Regulation and Regeneration

How Do Development Plans Affect Urban Regeneration?

A case study analysis of two Urban Development Corporations and the emerging Unitary Development Plans of their component local authorities

THESIS

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ABSTRACT

Urban Development Corporations (UDCs) are perhaps the most outstanding examples of government action in the field of urban regeneration in the last twenty years. In order to promote regeneration UDCs were given development control powers over Urban Development Areas (UDAs). These powers were taken from local government and this caused well-documented resentment in many cases. However, local government retained all development plan-making powers.

Following two town planning acts (in 1990 and 1991) central government gave the development plan more power in the development control process (through Section 54A). This created a situation in an UDA where, in relation to development control, the UDC had to have regard to a development plan that had been written by a local authority; often a local authority with which it had not seen eye to eye in planning matters.

Thus there was a potential for conflict between an UDC and a local authority in both strategic and specific planning issues. There was possible tension between regulation (the development plan) and regeneration (the strategy and aims of the UDC). Most local authorities in urban areas were replacing old style development plans with new Unitary Development Plans which further complicated the issue. It became vitally important for UDCs to have an input to these emerging plans that the local authorities were preparing, in order to ensure that their aims and objectives for the UDAs would not be hindered by the new UDPs, which were to play a greater role in the development control process.

This research firstly examines the concept of both the development plan and urban regeneration. It then presents the important links between the two in relation to the experience of UDCs. A series of questions are generated through the literature review which are answered in the final part of the work.

Using these theoretical and practical standpoints as a basis, a conceptual framework for the study of the UDP preparation process, content and relationship between the local authorities and the UDCs with regard to the emerging plans is produced. It is formulated through theoretical study of literature concerning policy analysis and organisational relationships.

In order to examine what occurred in the real world, this framework is then applied two case study areas - Tyne / Wear and London Docklands. Each area had a designated UDC over parts of composite unitary local authorities. The respective UDAs spread across a total of seven local authorities. The conceptual framework for this study was applied to the situation between the UDC and each of the seven local authorities in order to examine differences in working practices, differences in policy process and content, and differences in the relationships between the two organisations.

UDCs were finally wound up in April 1998, and in the current climate it is unlikely that urban regeneration will ever be promoted in such a way again. However there are many important lessons to be learnt from the experience of UDCs and the development planning system. These are particularly pertinent to existing urban regeneration authorities such as English Partnerships and also to any possible city-wide or regional development agencies.

This study presents the range of practices that were evident in the case studies and examines what structured them. It concludes by outlining the most appropriate and relevant methods that were employed and making suggestions for better working practices in the future.

CONTENTS

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LIST OF ABBREVIATIONS

AA	Automobile Association
CPCDT	Cruddas Park Community Development Trust
CPO	Compulsory Purchase Order
DoE	Department of the Environment
EU	European Union
EZ	Enterprise Zone
IBM	International Business Machines
GLC	Greater London Council
LBN	London Borough of Newham
LBS	London Borough of Southwark
LBTH	London Borough of Tower Hamlets
LDDC	London Docklands Development Corporation
LGP+L Act	Local Government Planning and Land Act (1980)
LPA	Local Planning Authority
LPAC	London Planning Advisory Committee
LPG	Liquid Petroleum Gas
MBC	Metropolitan Borough Council
NCC	Newcastle City Council
NDA	Northern Development Area
NTMBC	North Tyneside Metropolitan Borough Council
P+C Act	Planning and Compensation Act (1991)
Ph.D.	Doctor of Philosophy
PPG	Planning Policy Guidance Note
RPG	Regional Planning Guidance Note
RTPI	Royal Town Planning Institute
SCC	Sunderland City Council
SPZ	Simplified Planning Zone
SRB	Single Regeneration Budget
STMBC	South Tyneside Metropolitan Borough Council
TWDC	Tyne / Wear Development Corporation
UDA	Urban Development Area
UDC	Urban Development Corporation
UDP	Unitary Development Plan

LIST OF PLATES

All plates are either prints from original water-colours or photographs that have been reproduced with permission from the relevant UDC.

PREFACE

Before reading this thesis it is important to recognise some conventions that are used throughout.

Lettering Styles (Fonts) for Quotes

This thesis quotes extensively from development plans. In order that the reader can more readily identify the different source material the following conventions apply. All quotes from local authority documents are in 'Courier' script, e.g.:

`"There will be a presumption against development."`

All quotes from Urban Development Corporations are in 'Kino MT' script, e.g.:

"There will be a presumption in favour of development."

Most lengthy quotes from central government advice and Inspector's Reports are in 'Clarendon Cd (W1)' script, e.g.:

"There will be normally be a presumption for development."

All policies quoted from local authority or UDC sources are in italics, e.g.:

"Policy H.1.   There   will   be   a   presumption   against   development."
`[Local Authority].`

Policy H.2. There will be a presumption in favour of development."
[Urban Development Corporation].

In order to present the policies clearly throughout the thesis full stops have been introduced between the abbreviation and numeric parts of the policy reference code, e.g. 'Policy H.1.2.' or 'Policy ENV.12.' This enables clearer reading of the policy references where they are similar.

Additions to Quotations
In quotes from source material the material found between squared brackets e.g. [ ] has been inserted by the author of this thesis to enable smoother reading.

Map Scales
All maps in this piece of work are diagrammatic only, i.e. not to scale.

1.0. INTRODUCTION

This introduction states the basic focus of this research, and then broadly outlines the phenomena which are examined. Relevant literature is introduced and the ideas that act as context for this study are then identified and sourced.

The focus of this piece of work is the interaction between Urban Development Corporations (UDCs) and Unitary Development Plans (UDPs). This thesis is thus a study of two 'fields' of urban policy in the 1990s: firstly, urban regeneration, and secondly, urban planning. It is an example of the relations between the spheres of pro-active governance (the UDCs) and regulatory governance (the UDPs).

UDCs were established and took over development control powers from local authorities in certain designated Urban Development Areas (UDAs) in order to promote urban regeneration in parts of metropolitan boroughs that were identified as requiring special attention. One of the rationales behind this approach was to bypass local politics which were perceived to hinder urban regeneration. However responsibility for preparing development plans remained with the local authority. Following changes in planning legislation, development control decisions were to be made in accordance with the development plan. This created a situation in most cases in the UDAs where the UDC was the development control authority, and yet it had to make its decisions in accordance with a development plan prepared by the local authority.

In the metropolitan areas, where the UDAs were situated, a new type of plan was proposed by legislation, following the dissolution of the strategic (county) authorities. These new types of plan were to be borough-wide and encompass both strategic and local policies in a new one tier plan-making system. These plans were called Unitary Development Plans (UDPs).

This situation is interesting because there were two immediate paradoxes for areas which had an UDA. Firstly, the UDC had to make development control decisions with primary regard to a plan that was prepared by a different body - the local authority. And secondly, the local authority had to prepare a borough-wide 'unitary' development plan encompassing an area that had been recognised as requiring specialist non-local authority attention, by virtue of the UDC being set up, and over which it did not have development control powers.

The situation outlined above must swiftly be placed in a general context. The local authorities within which the UDAs were located had often not seen eye-to-eye with the UDCs in planning matters. The UDCs were seen to have usurped the development control powers that the local authority had possessed. In many cases the local authorities were opposed to the strategy that the UDCs adopted to promote urban regeneration through development in the UDAs.

The Unitary Development Plans did not appear overnight. The preparation process involved an initial draft upon which public consultation had to be made, a draft sent to

DoE upon which further public consultation had to made, a public inquiry to deal with all the consultations received and then amendments made in light of the inspector's report into the public inquiry. The UDC had an opportunity to make representations on the strategy and content of the plan at the consultation and public inquiry stages. It was vitally important for the UDC to do this as the final adopted plan would be the tool in accordance with which development control decisions would have to be made. It was crucial for the UDC that the emerging development plan was in accordance with UDC strategy for the UDA, or else the UDC regenerative strategy might be hampered.

Whereas there is no direct literature concerning the key focus of this study (i.e. UDC input into UDPs) there is a wealth of literature produced concerning the limits of property-led regeneration in producing holistic economic and social as well as physical developments (most importantly Turok, 1992 and Healey et al, 1992). This literature focuses particularly on the inter-relation between property development and urban regeneration. The thesis here uses this literature as a foundation to assess what lessons were learnt by the players in the urban regeneration processes in UDAs in relation to the production of emerging development plans (the players concentrated upon being the local authority and the UDC).

This literature, and the urban policy literature more broadly, (e.g. Stoker and Young, 1993; Tewdwr-Jones (ed.) 1996; and Atkinson and Moon, 1994) identified certain deficiencies in urban policy and these were evident in the first decade of UDC experience. UDCs were cited as prime examples of the lack of integration between

urban regeneration initiatives and regulatory development planning. The extent to which the new development plans (the UDPs) were to be a vehicle for encouraging more integration is examined by this thesis. This thesis identifies whether the UDP preparation processes drew the UDCs into a more integrated approach to urban regeneration. This thesis also identifies what lessons were learnt following this initial criticism with regard to the preparation of UDPs.

The development plan process in the case studies examined here really began as the property boom period ended in 1990 and critical commentary increased, begetting a realisation that emphasis had to be altered with regard to the way in which UDCs attempted to implement urban regeneration projects and their desired effects.

If this criticism levelled at the UDCs, particularly the LDDC, by local residents, local politicians and the Government Opposition, as well as varied academic criticism (Brownhill, 1990; Ambrose, 1986; Imrie and Thomas (eds.), 1993b; Montgomery and Thornley (eds.) 1990, Thornley, 1991) was to be addressed by the UDCs, it had to be done so in the wake of the recession (circa 1990) and the commencement of the preparation of the new development plans (the UDPs) across the metropolitan boroughs. The emerging UDPs thus provided a focus for UDC and local authority strategy to be articulated, hopefully to overcome the criticisms. It is this experience that this piece of work concentrates upon.

The overall context for this piece of work is thus the recognised conflicts and complements that exist in the execution of urban policy. It has been identified that

there is a need to use both regulatory measures (i.e. the development plan process)

with subsidies (i.e. the UDC finance and projects that are used in all their forms) in

order to initiate site clearance and development (Healey, 1995). Such renewal

projects are highly dependant on public sector finance and input (in the experiences

examined here this was provided by UDCs) in areas requiring urban regenerative

attention (Imrie and Thomas (eds.), 1993b). However with the emergence of the

primacy of the development plan (Cullingworth and Nadin, 1994; MacGregor and

Ross, 1995), the local authority also has an important input in what is designated as an

acceptable use on any given (re)development site as legislation dictates (Planning and

Compensation Act 1991, Department of the Environment, 1991; and critique in

Williams et al, 1992). It has also been recognised that redevelopment programmes

need controls (for example a development plan) to ensure that there is some public

sector gain (Fainstein in Healey et al (eds.), 1995), but of course the strength and

flexibility of these controls are a matter of debate in every different instance. The

UDPs were thus an area of 'integration potential' in matters concerning both the local

authorities and the UDCs.

As the development plans that are examined in this study emerged throughout the

1990s, the new legislation (and the change in emphasis it made) was expected to

cause problems as the role of the development plan in policy implementation would

remain uncertain. The significance of this change was not clear, but was a matter of

debate (Tewdwr-Jones, 1994). UDCs were also limited life organisations and once

their end date was finalised, an unusual situation existed in the UDAs with the UDC

still in *development* control and also inputting into development plans that would run

past UDC end dates. This study also uncovers the extent to which UDCs saw the

emerging UDPs as a tool with which they could influence the planning process and

the planning policies, and thus the urban regenerative processes, in the metropolitan

boroughs, beyond the finalised end dates (all the UDCs were wound up by April

1998).

Thus the relationship between the development plan-producing local authority and the

urban regeneration-implementing UDC sits in a complex context based around statute

and legislation, the local economy, the perceived power relations and a variety of

timescales (encompassing UDP production stages and UDC lifespans) affected by the

past relations that the two organisations will have experienced. This study will add to

the current policy debate literature by examining in detail the specific operation of the

method of development plan composition in areas requiring urban regenerative work.

As such it has relevance to those who are interested in the formation and evolution of

policy and will also reveal the mechanics of development plan preparation, both of

these in regard to the *real world* experience.

Thus this study is contextually based in the 'struggle' between regulatory structure

and pro-development initiatives, but also seeks to examine how local authority

governance in the form of the development plan operates in a shared power world -

the powers the UDC took over. Through examination of the case studies, as based in

this context, conclusions and considerations for future practice can be made in

different institutional contexts.

The UDCs have now all been wound up. However that is not to say that there are not

areas across the country still requiring urban regenerative attention. This research

does deal with a historic situation, however the answers that will be provided to the

questions raised within it will offer valuable lessons to any urban regenerative

initiative set up whilst the current development planning framework is in operation.

The relevance of this piece of work is of current and future importance, as English

Partnerships, or even new regional development agencies could be directing urban

regenerative strategy across their component local authorities. The experience of the

UDCs with regard to the first wave of UDPs might not be too far removed from the

situations faced by English Partnerships or the new regional development agencies

and subsequent development plans and regional planning guidance.

The main concern of this thesis is the policy process and as such a case study

approach was adopted. The reasons behind this and the methodology for the research

is presented in *Chapter 2.* Two UDCs were selected to be studied. The London

Docklands Development Corporation (LDDC) covered the area of three metropolitan

boroughs and the Tyne and Wear Development Corporation (TWDC) covered the area

of four metropolitan boroughs. Both UDCs had full development control powers, but

had to take into account representations made by the local authorities with regard to

planning applications. The two UDCs were concerned with the UDPs of seven local

authorities between them. The methodology that follows this chapter provides detail

as to the rationale behind how and why this selection was made. An introduction to

each area is included in the case study chapters.

The next chapter deals with the methodology for the research, part of which (*Section 2.6. Synopsis and Format of the Thesis*) deals with the structure of this written part of the study.

2.0. METHODOLOGY

This chapter relates the research methodology which explains and justifies the techniques and approaches adopted in the course of this research. This methodology also identifies how the thesis builds on these techniques and approaches, and which literature the research utilises and enhances.

This piece of research is looking at how UDCs affect the statutory development plan. In doing so the work concentrates on the plan preparation process. Fischer and Forester (eds., 1993) in their book, *"The Argumentative Turn in Policy Analysis and Planning"* recognised the importance of the preparation process:

"If we are too focused on the work of technical analysis, we may look too much to the content of presumably ultimate documents; in doing so we will be likely to miss the rich work that precedes and follows document production...and the subtle negotiating that transpires between agency staff who are always seeking to learn, to protect working relationships, and to maintain their own strategic position as well" (p.6, ibid.). In the case study chapters, the 'rich work' that is the discussion over the content of the development plan, will be examined.

This chapter is formulated around six sections which in turn are titled: Background to the Author; Case Study Selection and Initial Study; Methodology for Literature

Review; Methodology for the Conceptual Framework; Methodology for the Case

Study Research; and finally, Synopsis and Format for this Thesis.

This thesis has been written as it if was to be read by someone with at least a basic

knowledge of the English planning system. However, where particular areas of

planning are key to the debates in this thesis they are explained in as much detail as

necessary.

2.1. Background to Author

After completing a three year Bachelor of the Arts with Honours Degree in Town

Planning at the University of Newcastle-upon-Tyne, I was employed by the London

Docklands Development Corporation as one of two planning trainees. The

appointment was for a twelve month period which started in July 1992 and ended in

June 1993. This year in employment completed the first half of a two year Diploma

in Town Planning course, also based at the University of Newcastle-upon-Tyne.

Most of my work at the UDC concentrated on development control and the processing

of planning applications, fortunately I was also involved in many other aspects of the

Corporation's work. During my employment at the UDC there were three area

planning offices, one office for each of the Docklands Boroughs. In previous years, a

trainee spent six months in two of the three area offices. However due to previous

redundancies and then current staff shortages, I was fortunate to spend some time in

each of the area offices.

The day to day development control work that was my staple travail, required constant reference to the development plans of the Boroughs. This allowed me to gain a full working knowledge of all of the plans dealing with the Docklands Boroughs and the opportunity to gain experience of dealing with all three Borough Councils. This work helped me to obtain a well-rounded knowledge of the whole of the UDC area.

For the first six months I was employed at the UDC head office, in the planning team concerned with the part of the UDA situated within the London Borough of Tower Hamlets. It was there that I was involved in the UDC response to the Deposit Draft of the LBTH UDP. The pressure of work and the attention to detail that was required impressed on me the importance of the response and fostered an interest in how the UDC was dealing with the other UDPs. During the two three-month periods spent in the teams in Newham and later Southwark, as well as having to refer to the plans daily, I also made myself conversant with their UDP situations, backgrounds and the respective attitudes.

Having then gained experience in all three planning teams I had a good insight into the difficulties and opportunities facing the UDC. The fact that I was employed on a one year contract, following which I left for further study, means that this thesis is not only less constrained but also more credulous.

During my time back at University I undertook study as part of my course into the LDDC. Following this I identified that research could be undertaken into the UDC local authority relationship, with special regard to development planning. I believed it

to be an area of interest (see *Chapter 1*) and it appeared to be an area that had not been researched to any extent. During the last months of my Diploma course it became clear to me that I wanted to research this area further, under the auspices of study towards a Ph.D.

2.2. Case Study Selection and Initial Study

I was interested in relationships and processes. As such, the proposed method of research into the phenomena that interested me was that of a case study approach. The rationale behind this is encapsulated in this quote from Yin (1994), "case studies are the preferred strategy when "how" or "why" questions are being posed, when the investigator has little control over events, and when the focus is on a contemporary phenomenon within some real-life context" (p.1, Yin, 1994). I was certainly asking "how" and "why" questions, I had no control over events and the focus was certainly on a real-life contemporary phenomena. The impulse to undertake and complete this research came from a desire to *describe* the area of interest, *explore* any differences that might be evident and *explain* why this was occurring in real life. This followed the idea of a holistic approach to case study research. For further discussion on the use and justification of the case study as a research tool the reader is directed to the work of Yin (1994, and also 1993).

The initial case studies selected were to be London and Newcastle. It must be remembered that the material with which the research was concerned continued to be sensitive, as the research was undertaken whilst UDP discussions were still continuing. As such I needed, initially, to examine situations where I would be

allowed contact with firstly, files that were very sensitive, and, secondly, officers who were very busy. I had already worked at the LDDC and as such had built up enough trust to gain that special access required to files and personnel. In Tyne Wear I had made contacts through previous research tasks undertaken both within and without my courses at Newcastle. It also helped that my supervisor, Patsy Healey, sat on the board of TWDC and although I never had to resort to asking her to 'wave the big stick' in order to gain access to people or documents, the mention of her name did make required items more accessible.

I also had contacts at the local authorities. In London Docklands this was through my work on individual planning applications when the local authorities were statutory consultees. In Tyne Wear this was through a diversity of formal and informal situations; including studies during my university courses, contact through RTPI regional branch functions, and research undertaken for members of the department. Admittedly some of these contacts might not have been as strong as those at the UDCs, but they all placed me in a *trusted* position to a greater or lesser degree. Almost everyone I contacted with concern to my research was as helpful as they could be without compromising their current positions or organisations. As the case study sections will show some were very candid indeed in their revelations.

It had been hoped to look at a third UDC but time and access problems denied this occurring. It soon became evident that what might initially appear to be a two case study piece of work, was in reality a seven case study piece of work; as the UDCs together covered seven local authorities. It was thought that this two / seven case

study approach would provide a depth of knowledge, without being too narrow in view.

The initial task undertaken was to fully acquaint myself with the history of UDP negotiations between the UDCs and the local authorities. It was necessary to digest the lengthy and comprehensive files at the UDC offices concerning these matters. These files contained records of all correspondence, meetings and negotiation between the UDCs and each of the component boroughs concerning their UDPs.

These files were extremely useful in compiling a historic timetable for the respective UDP process in relation to contact and discussion with the UDC. This timetable was cross referenced with the files in order to provide the detail for the individual case studies.

2.3. Methodology for the Literature Review

Whilst the study into the specific documentation occurred, I also immersed myself in the relevant literature concerning UDPs and UDCs. As a starting point, in order to provide a secure understanding of the situation, a thorough examination of the legislative background was undertaken. The relevant legislation concerning both the creation of the UDC, its remit and powers, and the formulation of an UDP was studied. In addition to the study of the relevant Governmental Acts; policy guidance from Central Government in the form of circulars, advice, Planning Policy Guidance notes and Regional Planning Guidance notes were examined.

Following this research of government-sourced information, the literature study was also undertaken. Using my own knowledge of the subject, discussion with staff at the University and keyword searches through databases and library catalogues, a plethora of articles, books, seminar papers and theses, directly and indirectly related to the areas of interest of this study. The books by Ambrose (1986), Lawless (1989), Brindley et al. (1989), Brownhill (1990), Montgomery and Thornley (eds.) (1990) and Thornley (1991) in particular provided differing viewpoints on the relationship between UDCs and local authorities.

These provided a secure theoretical foundation of knowledge of the study area, and lead to a thorough literature review of the phenomena that are firstly the development plan and secondly urban regeneration. It was through this literature study that answers to the questions, "What is a development plan?" and, "What is urban regeneration?" could be answered; with a view to providing a conceptual standpoint for the examination of the UDC experience in this thesis. This is the content of *Chapter 3* which explores the specific research question.

It was found that there was little reference in the literature to the experience of the UDCs with regard to the development plan-making within the boroughs. *Chapter 1* of this thesis makes it clear that it was an area of paradox, but little examination had been undertaken as to the mechanics and outcomes that were occurring. However this gave me a lift as it confirmed that my research was indeed something new and (to me at least) exciting. This lack of reference to the relationship between an UDC and the

development plan of its constituent boroughs in the literature available meant that this

piece of research work addressed a definite gap in knowledge.

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The literature review was useful in two major ways. It provided a firm foundation for

this research by giving me a rounded knowledge of the debates that had arisen around

the concepts of UDCs and their relationships with their local authorities. This

foundation gave me the standpoint that were mentioned earlier. However, the

literature review not only answered questions, but also generated them; a series of

questions concerning the phenomena that I was researching that the current literature

did not answer. These questions clustered around five key issues that stemmed from

my interest and the literature debates. These questions are found, logically, at the end

of *Chapter 3*. The questions drew on the findings I was uncovering in the research

into UDP documentation, and also acted a as guide for structuring the questionnaires

that I would utilise in the fieldwork interviews. However they did not provide a

robust framework for the initial interpretation of material that I had uncovered during

the fieldwork process. This required something more, i.e. a specific conceptual

framework to provide a basis for analytical discussion of the seven case studies.

2.4. Methodology for the Conceptual Framework

Chapter 4 grew from an original piece of work on policy theory and the study of the

influence of UDCs upon the development plan. As has already been inferred, when I

first embarked on a theoretical literature review in relation to both the development

plan and urban regeneration, following my work on them individually, I found little

relevant material that dealt with both in tandem. Undaunted, through the advice of my

supervisor, I began by examining policy analysis literature. This, as it was hoped and fortunately as it turned out, provided not only a broad base of policy theory ideas but also provided a variety of insights which enabled me to synthesise the conceptual framework found in *Chapter 4*. However I am getting ahead of myself.

I already had a solid knowledge of planning theory through my previous degree programmes, thus the concepts of rationality and incrementalism were not unknown. However in the literature I was now studying these theories were not just being discussed in the context of planning but in a plethora of different situations. I found the book *"Policy Analysis: a political and organisational perspective"* by Jenkins (1978) to be particularly useful in the first instance. In order to be comprehensive I wanted to deal initially with the two traditional theories and turned to the seminal works by Faludi in order to help me here, namely *"A Reader in Planning Theory"* and *"Planning Theory"* (both 1973). A further book, *"The Policy Process"*, edited by Hill (1988), also provided me with up-to-date discussion on the traditional theories as well as some new policy process ideas. Books that were also consulted at this time were *"Policy Networks in British Government"* by Marsh and Rhodes (eds. 1992), *"Approaches in Public Policy"* by Leach and Stewart (eds. 1982), *"Policy Analysis and Evaluation in British Government"* by Gray and Jenkins (eds. 1983) and *"Public Policy: an introduction to the theory and practice of policy analysis"* by Parsons (1996). Together this literature provided me with a firm foundation in policy theory and the important ideas concerning policy analysis. However it was proving difficult to translate their ideas directly to my area of interest, so I moved back towards a more

specialist, a more planning oriented, literature to realign the balance on my theoretical scales.

I had hoped to be able to glean some ideas from *"Public Planning: The Intercorporate Dimension"* (Friend, Power and Yewlett, 1974), however, interesting though this book was, I required something with more direct relevance to my area of study. It was a similar story with *"English Structure Planning"* (Cross and Bristow (eds.), 1983) and *"Rationality in Planning"* (Breheny and Hooper (eds.), 1985). It was at this stage that I realised that any conceptual framework I produced for my case study chapters would have to rely on a synthesis of eclectic ideas, not necessarily from planning literature, which I would have to adapt to my topic of reference. One could say that I was back where I started but that would be incorrect. I had a mass of literature under my belt and had not lost the thirst for relevance that I wanted to maintain through out my thesis.

It was then that I read the article by Maureen Mackintosh on *"Partnership: Issues of Policy and Negotiation"* (1992). Her ideas of synergy, transformation and budget enlargement reflected what I was concerned with in relation to specific urban regenerative initiatives and the development plan. The works of Annette Hastings (article: *"Unravelling the Process of Partnership in Urban Regeneration Policy"*, 1996) and Nick Bailey et al (book: *"Partnership Agencies in British Urban Policy"*, 1995) provided a different focus to Mackintosh's ideas, and confirmed to me that these ideas were worth not just thinking about, but also utilising and taking further. However I knew that this was just a part of what I wished to explore. I continued to

look for literature on relationships between organisations, as I realised that this was a critical part of what I was examining in this study. Finding such literature was proving to be very difficult.

I turned to the literature on organisation analysis in the hope of findings a theory or idea upon which to base the relationship part of my conceptual framework. Powell and DiMaggio ("*The New Institutionalism in Organisational Analysis*", (eds.) 1991) and Clegg ("*Modern Organisations*", 1990) could not do this for me. But I was to find my panacea closer to (my 'planning') home in a book I had not picked up for a long time. Stoker and Young's ("*Cities in the 1990s*", *1993*) ideas of networks helped me in a way that Marsh and Rhodes ideas on the same topic did not. They unpacked six factors that typified a functional network. These were similar to ideas that I had been looking for in the context of the two organisation situation with which I was concerned. At the same time I had been reading the book "*Managing Cities*" (Healey et al. (eds.), 1995) and had come across the chapter on "*Globalisation and Institutional Thickness*" by Amin and Thrift and found that their ideas on relationships dovetailed with those of Stoker and Young. Based on these two works and utilising general ideas from the work by Barrett and Fudge (1981), I managed to construct a checklist for the examination of relationships between the development plan-making body and the UDCs.

At this stage I had three pieces of work. My initial piece on policy theory, my work on Mackintosh and Hastings and also these new ideas on relationships. These three sections needed to be tied together in order to construct a whole that would make

sense as a conceptual framework. Fortunately this was straightforward and I think that this was in no small part due to my insistence on keeping focused on the main issues of the research question.

Thus *Chapter 4* took on a three staged form. The first section deals initially with policy analysis. This is not only important in itself but also sets the tone for the policy process and policy content discussion in the case study chapters. The first section goes onto deal with policy theory and policy process theory. There was a wealth of literature concerning such matters, and as such I attempted to deal with it very carefully in order to maintain the focus on the topic under investigation and yet be holistic. The traditional theories are thus discussed, but not covered to such a depth that they are prolix and become irrelevant. Following this discussion, succinct conclusions are made to their contribution to this study. The policy models that Mackintosh identified are then dealt with in more detail as they provide an important part of the analysis in my case studies.

The second section deals with organisational relationships. As stated, I had studied a variety of literature and yet could not find any critical work on the relationship between organisations in the context that I was examining, except indirectly in the work on networks by Stoker and Young and Amin and Thrift. The factors that they recognised appealed to me as they reflected the concerns I had identified from my initial contact with actors in the development planning and urban regeneration fields. This was complemented by the part of the work I used by Barrett and Fudge.

The third section concludes *Chapter 4.* It presents the conceptual framework that is utilised in the case study chapters as a framework for comparative analysis. It is presented so as to provide a structure for the case study chapters to follow.

2.5. Methodology for the Case Study Research

At this stage of the research I was fully acquainted with the history and issues of the UDPs processes in the seven case study local authorities (see *Section 2.2 Case Study Selection and Initial Study).* However the documentation did not tell the full story that the conceptual framework required. It was necessary to undertake a series of interviews with officers at both the UDCs and the local authorities in order to explain actions that had occurred throughout the plan preparation process. It was hoped that these interviews would fill the gaps in my knowledge and provide feedback as to what the practitioners actually involved in the process thought of the system as it stood.

The nature of the planning process makes it very difficult to obtain information about recent development programs and situations that are still being currently discussed. It has been recognised that, "the process is based on trust and personal contact and therefore it is frequently difficult to observe form the outside." (p.129, Cafferty and McCready, in Fosler and Berger (eds.), 1982). However the officer interviews in almost all cases proved a viable way in which to elicit information. When this was correlated with desk top work and the analysis of published material a whole picture was formed. As such the normative evaluation of the relationship was dependent on the feedback from the officers involved. During the interviews the words used by the officers provided a rich vocabulary that helped to gauge the strength of the

relationship. This vocabulary provided the indicators that identified either a strong or a weak relationship. These phrases helped to unpack the language of relationships. In the context of this conceptual framework that this thesis utilises, it is recognised in the case studies that different relationships are good for different things, and are necessary in different circumstances.

The opinions gleaned from the interviews would provide a context for the discussion of the relationship between the local authority and the UDC. They also served as an update on the progress of the individual UDPs following my study of them and provided an idiosyncratic angle concerning the attitudes of both the UDC and the Boroughs in the UDP adoption process.

The perceived situation, historical attitude and relationship between the UDCs and the local authority boroughs could be explored in a qualitative way through this process. Through the use of probing and directed questions, the answers given provided a lot of flesh to the skeleton that was the reports and letters in the UDC files. It also provided the information to examine the relationship between the UDCs and the local authorities.

In order to present as rounded and comprehensive a piece of work as possible the case study chapters analyse both documentation and opinion. As this piece of work is directly concerned with the development plan then this is of course an important starting point. The changes that occur between different drafts are areas of interest, as they might represent the influence of UDCs on the local plan-making authority.

Throughout the course of my research I attempt to find the causes for these changes and the justification given.

The officer interviews were undertaken in order to get an *inside* view as to the relationships and policy processes in operation, and how they conformed to my conceptual framework. A proforma, listing open-ended questions based around topic areas, was given to all the interviewees (see Appendix 1). In almost all cases the officers interviewed were open and forthcoming in their responses (a list of those interviewed comprises Appendix 2). The proforma merely acted as a 'starting gun' for initiating the (topic based) debate. These interviews were extremely useful in answering the questions that arose through the study of the drafts of the development plan, mission statements and framework documents. It was at this stage that the vocabulary of relationships could *really* be utilised to gauge the strength of the relationship. The officer interviews in almost all cases proved a viable way in which to elicit information. When this was correlated with the desk top work and the analysis of published literature a whole picture was formed.

In order to be produce a fine-grained piece of research, every single UDC representation made on every single policy that might have occurred in *any* draft of the emerging UDPs was examined. In the case of the Dockland Boroughs' UDPs this produced pieces of work that dealt with dozens of policies. These pieces of work ran to hundreds of pages, as they necessarily quoted source material at length in order to be comprehensive. It would have been impossible (and tedious) to have included it all in the final thesis. The five or six areas of discussion that were either indicative of

each case study's experience, or were recognised as particularly important through the officer interview process, were selected for inclusion in the final thesis.

2.6. Synopsis and Format for the Thesis

This chapter has traced the train of thought of the core area of this thesis. By detailing the history of my exposure to the myriad of literature studied and the reasons behind consulting such diverse texts, this chapter explains the background sources and also the causes and reasons why the research strategy evolved in the form it did.

Following the case study research, the output material of this thesis was produced. The final draft of the thesis emerged. *Chapter 1* (Introduction) deals with the initial area of interest. *Chapter 2* is this Methodology, explaining the process of research in order to present at the earliest possible stage the reasoning behind the format of the thesis. *Chapter 3* will examine the literature concerning development plans and urban regeneration, informing the reader of the phenomena to be studied and presenting the standpoint of this thesis concerning them. The further questions that were raised by the literature studied, and addressing the gaps in knowledge of the literature studied, are listed at the end of this chapter.

Chapter 4 will present the conceptual framework for the study as composed through further literature review. Utilising this framework *Chapters 5 and* 6 will present the case study material specific to the two UDCs and seven local authorities. The local authorities are deliberately dealt with individually so that any analysis does not begin to occur piecemeal in the later case studies, but together in *Chapter 7*. That said,

Chapter 7 reflects *Chapter 4* in that it contains the comparative analysis in the light of

the material collected, taking the form of the conceptual framework. The first part of

Chapter 8 takes this material and uses it to answer the questions posed at the end of

Chapter 3. The literature is then referred back to in order to situate this piece of work

in current debate. *Chapter 8* concludes with final considerations and a brief synopsis.

3.0. DEVELOPMENT PLANS AND URBAN REGENERATION

This Chapter is formulated around six sections which, with direct emphasis on the particular field of study of this thesis deal, in turn, with development plans; development frameworks; urban regeneration; key connections between the development plan and urban regeneration; key issues and questions raised by these debates; and a synopsis.

This chapter examines the relevant literature concerning development plans and urban regeneration with regard to the particular situation under investigation, then seeks to elicit the key connections and questions raised by the debates that have been examined. This chapter provides a link between the general issues raised in the introduction by examining academic debate concerning the phenomena to be studied and then raising certain a series of key questions under topic headings. This leads towards a further literature review which then formulates the conceptual framework for the case studies undertaken (*Chapter 4*).

The first section, on development plans, examines what central government advice recommends a development plan should be, followed by academic criticism of this, and then examination of academic thought on what the development plan represents as a phenomenon.

The second section examines what development frameworks are, where they fit into the development process and the motives behind UDCs using this vehicle for promoting their strategies.

The third section provides a definition of urban regeneration, with specific regard to the work of UDCs and the frame of reference of this thesis.

The fourth section deals with the key connections between development plans and urban regeneration. It is here that the academic debates concerning development plans and urban regeneration are brought together and the *real life* situation in which the UDCs operated is elucidated.

The fifth section defines the questions that have been raised during the course of the four previous sections in this chapter and categorises them into relevant topic areas. The sixth section is a synopsis and introduces the next chapter.

3.1. DEVELOPMENT PLANS

This section is primarily concerned with understanding the development plan in the context of this thesis. This section specifically deals with where this thesis places the development plan in the planning regulatory process, with particular attention paid to its relation to urban regeneration (however the connections between the development plan and urban regeneration are more comprehensively dealt with in the fourth section of this chapter).

The development plan, as a phenomenon, is, at one and the same time, both a document and a set of policy principles, these both being the product of complex processes of preparation and then adoption. As such, a development plan can be understood in many different ways. In order to present the particular standpoint this thesis takes with regard to the concept of a development plan, this section discusses two distinct areas of planning literature. These are:

a) The DoE guidance on development plans, which presented the formal legislative and procedural requirements of local authorities in preparing UDPs; and

b) Planning literature and articles on development plans, which described the ideology of development plans and highlighted and discussed academic and practical thought on development plans. A starting point for the development of this debate is the more rudimentary work of Cullingworth and Nadin (1994); which is then augmented

through material by other commentators, notably Adams (1994). Following on from

these debates is discussion of more detailed work by Healey which is added to by

other authors in the field.

The concluding remarks to this section then state what this thesis understands by the

concept of the development plan.

3.1.1. Formal Legislative and Procedural Requirements

Unitary Development Plans are the singular statutory development plans for urban

areas in the UK at present. UDPs combine the function of structure and local plans in

the large urban areas of England. UDPs are comprised of two parts. Part I is

analogous to the structure plan in counties; it sets out general policies for the use and

development of land throughout the borough. Part II uses these general policies as a

base, from which more area specific policies are derived. These are detailed on an

ordnance survey base map, which is called the Proposals Map. Part II also contains

reasoned justification of the general policies in Part I and the proposals in Part II.

Central government has prepared Planning Policy Guidance notes (PPGs) to explain

statutory provisions and provide guidance to local authorities and others on policies

and the operation of the planning system. Planning Policy Guidance Note 12:

Development Plans and Regional Planning Guidance (PPG12) covered the

preparation of development plans of various types, including UDPs. This document

has been referred to as, "the central reference for development planning policy in

England", (p.59, Cullingworth and Nadin, 1994). PPG12 stated that, "development

plans are the main guide to planning decisions by local authorities and others....Planning decisions are to accord with the development plan unless material considerations indicate otherwise" (p.1, PPG12, Department of the Environment, 1992a). PPG12 went on to relate that the planning system would provide, "guidance, incentive and control" (para. 1.2., ibid.). "The development plan provides an essential framework for decisions and should convey a clear understanding of the weight to be given to different aspects of the public interest in the use of land and common expectations about the likely broad patterns of development" (para. 1.1., ibid.).

PPG12 emphasised that plans should not be prescriptive. It was envisaged that development plans should exist to provide a framework for development control, to allow the market to operate and foster appropriate development (para. 1.8., ibid.). These introductory statements set the scene for further prescription of the nature and content of development plans in PPG12.

Concerning the content of development plans, PPG12 stated that, "the Secretary of State is very much against over elaborate plan-making. Plans should be clear, succinct and easily understood by all who need to know about the planning policies and proposals in the area" (para. 5.3., ibid.). In other words, any person in the street should be able to pick up a development plan and understand it readily; as, in reality, anyone can be one of the people who needs to know about planning proposals in an area. This is an issue that critical planning literature has contested has not always occurred (Healey, 1993 and Chapter 11, Adams, 1994).

An important part of the scope and extent of the development plan was to be that, "policies for non land-use matters should not be included" (para. 5.6., PPG12, Department of the Environment, 1992a). This did carry the caveat that reference to economic, social and other relevant considerations in the exploratory memorandum or reasoned justification would be necessary (ibid.). This was an issue with regard to urban regeneration and has been discussed at length in the critical literature.

Thus plan-making authorities were to, "have regard to economic considerations in preparing their general policies and proposals in UDP Part I's" (para. 5.47., ibid.). This included urban regeneration. PPG12 stressed the importance of fostering industrial and commercial development in order to help the national economy to prosper. Such policies which have primarily economic priorities were to provide for choice, flexibility and competition, enabling the market to work efficiently (para. 5.47., ibid.).

To become a statutory document, an UDP must pass through an adoption process. This involves the following stages:

preparation and publication of consultation draft
receipt of representations
preparation and publication of deposit draft
receipt of observations
public inquiry into unresolved objections,
preparation and publication of inspector's report,
publication of statement of decisions and modifications in light of inspector's report
publication of adopted plan
(adapted from para. 3.20., PPG12, Department of the Environment, 1992a)

Thus the local authority produces the first draft of an UDP, called the Consultation Draft, with the government advice as a guide for layout and Regional Planning Guidance and Planning Policy Guidance a guide for emphasis in content. The plan then evolves through the representations that are made upon it by the consultees in the preparation process. One of the rationales behind the introduction of a single tier of development plans for metropolitan areas was that the representations would be made on a single evolving plan - and not at two levels of structure and local plans. The *Unitary* Development Plan would supply a more efficient approach to plan preparation.

However concern was expressed about the introduction of UDPs. It has been argued that, "in precisely the parts of the country where there is a particular need for a two-tier planning system, it was lost" (p.56, Cullingworth and Nadin, 1994). Cullingworth and Nadin went on to detail the initial scepticism that UDPs faced, particularly concerning the process of UDP adoption, the future of strategic thinking across metropolitan areas and the public participation and objection problems that it was supposed would be faced by unitary plans covering large areas (p.56, Cullingworth and Nadin, 1994).

However they did relate that, "for the districts themselves, many of these worries have proved unfounded" (ibid.). It was noted that on the basic topic strategies there was been harmony from all sides. The central government advice, as detailed in the previous section, insisted that development plans utilised the topic chapter approach to plan formulation. This resulted in a situation during the preparation of

development plans in the 1990s where the content of the plan became topic based rather than integrated.

The advice given by the DoE in PPG12 was augmented by the publication, *"Development Plans: A Good Practice Guide"* (Department of the Environment, 1992b). In the foreword, Sir George Young (then Minister for Planning) related that. "to be effective as development control tools, plans need to be carefully and skilfully prepared. They should be crisp, concise and well presented, with policies and proposals clearly worded so that their meaning is not in doubt" (p.i, Department of the Environment, 1992b).

This publication provided more *practical* hints on preparing development plans than PPG12, which concentrated on advice concerning the form and content of plans and the procedures which were to be followed.

The *Good Practice Guide* suggested that it would be good practice to contain these following elements in a development plan: a) statement of strategy; b) establishment of objectives; c) policies for core topics; and d) policies for additional topics where appropriate to the local area. These specific parts of the development plan are examined in more detail, in turn, below:

a) Statement of Strategy: The *Good Practice Guide* stated that the consideration of alternative strategies was appropriate only at pre-deposit stages of the plan. This consideration was permissible only where the existing strategy was inadequate or

where a plan review indicated major amendments to an existing strategy. Options

were not to appear at the deposit stage of the plan process (para. 3.5.-3.18., ibid.).

This was a further issue contested in planning literature, which is discussed later in

this chapter.

b) Establishment of Objectives: The objectives were to be more specific than the

aims; and thus it followed that there should be more objectives than aims in a

development plan. This was because for an aim to be reached a variety of objectives

would need to be achieved (para. 3.19-3.27, ibid.).

c) Policies for Core Topics: With regard to UDP Part Is there were 9 key topics that

were identified by PPG12 and the *Good Practice Guide.* It was suggested that the

simplest way to ensure that all the topics are covered was to follow the list and use it

to formulate chapter headings. The nine key strategic topic areas were:

> "1) Housing, including figures for new housing provision in each district;
> 2) Green belts and conservation of the natural and built environment;
> 3) Rural economy;
> 4) Urban economy, including major industrial, business, retail and other employment generating and wealth creating development;
> 5) Strategic transport and highway facilities and other infrastructure requirements;
> 6) Mineral working (including the disposal of mineral waste) and protection of mineral resources;
> 7) Waste treatment and disposal, land reclamation and re-use;
> 8) Tourism, leisure and recreation;
> 9) Energy generation, including renewable energy."
> (para. 5.9., PPG12, Department of the Environment, 1992a).

The *Good Practice Guide* went on to detail that plans that have strayed from this path have often been confusing to use and an obstacle to the speedy retrieval of information (paras. 3.28.-3.32, p.40, Department of the Environment, 1992b). Within this rather strict definition for topic chapters, urban regeneration could fall into all these categories and thus could run as a theme throughout any development plan.

With regard to the second part of the development plan, i.e. UDP Part II, the *Good Practice Guide* went on to suggest that the core topics for the second half of the plan would follow the strategic topics in Part I. The environment would not occur as a chapter in itself, as it was argued that it should be the underlying concern of all the other topic chapters (paras. 3.33.-3.35., p.41, Department of the Environment, 1992b).

d) Additional Topics: With regard to the final component of development plans, the *Good Practice Guide* recognised that plans might not be able to cover all the proposed topics in exhaustive detail; and suggested additional topic sections to discuss those subsidiary issues, outside of the key topics suggested (para. 3.36., ibid.).

The DoE guidance contained in PPG12 and the Good Practice Guide was thus particularly *prescriptive* as to the form that development plans would take. Since the publication of the guidance notes, much commentary has been made concerning what was seen as an hard-line, interventionist approach that the DoE had adopted with this guidance. This strict attitude was also evident when the DoE considered the policies which appeared in the emerging development plans at the stages in which it was

involved; particularly at the Public Inquiry and the subsequent Inspector's Report stages.

Following the publication of both these pieces of advice (PPG12 and the *Good Practice Guide*) in 1992, the regional offices of the DoE insisted on the exclusion of any policies which did not relate directly to the control of future development. There was also a recognised variation between how the different regional offices were behaving with regard to interpreting central government advice on the development plan (Tewdwr-Jones (ed.), 1996). A top-down approach became evident in plan-making procedures, with a strict central government *policing* what the local authorities were producing as their development plans. The advice, as examined above, laid out a narrow remit with regard to the preparation of development plans which offered little opportunity for either adaptation or experimentation. In areas that required special attention, such as UDAs, the possibility arose that the narrow remit for the content of development plans, which was being applied in a strict manner by central government, could cause problems with regard to the preparation of- a development plan for the area, and also sour the relations between the local authority and the UDC.

This sub-section has outlined what central government legislated should make up an UDP. However even if all the plan-making authorities were to follow the advice to the letter, which they do not, a massive variety of different plans would still be produced. Different areas have different needs and there were differences in the processes used to achieve the aims that were identified by each individual planning

authority as the foundations for their development plan. Different approaches to plan

preparation were evident across the seven case study local authorities and will be

exampled in *Chapters 5* and *6*.

It is now necessary to examine the critical literature concerning development plans in

order to reach a conceptual standpoint as to what this thesis understands by the

development plan.

3.1.2. Academic Debate Concerning the Development Plan

This sub-section is organised around the following parts. Firstly, the historical

background to the development plan in the UK is examined. This provides a context

for later discussion through examination of the development plan's evolution.

Secondly, key academic thought concerning the development plan is discussed in

order to present what is understood by the phenomenon that is the development plan.

Thirdly, more detailed academic work on the variety of roles that a development plan

can have is presented. Fourthly, and finally, common criticisms of the development

plan as recently assembled are identified.

3.1.2.1. Historical Background to the Development Plan

The UDP is the most recent model of the development plan in the UK. It is useful to

place the UDP in an historical context and briefly examine the traditions of British

plan-making since the first Town Planning Act in 1947. For further detail concerning

this historical context the reader is advised to digest, *"Town and Country Planning in*

the UK", by Nadin and Cullingworth (1994). Traditions in development plan-making

are also dealt with by Healey (1994a and et al. 1988).

It is now widely accepted that there have been different traditions of practice in

development plan-making in Britain. These roughly follow the historical evolution of

the British plan-making process and can be dealt with in that chronological order.

Following the cessation of World War II, development plan-making was introduced

through the 1947 Town Planning Act. This defined the development plan as *a plan*

indicating the manner in which a local planning authority propose that land in their

area should be used. Any proposed development had to follow the allocation that had

been given to the relevant piece of land in the development plan. The plan

commanded what was allowed and controlled development by adhering to its

demarcations (p.49, Cullingworth and Nadin, 1994).

This continued until the 1960s by which time the economy had been revitalised and

the economic pressures for development rose. It was recognised that plans must make

allowances for development in order to allow the economy to flourish; and as such

trend planning became the practice. This was a reactive process where the plan would

adjust to economic tendencies in order to accommodate growth (p.49, Cullingworth

and Nadin, 1994).

By the late 1960s and 1970s it was widely accepted that plans should also adjust to

public demand. Following debate and conclusions made by the Skeffington Report,

public participation in the development plan-making process was introduced. At a time of recession throughout the 1970s it was necessary for planning once again to change as expenditure fell and growth had to be fostered. A two-tier planning framework was introduced with structure and local plans (p.49, Cullingworth and Nadin, 1994); from which eventually evolved the UDP with its strategic Part I aims and its specific Part II policies. A series of academic works examined whether this approach to plan-making was successful (including Chapter 9, Bruton and Nicholson, 1987; Cross and Bristow (eds.) 1983; Chapter 11, Healey et al., 1988).

Healey et al. (1988) emphasised that despite these adjustments made to, and the evolution of, the planning system, "it embodies constraints which systematically privilege certain groups and interests" (p.244, Healey et al., 1988). They suggested that the system be changed in order to limit central government's position to issues of national importance only, to make the public sector more accountable and, perhaps most radically, to, "foster variety in strategies and policies....to reflect the particularities of place and time" (p.259. Healey et al., 1988).

Despite these suggestions, the 1980s saw development planning come under threat as an unprecedented economic boom occurred. Plans went out of date quickly, or soon disagreed with central government policy, and ad hoc decisions were forwarded as the best way to cope with the development pressure. Government legislation weakened both planners and development plans, and questioned the need for such 'obstacles' when the market could supply development and regulate itself with minimal governmental intervention. This was the time of Michael Heseltine's famous quote

concerning *'jobs being locked up in filing cabinets'*, and extensive efforts were made

to bypass bureaucracy and red tape, particularly that enforced by local government.

Central government did not want to be seen to be stifling this boom in any way and

thus were not keen on anything which restricted development.

Following the end of the boom period of the 1980s, there was a change in planning

legislation to allow for development control decisions to become more plan-led (see

Section 3.5. Key Issues and Questions). The development plan, during the 1990s,

became forwarded as an important platform for balancing the demands of the

economy with the demands for environmental sustainability (Department of the

Environment 1998a, 1998b, and 1998c).

