key dates during this process include: 1997 – discussions held between JRHT and City of York Council (COYC) about a possible development at site; 1999 – COYC agrees that JRHT should hold a master-planning competition and begin public consultation; 2000 – master planners appointed; 2002 – partnership agreement between JRHT and COYC; 2003 – outline planning application submitted; 2005 – planning approval and call-in by Secretary of State; 2006 – planning inquiry opens; 2007 – Inspector reports; and 2008 – village green inquiry.

Chapter 3

1. Where a local authority wishes to play a more active role in development, such issues are sometimes resolved by the establishment of city-owned, arm's-length development companies. These can be wholly owned (Edinburgh Development and Investment [EDI]) or partly owned (Hull City Build).
2. Vision, strategy and operational plans = VSOP.
3. See, for example, the website (www.idea.gov.uk) of the Improvement and Development Agency (I&DeA), which sets out a ten-step process for organisational change beginning with vision, followed by new leadership and strategic direction (6 November 2007).
4. This may contribute to a frequently reported 'high turnover' among local authority planning officers, which was to the consternation of other participants in the development process at Derwenthorpe. The issue of turnover was also flagged up by participants in the seminar series. The issue has now been flagged by the Audit Commission which reports that almost one in two planning posts may be vacant by 2012 (Regeneration and Renewal, June 2007, 2008).

5. See, for example, the flyer/questionnaire 'Have your say on York's future', 2007.
6. 'Design codes for development of a new community on land to the west of Metcalfe Lane'; 'Design guide for development of a new community on land to the west of Metcalfe Lane', both at www.JRHT.org.uk.
7. These can be formally incorporated into the LDF as supplementary planning documents (SPDs) to provide additional guidance to local policies by, for example: master plans, area development briefs, issue-based documents and design guides. Currently, all proposed SPDs must be agreed by the Secretary of State, making for an onerous approval process. However, the 2007 planning White Paper proposes to remove the requirement that SPDs be referred to central government.
8. For example, the urban extension of Cambridge East is planning 12,000 new homes.
9. A new community for 15,000 people on a brownfield regeneration site in Edinburgh is on its third master plan with strategic policy still lagging behind, to the dismay of landowners who want strategic guidance and co-ordination. The lack of leadership and vision has meant poor co-ordination between activities of adjacent landowners.
10. According to York's LDF core strategy, York is expecting 14 per cent traffic growth by 2011 and 28 per cent by 2021. During the 20-year period to 2011, commuter journeys will have increased by 65 per cent.
11. The website for a comprehensive urban expansion project for 15,000 people on the edge of Amsterdam is under construction (www.ijborg.nl/).
12. Yorkshire and Humber Regional Spatial Strategy Examination in Public, Report of the Panel, March 2007, para. 8.6.

Chapter 5

1. The Local Government in Scotland Act 2003 establishes a statutory duty on local authorities to initiate community planning at both city-wide and local levels. Audit Scotland now reviews the quality of this important activity. See Carley (2006).
2. See, for example, 'Good practice in local governance: brief case studies', www.demosproject.org; Carley and Kirk (2005).
3. To be fair, the planning White Paper proposes to look at the type and scale of application where decisions are taken nationally rather than locally, with a view to reducing the number of cases decided by the Secretary of State.
4. It also proposes to 'explore devolution of some non-national infrastructure decisions, especially in relation to local transport, to local authorities'.
5. This conclusion is supported by the JRF's three-year national Neighbourhood Programme, which linked 20 neighbourhoods in England, Scotland and Wales in promotion of community development and active participation in local governance. See Taylor *et al.* (2007). See also Carley (2005).
6. 'BedZED' is the Beddington Zero Energy Development in the London Borough of Sutton.

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Appendix 1: Synopsis of current policy initiatives for planning

Barker's Review of Land Use Planning (2006)

Following her housing review in 2004, Kate Barker reviewed planning processes for Government. The review's main recommendation was to introduce a new system for dealing with major infrastructure projects, which gave rise to the 2007 White Paper. It also recommended streamlining policy and process through reducing policy guidance, unifying consent regimes and reforming plan-making, updating national policy on planning for economic development, removing the need for minor commercial developments to require planning permission, reducing delays at appeals and call-in, and improving skills and ensuring sufficient resources for planning.