3.1.2.2. Academic Thought Concerning the Development Plan in the 1990s

Adams (1994) related that development plans, "provide a context for control decisions

by stating the strategies and principles that the planning authority will adopt in

seeking to manage land use and environmental change. A development plan indicates

where an authority wishes to encourage development, prevent it and direct it" (p.8,

Adams, 1994). This definition was in line with prevailing DoE advice. It

encompassed the idea of the development plan as a framework for the land market and

thus through that, the economy. The strategies that central government propagated in

the PPGs and Regional Planning Guidance (RPG) were to be taken further in the

development plan. The development plan becomes a localisation of the relevant

RPGs and PPGs. The development plan is seen as a document that details what

development is currently acceptable or not acceptable in the minds of the plan-making

authority. The document can be seen as a statement of decision principles, a framing device.

The adopted statutory development plan is linked to local land and property markets. The plan helps to alter the future trends of value in the market place. To this end the development plan is important to landowners and developers as it influences the value of their properties. It affects the development value of land, for example agricultural land is cheap but with permission for housing that land could be worth many times its agricultural value (Chapter 11, Adams, 1994).

Due to the increased importance of the development plan (see *Chapter 1* and in more detail in *Section 3.4.4. Section 54A and UDCs*) in the making of development control decisions and also, in the case of the UDP, the inclusion of both strategic and local policies over the whole of a borough's area, there was increased scrutiny from the DoE on plans that had to be approved by the Secretary of State. It has been recognised (p.59, Cullingworth and Nadin, 1994) that a greatly increased degree of central government involvement in the development plan-making process occurred. The broad content of development plans had to be agreed with the regional offices of the DoE from their early stages (and be in accord with any Regional Planning Guidance that was current at the time). It was hoped that this co-ordination would stop the awkward scenario where the DoE had the most objections to an emerging development plan.

However this was not always the case. During the 1990s, the strict attention paid by central government to the emerging development plans often meant that they made the most objections (e.g. in Manchester, p.77, Kitchen, 1997). This has in turn meant that the plan adoption process lengthened as more detailed plans were scrutinised more carefully and for longer than in the past. In a situation where an emerging UDP included an UDC within its boundary, there were a further set of observations that were to be made, over and above those from central government through the DoE.

A development plan does not immediately come into existence - it is a product of (an often long) preparation process which has to go through a variety of stages (as detailed above). During this preparation process the content of the development plan is negotiated. "Planning policy is a product of a long process of bargaining, negotiation and political compromise" (p.2, Tewdwr-Jones, 1996). Similarly, once adopted, the development application process uses the development plan as a baseline for decisions to be made concerning development, and it must be stressed, a baseline. Material considerations, including the plan becoming out of date, can affect the development control decisions which are being made. A plan becomes, "an agreed set of principles to *guide* decision makers [my italics]" (p.2, Tewdwr-Jones, 1996). And likewise, "plans provide spatially differentiated frameworks for guiding regulatory decisions about land use and development" (p.40, Healey, 1994a).

Concerns became evident about how interaction and accord between the component parts of a development plan could successfully be achieved, especially within such a complex process that involved such a variety of contributors (which an UDP both

requires and attracts during its path to adoption as a statutory development plan). It

has been argued that successful urban regeneration (see *Section 3.3. Urban*

Regeneration) requires integrated physical, economic *and* social improvement to be

achieved; and achieved within the regulatory framework of the development plan. A

development plan that lacked integration across its separate topic chapters *could* be an

impediment to successful urban regeneration.

Thus a development plan, despite referring to a wide range of economic and social

considerations, and yet concentrating only on land use issues, was not supposed to

organise land, labour and capital into a phased development programme. Inherent in

government advice was the emphasis that the development plan was a guide or

reference for people who had claims on land to know what is acceptable and what is

not. Thus the development plan became dependent on the mechanisms of the market

in order to regulate development. The development plan was supposed to be flexible

enough to allow this to happen.

However, plans often did not just offer advice and information to the market but also

became led by it. For example, a piece of derelict land might require a new use,

which the *local authority-produced development plan* has designated as industrial, in

order to attract a factory to provide much needed jobs for the area. However a

prospective house builder might approach the local authority, or the UDC in an UDA,

with a residential scheme for the derelict land. If the land had been marketed for a

period of time without attracting any industrial use development, the local authority or

UDC might be minded to grant a residential permission in order to regenerate the

derelict land at least in some way, i.e. by the proposed residential scheme, rather than, perhaps in vain, waiting for an employment generating use to be considered by developers. In this situation the development plan designation could be superseded by a successful planning permission application, despite a desperate need for employment uses in an area. The power of the plan sometimes is not strong enough to resist *any* development, in place of a *certain type* of development. This scenario was particularly likely to arise in UDAs where the UDCs wanted to be seen to be doing something, especially as UDCs were limited life organisations (see Part 1, Adams, 1994).

3.1.2.3. The Variety of Roles of the Development Plan

Healey has produced extensive work on development plans in the British planning system. Her early work looked at the development plan as an administrative tool and recognised that as such they had certain characteristics, "they are to some extent an internal management device....they are also a tool for interorganisational control....they are a mechanism whereby principles by which planning decisions are made may be subject to public review....they purport to be a tool for managing development....finally they reflect the values that planners have traditionally placed in small area frameworks" (p.239, Healey, 1983).

In the context of this thesis it is important to recognise these characteristics of the development plan. It will be particularly important to discover whether the development plan function of interorganisational control existed within the relationship between the local authorities and the UDCs during the preparation of the

evolving case study UDPs. Within the legislative framework, the development plan-making function of the local authority remained as the one important control that elected local government had over the UDCs. The local authorities could use their development plan function to control designated land use within the UDAs and effect the urban regeneration strategies of the UDCs. This will be examined more closely within the key connections section and then the case study chapters.

Also, and alternatively, the input of the UDCs to the UDP preparation process and the extent to which the local authority took on board, willingly or under pressure, this input, will also be identified and examined in the case study chapters. Should this occur it may also provide evidence that the development plan had an alternative function of interorganisational control, control of the UDC *over* the local authority, through the UDP. This particular (reversal) of the flow of control could occur when the local authority is bound, either by central government, UDC pressure, and/or the public inquiry planning inspector, to include UDC policies and proposals in its emerging development plan. Whether this occurred, and to what extent, is examined in the case study chapters.

The idea of development plans undertaking a variety of roles was taken further in her later work. In this instance almost a Marxist standpoint was taken, typified by the statement, "we have shown that despite the system's very considerable malleability, it embodies constraints which systematically privilege certain groups and interests....these reinforce the position of powerful groups" (p.244, Healey et al., 1988). Taking this stance, the development plan and the British planning system was

criticised for its discretionary nature, both in its application and its plan coverage (p.191, ibid.). It was argued that there was control over private development but not public development. It was questioned, "what was the reason for such a selective use of the statutory plan tool?" (p.193, ibid.). The introduction of comprehensive borough-wide development plans, at least for metropolitan areas, could be seen as a reaction to this criticism of discretionary use.

Despite this criticism, three functions of the development plan were identified, "a central function of plans is however to make the public sector's role in the development process accountable. Plans also have two other important functions. One is to provide a framework for land market transactions. The second is to articulate and convey a sense of place, both in its material and cultural meanings." (p.192, ibid.). However, in the context of their viewpoint, the last two functions were not seen as something that development plans particularly concentrated upon, "in neither of these cases are plans necessarily of value" (p.192, Healey et al, 1988). This critical stance taken concerning the development plan can be seen as an tangential extension of earlier work. Whilst it is not necessary to agree with the conclusion that development plans are not necessary of value with concern to the latter two of the functions, it is useful to recognise those functions, and the extension they make to earlier definitions.

Placing developments plans in the real life context of not only land and property markets, but also other policy documents and a requirement for urban regeneration, Bruton and Nicholson (1987) also criticised the role and function of the development

plan. Whilst looking at the variety of consultees and the multi-staged preparation process of the development plan, they asserted that, "this context of fragmentation and complexity clearly militates against co-operation or 'horizontal' policy integration at the local level, as the difficulty in securing a 'unified approach' to inner area problems through partnership has shown. Statutory local plans, with their land use orientation, cannot reasonably be regarded as an appropriate vehicle for this task" (p.234, Bruton and Nicholson, 1987). The introduction of UDCs, with their broad regeneration remit, could be seen as an response to this criticism; however the fact that local authorities maintained their development plan-making powers over UDAs rails against such an assertion.

In later work, Healey sought to identify the different systems of meaning in development plans. She argued that traditionally the role of the development plan was that of a directive statement, which was rejected in recent times; this referring to the traditional development plan as legislated by the 1947 Town Planning Act. However, due to a variety of external and internal influences, planners' and planning authorities' powers have been decreased; and due to this the development plan has began to perform "different roles within different relationships" (p.83, Healey, 1993).

This was the adoption of pluralist thought to the planning debate; within which the development plan was part. This view argued that development plans meant different things to different groups. These different groups could be, for example, developers or local residents, UDCs or local pressure groups, English Heritage or central government and local businesses or the DoE. The occurrence of this situation would

be in direct opposition to the expectations of the DoE advice and guidance; who expected that concise and simplistic plans would contain obvious policies for one and all to understand in the same way. This simplicity was seen as particularly important in inner cities where there are not only often many different groups, but also many cultural minorities.

Healey challenged the DoE guidance (paras. 3.15.-3.18, p.34, Department of the Environment, 1992b, examined earlier) that development plans should not contain alternative strategies. She paid particular credence to the claim that plans were part of a process of argumentation. In reality it was often true that the desires and demands of a community could not be achieved due to the economic shortcomings of an area. She utilised this scenario to suggest that, "the democratic plan should bring this ambiguity to the foreground, rather than suppress it in the presentation of an apparent technically robust consensus" (p.86, Healey, 1993). She argued that if this ambiguity was recognised and revealed from behind the cloak of unidirectional, but possibly unachievable aims, the plan would both be able to detail guidelines, and yet also allow room to develop and even challenge them. However, the extension of flexibility was not seen as desirable by central government. In their advice it was impressed that there should be no such flexibility in any stages after pre-deposit of a development plan (para. 3.18, p.34, Department of the Environment, 1992b).

Healey concluded that a development plan was, "the product of processes of interaction between a range of parties and in turn becomes an object, a point of reference, for continuing interactions" (p.100, ibid.). However, in practice, the plan,

over its life span, would remain to a large extent unchanged. The planners' "job was to 'balance' competing interests" (p.100, ibid.). As such, "the development plan has been refurbished as a device for a strategic resolution of the tension between environmental conservation and economic development (p.47, Healey, 1994a). But by attempting to balance things through the DoE-approved method of producing development plans, planners are not able to produce a unidirectional statement for an area. The inflexibility of the (regulated by central government) development plan, as an adopted document, was not flexible enough for the dynamic situation that could occur in the real world. A situation that can be even more dynamic in UDAs; as UDAs were targeted for urban regeneration, and thus dependent on implementing (market-led to an extent) development projects.

There has been academic acceptance of part of this viewpoint, that development plans, "are products not merely of technical evaluation but rather of conflict and compromise between those interests most directly concerned with land use and environmental change" (p.153, Adams, 1994). Competing claims to attention, be they land-use or economic issues, from the community or developers, could result in documents that contain a variety of discourses or meanings. Certain discourses will dominate plans, indeed it will often be just one, such as the need for strategic economic development, that will be either initially visible or will run throughout the plan. However due to the diversity of interests concerned with and consulted in the process of producing a development plan it is possible that other debates would surface. The potential for ambiguity emerges once again.

Healey concluded that planners should, "acknowledge this diversity and the dilemmas" (p.102, Healey, 1993). This would enable development plans to become, "a record of arguments and conclusions to return to in subsequent debates" (p.103, Healey 1993). This situation, as the earlier part of this chapter relates, is far from what was supposed to be happening in the process of development plan-making as presented by the Department of the Environment in 1992. However it is important to recognise that the emerging development plans studied here could contain a variety of different messages to different people; and that different aims (sometimes competing) could be put forward by individual development plans.

In the real world situation it became evident that different groups did lobby to get their own concerns into the plan through the extended consultation process. Examples of what certain groups have achieved to this end can be found in planning literature (e.g. landowners, communities and county councils in Adams, 1994, p.169-175). This thesis fills a gap in knowledge by examining the extent to which UDCs were successful in affecting the emerging development plans of their component boroughs.

Development plans, as produced following the DoE guidance, were not officially supposed to be of the diverse *'debate'* form that Healey suggested. In order to be approved by the DoE they had to be written in accordance with the strict guidelines that central government had produced (see *Section 3.1.1. Formal Legislative and Procedural Requirements*). In addition to this they had to appease the many different pressure and lobby groups that could make representations on the plan. The end result has been that many of the first phase of UDPs were bland documents. This was due to

the pressure on local authorities to maintain working relationships with opposing

factions such as local residents and developers, environment groups, business and

commerce. The development plan thus became a document that tried to avoid stand-

offs between such different interests. It could be argued that if these issues were dealt

with in the very early stages of plan composition by detailed consultation than this

blandness might be avoided.

However, on the other hand, perhaps if such areas of friction had been brought to the

forefront of the plan-making process there would have been inordinate delays in

adoption of development plans as statutory documents. During the 1990s concern

grew over the length and cost of Public Inquiries into UDPs under this strict system of

plan preparation and composition. If the system was altered so that contentious issues

were deliberately 'slugged out' between competing interests then development plan

adoption could take much longer.

During the 1990s, as realisation spread across the development industry of the

primacy of the plan following the advent of Section 54A, public inquiries did appear

to be taking longer to resolve issues of contention within the plan preparation process.

It was recognised by commentators that, "the most important battles are no longer

being fought over planning applications but over development plans" (p.22, Ward,

1997). As the new legislation and change of emphasis was put into practice

commentators believed that problems would arise as, "the role of the development

plan in policy implementation remains uncertain" (p.163, Tewdwr-Jones, 1994).

Developers began to realise that emerging development plans had to be closely

scrutinised in order to identify, at the earliest possible stage, any policies that could

inhibit future developments and set about ensuring that their voices were heard

throughout the plan adoption process.

This thesis examines whether the UDCs undertook this role in their responses to the

emerging UDPs. As development control authorities, who had to make decisions in

accordance with the development plans produced by the local authorities, and with the

corporate aim of developing their UDAs, the UDCs could have been ideally placed to

act as a *'filter'* and *'pro-development filter'* designations within the UDA in assessing

the content and strategy of the emerging UDPs. The UDCs, as interest groups and

statutory consultees in the evolution of the emerging UDPs, were in a very special

position. *Chapter 7* will analyse this position through the dissection of UDCs'

responses to the successive drafts of the UDPs which are examined in the case study

chapters.

Thus there developed a situation where development plans were documents that were

produced to help local authorities with their planning application decisions. In this

context it must be recognised that development plans were concerned with

maintaining relationships and the status quo at the current time; and academic thought

has evolved to accept that they rarely proffered the opportunity to achieve something

concrete through a long-term strategy. Development plans have evolved to provide

market information, regulation, development information and organising ideas. The

lack of long term strategy can be attributed to a variety of influences including central

government restrictions, the myriad of lobby groups with competing interests and the

evolution of the development plan system.

3.1.2.4. Common Criticisms of the Development Plan

The recent work of Kitchen (1998a) has synthesised previous critical work on the

development plan and presented, "seven commonly cited shortcomings....[which]

encapsulate most of the main criticisms made of the development plan-making system

in Britain" (p.98, Kitchen, 1998a). He grouped the seven into three categories by

using their reform potential and these were as follows:

> "Fundamental problems which can only be tackled at the margins:
> 1) Slow in production, notwithstanding the efforts of the planners working on them to move through each stage as quickly as possible.
> 2) Can date very quickly, although not all elements decay at the same rate.
> 3) Subject to the rapid rate at which Government policy can change (for example through the PPG system), often within the lifetime of the plan preparation process.
> 4) Arguably too biased towards the interests of objectors - local plan inquiries are inquiries into objections, not into plans, with policies or proposals that attract no objections nevertheless having to wait on completion of the whole process, and supporters of contested policies have no automatic rights to be heard at the inquiry.
> [Problems where] some change possible but change will bring other problems in its wake:
> 5) Ambiguous in relation to individual cases, perhaps because in their tendency towards comprehensiveness, they contain rafts of policies which are perfectly sensible in their own right but which conflict with each other in the guidance they provide at site specific levels.
> 6) Better at broad policy then site specific detail. Site specific proposals often leave little room for interpretation and flexibility, whereas broadly worded policies not only imply scope for manoeuvre, but are often deliberately drafted to provide it.
> Probably worthwhile gains to be made:
> 7) Difficult to understand, as they are not usually written in customer friendly ways."
> (p.99, Kitchen, 1998).

One further criticism which could be attributed to development plans, with particular

regard to UDCs, is that they could not provide the special flexibility that an area such

as an UDA required for regenerative strategies to be implemented. This criticism and those above will be examined through the case study material. It is important to acknowledge these criticisms; *Chapter 8* will elucidate to what extent the case study UDPs were guilty of the criticisms detailed here, and whether any of the proposals for overcoming them would be relevant.

3.1.3. Development Plan Section Synopsis

The development plan, as a public document, undertakes a variety of roles. In the wake of Section 54A the designations it provides for land use are particularly important in the context of a market-led development industry. It is this role of the development plan as it affected the strategy of the UDCs that is concentrated upon in this study. However the development plan was also an arena of conflict because the local authorities stressed different roles within the context of their development plan. In some cases the local authorities wanted the UDP to deal with more issues than simply land use. The extent to which this occurred is examined in the course of the case study chapters.

It should be noted that development plan-makers would consult central government guidance before beginning the plan preparation process, and it would be only in more introspective moments that they would have reached for academic debate. Academic debate informs opinion in a more esoteric way. The central government advice examined here presented a strict blueprint for the form and content of the development plan, which was enforced by the DoE observations on the emerging documents and recommendations made by Public Inquiry Inspectors. As such it provides a narrow

view of the development plan. The academic debate offers a more illustrated definition of the development plan in the real world.

The case study chapters will examine to what extent UDCs were successful in getting *their* representations addressed within the development plan. The case study chapters will also explore the influence that agency politics had upon the plan preparation process.

3.2. DEVELOPMENT FRAMEWORKS

To say that the UDCs had no development plan-making powers is correct. They were not responsible for and could not produce statutory development plans. However UDCs did produce strategy documents and policy statements. These often were area based and published as development frameworks. These development frameworks were not statutory.

3.2.1. What was a Development Framework?

The official guidance behind the development frameworks was as follows. The Department of the Environment expected an UDC to "make known its own planning views by issuing policy statements, planning briefs or plans for all or part of its area. It will be expected to give an early indication of its general views to guide would-be developers, local authorities and statutory undertakers about the sort of development it favours. Local authorities will be expected to take these views into consideration in preparing any plan which affects the area" (Department of the Environment, 1982).

UDCs used Development Framework documents for this end, which were published and generally made available. They covered specific areas, such as (in London) the Isle of Dogs, Leamouth or the Royal Docks. Development frameworks normally had three main purposes:

1. To record the UDC's achievements and to outline the tasks which remained. To illustrate the way in which the UDC had comprehensively considered the area and provide an opportunity for those with an interest in the area to comment upon the UDC's strategy.

2. To demonstrate the UDC's aspirations to those who may have wished to move to and invest in the area. To provide reassurance that development of the highest quality would be supported. To illustrate that the area would have the highest urban and environmental quality, with a range of local services and leisure opportunities to serve and support the existing and future residential and business communities.

3. To provide a comprehensive and coherent input into the statutory UDP process (adapted from LDDC Development Frameworks, 1988-1993).

Development Framework documents were normally divided into three parts. Part one illustrated the opportunities which remained in the area and set out the strategic objectives which would guide development to secure the area's lasting regeneration. Part two described the changing character of the area and presented a summary of the UDC's achievements in the area. Part three demonstrated the way in which the strategic objectives for the area would be met. This involved an intensive site by site analysis of remaining development opportunities.

3.2.2. What were the criticisms of Development Frameworks?

There is very little literature that concerns itself with the position of development frameworks in the relationship between a local authority and an UDC and their place in the either the development process or the development plan preparation process, however some commentators have made reference to them, usually critically (primarily concerning the LDDC during the 1980s):

"A further critical factor in the compatibility between UDC strategies and local authority plans is the state of the local property market. UDCs are not statutory plan-making authorities, yet are supposed to operate within that framework. Nevertheless, their market-led approach soon led to the formulation of their own plans and strategy brochures [i.e. development frameworks] aimed at attracting private development. These documents often found themselves in conflict with local authority development plans which are required to take into account a wider range of factors, and indeed, a wider geographical area" (p.24, Colenutt and Tansley, for CLES, 1990).

With concern to the operation of the LDDC in particular, it was inferred that development frameworks were utilised by UDCs to bypass the statutory development plan system altogether:

"Yet the LDDC pays little more than lip service to the statutory planning process and is prepared to submit evidence to local plan inquiries calling into question the democratic plan-making process as an appropriate framework to guide regeneration.

Further, although UDCs do not have plan-making powers, the LDDC has prepared a number of 'development frameworks' which, although principally aimed at bolstering private sector confidence, effectively usurp the plan-making roles of the boroughs. By using its powers and enormous financial resources, the LDDC is able to pre-empt strategic and local plans to suit its own approach to regeneration" (p.65, Barnes, in Montgomery and Thornley (eds.), 1990).

This rather tainted view of development frameworks adopts a very negative opinion concerning how the LDDC operated. By questioning the LDDC's querying of aspects of local authority-produced development plans as the best vehicle to guide regeneration, the author exhibits his manifest dislike of the UDC as a regenerative organisation. A more objective criticism would be to hypothesise that development frameworks *usurped* the role of development plans. The UDCs' comprehensive responses to the development plans in the case study chapters represent, at least to an extent, that the UDCs recognised the importance of the statutory development plan preparation process. It should be noted that this commentary was written in 1990; i.e. before the UDP preparation processes began for the case studies of this thesis, and before relations between UDCs and local authorities *warmed*. Thus it is useful to acknowledge this opinion, although more useful to understand that it is debatable.

3.2.3. What were the motives behind using Development Frameworks?

Development frameworks had an inherent flexibility as they were non-statutory documents that could be up-dated and changed whenever the UDC saw fit. As such, development frameworks were extremely adept at changing to complement the needs

of the market; especially when in comparison to the cumbersome development plan process. It was this adaptability that was particularly attractive to UDCs.

Despite their non-statutory nature, development frameworks *did* have some authority attached to them as they were approved by the UDC boards and planning committees, and as such carried some degree of corporate power, albeit non-statutory. They were often produced professionally in an attractive (but sometimes perhaps too glossy) way, almost like sales brochures; for which purpose they were often used.

It was up to the discretion of the individual UDC as to whether they consulted with the relevant local planning authorities as to the form and content of the development frameworks. It was certainly up to the discretion of the UDC as to whether they *included* any input from the local authority. Control of what composed the development framework was very much in the hands of the UDC. This, of course, did not always please the local authority, but there was little that they could do about this.

Thus the development frameworks were not seen by local authorities as a publicly accountable piece of policy guidance and because of this the frameworks were sometimes vilified. However it can be hypothesised that development frameworks were utilised by the UDCs as a small scale and local method of development plan-making, without the statutory powers to do so.

3.3. URBAN REGENERATION

This section examines different definitions of the term urban regeneration. Through this examination a conceptual standpoint as to what this thesis recognises as the meaning of the term urban regeneration is reached. Another important part of this section is the exposition of what UDCs understood by the term *'urban regeneration'* throughout their existence. Their understanding changed throughout their life spans as various urban regenerative projects were implemented and completed and commentary was made concerning the extent to which they were beneficial. This more rounded understanding is examined throughout this chapter.

3.3.1. Background to the phrase 'Urban Regeneration'

The term 'urban regeneration' has been used widely over the last twenty years. It is a phrase that is easy to say, and adds a spice to any policy document, initiative or development that is proposed. If something helps urban regeneration then it must *be a good thing*. If one had not come across the term and went to seek a dictionary definition, one would find that urban regeneration means "the revival, renaissance or reconstitution on a higher level, pertaining to, situated or occurring in a city or town" (Oxford English Dictionary, 1997). Within this definition it is instantly recognisable that a wide spectrum of interests and activities could fall into the ambit of *urban regeneration*. So, in the first instance, urban regeneration is an activity which seeks to revitalise or renew area of cities and towns which stand out due to some deficiency.

It is widely recognised that the term first came into usage in the 1970s in the USA, and came to Britain a couple of years later. " 'Urban regeneration' was a phrase first coined in the late 1970s, apparently borrowed from urban development projects in North America" (p.13, Colenutt and Tansley, for CLES, 1990). They go on to explain that, "these projects has as their underlying aim the attraction of private sector developers into run down urban core areas, using public money and city government promotion and co-ordination as 'levers'. In UK parlance, it [urban regeneration] has come to mean any sort of urban redevelopment of derelict areas or buildings, undertaken primarily by the private property developers. Thus, public sector housing renewal is rarely termed 'regeneration', but private development, for example, conversion of old warehouses to flats or offices, is" (p.13, Colenutt and Tansley, for CLES, 1990). Public housing renewal can be argued to be urban regeneration, for example 'estate regeneration', so Colenutt and Tansley are perhaps being too strict in their definition. Other commentators have attempted more accurate definitions.

Parkinson et al. (1988) believed that, "urban regeneration as an idea encapsulates both the perception of city decline (in local economy, in the use of land and buildings, in the quality of the environment and social life) and the hope of renewal, reversing trends in order to find a new basis for economic growth and social well being" (p.3, in Healey et al (eds.), 1992). This definition encompassed the idea of integration in urban regeneration, by mentioning not only the physical aspects of land and buildings, but also new growth for the economy and a better society.

Healey et al based their contextual definition on that of Parkinson et al., adding that, "rebuilding the city, clearing away obsolete buildings and vacant sites, and producing new building forms and designs symbolised the renewal in action" (p.3, Healey et al (eds.), 1992). They then went on to explore how this sits in a world strongly influenced by user demand and land and property markets driven by the dynamics of investment value. They asserted that, "the project of urban regeneration was to reconstruct the economic, socio-cultural, political-institutional and physical-environmental fabric of cities blighted by the collapse of Fordist manufacturing industrial complexes. This was to be done in a way which reflected and helped to implant in cities the principles of a market-led approach to urban management" (p.288, Healey et al (eds.), 1992). Their definitions are based on the property-led strategies of the 1980s, which are more fully discussed later in this section.

Other commentators have defined urban regeneration as a government dependent activity, calling it, "the process of reversing economic, social and physical decay in our towns and cities where it has reached the stage when market forces alone will not suffice" (p.18, Walshe, 1994). The three areas of activity (physical, economic and social) are the key to implementing a fully rounded urban regenerative project or initiative. Without all three, the project can be defined as deficient and not constitute complete urban regeneration.

Thus urban regeneration can be seen as a process, it is indeed an idea; however, most importantly it should be added, it is a *goal* at which a variety of projects and activities are aimed. Projects and activities should be described as urban regenerative, as they

do not supply urban regeneration in themselves, but help to reach the goal of urban regeneration. The idea of urban regeneration as a goal should not be seen as polemic, as commentators have alluded to it; e.g., "in the late 1980s regeneration became the Conservative's government's goal" (p.422, Parkinson 1989a). The use of such a definition stresses the importance of the inter-relationships between addressing the *physical*, the *social* and the *economic* decay in an area in order that the goal of urban regeneration be reached. It should be briefly noted here (as it is dealt with in the *Section 3.4. Key Connections*) that the *topic-based* approach to development planning (see *Section 3.1. Development Plans*) contrasts with the *integrated approach* necessary for successful urban regeneration.

3.3.2. Central Government Definition for UDCs

The DoE, in the legislation that dealt with the introduction of UDCs, outlined a particular direction for their route to urban regeneration, "the object [regeneration] is to be achieved in particular by the following means; namely by bringing land and buildings into effective use, encouraging the development of existing and new industry and commerce, creating an attractive environment and ensuring that housing and social facilities are available to encourage people to live and work in the area" (p.120, Section 136, Local Government, Planning and Land Act 1980, Department of the Environment, 1980). This section of the Act specifically defined the role of an UDC. It was the legislative *frame* for the UDCs' actions.

This *frame* contrasts with the holistic definition that was arrived at through the last sub-section, with successful urban regeneration needing to address decay in all three

of the economic, physical and social spheres. The first task of UDCs, as legislated by

central government, was *bringing land and buildings into effective use* and the second

task was the *development of industry and commerce*. Social regeneration is not fully

included in the DoE remit for the UDCs, and became an area that, in the early years of

the UDCs, was neglected to an extent. "The first wave of UDC policies concentrated

virtually exclusively upon physical regeneration, with little attention paid to social

provision or to the development of human capital" (p.437, Parkinson, 1989a). This

neglect was addressed to an extent in the later years of the UDCs but had caused some

irreparable tarnish to the relationships both with local authorities and with the local

communities.

3.3.3. Academic Commentary on Urban Regeneration 'UDC Style'

In the case of UDCs, urban regeneration concentrated on the older parts of the city,

which were characterised by derelict sites, particularly with old industrial uses. These

sites often had awkward levels, large empty buildings and ground contamination

which had been left over from previous uses. Urban regeneration projects of the

1980s, and especially the work of the UDCs, were largely property-led (Healey et al

(eds.), 1992). It was believed that this dependence on physical regeneration would

lead to a trickle down of benefits to all levels of an area and its community.

The underlying theory behind the emphasis on property-led urban regeneration was

that economic decline in such locations was due to unavailability of land for modern

uses. The large derelict sites mentioned earlier could be used for offices, retail uses

and housing, if only they were of an acceptable standard for developers to commence

construction and redevelopment work upon. With the sites cleared and put in the

hands of the private sector it was believed that the market would distribute the land as

efficiently as possible, the public sector helping through aggregating of sites,

reclamation and provision of transport infrastructures.

This property-led, physical approach to urban regeneration was much vilified. A

variety of literature from such commentators as Ambrose (1986), Parkinson et al

(1988), Lawless (1989), Brownhill (1990), Montgomery and Thornley (eds.) (1990),

Thornley (1991), Turok (1992), and Healey et al (eds.) (1992) criticised this approach

and reiterated the importance of including social and economic regenerative parts to

projects concerned with the regeneration of urban areas, for example:

"The corporation [UDC] provides further encouragement by choosing to define

'regeneration' in a particularly narrow and short-term financial sense seeing it almost

wholly as a matter of bringing land into profitable use - profitable to developers and in

some instances to occupiers. In this sense regeneration for the LDDC [an-UDC]

simply means development - any development. The policy is avowedly market-led,

allowing no room for any preconceived ideas of what might be an effective or

efficient configuration of land uses. It is a policy which defines regeneration in a

purely financial and physical sense rather than considering wider social and economic

objectives" (p.64, Barnes, in Montgomery and Thornley (eds.), 1990).

Other commentators also recognised this and were concerned that urban regeneration

UDC style did not benefit local people:

"Much of the local authority concern, both in London and elsewhere, centres on the vaguely worded 'regeneration' remit of UDCs. This remit does not specifically require UDCs to benefit local people. Nor does the remit require that they take into account the impact of their schemes outside the confines of the UDA" (p.18, Colenutt and Tansley, for CLES, 1990).

Concern was also raised that this property-led urban regeneration was highly dependant on the public sector for subsidy, and as such undermined local interests (p.18, Imrie and Thomas (eds.), 1993). It was stated that the large urban regenerative projects that typified the 1980s produced little trickle down to local residents, if any. It was increasingly apparent (during the late 1980s and early 1990s) that some projects were only successful because companies had moved there from other parts of the city.

However urban regeneration *UDC style* continued apace. Development occurred across the UDAs and the derelict sites continued to attract investment, albeit subsidised by the UDCs. The pace of change was noticeable in the form of new and converted buildings, many of which won design awards (if not the total acceptance of the indigenous community). The UDCs themselves pointed to this redevelopment as successful urban regeneration, and also attempted to include more community and social schemes into their strategies, to address the concerns that had been raised by commentary in the late 1980s and early 1990s. "The experience of the 1980s has been

that urban regeneration is not impossible, but it is uneven and partial" (p.vi, Parkinson, 1989a).

Thus there was a recognisable shift in emphasis by UDCs (and other urban regenerative initiatives) since recognition of the limitations of property-led urban regeneration became established as the 1990s began. In the 1990s, strategies with more concern centred on training and putting the unemployed into a viable position to get a job were implemented. In terms of physical location there was a return to the policies of the 1970s, where the city was constrained within certain boundaries. This helped to force development and redevelopment to be inward looking when concerned with the city; and thus towards those areas in decline which were ripe for redevelopment. There evolved the belief that a compact city was more environmentally sound, for instance by reducing the amount of travel that inhabitants have to make.

Despite this change in focus, UDCs continued to be criticised for their approach as they were a soft target, being unelected and accountable only to central government. They were finally wound up in April 1998. Whether the urban regenerative projects that the UDCs implemented were successful, it is perhaps to early to tell. Many of the UDA sites have, as yet, unimplemented planning permissions on them and it is only as developments bed down that they can be assessed objectively.

3.3.4. 'UDCs were not ALL Wrong' - Towards Better Urban Regeneration

As the end of the millennia draws close, there still has not been a tried and tested model for urban regeneration that has been successful in all the areas of physical, economic and social urban regeneration. As late as 1995 recognition was being made that urban regeneration still caused problems: of definition in practice; through fragmentation of policy; of lack of a long term view; of over reliance on property-led strategy; and bureaucracy (p.262, Oatley, 1995b).

A definitive model is probably an impossible dream, as every area suffers from different degrees of different problems, however there are many successful urban regenerative projects that can be utilised. It is an objective of an urban regenerative initiative to recognise these and replicate them. It *cannot* be argued that UDCs did not provide at least some examples worth replication. This thesis, by concentrating on the relationship between UDCs and local authorities in relation to the development plan, will identify those methods of working that were most successful and could be replicated in the future.

New processes which provide the opportunity to regenerate are also useful. The UDP as a new style statutory development plan for an area should ideally help to facilitate such projects. This thesis will explore the extent to which this occurred within the remit of the UDCs and throughout the plan preparation process.

To conclude, it can be argued that the goal of urban regeneration is achieved when the aspect of the city upon which the initiatives and projects have been enacted is no longer seen as requiring special attention because it has become of the same standard, or better than the rest of the urban whole. Only when the local economy can prosper, the social community is untainted due to its place and the environment is physically acceptable has the goal of urban regeneration been fully achieved. These are subjective statements to an extent, but act as aims for any initiative seeking the goal of urban regeneration.

3.4. KEY CONNECTIONS

So far this chapter has been concerned with legislative and academic considerations of the development plan and urban regeneration. In order to evaluate the relationship between the UDC and the local authorities with regard to the emerging development plan, questions must be raised about how the relationship might be articulated. This section initially identifies the connections between urban regeneration and the statutory development plan, and then examines the relationship between an UDC and the development plan. This section and the next are concerned with creating a methodology for the evaluation of the relationship between the UDC and the local authority with regard to the development plan.

3.4.1. Urban Regeneration within the Regulations of the Plan

It has already been argued that urban regeneration is a goal made up of three aspects, these being the improvement of not only the physical environment, but also the economic situation and the social well being of an urban area and its community. As stated in the introduction, this thesis's main aim is to examine whether the statutory development plan promoted or impeded the urban regenerative work of the UDCs. The relationship between the development plan and urban regenerative projects can best be represented by a diagram (overleaf):

```
        INPUTS        >>>>          PROCESS    >>>>        OUTPUTS


                            Economic / Social / Physical



        Grants                                            Urban

        Initiatives   >>>   Urban regenerative projects >>>   Regeneration

            Regulations                                       Goal
```
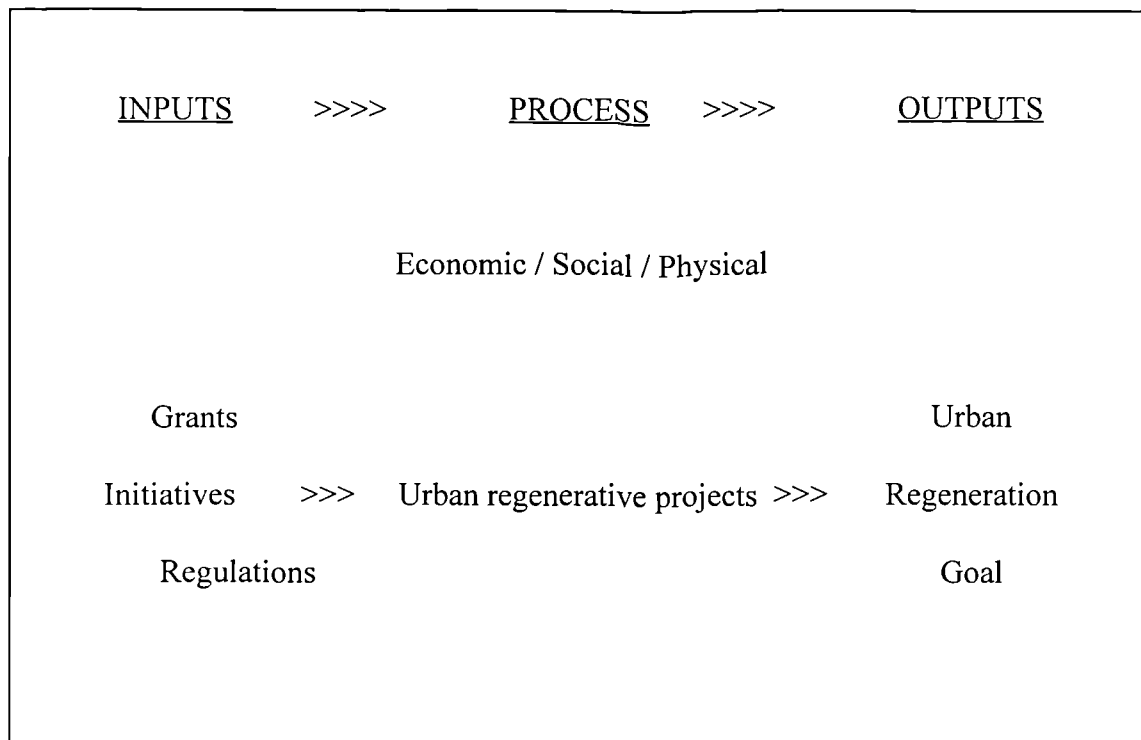
FIGURE 3.4.1. RELATIONSHIP BETWEEN URBAN REGENERATION AND THE PLAN

The development plan falls into the *Regulations* category in this diagram. The UDCs were *Initiatives*, which in turn were funded by *Grants* and were regulated by *Regulations*. Thus the input into urban regenerative projects can be divided up, but in reality overlapped in relation to urban regenerative projects and in particular UDCs. A key aspect that this thesis examines is how the development plan could affect the urban regenerative work of UDCs and vice versa.

As the section on statutory development plans stated, it is mainly in guidance principles about physical and land use that a plan could affect the goal of urban regeneration. However, through this, economic and social aspects were affected. The government guidance stated that an important part of the scope and extent of a statutory development plan was that *policies for non land use matters should not be included.* This was obviously an area of concern when one considers the holistic

definition of urban regeneration arrived at through the previous section. However there was the caveat that reference to economic, social and other relevant considerations in the explanatory memorandum or reasoned justification of the development plan would be necessary. It was thus recognised, even if only to a small extent, that the physical and land-use aspect of the statutory development plans could not be fully divorced from economic and social (and other) considerations. As discussed at the end of the development plan section, much of the critical literature on development plans concerned itself with this issue. It was thought (by Healey (1983); Bruton and Nicholson (1987); Healey et al (1988); Adams (1994); and Tewdwr-Jones (1996)) that statutory development plan must have more scope when dealing with economic and social issues. They suggested that the government guidance should have given more weight to the further exploration of the linkages between these three considerations.

3.4.2. How a Development Plan Could Affect Urban Regeneration

The statutory development plan, as an official document, could affect the goal of urban regeneration in any of three ways: promotion, restriction, or neutrality.

Firstly it could promote urban regeneration. This could be occur through a variety of ways. There could be direct policies in the development plan which encouraged development in areas of decline. The development plan could be described as promotional in that respect. The attitude of such plans would be open; so that private sector developers were attracted to certain areas in the knowledge that the authority

would be sympathetic and willing to listen to proposals for urban regenerative

projects.

The development plan could also promote urban regeneration through restrictive

policies concerning land at the cities edge, areas of green field or green belt land.

Policies which restricted development outside of the defined city area would force

development towards any declining or derelict areas of the city - areas in need of

urban regenerative attention. A robust development plan that addressed both these

areas of concern can be described as particularly promotional towards urban

regeneration.

Secondly the development plan could be a hindrance to urban regeneration. Included

in such plans would be policies that were restrictive concerning such matters as plot

ratio, design control, access, parking and environmental issues across the *whole*

borough. Any areas of decline (or the component UDA) would have the same or

similar restrictions on development as all other areas covered by the development

plan. Areas requiring urban regenerative attention would not be recognised as

needing specific and special consideration.

A development plan could also promote development throughout the whole borough it

covered, in an effort to just try and attract *some* form of internal investment. Any part

of the borough would be promoted for development and any areas requiring specific

urban regenerative attention would not be promoted ahead of areas that perhaps did

not require such attention to such a great degree. Plans of this ilk are often bland

policy statements; as they promote an *'anything goes'* strategy across the borough with no prioritisation of areas or sites. Areas with larger profit margins would obviously be *cherry-picked* by prospective developers, further emphasising any imbalance between areas within the borough.

A development plan could also hinder urban regeneration through policies promoting other sites instead of those inner city areas in decline. If portions of land were taken out of the green belt, or otherwise freed from restriction, or if land outside the established city was given a pro-development designation, then such sites could be far more attractive than brown field inner-city sites. Whilst such a development plan would not be classed as restrictive in overall tone, it could still hinder urban regeneration by promoting development in other areas.

Thirdly the statutory development plan could neither promote or impede urban regeneration, and could be referred to as neutral. The development plan in this instance is neither promotional nor restrictive. The actors and agencies involved·in urban regenerative projects see it neither as a tool nor as a hurdle.

3.4.3. Urban Regeneration in Development Plans

In the section on development plans, the format of the plan was discussed. The government guidance recognised nine key topics, and suggested that they be used for the chapters in a UDP. There was no specific mention of a chapter that should concern itself with urban regeneration. It is probably logical to surmise that urban regeneration would fall across a few of the chapters headings (such as housing, urban

economy, tourism, leisure and recreation). Using the holistic definition of urban

regeneration, the topic-based approach for the production of statutory development

plans would not be the most practicable way to plan for an specific area with a variety

of chronic problems. The case study chapters will examine which ways the seven

local authorities used when approaching the format and content of their evolving

UDPs.

The statutory development plan had to contain directive advice on where development

should occur. This was supposed to be graphically portrayed on a *proposals map*

which would be cross referenced by policies. There would also be a series of policies

that concerned themselves with the regulation of different aspects of development. It

is the assumption of this thesis that it was through these channels in particular that the

development plan affected urban regenerative projects. By examination of the seven

UDPs of the case study local authorities, it will be possible to determine whether the

evolving plans were restrictive or permissive in tone and content. However first it is

necessary to discuss the relationship between an UDC and an UDP with particular

regard to Section 54A.

3.4.4. Section 54A and UDCs

The approach that development control authorities (as UDCs were) had to take in the

consideration of planning applications was amended by sections 70(2) and 54A of the

Town and Country Planning Act 1990 (T+CP Act 1990). Section 54A was inserted

into the T+CP Act 1990 by section 26 of the Planning and Compensation Act 1991

(P+C Act 1991). Section 70(2) required the decision maker to have regard to the

development plan, so far as it was material to the application, and to any other material considerations. Where the development plan was material to the development proposal, and must therefore be taken into account, section 54A required that the application (or appeal) to be determined in accordance with the plan, unless material considerations indicated otherwise. In effect, this introduced a presumption in favour of development proposals which were in accordance with the development plan.

This legislation resulted in planning decisions becoming plan-led. This created a situation in the UDA where the UDC had to have regard to the plans of the local authorities and have a presumption in favour of development proposals that were in accordance with these plans. Furthermore, development which was clearly in conflict with the development plan needed to have convincing reasons to demonstrate why the plan should not prevail.

The work of the UDCs potentially became greatly affected by the development plans of the local authorities. Following the introduction of the new legislation, local authorities could then use their development plans to restrict and influence the future work of the UDCs. Commentators identified the possible problems that might arise concerning the appropriate weighting of development plan policies and policy guidance as an area that the legislation did not fully clarify (Tewdwr-Jones, 1994). However initial fears concerning the operation of the revised system were not realised and it is generally recognised that the actors involved in the development plan process have not found the new system impossible to work within.

3.4.5. UDCs and Development Plans

It was widely recognised, particularly in the case of the LDDC, that UDCs, due to their vast array of powers, including land vesting and ownership capabilities, often paid little heed to the local authority produced development plan. It had been asserted that the LDDC paid little more than lip service to the statutory planning process, and that the UDC ability to produce development frameworks usurped the plan-making roles of local authorities (see above and p.65, Barnes, in Montgomery and Thornley (eds.), 1990).

This state of affairs was further confused by the introduction of a single tier for plans in metropolitan authorities. The local authorities became embroiled in a process of replacing their old plans with Unitary Development Plans (UDPs). The UDP process has already been discussed in *Section 3.1. Development Plans*. This affected the case study areas in different ways as will be illustrated in the Analysis (*Chapter 7*).

There were critical times in the evolution of an UDP that an UDC was consulted directly (see *Section 3.1.1. Formal Legislative and Procedural Requirements*), these were the formal times when the UDC could comment on an UDP. At these times an official response was made. However, as the case study chapters will relate, on-going discussion and negotiation with the individual local authorities also occurred. This was often patchy, ad hoc and did not occur at regular intervals.

Until an UDP was formally adopted, the existing plans for the metropolitan boroughs continued to form the statutory development plan. However, due to the very dynamic nature of the changes occurring in the UDAs, both before and particularly after UDC designation, these *old-style local plans* were often out of date and irrelevant to the UDA and the problems and remedies that it was experiencing. The development plans that existed before the commencement of the preparation of the UDPs were examined as part of this study as an introduction to plan-making in the relevant local authority areas. These local plans did not cover the whole of the local authority area and in some cases had been written decades ago, and yet remained as components of the statutory plan for the areas they covered. This obsolescence meant that they had little relevance to the development issues that occurred over the UDCs' lifespans. This obsolescence was reflected in the day-to-day operation of development control in both the local authorities and the UDCs, as it was usually the (then) current draft of the emerging UDP which was used as the material consideration in determining planning applications; with more weight being accorded to it as it progressed towards adoption.

PPG12 detailed that, "where the local planning authority's area includes that of an UDC, the policies and proposals of the plan should cover the UDC area. They should be formulated in consultation with the UDC and take due account of UDC proposals" (para. 5.4., PPG12, Department of the Environment, 1992a). This has a legal basis in the Town and Country Planning Regulations 1991. The Department of the Environment, however, had powers, if it saw fit, to direct that a plan should not be prepared for (or not operate in) an UDA. The circumstances when or where this

might occur were not illustrated by the DoE. However it is immediately obvious that the UDC could have persuaded the DoE to invoke this clause in order to *'trump'* the local authority in situations of conflict. The possibility of this occurring was discussed with the respondents consulted as part of the fieldwork for this study and is discussed in the final chapters of this thesis.

3.4.6. Key Connections Synopsis

Thus a situation existed where the goal of urban regeneration was attempted to be reached through integrated projects that dealt with physical, economic and social improvement, within a development plan framework that was meant to be solely concerned with the use of land, and composed in a topic-based manner. The development plan was to be topic based and land use orientated, and yet urban regeneration was best implemented in a holistic way. Although in practice urban regeneration was often property-led. It is this paradox that sits behind the questions and debates with which this thesis is concerned.

The debates in the literature referred to in this chapter, in the particular context of the UDP preparation processes and UDC inputs examined within this thesis, precipitate a series of issues that will be addressed as part of this thesis. A series of questions become evident throughout these discussions. The questions raised are drawn together in the next section.

3.5. KEY ISSUES AND QUESTIONS

This chapter has raised a series of questions concerning the relationship between UDCs and local authorities in relation to the development plan and the goal of urban regeneration. These can be assembled under a series of headings that relate to the particular issues they explore: introductory and general issues; issues concerning the formal procedures documented and the informal power exerted by the organisations; issues concerning the nature of influence; issues concerning statutory procedure; and issues concerning institutional timescales. It is these questions that were used as a frame of reference in both the desk-top work and the officer interviews that were undertaken as the field work for this thesis.

3.5.1. Introductory and General Issues

This series of questions deal with the general issues that were raised from the discussion of the relationship between the UDC and the local authority and its emerging development plan, particularly stemming from the debates in first two sections of *3.4. Key Connections*, namely: *Section 3.4.1. Urban Regeneration within the Development Plan*, and *Section 3.4.2. How a Development Plan could affect Urban Regeneration.*

To what extent was there conflict between the regulative role of the emerging development plans and the aims of the pro-development UDCs?

To what extent did the UDCs treat their response to the emerging UDPs as if they were potential site developers?

To what extent did the existing and continuing relationships between the individual local authorities and the UDCs affect the negotiations on the UDPs?

To what extent did the attitude of the local authorities to the adoption of their respective UDPs affect the preparation process?

To what extent were the emerging UDPs either promotional, restrictive or neutral in tone and content?

3.5.2. Formal Procedure vs. Informal Power Issues

This chapter has discussed both urban regeneration and the development plan with regard to both legislative definitions and academic commentary. This series of questions is concerned with issues arising from the formal procedures that have been identified and the informal power that is exerted by the two organisations. As such it concentrates on the situation illustrated in *Section 3.1.1. Formal Legislative and Procedural Requirements* with regard to the real life scenario that input from the UDC into the UDP process occurred within.

To what extent did the perceived balance of power between the local authorities and the UDCs affect the UDP preparation process?

To what extent did the local authorities take on board the UDCs' representations with regard to development plan strategies for the UDAs in the emerging UDPs?

To what extent did the UDP preparation processes present the local authorities with an opportunity to direct urban regeneration in the UDAs?

To what extent did the local authorities feel bound to take on board the UDCs' representations made on the emerging UDPs?

3.5.3. Issues Concerning the Nature of Influence

How the development plan could be interpreted in different ways was discussed in *Section 3.1.2.3. Variety of Roles of the Development Plan.* This series of questions develops this train of thought and seeks to establish the extent to which the UDC and the local authority influenced each other in the context of the development plan preparation process. These questions also examine the issues covered in *Section 3.4.2. Development Plan Affecting Urban Regeneration.*

To what extent did the local authorities work with the UDCs to develop mutually agreed strategies for the UDAs with regard to the UDPs?

To what extent did the UDP preparation processes lead to the UDCs' and local authorities' strategies coalescing?

To what extent did the UDP preparation processes stifle or promote urban regeneration UDC style in the UDAs?

3.5.4. Statutory Procedure Issues

The statutory procedures of both the development plan and the urban regenerative work of the UDCs were dealt with throughout this chapter (*Section 3.1. Development Plans* and *Section 3.3. Urban Regeneration*). This series of questions queries the legislative framework for UDCs within the plan-making process and hypothesises whether different statutory procedures could have provided a more efficient process. As such it develops the ideas discussed in *Section 3.4.3. Urban Regeneration in Development Plans*.

To what extent were the UDP preparation processes successful in combining planning objectives (i.e. development plans) and development objectives (i.e. urban regenerative projects)?

Should the UDCs have had development plan-making powers?

Should the UDPs have been suspended across the UDAs?

3.5.5. Institutional Timescale Issues

One of the major criticisms of development plans was the time that their preparation processes were taking (see *Section 3.1.2.4. Criticisms of Development Plans*). This series of questions begins by examining the more basic timescale realities of the

development plan as covering an UDA and goes onto to examine how the limited

lifespan of the UDCs affected their input into the development plan preparation

process.

To what extent had battles been won or lost before the UDPs were statutarily adopted?

To what extent did the dedesignation discussions affect the UDP preparation

processes?

To what extent did timescales of the UDP preparation processes affect the

representations made by the UDCs?

3.6. SYNOPSIS

The questions above identify the key issues with which this thesis is concerned, as refined from the debates that have been examined throughout this chapter. They acted as a frame of reference for the fieldwork that is presented in *Chapters Five and Six*. The questions will be addressed after the case studies in *Chapter Eight*. However these questions do *not* form a robust conceptual framework for the initial interpretation of the material uncovered through the fieldwork process. In order to approach the actual case study material a conceptual framework for the intricate areas of analysis that the case study chapters explore had to be formulated. This conceptual framework logically follows this chapter. It is through the construction and application of the conceptual framework for the study of each of the UDP preparation processes (which are then compared in *Chapter Seven*) that the questions identified here are answered in *Chapter Eight*.

4.0. CONCEPTUAL FRAMEWORK FOR THE CASE STUDIES

As has been stated in *Chapter 1*, a central aim of this thesis is to examine whether development plans would help to promote or impede the urban regenerative actions of UDCs. *Chapter 3* explored the concepts of both the development plan and urban regeneration and stated what this piece of work recognises as the meanings of these two terms. The last sections of the chapter then identified the key connections between urban regeneration and development plans and also listed a series of questions that the UDC and the development plan relationship raised. However these questions dealt with the issues that arose at a comparative level and are best addressed when all seven of the case studies have been examined. It is now necessary to formulate a policy analysis framework for the individual examination of the case studies.

It is the aim of this chapter to deal with the intricate areas of analysis that the individual case study chapters will explore. It is thus necessary to concentrate on theoretical ideas for a little longer. The end product of this chapter is to outline the conceptual framework that will form the process of analysis in the individual case study chapters. This work is conceptually located within the literatures on planning and policy analysis.

The first section of this chapter deals with policy process literature. It is this area where the UDC has input to the development plan and as such an examination of the

literature concerning this area will provide a basis for the construction of the

conceptual framework The second section of this chapter deals with the relationship

between the UDC and the development plan-making body. This is the key component

area that reflects to what extent good working practices were evident in the UDC /

local authority relationship.

Both sections review the literature available on each topic and then conclude with

identifying the theories that will be utilised in the course of this thesis. The third

section presents the conceptual framework that will be used in the case study chapters

that follow. This conceptual framework is the result of the examination of both the

policy process literature and, after that, the literature concerned with organisational

relationships.

4.1. THEORY CONCERNING POLICY PROCESS

Development plans and urban regenerative aims are usually dependent on (written, and occasionally oral) policies in order to give them a substantive existence (e.g. PPGs and Ministerial Statements). These policies manifest themselves in the actual document of the development plan, or as statements of intent / development frameworks produced by UDCs. It is these documents that this piece of research is interested in. Documents such as the development plan produce effects in the real world, through promoting or impeding certain types of development for instance and as such their content is of extreme importance. It is thus necessary in the first instance to examine the literature concerned with policy theory.

A review of the literature will further this study in a variety of ways:

a) it will present the theoretical arguments from the work of the foremost writers in the field;

b) it will identify and illustrate the policy theory which is the perspective for this piece of research;

c) it will detail the policy models that will be used as a paradigm for the examination of the case studies;

The form and layout of this section follows these three points.

4.1.1. Policy Process Context

As *Chapter 3* related, the development plan is not a document that has existed forever

and is carved in stone. It is derived from an ongoing process of preparation, and is

made up of policies either new, altered or already existing. UDCs can be consulted

during this process and can object to or support any of the constituent parts of the

development plan. This process of reaction to proposed policies (and possibly the

suggestion of new policies) is an important factor in the effect of the development

plan upon the aims and objectives of UDCs. It is necessary for UDCs to negotiate

with the development plan-making body in order to ensure that development plan

policies and strategies will not conflict with their own aims. Thus this study attempts

to provide a detailed examination of the inter-organisational dimension between the

plan-making body and UDCs in relation to the development plan-making process.

However, at present, this chapter is concerned with the theoretical views of the

process of policy adoption and the process of how policies are negotiated prior to

inclusion in the development plan. The field of policy study is, "inherently complex

with multiple and conflicting objectives", (p.260, Bracken, 1981). However through

the examination of policy theory and the application of policy models this study

attempts to dissect the process. The case study chapters that follow analyse specific

areas of policy disagreement and alteration between the development plan-making

body and the UDCs in order to illustrate the different factors that combine to produce

policy and thus the development plan.

It is often recognised that there exists, "a remoteness of theory from the real world of policy" (p.26, Minogue, in Hill (ed.), 1993). The examination of policy theory here (and its application in the case studies) attempts to concentrate more on the practical issues then on the construction and refinement of a grand theory. This is not dismissing the theoretical works that have been assimilated in the preparation of this thesis, as the conceptual framework for analysis derives itself from the plethora of sources studied. It does mean that the emphasis of the whole of this study is on the *real world* experience, albeit in an empirical manner.

In the first instance, it is important at this juncture to make obvious, "the separation of *policy content*, the substance of policy, from *policy process*, the given set of methods, strategies and techniques by which a policy is made. To make such a distinction is not to deny that content and process can be, and often are, interdependent. In fact...some would go so far as proclaiming that content may determine process" (p.35, Jenkins, in Hill (ed.), 1993 (his italics)). It is not the purpose of this study to examine this particular theoretical standpoint. However it is essential to note the conceptual issue of the separation of policy content from policy process. This study researches the policy process of the preparation of the development plan in the first instance, and will later examine differences in policy content as the process progresses in the case study chapters.

The process of the preparation of the development plan could be seen as a component of a *regulatory function*, as it is concerned with the actual adoption process and the legislative side of the development plan. The development plan is part of the system

which *regulates* development (see *Chapter 3*). In the case study chapters the first section will examine the method, incidence and intensity of interaction between the UDCs and the development plan-making body with regard to the plan preparation process.

The matter of policy content can be viewed as a *subsidiary* regulation of development function. It concerns different real life scenarios, for example the importance placed on, or uses given to, individual sites. The second part of the case study chapters will examine the actual policies which the UDCs commented on and why their content was questioned. This section in the case study chapters examines the differences (and agreements) in opinion between the UDC and the local authority in relation to the actual policies in the successive drafts of the plan.

Thus in reality this research is concentrating on both process *and* content and then will examine how they interact with each other and the tensions that this causes. It is at the end of the case study chapters that the relationship between content and process will be examined and the any use of different processes for different issues highlighted.

This separation has been generally recognised. There is an important distinction which separates analysis *for* policy from analysis *of* policy. This point can be illustrated by a figure (overleaf):

"Analysis for Policy:	Analysis of Policy:
Policy Advocacy	Policy Monitoring and Evaluation
Information for Policy	Analysis of Policy Determination
	Analysis of Policy Content"

(from p.5, Gordon, Lewis and Young, in Hill (ed.), 1993).

FIGURE 4.1.1. POLICY ANALYSIS SEPARATION

The table above advances a dichotomy within which falls a continuum of activities. The 'Analysis for Policy' could also be termed policy development and the 'Analysis of Policy' can be seen as policy evaluation. This is similar to the train of thought in the planning literature which recognises the division between theory 'in' planning and theory 'of' planning (Faludi, 1973). It is the analysis of policy determination and how it interrelates with the analysis of policy content that particularly concerns this thesis. In the former the, "emphasis is upon the inputs and transformation processes operating upon the construction of public policy" (Gordon, Lewis and Young, p.6, in Hill (ed.), 1993). In the case study chapters the analysis of policy content will highlight the intentions and operations of specific policies. The changes to policies through the adoption process will illustrate the influence of the UDCs in the transformation processes of the development plan.

4.1.2. Traditional Policy Process Theories

The literature concerning policy processes emphasises that they can take different forms. In order to maintain comprehensivity in this thesis it is necessary to present the theories and ideas that have been postulated about these different policy processes. This section will conclude by advancing the standpoint that this study will take and the reasons for this context.

The traditional distinction made of the policy process is the rational process and the disjointed incremental process. These two models are the starting points for a literature study concerned with decision making. Jenkins (pp.14-15, 1978) stated that "the rational comprehensive model [is] typified by the ideal type of economic man, and [then there is] the incremental bargaining model offered by Charles Lindblom: the ideal man versus the real, the economic versus the political".

The rationalistic approach to policy formation emphasises an ends-means relationship, and consists of a process with distinct stages such as:

   a) goal formation
   b) intelligence gathering
   c) identification of options
   d) assessment of options
   e) selection of desired options to accomplish goals.

Etzioni (p.217, in Faludi (ed.), 1973) observed that, "rationalistic models are widely held conceptions about how decisions are and ought to be made. An actor becomes aware of a problem, posits a goal, carefully weighs alternative means, and chooses

among them according to his estimate of their respective merit, with reference to the

state of affairs he prefers." The writings of Herbert Simon in the 1940's and 1950's

are often cited as key readings on organisational rationality. He is referred to as,

"probably the most prominent, if misunderstood, name associated with the advocacy

of a more rational approach to policy making" (p.55, Hogwood and Gunn, 1984). The

rationalistic approach provides the basic ideal for policy formation. However it has

been widely criticised, as forwarding too narrow a conception of rationality.

Disjointed incrementalism provides an alternative approach. During the 1950s,

Lindblom advanced an incisive critique of the rational comprehensive model.

Lindblom's work has been described as, "perhaps the single most important

contribution to the formation of a theory of the policy making process" (p.22, Parsons,

1996). Lindblom believed that means / ends rationality based upon the analysis of

comprehensive information was a massive misrepresentation of the real world of

policy making. He developed a series of concepts which became known as disjointed

incrementalism. In this model the policy process begins with policies already in

existence and not with the clean slate that is almost assumed in the rational process.

The policy decisions that are then made concern only an incremental change to the

existing status quo. Indeed to quote Lindblom himself,

> "Policy is not made once and for all; it is made and re-made endlessly. Policy
> making is a process of successive approximation to some desired objectives in
> which what is desired itself continues to change under reconsideration"
> (Lindblom, p.164, in Faludi, (ed.), 1973).

A limited amount of policy alternatives are examined and changes are only made at

the margin. The term *incrementalism* has become an umbrella for a series of ideas

advanced by Lindblom and as such can mean a variety of slightly different things.

Gregory collectively calls them "the Lindblom paradigm", and lists them as follows:

> "1. That in public policy making the level of theoretical understanding of the relationships among relevant variables is low (Lindblom, 1959; Braybrooke and Lindblom, 1963).
> 2. That policy makers typically confine themselves to consideration of those variables, values and possible consequences that area of immediate concern to themselves and which differ only marginally from the status quo, thus greatly simplifying their analysis of possible options (Lindblom, 1959).
> 3. That in the face of such limited informational and theoretical input policy movements are based on trial and error interventions of an intendedly marginal kind, so that unanticipated consequences may be coped with more easily (Lindblom, 1959; Braybrooke and Lindblom, 1963).
> 4. That policy and/or political change occurs only marginally, that is, what will be the case tomorrow will not differ radically from what exists today. That is what Lindblom refers to as incrementalism 'as a political pattern' - its 'core meaning' (Lindblom, 1979, p.517).
> 5. That policy making is a process of political and social interaction - negotiation, bargaining, etc. - among groups promoting and protecting differing and competing interests and variables. This is Lindblom's (1965) 'partisan mutual adjustment', a political process that contrasts with a system in which policy is driven by centralised, information-based decision-making (either system being capable of producing incremental policy change, which is thus conceptually different from partisan mutual adjustment).
> 6. That political and policy change is not a function of any coherent set of transcendently guiding goals (Braybrooke and Lindblom, 1963; Lindblom and Cohen, 1979)."
> (pp.213-214, Gregory, in Hill (ed.), 1993).

There has been extensive debate about the applicability of both the conceptual viewpoints of rationality and incrementalism to the real world, with arguments promoting one at the expense of the other. In addition to this both theories have been greatly expanded upon in comparison to their original or 'pure' forms. Within the different Lindblom paradigms listed above and even in the rational process it is recognised that, "different protagonists approach the issue of rationality from such different perspectives that they may appear to be incommensurable" (p.1, Breheny and Hooper, 1985). Indeed some believe that the debate between the two is completely artificial. In the chapter, "The artificial debate between rationalist and incrementalist

models of decision making", Smith and May (in Hill (ed.), 1993) argue that the two

theories mix up 'what is' and 'what ought to be' and that as such neither stands up to

methodological consideration.

It is not the place to minutely dissect all the literature concerning such arguments

here. It is however important to identify these two policy making theories and that

there has been a wealth of criticism of both. In an effort to create a model that is more

applicable in the real world there have been attempts to marry the stronger features of

the rational and the disjointed incrementalist approaches. The two most quoted

examples of this being by Etzioni and Dror.

Etzioni argued that neither the rational comprehensive model nor the incremental

bargaining model alone were sufficient to identify the variables of the determination

of policy outputs. As such he forwarded a concept for a synthesis of the two models.

Etzioni's *mixed scanning approach* views the policy production process in two levels.

Firstly there is a broad sweep of policy options at a higher level, setting out the basic

direction of policy. However on a lower level the fundamental decision making is

made on a more incremental basis. There is thus a blend between rationality and

incrementalism, reflective of the differences at the high level and low level of policy

making. It has been observed that Etzioni's mixed scanning approach is, "a realistic

position between the search for full rationality and the adoption of pragmatic

incrementalism" (p.19, Bracken, 1981).

Dror's model is an attempt to add more rationality to an ad hoc policy production process. Smith and May observe that, "essentially his alternative consists of a recapitulation of some of the aspects of rational planning, but with heavy caveats of the form '*some* clarification of values' or '*preliminary* estimation of pay-offs'" (p.203, in Hill (ed.), 1993 (their italics)).

In their book *"Policy Analysis for the Real World"*, Hogwood and Gunn similarly discuss the rational comprehensive and the incrementalist arguments. The framework for discussing policy that they use conforms to neither of these extremes. Indeed they, "regard such polarisation as being, in the end, sterile and smacking too much of an either / or choice" (p.62, Hogwood and Gunn, 1984). Neither do they, "seek a middle way" (ibid.), as Etzioni and Dror attempt. Hogwood and Gunn, "advocate a contingency approach where the policy making methods are adjusted to the circumstances and to the issue in question. There is no 'one best way' of making decisions" (ibid.).

This method reflects the thoughts of Faludi in his book, *"A Reader in Planning Theory"*. In the chapter, *"The Operations of Planning Agencies"* he recognises that, "planning is a messy operation, it is difficult to visualise it as proceeding in [such] an orderly fashion" (p.81, Faludi, 1973). However Faludi believes that, "the rational planning process does not necessarily describe the way planning is done.....rather that it prescribes how choices may be justified, that is by reconstructing an argument that appears to have gone through the steps of a rational planning process" (ibid.). In

relation to this study, it may well be the case that people are justifying their policies in a different way from how they arrived at them.

The ideas outlined above are the traditional approaches to policy process analysis and, as the dates of many of the references belie, have been around a long time. That is not to say that the ideas that have been presented thus far are out of date. This study concurs with Faludi's standpoint on the rational comprehensive and incrementalist debate, recognising Hogwood and Gunn's assertion that policy making varies in relation to circumstances. However these policy process theories make assumptions about the institutional context. The families of models presented above tend to assume that policy makers are inside state bureaucracies. As *Chapter 3* details, in relation to plan preparation, there are many partners outside state bureaucracies that have to be consulted and satisfied in the process of plan adoption. Thus policy is being developed in a shared power world. The political and social relations amongst the participants have to be kept in focus. It is now necessary to move away from the traditional models of policy making and examine the newer partnership models of interaction and policy process.

4.1.3. Shared Power Policy Process Models

In her article, *"Partnership: Issues of Policy and Negotiation"*, Mackintosh (1992) examines, "sites of continuing political and economic re-negotiation" (p.210-211, ibid.), and through this, "captures some characteristic aspects of this conflict and re-negotiation" (p.211, ibid.). These aspects were identified as three theoretical frameworks, or partnership models that simplified the different processes at work

within a relationship. These frameworks can also be applied to the case study experiences that are being examined here. Thus the case study chapters that follow attempt to trace these relationships and then compare them within the structure of the three frameworks recognised by Mackintosh.

Mackintosh recognised that all three of her models could be operational at once in the inter-organisational relationship or partnership, as she was particularly concerned with the partnership arrangements between public institutions and private companies.

Mackintosh's first partnership model is called *synergy*. She calls this, "the 'ideal' partnership model, or the public face of partnership" (p.213, ibid.). She illustrates this model with the figure below and describes it thus, "the concept of synergy refers to the additional benefits of companies acting together rather than severally" (p.212, ibid.). In the case of the preparation of the development plan synergy occurs when the local authorities and the UDC work together to formulate a policy or solve a problem.
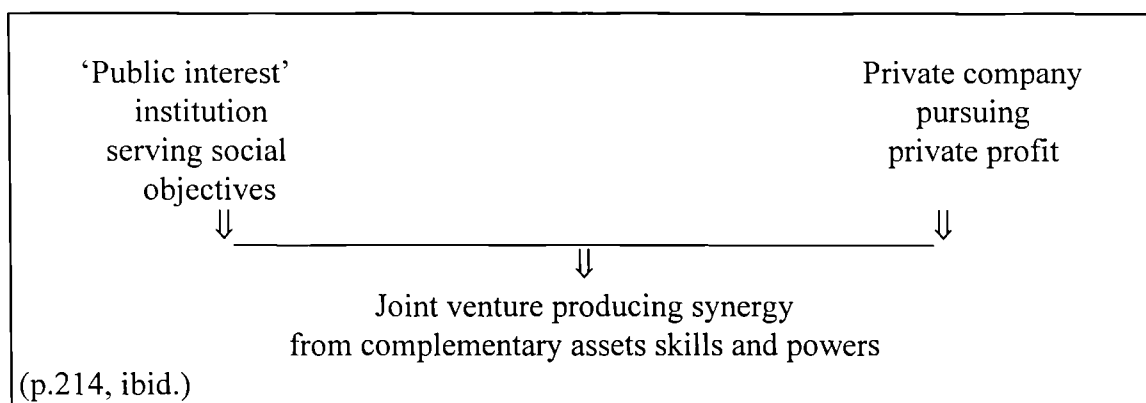
FIGURE 4.1.3.A. SYNERGY

Mackintosh states that, "a large number of partnerships can be interpreted in this way" (p.214, ibid.). She cites the example of property-led urban regeneration partnerships in the late 1980s and how the combination of public land assets and private investment capital was hoped to provide large profits due to the two sides working together. She believed that, "much of the evaluation has therefore centred on the extent of such additional benefits, and their distribution: that is, the 'synergy' model has underpinned most critical evaluation" (p.214, ibid.).

Mackintosh's second model is concerned with *transformation*. In this model each side in the relationship is trying to alter the objectives of the other towards their own agenda, whilst outwardly they are working with each other for mutual gain. This model can be particularly applied to the development plan preparation process, where the development plan-making body and UDCs work together and yet promote their own particular land uses and designations which complement their own strategies. Once again she posits her theory with a figure:

```
Public or non-profit                              Private company
institution with mixed                            pursuing short term
(internal and social)                             and narrow objectives,
objectives,                                       socially inefficient
socially inefficient?
    ⇓_____⇓
                         ⇓
              Joint venture attempting mutual
           transformation of culture and objectives.
(p.215, ibid.)
```
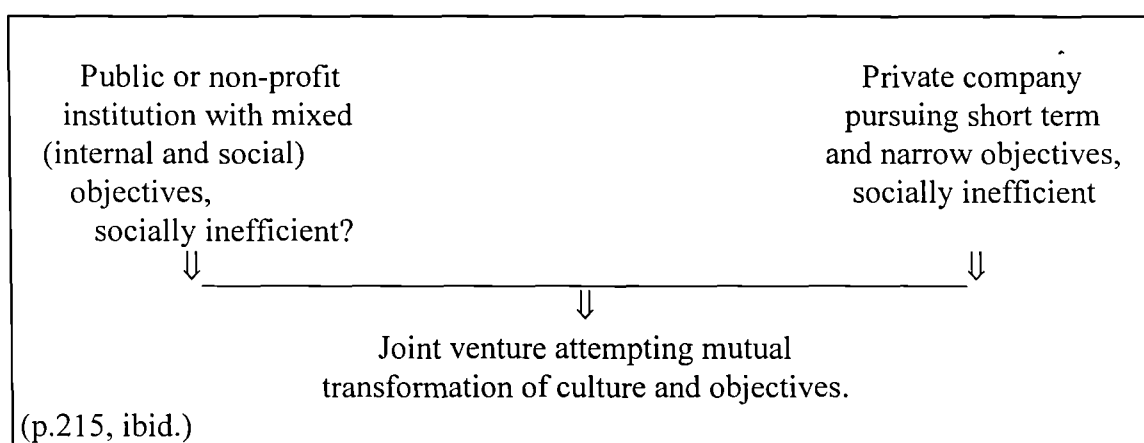
FIGURE 4.1.3.B. MUTUAL TRANSFORMATION

Mackintosh states, "in this 'transformation' model, therefore, each partner in a joint venture is not merely trying to work with the other and find common ground for mutual benefit. Each is also trying to move the objectives and culture of the other more towards their own ideas. This struggle for mutual transformation is only partly overt, rarely openly debated within schemes, but emerges quite clearly in exchanges...and can be a strong part of participant motivation" (p.216, ibid.).

Hastings (1996) expanded on Mackintosh's first two models, teasing out different dimensions to the models of synergy and transformation. She divides the transformation model into two-sub models: *unidirectional* transformation and *mutual* transformation. In the model of unidirectional transformation, "a battle is joined which involves an unequal power relation, in which crucially, one or all parties are unwilling to change" (p.262, Hastings, 1996). An example of this in practice is the private sector being forced to provide social goods on a development. The process of mutual transformation, however, involves a much less antagonistic relationship. "Each partner might be willing to accept the need to change itself, as well as aspire to change others" (p.262, Hastings, 1996). These two distinctions are an important addition to Mackintosh's partnership models.

Hastings has also highlighted two alternative dimensions to Mackintosh's synergy model of partnership. "Resource synergy can be conceptualised as 'added value' from the co-ordination of resources and from the joint efforts of agencies" (p.259, Hastings, 1996). Alternatively, policy synergy arises when, "new insights or solutions are produced out of the differences between partners" (p.259, Hastings, 1996).

Mackintosh's third model concerns *budget enlargement*, where the joint venture is, "held together very strongly by a common external objective, of which the most frequent is the extraction of financial contribution from a third party" (p.217, Mackintosh, 1992) The figure for this model is reproduced below:

Public sector   Private company
institution   seeking public
suffering from   subsidy or risk
financial constraint   reduction
⇓_____⇓
⇓
Joint venture aimed at
attaining funds from third party
(p.217, ibid.)
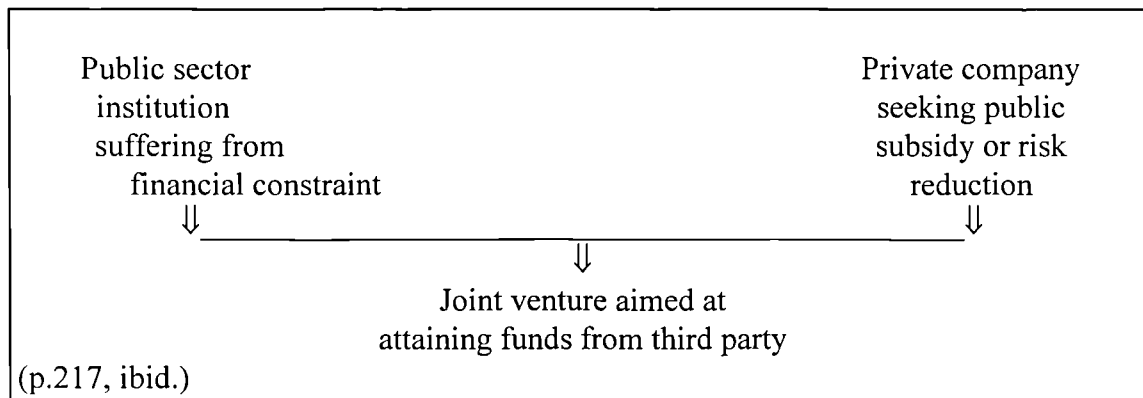
FIGURE 4.1.3.C. BUDGET ENLARGEMENT

This partnership model can be crudely summed up as both sides sticking together to get hold of more funding. Indeed she states that, "such mutual 'budget enlargement' is a common form of 'glue' for joint ventures" (p.218, ibid.).

Mackintosh, in her work, discovered that elements of all three of her models were present in the partnership schemes she studied. She thus posits that, "the models outlined are not alternative types of partnership" (p.218, ibid.). She goes on to identify three types of pressure that an institution can be exposed to in joint ventures:

"1) Working with people with different objectives; trying to understand those objectives and trying to identify common ground or areas of compatible interests.

2) Coping with pressures to become more *like* the other partner, in other words, to

change one's objectives and organisation to fit the other partner's.

3) Seeking to extract gains against the interests of the other party, a pressure which

can be mitigated by identifying common interests *vis a vis* a third party's interests or

resources." (p.218, ibid. (her italics)).

These pressures, which are due to the, "ambiguity of objectives and the complexity of

processes...cannot be resolved" (p.221, ibid.). Mackintosh does not decry them

however. She believes that the ambiguity of her three models all working in tandem

and the pressures this causes help to make relationships work. She goes on to explain,

"the ambiguity reflected in the combination of these different models has its uses: it

serves to obscure conflict, and to allow people to pursue several agendas at once,

compromising when necessary. Such layers of complexity make it hard to evaluate

schemes, while nevertheless helping to make them work" (p.221, ibid.).

4.1.4. Synopsis

The work of Mackintosh as discussed here leads this chapter neatly into its second

half, as Mackintosh's frameworks rely on examination of the relationship between

organisations, admittedly with direct regard to the policy process. For the purposes of

this study, through a thorough examination of the complicated relationships between

the development plan-making body and UDCs during the plan preparation process,

the intensity of activity corresponding to each of the three models can be assessed.

However it is within the examination of the *relationship* that Mackintosh's ideas will

be utilised with regard to the conceptual framework being formulated here. The

partnership idea can be extended to analysis the *relationships* that are involved in the

subject of study of this thesis.

4.2. THEORY CONCERNING ORGANISATIONAL RELATIONSHIPS

As has been stated before this study is concerned with the influence of the development plan upon the work of UDCs. Conversely UDCs have an influence upon the development plan, and that is during its preparation process. The initiating body of the development plan is the relevant local planning authority. In order to provide a perspective on these respective influences, it is necessary to examine the relationship between the local planning authority and the UDCs.

Defining the strength or weakness of a relationship, or indeed examining whether, in the most general terms, the relationship is good or bad, is largely a normative exercise. By this it is meant that this part of the study is *value driven*, as it is looking at what ought to be, or at least what ought to be in order to make a judgement as to what constitutes a *good* relationship.

A specific literature concerning the relationships between local planning authorities and UDCs does not exist, and thus one concentrating on development plan matters with regard to this relationship is also non-existent. However it has been possible to build a conceptual framework for the study of the relationship between a local planning authority and an UDC from the wealth of literature concerning such diverse topics as organisational theory, partnership theory and policy theory.

Using a method combining a search of library catalogues and databases covering the

fields of policy and planning and (a role not be underestimated) discussion with my

supervisor, the following literature stood out as being best suited to examining

relationships that have many partners or stakeholders: Stoker and Young, 1993; Amin

and Thrift in Healey et al (eds.), 1995; Fosler and Berger, 1982; and Bailey, 1995.

There was no particular literature that concentrated on the relationship between just

two organisations in the context of policy planning or development plan production

(except Mackintosh's work discussed earlier), and this study is concentrating on the

relationship between just two. Thus in order to build a conceptual framework for this

study, it has been necessary to adapt ideas and re-form them to make them relevant to

the area of research examined here.

Stoker and Young (1993) have identified three ways in which local authorities work

through and alongside other interests. The first two are dealt with presumptively and

are referred to as *hierarchy* and *markets* (p.179, Stoker and Young, 1993). They then

forward a third ideal, that of the *network*, as an important organisational form for local

authorities to utilise in the future. They recognise six factors that help to explain the

making of a network. These are:

"Recognition of Dependency, Pooling of Resources, Exchange of Information,

Development of Trust, A Mutual Orientation, A Commitment Over the Long Haul"

(p.183, Stoker and Young, 1993).

Stoker and Young forwarded this network model for use in multi-partner relationships, with members from a variety of backgrounds, e.g., central government, local government, the EU, the private sector and community groups. However these six factors are useful headings under which a two partner relationship can also be discussed. These factors can be seen as an extension of the work Mackintosh presented.

These six factors will provide the initial basis for the examination of the local planning authority and UDC relationship. However, in order to make relevant the conceptual framework presented here, the six factors are tailored to the specific relationship that is to be examined. A examination of negotiation is also made, sourced from the work of Barrett and Fudge (1981) on policy implementation. Negotiation falls across the six factors and is addressed as a conclusionary point in this section. The conceptual framework of this study is then further strengthened by the addition of some of the ideas of Amin and Thrift (1995). It is useful at this stage to introduce these ideas as, in the context of this study, they are complementary to the work of Stoker and Young.

Amin and Thrift admit that, "institutional thickness is not an easy concept to grasp. It often seems very general, even vague" (p.101, Amin and Thrift, in Healey et al (eds.), 1995). However some of its ideas can be transposed onto the conceptual framework that is laid out in this chapter to great effect. Firstly it is important to reiterate that a two partner relationship is being examined in this study. Amin and Thrift, just as Stoker and Young, are concerned with relationships and partnerships that have many

members from many organisations. Thus not all the factors that Amin and Thrift recognise will be utilised here, as many are solely concerned with a diversity of membership. Only the ideas directly relevant to this piece of work will be discussed. This is not to discount that the local authority and the UDC are in relation with other actors (landowners, developers, financial organisations, central government) whilst they are relating to each other. However, with regard to the development plan preparation process the relationship can be described as direct when interfacing with each other, even in the few cases where either organisation may be presenting material for inclusion in the plan that is originally sourced from elsewhere.

The idea of institutional thickness is, to use the most basic terms, a reflection as to how many, and to what extent, institutions are working together. It is a reflection of how important each is to the other compared to their other relationships, it is the thickness of the relationship between two organisations which counts with regard to the study here.

This thesis is concerned with relationships between UDCs and local authorities; i.e. relationships between two organisations. It is recognised that these organisations exist in a shared power world and have relationships with a variety of other organisations. However it is the relationship between these two organisations in the context of the preparation of the development plan that is the subject of examination of this thesis.

The ideas of Amin and Thrift concerning the extent to which institutions are working

together can be synthesised with those of Stoker and Young. Each factor is now

presented individually. The six factors are sourced from Stoker and Young's

description of the necessary characteristics for a network relationship between

organisations to operate, supplemented by the ideas of Amin and Thrift concerning

institutional thickness. The discussion of the quality of the negotiation between the

organisations cuts across the six factors and is dealt with as a conclusion to the

relationships examined. That matter is sourced from the work of Barrett and Fudge

(1982).

In addition to this, each of the following subsections will also identify indicators that

reflect the extent to which the characteristics are present. There is a rich vocabulary

that can help to gauge the thickness of a relationship and the subsections will detail

indicators to this end.

4.2.1. Recognition of Dependency

In the first instance it might appear that the local planning authority and the UDC

could exist independent from one another. Certainly in the case of an UDC with an

extensive arsenal of statutory powers and large scale funding this might appear to be

possible. However, there is a formal in-built dependency of sorts - the development

plan (see *Chapter 3*). The recognition of this statutory dependency and through this

recognition that something of benefit can be achieved by working co-operatively with

each other is important. From this basic start other areas of interest can be identified.

It is thus important, in the first instance, that in the relationships being examined in

this study, there is that statutory dependency which forms a base at the core of the relationship.

Amin and Thrift similarly recognise dependency as being an important factor in a relationship. They state that, "the institutions involved must be actively engaged with and conscious of each other" (p.102, Amin and Thrift, in Healey et al (eds.), 1995). This engagement is stressed by Amin and Thrift as a crucial factor which constitutes part of a local institutional thickness. A pedant could argue that active engagement is not always a response to a recognition of dependency, however for the purposes of the study it is important to identify the interaction.

A recognition of dependency stems from establishing the fact that the two sides should work together in order to complete their aims. This can be identified by referring to the completion of development, or a policy in the plan, as a shared goal. The reverse to this is when a development project or a policy in the UDP is seen as a source of conflict. The dependency due to the development plan or projects might be a cause of acrimony between either or both sides. This leads to a weakening of the relationship. The evaluation criteria here is the extent to which mutual dependency is recognised and acted upon.

4.2.2. Pooling of Resources

The pooling of resources can mean a variety of things. It refers to funding, manpower or physical resources such as buildings or land. In some cases the pooling of resources can be indicative of an imbalanced relationship due to a difference in the

size of resources that each partner can contribute, for example the amount of funding that each side can supply. This of course can lead to ill feelings and disagreement due to the imbalance. In a mature relationship the extent to which imbalances affect the relationship should be minimised. The pooling of resources recognised by Stoker and Young, particularly those of manpower and ideas, leads to synergy, a concept that is discussed earlier in this chapter, through the ideas of Mackintosh (1992).

Hastings (1996) divided Mackintosh's concept of synergy *into two*. *Firstly, resource* synergy as exemplified above by physical resources such as buildings and land. Secondly policy synergy, where joint working leads to a policy output that is agreeable to both organisations. Policy synergy occurs where the organisations either have shared objectives or overlapping objectives.

Mackintosh's concept of budget enlargement also falls into the broad category of pooling of resources. Here two organisations work together (i.e. pool resources) in order to get hold of more funding. In the situation examined in this thesis the UDC and the local authority would have to be working together on a certain project supported by the development plan, which requires external funding in order to achieve its urban regenerative output.

Examples of the physical pooling of resources are easier than most to identify - because there is usually a tangible output from this action. The sort of things that are indicative of pooling of resources are land resources, combined infrastructure projects, joint bids, shared power between organisations and projects based on inter-linkage.

Policy synergy is more of an intangible and is mainly identified (in this study) by

admissions made during the officer interviews.

4.2.3. Exchange of Information

A good relationship can be underwritten by the effective exchange of information.

Stoker and Young stated that, "Information is a valued commodity within networks

and the quality of information exchanges within networks is often very high. Market

provided information tends to be shallow. Hierarchical models can block the flow of

information. Networks can be particularly adept at providing efficient, reliable

information" (p.184, Stoker and Young, 1993).

If, in the quote above, one replaces the word 'networks' by the phrase 'good

relationships' then one can understand the importance of this factor in this study.

Amin and Thrift similarly recognise this, also stating that a high level of "information

interchange" (p.102, Amin and Thrift in Healey et al (eds.) 1995) or knowledge flow

should occur in a strong relationship.

As an indicator to the extent of the exchange of information, one can highlight the

language used. The language that reflects a useful exchange of information includes

terms such as satisfactory, receptive, fluid, explanatory and meaningful. Exchange of

information might not be performing at its optimum when it is described as an area of

concern, an example of rigid attitude or when there are barriers are in place and access

is denied.

4.2.4. Development of Trust

A strong relationship relies on the development of trust between both sides. This can be a very difficult thing to achieve. As Stoker and Young recognise, "trust involves choosing to ignore the risk that trusting behaviour involves" (p185, Stoker and Young, 1993). However the outputs of trust are simplification of communication, co-operation and co-ordination. Trust helps to save time and effort and reduces transaction costs; it also helps to avoid duplication. A poor relationship can be identified by little inter-organisational disclosure.

Trust can be built in a variety of ways, one of the most important is by consulting regularly on issues of mutual interest. Once the reliance and belief that the relationship is open and honest has developed, then it can be classed as a trusting relationship. The longevity of an initiative (i.e. an UDC) is obviously a important factor in the development of trust between itself and the development plan-making authority.

Trust is an intangible that is very hard to identify in a professional relationship. There are clues that can be given away from discussion of a relationship that can be used to gauge the extent of trust. A high degree of trust can be reflected in the degree of informality there is in the relationship, where there is a good working relationship and when the relationship is described as harmonious or intensive. Trust stems from disclosure and thus can be identified in situations where organisations will consult on areas of concern and not simply announce policy. Trust is a strong foundation for a good relationship.

Where there is little trust in a relationship there will be inter-agency suspicions, and the other side will be referred to as being distrusted or mistrusted. Once again indicators are to be found in the language used. But it is also evident in the way that difficult issues are handled.

4.2.5. Mutual Orientation

Stoker and Young refer to this as the *glue that binds together* various participants and refer to organisations and individuals defining themselves in relation to other units in the network. In the case of the relationship this study is examining, the mutual orientation can be seen, in the first instance, as urban regeneration. Keeping a mutual orientation as different ideas are put forward by each side, and implemented in different ways, will often be awkward, particularly if there has been a history of unrest in the relationship.

The discussions concerning the UDP and the final product of a statutory approved development plan can help to foster and maintain a mutual orientation. These discussions, with their future-looking and strategic focus, can be used to put into context what is happening at the current time. Thus areas of disagreement can be ironed out through the plan preparation process. A mutual orientation is necessary if policy statements of either side are not to differ in the pursuit of urban regeneration. The absence of a statutory development plan however can also mean that UDCs can *get away with* developments not particularly favoured by the local planning authority; as there is no current designation in an up-to-date statutory plan. This is further

complicated when one considers that policy statements might concur, but can be interpreted, valued and used differently.

Amin and Thrift also recognise the factor of mutual orientation, instead referring to it as *awareness*. "The development, amongst participants in the set of institutions, of a mutual awareness that they are involved in a common enterprise." (p.102, Amin and Thrift, in Healey et al (eds.), 1995).

Mackintosh's concept of transformation similarly is concerned with orientation. Hastings divides Mackintosh's concept into unidirectional transformation and mutual transformation. When unidirectional transformation is occurring there is a lack of mutual orientation, as, by definition, one side is, for better or worse, forcing a transformation of the other. However where mutual transformation is occurring both organisations are moving towards each other as regards their viewpoint, that is to say they are being mutually orientated.

Mutual orientation can be identified by the extent to which policy and ideas are seen as mutually acceptable. It can be fostered over time by joint working and working in partnership to the same aims and agenda. The adoption of policies from the other, or the joint adaptation of ideas is indicative of mutual orientation. Mutual orientation is unlikely to occur where there are many issues of conflict, or there is a reluctance to co-operate.

4.2.6. A Commitment Over the Long Haul

The local planning authority, barring any revolutionary change in the status quo, can

be seen as a permanent feature in the area, and thus will be in existence before, during

and after the life span of an UDC. Thus the UDCs should be committed to working

with the local authority over its lifespan. The local planning authority must have a

similar commitment in order to have an input to the UDCs' work. The commitment

in the long term will help engender the development of trust (see *Section 4.2.4.*

Development of Trust, above). It helps a good relationship to endure if organisations

expect to both be in existence over a long time (UDCs were in existence for over ten

years in some cases).

A commitment over the long haul can be identified by the relationship being

described as enduring, durable or fully developed. This can be both due to formal

agreement and/or informal procedures. Where there has been little commitment the

relationship may be described as recalcitrant, operating with discord and

dissatisfaction.

4.2.7. Synthesis

The six factors that Stoker and Young recognise underpin what will lead to a strong

relationship. It is possible to diagramatically mesh together the ideas of Stoker and

Young and Amin and Thrift. The six factors that Stoker and Young recognise have

been listed earlier. Amin and Thrift promote six outcomes that *favourable cases will*

exhibit. The way these tie together produce a diagrammatic whole. The six factors

that relate to this study as taken from Stoker and Young have been examined above, it

is now helpful to quote Amin and Thrift to expose the similarities between the two

with regard to how this thesis utilises their ideas:

"In the most favourable cases, [when] the different determinants of institutional

thickness [are] brought together [they] produce six outcomes. The first is the

persistence of local institutions. The second is the construction and deepening of an

archive of commonly held knowledge of both the formal and tacit kinds. The third is

institutional flexibility; that is, the ability of organisations in a region to both learn

and change. The fourth is high innovation capacity, as the common property of a

locality. The fifth is the ability to extend trust and reciprocity. Finally and uniquely,

is the sense of a widely held common project, which serves to mobilise the local

economic system as a whole with speed and efficiency" (p.104, Amin and Thrift in

Healey et al (eds.)1995).

On the following page is a diagrammatic cross cast of the two sets of six factors that

both Stoker and Young and also Amin and Thrift recognise. A brief explanation

follows each pairing. It is these factors, or areas of interest, that form the conceptual

framework for the study of the relationships in the case study chapters. Though the

two sets of ideas are not totally homogenous, the explanations provided to clarify their

usage in this thesis draw a parallel between each of them relatively smoothly.

Figure 4.2. Diagrammatic relationship between the network ideas of Stoker and Young and the institutional thickness ideas of Amin and Thrift

Stoker and Young: Amin and Thrift

1. Recognition of dependency   **6. Sense of a common project**

The goal of urban regeneration and the development plan are the two common projects that cannot be completed without each others help.

2. Pooling of resources   **4. High innovation capacity**

The synergy that pooling of resources produces is the common property of a high innovation capacity.

3. Exchange of information   **2. Commonly held knowledge**

The exchange of information will lead to a commonly held knowledge that all can share in.

4. Development of trust   **5. Extend trust and reciprocity**

Once there is a reliance on the words and deeds of the other party then things will occur with less trouble and more speed.

5. A mutual orientation   **3. Institutional flexibility**

Completion of the plan and urban regeneration are the goals, only through flexibility can both be achieved to mutual satisfaction.

6. A commitment over the long haul   **1. Persistence of institutions**

Both sides recognising the longevity of the other and are committed to a permanent relationship.

The ideas of Amin and Thrift and also Stoker and Young, as interpreted by this thesis, provide a robust framework for the examination of the relationship between the local authority and an UDC with regard to the preparation of a development plan. However some discussion of work done by Barrett and Fudge concerning negotiation helps to conclude this section. Negotiation is something that draws on all of the six factors that the framework unpacks concerning a relationship. Thus it can conclude the discussion of a relationship by tying together the six recognised factors.

4.2.8. Negotiation

Negotiation draws in some part from all six of the factors presented here. It must be present in order to discuss ideas and organise strategies. It is hypothesised that the process of preparation of the development plan should include regular discussion of all aspects of the urban regeneration process at a variety of levels. This should include healthy but not too lengthy debate on areas where there is a difference of opinion and final policy statements that show that collaboration has occurred and can be implemented in accord with each other. This can only be achieved through the process of negotiation.

Barrett and Fudge (p.258, 1981) identify this, "in examining interaction we find that *negotiation, bargaining* and *compromise* form central elements in the process" (their italics). There is a variety of material on negotiation and Barrett and Fudge highlight inter-organisational relationships as *'negotiated orders'*.

This in turn refers back to the relationship factors presented earlier. The quality of negotiation is dependant on the type and amount of activity across the six relationship factors. Beneficial negotiation will have the following qualities. It should not be protracted, acrimonious or adversarial. It should clarify ambiguity, and be reasonable, constructive and productive. There should be an understanding on both sides. The quality of negotiation is important in the process of helping to maintain relationships and also helping them to evolve.

4.3. PRESENTATION OF CONCEPTUAL FRAMEWORK

The factors presented here have produced a framework within which it is possible to describe the different qualities of the relationship. It is hypothesised that the quality of the relationship varies with what is needed for effective urban regeneration. In cases where a strong relationship is evident, urban regeneration is achieved more efficiently. That is not to say that a rich, synergetic relationship is necessary for effective urban regeneration. However such a relationship will result in a development plan that satisfies *both* the UDC and the local authority. Thus the quality of this relationship *matters* with regard to urban regeneration. The quality of the relationship is a product of what is needed for effective urban regeneration.

In the case study chapters the relationship between the local planning authority and the UDCs will be examined against the six factors to assess the strength of the relationship. A discussion of the quality of negotiation will be included in the summary on each case study. The purpose of this chapter was to establish the conceptual framework for the case study sections of this thesis. As such this chapter has:

a) identified the important trains of thought with concern to the theory of the policy process;

b) examined them in relation to critical literature;

c) stated the standpoint that this piece of work will take in relation to traditional theory;

d) presented the policy models that will be utilised in the case study chapters;

e) reviewed planning and other literature concerning theory about organisations, partnership theory and policy theory in order to unpack the components of a *relationship*;

f) delineated six factors that compose a strong relationship, discussed them and provided indicators which typify these factors;

g) put in place a context for concluding the case study sections.

The conceptual framework and the structure of the case study chapters will reflect this theoretical review. As a result of the discussion in this chapter the case studies will:

a) introduce the local authority area and briefly look at the history of the relationship between the local authority and the UDC;

b) examine the two processes recognised by the policy literature and this chapter, namely:

   i) the process of preparation of the development plan (and during this the influence of the UDCs)

   ii) the differences in policy content during the adoption process and the intentions and operations of specific policies (and during this the areas of policy disagreement and alteration between the development plan-making bodies and the UDCs).

c) examine the relationship between the development plan-making body and the

UDCs against the six factors identified by the literature:

> Recognition of Dependency, Pooling of Resources (and Budget Enlargement),
>
> Exchange of Information, Development of Trust, Mutual Orientation,
>
> Commitment over the Long Haul.

d) discuss the quality of the negotiation and briefly conclude the findings of each case

study.

5.0. THE TYNE AND WEAR METROPOLITAN AREA

5.1. PLANNING AND URBAN REGENERATION IN THE TYNE / WEAR METROPOLITAN AREA

Following local government reorganisation in 1985, the former Tyne and Wear County was dissolved and the county was divided into five metropolitan borough councils. Sunderland was awarded city status later, in 1992 and had a slight name change, so the five authorities became:

> Newcastle City Council;
> Gateshead Metropolitan Borough Council;
> North Tyneside Metropolitan Borough Council;
> South Tyneside Metropolitan Borough Council;
> Sunderland City Council.

As metropolitan authorities, each of these councils is responsible for the production of a Unitary Development Plan. "RPG1: Strategic Guidance for Tyne and Wear" (Department of the Environment, 1989a) was published in April 1989 to assist the local authorities in the Tyne and Wear metropolitan area by providing a framework for the preparation of their UDPs. Paragraph 2(4)(a) of Schedule 1 of the Local Government Act 1985 requires metropolitan authorities to have regard to the strategic guidance published by the DoE in preparing their plans.

There are a wide range of consultees in regard to the preparation of an UDP, as covered in *Chapter 3*. In relation to the local authorities that make up the Tyne / Wear metropolitan area, the Tyne and Wear Development Corporation (TWDC) was a statutory consultee in the development plan preparation process. The TWDC had

development control powers for part of the Tyne / Wear metropolitan area, but did not

have any statutory plan-making powers. It is the relationship between the TWDC and

the Tyne / Wear Metropolitan local authorities and their UDPs that this chapter will be

focusing on.