Code for Sustainable Homes

In force since 2008, this code measures the sustainability of new homes against categories of sustainable design, rating the whole home on a one to six star rating to communicate overall sustainability performance. The code sets minimum standards for energy and water use at each level and, for England, replaces the previous EcoHomes rating scheme. It will set a timetable for all new houses to become zero-carbon homes, with significant increases in the energy standards in building regulations along the way.

Commons Act (2006)

Repeals the Commons Act of 1285, passed during the reign of Edward I. The Act enables commons to be managed more sustainably by commoners and landowners working together through new commons councils with powers to regulate grazing, vegetation and other agricultural activities. Intended to help bring more common land into good or recovering condition, contributing to the

Government's target of 95 per cent of all sites of special scientific interest being in good or recovering condition by 2010. It also sets new criteria for registering town or village greens, which are intended to give local people the ability to register places of value for recreation and green space, and protect them permanently. It allows 'missed' commons to be registered.

Communities in Control: Real People, Real Power, White Paper (2008)

Recognising that power in Britain 'remains too centralised and too concentrated in government' (para. 8), this White Paper proposes empowerment of local authorities, civic organisations and citizens. Its first step is to introduce (yet another) duty on local authorities, the 'duty to promote democracy' through better information, trained staff and more visible councillors, and 'a duty for councils to respond to petitions'. For local organisations, it proposes a Community builders scheme of grants for community development, more neighbourhood councils and more 'community engagement in planning' through a £6.5 million grant fund.

Delivering Affordable Housing Policy Statement (2006)

Integrates planning for affordable housing into the local development framework. Proposes a 'mixed economy' of affordable housing providers, including the private sector and community trusts. Distinguishes between social rented housing and intermediate affordable housing, the latter housing at below market prices or rents but above those of social renting. The intermediate affordable category includes intermediate rented, discounted sale, shared equity and a specific form of the latter, shared ownership.

Housing and Regeneration Act (2008)

Taking forward the intentions set out in the May 2007 White Paper, the act aims to drive forward the Government's pledge to build three million greener, more affordable homes in mixed and sustainable communities. The act establishes a new Homes and Communities Agency (HCA),

which brings together land and finance for delivering new housing, community facilities and infrastructure, and for driving forward plans for new eco-towns. The HCA has taken over and combined the regeneration functions of English Partnerships and the social housing functions of the Housing Corporation. It has operational responsibility for delivery of major housing and regeneration projects. The Act creates a new regulator of social housing, the Office for Tenants and Social Landlords, and introduces housing sustainability certificates, which makes rating against the Code for Sustainable Homes mandatory for all new homes.

Housing Green Paper Homes for the Future: More Affordable, More Sustainable (2007)

This proposes an £8 billion programme for affordable housing in 2008–11, a £3 billion increase compared to the previous three years. The target is to deliver at least 180,000 new affordable homes over the next three years and more than 70,000 affordable homes a year by 2010–11, including 50,000 new social rented homes a year in the next spending review period. Also proposes new ‘local housing companies’ that local authorities can establish in partnership with the new homes agency, in particular to deliver shared ownership homes and homes for first-time buyers built on local council land.

Planning and Compulsory Purchase Act (2004)

This replaced local plans, unitary plans, structure plans and regional planning guidance with a comprehensive new local and regional planning process called a local development framework (LDF) backed by regional spatial strategies (RSS – see below). The LDF has a suite of development plan documents (DPDs). The key DPD is the high-level core strategy, which is supported, where necessary, by lower-level DPDs intended to deliver the strategy. The core strategy is intended to be the spatial expression of the sustainable community strategy, thus bringing planning issues into the heart of decision-making and participation. The LDF also includes a statement of community

involvement, which must demonstrate how community engagement over strategic and local planning issues is to take place.

Planning for a Sustainable Future White Paper (2007)

Proposes new national policy statements for key sectors to ensure that there is a clear policy framework for decisions on nationally significant infrastructure. These national policy statements would be the primary consideration for a new infrastructure planning commission in determining applications for development consent for nationally significant infrastructure projects. These reforms will embrace all development consent regimes, including those for major energy, water, transport and waste development, as well as the town and country planning system. Examples of projects include airport and port construction, improvements to the strategic road network, new power-generating facilities and facilities critical to energy security, and major reservoir and waste water plants.