TWDC was also required to have regard to RPG1 in exercising its planning and

related functions. As such RPG1 is an important document acting as the foundation

of plan-making in the Tyne and Wear metropolitan area.

RPG1 stated that the primary aim of UDPs in Tyne and Wear metropolitan area

should be urban regeneration. It was the first topic dealt with in RPG1, coming

directly after the introductory remarks:

> "Urban regeneration.
> [para.] 2. Revitalising the economy of Tyne and Wear should be the primary aim
> of UDPs, concentrating on the regeneration of the urban areas. Central and
> local government together with the Tyne and Wear Development Corporation
> should co-ordinate their programmes, plans, responsibilities and resources and
> work with the private sector and other agencies to foster urban regeneration
> and increase industrial, commercial and housing development in the inner and
> outer urban areas."
> (p.1, RPG1, Department of the Environment, 1989a).

It goes on to stress the importance of urban regeneration in the area:

> "[para.] 4. Each UDP should include policies to assist urban regeneration, both
> within the District and the wider area....Therefore, in preparing UDPs District
> Councils should consider the adequacy in all respects of land available and
> should give special attention to identifying attractive sites for both economic
> and housing development."
> (p.2, RPG1, Department of the Environment, 1989a).

RPG1 also stresses the importance of TWDC in relation to the reclamation of land:

> **"District Councils should, in conjunction with the Development Corporation and the private sector, bring forward policies for reclamation in a structured and co-ordinated way in order to maximise the re-use of reclaimed sites, particularly for housing and industry."**
> **(para. 31., p.6, RPG1, Department of the Environment, 1989a).**

This emphasis on urban regeneration at the strategic level was due to the decline of the three heavy industries of coal mining, ship building and heavy engineering in the area. The long term trend economically in the region was downwards and this was evident since the end of the Second World War, some commentators going so far as to say that the decline had began before then and that the production increase brought on by the conflicts merely masked the decline.

Expansions in the public sector helped to halt this decline, however there was a sharp increase in unemployment figures during the 1970s due to the recession and attendant redundancies that it caused. The three heavy industries mentioned earlier now only account for a small amount of the area's jobs. Efforts have been made to diversify the economic base of the area and attract lighter industries, with some success. However, prior to the creation of the TWDC in 1987 there were vast swathes of derelict or under used land along the riversides of the Tyne and Wear. There was a consensus across the conurbation that something had to be done, and that regeneration was important. It was the remit of the TWDC to undertake some of this regeneration.

5.2. TYNE AND WEAR DEVELOPMENT CORPORATION

The Tyne and Wear Development Corporation (TWDC) was established under the provisions of the Local Government and Planning Act 1980 and came into operation as an Urban Development Corporation in May 1987, following Parliamentary Approval of The Tyne and Wear Development Corporation (Area and Constitution) Order 1987 (Department of the Environment, 1987a). Its area covered 2,428 hectares along over 20 miles (48 km) of two riversides, those being the Tyne and the Wear. The TWDC urban development area (UDA) covered part of four out of the five Tyne and Wear metropolitan boroughs: namely Newcastle City, Sunderland City, North Tyneside and South Tyneside. TWDC was wound up and ceased its activities in March 1998.

TWDC's objective, as was that of all the UDCs, was to secure the regeneration of its area. TWDC strategy was an attempt to centre on a total approach to urban regeneration. That is to say that the physical renewal was inextricably linked with measures to strengthen both the economy and local communities. As such it had the full range of development control powers that an UDC could have.

TWDC had six main projects, which together involved investment of more than £800 million. Those projects were the Newcastle Business Park and Newcastle Quayside in Newcastle, Royal Quays in North Tyneside, Viking Industrial Park in South Tyneside and Sunderland Enterprise Park and St Peter's Riverside along the banks of the River

Wear in Sunderland. There were over two dozen other smaller schemes that were either complete or underway when the TWDC was dissolved.

The Newcastle Business Park has now been completed. It was TWDC's first substantial project. It was just outside the city centre core to the west, on the north bank of the Tyne. The 25 hectares scheme was awarded the accolade of Best Urban Renewal Project in Britain in 1992. The site had previously been derelict, and prior to that occupied by the Vickers Armstrong armament works and purchased by the City Council in 1986. The Council had hoped to create an industrial park with retail and leisure elements under the name the Armstrong Centre. However there had been little progress made, as the retail part of the scheme was not attracting market interest, partly due to the effect of the MetroCentre development on the opposite side of the river. TWDC bought the site from the Council, and persuaded the developers concerned with the Armstrong Centre (namely Dystarts) to consider a business park instead. The market demand for good quality office space, tied to the heavy subsidy from its Enterprise Zone status and TWDC input helped to make it a success. It contained low level offices in a landscaped riverside setting. Over thirty companies were attracted to the site (including British Airways, AA Insurance, IBM and Cellnet) who together employed almost 4,000 people. Much of the land developed for the Business Park was Enterprise Zone land and as such benefited from the incentives that the EZ scheme offered.

The Newcastle Quayside was an attempt to create a new business district on approximately 10 hectares of river front land extending eastwards from the Tyne

Bridge. The development included plans for over 300,000 sq. ft. of high quality

offices, shops, pubs, restaurants, leisure facilities, a hotel and an arts and exhibition

space. There was also a residential element to the proposed scheme. This project had

been repeatedly delayed due to problems with land ownership and developers

becoming bankrupt. Stanley Miller the original developer went into liquidation and

its partner (Rosehaugh) also went into receivership following financial problems. The

Compulsory Purchase Order (CPO) made by TWDC took three years to be resolved.

Two of the land owners in the development area objected to the CPO at almost every

stage. The two sites were small but vital to the whole development, owned by a Swiss

developer called Leser Landau and Proctor and Gamble, the detergents manufacturer.

Finally the CPO was upheld by the House of Lords Judicial Committee in 1992.

AMEC were appointed as developers for the site and currently the buildings that have

been constructed are being occupied.

Royal Quays in North Tyneside was TWDC's biggest project which covered 80

hectares of land around the Albert Edward Dock. The scheme now provides-1,200

homes for both sale and rent as well as an industrial development which included the

huge Twinings tea packing plant. Due to the diversity of development TWDC called

Royal Quays "a mini new town" (TWDC Regeneration Statement, 1998). There was

also a water park, an education centre and new access roads to the A19. It was hoped

that eventually 2,000 jobs will be created by the project.

The Viking Industrial Park in South Tyneside has potential to grow to 640,000 sq. ft. of industrial units on 25 hectares of land in Jarrow. The TWDC predicted that this could be translated into up to 1,500 jobs.

St Peter's Riverside in Sunderland covered land both to the north and south of the River Wear. This scheme is not to be confused with the residential development at St Peter's Basin in the Newcastle part of the UDA. The scheme at St Peter's Riverside provided space for the expansion of Sunderland University (at Manor Quay), where a new campus was constructed, including 270 student flats. In addition to this, new business space was developed, a substantial residential scheme (500 units) completed and a Marine Activities Centre and National Glass Heritage Centre built.

Sunderland Enterprise Park was TWDC's largest single business project. The scheme was located on the north bank of the River Wear between the Nissan car factory and the city centre of Sunderland. The commercial and industrial development was hoped to employ over 4,000 people across a 53 hectares reclaimed land site (translating as a million sq. ft of new development). A range of employment uses were proposed which included high tech offices as well as factories for heavy industry.

The TWDC was a statutory consultee in the Unitary Development Plan process for all the five boroughs in the Tyne and Wear metropolitan area: directly with the four local authorities in which the UDA falls and with Gateshead as a neighbouring authority. In a mid-term report on TWDC it was stated that, "TWDC stresses its concern to

maintain a constructive dialogue with local authorities" (p.8, Robinson et al., 1993).

The following case study sections will examine this assertion in greater detail.

The TWDC saw itself as an active UDC and recognised its limited lifespan. TWDC adopted a very proactive role in the promotion of property led development, but also attempted to be very careful in its approach to dealing with community matters.

5.3. NEWCASTLE CITY COUNCIL (NCC)

5.3.1. Introduction

Newcastle-upon-Tyne City Council (NCC) is the local authority for an area of 11,187

hectares along the north bank of the River Tyne, with a population of 276,000. Figure

5.3.A. illustrates the local authority area, the urban core is adjacent to the river, with

surrounding residential areas, and more rural areas to the north and east.
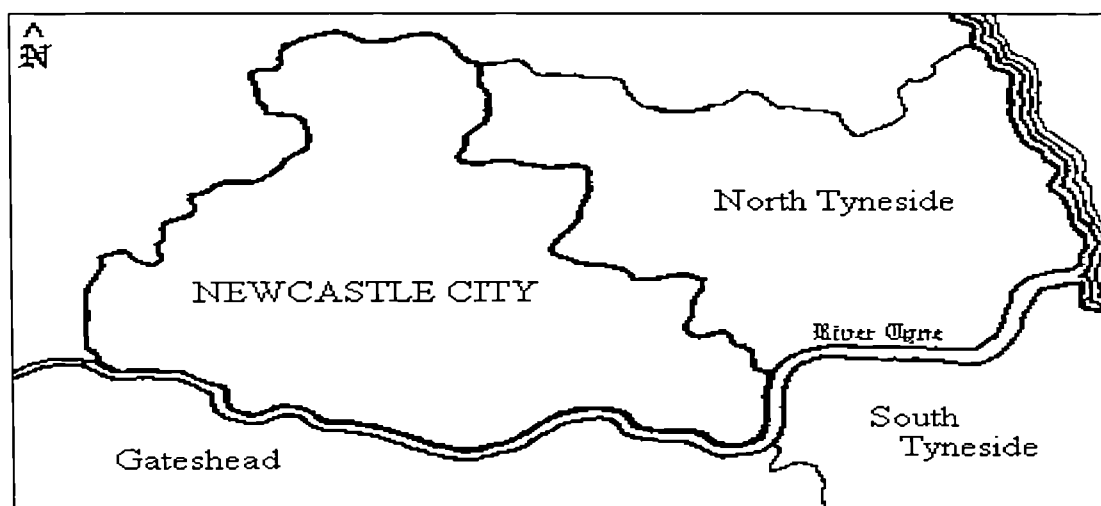
FIGURE 5.3.A. NEWCASTLE CITY AND ITS SURROUNDINGS

Newcastle-upon-Tyne is the unofficial capital of the north east. As such, the city

centre contains many of the headquarters offices for companies in the area and the

regional headquarters of larger national and multi-national companies. As with the

other Tyne / Wear Boroughs, Newcastle has been affected by the decline of the

manufacturing industry particularly since the 1970s. However the counter trends of

growth in the service sector have helped to alleviate some of the unemployment

problems that the area has suffered.

NCC were initially against the formation of a UDC within its boundaries, When the

proposals were presented to NCC for an UDC on Tyneside, NCC made it clear they

were against such a designation.   However once it was made evident that central

government were adamant to set up TWDC, then NCC "went along with it" (NCC

source NC01). As early as July 1987, at a meeting of the NCC, it was recommended

and endorsed that:

> "The local authorities within TWDC should seek to
> ensure that their views are reflected in the
> strategy and proposals put forward by the UDC by
> agreeing a mechanism through which professional
> advice from local authority officers can be given.
> *Council departments should seek the greatest*
> *possible involvement in the implementation of*
> *schemes."* [my italics]
> (para. 5.2, p.20, Minutes of meeting of the City
> Council, Wednesday 1st July 1987, Newcastle-upon-
> Tyne City Council, 1987).

It was concluded at the same meeting that,

> "the consultant's strategy is broadly in line with
> the Council's views on what it would like to see in
> the Newcastle part of the Urban Development Area.
> However, there are some important issues...which
> require continuing discussion during preparation of
> the Corporation's Development Strategy" (para. 6.1,
> p.21, ibid.).

It was evident that NCC were intending to have open communication channels with

TWDC.

The then Secretary of State for the Environment (Nicholas Ridley) had intended this

to be the case. In a letter to the then Chief Executive of NCC (Geoffrey Cook) he

stated,

"I shall expect the UDC to work very closely with all the local authorities and other agencies in its area."
(page two of letter, attachment to ibid.).
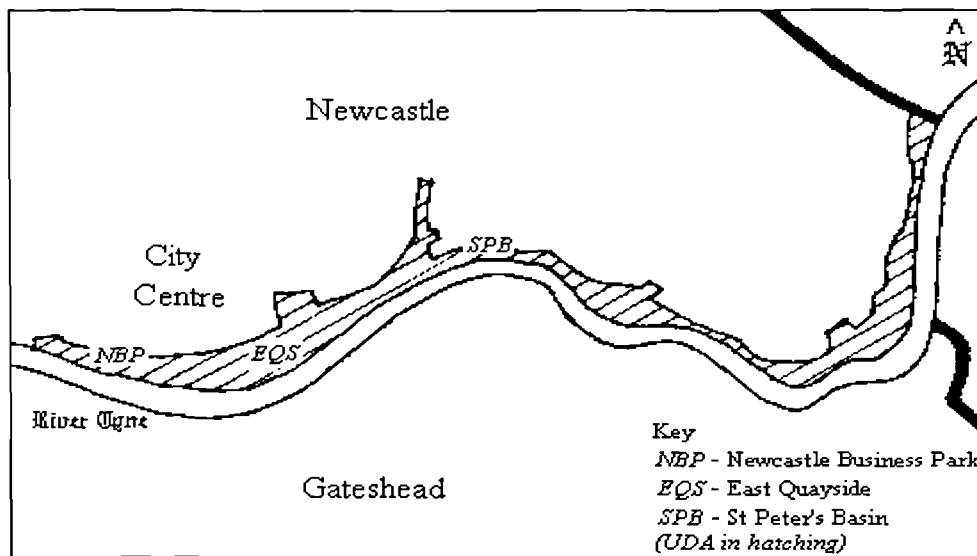
FIGURE 5.3.B. NEWCASTLE UDA AND KEY SITES

5.3.2. UDP Preparation Process

NCC published its Consultation Draft UDP in May 1991. Prior to the official publication of the Consultation Draft UDP, NCC had supplied TWDC with an initial confidential draft, upon which TWDC had informally commented. This informal communication consisted of letters between the two organisations. At the Consultation Draft stage TWDC made a number of comments. These were not detailed as outright objections but more in the form of formal observations. These were sent to NCC by letter dated 17th July 1991.

NCC collated all the representations it had received on the Consultation Draft as a precursor to preparing the Deposit Draft. TWDC sent further correspondence to NCC

to be considered for inclusion in the forthcoming Deposit Draft on the 6th January

1993.

As happened with the Consultation Draft, NCC supplied TWDC with advance copies

(or pre-committee drafts as they were called) of the forthcoming Deposit Draft. This

occurred in the early months of 1993. It enabled TWDC to comment confidentially

on the tone and content of the forthcoming Deposit Draft without recourse to the

formal consultation procedures. Thus both NCC and TWDC could resolve areas of

difference behind closed doors. This showed the growth of the trust that existed

between NCC and TWDC. TWDC responded to the advance drafts in a positive

manner, by letter dated 11th March 1993.

The Deposit Draft UDP was published in May 1993. It maintained similar trains of

thought to its predecessor but was organised in a much more fluid way. This is

exemplified by the contents pages of the two documents (which are reproduced

overleaf). In the Consultation Draft there was a lot of repetition as subsections on

environment, development and transport occur in the first three sections. The Deposit

Draft is a much more approachable plan, more in the mould of the best practice

examples forwarded by the Department of the Environment (see *Chapter 3*).

Figure 5.3.2.A. Newcastle-upon-Tyne **Consultation** Draft Unitary Development Plan

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7. RURAL AREAS

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Figure 5.3.2.B. Newcastle-upon-Tyne **Deposit** Draft Unitary Development Plan

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Newcastle International Airport
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Case for the development in the Green Belt
9.  Development control policy statements
Development control policy statements
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At the Consultation Draft stage NCC had attempted a sophisticated structure for the UDP with different levels of depth to the plan and with the borough split between the city core, the urban areas, the development areas and the outlying rural areas. This diverse structure did not quite work because it resulted in a complicated and repetitive layout. The Deposit Draft had a more formal structure to it, more in accordance with the DoE guidelines.

At the Deposit Draft stage the TWDC was "quite supportive" (NCC source NC02). The initial reaction of TWDC to the Deposit Draft was, "that it represented a comprehensive and well-balanced approach to the planning needs of the City into the next century and appeared to adequately take account of the policies and proposals of the Corporation as required by the Town and Country Planning Regulations" (TWDC source TW(NC)01).

Following the publication of the Deposit Draft there was discussion concerning a handful of matters that concerned TWDC. These are dealt with in the next section. However it is worth noting that these were resolved swiftly through meetings and letters at officer level between TWDC and NCC. A letter from the TWDC chief executive on 19th May 1994 confirmed that the TWDC were content with the content of the UDP as it stood with some mutually agreed modifications and withdrew the TWDC objections. This resulted in the desired (by both TWDC and NCC) situation where the TWDC supported the whole UDP at the Public Inquiry, which opened later that year on 8th November 1994.

5.3.3. UDP Content Evolution

As stated in the previous section there were not many areas where disagreement

occurred between NCC and TWDC concerning the evolving UDP and all were

resolved prior to the Public Inquiry. However it is worth identifying these areas and

how the two organisations came to a compromise. The areas of concern are dealt with

below and were: the Northern Development Area; Existing Industrial Land; St Peter's

Basin; and the General Tone of the Plan.

5.3.3.1. Northern Development Area

The Consultation Draft UDP put forward a controversial policy of a Northern

Development Area to the north of the urban area, adjacent to the airport. It was this

policy that was to draw the lion's share of the attention during the consultation period

and indeed the whole adoption process.

The Northern Development Area (NDA) involved the change of designation of certain

sites adjacent to the Newcastle Airport. These designations were from Metropolitan

Green Belt to employment uses, which the TWDC believed might adversely affect the

market in the region for the employment development proposals that the TWDC had

made in the UDA. The newly recognised sites were designated for high quality

business park type use. As such there were a variety of action groups in opposition to

the new designation (e.g. Campaign for the Protection of Rural England and the

Northumbria and Newcastle Society). These groups had wanted the TWDC on board

as a partner in opposition, however TWDC, after reflection, declined to join them.

There were a number of reasons for the TWDC not joining the opposition to the Northern Development Area. TWDC concern about competition between UDA and NDA sites was appeased by clarification that the NDA sites were aimed at a different market, and had a different time scale to, the Newcastle Business Park and the East Quayside developments (the two main TWDC developments that the UDC believed would be affected by the NCC proposals). A lot of discussion went on behind the scenes at officer level, and above, before this clarification was finally agreed. It was recognised by the local authority, and the UDC, that both sides had to work hard at the relationship in order to reach this point of agreement. The TWDC thus concluded that the NDA proposal was, "an opportunity for the region as a whole" (TWDC source TW(NC)02). The sites were well located, adjacent to the A1 western bypass road and the Airport, and they did not adversely affect the UDC or its strategies. The TWDC had wanted to build up trust with NCC and the discussions over the NDA acted as a vehicle for progress with regards to that.

Following the publication of the Deposit Draft UDP in May 1993, TWDC continued to support NCC with regard to the Northern Development Area. In response to the Deposit Draft UDP, TWDC stated, "that it did not consider that releases of the scale now proposed would adversely affect its [TWDC's] attempts to secure inner area regeneration. It is accepted that the availability of premium high quality greenfield sites with good access to the A1 and the airport provides an inward investment opportunity that does not exist elsewhere in the region and should not, therefore, be in competition with any site within the UDA" (TWDC source TW(NC)03). The support that TWDC supplied in this regard was a help for the NCC in promoting the NDA.

5.3.3.2. Existing Industrial Land

Policy UA.20. in the Consultation Draft concerning existing industrial land read as

follows:

> " [Policy] UA.20. Existing industrial land as shown
> on the Proposals Map will be retained primarily for
> general industrial purposes (Class B2).
>
> [para.] 5.44. It is important that existing
> industrial areas should continue to provide a stock
> of buildings and sites for industrial and
> manufacturing use. This policy reflects the City
> Council's strong commitment to retaining such
> employment within the City. Areas identified on the
> Proposals Map provide important local centres for
> employment with good access for servicing and by
> public transport. In the event of sites becoming
> vacant there will be a strong presumption against
> development for retailing, housing and other non-
> industrial uses. Changes of use to B1 Business or
> B8 Storage and Distribution are permitted by the
> General Development Order."
> (p.136, Newcastle City Council Consultation Draft
> UDP, May 1991).

TWDC were concerned about this policy and particularly the part of the explanatory

paragraph which read, "there will be a strong presumption against development for

retailing, housing or other non-industrial uses". The areas so designated included

substantial parts of the UDA.

TWDC recognised that the area between St Peter's Basin and East Quayside was

predominately in industrial use, and also did not want to discourage industrial

development in that area, but were keen to be able to respond positively to

development interests of all types to encourage a balance of activities. In its initial

strategy document (Vision for the Future, TWDC, 1989) TWDC had identified the

PLATE ONE:
RIVERSIDE WALKWAY SOUTH OF NEWCASTLE BUSINESS PARK

scope for some residential development in that area, particularly close to East

Quayside and was concerned that the designation involving a presumption against

residential development would severely hamper the flexibility that it required in this

area.

TWDC was also concerned with the designation at the western boundary of St Peter's

Basin. There had been discussions with Barrett Homes to extend housing into this

area, with some industrial users already undergoing relocation as a precursor to this.

TWDC also questioned the logic of actively encouraging new industrial development

immediately adjacent to new housing. The train of thought of Policy UA.20. was

reflected throughout the Consultation Draft UDP. Policy ED.2. and explanatory note

reads as follows:

> `` *[Policy] ED.2.   Land used for industry and business*
> *will be retained primarily for these purposes.* "
>
> [para.]   3.169.   There has been a steady loss of
> industrial and commercial land within the built-up
> area to other uses such as housing and retailing.
> This has reduced the level of employment in the. City
> and the diversity of the local economy.   The City
> Council   is   committed   to   safeguarding   existing
> employment.   Retention of sites for industry and
> business which are well located and suited for these
> purposes is an important means to achieving this
> objective.   Areas to be retained are shown on the
> Proposals Map in accordance with Part Two policies."
> (p.91, Newcastle City Council Consultation Draft
> UDP, May 1991).

TWDC were very concerned about both these policies and some of the designations

that corresponded to them on the Proposals Map. The policies as they stood in the

Consultation Draft UDP could greatly affect large parts of the UDA in Newcastle

which had been earmarked for a change from employment generating use by TWDC.

In the series of meetings these areas of concern were negotiated between the NCC and

TWDC. The officer level meetings were a critical part of the modification process. It

was during the discussions that TWDC forwarded the idea of an addition to them,

which would exclude the UDA sites that these policies would affect. The suggestion

was the incorporation of the following into the policies:

> *"Exceptions to this policy may be made where:*
> *(i) The site in question, by reason of its location, topography or configuration is unsuitable for such uses;*
> *(ii) There is a surplus of similar available vacant land in the vicinity, and the loss of the site to other uses would not threaten the employment base of the area;*
> *(iii) The introduction of a new uses into the area would assist in upgrading the local environment or making a significant contribution to the economic regeneration of the wider area."*
> (taken from letter from Mr. G. Snowden (TWDC) to Mr J. Rand (NCC) concerning suggested amendments to NCC Consultation Draft UDP, dated 6th January 1993).

As can be seen by the date of this suggestion, the discussion on this topic had already

occurred over a significant amount of time (from release of the Consultation Draft in

May 1991 to the date of the letter, January 1993). However even in the Deposit Draft

UDP the exception clause suggested by TWDC was not included in the relevant

policies. The two policies were combined to become Policy ED.3. The policy was

softened, but in a different way to that suggested by TWDC. The language used in the

Deposit Draft version was typical of the language used in development plans at that

time, with the use of the word 'normally' adding a caveat to the previously robust

policies:

> "*[Policy] ED.3. Land and premises used for industry and business will be retained primarily for these purposes, and development for other uses will not normally be allowed.*"
> (p.8, Newcastle City Council Deposit Draft UDP, May 1993).

The new wording of the combined policy satisfied TWDC. As such the Proposals

Map did not change drastically between the Consultation Draft and the Deposit Draft.

There remained large parts of riverside land which were covered by the industrial

retention policy on the Deposit Draft Proposals Map, but TWDC had no objections to

these. However, under the general policy concerning the retention of employment

uses there were other, more specific, policies which were extremely restrictive, for

example:

> "*[Policy] ED.3.1. In the following areas to be*
> *retained for industrial use, development will*
> *normally be restricted to Classes B2 (general*
> *industry), B1 (light industry, offices and research*
> *and development), and B8 (storage and distribution)*
> *of the Use Classes Order:*
> *[List of sites both inside and outside the UDA]*
>
> *[para.] 3.37. Serviced and available sites within*
> *industrial areas with planning permission for*
> *industrial development are subject to this policy."*
> *(pp.26/27, Newcastle City Council Deposit Draft UDP,*
> *May 1993).*

Following negotiation between TWDC and NCC changes were eventually made to

this policy concerning the use of the word "retained", which was eased to "restricted"

and a caveat added concerning existing uses being added. The supporting statement

was enlarged to pay regard to TWDC and allow for onsite physical restrictions in

UDA sites to be a reason for approving residential development. This explained why

there were no noticeable changes to the designations on the Proposals Map. The final

revision of the policy can be found in the amended draft of the Deposit Draft UDP

that went to Public Inquiry and read as follows:

> "*[Policy] ED.3.1. In the following areas allocated*
> *for industrial and business use, development will be*
> *restricted to Classes B2 (general industry), B1*
> *(light industry, offices and research and*
> *development), and B8 (storage and distribution) of*
> *the Use Classes Order. This restriction does not*
> *apply to development of an existing use which is not*

PLATE TWO:
NEWCASTLE BUSINESS PARK

> *B1, B2 or B8 and does not involve a change of use:*
> *[List of sites both inside and outside the UDA].*
>
> [para.] 3.37.   Serviced and available sites within
> industrial   areas   with   planning   permission   for
> industrial development are subject to this policy.
> In including Riverside East [the TWDC site included
> in the list of sites] under this policy the City
> Council have regard to the Tyne and Wear Development
> Corporation's policies and proposals including the
> potential for the redevelopment for housing at the
> western end of Riverside East.   In the case of
> specific sites in the area where the topography or
> configuration is unsuitable for redevelopment for
> industrial purposes development of housing will be
> considered a Potentially Suitable Alternative.
>
> [para.] 3.37A.   The purpose of this policy is to
> control the future use of land should an existing
> use   cease   and   the   site   become   available   for
> development.   Therefore the Policy does not apply to
> the   development,   improvement   or   extension   of
> existing uses operating in the above areas which
> fall outside Classes B1, B2, or B8 of the Use
> Classes Order providing that no change of use is
> involved."
> (Modification and Proposed Changes to Newcastle City
> Council Deposit Draft UDP, June 1994, p.27 in
> Amendments to Newcastle City Council Deposit Draft
> UDP, June 1995).

Quite why it was seen necessary to capitalise 'Potentially Suitable Alternative' was

not made clear in the explanatory material!. TWDC had hoped that the exact wording

it had suggested could have been incorporated and thought that the NCC modification

was, "something of a disappointment" (TWDC source TW(NC)04); however it was

satisfied with the outcome and did not press any objections in this instance. The

cause of the disappointment was probably that the wording of the policy has changed

little and that the concession to TWDC was made in the supporting statement after the

policy.

5.3.3.3. St Peter's Basin

NCC admit that the major area of possible confrontation was bypassed by the fact that

development had commenced upon it as the UDP preparation process began. At St

Peter's Basin the TWDC had promoted a mainly residential based development on

sites that NCC had envisaged for employment uses. This employment designation

existed on previous development plans and the site had been cleared and was ready

for development. It had a localised pollution problem and nearby uses included a

waste incinerator and scrap yards. NCC believed that it was more suited to

employment use development. NCC made representations against the TWDC

residential proposals, however they were ignored. At the time prior to development

there was animosity between NCC and TWDC, however NCC insist this did not last

long. NCC infer that it was possible that there might have, "been more of a tussle

over St Peter's Basin if it was not complete". In the Consultation Draft, NCC flag up

the fact that it had hoped for industrial uses on the site. In the section on Industrial

Development the plan asserted that:

> " [para.]   2.137.   Industrial   land   has   come   under
> pressure in recent years as the value of land for
> housing and office/business use has risen.   This
> factor,   coupled   with   the   Urban   Development
> Corporation's promotion of new developments along
> the riverside has led to the loss of the St Peters
> site to housing and the Vickers Elswick site to
> business and office uses.   Smaller industrial sites
> in the built up area have been lost to housing
> development and others are being considered for
> retailing."
> (p.41, Newcastle City Council Consultation Draft
> UDP, May 1991).
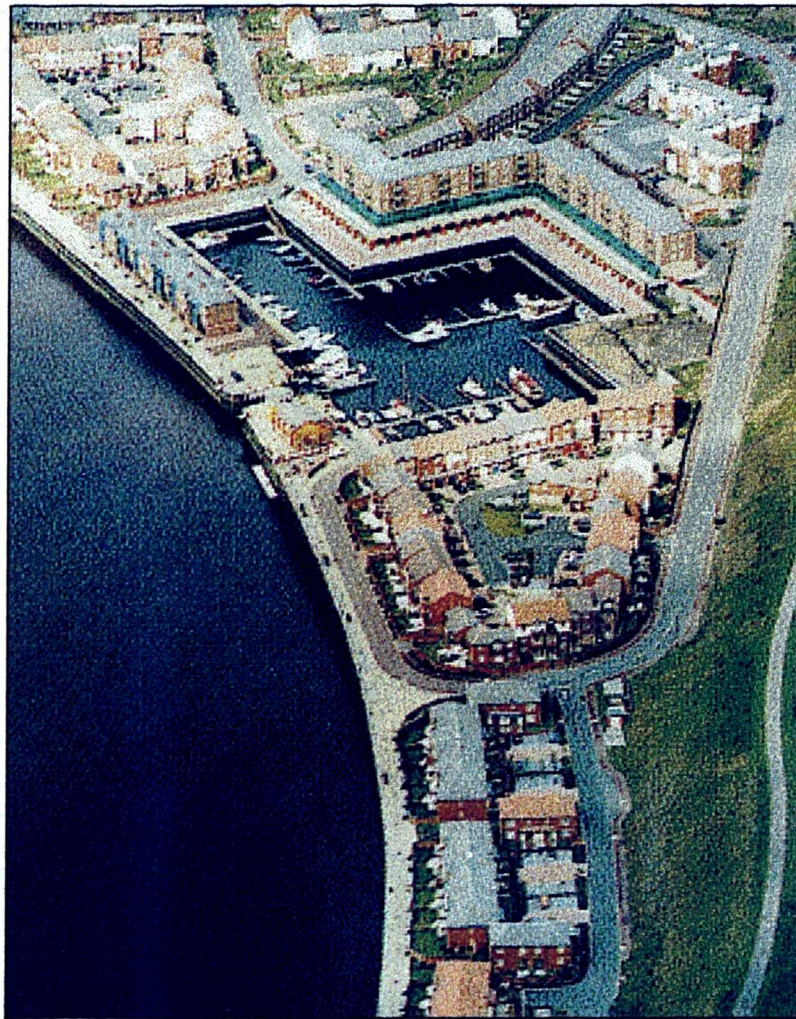
PLATE THREE:
SAINT PETER'S BASIN, NEWCASTLE

In the more streamlined Deposit Draft there was no mention of the loss of the St

Peter's Basin site, as by then it was old news. The uses on the surrounding sites were

still a bone for contention as has been discussed earlier.

5.3.3.4. General Tone of the Plan

Various other policies were also viewed by the TWDC as too restrictive. The TWDC

did not want this inflexibility and objected strongly. Changes were later agreed upon

and the TWDC withdrew all objections in the light of NCC modifications before the

Public Inquiry.

These included the many smaller, more detailed changes made to the tone of the plan.

The TWDC had commented that the Deposit Draft UDP was, "not sufficiently

developer friendly" (TWDC source TW(NC)05) as it included, "a wide range of

restrictive development control policies which require potential developers, inter alia,

to investigate contaminated land, carry out archaeological investigation, provide a

proportion of development cost for art and enter into obligations to provide a wide

range of planning benefits" (TWDC source TW(NC)06). The TWDC commented that

it gave the, "feel of that if you want to develop in Newcastle you've got a hard time"

(TWDC source TW(NC)07). In response to this some of the policies were softened;

NCC made the plan more approachable. One example of a policy being altered to

make it in one instance more 'tight' and yet also more developer friendly is in the

archaeology section.

> "*[Policy] C4.3. Where proposed development would*
> *affect a site or area of archaeological interest*
> *developers will be required to preserve*
> *archaeological remains in situ unless this is*

> *clearly inappropriate or demonstrably unavoidable,
> in which case a programme of archaeological works
> shall be submitted and agreed with the local
> planning authority before the start of the
> development."*
> (p.103, Newcastle City Council Deposit Draft UDP,
> May 1993).

The above policy was changed to later read:

> "*[Policy] C4.3. Where assessment and evaluation
> have established that proposed development will
> effect a site or area of archaeological interest
> developers will be required to preserve
> archaeological remains in situ unless this is
> clearly inappropriate or destruction of the remains
> is demonstrably unavoidable, in which case a
> programme of archaeological works shall be submitted
> and agreed with the local planning authority before
> the start of the development."*
> (p.103, Amendments to Newcastle City Council Deposit
> Draft UDP, June 1995).

This alteration was combined with the removal of a later restrictive archaeology

policy (C.4.4., in NCC Deposit Draft UDP, May 1993) which concerned the

submission of a detailed assessment of the impact on archaeological remains. This

made the archaeology policies less of a headache for prospective developers and

clarified exactly what was required of the developer.

With concern to development in the city centre NCC changed the tone of the plan to

encourage interest other then the Council itself. A paragraph previously read:

> "*[para.] 3.28. Newcastle City Centre is a historic
> area of national importance, which can attract
> business and investment. This has been demonstrated
> in Grey Street which is the prime office location in
> the region. There are a number of areas, however
> which are run down and where historic buildings
> contain long term vacant floorspace. Through the
> Grainger Town Study and similar studies the City
> Council will identify historic buildings and areas*

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     with   potential,   and   provide   detailed   planning
     guidance  to  help  secure  refurbishment."
     (Newcastle   City   Council   Deposit   Draft   UDP,   May
     1993).
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The above paragraph was added to by the text, "undertaken in conjunction with property owners, occupiers and developers", following the phrase 'similar studies', in order to read with a language more open towards partnerships. The new text made it clear that NCC would conduct such studies in close consultation with parties having interest in the area.

TWDC had been very nonplussed with the tone of the 'Implementation' chapter in the UDP throughout the adoption process. NCC had passed TWDC a draft of this chapter written whilst it was preparing the Deposit Draft. There was no 'Implementation' chapter in the Consultation Draft; it was conceived after its publication. The content and tone of the chapter seem to burden a prospective developer with a myriad of obligations before and during development. Despite the initial paragraphs stating that, "the general presumption is that development should be allowed" (para. 6.21, p.170, Newcastle City Council Deposit Draft UDP, May 1994) the chapter went on to refer the reader to all manner of conditions such as the 23 development control policy statements (dealing with, inter alia, space standards, landscaping, waste disposal, noise and vibration, parking standards, access, canopies and awnings, master plans, development briefs, environmental considerations and impact assessment, planning obligations and developer contributions, drainage, woodland, training, social, transport infrastructure, recreational and community facilities).

In an effort to give the chapter a more promotional feel, TWDC (in January 1993) advised that the final explanatory paragraph of the chapter be converted into a policy in order to provide some impetus for the prospective developer, especially one concerned with sites that did not have a high profit margin. TWDC hoped that the policy could read:

"[Policy] IM.9. The requirements for developers set out in this Plan will be applied fairly throughout the City and in a manner which recognises the constraints within which the development industry works. Where land values and profit margins are low or where public support is necessary to allow development to take place, normal planning requirements may be relaxed in order to make a scheme financially viable. In such instances the City Council may request a financial assessment of the scheme and might carry out its own assessment.."
(taken from letter from Mr. G. Snowden (TWDC) to Mr J. Rand (NCC) concerning suggested amendments to NCC Consultation Draft UDP, dated 6th January 1993).

NCC did not upgrade the explanatory note to become a full policy, however a plethora of changes were made to the wording and tone of this chapter both before and after the publication of the Deposit Draft UDP. Some of these changes were subtle and some of them blatant but a softening of the tone of this chapter did occur. The introduction of the phrase 'it may be necessary' and the use of the word 'possible' in previously inflexible conditions added greatly to this effect.

The TWDC did state that there were a lot of positive things in the Deposit Draft. The fact that NCC had taken on board the existing UDC strategies was particularly welcomed. This resulted in a situation where any areas of disagreement with regard to the UDP had been resolved between NCC and TWDC before the Public Inquiry into the UDP by either modifications to policies or withdrawal of objections.

5.3.4. The Nature of the Relationship

As a local authority area NCC was a focus for the early work of the TWDC, namely the Newcastle Business Park and then later the East Quayside development. Once the UDC was designated NCC immediately took a proactive attitude in its dealings with TWDC and this was reflected in the strength of the relationship which evolved.

5.3.4.1. Recognition of Dependency

There developed a definite recognition of inter-dependency between NCC and TWDC. From the inception of the TWDC both organisations realised that their aims could best be achieved by working together. Detailed discussion between the two organisations occurred in order to present to the public an united front on development issues in the region. There were disagreements on certain issues. However the two organisations discussed these behind closed doors in order to come to a compromise together.

Discussions during the adoption process of the UDP illustrate this understanding. Detailed discussions between TWDC and NCC prior to the Public Inquiry into the UDP led to changes which insured that TWDC had no objections to the plan. The changes involved both alterations to the emerging UDP in line with TWDC suggestions and also unconditional withdrawal of TWDC objections. Thus both the local authority and the UDC altered their stance on particular UDP issues following the UDP consultation discussions. There was a *mutual* recognition of dependency.

The recognition of dependency in order to maximise the benefit to the city was underlined by the assertion by an NCC officer that, "obstruction would only have impeded the long term good" (NCC source NC03).

5.3.4.2. Pooling of Resources

There was little direct pooling of resources between NCC and TWDC. However the TWDC supported a variety of initiatives outside the UDA that NCC also supported financially. One major example is the Cruddas Park Community Development Trust (CPCDT). More information on exactly what the CPCDT was and what it did can be found in the report *"Changing the Way we Do Things Here"* (Wood et al, 1995). Nevertheless it is informative to note here that CPCDT was a community regeneration project, located in an 1960s public housing estate just to the north of the UDA boundary in Newcastle. TWDC provided money to aid the projects and operation of CPCDT. This money amounted to around £70,000 over three years, however TWDC were never directly involved with the day-to-day operations at CPCDT. There was an overlap at Board level, as a member of the TWDC Board was also a CPCDT director.

With concern to budget enlargement, TWDC was supportive of NCC bids for money to help areas outside the UDA; such as City Challenge and Single Regeneration Budget bids. NCC met with mixed success on such bids. In its turn NCC helped TWDC with bids for money from the EU.

One could describe the final draft of the UDP before adoption (that is to say the one entitled Amendments to the NCC UDP, June 1995) as an example of the end result of

the pooling of resources. There was an exchange of ideas and discussion to come to a conclusion that suited both the aims of NCC and TWDC. This could be described as a pooling of 'regulatory' power. However the collaboration on the UDP never reached the stage where it could be referred to as joint working, or the end product a result of a process involving synergy.

5.3.4.3. Exchange of Information

Exchange of information occurred without prejudice between NCC and TWDC. Throughout the UDP preparation process NCC made available pre-publication drafts for TWDC to comment upon. TWDC was thus able to comment on the emerging UDP in a confidential manner at the earliest possible stage of its evolution. This enabled NCC and TWDC to thrash out any issues of great controversy between themselves and not in the public domain where the media and other parties could have taken comments out of context. In its turn TWDC was entrusted with secrecy concerning the pre-publication drafts of the plan, and maintained this. TWDC commented upon the drafts in a comprehensive and confidential manner.

Both organisations stated that the other was receptive to requests and proactive in supplying information.

5.3.4.4. Development of Trust

There was a distinct development of trust between NCC and TWDC. The extent to which the two organisations consulted on areas of mutual concern and desire to present a common front was indicative of this trust. In the interviews with officers from both agencies it was said that there was little inter-agency suspicion. NCC were particularly concerned with industry and the creation of jobs, which were concerns coming directly from the elected councillors. TWDC however had its emphasis on development, developers and property-led urban regeneration. These separate roles were recognised and both sides felt comfortable with the relationship, notwithstanding the distinct areas of interest and points of view. Thus the roles each organisation took did not merge and this helped to eradicate many possible threats to the development of trust.

One matter of concern was flagged by officers at NCC. There was a feeling in the local authority that TWDC enticed some of the big companies from the city centre to its Quayside development and the Newcastle Business Park. Examples cited were the relocation of AA Insurance offices from Neville Street opposite the Central Station to the Newcastle Business Park and Dickinson Dees, a large law firm in the region, from Westgate Road to the Quayside development. These relocations occurred particularly as the TWDC developments were completed in the years following 1993. TWDC pleaded innocent to such claims and as the matter was really a concern for the individual company NCC had to swallow this bitter pill.

5.3.4.5. Mutual Orientation

The mutual orientation between NCC and TWDC was once again illustrated by the emerging UDP and the fact that the TWDC supported it in its post-Deposit Draft form and had no objections to the plan in the stages immediately preceding the Public Inquiry and afterwards. The UDP as a blue-print for the future development of the city as a whole showed that the two organisations maintained a mutual orientation, especially towards urban regeneration. The policies and strategies contained in the plan were mutually acceptable, having been fostered by working in partnership.

The conscious effort that was made to present a united front on development matters and strategy in general between NCC and TWDC was indicative of the attempt at mutual orientation. The success in the discussions undertaken to produce a mutually acceptable UDP was evidence of this mutual orientation in practice.

5.3.4.6. Commitment Over the Long Haul

There was a commitment over the long haul between NCC and TWDC, despite NCC being initially pragmatic towards the TWDC. When the proposals were presented for a UDC in Tyneside, NCC made it clear that it was against this designation. However once the UDC was designated, NCC made a conscious effort to work in tandem with TWDC.

Robinson et al., writing in 1993, believed that, "the closest and best relationship is between the TWDC and NCC [out of all the Tyne/Wear local authorities]", (p.38,

Robinson et al., 1993). They stated that, "the City Council is understandingly pleased that Newcastle has received such a large share of TWDC's resources and development" (ibid.). They related that NCC basically supports TWDC projects. However the local authority still made the point that if they themselves had received the funds then they would have been able to undertake the lead in the development.

As far back as October 1989, NCC was publicly stating it would work with TWDC towards the goal of urban regeneration. In *"Key Directions for the City's UDP"* (Planning Department Newcastle City Council, October 1989), Key Direction No.3 for the UDP was, "The City Council (together with the UDC and government agencies) must continue to direct the bulk of its effort towards the regeneration of the Inner areas, and other pockets of deprivation" (p.16, ibid.).

The discussion concerning, followed by the UDC support for, the Northern Development Area was an example of a strong sustaining relationship. At first the proposal seemed to rival the work being done on the waterfront by the TWDC. However, through negotiation, a satisfactory compromise was reached. TWDC did not want to get into an unseemly public fight with NCC by joining the organised opposition to the Northern Development Area proposal. TWDC also did not wish to damage the good relationship it had with the local authority. However the proposal obviously could have affected the viability of the sites in the UDA. The clarification on uses and time scale appeased the UDC. The issue of the timing was all important to TWDC. Once it was clear that the new sites would not come on-stream for a long time then the UDC was satisfied. TWDC was concerned with firms investing at that

current time (i.e. before the UDC was dedesignated), and the view the TWDC took of

the (then) climate of investment, with the implementation of the Northern

Development Area occurring awhile into the future, was that TWDC sites would not

be unduly affected. TWDC did have concern about the views of developers and

investors that they were trying to attract with another development area being

promoted, however it was believed that the resolved timescale of the NDA would

satisfy them. This agreement illustrates the mutual commitment to working over the

long haul throughout the lifespan of the TWDC.

5.3.5. Synopsis

The important conclusion to this case study was that the NCC UDP was not objected

to by the TWDC at the Public Inquiry; indeed, as previously stated, all TWDC

objections to the Deposit Draft were withdrawn following negotiation and changes.

This negotiation occurred at a series of meetings between the TWDC and NCC and

the changes were a result of discussion between officers of the two bodies.

In its turn, TWDC always, "intended to be helpful and positive, rather than

destructive" (TWDC source TW(NC)08). With concern to the meetings about the

UDP the TWDC attempted to engender "a spirit of co-operation" and wished to

appear at the Public Inquiry "in a supportive role" (both TWDC source TW(NC)09).

It was a prime aim of TWDC that it did, "not want to be placed in a position where it

would be forced to appear at an examination in public [the Public Inquiry] in order to

object to the UDP" (TWDC source TW(NC)10).

The state of the relationship between TWDC and NCC was reflected by the fact that the two Chief Executives met regularly, as did local politicians and members of the Council with the TWDC. Officers of the two also met, however this was normally with respect to specific issues and was not on a regular set basis. There were yearly co-ordination meetings between the two organisations which covered a range of issues, most importantly the strategic concerns of both bodies. NCC supported all forms of consultation, believing that, "obstruction would have only impeded the long term good" (NCC source NC04). TWDC was always available for consultation with the local authority.

The relationship can be summed up by the words of the Leader of Newcastle City Council, Tony Flynn, "partnerships between leading organisations in a city are crucial when trying to achieve lasting regeneration. The partnership between Newcastle City Council and the Development Corporation has been a effective one and one which is yielding some excellent results" (quote from TWDC Annual Report, 1994/95).

Since the inception of the UDC, NCC and TWDC built up a communality of interest in achieving the goal of urban regeneration. Their relationship was based on a broad consensus and the agreement that any disputes should be conducted in private and not in public.

5.4. NORTH TYNESIDE METROPOLITAN BOROUGH COUNCIL

5.4.1. Introduction

North Tyneside Metropolitan Borough Council (NTMBC) is the local authority for an area of just under 8,500 hectares and has a population of approximately 195,500. To the east is the North Sea, with the River Tyne forming the southern boundary to the authority. Across the River Tyne is the local authority of South Tyneside. Newcastle City is at the western boundary of North Tyneside and Blyth Valley District along the northern boundary of the authority.
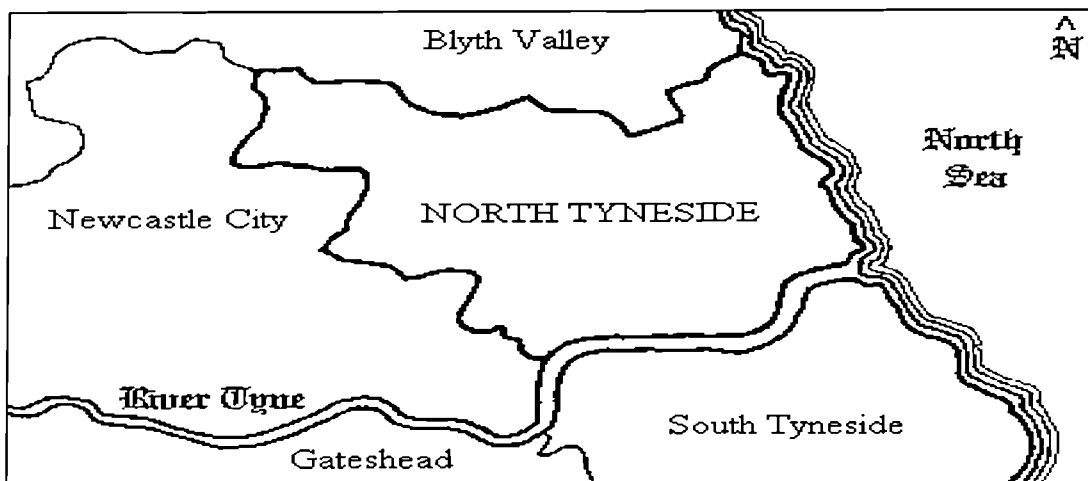
FIGURE 5.4.A. NORTH TYNESIDE AND ITS SURROUNDINGS

The northern part of the Borough is made up of open countryside. The main urban areas are the towns of Wallsend, Whitley Bay and North Shields which are situated along the river or coastline, with some other smaller settlements across the Borough. Despite suffering from the massive closures of the ship building and repairing industries, the River Tyne remains a source of employment for the Borough.

Ship repair still exists to an extent, with off-shore fabrication, fishing and other port related activities also in evidence. As part of the diversification of the area it is increasingly being marketed for tourists - something that the existing resorts on the coast and extensive sandy beaches help facilitate. However the borough remains one of the most deprived in the country. NTMBC as a local authority suffers from financial difficulties and as such planning is often under funded with resources going to departments which alleviate problems more directly.

In the early days of the TWDC, its relationship with NTMBC was the worst of all of the Tyne and Wear boroughs (NTMBC source NT01 and TWDC source TW(NT)01). There was no communication at all. This arose from the initial political position taken by NTMBC and not any hostility generated at officer level. NTMBC were strongly opposed to the TWDC proposals at Royal Quays, which was to be the UDC flagship site in North Tyneside. NTMBC had wanted the site to be used for predominately industrial uses which would create much needed jobs for the area. NTMBC was unsuccessful in persuading the TWDC about this and the site was developed with mainly residential uses. This was despite alternative plans being produced by local groups and also different strategies forwarded by both officers and members at the local authority. NTMBC in some ways still regard Royal Quays as a failure as it did not create enough jobs for the Borough, although the housing developed there has cleared up a large derelict site. There is also a substantial retail element to the development which did supply an employment source to an extent.

It has been stated that NTMBC was "the most 'political' of the local authorities" and

that it "was previously very hostile to the TWDC" (p.39, Robinson et al., 1993).

However by 1993, Robinson recognised that "the Council has reacted pragmatically

[to Royal Quays] and gradually built what is described as a businesslike relationship

with the TWDC" (p.39, Robinson et al., 1993).
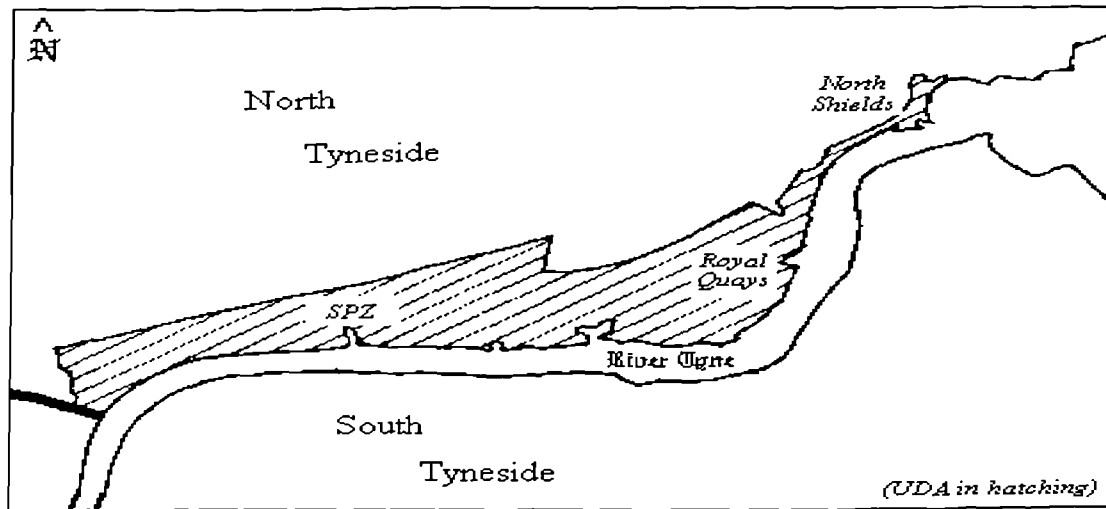
FIGURE 5.4.B. NORTH TYNESIDE UDA AND KEY SITES

So, despite the initial frostiness, over time (i.e. between 1988 and 1992) the interests

of the two started to align and the ice was broken. This was due to a variety of events,

the following being four of the major ones. Firstly, a change in personnel at the

member level of NTMBC. Secondly, the success of the NTMBC Round Two City

Challenge bid, which TWDC had supported with funding and expertise. Thirdly, the

development at Royal Quays getting off the ground and both socially and physically

blending into North Tyneside. And finally, the successful appeal against the Howdon

Incinerator, in which TWDC fought a £2 million (cost to them) Public Inquiry against

Northumbrian Water, who wanted to burn sludge and toxic waste there. NTMBC

supported TWDC in this action and were very pleased with the result. NTMBC

would not have been able to afford such a costly appeal and thus were greatly relieved

when TWDC agreed to fight it (and also, more importantly, pay for it).

Towards the end of the TWDC existence the relationship between TWDC and

NTMBC could have been described as healthy (see earlier), both between officers and

politically. "What was the worst relationship became the best" (TWDC source

TW(NT)02). An example of this is the fact the Chief Executive of NTMBC lived in

the TWDC flagship development at Royal Quays and spoke on its promotional video.

This should be seen as a very symbolic gesture.

5.4.2. UDP Preparation Process

NTMBC published the Consultation Draft of their UDP in October 1993. TWDC

then assessed the plan in the light of their own objectives and strategies and prepared

a list of areas of concern. These were a set of general comments which were followed

by specific objections to five of the Consultation Draft policies. These were sent to

NTMBC in March 1994, (Letter from Alastair Balls (Chief Executive, TWDC) to Mr

J. Lahoar (Land and Development Manager, NTMBC) concerning NTMBC

Consultation Draft UDP, dated 25th March 1994).

These observations on the Consultation Draft were then discussed in meetings that

followed. A further letter from TWDC, a year later, in March 1995, acted as a

milestone in the debates concerning the UDP and as a record of negotiation on some

of the matters that were discussed, (Letter from Mr. G. Snowdon (Principal Planning

Executive, TWDC) to Mr P. Brown (NTMBC Development Department) concerning

NTMBC Consultation Draft UDP, dated 20th March 1995).

It was stated (NTMBC source NT02) that the Deposit Draft would contain many

changes made from observations on the Consultation Draft, not just from the TWDC

comments but also from all the other observations received. The Deposit Draft was

finally published in October 1996.

The Deposit Draft did have many changes from the Consultation Draft, however these

did not extend to the objections and observations of TWDC; the majority of which

were not addressed by changes in the Deposit Draft. Therefore TWDC reiterated their

objections that were still outstanding from observations on the Consultation Draft, and

also had some further comments to make on the Deposit Draft itself. These were

forwarded by letter to NTMBC in December 1996, (Letter from Mr G. Snowdon

(TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and Development

Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996).

The TWDC wound up in March 1998 when NTMBC were still considering all the

observations received on its Deposit Draft.

5.4.3. UDP Content Evolution

5.4.3.1. General Thrust of the Plan

The initial comment that TWDC had to make on the Consultation Draft was one

concerning the lack of recognition that was given to the Corporation in the Plan. The

only section in the Plan giving detail about TWDC was a small paragraph in the Local

Economy Chapter which read as follows:

> "[para.]   4.20.   The   Tyne   and   Wear   Development
> Corporation   has   as   its   main   physical   planning
> objectives for the area of its operations in North
> Tyneside:
> - provision of infrastructure and other support to
> maintain   and   strengthen   established   manufacturing
> industries along the Tyne Riverside.
> -   support   to   the   future   development   of   port
> facilities on the Tyne, and in particular to improve
> links with Northern Europe.
> - development of the Royal Quays flagship scheme to
> include   elements   of   new   industrial,   commercial,
> leisure and retail development.
> - regeneration of North Shields Central Riverside
> and Fish Quay areas."
> (p.21, North Tyneside Metropolitan Borough Council
> Consultation Draft UDP, October 1993).

There was no mention of residential development, something that TWDC were

intending to introduce to the area. Then, later in the same chapter of the Consultation

Draft, the following appeared concerning the work of TWDC:

> "[para.]   4.30.   Land   with   river   frontage   is
> therefore   a   valuable   resource,   whose   area   has
> recently   been   diminished   as   a   result   of   the
> residential development and other commitments within
> the   area   of   the   Tyne   and   Wear   Development
> Corporation."
> (p.23, North Tyneside Metropolitan Borough Council
> Consultation Draft UDP, October 1993).
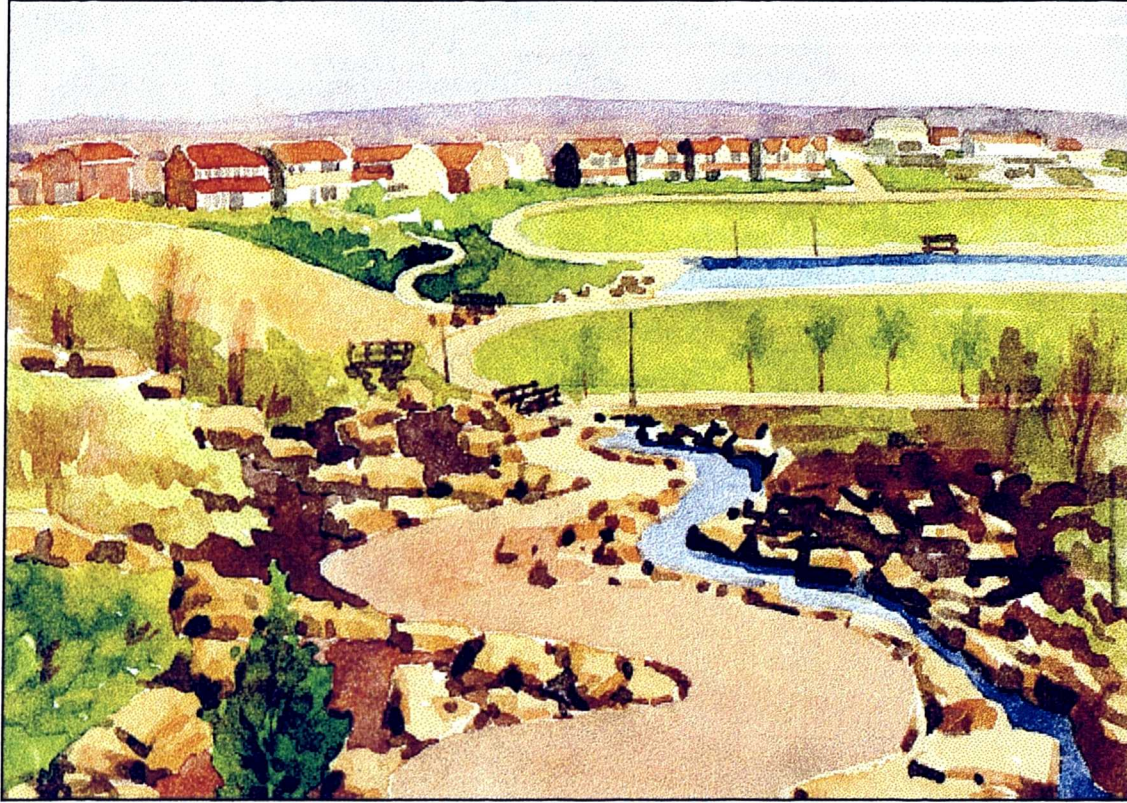
PLATE FOUR:
ROYAL QUAYS, NORTH TYNESIDE

The tone of this statement reflects the early hostility that existed between local authority and UDC. TWDC objected to this statement, however it remained in the Deposit Draft (para. 4.29., p. 24, North Tyneside Metropolitan Borough Council Deposit Draft UDP, October 1996) and as a result TWDC maintained their objection to it in their observations on the Deposit Draft.

In reply to this part of the Plan and the lack of recognition, TWDC believed that more explanation of the role and remit of the UDC was required and made this clear in their Consultation Draft observations:

> "Until at least 1998 (not 1997 as stated in the document) the Corporation will remain as development control authority with part of the area to which the Plan relates. We will therefore, be jointly responsible for implementing its policies and proposals. Our respective roles and responsibilities need to be clarified and explained within the plan. There is also some confusion on this issue within the wording of policies from section to section, some referring to 'the Council' and other to the 'local planning authority'. The situation needs to be clarified and hopefully a sense of partnership between our respective organisations seen to prevail."
> (p.2, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th March 1994).

These points are taken further in the next paragraph of the letter:

> "A definite sense of hostility towards the work of the Corporation and lack of acknowledgement of our achievements is unfortunately clear in the tone of the plan, which we find to be particularly regrettable. Although we may from time to time have differences of opinion and emphasis, we are both working towards the end of securing regeneration and a better quality of life for the Borough as a whole, and our respective efforts complement each other. This clearly needs to be recognised. Our role in the past, and in the future, in securing the Borough's social housing and tourist objectives is not recognised in any way nor is our contribution to reclamation of derelict land. We are 'credited' for example (para. 4.30.) with having diminished the valuable resource of land with river frontage, without giving any credit to the wider benefits of diversifying activity along the riverside or securing the trading position of the PTA [Port of Tyne Authority] by enabling them to re-invest in port facilities on the south side of the river. Again (para. 8.38.) the off site highways works at Royal Quays are described as being merely 'to link the traffic generated by the Royal Quays development to the strategic highway network'. No reference is made to the benefits of the new infrastructure to the Borough as a whole or the environmental benefits of the Howdon Bypass. There are many similar examples throughout the Plan. Particularly disappointing is

the reluctant inclusion of many of our proposals which are set within the context of policies with which they are clearly at odds (e.g. retail development at Royal Quays). We need to work together to implement the plan and secure a vibrant economy and attractive environment. The tone of the plan is clearly not conducive to such co-operation."
(p.2, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th March 1994).

The Deposit Draft did not really address this issue sufficiently, although TWDC did

state:

"The Corporation does not object to the general strategy contained within the plan. It also welcomes, what it sees as some degree of acknowledgement of our existence, which was sadly lacking in the earlier version."
(Letter from G. Snowdon (TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and Development Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996).

TWDC had been wound up before the Public Inquiry stage of the plan. Reference to

the defunct UDC would probably be removed by later modifications to the plan.

5.4.3.2. Special Industry Uses

The TWDC were concerned about all the intended new uses across the UDA,

especially those which might be hazardous. Policy LE.1/6. in the Consultation Draft

dealt with Special Industries and read as follows:

> "[Policy] LE.1/6. Proposals for special classes of industry other than B1, B2 and B8 will normally only be accepted where either:
> i) they involve the continuation of an existing activity, do not have an excessively adverse effect on adjoining areas and are in accordance with the other polices of this plan; or
> ii) they involve proposals for scrap processing (including vehicle dismantling) within the area of Dock Road Industrial Estate, North Shields, which is shown in the Proposals Map to be appropriate for the purpose."
> (p.28, North Tyneside Metropolitan Borough Council Consultation Draft UDP, October 1993).

TWDC specifically objected to Policy LE.1/6 as follows:

"Policy LE.1/6. - The Corporation objects in the strongest possible terms to the proposal to concentrate scrap processing activities in the Dock Road Industrial Estate. We are aware of the past planning history of this area, but this policy seems to be an attempt to turn the clock back and ignore the realities of the present situation. Residential development has been approved on adjacent sites and its design has taken into account EXISTING nuisance generating activity in the area. The addition of similar activities could increase ambient noise levels in the area and introduce noise generating activities close to noise sensitive development which is contrary to government advice in the draft PPG on 'Planning and Noise' and at odds with the terms of Policy E.27/5. in the Plan."

(p.3, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th March 1994).

Policy E.27/5. in the Consultation Draft stated that:

"[Policy] E.27/5. Scrap yards will normally only be permitted within general or special industrial areas where their environmental impact can be absorbed without detriment to other development and uses."
(p.54, North Tyneside Metropolitan Borough Council Consultation Draft UDP, October 1993).

Despite the TWDC objection, these policies remained substantially the same in the Deposit Draft (Policy LE.1/6. was renumbered as Policy LE.1/9., p.30, NTMBC Deposit Draft UDP, October 1996) and as a result TWDC maintained their objection to the policies:

"[Concerning] Policy LE.1/9. - A policy of concentrating scrap processing uses immediately adjacent to existing house [sic] is an irresponsible one, and is in conflict with Policy E.4. The Corporation has previously drawn its concern [sic] on this issue to the Council and has been in active discussion with your officers on alternative sites for concentrating scrap processing uses, including land at Hadrian Road which is in the ownership of the Corporation. Whilst housing on the west side of Dock Road has been designed to take into account existing scrap processing activities, further concentration of these activities would cause a nuisance to residents in which 'substantial screening' would be an inadequate mitigating measure."

(Letter from G. Snowdon (TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and Development Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996).

As the representations made on these policies show, TWDC were particularly concerned about the impact that these uses might have on existing and proposed residential development across the UDA. However, TWDC had been wound up before these issues were addressed by any later modifications made to the plan.

5.4.3.3. Riverside Areas Uses

Policy LE.1/8. in the Consultation Draft dealt with the Control of Use of Riverside

Areas and read as follows:

> "[Policy] LE.1/8. Within riverside areas shown on
> the Proposals Map to be required for the operation
> of marine-related activities including maritime
> trade and fisheries, the use of the land will
> normally be reserved for these purposes."
> (p.28, North Tyneside Metropolitan Borough Council
> Consultation Draft UDP, October 1993).

TWDC specifically objected to Policy LE.1/8. as follows:

> "Policy LE.1/8. - The Corporation has no objection in principle to a policy of this nature if it
> can be demonstrated that there is likely to be, within the plan period, a realistic demand for
> land for marine related activities to the extent and in the locations identified. It specifically
> objects to some of the land at Royal Quays allocated for the purpose of this policy, as this
> could be detrimental to the proper planning of the area, and the securing of regeneration."
> (p.2, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and
> Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th
> March 1994).

Despite the TWDC objection, this policy remained in the Deposit Draft (except for

slight alteration in wording and renumbering as Policy LE.1/11., (p.31, North

Tyneside Metropolitan Borough Council Deposit Draft UDP, October 1996)). There

were also a couple of very slight alterations to the boundaries of these areas, however

they remained substantially the same in the Deposit Draft. As such TWDC

maintained their objection to the policy:

> "The Corporation has previously drawn attention to the fact that the extent of land reserved
> within the Plan for maritime related purposes is not (as far as we know) based on any detailed
> assessment of realistic needs over the Plan period or beyond. Reserving sites (e.g. Smith's
> Dock) exclusively for this purpose could run contrary to the genuine regeneration of the
> riverside area in line with the Plan's principal objective."
> (Letter from G. Snowdon (TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and
> Development Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996).

The TWDC were particularly keen to introduce new uses to the riverside sites that had previously been occupied by employment generating uses. These policies inhibited any flexibility that the UDC might require to implement the strategies it had for riverside sites. However, the TWDC had been wound up before this issue could be resolved.

5.4.3.4. Waste Disposal Facilities

Policy E.27/3. in the Consultation Draft dealt with Proposals for Waste Disposal Facilities and read as follows:

> "*Proposals for waste disposal facilities involving incineration, chemical or biological processes will be considered in relation to an assessment of the local need for the facility and the environmental consequences of the operation. The following principal factors will be considered:*
> *i) the scale of the operation, the nature and quantity of the waste to be treated and the source of the waste;*
> *ii) the availability of alternative facilities for the treatment of the waste;*
> *iii) the relationship of the site to existing or proposed development of a sensitive nature such·as housing and the anticipated impact on the amenities of residents, particularly the effects of noise, dust, smell and air emissions;*
> *iv) the effect of traffic to and from the site on the road system and its impact on nearby settlements or residential areas;*
> *v) the effects on natural drainage and the sewerage system;*
> *vi) the visual impact of the proposal;*
> *Such facilities would normally be located within industrial areas.*"
> (p.54, North Tyneside Metropolitan Borough Council Consultation Draft UDP, October 1993).

In response to this policy TWDC specifically objected as follows:

> "Policy E.27/3. - The Corporation objects to the wording of this policy which omits any reference to the effect that a proposal would have on the regeneration of the surrounding area. It is assumed that this is an error of omission, given that the effect on regeneration was the key material consideration of the Secretary of State in dismissing the incinerator appeal at Howdon."
>
> (p.3, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th March 1994).

Apart from the deletion of the word 'local' describing the 'need' in the first sentence of the policy, this policy remained the same in the Deposit Draft except for a renumbering to Policy E.29/3. (p.65, North Tyneside Metropolitan Borough Council Deposit Draft UDP, October 1996).

In their response to the Deposit Draft NTMBC maintained their objection to this policy, (Letter from G. Snowdon (TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and Development Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996). As this objection is based around an omission of reasoning it is surprising that this issue was not resolved in the Deposit Draft. However, in this matter, it would be expected that a suitable wording would be agreed upon prior to the Public Inquiry, although at the time of the cessation of TWDC activity this matter had not been resolved.

5.4.3.5. Shopping Development Outside Town Centres

Policy S.7. in the Consultation Draft dealt with Shopping Development Outside Centres. This was a particular area of concern to the TWDC as this category of policy could affect the retail element at the Royal Quays development. Policy S.7. read as follows:

> "[Policy] S.7. The Council will not normally permit
> proposals for shopping development outside existing
> centres unless it is satisfied that all of the
> following criteria can be met:
> i) the proposal is acceptable in terms of all other
> policies and proposals in the plan; and
> ii) the proposal would not seriously affect, either
> individually or cumulatively, the vitality and
> viability of established shopping centres; and
> iii) the proposal would not prejudice proposals for
> the improvement or investment in established
> shopping centres; and
> iv) the proposal could not be accommodated within or
> next to an established shopping centre; and
> v) the proposal would be located within the existing
> built up area; and
> vi) the proposal site would be readily accessible by
> public transport; and
> vii) the proposal can be accommodated by the highway
> network and would not result in an unacceptable
> increase in vehicle pollution; and
> viii) the proposal is not on land provided for
> employment, housing or open space provision; and
> ix) the proposal would not have an adverse affect on
> the amenity of the surrounding area; and
> x) the proposal would provide a type of facility not
> available elsewhere in the Borough."
> (p.78-79, North Tyneside Metropolitan Borough
> Council Consultation Draft UDP, October 1993).

TWDC specifically objected to this policy as follows:

> "Policy S.7. - Whilst accepting that the criteria are ones against which retail proposals will
> need to be assessed, the requirement that proposals should meet all the criteria, is too
> restrictive, does not reflect the spirit of government guidance in PPG 6 , would be contrary
> to the terms of retail consents already granted at Royal Quays and detrimental to the efforts
> of the Corporation to secure regeneration in accordance with its statutory object."
> (p.3, Letter from Alastair Balls (Chief Executive, TWDC) to Mr J. Lahoar (Land and
> Development Manager, NTMBC) concerning NTMBC Consultation Draft UDP, dated 25th
> March 1994).

This policy remained in the Deposit Draft, except for some slight alterations in

wording which in effect made the policy more restrictive (p.87, North Tyneside

Metropolitan Borough Council Deposit Draft UDP, October 1996). As such TWDC

maintained their objection to it:

"Whilst acknowledging the change in national policy since the publication of the revised PPG
6, the Corporation remains of the view that the need to satisfy all the criteria set out is too
restrictive."
(Letter from G. Snowdon (TWDC Planning Executive) to Mr J. Lahoar (NTMBC Land and
Development Manager) concerning NTMBC Deposit Draft UDP, dated 8th December 1996).

This policy was obstructive towards the TWDC strategy for the retail element at the

Royal Quays development. It caused a small problem near the factory outlet store.

However as this was completed before the plan was adopted it was not a major area of

contention. Nevertheless the matter of the TWDC objection was not resolved before

the UDC was wound up.

5.4.4. Nature of the Relationship

The relationship between TWDC and NTMBC changed dramatically since the

inception of the UDC in 1988. Initially NTMBC was extremely hostile towards

TWDC, especially from a political position. At officer level there was better

communication, but only on occasions where this was necessary. A more open

relationship developed over time.

With more specific concern to the UDP, the TWDC welcomed the general strategy

contained in the Consultation Draft and its overall aims and objectives but had serious

misgivings about some of its format and contents. These were allayed by the Deposit

Draft, however (as the previous section showed) policy differences still remained. In

the Consultation Draft TWDC recognised a definite sense of hostility towards the

work of the UDC and lack of acknowledgement of its achievements, despite the

Consultation Draft being published after the period of 'official frostiness'. This

resulted in a detailed list of both general comments and specific policy objections
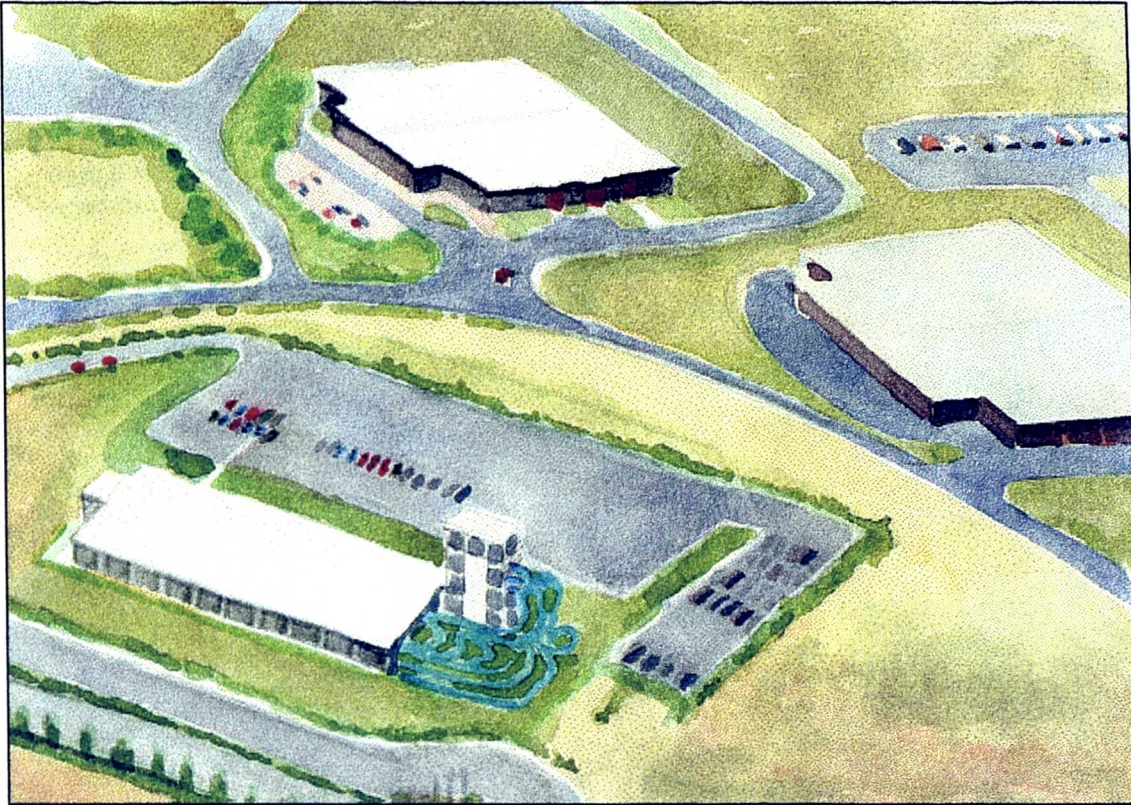
PLATE FIVE:
TWININGS TEA FACTORY AND THE WATERPARK, NORTH TYNESIDE

being submitted to NTMBC. The Consultation Draft plan also failed to make

connections between its component parts through consideration of the impacts of its

policies. It was not cross-referenced very well.

Following the release of the Consultation Draft and the TWDC's detailed objections,

a number of meetings occurred at officer level. These meetings were, "fairly

conciliatory" (TWDC source TW(NT)03) and this feeling was reinforced at higher

levels. Before the publication of the Deposit Draft it appeared that the meetings

between NTMBC and TWDC had meant that there were no problems between the

TWDC and NTMBC regarding the UDP both within and without of the UDA, even if

one or two differences of opinion still remained. However the Deposit Draft did not

really address any of the specific policy concerns of TWDC. As such further

negotiation was required concerning these particular issues in order for a compromise

suitable to both parties to be met. However TWDC was wound up before NTMBC

had assessed all the representations on its Deposit Draft UDP (March 1998). At the

time of writing NTMBC is still processing the representations (Summer 1998). ·

5.4.4.1. Recognition of Dependency

There was no particular recognition of dependency between NTMBC and TWDC. In

the early days of the Corporation any suggestion of this would probably have been

laughed at by officers from both sides. Even in the later climate of co-operation

between the two organisations there was no recognition of dependency. NTMBC

tolerated TWDC because of the money that it attracted to the area, and were

dependent in that way, however NTMBC did not mourn the departure of TWDC.

In specific relation to the UDP, there was a recognition that consultation must take place between the two organisations, but to what extent this was taken up in the UDP was at NTMBC's discretion. The lack of notice paid to all the TWDC objections to the Consultation Draft, which were not addressed in the Deposit Draft, was evidence of this division between the two organisations.

5.4.4.2. Pooling of Resources

Pooling of resources did occur. With the adoption of a pragmatic relationship from NTMBC towards TWDC, the Council used the relationship to help to attract funds to the area. One notable example of this was the support provided by TWDC in relation to NTMBC's City Challenge Round One Bid in 1992. TWDC supported this bid by contributions to funding and officer expertise (TWDC source TW(NT)04). TWDC also supported other funding bids, e.g. SRB bids at Meadowell and North Shields Town Centre.

In their turn NTMBC also supported TWDC. Offshore construction company AMEC had a site at Howdon in North Tyneside. The offshore industry in the early 1990s was seen as a growth area, although this has levelled out in the last years of the TWDC. AMEC needed to react quickly to contracts and tenders for construction projects on their site. This meant that larger buildings were often needed temporarily to construct certain parts of the offshore rigs. The planning system was being to slow to react to all the developments that were necessarily occurring at the site. A Specialised Planning Zone (SPZ) was proposed in order to give AMEC certain limitations inside

which any development would be permitted, so that they could react quickly to attract

business and complete contracts for constructions on their site. This TWDC idea and

implementation was supported by NTMBC, as it bolstered an existing industry in the

area. There were some residential problems but these were ironed out. The SPZ was

regarded as a success by all parties involved.

In specific relation to the UDP there was been no pooling of resources in the form of

ideas. NTMBC produced their drafts of the UDP, and in the case of the progression

from Consultation Draft to Deposit Draft, did not pay any real attention to TWDC

observations and comments, let alone their objections.

5.4.4.3. Information Exchange

Information exchange between the two organisations was basic and formal. TWDC

received drafts of the Plan as they were published, and in their turn they provided

NTMBC with relevant frameworks and master plans for the UDA in North Tyneside.

Beyond that there was no proactive exchange of information.

5.4.4.4. Development of Trust

Over the lifespan of the TWDC it could be suggested that there was a development of

trust between the two organisations. In the early days of the TWDC there was open

political hostility to the presence of an UDC in North Tyneside. However due to

reasons such as a change in personnel at the Council, the attraction of other moneys

more in the Council's control (City Challenge, SRB funding) and the TWDC work in

winning the appeal over the Howdon Incinerator, the two organisations recognised the

contribution the other can make to its aims. Whether this was an actual development of trust is probably unlikely. The lack of change in the successive drafts of the UDP was evidence that there was no substance to any trust that was thought to exist between the two organisations.

5.4.4.5. Mutual Orientation

There was very little evidence of mutual orientation between NTMBC and TWDC. Of course both wished to see the vast swathes of riverside land regenerated, however the form and way in which each believed this regeneration should occur differed. The TWDC approach was pro-development, accepting large residential uses and also retail and leisure on riverside sites. NTMBC preferred these sites to be protected and designated as employment generating sites, awaiting an use that would address the large unemployment problem in the area.

NTMBC had to learn to live with TWDC style regeneration, and schemes such as Royal Quays, as they were built and being used. However the Deposit Draft did not accept everything that the TWDC had done. Problems still existed in areas such as locating future scrap yards next to existing residential uses in the UDA, and curtailing out of town retail development; policies which TWDC had to object to at both Consultation Draft and Deposit Draft stages. The NTMBC UDP promoted industrial based regeneration along the River Tyne, however the chance of large sites being taken up for such uses within the Plan period was believed to be non-existent by TWDC. It remains to be seen what the Inspector will recommend following the Public Inquiry.

5.4.4.6. Commitment Over the Long Haul

NTMBC tolerated TWDC in North Tyneside. There was not really any commitment over the long haul towards co-operating with each other. At the political level the hostility gave way to a pragmatic embrace, however a sceptical eye might say that this was just an agreement to differ in private.

NTMBC's UDP is (at the time of writing) well behind the timescale of the other UDPs in Tyne / Wearside. At NTMBC, planning is not seen as an important function for the local authority and as such suffers from under-funding in North Tyneside. Due to this lack of emphasis on planning, NTMBC did not set aside the resources or gave the UDP a priority to be completed at any pace. This suited TWDC just fine and they were not unduly concerned about this lack of progress. It meant that their regeneration was able to continue without a statutory adopted plan in the NTMBC part of the UDA. This provided flexibility in for the TWDC regenerative work. As such there was no commitment over the long haul to get the UDP completed before TWDC exited North Tyneside.

5.4.5. Synopsis

During the life span of TWDC, NTMBC realised that, "butting heads would go nowhere", and that, "it was easier to secure things through a better relationship and working with the TWDC" (both NTMBC source NT03). This was partly due to increasing pragmatism from NTMBC but also due to a large extent to pressure from Central Government. North Tyneside had become a national focus after the riots in

Meadowell the early 1990s and thus there was an urgency for both Central Government and NTMBC to be seen to be doing something and co-operating. Central Government confronted NTMBC with a fait accompli, a demand that matters be approached the way that central government (and to an extent TWDC) approved, or else funding for the area would not be forthcoming. Planning policy became subsidiary to urban policy for the area, due to the spotlight put on the area by the riots. NTMBC made an important political decision to work with central government and also TWDC, in order to attempt to improve the situation in the locality. This was a major change in emphasis for NTMBC.

Directly concerning the UDP, there was some negotiation between NTMBC and TWDC. Meetings between the two organisations took place after the publication of the Consultation Draft. It was thought at the time that these meetings had resolved the issues that TWDC were concerned about. However the Deposit Draft did not resolve these issues and thus problems that TWDC had with the NTMBC UDP since before October 1993 were still evident when the UDC ceased activity.

Problems were inherent in the plan preparation process in North Tyneside due to the different attitudes of NTMBC and TWDC. Despite the organisations working more closely in the latter years of the UDA, there was always a difference in philosophy. These differences in attitude to regeneration were made evident in the successive drafts of the plan. It was at these stages that differences of opinion could be identified, through the policies to which TWDC had objections.

Thus with regards to ad hoc development proposals, there resulted in what was described as a, "fruitful relationship" (NTMBC source NT04). Things had progressed so much that TWDC invited NTMBC officers to meetings with prospective developers. However in UDP matters this was not the case. Due to the drawn out preparation period for the UDP in North Tyneside, the organisations 'returned into their shells' after the negotiations concerning the Consultation Draft. This meant that the Deposit Draft showed no real progression from the Consultation Draft. Considering the dates for these two documents were October 1993 and October 1996 respectively, the UDP was an example that the two organisations did not move together on the UDP issues requiring compromise in over three years. Any good relationship engendered by the fact that there was personal knowledge between the officers of the two authorities and there had been an effort to work together on some proposals did not help the resolution of the issues of disagreement concerning the UDP and its long term strategy.

To be fair, NTMBC officers were forced to put the UDP 'on the back burner' to an extent. NTMBC has been short staffed in recent years, and emphasis has had to be placed other things such as securing money for the area through the various bidding procedures, as opposed to the plan preparation process. This also to some extent explained why the process of plan preparation took so long in North Tyneside. This lack of emphasis on the plan and staff restrictions meant that NTMBC were not able to build up a working relationship with TWDC. Matters had to be dealt with on a *fire fighting* basis, without a definite structure to the debates. This meant that 'failures of

attention' were more likely to occur, as the channels of communication were not there to iron out potential problems and differences of opinion at an early stage.

Both organisations were keenly aware that the TWDC would have ended its lifespan and have withdrawn from North Tyneside by March 1998. The NTMBC UDP was not adopted by that date. In fact the Public Inquiry still has no definite date at this time (Summer 1998). As such, both organisations went through the motions; NTMBC in the knowledge that after the TWDC had been wound up, it could play down the UDC recommendations, observations and objections.

5.5. SOUTH TYNESIDE METROPOLITAN BOROUGH COUNCIL

5.5.1. Introduction

South Tyneside Metropolitan Borough Council (STMBC) is the local authority area

for 6,443 hectares along the south side of the River Tyne estuary. It is bounded to the

north by the River Tyne and to the east by the North Sea. The City of Sunderland

borders the Borough to the south and Gateshead Metropolitan Borough lies to the

west. It is a seaport of importance, which has a prominent place in the industrial life

of both Tyneside and the whole of the north east. There has been a decline in heavy

industry over the last fifty years and attempts have been made to establish lighter

industries in the borough.
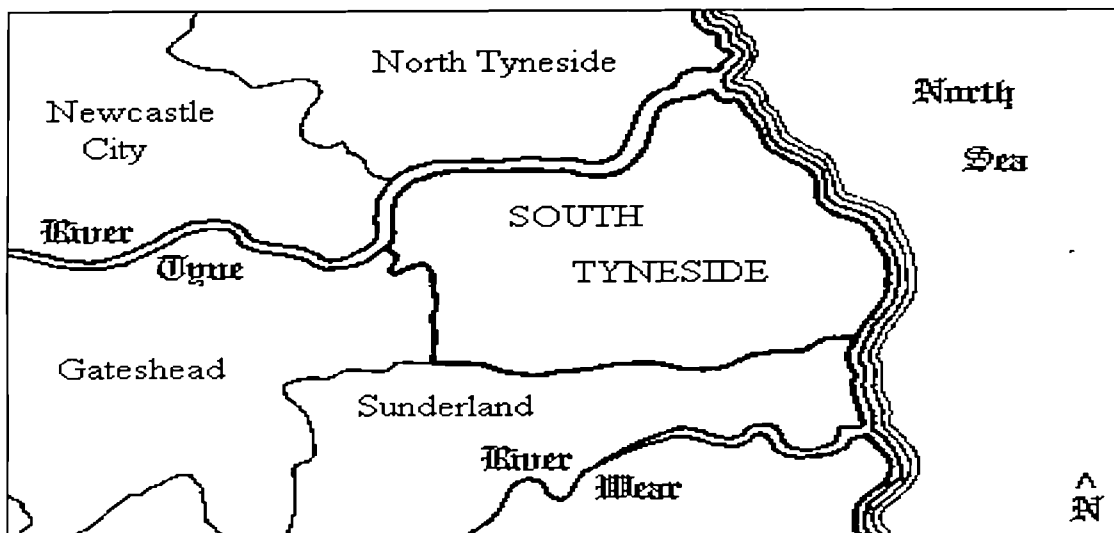
FIGURE 5.5.A. SOUTH TYNESIDE AND ITS SURROUNDINGS

Effort has also been made to market the area through tourism, by calling itself

Catherine Cookson Country after the famous author. She was born and brought up in

the area and also set many of her best-selling novels in the locality.

There are extensive areas of coastal grass land, owned by the National Trust, and also

some fine beaches.

As with the other Tyneside boroughs, STMBC was initially against the designation of

an UDC. In the early years of the TWDC, STMBC was very hostile towards the

TWDC flagship projects. STMBC were particularly concerned with the retrenchment

of industrial uses on the riverside. "This was slightly surprising as STMBC

themselves had scored a particular success at Hebburn Village" (TWDC source

TW(ST)01), where the local authority had turned a defunct shipyard into a housing

estate. However this development followed many attempts to market the land for

employment generating uses, before an ideological U-turn led to its promotion for

residential development. This had its own problems but was eventually successful.

Indeed such was the success of this development, at one stage, "TWDC tried to have

the Hebburn site incorporated into its 'accounting'" (TWDC source TW(ST)02).

There had been little residential development for private ownership in STMBC in the

years previous to the designation of the TWDC (the Hebburn development mentioned

earlier being an exception), and following preparatory study the UDC formulated the

opinion that there was a large demand for it. TWDC concentrated this in sites around

Hebburn, whereas the rest of the UDA in South Tyneside was marketed for industrial

development. The TWDC pressed on ahead with its ideas and initial differences

between it and the local authority were ironed out.

Robinson et al., writing in 1993, stated that, "the TWDC is generally supported...but the feeling is that the local authority could have done as well and even better if it had been given the resources," (p.39, Robinson et al., 1993).
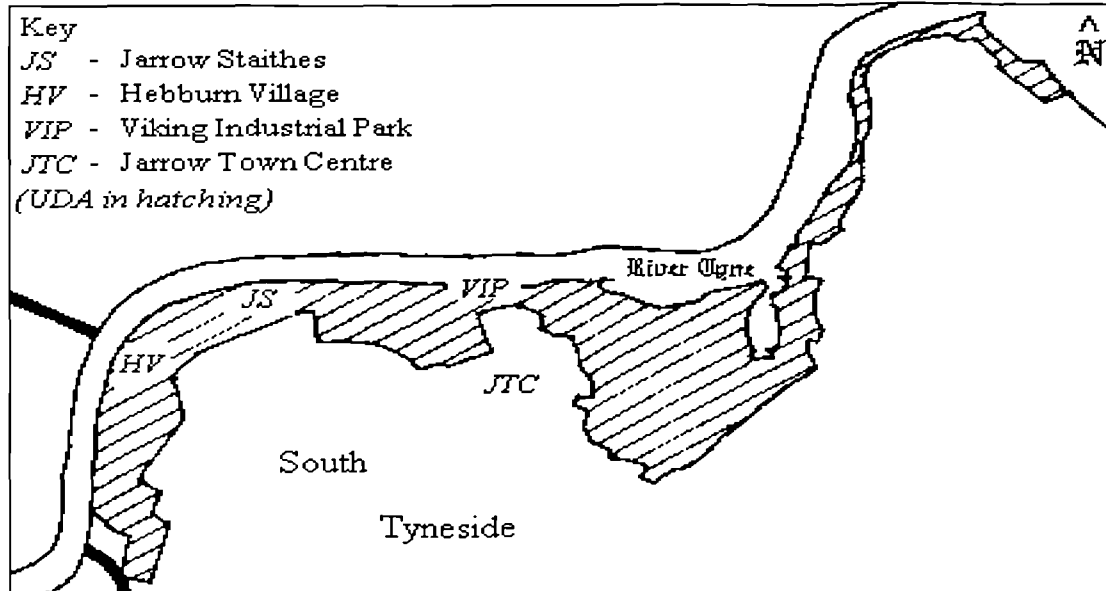
FIGURE 5.5.A. SOUTH TYNESIDE UDA AND KEY SITES

STMBC continued to oppose the presence of an UDC throughout its lifespan, but managed to co-exist with the TWDC whilst playing two levels simultaneously. At the strategic level, STMBC, "continually complains about the lack of activity in South Tyneside in comparison to the other boroughs" (STMBC source ST01). This claim is true to an extent as TWDC has not been as active in South Tyneside in comparison with the other boroughs. At officer level it, "has maintained a very good relationship, with good communication that has never broken down" (STMBC source ST02).

5.5.2. UDP Preparation Process

Whereas there was initial animosity in the years immediately following the establishment of TWDC, this began to recede and by the time of the publication of the Consultation Draft, in June 1992, there was "co-operation and a very open attitude with much discussion at officer level" (TWDC TW(ST)03). Also TWDC officers sat in on UDP working parties and were available at public meetings concerning the UDP.

The South Tyneside Metropolitan Borough Council Consultation Draft UDP was published in June 1992, after being approved by the Council as a basis for public consultation in December 1991. The plan was very deliberately laid out as follows:

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"Introductory Chapters:
1.   Introduction
2.   The Format of the Unitary Development Plan
3.   The Draft Unitary Development Plan: Context
4.   The Strategy Behind the Plan
Part One:
5.   The Policies                              .
Part Two:
6.   Environment
7.   Urban Regeneration
8.   Economic Development
9.   Housing
10.  Social and Community Facilities
11.  Sport, Recreation and Leisure
12.  Transportation
13.  Shopping
Additional Information:
14.  Application of Policies and Proposals to the
Parts of the Borough
15.  Resources and Monitoring
Appendices".
(p.i-v, South Tyneside Metropolitan Borough Council
Consultation Draft UDP, June 1992).
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The Consultation Draft utilised a multitude of different page colours in order to differentiate between chapters and sections. The peculiar thing about the Consultation Draft was its Part One and Part Two arrangement. Part One of the Plan consisted of only, 'Chapter 5: The Policies', in which the strategic policies were laid out, with no explanatory material. There was some explanatory material briefly contained in the previous chapter, 'Chapter 4: The Strategy Behind the Plan', which stretched to a mere four and a half sides. STMBC explained the reason for this arrangement in the last paragraph of Chapter 4:

> " [para.] 4.3.10. The above aims and objectives are
> developed further in Part Two of the Plan. Part
> One, which follows, contains the general policies
> which the local planning authority will apply in
> South Tyneside over the period to 2001. (They are
> provided separately to comply with a legal
> requirement to do so.) Readers who wish to
> establish the relationship between Part One policies
> and Part Two proposals and obtain an explanation as
> to their purpose, intended meaning and relationships
> to other policies and proposals in the Plan can turn
> directly to Part Two."
> (p.23, South Tyneside Metropolitan Borough Council
> Consultation Draft UDP, June 1992).

Thus STMBC blamed this arrangement on 'legal requirement'. The plan was arranged around the general and strategic policies, which occurred all together in Chapter 5, and the more detailed polices, which were called 'proposals' and occurred in the individual topic chapters, under a reproduction of their source strategic policy. The strategic polices had a letter and number reference, e.g. "ENV.10.", but the detailed proposals are numbered through the policy reference with a slash, e.g. "ENV.10/2.". This system might have appeared to be confusing but it actually resulted in a straight-forward and easy to use plan. Cross references were detailed in all cases and thus the plan was comprehensive in its layout.

The Deposit Draft UDP maintained this format with the addition of a chapter on 'Natural Resources', which was merely a separation, previously being a part of the 'Environment' chapter in the Consultation Draft UDP. This explains any anomalies in the paragraph and chapter numbers in the references that follow.

In his Report the Inspector did criticise this layout as it departed from national advice and blurred the distinction between strategic and detailed policies (p.15, Inspector's Report into the South Tyneside Deposit Draft UDP, May 1998). He recommended that substantial revision would be required to bring the plan into line with PPG12 advice, but that any redrafting could wait until the review process began. It is unfortunate that a plan structured so it was a pleasure to use will have to be re-assembled during its review to bring itself into line with government advice.

There was no detailed response from the TWDC to STMBC concerning the Consultation Draft UDP in writing. Negotiations concerning its specific content continued at officer level in a round table forum situation. Indeed when the Director of Development Services at STMBC wrote to TWDC to question the extent of communication concerning the UDP, the planning department at TWDC wrote back stating that, "there has been limited comment recently on the UDP because there has been considerable liaison between myself [sic] and your officers on the content of the plan at earlier stage [sic]", (TWDC source TW(ST)04).

All in all there were very few instances of confrontation following the discussion on the Consultation Draft UDP and indeed none following publication of the Deposit Draft UDP. Little discussion took place in the formal arena of the consultation periods or by the submission of observations, suggestions and objections by letter. There was discussion in officer meetings, however officers from both sides involved in those meetings stated that there were no areas where reasonable compromise could not be made. Indeed there was few areas of dispute and, "any problems came up in working parties at officer level, and were ironed out there," (TWDC source TW(ST)05).

As such the successive drafts of the UDP have not caused much controversy. TWDC had agreed with the proposals for the UDA in the UDP and STMBC has included the TWDC frameworks for the South Tyneside area.

5.5.3. UDP Content Evolution

As the last section related, there were very few areas of dispute and these were relatively minor. However it is interesting to examine them in the context of this study as they represent the way in which the UDC acted as a 'development orientated proof reader' with regard to its response to the emerging UDP.

5.5.3.1. Treatment of the UDC

STMBC wasted no time in introducing the TWDC in the plan.   In the second

paragraph on page one of the Consultation Draft UDP, mention was made of the

UDC:

> "[Section] 1.2.   <u>Putting the Environment and Urban
> Regeneration First.</u>
> [para.] 1.2.1.   The Borough Council and the Tyne and
> Wear   Development   Corporation   have   sought   to
> establish likely future demand for land and to make
> provision   in   the   Plan   accordingly....Urban
> regeneration will also continue to be a matter of
> priority to the Borough Council and the Development
> Corporation."
> (p.1, South Tyneside Metropolitan Borough Council
> Consultation Draft UDP, June 1992).

In the Deposit Draft UDP TWDC had an even more prominent position - they were

the sole topic of the second paragraph, (and paragraphs three, four and five). Those

paragraphs are reproduced here, not only to illustrate this point, but also to provide

some background to the work of the TWDC in South Tyneside:

> "[Section] 1.2.   <u>The Tyne and Wear Development
> Corporation.</u>
> [para.] 1.2.1.   The Borough Council, and the Tyne
> and Wear Development Corporation (TWDC) are the
> Local Planning Authorities (LPA) for South Tyneside.
> The TWDC came into operation in May 1987 and
> operates in the Urban Development Area (UDA).   In
> South Tyneside, the UDA extends along the River Tyne
> from the river mouth (including a small area in the
> northern foreshore) to Hebburn Riverside Park,
> covering 622.1 hectares (1,537 acres).   The TWDC was
> established to secure regeneration in Tyneside and
> Wearside,   providing   employment   opportunities,
> housing and improving the economy.   There have been
> no 'flagship' projects in South Tyneside (and those
> in other Districts appear to have had little benefit
> in this Borough).   The TWDC has been active however,

PLATE SIX:
VIKING INDUSTRIAL PARK, SOUTH TYNESIDE

reclaiming nearly 40 hectares (100 acres) of land in
the Borough by September 1994.

[para.] 1.2.2.   A number of TWDC projects have
commenced, particularly in Jarrow and Hebburn, such
as the Viking Industrial Park.   The former Brigham
and Cowans site on the South Shields river bank is
to be developed by the TWDC for commercial and
residential uses, following the announcement of
£8.7m funding from the Government, in October 1994.
The TWDC's overall strategy is set out in "A Vision
for the Future", 1989 which has been revised and
updated subsequently, to reflect market conditions
and the results of consultation with the Council.

[para.] 1.2.3.   Wherever possible, the implications
of development within the UDA have been taken into
account in the preparation of this Plan.   This is
particularly   relevant   in   assessing   the   UDA's
contribution to the overall supply of housing and
economic development land in the Borough.