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Brought together, for the first time, objectives for sustainable development and statutory land use planning into a common framework, and recognises the importance of integrating national, regional and local development plans in line with sustainability objectives. Also calls for the early engagement of citizens over planning issues. Emphasises patterns of urban growth around public transport provision, reducing the need for travel, higher densities and mixed-use developments.

Planning Policy Statement 3: Housing (2006)

Under the new legislation, planning policy statements (PPS) replace planning policy guidance (PPG). PPS3 puts in place a national policy framework for planning for housing at the local and regional levels, and sets out the national policy framework for delivering the Government’s housing objectives. PPS3 requires that local planning

authorities assess and demonstrate the extent to which existing plans already fulfil a requirement to identify and maintain a rolling five-year supply of deliverable land for housing, particularly in connection with making planning decisions in the context of a 15-year supply of suitable land. Also requires local authorities to set separate targets for social rented and intermediate affordable housing in new developments.

Planning Policy Statement 12: creating strong, safe and prosperous communities through Local Spatial Planning (2008)

Planning Policy Statement 12 (PPS12) defines local spatial planning and how it benefits communities. It sets out what the key ingredients of a Local Development Framework (LDF) are and the key government policies on how they should be prepared. It argues that the new planning system offers and requires the development of a stronger leadership role for local authorities and elected members, built on collaboration through Local Strategic Partnership (LSPs) and accountable delivery through Local Area Agreements (LAAs). It also states that the government intends that spatial planning objectives for local areas, as set out in the LDF, should be aligned not only with national and regional plans, but also with the shared local priorities set out in Sustainable Community Strategies where these are consistent with national and regional policy. The PPS also states that community engagement should be appropriate to the level of planning, which could contribute to more efficient and effective engagement.

Planning Act (2008)

With the Housing and Regeneration Act, this act sets out a variety of changes in planning policy. It facilitates decision-making on national infrastructure projects by setting up an Independent Infrastructure Planning Commission. It also introduces a new planning charge, the Community Infrastructure Levy, intended to enable local authorities to secure 'a bigger contribution from developers toward the cost of infrastructure'. Also strengthens local government's 'place-making role' by making plan-making simpler and more

flexible, requires climate change to be accounted for in local planning and requires developers to consult local communities before they put in a planning application. Also revises the local development framework to emphasise the key role of the core strategy in local planning and makes planning inquiries more accessible to the public.

Regional spatial strategies

The regional spatial strategy (RSS) is the top tier of the statutory development planning process. It provides a broad development strategy for the region for a 15- to 20-year period and is prepared within the context of the regional sustainable development framework. The RSS both shapes, and is shaped by, other regional strategies, including the regional economic strategy, transport strategy and housing strategy. For housing, RSS sets the level of overall housing provision for the region, illustrated in a 'housing delivery trajectory', to enable local planning authorities to plan over a period of at least 15 years. The RSS should identify strategic locations for new housing developments and co-ordinate housing provision across the region. This may include arrangements for managing the release of land both within and across housing market areas.

Strategic housing market assessment

Required by PPS3 to estimate housing need and demand in terms of affordable and market housing, determine how the distribution of need and demand varies across the plan area, consider future demographic trends and identify the accommodation requirements of specific groups such as homeless households, first-time buyers, black and minority ethnic groups, disabled people, older people, Gypsies and Travellers, and occupational groups such as key workers, students and operational defence personnel.

Strategic housing land availability assessment

Assesses the potential level of housing that can be provided on land identified for housing; land availability including previously developed land and greenfield land that has development potential for

housing, including within mixed-use developments; the likely level of housing that could be provided if unimplemented planning permissions were brought into development; and sustainability issues and physical constraints that might make sites unavailable and/or unviable for development.

Strong and Prosperous Communities: The Local Government White Paper (2006)

Sets out proposals for giving local government and its partners more freedom and powers to meet the needs of their citizens and communities, and to enable citizens and communities themselves to play their part. Planning is now recognised as a core function of local authorities and central to their role as ‘place-shapers’. Intends that decision-making is taken at as local a level as possible, so that it can fully reflect local circumstances and needs.