[para.] 1.2.4.   The   Development   Corporation   is
responsible   for   determining   all   planning
applications within its area.   The Borough Council
acts as agent for the TWDC by receiving, processing,
and commenting on each planning application.   Where
policies and proposals in this UDP refer to the LPA,
this means South Tyneside MBC, although the TWDC
will have regard to these in determining planning
applications within its area."
(p.1, South Tyneside Metropolitan Borough Council
Deposit Draft UDP, June 1995).

As the above paragraphs detail, STMBC dealt comprehensively with the TWDC in

the Deposit Draft UDP. It was an effort to make things clear to a wide readership. It

is interesting to note that STMBC still took this opportunity to make a sly remark

about TWDC work in the Borough, in para. 1.2.1. where it is written,

"There have been no 'flagship' projects in South
Tyneside (and those in the other districts appear to
have had little benefit in this Borough)."
(para 1.2.1., p.1, South Tyneside Metropolitan
Borough Council Deposit Draft UDP, June 1995).

STMBC were very concerned for a long while about the lack of attention it received

from TWDC in relation to the other boroughs. However, following negotiation with

TWDC, STMBC agreed to remove this slur from future drafts of the plan. The

TWDC were satisfied with the way in which the plan introduced its work and its

strategies from that stage onwards.

5.5.3.2. Hazardous and Polluting Installations

The TWDC had some minor points to make concerning the policies dealing with

hazardous and potentially polluting installations. These points stemmed from two

policies in the Consultation Draft that the TWDC had suggested required a more

precise wording. Policies ENV.12. and ENV.13. in Part One of the Consultation

Draft UDP, dealt with New Hazards and Existing Hazardous and Polluting

Installations. They read as follows:

> `"[Policy] ENV.12. Planning applications for new hazardous or potentially polluting installations will be approved only if they demonstrate no harmful or adverse impact on the environment, and if they are located so as to ensure:`
> `a) adequate separation from other uses, so as to guarantee safety and amenity;`
> `b) that materials are transported to and from national transport networks by routes which avoid densely built up areas and maximise public safety; and`
> `c) that the cumulative impact of similar uses in any particular part of the borough does not exceed the environmental capacity of that area to accommodate them."`
> `(p.28-9, South Tyneside Metropolitan Borough Council Consultation Draft UDP, June 1992).`
>
> `"[Policy] ENV.13. The relocation of existing hazardous or polluting installations which do not meet the criteria specified in Policy ENV.12. will be actively encouraged. Developments which increase`

> or intensify such operations will be resisted.
> Individual operators will be urged to utilise the
> best environmental options to reduce the impact of
> production processes."
> (p.29, South Tyneside Metropolitan Borough Council
> Consultation Draft UDP, June 1992).

These policies underwent a change in wording and also an expansion in the Deposit

Draft UDP, under 'New Hazardous and Potentially Polluting Installations' and

'Existing Hazardous and Potentially Polluting Installations':

> "[Policy] ENV.13.   Planning applications for new
> hazardous or potentially polluting development will
> be approved only if they are designed and located so
> as to ensure:
> a) separation from other uses, so as to guarantee
> safety and amenity;
> b) convenient access to and from strategic transport
> networks, so that materials may be carried along
> routes which avoid densely built-up areas and
> maximise public safety;
> c) any potential for freight transportation by rail
> is maximised;
> d) that any adverse impact on health or the
> environment is minimised or eliminated; and
> e) in the opinion of the Local Planning Authority,
> the cumulative impact of similar installations in
> any part of the Borough does not exceed the
> environmental capacity of that locality · to
> accommodate them.
> The Local Planning Authority will use planning
> conditions and, where appropriate, planning
> obligations to ensure that all of these criteria are
> met."
> (p.31-2, South Tyneside Metropolitan Borough Council
> Deposit Draft UDP, June 1995).

> "[Policy] ENV.14.   Where existing hazardous or
> potentially polluting installations, which are shown
> on the proposals map, do not satisfy all of the
> criteria of Policy ENV.13, the Local Planning
> Authority will:
> a) actively encourage their relocation to a site
> which meets these requirements;

> *b) refuse planning permission for any development which increases or intensifies the scale of such operations; and*
> *c) urge operators to significantly reduce the impact of their installations on both the environment and local residents."*
> (p.32, South Tyneside Metropolitan Borough Council Deposit Draft UDP, June 1995).

As is immediately visible, the later drafts of the policies are more precise and the wording of them more exact. TWDC were concerned with the application of these policies and in particular para. 6.7.8., which did not occur in the Consultation Draft UDP, but did in the Deposit Draft UDP and dealt with "New Hazards and Risks - Portberry Street, South Shields", (p.79, STMBC, Deposit Draft UDP, June 1995). One draft of the paragraph suggested that, as local planning authority, TWDC were to commission a further study into risks in the vicinity of Portberry Street. TWDC had already undertaken a study into a specific application for an LPG (liquid petroleum gas) store in that area, but had no intention to undertake further studies there. In the Deposit Draft UDP the paragraph was drafted to read:

> "*[Policy] ENV.13/1. The Local Planning Authorities are concerned at the cumulative potential risk to residents associated with the storage and handling of hazardous substances at several sites in the vicinity of Portberry Street, South Shields. As a precautionary measure, in the area defined on the Proposals Map, they will therefore:*
> *a) not grant any further hazardous substance consents; and*
> *b) refuse planning permission for any development which involves the storage or handling of any hazardous substance.*
>
> [para.] 6.7.8. The area defined on the Proposals Map is based on a distance of 200 metres from the residential streets of Commercial Road (part), Cornwallis Square, Portberry Way, West Holborn (part) and Windmill Hill. More information is clearly necessary to establish the level of

> potential risk in the area.   With this in mind
> Target ST.6.9 has been set:
>
> <u>Target ST.6.9 Risks in the vicinity of Portberry
> Street, South Shields.</u>
> The Borough Council will commission a comprehensive
> study of the cumulative risks to residents from
> hazardous substances in the vicinity of Portberry
> Street, South Shields. The study will:
> a) make a complete inventory of the presence of all
> hazardous substances in the area;
> b) assess the cumulative risk from these substances;
> and
> c) make recommendations for determining future
> planning applications involving the storage or
> handling of all hazardous substances.
> This study to be completed by 2001."
> (p.79, South Tyneside Metropolitan Borough Council
> Deposit Draft UDP, June 1995).

This target would have involved an extensive and possibly expensive piece of work.

TWDC had no intention to commission a further study, unless further individual

applications necessitated it. The time scale stated was also outside that of the life span

of TWDC. As such TWDC wanted it to be made clear it was not to be responsible for

this piece of work. As the explanatory information and target wording reproduced

above show, STMBC took on board this observation and this became in the case in

subsequent drafts of the plan. In the wording of the revised target it was the Borough

Council that would commission the study and no mention was made either of it being

a joint project by the local planning authorities or by the relevant local planning

authority (which for part of the area mentioned was the TWDC).

5.5.3.3. Economic Development and Jarrow Staithes

TWDC were particularly confused about the plethora of policies and designations that

certain areas of land fell under with regards to economic development. As such it

sought clarification for sites within the UDA, the most prominent of those being

Jarrow Staithes (a riverside site near the town of Jarrow). In the Deposit Draft UDP it

appeared that this area of land was to be covered by a multitude of (sometimes

conflicting) policies and designations. On the Proposals Map it was designated for

'proposed mixed or a range of land uses', with an attendant policy number ED.3/5.

This policy in the Consultation Draft UDP read as follows:

> "[para.] 8.6.14. <u>Land between Jarrow Staithes and</u>
> <u>Blackett Street, Jarrow.</u>
>
> *[Policy] ED.3/5. The Local Planning Authority will*
> *support proposals for the development of land*
> *between Jarrow Staithes and Blackett Street, Jarrow*
> *for business use and open space associated with the*
> *river edge.*
>
> [para.] 8.6.15. The area consists of under-utilised
> port handling facilities and adjacent undeveloped
> land, mothballed coke stocking areas related to
> Monkton Coke Works and an under-occupied and outworn
> general, industrial site. The land has a
> significant area of river frontage and is adjacent
> to Jarrow Riverside Industrial Park [NB later
> renamed Viking Industrial Park] where substantial
> investment is taking place to provide business and
> general industrial units in a landscaped riverside
> setting. In the opinion of the Local Planning
> Authority the sites are capable for development for
> business use and open space purposes, giving the
> opportunity to increase access to the river edge and
> upgrade the environment."
> (p.93, South Tyneside Metropolitan Borough Council
> Consultation Draft UDP, June 1992).

The Consultation Draft UDP policy was a relatively robust and individual policy. The

problem occurred in the drafting of the Deposit Draft UDP, when Jarrow Staithes

started to appear in two different policies with two differing designations. In one of

the drafts, produced between the Consultation Draft UDP and Deposit Draft UDP,

Jarrow Staithes had its own policy which suggested B1, B2, and B8 uses on the

riverside portion; however, later on in the economic development chapter, an adjacent

site inland, combined with the Staithes, had a policy suggesting B1 uses and open

space only. TWDC were obviously keen to see this anomaly removed. In the Deposit

Draft UDP, Jarrow Staithes continued to have its own policy and be included in

another, however the discrepancy was erased, but only to an extent. The first,

individual policy was clear in its intention, but not specific in the use classes it would

allow:

> "[para.] 9.6.10. <u>Land between Jarrow Staithes and</u>
> <u>Blackett Street, Jarrow.</u>
> *[Policy] ED.3/3. The Local Planning Authority will*
> *support proposals for the development of land*
> *between Jarrow Staithes and Blackett Street, Jarrow,*
> *for business and general industrial use and open*
> *space associated with the river's edge."*
> (p.136, South Tyneside Metropolitan Borough Council
> Deposit Draft UDP, June 1995).

The explanatory note that followed the above policy was all but exactly the same as

that in the Consultation Draft UDP (and quoted above), and as such is not reproduced

here. However one difference, at the end of that paragraph in the Deposit Draft UDP

version, in the explanatory note, did draw attention to the other policies which this

piece of land was subjected to, namely Policy ED.6/1. This is reproduced below:

> "[para.] 9.9.8. <u>Sites for Economic Development:</u>
> *[Policy] ED.6/1. Provision for the specified*
> *economic development purposes will be made in the*
> *following locations:*
> *Location   Area   Specified Use*
> [inter alia]
> *f) Jarrow Staithes   4.45(ha.gross)   B1, B2*
> *The specified uses are defined as business, general*
> *industrial and storage / distribution uses (as*
> *defined by Classes B1, B2, B8 of the Town and*
> *Country Planning (Use Classes) Order 1987, as*
> *amended by the Town and Country Planning (Use*
> *Classes) (Amendment) Order 1995).*

> Major new retail developments will not be permitted
> on these sites."
> (p.140, South Tyneside Metropolitan Borough Council
> Deposit Draft UDP, June 1995).

This second policy, which dealt with economic development site provision, was much

more specific with concern to the types of uses that were proposed for Jarrow Staithes.

In a way it superseded the individual Jarrow Staithes policy and made it redundant.

However TWDC had no objection to both policies remaining in the Deposit Draft

UDP, as there was no longer an anomaly in what they both proposed.

This was an example of the TWDC desire for hard policies in this area (indeed within

the whole UDA) in order to protect the sites that they were marketing. The UDC

approached the plan as a prospective developer for all the areas within the UDA, in

order to ensure that the plan was robust enough to propagate development. When

discrepancies occurred the UDC sought to have them clarified as soon as possible so

that any possible develop on the site would not be compromised. In this case they

succeeded.

5.5.3.4. Shopping Improvement and Jarrow Town Centre

The penultimate point that TWDC made was concerning the declaration of a

Commercial Improvement Area. In the shopping chapter of the Consultation Draft

STMBC proposed the declaration of Jarrow as a Commercial Improvement Area:

> " [para.] 13.8.13. <u>Jarrow Town Centre: Proposed</u>
> <u>Commercial Improvement Area.</u>
>
> [Policy] S.5/6. The Local Planning Authority will
> designate an area within Jarrow town centre shown on
> the Proposals Map as an Improvement Area which will
> encourage:

> *a) improvements to the appearance of buildings;*
> *b) environmental improvement works; and*
> *c) improvements to accessibility, parking provision and traffic circulation."*
> (p.155, South Tyneside Metropolitan Borough Council Consultation Draft UDP, June 1992).

Jarrow town centre was a very marginal shopping location. Part of this area in Jarrow town centre fell into the UDA, however TWDC had not agreed to any involvement in a Commercial Improvement Area. It was stated that, "it is unlikely that TWDC will wish to fund a CIA in its life time," (Letter from Mr M. Mattok (TWDC Planning Executive) to STMBC Director of Development Services, dated 7th November 1994). Thus the TWDC were keen to see this removed in the forthcoming draft of the Deposit Draft UDP.

There were more extensive policies dealing with Jarrow in the Deposit Draft. These included a policy stating that the recovery of Jarrow town centre would be continued through the development control process (Policy S.5., p.225, South Tyneside Metropolitan Borough Council Deposit Draft UDP, June 1995) and individual policies which dealt with the core and shopping outside the core. When it came to the proposed Commercial Improvement Area, it was the Borough Council alone and not the relevant local planning authority (i.e. both TWDC and STMBC) that was proposed to be involved:

> "Target ST.14.7.   <u>Proposed Commercial Improvement Area.</u>
> The Borough Council will aim to identify sufficient resources to enable a Commercial Improvement Area in Jarrow Town Centre to be declared by 2001.
> The designation will seek to:
> a) enhance the appearance of buildings;
> b) implement environmental improvements, especially to the floorscape and street furniture; and

> c) improve accessibility, parking and traffic
> circulation in accordance with the principles of
> sustainable development."
> (p.226-7, South Tyneside Metropolitan Borough
> Council Deposit Draft UDP, June 1995).

TWDC were not referred to in this target, which was what it desired. There were a variety of reasons for this. Firstly, and TWDC said most importantly, the time scale exceeded the life span of TWDC. However the subsidiary reasons, that included TWDC not thinking that this sort of regeneration was part of its remit, TWDC not having funds available for this work and also TWDC wishing not to be liable for criticism if the scheme was not successful, should also not be discounted as being behind the UDC's desire to be removed from being involved.

So, as is obvious from the instances detailed above, there was little discrepancy between STMBC and TWDC in the adoption of the STMBC UDP. Two of the three instances of complaint included wishing to be removed from responsibility for schemes proposed by the Borough Council (i.e. the hazardous chemicals study and the Commercial Improvement Area) and these issues were both addressed in the Deposit Draft UDP. The discrepancy between the policies for Jarrow Staithes was remedied in the Deposit Draft UDP.

5.5.3.5. Designations Outside the UDA

Following the publication of the Deposit Draft, there was concern from TWDC over some designations outside the UDA. The first involved the decision as to whether the former Monkton Coke Works should be designated as green belt (as are its environs) or be identified for residential and business uses. At Monkton Coke Works the land

had been identified for residential and business uses (in a predominately woodland

setting) in the Consultation Draft, (Policy 4./4., p.95, South Tyneside Metropolitan

Borough Council Consultation Draft UDP, June 1992) but in the Deposit Draft it was

allocated as recreational open space and green belt on the Proposals Map. The site

was an eyesore, but it has a prime location as it is situated at an gateway entrance to

the district. The site is adjacent to the A19 (main route - north / south) and also east /

west routes in the area and the Tyne Tunnel.

The second site involved land south of Hedworth town which was allocated for B1,

B2, B8 uses in the Consultation Draft UDP, (under policies ED.6/1. and ED.6/2.,

p.99, STMBC, Consultation Draft UDP, June 1992); but in the Deposit Draft UDP

was to be left as green belt. This land was also adjacent to the A19 road and next to

the Boldon Business Park. Thus it could have been used for future expansion of the

Boldon Business Park, although not required for a few years, or could have been used

as a strategic site for a large scale inward investor, remaining in agricultural use in the

meantime.

Surprisingly the TWDC supported the initial Consultation Draft UDP designations for

employment generating uses, stating that the UDC was seeking to achieve new uses

(e.g. residential and mixed uses) on the poorly accessed former industrial riverside

sites and that these should be balanced with further industrial land being made

available in highly accessible sites such as the two identified in the Consultation Draft

UDP. TWDC did not think that these two sites would conflict with its remit to

regenerate the inner areas and the riverside UDA and urged STMBC to re-alter its

designations. TWDC were particularly concerned with the U-turn on the land at South Hedworth as it presented what TWDC called "a unique opportunity", (TWDC source TW(ST)06). TWDC stated that large sites such as this were rare in South Tyneside and attempts made to develop green belt land through the planning application process would take much longer than having a site ready to develop, already taken out of the green belt by the development planning process. These opinions became observations on the Deposit Draft UDP and were not an area of large disagreement as they did not directly concern the TWDC and the UDA. The internal politicking that had manifested itself in the changes in designation was not an area where the TWDC wanted to get involved to any extent. TWDC had merely raised this matter as a point of general principle.

Thus there were no objections to the South Tyneside Metropolitan Borough Council Deposit Draft. The UDP had taken on board TWDC strategy and was flexible enough for the UDC to work within. Indeed it was stated that in some case both the STMBC UDP and its counterpart in Sunderland, were "a little too flexible...a bit wishy washy" (TWDC source TW(ST)07) with the possible problem that developers might be able to put whatever they want wherever they want. This reduction in certainty may cause developers interested in sites both inside and outside the UDA to be concerned over what exactly is the future of the surrounding area. This is an important point that will be examined in the Analysis.

5.5.4. Nature of the Relationship

In relation to the preparation of the STMBC UDP, there was a close working relationship between STMBC and TWDC which was reflected in a variety of ways.

5.5.4.1. Recognition of Dependency

STMBC and TWDC recognised an inter-dependency in relation to both the preparation of the UDP and also urban regeneration in South Tyneside. The UDP was not seen by either side as an arena of conflict, and was not a cause of any acrimony. The fact that the details dealt with in the previous section are relatively minor illustrate this. STMBC mentioned TWDC at the earliest possible stage in the UDP (well, first page paragraph *two*) and throughout the document acknowledged its role as local planning authority. The inter-dependency in the matter of the strategic planning of the Borough and the day-to-day development control procedures were evident for all to read on the first page of the emerging UDP.

5.5.4.2. Pooling of Resources

In the early stages of the UDP adoption process, that is to say both before and immediately after the publication of the Consultation Draft in June 1992, TWDC were heavily involved in the UDP preparation. TWDC officers sat in on working meetings at STMBC concerning the UDP. TWDC strategies were taken on board in the Consultation Draft and STMBC were willing to alter policies that TWDC had difficulties with. That is not to say that STMBC just did what TWDC asked it to do in consideration of changes to the UDP. Neither officers of TWDC nor STMBC

PLATE SEVEN:
LITTLEHAVEN HOUSING DEVELOPMENT, SOUTH TYNESIDE

inferred that. Instead the UDP, certainly as applicable to the UDA, was seen as a

product of discussion between both TWDC and STMBC, and officers from both

organisations acknowledge that. The UDP in South Tyneside could be cited as an

example of the pooling of resources, in the sense that it is the result of joint working,

or synergy, between STMBC and TWDC.

The TWDC was useful in acting as a test for the UDP policies, the UDC helping to

check the policies out, for example those concerning Jarrow Staithes discussed earlier.

A further example of close working leading to a more meaningful product was

mentioned in the Deposit Draft. When talking about the TWDC's "Vision for the

Future" document (TWDC, 1989) STMBC stated that it:

> "has been revised and updated subsequently, to
> reflect market conditions and the results of
> consultation with the Council."
> (para. 1.2.2., p.1, South Tyneside Metropolitan
> Borough Council Deposit Draft UDP, June 1995).

This is evidence that the consultation and synergy produced benefited the output of

both organisations and was not a one way street. TWDC had its representations made

concerning the STMBC UDP taken on board, and STMBC had input into the updates

of TWDC's Vision for the Future development framework.

5.5.4.3. Exchange of Information

The ease with which negotiations between STMBC and TWDC progressed was based

on the plentiful exchange of information. The close working relationship, typified by

TWDC involvement in working parties on the UDP, could not have developed

without an open attitude to consultation and information exchange. This resulted in

an emerging UDP that both STMBC and TWDC felt facilitated regeneration in the

UDA and in South Tyneside as a whole. STMBC officers made it clear that when it

came to the exchange of information TWDC was open and forthright, "the UDC is

very good at telling South Tyneside what is going on" (STMBC source ST03).

5.5.4.4. Development of Trust

If the outputs of trust are simplification of communication, co-operation and co-

ordination, then there was a distinct development of trust between TWDC and

STMBC. This trust was built by regular consultation on issues of mutual interest,

whether they were planning applications, proposed strategies or the UDP. A high

degree of trust can be reflected in the degree of informality there is in the relationship;

such informality was evident in the UDP process, as meetings were used for

discussion and few observations or objections were made by letter. UDP preparation,

in the case of STMBC's relationship with TWDC, was an on-going process, which

did not necessarily conform to the formal procedures of letters and consultation

periods.

5.5.4.5. Mutual Orientation

There was a definite mutual orientation between STMBC and TWDC. Both were, of

course, interested in the regeneration of South Tyneside. Once the UDP preparation

process commenced, the relationship was such that both sides recognised that the goal

of urban regeneration was best reached through co-ordination, working together and

mutual orientation; rather than confrontation. This mutual orientation was fostered

over time by joint working, in particular with concern to the UDP.

5.5.4.6. Commitment Over the Long Haul

There was a commitment by STMBC to work with TWDC over the long haul.

However this was tempered by noting that STMBC did continue to complain about

TWDC at the strategic level. STMBC officers recognised that despite the, "very good

officer relationship, at the strategic level we [STMBC] don't think the UDC is doing

enough work...continually complaining about the lack of activities in South Tyneside

in comparison to the other Tyne / Wear boroughs" (STMBC source ST04). As has

already been mentioned, the development plan provided an outlet for STMBC to show

that it is aggrieved at this perceived injustice:

> "There have been no 'flagship' projects in South
> Tyneside (and those in other districts appear to
> have had little benefit in this Borough)."
> (para. 1.2.1., p.1, South Tyneside Metropolitan
> Borough Council Deposit Draft UDP, June 1995).

This petulant remark (despite holding some truth) was later deleted from the UDP. It

could be said that STMBC maintained an 'awkward' stance at the strategic level to the

presence of TWDC (i.e. at member / councillor level). But there was a commitment

over the life span of the TWDC to keep communication channels open. As officers at

STMBC were proud to admit, despite the stance at a higher level, "there has always

been good communication which has never broken down" (STMBC source 05).

5.5.5. Synopsis

TWDC had no objections to the STMBC UDP either at the deposit stage or at the Public Inquiry. Close working prior to the Consultation Draft being published, and negotiation following its release meant that problems were ironed out in South Tyneside at an early stage. The STMBC UDP did not cause difficulty in the urban regenerative operations of TWDC, and both STMBC and TWDC were pleased with the form and content of the emerging UDP. STMBC's main concern was that they were losing out in the competition for investment when the TWDC were concentrating much more on the other three boroughs.

5.6. SUNDERLAND CITY COUNCIL (SCC)

5.6.1. Introduction

Sunderland City Council (SCC) is the local authority for an area of 13,762 hectares

either side of the banks of the River Wear at its mouth to the sea. Washington New

Town lies inside the western boundary of the authority, with the former urban districts

of Houghton-le-Spring and Hetton-le-Hole to the south. Figure 5.6.A. illustrates the

local authority and its surrounding area.
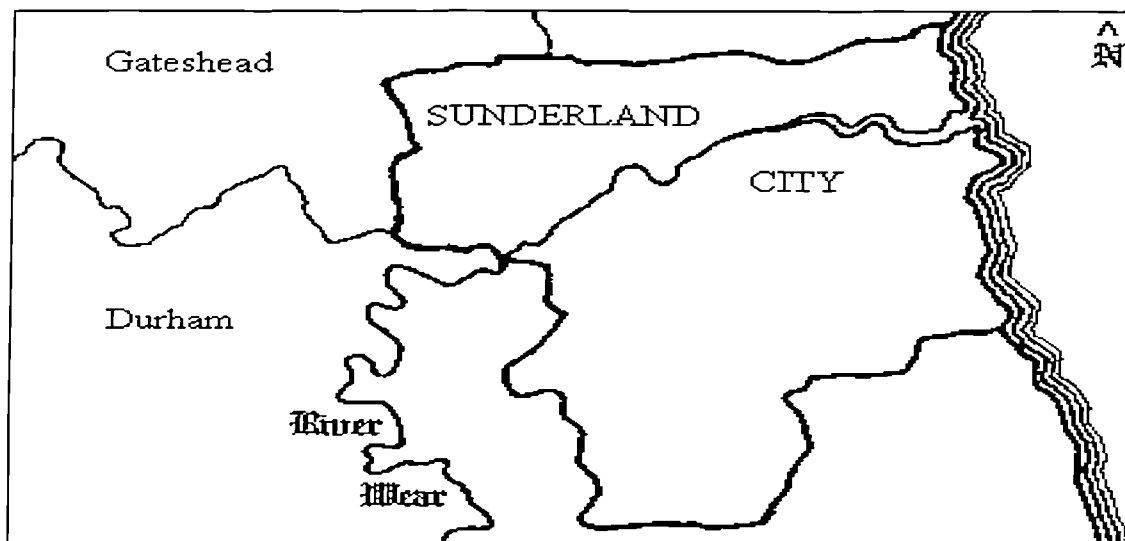
FIGURE 5.6.A. SUNDERLAND CITY AND ITS SURROUNDINGS

The City of Sunderland is the largest of the five metropolitan boroughs in Tyne and

Wear both by area and population (298,000). Its economy was once based on the coal

mining and shipbuilding industries, however these have declined completely.

The economy has been forced to become more diverse and includes a variety of manufacturing enterprises, not least the Nissan car plant, occupying a massive site between Washington and Sunderland, and the many associated supply industries that this factory requires.

In April 1990 Sunderland's Enterprise Zone came into force. The Enterprise Zone in Sunderland consisted of three areas of land, one of which was in the UDA, and two others that were within SCC boundaries but were completely outside of the UDA. The responsibility for each of the three areas came under the appropriate development control authority (i.e. TWDC for Hylton Riverside / Southwick (containing Sunderland Enterprise Park) and SCC for the other two, namely Castletown and Doxford International).
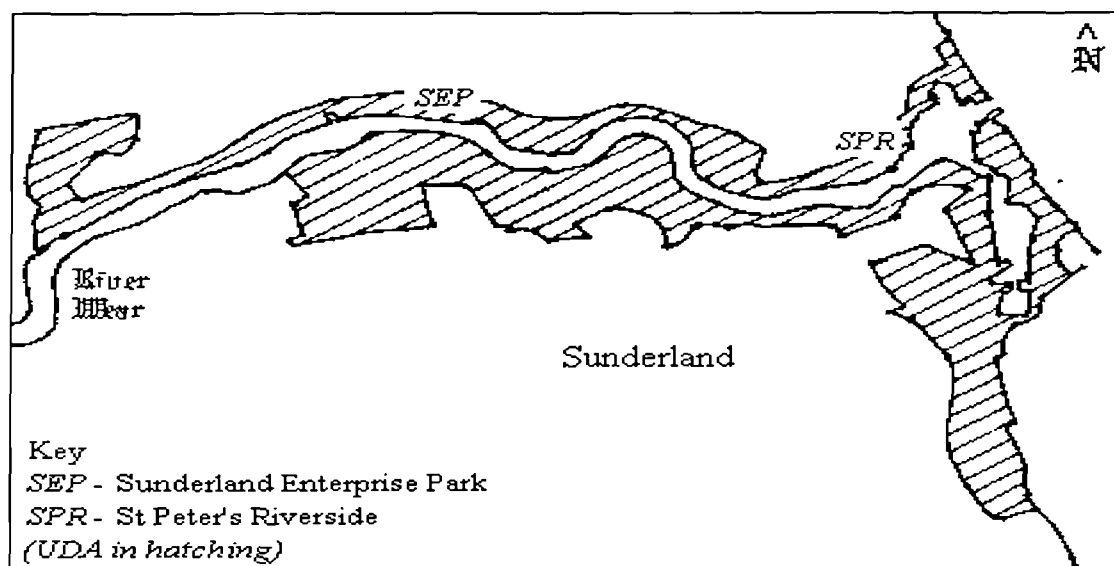
FIGURE 5.6.B. SUNDERLAND UDA AND KEY SITES

5.6.2. UDP Preparation Process

SCC published their Consultation Draft UDP in September 1992. There was minimal liaison with TWDC prior to the publication and release of this document. In fact during the entire plan preparation process a rigid, statutory approach was evident. That is to say that the consultation procedure between SCC and TWDC strictly followed the legislative guidelines. The publication of the Consultation Draft did not lead to a series of structured meetings where both sides sat down together to discuss the issues and come to a consensus as to how the UDA would be treated in the emerging UDP. However that is not to say that there was no consensus between the wishes of TWDC and the SCC initiated policies in the evolving UDP. SCC took on board the majority of TWDC proposals for the Sunderland part of the UDA.

During the plan preparation process SCC were in possession of up-to-date framework documents outlining the TWDC proposals for the part of the UDA in Sunderland and did make a concerted effort to incorporate these into the emerging UDP. However TWDC only became aware of what the successive drafts of the UDP contained when they were made public. Thus consultation between the two organisations was in reality restricted to the exchange of documents, i.e. the Consultation and Deposit Drafts and the written observations on these documents by TWDC.

Prior to the publication of the Consultation Draft, TWDC had supplied SCC with details of its proposals for the Sunderland part of the UDA. However TWDC did not have any inkling as to whether these would be contained in the Consultation Draft that

was being prepared at the time. The TWDC then made a series of observations on the

Consultation Draft following its publication in September 1992. These concerned a

variety of issues and are dealt with in the following section.

The form and layout of the SCC UDP did not alter to any significant extent between

the Consultation Draft and Deposit Draft. That is to say that the strategic policies

remained in the earlier chapters of the plan. This was divided into sections titled

Urban Regeneration (with chapters on Economic Development, Housing, Shopping,

Community Facilities and Leisure), Environment (with chapters on the Environment

Framework, Urban Character and Heritage, Countryside and Nature Conservation and

Minerals and Waste Disposal) and Transportation (with chapters on the

Transportation Framework, Public Transport, Personal Mobility, Highways, Traffic

Management and Freight) and finally two chapters with some detail as to how all

these policies would impact on the environment and be implemented over the course

of the plan's active life.

The second half of the plan dealt with the more site specific policies and area

proposals. In both the drafts of the SCC UDP, these site specific proposals were split

into four areas, namely Sunderland South, Sunderland North, Washington and

Houghton-Hetton. The UDA only fell into the two 'Sunderland' areas. Policies in

both these sections were extremely important to TWDC as they outlined the proposed

uses for the development sites in the UDA. TWDC was obviously very keen to see its

recommendations reflected in these area proposals. The extent to which the UDP

reflected TWDC strategy in the Sunderland part of the UDA would either help or

hinder its regenerative work. TWDC had a variety of concerns about the policies in this part of the Consultation Draft. The extent to which the Deposit Draft addressed these would shed light on the relationship between SCC and TWDC.

There was a variety of other smaller details that the TWDC commented upon in the Consultation Draft, however these concerned updating of information in the light of developments being approved, going onsite or being completed and some discrepancies to the boundary of the UDA. SCC corrected all the mistakes noticed and passed on by TWDC and updated the necessary information. Prior to the publication of the Deposit Draft, SCC Planning Department went through all TWDC projects that it had been informed about and built in site specific designations for the development areas in the UDA. Inputting the TWDC strategy into the UDP was, "a straight-forward process" (SCC source SC01). When the Deposit Draft was published in 1995, SCC sent TWDC a copy. TWDC had no observations and certainly no objections to make on this second draft, as all the observations on the Consultation Draft had been addressed in the Deposit Draft. As such a mere phone call from TWDC confirmed that they had no objections to the SCC Deposit Draft UDP. This was a reflection that any problems that had arisen after the publication of the Consultation Draft had been accommodated into the Deposit Draft.

However, as one interviewee remarked, *occasional bombshells* did go off; and at times the relationship was very fraught, especially concerning matters within the public eye such as the Monkwearmouth development and the proposals for a new football ground for Sunderland AFC. These large development sites were areas of

disagreement with concern to UDP designations. At times the development plan-making programme could not keep up with what was being proposed and tensions arose. Perhaps because of the lack of face-to-face and person-to-person involvement in the relationship between SCC and TWDC, many of these disagreements were aired in public through the media with councillors 'competing for turf' with the UDC. Thus although compromise was eventually reached the disagreements were conducted in public, hence the use of the phrase 'bombshells'.

SCC did not wish to have TWDC as a formal objector at the Public Inquiry and TWDC did not wish to be seen as insensitive to local needs. These twin, but different, desires insured that compromises were reached, albeit eventually.

5.6.3. UDP Content Evolution

TWDC were broadly satisfied with the tone and content of the Consultation Draft plan except for six areas: Treatment of the UDA, Economic Development and Scrap Yards, Enterprise Zone Policies, Public Open Space. Sunderland South Policies and Car Parking Standards

5.6.3.1. Treatment of the UDA

The Consultation Draft contained a specific policy relating to the work of TWDC, in the chapter on Economic Development in the section on Special Planning Areas:

> "Urban Development Area:
> *[Policy] EC.16. The policies and wider regeneration aims of this plan should be taken into account when considering proposals in the Urban Development Area.*

> [para.] 3.54. Although the UDC was designated as
> the planning authority for its area, these powers
> relate only to the control of development.
> Responsibility for the production of Development
> Plans remains with the Council. PPG12 states that
> the Council should formulate proposals in its plan
> which have regard to any policies or proposals of
> the UDC. As requested in Strategic Guidance, the
> Council has sought to co-ordinate its programmes
> with those of the UDC. When the UDC is wound up
> (probably in the late 1990s) development control
> powers will revert to the Council. This policy is
> to ensure that this transition can be achieved as
> smoothly as possible."
> (p.29, Sunderland City Council Consultation Draft
> UDP, September 1992).

The wording of this policy did not change at all between the Consultation and Deposit

Drafts and TWDC had no comments to make on it (NB the policy number changed

from EC.16. in the Consultation Draft to EC.12. in the Deposit Draft). If the policy is

taken at face value it says little of any worth, merely underlining the fact that the

broad policies of the *UDP* apply to the *UDA*. This of course should be, and indeed is,

the case anyway. One source at SCC did refer to the policy as being included merely

to, "pay lip service to the UDC" (SCC source SC02). The policy provides a lot of

flexibility.

In the Deposit Draft the explanatory material was expanded by the addition of this

paragraph to reflect TWDC support for the UDP and also to clarify land uses:

> "[para.] 3.80. The Urban Development Area, is
> administered by Tyne & Wear Urban Development
> Corporation (the UDC) which is charged with creating
> the right conditions to attract private sector
> investment. Its principal proposals are shown in
> Table 3.4. below. Other parts of the UDA requiring
> attention include the South Docks and southern

PLATE EIGHT:
SAINT PETER'S RIVERSIDE, SUNDERLAND

coastal strip, which are subject to other proposals
of this plan and are regarded as longer term.

Table 3.4. - UDC Principal Schemes

Location	Uses
Sunderland Enterprise Park (Hylton Riverside)	Business Park, Industry, Retailing
St Peter's Riverside	University Campus, Business, Housing, Marine Activity Centre
Sunrise Park, Castletown	Business, Industry, Retailing
Deptford Industrial Park (Pallion)	Industry
Pallion Park (Sunderland Forge)	Student Accommodation, Social Housing
Panns Bank and Wylam Wharf	Business, Public House, Student Accommodation

(p.51, Sunderland City Council Deposit Draft UDP,
September 1992).

The above expansion of the section dealing with TWDC showed more concern for its

regenerative efforts and was more comprehensive in explaining what development

had occurred. TWDC were satisfied with this expansion and addition.

5.6.3.2. Economic Development and Scrap Yard Uses

In the Economic Development chapter of the Consultation Draft, SCC included a

policy on scrap yards:

> "[Policy] EC.12. Scrap yards will only be permitted
> where their effect on an area is acceptable. Where
> permission is granted, effective screening will be a
> prerequisite of development. The re-location of
> existing scrap yards will be encouraged where these
> are presently located adjacent to residential or
> commercial areas or on obtrusive sites.

> [para.] 3.49. Scrap yards in the District are
> concentrated along the River Wear corridor and
> within the inner urban area of Sunderland. The
> Council's report, "The Location of the Scrap Metal
> Industry in the Borough of Sunderland" (1976)
> identified three main problems presented by the
> existing distribution, namely:
> (i) Scrapyards occupying physically constricted
> sites which deny their owners the opportunity to
> expand;
> (ii) Scrapyards which are affected by planning
> and/or reclamation proposals or constitute non-
> conforming uses;
> (iii) Scrapyards which are "unsightly" in their
> appearance.
>
> [para.] 3.50. The Council's intention is to provide
> for the continued growth and expansion of the
> industry where this is consistent with wider
> planning and environmental objectives and the well-
> being of the community. Continued rationalisation
> (including relocation where appropriate) and
> environmental improvements will be sought. New or
> improved facilities should have adequate perimeter
> fencing and landscaping, parking, servicing and
> loading/unloading facilities, with covered or well
> screened storage areas. Burning or other operations
> likely to cause nuisance will be tightly
> controlled."
> (p.28, Sunderland City Council Consultation Draft
> UDP, September 1992).

TWDC were concerned with the direction of this policy and felt threatened by the

potential conflict with scrap yard uses and the 're-imaging' strategies it was

implementing along the riverside. TWDC suggested a rewording to indicate either the

types of area where scrapyard development would be accepted or to give a positive

statement on those areas where they would not be acceptable. TWDC drew the

attention of SCC to the Environmental Protection Act and its licensing requirements,

the growth of larger scrapyards which had absorbed some of the smaller ones, and the

development of related yards which processed building wastes and liquid chemical

wastes. TWDC recommended that the policy be widened to include these other uses

and an expansion of the narrative in the paragraphs to consider the aspects suggested.

As paragraph 3.49. (Sunderland City Council Consultation Draft UDP, September

1992) stated, the scrap yards are mainly located along the River Wear corridor, that is

to say within the UDA part of Sunderland. TWDC were thus keen for any policy

affecting use in the UDA to be as clear as possible. TWDC also did not wish to see

the expansion of an employment generating use affected by a policy that did not apply

to an exact location. SCC radically changed this policy in the Deposit Draft. The

Consultation Draft policy was split into two Deposit Draft policies in order to separate

the relocation section (which was added to Consultation Draft Policy EC.11. to form a

hybrid policy) and the future development section of the earlier policy. This clarified

exactly what SCC proposed for such uses. The wording of the policy was tightened

up to apply to certain areas of land identified in Part II (the site specific part) of the

plan. The explanatory material was also added to extensively, in line with the TWDC

suggestions, and clarified with concern to what SCC actually desired. As such the

Deposit Draft version read as follows:

> "*[Policy]   EC.16.   The   Council   will   seek   the*
> *relocation   of   those   uses   which   have   a   serious*
> *detrimental   effect   on   surrounding   areas   particularly*
> *where   they   are   adjacent   to   residential   or   commercial*
> *areas   or   are   on   obtrusive   sites.*
>
> [para.] 3.89.   Although a great deal of progress has
> been made, there are still some premises which are
> inappropriately located.   The Council recognises
> that this can cause a nuisance to neighbouring
> residential and commercial areas or to neighbouring
> industry of a sensitive nature.   For example, most
> scrap yards are located along the River Wear
> corridor and within the inner urban area of

Sunderland.   A Council report identified three main problems presented by the existing distribution which are still relevant. These are sites which:
(i) occupy physically constricted sites which deny their owners the opportunity to expand;
(ii) are affected by planning and/or reclamation proposals or constitute non-conforming uses;
(iii) are "unsightly" in their appearance.

[para.] 3.90.   Continued rationalisation (including re-location where appropriate) and environmental improvements will be sought. Relocation will be encouraged through the identification of suitable new sites, premises or designated land. Compulsory purchase procedures may be considered to achieve removal of certain uses/users.

[Policy] EC.17. Development or extension of sites for bad neighbour uses including scrap yards and the sorting and storage of waste materials will only be permitted in areas identified as suitable in Part II provided that:
(i) there will be no significant nuisance to adjacent premises or highway users by virtue of dust, smell, vibration, smoke, noises, mud, or slurry;
(ii) the site is adequately screened or is not visually prominent;
(iii) appropriate facilities are provided for the storage and treatment of by-products and for waste disposal;
(iv) the site is of sufficient size for operations and has adequate car parking and servicing.

[para.] 3.91.   The increase in concern for environmental issues has, to some extent, lent greater support to the process of recycling and re-using waste materials - including scrapyards. The Council's intention is to provide for the continuance of this activity and limited expansion of the recycling industry where this is consistent with wider planning and environmental objectives and the well-being of the community. New or improved facilities should have adequate perimeter fencing and landscaping, parking, servicing and loading/unloading facilities, with covered or well screened storage areas. These operations will be tightly controlled through the use of conditions and

> appropriate S106 agreements as well as being
> regulated through the waste disposal licensing
> system."
> (p.53, Sunderland City Council Deposit Draft UDP,
> April 1995).

As is immediately obvious from comparison of the Consultation Draft policies and

explanatory material and those in the Deposit Draft, the situation concerning scrap

yards and associated uses is much clearer in the later draft. The observations made by

TWDC were taken on board completely and this part of the UDP is made clearer due

to them. TWDC were very pleased that SCC had altered the plan, especially as the

section could have a large bearing on potential land uses in the UDA. In this instance

the TWDC had supplied *knowledge* of the industry and also *skill* in the construction of

the policy wording and was thus successful in getting it's more precise intentions

included in the emerging UDP.

5.6.3.3. Enterprise Zone Policies

TWDC also drew SCC's attention to the explanatory note following the Consultation

Draft policy EC.17. on Enterprises Zone. The policy and the explanatory note read as

follows:

> "[Policy] EC.17. The Council will seek to maximise
> the potential of the Enterprise Zones and the
> employment opportunities they present by promoting
> the types of uses considered appropriate, as defined
> in the designation documents.
>
> [para.] 3.55. The benefits available for industrial
> and commercial properties in Enterprise Zones
> include:
> • exemption from rates;
> • 100% capital allowances;
> • relaxed planning regime / speedy handling of
> remaining planning controls.

[para.] 3.56.   Sunderland's Enterprise Zones came
into force in April 1990 and last for ten years.
They were identified in response to the closure of
the shipbuilding yards and the loss of 2,400 jobs.
The Council has already undertaken the provision of
infrastructure for the two Zones for which it has
responsibility. The successful development of all
three zones could create up to 4,200 jobs."
(p.29, Sunderland City Council Consultation Draft
UDP, September 1992).

TWDC informed SCC that they thought it would have been of value to identify

clearly the two zones for which the Council has responsibility and to separately state

that TWDC was responsible for the Hylton Riverside / Southwick EZ and was

providing infrastructure for its development. The TWDC were keen to see the UDP

emerge not only as a regulatory document with policies, but also as an informative

public document. In the Deposit Draft, SCC took on board TWDC's comments. The

policy remained the same (but was renumbered EC.11.) and the explanatory notes

were expanded to read more clearly:

"[para.] 3.77.   The Enterprise Zones consist of
three sites made up of:-
* Hylton Riverside / Southwick (35 ha.) within the
UDA designated as part business park, part general
industrial use;
* Castletown (6.5 ha.) designated for business,
industry and warehousing;
* Doxford International (40 ha.) in total of which
20 ha. has Enterprise Zone status) designated for B1
and B2 uses together with a hotel.

[para.] 3.78. The benefits available for industrial
and commercial properties in Enterprise Zones
include:
* exemption from rates;
* 100% capital allowances;
* relaxed planning regime / speedy handling of
remaining planning controls.

[para.] 3.79.   Sunderland's Enterprise Zones came
into force in April 1990 and last for ten years.

> They were identified in response to the closure of
> the shipbuilding yards and the loss of 2,400 jobs.
> Hylton Riverside currently has 400,000 sq. ft of
> business and industrial space providing employment
> for almost 500 people. The successful development of
> all three zones could create up to 4,200 jobs."
> (p.50, Sunderland City Council Deposit Draft UDP,
> April 1995).

The explanatory notes in the Deposit Draft clarified matters with concern to the

Sunderland Enterprise Zone (EZ) and its three constituent areas, all with separate and

slightly different EZ schemes. It also provided much more information as to the type

of development that each of the three areas was expected to attract. The inclusion of

the hoped for employment creation figures was to justify the local authority's actions

from the job conscious councillors to the local activists generally who had been

sceptical of the Enterprise Zone scheme. As such the Deposit Draft version was of

greater use to prospective developers in assessing whether Sunderland, and the EZ in

Sunderland, would be suitable place to develop. TWDC had acted as a test for this

policy and had assessed and improved its usefulness. TWDC had no further

observations to make on the EZ policy in the Deposit Draft and thus were content

with the treatment of the EZ following the revisions made.

5.6.3.4. Public Open Space

TWDC expressed some concern over the requirement to provide public open space

and children's play areas in new residential developments. TWDC admitted that a

requirement was desirable but was concerned that too rigid an adherence to a standard

may discourage redevelopment, particularly if there was any attempt to redress

existing shortages in the surrounding area on currently available sites. This would of

course have meant that less built development could be squeezed onto a site and thus

the site's development value would fall. If the development value of a site, or the possible rate of return on a site, was affected, then this could slow the rate of development in the UDA and constrict the budget of the UDC. TWDC believed that, "the form, scale and location of children's play space nationally needs a review. There are countless examples in planning literature of play areas being abused, to the detriment of nearby residents, particularly as children outgrow the facilities provided within an estate, as the estate and its residents age" (TWDC source TW(SC)01). Although TWDC did not state an alternative, it can be surmised that the UDC would have been quite happy if such a policy was dropped from further drafts of the plan. However it would not have been politically adroit to have asked for such a thing. Also there was not much residential development involved on UDA sites in Sunderland, with most of that either already built, and the rest being proposed as student accommodation. Thus TWDC did not pursue any slackening of the requirements for public open space and children's play areas.

So, in the absence of any suggestion by TWDC, SCC maintained its policy concerning a requirement for open space in new residential schemes. Indeed the policy was strengthened. Policy H.17. of the Consultation Draft (p.42, ibid.) referred to figures of 0.8 and 0.4 ha. per 1,000 bedspaces (dependant on proximity to existing neighbourhood open space), which could only be found tucked away in minute print in the appendix of the plan. The Deposit Draft brought the figures to greater prominence, placing them actually in the policy concerning provision of open space in residential areas (Policy H.21., p.73, Sunderland City Council Deposit Draft UDP, April 1995) and upping the previous minimum provision from 0.8 ha to 0.9 ha. in

some instances. A caveat concerning the 'taking into consideration the existing

provision in the locality' was maintained.

In previous examples of TWDC observations and changes between Consultation and

Deposit Drafts, SCC had taken on board the suggestions of the UDC. However

concerning the open space requirements SCC made no changes. It can be asserted

that this was due to two factors. Firstly, TWDC did not suggest any alternative in

their written observations to the Consultation Draft. Thus SCC did not have anything

concrete with which it could alter the policy TWDC were concerned about, and

through this appease the UDC. The second factor was the quiescent nature of the

relationship between TWDC and SCC. The main form of communication between

the two organisations was letter. Face-to-face contact between officers of the two

agencies was almost non-existent and thus there was no arena for debate and no

extended negotiation into specific matters of detail. Thus no alternative was

suggested, no debate occurred and as a result no change was made.

5.6.3.5. Policies Concerning Sunderland South

In its response to the Consultation Draft TWDC stated that the proposed policies for

the Panns Bank / Low Street / Wylam Wharf / Scotia Quay area seemed to be very

confused and mutually contradictory, both in terms of the Proposals Map and the

written policies. These areas were affected by a variety of policies dealing with

different uses and in the Consultation Draft it was not clear as to what were the exact

designations. Indeed, as the policies reproduced below show, the area was reserved

for, and maintained as, a variety of things. Policy SA.1. dealt with existing industrial

sites:

> "[Policy] SA.1. The following established industrial
> areas and available sites within them will be
> retained and improved for appropriate business,
> general industrial and storage uses (B1, B2 and B8):
> [inter alia]
> 1) Panns Bank / East End
> 2) Hendon
> 6) Pallion
> 7) The Riverside (Pallion to Deptford).
> (p.183, Sunderland City Council Consultation Draft
> UDP, September 1992).

Policy SA.5. dealt with New Mixed Use Sites:

> "[Policy] SA.5. The following sites will be
> reserved for appropriate commercial or industrial
> uses as indicated in table 17.2: [inter alia]
> (7) Land north and south of Low Street (Principal
> uses: Business B1 and leisure uses, ancillary
> retailing and specialist residential development).
> (p.188, Sunderland City Council Consultation Draft
> UDP, September 1992).

Policy SA.8. dealt with Land for Housing:

> "[Policy] SA.8. Sites for more than 10 dwellings as
> shown on the Proposals Map and detailed in table
> 17.4., are allocated for new housing (H3, H4, H5).
> Table 17.4. Sunderland South Housing Sites:
> [inter alia]
> (26) Panns Bank."
> (p.191, Sunderland City Council Consultation Draft
> UDP, September 1992).