Sub-National Review of Economic Development and Regeneration

In 2007, the Government invited comments on its review of sub-national economic development and regeneration (all termed the SNR). The review focused on how to strengthen economic performance in regions, cities and localities throughout the country, as well as tackling persistent pockets of deprivation where they remained. The sub-national review is based upon the principles of managing policy at the right spatial level, ensuring clarity of objectives, and enabling places to reach their potential. In line with these principles, its final report outlined the Government’s plans to refocus both powers and responsibilities below the national level to support its objectives to encourage economic growth and tackle deprivation at every level, by:

- empowering all local authorities to promote economic development and neighbourhood renewal;
- supporting local authorities to work together at the sub-regional level;
- strengthening the regional tier; and

- reforming central government’s relations with regions and localities.

Following the SNR, new legislation is intended to be introduced in autumn, 2008 that will give Regional Development Agencies (RDAs) responsibility for preparing single, integrated regional economic and spatial planning strategies. This wider strategic role will mean significant change to what RDAs do, how they operate and how they work with local authorities in their region.

Sustainability appraisal

Required by PPS3 to develop and test various settlement and housing location options, considering, for each, the social, economic and environmental implications, including costs, benefits and risks.

Sustainable Communities Act (2007)

The Sustainable Communities Act aims to promote the sustainability of local communities by encouraging local communities and local authorities to come forward with ideas and proposals to promote the sustainability of their area. It begins from the principle that local people know best what needs to be done to promote the sustainability of their area, but that sometimes they need central government to act to enable them to do so. It provides a channel for local people to ask central government to take such action. It is also a new way for local authorities, through the Local Government Association, to ask central government to take action that they believe would better enable them to improve the economic, social or environmental well-being of their area. This could include a proposal to transfer the functions of one public body to another. The new ‘well-being power’ enables local authorities to do anything they consider likely to promote or improve the economic, social or environmental well-being of their area. In addition, a local spending report provides information about public expenditure in relation to a particular area. This will help promote the sustainability of local communities by providing access to high-quality information about the public funding that is spent in the area.

Appendix 2: Urban extensions: integrated neighbourhoods or stand-alone communities?

At Derwenthorpe, from the beginning, there has been a tension between the vision of Derwenthorpe as a type of New Earswick for the twenty-first century (that is, a single cohesive community with its own identity) and the ambition that the new homes should blend into neighbouring communities (that is, be a 'good neighbour' in urban design terms and not be seen to stand alone or create a 'them and us' situation). JRHT, on the whole, was keen that Derwenthorpe should be a good neighbour, linking to the surrounding communities, rather than an inward-looking, self-contained settlement, but this would make it very different from New Earswick.

While there is no one answer to the dilemma, it is a particular issue for urban extensions as opposed to free-standing new communities, for place-making, and for section 106 discussions. The issue influences discussions about what sort of community facilities should be provided and whether developer funds should be used to provide facilities on or off the site. If Derwenthorpe is to be a successful, cohesive community, which is JRHT's ambition, community facilities that draw

people together have an important part to play. However, if the aim is to link Derwenthorpe with surrounding neighbourhoods and bring them benefits, then there is an argument for funding new facilities off site.

The location of new retail facilities can also be an issue. At Derwenthorpe, a decision was taken not to have any shops, because analysis funded by JRHT showed that existing shopping parades in the area were operating at the margin of survival. Any increased competition would damage them further or drive them out of business. But, on the other hand, without a local shopping area to define the 'centre' of Derwenthorpe, there is a greater need for some focal point for the community that creates an opportunity for community interaction.

This dilemma also has subtle ramifications for design. Should Derwenthorpe's four quarters have a unified design to help create that sense of community? Or should they be designed to blend more obviously with their neighbouring surroundings, which would suggest different styles for each of the four sections? And, if there is a community building on the site, should it include car parking to encourage people from the wider neighbourhood to attend events or should the aim of creating a preference not to drive take precedence?

There is no single right answer to such interesting dilemmas, which are at the heart of place-making in urban extensions. JRHT's approach is to combine the best of professional advice, intensive consultation with local residents and working in partnership with the local authority, which are all relevant tactics.

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