Policy SA.32. dealt with Views of the City:

> "[Policy] SA.32. The following views, described in
> Table 17.10, are of particular importance and should
> be protected and enhanced: [inter alia]
> (1) the River Wear valley from various points.

> Table 17.10. Views to be Protected and Enhanced:
> [inter alia]
> (1) River Valley:-
> (i) Claxheugh - north eastwards along river valley taking in the north bank.
> (ii) Festival Park - eastwards along river corridor.
> (iii) Panns Bank/High Street East - westwards along river corridor, eastwards to river mouth."
> (p.211-212, Sunderland City Council Consultation Draft UDP, September 1992).

Policy SA.34. dealt with Conservation Areas:

> "[Policy] SA.34.   The City Council will investigate the designation of new Conservation Areas in the following locations:
> [inter alia]
> (3) High Street/Panns Bank"
> (p.213, Sunderland City Council Consultation Draft UDP, September 1992).

Policies SA.54. and SA.55. in the Industry and Warehousing sub-section reads:

> "[Policy] SA.54.   The development of the Panns Bank riverside site for business, industrial, commercial purposes (B1, B2) or special needs residential development, will be actively encouraged."

> "[Policy] SA.55.   The following industrial / commercial areas will be retained and enhanced for small to medium service and industrial businesses:
> [inter alia]
> (2) High Street/Panns Bank."
> (p.226, Sunderland City Council Consultation Draft UDP, September 1992).

As is immediately obvious from the variety of policies reproduced above the site in question was many things to many policies. It was a protected established industrial area and an area for new commercial and industrial development, however business development would be encouraged there, it was also an area for new housing, as well as an area for special needs housing, and an area for mixed uses, at the same time

views both eastwards and westwards from the site were to be protected and enhanced

and the City Council would investigate whether it should be designated a conservation

area. The exact designation for these sites was thus far from clear. In fact, as TWDC

commented and the extracts above themselves show, some of the policies contradicted

one and other. This was not an ideal situation for some of the prime riverside sites in

the UDA. TWDC was thus greatly perturbed about this situation and wanted it

clarified in any future drafts of the plan.

In the case of Policy SA.34., dealing with the investigation of the designation of a

new Conservation Area, this would concern TWDC as it would be the declaring

authority for a Conservation Area within the boundary of the UDA. This was not

clear in the Consultation Draft. Following the inclusion of Panns Bank in the (then)

newly published Consultation Draft, TWDC gave further notice to SCC that any

proposals for a Conservation Area would need to take into consideration TWDC

proposals for the regeneration of Panns Bank and surrounding area. The

corresponding new Conservation Area policy in the Deposit Draft dropped any

mention of High Street / Panns Bank as an area which could be appraised for

designation as a Conservation Area (Policy SA.39., p.277 Sunderland City Council

Deposit Draft UDP, April 1995).

This left the other confusion of policies to be dealt with. The general thrust of these

other policies in this area seemed to seek to designate the site for employment

generating uses, but its inclusion in a variety of different policies clouded this. At the

time of the publication of the Consultation Draft part of the area was being developed

as student housing and thus another category came into the equation. By the time the

Deposit Draft was published the development situation in this area was much clearer,

as many of the development proposals were onsite or completed. So the Panns Bank

area did not appear under such a myriad of designations. It is interesting to note that

the formalisation of the policies followed the actual development. It would be

interesting to know what would have been the case had no development occurred.

In the Deposit Draft Panns Bank was dropped from the Industry and Warehousing

Policy corresponding to Consultation Draft Policy SA.55. (namely Policy SA.60.,

p.305, Sunderland City Council Deposit Draft UDP, April 1995). SCC took the

advice of TWDC to differentiate parts of the whole site on the Deposit Draft

Proposals Map to make the designation delineation clearer. TWDC were content with

this new arrangement. TWDC had tested the integration of the polices in the

emerging plan from a developer's point of view. The UDC had acted as a filter to

identify any policy discrepancies and anomalies and was successful in having them

addressed.

5.6.3.6. Car Parking Standards

Moving away from the area proposals and site specific policies, TWDC did have one

last observation to make on the Consultation Draft. It concerned the Car Parking

Standards to be found towards the end of the plan in the section entitled "Control

Guidelines" (p.348, Sunderland City Council Consultation Draft UDP, September

1992). TWDC believed that the standard in relation to offices, particularly outside the

central core of the city (and also light industry) should be revised upwards and that the

PLATE NINE:
NEW BUILDINGS FOR UNIVERSITY OF SUNDERLAND

grouping of student housing with nurses homes, other hostel and single person

accommodation lead to an unduly onerous standard. SCC did not revise the car

parking standards on production of the Deposit Draft. However much of the student

accommodation that was built between the publication of the two drafts used a

standard lower than that proposed in the two drafts of the UDP. The building of the

student accommodation in the UDA was completed by the time of the publication of

the Deposit Draft and there was no more planned within the UDA within the TWDC

life span so this area of disagreement dissipated.

5.6.4. The Nature of the Relationship

The relationship between SCC and TWDC was structured by formal procedure since

the inception of the UDC. However there have been the "occasional bombshells"

(TWDC source TW(SC)02) which involved (only ever short term) breakdown in co-

operation. One of these involved TWDC proposals for North Dock and North Sands

in the early years of the UDC. TWDC had proposed housing on both sites, whereas

SCC was looking for a higher quality residential development on the former and

industry on the latter. A lot of political flak ensued, but the development went ahead

as proposed by the UDC. The developments were all but complete by the time the

first draft of the UDP emerged and thus SCC had to broadly accept both schemes in

the context of the UDP.

Robinson et al., writing in 1993, stated that the relationship between SCC and TWDC

could be, "summed up by a City Councillor who remarked: what we need on

Wearside is not housing or pretty riversides but jobs" (p.38, Robinson et al, 1993).

This was a reflection on the hard times employment-wise that Sunderland had fallen upon following the closure of its shipyards in the late 1980s and early 1990s when all shipbuilding on the River Wear finished. The Enterprise Zone in Sunderland was instigated as a response to the closure of the shipyards. In a way it was a trade off for the closure of the, by then uneconomic, shipyards, as SCC was told by central government that if the shipyards were not closed down then the area would not receive an EZ or the EU money that was to be made available to the area. There was quite a bit of ill-feeling regarding this trade off both in Sunderland itself and the Council.

5.6.4.1. Recognition of Dependency

The recognition of inter-dependency between TWDC and SCC was to a great extent perfunctory, in the sense that consultation was engaged in merely for the sake of getting rid of the duty to perform it. In regard to the UDP, the dependency was only recognised as having to satisfy the other that the plan conformed to the aims of their organisation. Both agencies recognised that due to the UDP they had a mutual dependency but communication was basic and discussion at a minimum.

5.6.4.2. Pooling of Resources

Despite the statutory process, and no more than that, being adhered to in relation to the development plan, there was a pooling of resources between TWDC and SCC which, of a fashion, lead to budget enlargement. There was close co-operation between SCC and TWDC on the Sunderland Enterprise Zone schemes. The EZ

scheme was split into three parts each with similar planning schemes, however with

differences which reflect the particular characteristics of each zone.

The difference between the close working on the EZ project and the (what could be

called) frigid and stoic attitude on the UDP can be explained by two reasons. Firstly,

the EZ was a lot more important than the UDP. The EZ was a reaction to the closure

of the shipyards on the River Wear and thus it was given a very high priority. The

SCC councillors were particularly concerned that the EZ be presented in the best

possible light and be see as a probable success, because of the impact the closures

were having. Secondly, different departments in SCC dealt with each. The Chief

Executive's Department dealt with the EZ and the Planning Department dealt with the

UDP. These two reasons account for the difference in attitude between SCC handling

of the EZ and SCC handling of the UDP with regard to TWDC.

With regard to the UDP preparation process there was no pooling of resources beyond

the exchange of documents.

5.6.4.3. Exchange of Information

The exchange of information between SCC and TWDC was satisfactory without

being proactive. If information was requested by one it would be supplied by the

other, however there was no proffering of information. In relation to the UDP, the

Consultation and Deposit Drafts were sent to the TWDC, but no pre-publication

material was made available.

5.6.4.4. Development of Trust

A modicum of trust was nurtured between SCC and TWDC. SCC was receptive to TWDC strategies in the UDA, but there has been no discussion together of aims and ideas for the Sunderland part of the UDA. TWDC provided knowledge and skill, for example in the way in which it filtered the plan, but SCC did not really admit this.

5.6.4.5. Mutual Orientation

Obviously both sides stated that they wanted regeneration for Sunderland, but they ploughed individual furrows in their respective areas. One area where this caused a problem was at Sunderland Dock (on the coast to the south of the river). Much of the port land there in the UDA was owned by the City Council. The plots were not large and there was little involvement by the UDC in this area. With SCC as landowner, albeit having little resources to spend on the site, and TWDC as development control authority, it might have been thought that this was a perfect situation for two large organisations in the area to implement some useful sustainable development. However that was not the case and both sides admitted this was partly due to the poor consultation and communication quality between the two organisations. This lead to their being little mutual orientation between the two organisations, although SCC did include the TWDC strategy within the emerging UDP.

5.6.4.6. Commitment Over the Long Haul

To conclude it was said that, "it has been a long haul for the TWDC in Sunderland" (TWDC source TW(SC)03). The two organisations put up with each other. TWDC

stated that it went through both the Consultation Draft and the Deposit Draft policy by policy and was happy with the end result. The local authority was receptive to what TWDC wanted in the UDA after, "two years of initial tantrums" (TWDC source TW(SC)04).

5.6.5. Synopsis

There appeared to be an absence of a relationship between SCC and TWDC in anything more than a professional working capacity. The UDP preparation process reflected the procedural and government model with liaison occurring strictly at the times of consultation. This was to an extent due to SCC taking on board the ideas that TWDC had for the UDA in Sunderland but also due to the open designations and the flexibility of their UDP anyway. TWDC always felt that it could regenerate within the framework of the SCC UDP. The UDP was never made a political issue. In Sunderland, "the politicians hardly noticed the UDP" (TWDC source TW(SC)05). The set piece battles, or 'occasional bombshells' as one source put it, were fought out on the political stage, and not within the UDP process.

6.0. THE LONDON DOCKLAND BOROUGHS AREA

6.1. PLANNING AND URBAN REGENERATION IN THE LONDON DOCKLAND BOROUGHS AREA

Following local government re-organisation in 1985 the former Greater London Council (GLC) was dissolved and the London Boroughs became responsible for the strategic aspect of planning as well as the local. The concept of the UDP evolved as a single planning document which would deal with both local and borough-wide issues. The Department of the Environment produced "Regional Planning Guidance 3 (RPG3): Strategic Guidance for London" which provided a framework for the preparation of UDPs by the London boroughs in September 1989.

RPG3 dealt with a variety of topics including business and industry, transport, housing, green belt and open land, the built environment, retailing, tourism and sport and the River Thames. References to the Docklands area as a place for future development were littered throughout the document. Unlike the RPG for Tyne and Wear there was not *such* an importance placed on urban regeneration, but there was a recognition that areas which had declined would be utilised and find new roles. As such RPG3's first two objectives, which were to be reflected in UDPs, were to:

> "[para. 10.]:
> - foster economic growth bearing in mind the importance for the national economy of London's continuing prosperity;
> - contribute to revitalising the older urban areas."
> (p.2, RPG3 Department of Environment, 1989b).

RPG3 (Department of Environment, 1989b) was superseded by a revised edition in 1996 (which maintained the same title). The revised edition was similar in tone to that of the first edition however it included more specific detail on certain areas for development. It provided a more comprehensive statement of the regional strategy for planning in London and made additional emphasis on promoting competitiveness and regeneration. References to Docklands were not as numerous as its predecessor, with other areas targeted for regenerative attention in addition to the remaining parts of the UDA in London. As such the revised RPG3 did not affect the emerging UDPs of the Docklands Boroughs to any significant extent.

The role of London as a World City was emphasised within both drafts of RPG3. Following the dissolution of the GLC, a body called the London Planning Advisory Committee (LPAC) was set up whose role it was to produce, *"Strategic Planning Advice for London"* (LPAC, 1988). This document set out over 100 specific policies for local authorities to act upon in their UDPs. Part of LPAC's identified remit was to help to redress the recognised ill-balance that existed in London between the more prosperous west side and the more deprived east side. Central government, when preparing RPG3, took account of *"Strategic Planning Advice for London"* which was unanimously agreed by all the London Boroughs.

It was thus recognised that there was a strategic imbalance between west and east London and there was a concerted policy effort to try and redress this. By promoting the UDA in east London, the urban regenerative work of the LDDC was also helping with this.

6.2. LONDON DOCKLANDS DEVELOPMENT CORPORATION

The LDDC was established under the provisions of the Local Government Planning and Land Act 1980 (Department of Environment, LGP+L Act, 1980) and came into operation as an Urban Development Corporation in July 1981. It was thus in existence seven years before TWDC. The LDDC was a government agency responsible for the regeneration of a seven mile long strip of land referred to as the Urban Development Area (UDA). The London Docklands UDA covered an area of some 2146 hectares, 200 of which were enclosed water. The docks, together with the River Thames, provided some 55 miles of water's edge. The area had a resident population of approximately 55,000.

Geographically, the LDDC UDA fell within the three London Boroughs of Newham, Southwark and Tower Hamlets. These authorities were referred to as the Dockland Boroughs. These Borough Councils retained all of their responsibilities except that within the UDA, the LDDC became the development control authority. Under sections 148 and 149 of the LGP+L Act 1980, an Urban Development Corporation (UDC), such as the LDDC, decided on planning applications following consultation with local authorities and others affected by the schemes. The LDDC, however was not the plan-making authority for the UDA. This function was left to the local authorities.

The local authorities still maintained responsibility for housing, highways, education, Council Tax and the full range of local government services. The LDDC did play a supporting role in housing, health and social services. The LDDC also had compulsory purchase powers, in order that land for development and infrastructure programmes could be assembled. Consequently in practice the LDDC was *not merely* the development control authority.

The three local authorities were against the creation of an UDC in their boroughs. The local authorities did not want to lose the powers that were ceded to the LDDC. As such there was hostility towards the UDC in the early years of its existence. The extent to which this occurred is dealt with in the individual case study sections.

The LDDC's corporate goal was to 'secure the lasting physical, economic and social regeneration of the Urban Development Area'. The LDDC aimed to secure this regeneration 'by bringing land and buildings into effective use, encouraging industry and commerce, creating an attractive environment and assisting in the provision of housing and social facilities to encourage people to live and work in the area' (adapted from section 136 of the LGP+L Act 1980). The development control powers of the LDDC were an important vehicle to achieve regeneration.

The part of the UDA to the south of the River Thames was wholly in the Borough of Southwark. It was often referred to as Surrey Docks, which was then subdivided into the areas called Rotherhithe (to the west of the Surrey Docks) and Bermondsey Riverside (to the east). The part of the UDA to the west of the Surrey Docks

contained the prestigious London Bridge City and Butler's Wharf developments. These were mainly expensive office locations with associated retail establishments and some high class housing. In comparison, Bermondsey Riverside mainly consisted of residential development surrounding the Surrey Quays Shopping Centre. This is merely a broad generalisation to give an overview of this part of the UDA, as in the Surrey Docks one could also find such diverse developments such as the Design Museum, Bacon's City Technology College and South Dock Marina (London's largest).

Across the River Thames from Southwark was the Tower Hamlets part of the UDA. This was also be divided into two parts. To the east and closest to the City of London was Wapping and Limehouse. Here many Victorian warehouses were refurbished to create apartments alongside newly built homes. There was also commercial development. Newspapers relocated to sites in Wapping, notably the News International Group. Other commercial developments included St Katherine's Docks, Sovereign Court and Thomas More Street.

To the west of Wapping and Limehouse was the Isle of Dogs, an area of land bounded on three sides by a meander in the River Thames. On the Isle of Dogs business development predominated, notably the Canary Wharf development. There was also residential development along the riverside sites, including such landmark buildings as Cascades and Burrells Wharf.

To the west of the Tower Hamlets part of the UDA was the Newham part of the UDA. The Royal Docks were an area of vast, and as yet unrealised potential. Here large vacant sites bound the huge docks with proposals for an exhibition centre, offices and other associated development. To the north of the Newham part of the UDA was Beckton, an area that was developed with mainly residential buildings throughout the 1980s.

Since its inception the UDA had witnessed a massive scale of change from what was substantially disused dockland. Since 1981 over 19,800 homes were built in the UDA, an average of almost four a day. 71% of the new homes were built for owner occupation with 29% for rent or shared ownership (source: LDDC Key Facts and Figures, August 1996). Prior to the designation of the UDA only 5% of households in the UDA were owner occupied, this increased to 40% by 1996. Population had grown from a total of 39,429 in 1981 to 76,849 (mid-year estimate 1996) (source: LDDC Key Facts and Figures, August 1996). The working population grew even more substantially, more than doubling from 27,213 in 1981 to 69,975 in 1996 (source: LDDC Key Facts and Figures, August 1996).

There had thus been a major physical, economic and social transformation in parts of the UDA. It with this extent of change in mind that the Dockland Boroughs had to prepare their borough-wide UDPs, encompassing the parts of the UDA within their boundaries.

6.3. LONDON BOROUGH OF SOUTHWARK (LBS)

6.3.1. Introduction

The London Borough of Southwark (LBS) is the local authority for an area of just

under 3,000 hectares stretching south from the River Thames. The City of London

and the London Borough of Tower Hamlets are to the north of the Borough across the

River Thames which forms the boundary between Southwark and those authorities.

Lewisham and Lambeth bound Southwark to the east and west respectively. Figure

6.3.A. illustrates the local authority area. This inner London area is totally urbanised,

with a population of approximately 230,000. There is a diversity to population,

particularly in terms of income, ethnic origin, household composition and tenure.
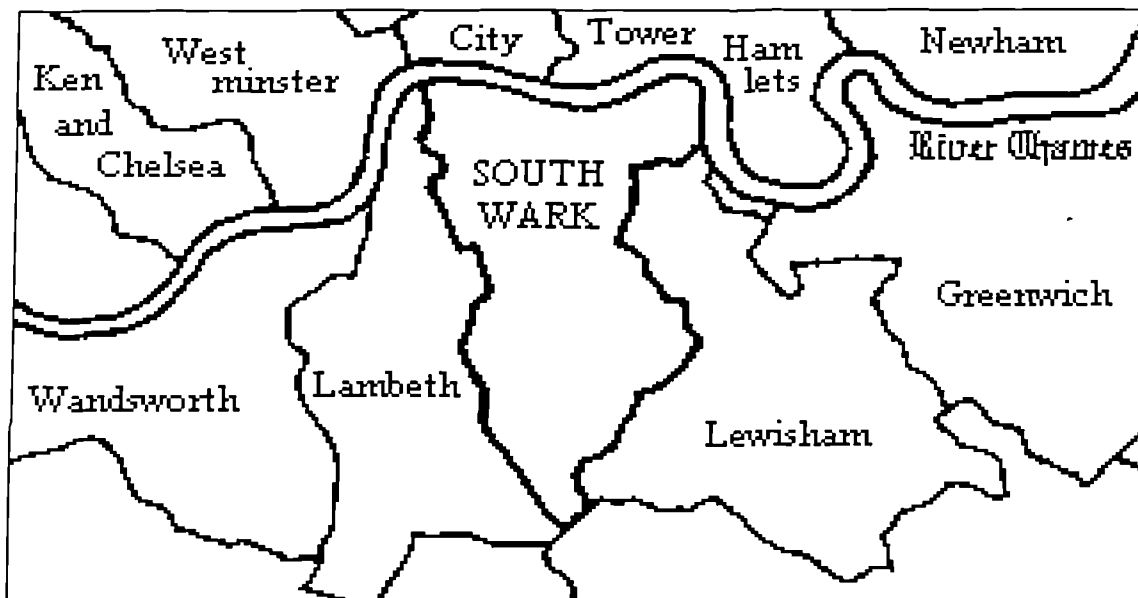
FIGURE 6.3.A. LONDON BOROUGH OF SOUTHWARK AND ITS SURROUNDINGS

The UDA in Southwark initially covered 354 hectares of riverside and dock land along the River Thames. The area to the west, Bermondsey, was dedesignated in March 1995 (comprising 88 hectares) and the remainder (called Rotherhithe) was dedesignated in February 1997 (266 hectares). Figure 6.3.B. shows the extent of the UDA in Southwark and these sub-divisions.
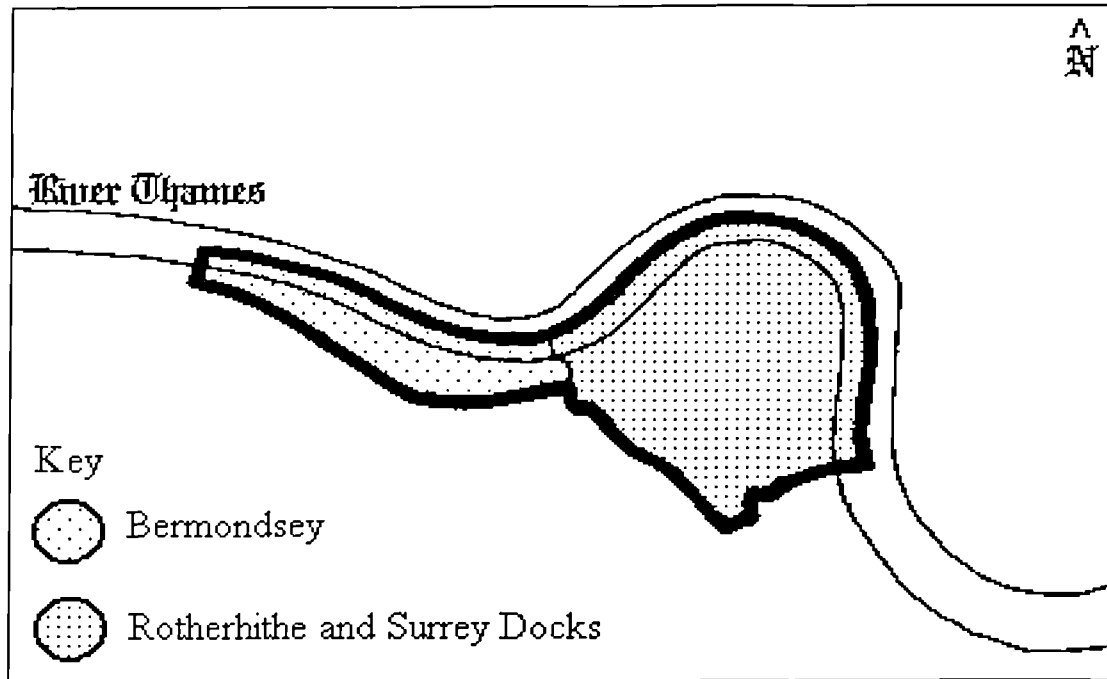
FIGURE 6.3.B. SOUTHWARK UDA

Southwark is the oldest London Borough after the City of London itself. ˙ From Anglo-Saxon times Southwark grew in importance due to its riverside location bringing commercial prosperity in through the docks and wharves. This lasted until the end of the Second World War which hastened the closure of the wharves and docks due to modernisation.

This decline in the manufacturing, storage and distribution industries has lead to unemployment that has not been fully tackled by the increase in jobs in the service industries.

Southwark, and in particularly the UDA in Southwark, is very near to the core of the City of London, however it is not often perceived as adjacent, as the Borough is south of the River Thames and the river is often seen as an insurmountable boundary. This has hindered the regeneration of Southwark since decline began.

LBS had a history of rather terse relations with both Central Government and also LDDC. LBS were against the creation of the LDDC and the loss of powers that entailed. A major concern of LBS was the accommodation of its growing population. LBS was particularly against the loss of residential use, in comparison with Tyne / Wear where the key issue was job creation. However in both sets of case studies there was a conflict over who exactly the UDC transformations was for.

6.3.2. UDP Preparation Process

LBS began preparatory work on their UDP in Spring 1989. In July 1989 the LDDC was contacted in relation to a draft of the forthcoming Consultation Draft of the LBS UDP. Initial comments were made in an informal meeting that followed. LBS Council then agreed the Consultation Draft version of its UDP at its Planning Committee in December 1989 and published it on 1st March 1990. The consultation period lasted, following extension, until November 1990.

The LDDC response to the London Borough of Southwark Consultation Draft UDP consisted of three parts.

The first part was a letter by Chris Farrow (then Area Director of LDDC UDA in

Southwark) to Robin Thompson (then LBS Borough Planner), dated 18th May 1990.

This letter dealt with the broader objectives of the Plan and the LDDC observations on

them. In order that these issues be resolved, the LDDC hoped to inaugurate a series of

meetings, as the letter related:

> "I am sure that it is important for both our authorities to engage in a positive and co-operative consultation process. Therefore I would suggest that we take the matter further by setting up a series of briefing and meeting [sic] for our respective teams. The preparation of a new development Plan provides the ideal opportunity for the Corporation and the Borough to work together, and I am happy to support your officers in establishing policies which will ensure the continued regeneration of our area."
> (taken from Letter by Chris Farrow, (then) Area Director of LDDC UDA in Southwark to Robin Thompson LBS Borough Planner Regarding LBS Consultation Draft UDP (Response 1), dated 18th May 1990).

Following this letter LDDC officers met with those from the LBS to discuss the UDP

on 12th July 1990. It was thought that this meeting resulted in, "a constructive

exchange of views on the UDP" (taken from letter by Ralph Ward (then LDDC

Development Manager for Southwark) to Richard Lynton (LBS Planner) Regarding

LBS Consultation Draft UDP (Response 2), dated 27th July 1990). It is clear from

this letter that the LDDC wished to continue the negotiation process in the hope of

resolving any differences before the Deposit Draft is published:

> "Can we have a further meeting to discuss these points and issues arising from our other observations on the UDP. I appreciate your need to report to your members on the results of consultations, but I hope this will not preclude us from continuing our dialogue and hope fully reaching a mutually satisfactory position prior to the publication next year of the Deposit Draft."
> (taken from letter by Ralph Ward (then LDDC Development Manager for Southwark) to Richard Lynton (LBS Planner) Regarding LBS Consultation Draft UDP (Response 2), dated 27th July 1990).

The second part of the LDDC observations on the Consultation Draft came with this

'letter by Ralph Ward (LDDC Development Manager for Southwark) to Richard

Lynton (LBS Planner), dated 27th July 1990'.

This contained a schedule of Observations on the LBS Consultation Draft. It became

a basis for the discussions that followed between the two organisations. These letters

were separated by the meeting between officers from LDDC and LBS mentioned

earlier. A series of meetings were held after the observations dated 27th July 1990

were received by LBS, however they were not as constructive as the first meeting on

the 12th of July 1990. This except from a LDDC report substantiates this:

> "Following the publication of the Consultation Draft in May 1990 [sic - should read March
> 1990], the Corporation have provided detailed written observations and held a series of
> meetings (on the Corporation's initiative) with Southwark, to discuss the draft and pursue the
> Corporation's comments. To date there has been little evidence that the draft Plan is being
> amended to reflect these comments. Consequently the Committee is advised to approve a
> formal response to the Consultation Draft, to reinforce the comments already forwarded to
> Southwark and to provide the basis for our response to the deposit stage."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Report
> Approved by LDDC Planning Committee (Response 3), 18th March 1991).

Thus the LDDC Surrey Docks Area Team thought it prudent to have formal LDDC

Planning Committee approval of the observations it had made on the LBS

Consultation Draft. The Surrey Docks Area team made a report to LDDC Planning

Committee on 18th March 1991 concerning the *outstanding observations. This report*

was titled "LDDC Observations on London Borough of Southwark Consultation Draft

UDP" and was formally approved by LDDC Planning Committee. It contained the

LDDC proposed amendments that had not been resolved in the light of the discussions

mentioned following the second letter. This Report is the third and final part of

LDDC observations on the LBS Consultation Draft. The LDDC observations on the

LBS Consultation Draft are thus spread across these three documents.

LBS then published their Deposit Draft in July 1991 and forwarded a copy to LDDC.

Following receipt of the Plan and dissection of it, LDDC Planning Committee

approved a report titled "LDDC Comments, Objections and Supporting

Representations on the LBS Deposit Draft UDP" on 17th September 1991 and

forwarded it to LBS. Following LBS receipt of this, three meetings then took place in

January 1992 to discuss the LDDC objections made to the Deposit Draft. These

meetings involved officers from LBS and LDDC. Through negotiation some polices

were altered or clarified by LBS in line with LDDC representations, however there

were a number of outstanding issues that were not resolved. These were dealt with at

the Public Inquiry into the UDP. However, prior to the Public Inquiry, LBS published

a series of Pre-Inquiry Proposed Changes (14th April 1992) which took on board

some of the representations made by the LDDC. This document listed the changes

agreed between LBS and consultees in advance of the Public Inquiry discussion. The

Public Inquiry lasted between 23rd June and 5th August 1992.

LBS then released a series of amendments in the light of the Public Inquiry in

September 1992, which covered issues that LBS resolved to change following

negotiation at the Public Inquiry, (London Borough of Southwark UDP (Pre-

Inspector's Report) New Changes Proposed (Modifications No.2.) Report Approved

by LBS Development Services Committee, 11th September 1992).

The Inspector's Report on the objections to the draft of the LBS UDP was made

available on 24th August 1993. In the light of the Inspector's Report, LBS then

published a "Statement of Decisions on the Inspector's Recommendations" and a

"List of Proposed Modifications" on 26th July 1994.

These took on board the majority of the recommendations made by the Inspector in his Report. LDDC made a report to its Planning Committee concerning these modifications on 6th September 1994. LDDC were satisfied at this stage with the changes made in the light of the Inspector's recommendations and had no further comment to make. Some final minor modifications were then put on deposit by LBS between 7th April and 22 May 1995, before the LBS UDP was finally adopted on 19th July 1995.

As the above details there was a miasma of documents that had to be examined in order to relate the policy evolution in the light of LDDC involvement in the LBS UDP.

6.3.3. UDP Content Evolution

During its successive drafts the LBS UDP had a multitude of representations made upon it by the LDDC. Discussion with both organisations accentuated the five most important policy areas, which were: Part I and the General Thrust of the Plan; Protection of Existing Housing; New Tourist Accommodation; Change of Use for Employment; and Purpose Built Warehousing. There were also a series of more minor observations that were addressed by changes made by LBS concerning other policies within both the employment and housing chapters, and also policies contained within the Community and Social Facilities, Shopping and Transport Chapters. The five major areas of concern are now dealt with below.

6.3.3.1. Part I and the General Thrust of the Plan

The primary observation that LDDC continued to make on the emerging LBS UDP

was one concerning the general tone of the Plan, the thrust of the Part I policies and

the treatment of the LDDC and the UDA in the Plan.

The LDDC response to the Consultation Draft recognised that there was but minimal

reference to the LDDC in it and that it seemed to have no strategic aspect:

> "Part I overall is general, largely uncontroversial and not very illuminating. A major
> criticism is that it has no sense of place, and does not attempt to distinguish between the
> character and functions of different parts of the Borough. We would expect the Plan to
> recognise issues like the growth of the City and the fringe, the need to recycle obsolete
> industrial (particularly riverside) premises, and modified [sic] density standards to suit
> development in riverside locations and in areas of characteristically dense urban form."
> (para. 10, p.2, Report to LDDC Core Team (Surrey Docks) Regarding LBS Consultation Draft
> UDP, 8th May 1990, by Ralph Ward, LDDC Planning Officer).

The report recommended that further study of the Plan be undertaken and in particular

LBS attention should be drawn towards:

> "1. The specific context of the Surrey Docks part of the UDA and the need for recognition of
> this.
> 2. Need for relaxation of housing policies to permit changes of use and higher density where
> appropriate to suit the building or the site concerned.
> 3. Need for relaxation of employment policies to permit a range of new employment
> opportunities to be developed within the area."
> (Recommendation, p.4, Report to LDDC Core Team (Surrey Docks) Regarding LBS
> Consultation Draft UDP, 8th May 1990, by Ralph Ward, LDDC Planning Officer).

This recommendation was taken forward and formed the basis for LDDC's initial

response to LBS on the Consultation Draft. As a precursor to meeting officers from

the LBS to discuss the emerging UDP, the LDDC (then) Area Director for Southwark

(part of the UDA) (Chris Farrow), thought it would be helpful if the LBS were aware

of the LDDC Area Team's Observations on the UDP.

He thought that at that early stage of the Plan-making process it was more appropriate

for the LDDC to comment on the broader objectives of the UDP, then to provide

detailed observations on each policy. Thus in a letter (dated 18th May 1990) he wrote

to the LBS Borough Planner (Robin Thompson) with the following response:

> "1. My particular criticism of Part I of the Plan is that it has no sense of place of the Borough as a whole, nor does it attempt to distinguish between the character and functions of different parts of the Borough, and in particular makes no reference to the specific context of Surrey Docks as part of the UDA.
> 2. The Borough urgently needs to attract inward investment but the tone of the Plan is too prescriptive and negative to encourage this investment. In particular, the proposed office policy is unrealistically hemmed in by caveats and does not recognise the growth of the City Fringe and the need actively to encourage office development in specific locations.
> 3. Whilst the Corporation shares the Borough's overall objective of employment retention and creation, it is considered that the employment policies contained within the Plan need to be more flexible in order to permit a wide range of new employment opportunities to be created. In particular, the Plan should recognise the need to recycle obsolete industrial land.
> 4. As a development control authority, the Corporation supports the Plan's attempt to ensure a high quality environment. Nonetheless, in order to ensure a realistic response to locational circumstances and assets there is a need for the housing policies which permit changes of use and higher densities where appropriate.
> In conclusion it is our view that the Plan as a whole shows an awareness of the need for flexibility. However this flexibility does not go far enough in stimulating and supporting the economic regeneration of the Borough and there are, specifically, a number of restrictive policies which go against the grain of the Corporation's own policy approach."
> (From Letter by Chris Farrow (then) Area Director of LDDC UDA in Southwark to Robin Thompson LBS Borough Planner Regarding LBS Consultation Draft UDP (Response 1), dated 18th May 1990.)

It is evident that the LDDC was critical of parts of the Plan but it is also identified that

the LBS Consultation Draft was something that 'showed an awareness of the need for

flexibility'. This was something that was awkward to achieve when set in the context

of LBS politics.

The LDDC was also concerned that the Consultation Draft did not fully recognise or

explain the importance and the powers of the UDC in the UDA.

The paragraph concerning the LDDC in the Consultation Draft was particularly

negative, stating that LBS was the plan-making authority and yet not mentioning that

LDDC was the development control authority:

> "LDDC: The Council is the plan-making authority for
> the LDDC area. Much of the implementation of
> development in that area is now complete.
> Nevertheless the Council will expect its overall
> planning strategies to shape the Corporation's
> approach for as long as it operates. In particular
> the Corporation can contribute by identification of
> sites for genuinely affordable housing, for
> community facilities and manufacturing in order to
> compliment [sic] the already built elements which
> are weighted strongly towards private housing and
> business use."
> (p.18, London Borough of Southwark Consultation
> Draft UDP, March 1990).

The LDDC commented on this as follows:

> "Finally in relation to Part I, I am disappointed by the cursory reference to the Corporation,
> and the limited recognition of its role and achievements. The improvements to the
> environment and the creation of waterside public spaces, the creation of new employment
> opportunities, the expansion of shopping provision at Surrey Quays, the construction of new
> schools and the community facilities and the provision of an extensive amount of affordable
> and social housing are wholly consistent with the objectives of the Plan.
>
> I would expect some reference to be made in Part I to the Corporation's regeneration remit,
> and the implications this may, on occasion, have for the application of policies developed for
> controlling development in the London Borough of Southwark as a whole."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from
> Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and
> Schedule (Response 2), dated 27th July 1990).

It was also suggested that a separate chapter be added to Part II of the Plan dealing

solely with the LDDC and the UDA. The proposed chapter dealt with the LDDC

corporate and planning objectives and a statement on LDDC planning policy.

The Deposit Draft was published in July 1991 and copies forwarded to LDDC.

The LDDC were unsure to what extent their representations concerning the general

tone of the UDP and the treatment of the UDA would have been heeded as LBS had

received the LDDC observations but not commented on them. The Deposit Draft did

have its roots in the Consultation Draft, but were many amendments made in the light

of all the consultations that LBS had received. The result of this was a more

approachable document, that laid out a more straightforward and understandable

blueprint for development.

In Part I of the Deposit Draft a greatly enhanced description of the LDDC was

included under the section on "4. Agencies and Resources" (p.35, London Borough of

Southwark Deposit Draft UDP, July 1991). However the LDDC request for an

additional chapter to set out the aims, objectives and planning guidelines for the UDA

in Southwark as espoused by the LDDC had not been addressed. There were also

notable amendments made to the structure and content of the Plan. The additional

LDDC chapter was not introduced, however there was a new chapter called

"Regeneration and Community Need", in which the following was found:

> "Regeneration:
> Objective R.2.   To stimulate and direct private
> investment, in partnership with the public sector,
> to targeted areas of Southwark, to assist local
> economy, improve the environment and meet community
> need. The LDDC has a statutory duty to secure the
> regeneration of its area and this consideration will
> therefore   be   expected   to   influence   the
> implementation of Part II policies in the area where
> the LDDC is the local planning authority for the
> purpose of determining planning applications."
> (p.43-44, London Borough of Southwark Deposit Draft
> UDP, July 1991).

However despite these additions this matter remained contentious, with the LDDC

wanting a greatly expanded section (or complete chapter) concerning its activities

included in the emerging UDP. LDDC took this matter to the Public Inquiry. The

Inspector recommended that the section concerning the LDDC be substantially

enlarged and the LBS accepted this (p.1-5, List of Proposed Modifications to London

Borough of Southwark UDP (Post Inspector's Report - Modifications No.3.), July

1994). This additional wording was supplied by the LDDC during the Public Inquiry.

It properly acknowledged the role of the LDDC in Southwark. The LDDC were

satisfied with this modification.

Following on from the enlarged section concerning the LDDC, in the 'Regeneration

and Community Need' Chapter, a regeneration policy was suggested by the

modifications:

> "[para.] 2.16. The LDDC has a statutory duty to
> secure the regeneration of its area. This
> consideration will therefore be expected to
> influence the implementation of Part II UDP policies
> in the area where the LDDC is the local planning
> authority for the purpose of determining planning
> applications.
>
> Regeneration Areas:
> *Policy R.2.1. In designated Regeneration Areas at
> Bankside, Elephant and Castle, Old Kent Road and
> Peckham and within the London Docklands Area (the
> UDA), investment will be welcomed and public/private
> sector partnerships encouraged. In these
> Regeneration Areas, or others which may be
> designated later, planning permission will normally
> be granted for proposals which:*
> *(i) generate employment;*
> *(ii) improve the environment;*
> *(iii) meet the needs of local residents;*

> *(iv) bring back into beneficial use vacant land or buildings;*
> *Unless environmental or amenity considerations suggest otherwise.*
> (p.35-36, London Borough of Southwark Adopted UDP, July 1995).

In response to this modification LDDC were satisfied with both the additional material it had supplied being included in the emerging UDP and the UDA being included in the general regeneration policy.

6.3.3.2. Protection of Existing Housing

LDDC had a variety of observations to make on the housing policies in the LBS Consultation Draft, although it was made in clear in the LDDC observations that, "the policies do not in principle conflict with the Corporation's housing objectives" (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and Schedule (Response 2), dated 27th July 1990). The first of two important issues with regard to housing that arose was with concern to Policy H.1.1. in the Consultation Draft which dealt with the Protection of Existing Housing Accommodation:

> "Policy H.1.1. Planning permission will not normally be granted for a change of use that would result in the loss of housing accommodation, except where one or more of the following circumstances exist:
> (i) the accommodation is too small (in relation to the Council's floorspace standards) to be used as a satisfactory dwelling and cannot be linked to any adjoining accommodation to form a satisfactory dwelling;

> (ii) the accommodation is classified as unfit for
> human habitation;
> (iii) the accommodation is lacking in basic
> amenities (such as a bath or internal WC) and these
> cannot be provided in a satisfactory manner;
> (iv) where the surrounding environment is so
> adversely affected by a combination of severe
> problems of noise, air-born [sic] pollution and
> absence of natural daylight that the housing
> accommodation could not, despite adaptation, provide
> a satisfactory standard of dwelling;
> (v) where a proposal is for an essential social
> facility for one or more of the Priority Groups and
> where the balance of benefits is in favour of a
> change of use being permitted, the proposed facility
> should not adversely affect the amenity or
> functioning of the surrounding area."
> (p.24-25, London Borough of Southwark Consultation
> Draft UDP, March 1990).

The LDDC response to Consultation Draft Policy H.1.1. was as follows:

> "The Corporation concur with the fundamental principle of protecting existing housing
> accommodation but circumstances have arisen in the UDA where changes of use have been
> sought from new residential to other uses. The Corporation has looked favourably on these
> where they raised no planning or amenity issues and helped to secure our regeneration
> objective. This policy should continue to allow that element of flexibility, and suggest that
> we work together on an appropriate additional exception."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from
> Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and
> Schedule (Response 2), dated 27th July 1990).

The meetings that followed did not produce an appropriate additional exception and

thus in the report made to LDDC Planning Committee it was recommended that:

> "This policy should contain an additional exception to permit the loss of residential
> accommodation where the new use achieves a major regeneration objective."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Report
> Approved by LDDC Planning Committee (Response 3), 18th March 1991).

In the Deposit Draft the policy remained the same as in the Consultation Draft, and as

such LDDC continued its formal objection to it. Negotiation between LBS and

LDDC failed to resolve the differences on the policy.

LDDC had hoped that LBS would agree to the inclusion of a further exception, drafted by LDDC Planning Officers; however this was not seen as acceptable by LBS and as such the LDDC appeared at the Public Inquiry to object to the policy. The Inspector did not recommend that the change that LDDC suggested be made, as the Inspector considered that the plan made reasonable provision for business development and that the word 'normally' provided sufficient operational flexibility. There were no modifications proposed in 'List of Proposed Modifications to London Borough of Southwark UDP (Post Inspector's Report), July 1994'. The LDDC were not successful in obtaining further flexibility to this policy. Thus despite the LDDC's (and other's) representations concerning this policy it remained much the same as that first included in the Consultation Draft.

6.3.3.3. New Tourist Accommodation

The second issue with regard to the housing chapter concerned Policy H.5.1. in the Consultation Draft which dealt with new tourist accommodation:

> "Policy H.5.1. Planning permission for hotels, bed
> and breakfast accommodation, guesthouses and
> hostels, through new development or change of use,
> will normally be granted only where these proposals
> do not conflict with other Plan policies, and
> provided the following conditions are met:
> i) the site is close to existing public transport
> facilities;
> ii) the site is on or adjacent to the main road
> network;
> iii) the proposed location is predominately non-
> residential in character;
> iv) 24 hour management is provided on site with
> appropriate management and staff facilities
> including a reception area, office and accommodation
> for over night staff;

v) adequate provision should normally be made within the curtilage of the site for vehicle loading, servicing and turning;

vi) for premises providing more than 100 bed spaces, all hotel traffic should, when stationary, be capable of being contained within the curtilage of the site;

vii) the proposal is designed to a high standard, sensitive to the scale and character of the surrounding area."

(p.39, London Borough of Southwark Consultation Draft UDP, March 1990).

The LDDC response to this restrictive policy was:

"This implies a negative response to tourism. The Plan as a whole makes no reference to the employment benefits which tourism development can bring to the area. The need to protect the environment from adverse impact caused by tourist development is acknowledged, but this should be balanced by a positive approach to tourism in principle, and a definition of areas where this is most desirable."

(LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and Schedule (Response 2), dated 27th July 1990).

This issue was not resolved in the discussions made concerning the LBS Consultation Draft and the policy remained the same in the LBS Deposit Draft (p.100-101, London Borough of Southwark Deposit Draft UDP, July 1991). The LDDC continued to object to it. This objection was still outstanding at the time of the Public Inquiry. The LDDC proposed a replacement policy worded as follows:

The development of hotels, bed and breakfast accommodation, guest houses and hostels, through new development or change of use, will be encouraged provided they do not give rise to traffic or environmental problems. In determining planning applications for such development regard will be had to the following criteria:

i) access to the site, including its proximity to existing public transport facilities and the main road network;

ii) the effect of the proposal on the amenities of the locality and on adjoining properties;

iii) whether the proposal includes provision for 24 hour management on site, with appropriate management and staff facilities including reception area, office and accommodation for over-night staff;

iv) provision within the site for vehicle loading, servicing and turning;

v) the form of on-site parking facilities including, for premises of more than 100 bed spaces, provision that all hotel traffic should be capable of being contained within the site;

vi) the standard of design, which shall be sensitive to the scale and character of the surrounding area. "
(LDDC Proof of Evidence - Housing, submitted to Public Inquiry into the London Borough of Southwark UDP, June 1992).

The Inspector in his Report recommended that the policy be substituted for a positively worded policy along the lines of that suggested by the LDDC (p.165, Inspector's Report on Objections to the [Deposit] Draft of the London Borough of Southwark's Unitary Development Plan, 24th August 1993). LBS took on board this suggestion by the LDDC and its endorsement by the Inspector and modified the emerging UDP. LDDC were satisfied with this change and the revised wording for this policy appeared as reproduced above in the Adopted UDP (p.119, London Borough of Southwark Adopted UDP, July 1995). The positive wording was more likely to act as a catalyst for regeneration as opposed to the original restrictive wording of the policy.

6.3.3.4. Changes of Use from Employment

Policy E.1.1. in the Consultation Draft dealt with Changes of Use from Employment:

> "*Policy   E.1.1.   Planning   permission   will   not normally   be   granted   for   proposals   which   involve   the loss,   through   redevelopment   or   change   of   use,   of land   or   buildings   which   are   currently   or   were   last in   employment   use.*"
> (p.46,   London   Borough   of   Southwark   Consultation Draft   UDP,   March   1990).

LBS had formulated this policy in an attempt to protect the Borough's employment base, in order to maximise the job opportunities available locally in the light of the high unemployment that existed in the Borough.

PLATE TEN:
NEW HOUSING AT SURREY DOCKS, SOUTHWARK

However there were no exceptions made to the policy and as such its blanket restrictive nature could have impeded some redevelopment projects. The LDDC response was:

> "This policy does not take into account the quality of the employment floorspace involved, or the length of time that a property or site may have remained vacant without attracting an employment use. I note that the policy is qualified, but consider that it should explicitly register circumstances where a change of use - to retail, residential or work / live units - may be appropriate."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and Schedule (Response 2), dated 27th July 1990).

A resolution satisfactory to LDDC was not made through the discussions on the LBS Consultation Draft. In the LBS Deposit Draft the policy was renumbered to Policy B.1.1., and remained substantially the same, apart from having two exceptions added to it, although neither were the exception that the LDDC requested. LDDC continued to object to this policy in the vein used at the consultation stage. The matter went to the Public Inquiry.

In light of the Inspector's Report LBS did later alter the policy to finally read as follows:

> "*Policy B.1.1. Within Employment Areas and Sites identified under Policy B.2.1., planning permission will normally be only granted for proposals where the proposed use falls within Class B.*"
> (p.67, List of Proposed Modifications to London Borough of Southwark UDP (Post Inspector's Report - Modifications No.3.), July 1994).

The LDDC were satisfied with this modified wording and also the fact that the boundaries on the Schedules Map had been greatly reduced.

6.3.3.5. Purpose Built Warehouses

In the Consultation Draft, Policy E.1.6. dealt with Purpose Built Warehouses:

> "*Policy E.1.6. Where there are purpose built warehouse buildings with good service access the Council will not normally grant planning permission for change of use.*"
> (p.49-50 London Borough of Southwark Consultation Draft UDP, March 1990).

The LDDC response was:

> "This policy disregards the opportunity cost of alternative uses for such sites, and also disregards the urban context of such sites in which warehousing may no longer be compatible with or appropriate to the surrounding environment."
> (LDDC Observations on London Borough of Southwark Consultation Draft UDP, Letter from Ralph Ward (then LDDC Manager for Southwark) to Richard Lynton (LBS Planner) and Schedule (Response 2), dated 27th July 1990).

LBS were keen to see this policy retained in the UDP and as such discussion did not resolve the differences between LBS and LDDC at the Consultation Draft stage. Policy E.1.6 was renumbered Policy B.2.8. in the Deposit Draft and, despite a slight tightening up in the wording, remained the same as that in the Consultation Draft. The LDDC response similarly remained much the same. Further discussion occurred and prior to the Public Inquiry LBS did soften the policy to read as follows:

> "*Policy E.1.6. Where there are purpose built warehouse buildings with good service access and well located with respect to the secondary road network, the Council will not normally grant planning permission for development proposals or changes of use away from Class B8 Storage and Distribution.*"
> (London Borough of Southwark UDP Pre-Inquiry Proposed Changes (Modifications No.1.) Report Approved by LBS Development Services Committee, 14th April 1992).

The LDDC (and the Inspector in his Report) were satisfied that this change met the objections raised concerning this policy. In the Adopted Plan, the policy was finally renumbered (as Policy B.1.3.) and read as follows:

> "*Policy B.1.3. Where there are purpose built warehousing buildings which are capable of meeting modern storage requirements, possess good service access and are well located with respect to the secondary road network, the Council will not normally grant planning permission for development proposals or changes of use away from Class B8 storage and distribution unless the proposed development would have greater employment generating potential, or be otherwise beneficial to the local economy.*"
> (p.123, London Borough of Southwark Adopted UDP, July 1995).

This Adopted Plan version of the policy was flexible enough not to constrain development sites in the UDA. The exceptions at the end of the policy meant that enough protection was afforded to warehousing without stagnating the site from alternative development.

6.3.4. The Nature of the Relationship

In terms of liaison, the relationship between LBS and LDDC lasted between July 1981, the designation of the UDC, and February 1997, when the remainder of the UDA in Southwark was handed back to LBS. When the LDDC withdrew completely from Southwark they handed to LBS all the documentation pertaining to the UDA in Southwark and to all intents and purposes that completed the role of the LDDC in Southwark, particularly as concerned planning.

PLATE ELEVEN:
LONDON BRIDGE CITY AND BUTLER'S WHARF, NORTH SOUTHWARK

Thus the relationship between the two organisations lasted just under 16 years and of course has its 'ups and downs' over time. This section will examine this relationship in general since UDC designation, and then deal with the UDP preparation process in the context of the specific conceptual framework that unpacks the relationship.

In the first two years of the existence of the LDDC, it was the LBS who provided the most vehement opposition to the LDDC of all the Docklands Boroughs. Officers at LBS were instructed by their councillors that should they be contacted by people working for the LDDC on the telephone, once the LDDC employees had identified themselves, then the LBS officers must hang up. A similar 'brick wall' approach was introduced for any form of contact from the LDDC. Thus there was extreme political opposition to the designation of the LDDC at LBS, based upon the premise that 'they have stolen our land and powers' and this found broad support from the LBS officers. LBS had already initiated site clearances in the Surrey Docks area and had began to prepare a local plan for the area, and thus there was wide objection across the local authority to the designation of an UDC in this area, as it was annexing land and work already commenced by the Council.

Following this two to three year period of initial hostility there came a period of, "increasing pragmatism in the face of resource competition" (LBS source SW01). It was becoming apparent to LBS officers, and in turn LBS councillors, that, "if a battle was fought, it was lost before it was fought" (LBS source SW02). Due to the backing, both financial and political, that central government gave to its creation, the LDDC, LBS found it impossible, in the first instance, to ignore, and in the second instance, to

compete, with the LDDC. A pragmatic approach was engendered as a reaction to LBS realising that it was 'cutting off its nose to spite its face' with concern to its relationship with the LDDC. LBS realised it must communicate, albeit pragmatically at first, if they were to have any say in the benefit that was to be gained from having an UDC in Southwark.

In the meantime, LDDC had been proceeding with its regenerative work as it saw fit. This work had been particularly successful and eventually became the first part of the UDA to be built out (i.e. the physical regeneration through land development had been completed). The predominant use in the Southwark part of the UDA was residential, with a significant proportion of this either rented or affordable. Whilst this not did not entirely satisfy LBS, it was clear for LBS to see that LDDC was not hell bent on total destruction of community in the Southwark part of the UDA.

The adoption of the pragmatic approach by LBS led to discussion channels being tentatively opened, and LBS and LDDC began to work through matters with mutual recognition to some extent. This developed over the latter years of the 1980s and made the path through the adoption process of the UDP easier to follow as, "by the time of the commencement of the UDP, Southwark and the Corporation had moved together" (LBS source SW03).

With specific concern to the LDDC and its response to the emerging LBS UDP, LBS did not see LDDC observations as a major issue, "90% of the policies were similar. However there were expected disagreements on the role of the Corporation, as its

proactive role in steering and initiating regeneration was seen as important to be

recognised in the UDP by the Corporation." (LBS source SW04).

LDDC were not even viewed by LBS as the most important objectors to the Plan,

"there were more persistent objectors, for example private house builders and the

environmental lobby" (LBS source SW05). With this overall context of the history of

the relationship between LBS and LDDC, and the initial observations on the whole

UDP adoption process in mind, the specific framework of the relationship between the

two organisations in the light of the UDP can now be examined.

6.3.4.1. Recognition of Dependency

Above and beyond the legislative dependency that meant liaison had to occur in the

plan preparation process between the LBS and the LDDC, there was a greater

dependency. This is evident as both organisations were working with a liaison with

each other at the time, after periods of brick walling and then pragmatism. Both

officers interviewed at LDDC and LBS admit this, "there was dependency but in

retrospect the dependency was not clear at the time" (LBS source SW06).

In specific relation to the UDP, LBS realised their dependency on the LDDC in order

to get the Plan finished, but did not see this as critical, "LDDC and their reaction to

the UDP was not a major issue for Southwark" (LBS source SW07). LDDC took a

much stronger view of its own importance, believing it to be, "critically important that

their input to the plan was taken on board. LDDC wanted recognition desperately"

(LBS source SW08). This is reflected in the comprehensive responses made by the

LDDC to the emerging LBS UDP and its attitude to all stages of the document. The

LBS Consultation Draft UDP was the first draft of an UDP that the LDDC had to deal

with and as such LDDC were very concerned as to the UDP's content and powers. In

a report to the Core Team Meeting (Surrey Docks) on 8th May 1990, LDDC officers

introduced the Consultation Draft and made initial internal observations on it. Early

concerns about the strength and power of the UDP were evident on the first page:

> "The existence of the Plan is particularly important in the LDDC Surrey Docks area, because this will be the first time we will be operating under a statutory framework. Any planning approval we wish to grant which is not consistent with the Plan may need to be referred to the Department of the Environment for a decision, which would lead to uncertainty and delay. It is essential therefore that where we consider the proposed Plan to be inappropriate, or otherwise unduly restrictive, we make it very clear during the consultative stages."
> (paras. 2 and 3, p.1, Report to LDDC Core Team (Surrey Docks) Regarding LBS Consultation Draft UDP, 8th May 1990, by Ralph Ward, LDDC Planning Officer).

Thus the LDDC were very concerned about the UDP and the impact it might have on

future development in the UDA, "there was always an understanding of the

importance of the Plan and that the Corporation were dependant on what the Plan

ultimately said; the main thing was to give the area a lasting legacy to continue the

works of the LDDC" (LDDC source LD(SW)01).

6.3.4.2. Pooling of Resources

In relation to the pooling of resources there were many projects that were jointly

funded such as transport schemes and educational facilities. There were also

examples of joint bids from the LBS and the LDDC to attract additional funding from

central government, one noteworthy example being a successful bid for money for

environmental improvements to a conservation area in Rotherhithe. In the run up to

dedesignation there was a lot of pooling of resources. Part of the deal resulting in

dedesignation was range of environmental improvements (to housing estates etc.) which was funded on a fifty-fifty basis between LBS and LDDC.

This pooling of resources did not go as far as manpower or secondment. "There was talk of secondment but it never happened" (LDDC source LD(SW)02). However, in hindsight, there was a pooling of resources in relation to ideas concerning the UDP, "although this would not have been admitted at the time" (LBS source SW09). This pooling of ideas did not occur through mutual brainstorming or successful meetings, as none of the former and few of the latter took place. This meshing of ideas was more in the form of separately working out conclusions, "a lot of parallel thinking went on" (LBS source SW10). The ideas were not really discussed, "it was not mutual work, we did not share ideas - it was and 'us and them' relationship" (LDDC source LD(SW)03).

It was perceived by both sides that the UDP process witnessed changes in LBS ideas and policies, in some cases this was inevitable as it was LBS drafts of the UDP that were being responded on. "LDDC did not change much due to these ideas being swapped, LBS did though" (LBS source SW11). That is not to say that the relationship was uneven, "it was seen that reasonable compromise was reached (LBS source SW12)". This was mirrored by the LDDC viewpoint, "it is a pretty good plan" (LDDC source LD(SW)04).

6.3.4.3. Information Exchange

With concern to information exchange, LDDC was treated like any other organisation responding to the Plan, and no special treatment given to it by LBS. The LDDC was sent copies of drafts of the Plan and other relevant documents, but not in advance of other organisations concerned with the emerging LBS UDP. As such, the consultation between LBS and the LDDC can be described as formal. LBS was proactive in contacting all the objectors at the stages of the plan and inviting them in to discuss their complaints and changes that could possibly be made to the Plan in order to satisfy their objections.

In their turn LDDC only consulted with LBS when it was thought that such consultation would support Corporation objectives or policies. When compiling their development frameworks, "the Corporation would ask for their views if they thought they would be helpful, but in other cases we would not consult" (LDDC source LD(SW)05). The LDDC did provide LBS with the development frameworks that it had produced for the Southwark part of the UDA, but these were not confidential documents and were provided as detail of the LDDC's strategy for the area.

6.3.4.4. Development of Trust

Since the inception of the LDDC there was an obvious development of trust, recognised by both sides in the relationship, as any situation must be more trusting than the initial 'brick walling' experience. The relationship had developed over time through the stages of silence, competition, pragmatism, to parallel thinking and joint

working on some projects. The LDDC recognise this, "the UDP process did help the evolution of the relationship between us and them" (LDDC source LD(SW)06). However this view must be tempered with the thought that, "the UDP was not as major a vehicle in fostering this [trust] as the LDDC might have thought" (LBS source SW13).

There were other discussions that took place between the two organisations that helped develop trust. The discussions concerning the extension of the Jubilee Line (something that both authorities favoured) were mutually beneficial, as they were both fighting for the same thing. Also discussions concerning dedesignation were important. But in planning terms, and particularly in the development frameworks produced by the LDDC, the Corporation got on with its own work, "in the frameworks the Corporation stated 'this is what we want and where we are going', they were produced very much on our own" (LDDC source LD(SW)07).

This was due to the fact that, "there was always the old antagonisms in the background, things came from a difficult starting point and coloured all the discussions to an extent" (LDDC source LD(SW)08). However once matters had been discussed through the Public Inquiry process and the Inspector's Report had been published, things appeared to be clarified, "the Public Inquiry cleared the air and following the Inspector's Report there was a more constructive acceptance to work" (LDDC source LD(SW)09).

To summarise, "each was a thorn in the side of the other over the Corporation's lifetime, and thus trust is not the right word. There was respect for each others position, an expectancy of the need to work together to get a joint view in the plan" (LDDC source LD(SW)10).

6.3.4.5. Mutual Orientation

There was the obvious mutual orientation between the LDDC and LBS, this being the regeneration of the UDA. However LBS had a wider set of objectives in relation to using the UDA to bring benefit to the whole of the Borough. "These objectives were different, wider, but in practice the outcomes, and the UDP policies, were similar" (LBS source SW14). It was the nature of the regeneration in the UDA where the orientation was not so mutual. LDDC wanted total flexibility, so that any site could be utilised as housing, industry or whatever. LBS tried to employ a more restrictive strategy, by protecting both residential and employment sites as designated in the Plan, in the view that this was more beneficial and sustainable. Examples of this evolution include Policy E.1.1. which dealt with the Changes of Use from Employment. After many revisions throughout the plan preparation process (see last section), a wording was finally agreed upon and adopted that was flexible enough to satisfy the Inspector, the LDDC and LBS.

With concern to housing, Policy H.1.1. which dealt with the Protection of Existing Housing Accommodation, was similarly seen as restrictive in its wording by the LDDC, but considered reasonably flexible enough by the Inspector as it contained the

word 'normally'. It was this hunt for flexibility that was vitally important to the LDDC.

LBS thus initially proposed restrictive and protectionist policies with relation to existing employment and housing land uses, but the Adopted Plan contained policies that offered protection but were also flexible enough to allow development of other uses and thus regeneration. It was admitted by one of the LBS officers that over the last couple of years LBS, "had moved closer to the *better something than nothing view*" (LBS source SW15) in relation to development on empty sites. With concern to this move towards mutual orientation the LDDC concurred with the LBS officer, "the development plan and the philosophy are linked and they moved more than we did" (LDDC source LD(SW)11). This must be put in the context of the fact that the UDA in Southwark was built out (i.e. the development of buildings completed) by the time the UDP was underway.

6.3.4.6. Commitment Over the Long Haul

As has been mentioned earlier it could be said that LBS and LDDC worked in parallel more than worked together, "over the first ten years a very dogmatic relationship arose, the organisations were philosophically opposed; but a warmer relationship developed as the UDP commenced" (LDDC source LD(SW)12). As such there was not a real commitment over the long haul to working together. "They did their stuff and we did ours" (LBS source SW16). Regeneration in the UDA in Southwark happened quickly, and it was for this reason that the LDDC withdrew totally from Southwark over a year before the Corporation was to be wound up. Bermondsey, to

the west of the UDA in Southwark, was dedesignated as early as March 1995. LBS always wanted LDDC out of Southwark but, until that time, the two organisations would work in tandem. There was a commitment, but only so far as it led to the completion of LDDC strategy in the Southwark part of the UDA and LDDC withdrawal from the Borough.

6.3.5. Synopsis

In many ways due to this parallel working relationship, negotiation between the two organisations occurred in very much a formal way. In regards to the UDP, LDDC were not given any special treatment above other objectors to the Plan. There were only two meetings between LBS and LDDC with concern to the LDDC objections to the Deposit Draft. Certain policies that were negotiable were discussed and if a satisfactory conclusion for both sides was not met then the issue was taken to the Public Inquiry. LBS undertook this deliberate policy of negotiation with all the objectors to the Deposit Draft of their Plan. LBS wanted to agree as many items prior to the Public Inquiry as possible in order to save time and money, "we were always willing to offer amendments if it was felt we could" (LBS source SW17). This policy proved to be effective, as the objectors found LBS responsive to their suggestions and the Public Inquiry lasted under six weeks in total. This fluid process to the adoption of their UDP was thought to be "successful" (LBS source SW18) by the LBS.

In relation to the Adopted LBS UDP, LDDC can be seen as being successful in that the majority of their representations were taken on board by the Inspector and then by changes made to the plan prior to adoption. The most important aspect, that of the

recognition of the special status of the LDDC and its regeneration remit, was addressed in the front part of the Adopted plan. The regeneration policy for the UDA was also eventually accepted by LBS.

In relation to specific policies LDDC got what the flexibility they wanted in relation to affordable housing (Policy H.1.4.), tourist accommodation (Policy H.1.5.), Change of Use from Employment (Policies E.1.1., B.1.1. and B.1.2.), New Employment Development (Offices) (Policy B.2.4.) and also Change of Use from Warehousing (Policy E.1.6.). These were the important issues given much weight in the LDDC response.

However LDDC did not get all that they were looking for. The Inspector did reject their demands in relation to policies on Protection of Residential Accommodation (Policy H.1.1.), New Employment Development (General) (Policies E.1.5, B.2.3.) and also Protected Shopping Frontages (S.1.1.). LDDC were disappointed in relation to the adopted policies in these areas, but all the Adopted UDP policies did provide at least, "some element of flexibility that was considered workable at the Corporation" (LDDC source LD(SW)13).

6.4. LONDON BOROUGH OF NEWHAM (LBN)

6.4.1. Introduction

The London Borough of Newham (LBN) is the local authority for an area of around

3,700 hectares stretching north from the River Thames. Waltham Forest and

Redbridge Boroughs are to the north of the Borough while Barking / Dagenham and

Tower Hamlets bound Newham to the east and west respectively. Figure 6.4.A.

illustrates the local authority area. The Borough is totally urbanised except for the

large area of former dockland adjacent to the Thames. Newham has a population of

approximately 210,000 with varying ethnic and cultural backgrounds.
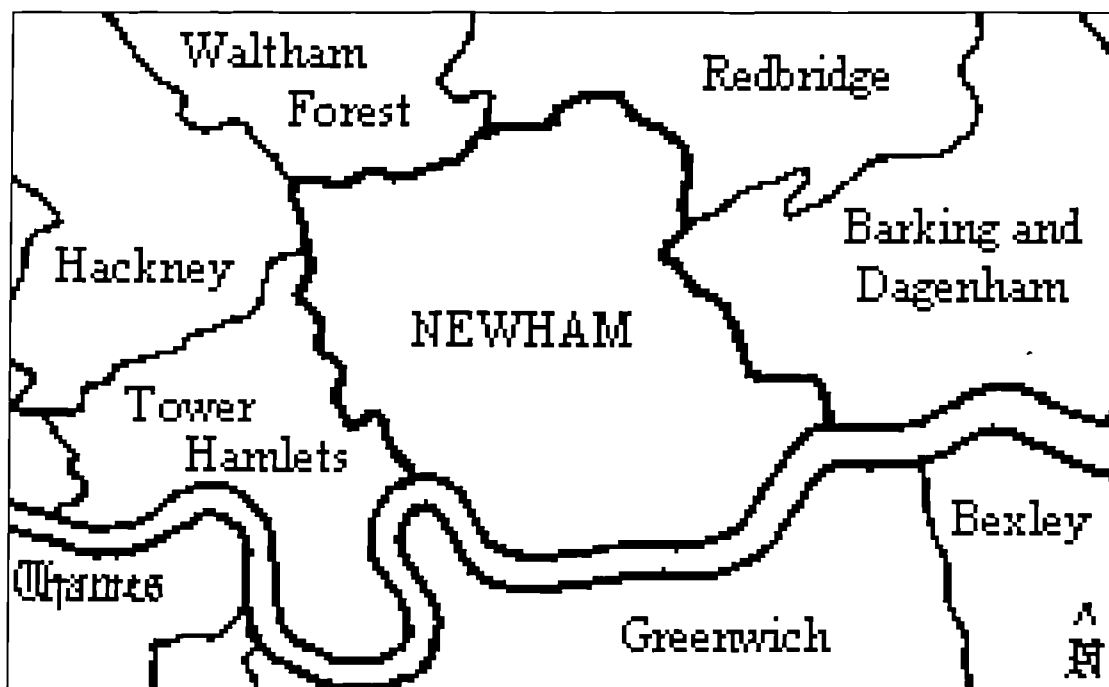
FIGURE 6.4.A. LONDON BOROUGH OF NEWHAM AND ITS SURROUNDINGS

The UDA in Newham initially covered 1034 hectares of riverside and dock land along the River Thames. The area to the north, Beckton, was dedesignated in February 1996 (324 hectares). It had been substantially redeveloped for residential uses. The remainder comprised the area known as the Royal Docks (or just the Royals). Figure 6.4.B. shows the extent of the UDA in Newham.
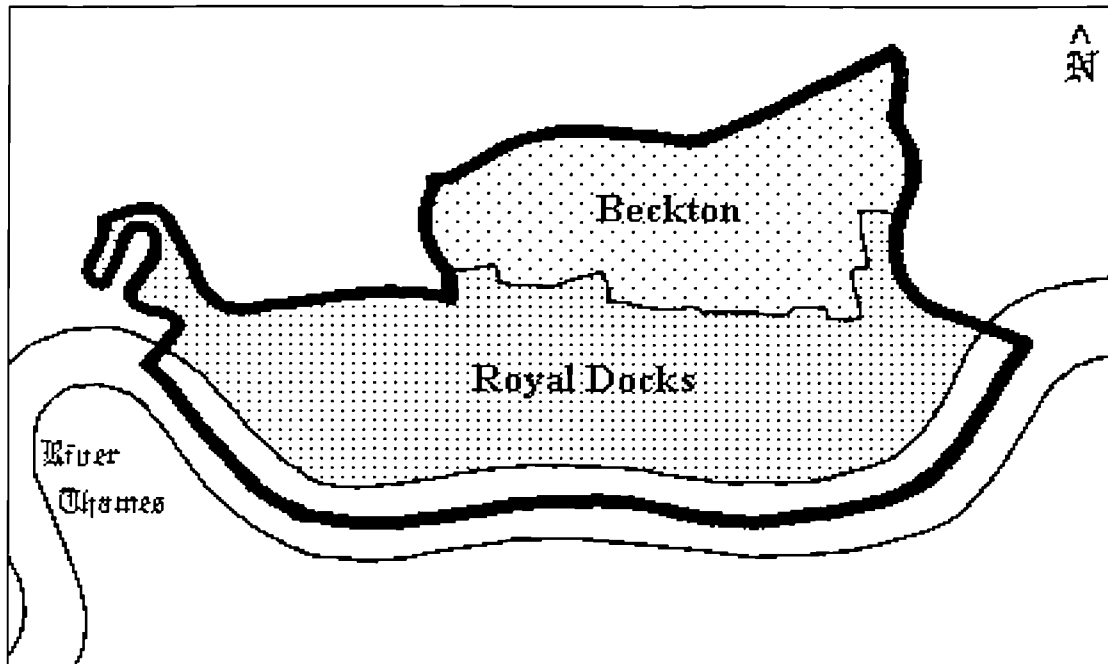
FIGURE 6.4.B. NEWHAM UDA

The main employment sectors in Newham until the 1960s were the docks, the utilities, railway engineering, distribution and manufacturing. Modernisation of these industries and also containerisation leading to the closure of the docks meant that Newham has experienced a decline in jobs since then. This unemployment has not been totally alleviated by more recent expansion in the service sector. Newham is consistently rated as one of the most deprived local authority areas in England and Wales.

6.4.2. UDP Preparation History

LBN undertook initial work on their UDP in April 1990, which reviewed current

policies and issues. LDDC had no discursive input prior to the publication of the

Consultation Draft, however certain material was forwarded to LBN as this extract

from LDDC Planning Committee minutes detailed:

> "Members will recall that on 9th July 1991, material was approved by Planning Committee for submission to Newham for incorporation in their UDP. This consisted of a statement, outlining the Corporation's objectives and Royal Docks Strategy, and also a draft proposals plan and two supporting diagrams showing the Transport Infrastructure and Urban Design Frameworks."
>
> (LDDC Response to the London Borough of Newham Consultation Draft UDP, Report Approved by LDDC Planning Committee, 10th December 1991).

LBN published their Consultation Draft UDP on 4th November 1991 and the six week

consultation period ended on 17th December 1991. The LDDC formal response to the

Consultation Draft comprised a report to LDDC Planning Committee (LDDC

Response to the London Borough of Newham Consultation Draft UDP, Report

Approved by LDDC Planning Committee, 10th December 1991) which was

forwarded to LBN. This report dealt firstly with the principle issues that the Plan

raised and then examined the topic chapters in turn. In a slightly different approach to

the reports dealing with the other two Docklands Borough's UDPs, this topic chapter

analysis was more holistic - it did not make comments policy by policy, but instead

commented on each chapter through a "Summary; Statements / Policies to Support;

Statements / Policies Where Clarification Needed; and Statements / Policies

Requiring Modification" format. This was due to the fact that discussions concerning

the UDP were on-going and the Report to Committee could be described as a page

mark in these continuing meetings.

Indeed at the end of the LDDC Report on the LBN Consultation Draft UDP it was

stated that:

> "The draft Newham UDP was submitted to the Corporation on 4th November 1991 for formal
> comment. The statutory timetable for submitting comments to the London Borough of
> Newham requires that they are received by 17th December. This therefore imposes a very
> tight time scale for assessing such a comprehensive and important document. It has, however,
> been agreed with the London Borough of Newham that there will be a further period for
> additional comments to be made, prior to the Plan being placed on Deposit when formal
> unresolved objections would be made."
> (LDDC Response to the London Borough of Newham Consultation Draft UDP, Report
> Approved by LDDC Planning Committee, 10th December 1991).

Following the receipt of all the observations on the Consultation Draft., LBN set

about preparing the Deposit Draft. A series of informal meetings were held between

LDDC and LBN officers in relation to the emerging LBN UDP on a topic by topic

basis in 1992. However work on the Deposit Draft was delayed by a six month strike

at LBN between 1992 and 1993, and also officer time being concentrated on the

Stratford City Challenge bid for the Borough.

The Deposit Draft was finally published on 18th October 1993 and put on deposit for

six weeks until 29th November 1993. Due partly to its halted evolution, the Deposit

Draft differed greatly from the Consultation Draft. Many of the policies differed

between the versions, and to a large extent the Deposit Draft was a completely new

plan. There was little progression between the policies in the Consultation Draft and

the Deposit Draft.

LDDC observations on the Deposit Draft were made in a report to the LDDC

Planning Committee in November 1993.

This was called 'LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993'. This comprised an examination of the form and content of the Deposit Draft and its general tone, followed by a massive schedule detailing the LDDC response to each of the Deposit Draft policies (and in some cases the supporting material). This report and schedule were forwarded to LBN as the LDDC formal response to the Deposit Draft.

Further meetings between LDDC and LBN officers occurred in order to address the issues raised through the UDP preparation process during the first half of 1994. These meetings and other meetings with further respondents resulted in many modifications being made to the emerging UDP. LBN published these modifications on 19th May 1994 and put them out for six week public consultation until 30th June 1994 (London Borough of Newham Pre-Inquiry Proposed Changes to Deposit Draft UDP, May 1994). The LDDC response to these modifications comprised a Report to LDDC Planning Committee (LDDC Representations on the London Borough of Newham Pre-Inquiry Proposed Changes to Deposit Draft UDP, May 1994, Report Approved by LDDC Planning Committee on 28th June 1994). The Public Inquiry lasted between 11th October 1994 and 23rd December 1994.

LBN published a Consolidated Version of their UDP in November 1995 (London Borough of Newham Consolidated Version of UDP (post-Public Inquiry / pre-Inspector's Report (Green Document), November 1995).

This was a composite of all the changes made by the Council and recommended by the Inspector. As it was merely a composite of issues that had been examined, the LDDC made no formal response to this stage of the UDP. This consolidated version acted merely as a useful tool for development control purposes.

The Inspector's Report into the LBN UDP was published in December 1995. In the light of the changes that had been proposed by the Inspector in his Report, LBN published its proposed modifications on 6th November 1996 (London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's Report), November 1996), with a six week consultation period until 18th December 1996. In a report to LDDC Planning Committee it was approved that the LDDC had no objections to make at this stage, as the modifications had addressed all the concerns of the LDDC to the satisfaction of the Corporation. The LBN UDP was finally adopted in June 1997.

6.4.3. UDP Content Evolution

It is important to remember that the part of the UDA in Newham could be split into two distinctive and different areas. To the north was Beckton, where residential development was prevalent upon the drained marsh land. Beckton was completely built out by the early 1990s and following this returned to the control of LBN, dedesignated in February 1996. The remaining part, adjacent to the River Thames and containing the Royal Docks, had predominately industrial uses along the riverside and large areas of vacant land around the docks.

There were existing planning permissions on the vacant sites for offices, housing and a large conference centre; however, due to the recession in the late 1980s and early 1990s, the permissions were never implemented. These existing permissions proved to be unhelpful in the production of the UDP for Newham and regenerating the derelict area, as the permissions had provided a 'wish value' to their land price.

The difference between the north and the south of the UDA in Newham is critical with regard to considering plan-making in the Borough. Indeed the Royal Docks area contrasted with the most of the rest of the Borough of Newham, which was all developed as housing or town centre. By the Deposit stage of the UDP, LBN decided that the Borough required 'two plans in one', "a conventional UDP for the built urban area to the north of the Borough, and a more radical one for Stratford and the UDA with their huge sites" (LBN source NW01). LBN did not believe that the UDA itself should have a special status in the plan but more that the Royal Docks area should be categorised in a list of Major Opportunity Zones, with other sites also within the Borough (but outside of the UDA).

The Consultation Draft had been couched in general terms and was composed mainly of non-specific policies. In adopting a new approach at the Deposit stage, the Deposit Draft had little or no resemblance to its predecessor. In adopting the two in one approach, the LBN believed it could be more specific and comprehensive. The rationale behind the introduction of the MOZ designation was that there could be a degree of flexibility in the MOZs but not across the Borough as whole.

This of course also meant that the maximum flexibility the LDDC sought in the Royal Docks was challenged, as the MOZs would have *some* uses prescribed to them. However this would be a matter for discussion.

The comprehensive way in which the LDDC responded to the successive drafts of the LBN UDP meant that there were a mammoth amount of objections throughout the preparation process, there were over 350 made by LDDC on the Deposit Draft alone. The four most important areas of debate were: the Tone of the Plan and the Treatment of the UDA, Community Benefit, Affordable Housing, and the Loss of Industrial Land

6.4.3.1. Tone of the Plan and Treatment of the UDA.

LDDC were concerned with the tone of the plan and the treatment of the UDA from an early stage in the plan preparation process. LDDC wanted to have a large degree of flexibility, particularly with concern to the development sites around the Royal Docks. LDDC were keen to see the UDA have a special status within the UDP, which it did not have in the Consultation Draft. In the Consultation Draft the UDA was instead divided up and included in the list of MOZs both within and without the UDA. The Consultation Draft was also written in a tone that was "over rigid" (LDDC source LD(NW)01). The LDDC objected to this as a precursor to debate beginning concerning the exact uses to be proposed for sites across the UDA. This lead to the production of a plan that adopted a *two-in-one form* at Deposit Draft stage. The north of the Borough was covered by a more regular UDP and the Royal Docks were designated as a series of MOZs.

The Deposit Draft better reflected the diversity of the borough, and the designated uses for the sites in the UDA had been mutually discussed between the LDDC and LBN in meetings following the publication of the Consultation Draft. Thus this draft was the result of a consensus reached between the two organisations.

The two policies which dealt with Major Opportunity Zones Development in the Deposit Draft were:

> "*Policy S.8. The Council will promote development of strategic and regional significance in the mixed use Major Opportunity Zones shown on the Proposals Map.*
> *Policy S.9. Within Major Opportunity Zones the Council will prepare, in liaison with all interested parties, an urban framework plan based upon the principles of development set out in Policies UR.6. - UR.66. Once approved they will be issued by the Council as Supplementary Planning Guidance."*
> (p.46, London Borough of Newham Deposit Draft UDP, October 1993).

Whereas the LDDC were content with the uses that had been agreed (in Policies UR.6. - UR.66.) with LBN, it was not satisfied with the wording of these policies which inferred that the 'last word' would be that of LBN. As such the LDDC response to Policies S.8. and S.9. in the Deposit Draft was:

> "Within the UDA, the Corporation is responsible for securing the development of major sites and for the preparation of and issue of design and planning frameworks.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993).

Prior to the Public Inquiry LBN did propose wholesale changes to these policies on which basis LDDC and the majority of the other objectors to these policies withdrew their objections.

PLATE TWELVE:
LONDON CITY AIRPORT, ROYAL DOCKS, NEWHAM

The changes properly recognised the significant development potential of the MOZs

and the urban framework plans. In the Inspector's Report it was recommended that

the modified policies be incorporated in the plan (p.53-56, Volume I, Inspector's

Report on Objections to the Deposit Draft of the London Borough of Newham's

Unitary Development Plan, December 1995). Thus in the next draft of the Plan the

policies read as follows:

> "*Policy S.8. The Council and the LDDC within the*
> *Urban Development Area will promote development of*
> *strategic and regional significance in the Major*
> *Opportunity Zones and in Stratford and Green Street*
> *town centres that will meet the strategic*
> *development objectives of the UDP and contribute*
> *towards securing and maintaining London' place as a*
> *world city.*
>
> *Policy S.9. Within Major Opportunity Zones urban*
> *framework plans will be prepared. These will*
> *indicate the principles which will guide the*
> *development of the area to which they relate and be*
> *based upon the development parameters established in*
> *Policies UR.6. to UR.66. Once approved by the local*
> *planning authority the urban framework plans will be*
> *issued as supplementary planning guidance.*"
> (p.38, Volume I, London Borough of Newham Proposed
> Modifications to Deposit Draft UDP (Buff Document,
> post-Inspector's Report), November 1996).

The LDDC were satisfied with these modifications and as such had no further

objections to make on these policies (Report to LDDC Planning Committee on

London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff

Document, post-Inspector's Report), 10th December 1996). The recognition that the

LDDC required as major landowner and development control authority had been

made.

6.4.3.2. Community Benefit

LBN as a local authority were very keen to extract the maximum community benefit

from all development in its borough, particularly that in the UDA. The local authority

saw this as a prime way in which to help relieve the deprivation that was prevalent

across the whole borough. LBN believed that the best way in which to extract this

community benefit (or planning gain) was by a direct relationship between proposed

development and the provision of benefit from the developer. As such LBN included

policies to this end in the Consultation Draft. They evolved to become policies in the

Deposit Draft:

> "*Policy S.3. All development proposals will be assessed in terms of how they contribute to meeting the Council's community benefit objectives.*"

> [para.] 55. The extent to which any individual scheme will contribute to achieving community benefit objectives will depend on the merits of the proposal, the size and type and value of the development. The Council does not expect all proposals to meet all the objectives. However, all development above the thresholds defined below will be expected to contribute in some way:
> a) residential development of 25 dwellings or more, or if this is not known, where the site is 0.5 ha. or more;
> b) industrial and warehousing development over 25,000 sq.ft. (1858 sq.m.) gross floorspace;
> c) for all other uses, where the floorspace to be created is 100 sq.m. or more or the site area is 1 ha or more;
> d) incremental development which amounts to a combination of any of the above;
> e) developments of smaller size than the above where in the opinion of the local planning authority, the creation of new value though its development is considerable;

f) winning and the working of minerals or the use of land for mineral working deposits;
g) all waste developments meaning any development designed to be used wholly or mainly for the purpose of housing, storing, processing or disposing of refuse or waste materials.

Policy S.4. Over and above the requirements set out in this Plan, all major developments will be expected to contribute towards achieving community benefit objectives, commensurate with their merits, size, type and value."
(p.41, London Borough of Newham Deposit Draft UDP, October 1993).

LDDC were very concerned about the thrust of these policies. LDDC wanted to extract the community benefit through a list of preferred sites, which meant that the LDDC would fund the community benefit as an agency through land sales and grants from central government. LDDC did not want the developer to be directly responsible for the provision of community benefit. Thus the LDDC response to these policies was:

"[re. Policy S.3.] The principle that all development proposals have to contribute to the Council's Community Benefit objectives is not accepted and does not form part of government policy. In the UDA the primary focus of government policy, and for which the LDDC was set up, is to secure the area's regeneration.
Action: OBJECT."

[re. Policy S.4.] If they are valid, the thresholds in para. SS. should form part of the policy. In any event, the Corporation objects to these being the test of and effectively a tax on all developments within its designated area.
Action: OBJECT."
(LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993).

Prior to the Public Inquiry LBN had proposed to delete Policy S.3. from the Plan as it strayed beyond the parameters of government guidance. As such LDDC and others conditionally withdrew their objections to the policy.

In the Inspector's Report this deletion was supported as a recommendation (p.42,

Inspector's Report on Objections to the Deposit Draft of the London Borough of

Newham's Unitary Development Plan, December 1995). LBN then deleted Policy

S.3. from future drafts of the Plan (p.27, Volume I, London Borough of Newham

Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's

Report), November 1996).

The Inspector also recommended that Policy S.4. be deleted and replaced by a policy

that addressed the matter within the ambit of government policy (p.47, Volume I,

Inspector's Report on Objections to the Deposit Draft of the London Borough of

Newham's Unitary Development Plan, December 1995). LBN accepted the

Inspector's recommendation and in the next draft of the Plan proposed the following

replacement wording:

> "*Policy S.4. The local planning authority will seek
> to ensure through planning obligations, community
> benefits in accordance with the objectives listed at
> paragraph 54 from new development. In certain
> circumstances such obligations will be judged
> necessary to the granting of planning permission
> where:
> i) they are relevant to planning and the development
> to be permitted;
> ii) the need for the benefit arises directly from
> the development concerned; and
> iii) the benefits sought are reasonably related in
> scale and kind to the proposed development.*"
> (p.27, Volume I, London Borough of Newham Proposed
> Modifications to Deposit Draft UDP (Buff Document,
> post-Inspector's Report), November 1996).

This satisfied the LDDC but was seen by some (officers and councillors) at LBN as a massive climb down (despite the previous policy being outside the parameters of government guidance). LDDC insisted that there was a financial argument that meant that there would be increased value to the community benefit if the UDC supplied it through a grant system funded by land sales, as opposed to it being part of the planning consent, which the developer would be obliged to supply. This could be cited as a triumph for landowner power over regulatory power.

In the Deposit Draft LBN had also included policies directly relevant to the UDA, which imposed stringent community benefit obligations for development there. These policies were Policies S.10., S.11. and S.12. which dealt with Community Benefit in the Major Opportunity Zones:

> "*Policy S.10. In accordance with the development potential of Major Opportunity Zones and the likely impact of development the Council will seek to ensure proposals include the range of community benefits:*
> *a) that relate to the appropriate objectives set out above;*
> *b) as referred to in specific policies in Part II below;*
> *c) that contribute, within the UDA, during the lifetime of the LDDC, towards the realisation of targets set within the Memorandum of Agreement; or*
> *d) as agreed between the major development partners in the context of the criteria listed in Policy S.4. above.*
>
> *Policy S.11. The Council will establish a number of development or enterprise trusts (or similar bodies as appropriate) for the receipt and distribution of community benefit.*

> *Policy S.12. On development sites that are currently owned by the LDDC, realisation of community benefit will be addressed through the mechanism of direct funding for specific programmes included within the Memorandum of Agreement. Achievement of targets within this Agreement will be regularly monitored. Following the demise of the LDDC alternative arrangements will be established."*
> (p.46-47, London Borough of Newham Deposit Draft UDP, October 1993).

The LDDC response to Policies S.10, S.11. and S.12. in the Deposit Draft was:

> "The Corporation objects to the inclusion of specific site by site community benefit requirements and to the inclusion of the Memorandum of Agreement provisions within the Plan. [In relation to Policy S.11. in particular] such mechanisms are inappropriate within the UDA.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993).

Prior to the Public Inquiry LBN did propose to delete Policies S.10. and S.11. and alter Policy S.12. This satisfied the LDDC. In the Inspector's Report it was recommended that all three polices be deleted (p.57-61, Volume I, Inspector's Report on Objections to the Deposit Draft of the London Borough of Newham's Unitary Development Plan, December 1995) as they were not policies that related to the development of land. LBN accepted the Inspector's recommendation and deleted the policies from future drafts of the Plan, (p.39, Volume I, London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's Report), November 1996).

The LDDC were thus very successful in ensuring that community benefit on sites within the UDA would be supplied in the way in which it desired and not by a stringent *shopping list* attached to individual developments and sites.

6.4.3.3. *Affordable Housing*

Policy S.23. in the Deposit Draft dealt with Affordable Housing:

> "*Policy S.23. The Council will seek to ensure that at least 50% of new housing built in the Borough during the Plan period is affordable.*"
> (p.51, London Borough of Newham Deposit Draft UDP, October 1993).

That is to say that LBN sought a *quota* approach. The LDDC response to Policy S.23.

in the Deposit Draft was:

> "The Corporation objects to this strategic policy as it is both unduly rigid and likely to result in an inappropriate proportion of affordable housing within the UDA, given the substantial component already implemented in Beckton.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993).

In the Inspector's Report it was recommended that Policy S.23. be altered by deletion

of the 50% figure which could act as a deterrent to developers (p.70, Volume I,

Inspector's Report on Objections to the Deposit Draft of the London Borough of

Newham's Unitary Development Plan, December 1995). LBN accepted the

Inspector's recommendation and altered the policy as follows:

> "Delete Policy S.23. and replace with:
> *Policy S.23. The Council will seek, through negotiation, to make provision for the inclusion of affordable housing in new housing schemes.*"
> (p.42, Volume I, London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's Report), November 1996).

The LDDC were satisfied with this modification and as such had no further objections

to make on the policy.

PLATE THIRTEEN:
WINDSOR PARK HOUSING, BECKTON, NEWHAM

However there was also a more specific affordable housing policy in the Housing

Chapter of the Deposit Draft:

> "*Policy   H.4.   All   planning   applications   for*
> *residential   development   will   be   assessed   by   the*
> *Council   in   relation   to   the   needs   of   the   Borough   for*
> *affordable   housing*"
> (p.192, London Borough of Newham Deposit Draft UDP,
> October 1993).

The LDDC response to Policy H.4. in the Deposit Draft was:

> "Whilst provision of affordable housing is a relevant consideration in [an] UDP, [the]
> definition adopted of affordable is unrealistic. Unreasonable to subject all planning
> applications for residential development to the terms of the affordable housing policy.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report
> Approved by LDDC Planning Committee, 16th November 1993).

Prior to the Public Inquiry, possible rewording of this policy was discussed at length.

The compromise, resulting in an altered wording of this policy, meant LDDC agreeing

to withdraw their objections to this policy. The Inspector however, believed that even

the altered policy went beyond the parameters of government guidance (para. 8.38.9.,

p.388, Volume I, Inspector's Report on Objections to the Deposit Draft of the London

Borough of Newham's Unitary Development Plan, December 1995). As such it was

recommended in the Inspector's Report that the policy should read as follows:

> "**Policy H.4. The Council will work with housing associations, the London**
> **Docklands Development Corporation and private developers for the purpose of**
> **providing n affordable housing units during the plan period (April 1993 - March**
> **2001).**"
> (p.389, Volume I, Inspector's Report on Objections to the Deposit Draft of the
> London Borough of Newham's Unitary Development Plan, December 1995).

LBN accepted the Inspector's proposed wording.

Following calculation, the figure of 3,000 was inserted into the text, in the next draft

of the plan (p.254, Volume I, London Borough of Newham Proposed Modifications to

Deposit Draft UDP (Buff Document, post-Inspector's Report), November 1996). The

LDDC were satisfied with this modification and as such had no further objection to

make on the policy (Report to LDDC Planning Committee on London Borough of

Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-

Inspector's Report), 10th December 1996).

The affordable housing provision policies were thus greatly softened and modified to

provide a flexibility across sites and not impose a flat rate for each development

proposed. The LDDC representations were successful.

6.4.3.4. Loss of Industrial Land

Policy S.29. in the Deposit Draft dealt with Loss of Industrial Land:

> "*Policy S.29. There will be a general presumption against the loss of land and premises designated for business and industrial uses and against change of use from employment.*"
> (p.54, London Borough of Newham Deposit Draft UDP, October 1993).

The LDDC response to Policy S.29. in the Deposit Draft was:

> "This policy is too restrictive. Many of the traditional employment uses continue to disappear, notwithstanding a supportive planning and grant regime, leaving increasingly extensive areas of vacant and derelict land. In some instances it may be appropriate to encourage new forms of development and land use to secure regeneration of such areas. In addition, the LDDC aspirations for the core of the Royal Docks will result in substantial employment on new sites.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Newham Deposit Draft UDP, Report Approved by LDDC Planning Committee, 16th November 1993).

This issue remained a bone of contention between the two organisations and went to the Public Inquiry. In the Inspector's Report it was recommended that the policy be altered to read as follows:

> **"Policy S.29. The Council will resist development proposals which seek to change the use of land and premises away from designated business, industrial and other employment generating uses, unless there is absence of demonstrable demand for such land and premises; and encourage new employment generating development in suitable locations, providing it would not adversely affect local amenity."**
> **(p.78, Volume I, Inspector's Report on Objections to the Deposit Draft of the London Borough of Newham's Unitary Development Plan, December 1995).**

LBN accepted the Inspector's recommendation and included this wording in future drafts of the Plan, (p.47, Volume I, London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's Report), November 1996). The LDDC were satisfied with this modification and as such had no further objections to make on this policy (Report to LDDC Planning Committee on London Borough of Newham Proposed Modifications to Deposit Draft UDP (Buff Document, post-Inspector's Report), 10th December 1996). The Inspector's version provided enough flexibility not to hinder regeneration within the UDA.

6.4.4. Nature of the Relationship

The relationship between LBN and LDDC since the inception of the LDDC has, as can be expected, changed over time. In 1980, LBN petitioned against the establishment of the LDDC and maintained outright hostility to it in the immediate years following designation.

This initial hostility was due to the LDDC being foisted upon LBN. By 1983 however, LBN was talking to LDDC, in an effort to extract benefit for the Borough. It was for strictly pragmatic reasons that LBN became more conciliatory.

It was at that time that LBN began to prepare local plans for South Docklands (the Royal Docks) and Beckton District. However at the Public Inquiry into these plans in 1986, the Inspector threw them both out. This was due in no small part to representations from LDDC complaining about the rigidity of the plans, among other things. LBN, "took a dim view of this and a lot of acrimony followed" (LBN source NH02). This established a 'prickily' agenda, certainly in relation to plan preparation, as LBN, "believed the Corporation were conditioned by Eric Sorensen, as [then] LDDC Chief Executive, not to want a plan" (LBN source NH03).

However, by the end of the 1980s, LBN and LDDC had moved closer together for a variety of reasons. The reasons cannot really be prioritised, or ranked in any order, as they all contributed to a closer and more open relationship between the two organisations. They are discussed in turn below.

Firstly, the signing of the Memorandum of Agreement occurred after much negotiation. The Memorandum of Agreement was an document signed by both LDDC and LBN "in order that maximum benefit may be secured from the development of land in and adjacent to the Royal Group of Docks. The London Borough of Newham in the light of an agreed package of community benefits supports the general land uses indicated by the schemes currently under consideration

by the LDDC" (LBN and LDDC Memorandum of Agreement, September 1986). The document was in reality a *trade-off*, a deal cut between the LBN and LDDC that resulted in LBN withdrawing their opposition to the large schemes (known as the Three Consortia Schemes) in the Royal Docks in exchange for certain guaranteed community benefits being secured for the population of Newham. "It was essentially a peace pact, a political commitment to working together" (LDDC source LD(NH)02). This process of negotiating the Memorandum of Agreement expanded the communication channels between the organisations.

Secondly, financial and time constraints between the two organisations meant that at officer level they were more receptive to sharing work in order to reach an end result or a tangible profit from their discussions. Due to their special status as a consultee, LDDC were not like a normal objector to the UDP. The LDDC would object to certain things in the Plan, but would also suggest an alternative, unlike a normal objector, "for example we could polish up the wording" (LDDC source LD(NH)03). Thus as an implementing agency and development control authority, the Corporation was uniquely placed to pick up on things that were not workable or were written in error, "Newham were fortunate to have us as an advisor on planning issues" (LDDC source LD(NH)04),

Thirdly, the ability of LBN to implement projects was limited. The financial resources of the local authority were constrained.

LBN were short of money to implement all the things that they wished to do in the Borough. The only way to have an influence on the operation of LDDC projects and schemes, and thus indirectly achieve their own objectives, was to get involved with the LDDC.

Fourthly, changes in personnel at LBN also helped proceedings. "The officers at Newham who were most suspicious of the Corporation, and who did not trust the Corporation, left" (LDDC source LD(NH)05). This was not through any purge, but through natural wastage (e.g. retirements and job moves). However it *was* a factor in relationships between the two organisations opening up, "this change in personnel helped" (LDDC source LD(NH)06).

Fifthly, the end date for the Corporation, and the dedesignation of Beckton prior to this, speeded matters up. Channels of communication were opened at levels at and above officer level and standard liaisons continued at the top. The hand back of Beckton necessitated a lot of communication in order to finalise all details involved. In relation to the whole of the UDA in Newham, there was a, "desire to leave a legacy, in the form of influence in the UDP" (LDDC source LD(NH)07). As the end dates approached there was an urgency, a desire to move things quickly to complete before the Corporation left the area.

Sixthly, discussions were opening up on a variety of other projects in Newham. There was mutual support for the Stratford International Rail Station, and other regeneration initiatives both inside and particularly outside the UDA.

The discussions that were being undertaken concerning projects that were emerging and evolving provided important fora for debate. This debate lead to closer working and more mutual orientation.

Thus LDDC and LBN moved closer together. However the good relations that were engendered by the signing of the Memorandum of Agreement in 1986 were again in a slump when the UDP preparation process began. The recession had meant that the big schemes had disappeared and thus LBN confidence in LDDC had receded. It was following the initial stages of the UDP, after the publication of the Consultation and Deposit Drafts, that the factors listed above, added to the liaison concerning the UDP, came into play.

6.4.4.1. Recognition of Dependency

With concern to any recognition of dependency between LBN and LDDC, it was clear that some did exist. The Memorandum of Agreement was proof of such dependency, through the negotiation, production and signing of this document. It was recognised from this that in order to achieve effective and efficient regeneration the organisations had to work closely. "There is a recognition that one cannot function properly without the other" (LBN source NH04). The LDDC support this view, "the Corporation was keen to work together with LBN" (LDDC source LD(NH)08). However each side was keen to achieve its own definition of urban regeneration in the Royal Docks, and this meant a relationship based on negotiation had to evolve.

With particular concern to the UDP, "there had to be a dependency as the regulations said so, there was a clear requirement and this was recognised" (LBN source NH05). However the recognition of dependency did go further than the legislative requirement. "LDDC were granted special status as a consultee, and there was a close working relationship at officer level; this was a proactive thing coming from Newham" (LBN source NH06).

In the latter stages of work on the emerging UDP, particularly after the Deposit Draft negotiations began, this mutual dependency went further, "both organisations, over time, have become stretched in both time and work loads; we now work together to get work done. They do this and we do that and this means that something is actually done, and done quicker" (LDDC source LD(NH)09).

6.4.4.2. Pooling of Resources

With concern to the pooling of resources, and thanks to the channels of communication being open between the two organisations following debate on subjects such as the Memorandum of Agreement and the dedesignation of Beckton, joint working and joint funding did occur. In the case of educational facilities (e.g. schools), community facilities (e.g. park land) and transport projects (e.g. highways), there was joint funding; with the LDDC paying capital costs and LBN paying the revenue funding. There were also joint bids for funding from Central Government. One example of this was the Royals University bid for SRB money.

A joint team from LDDC and LBN was pulled together, admittedly it was, "LDDC driven and LDDC led, however Newham did not have a problem with this on the whole" (LBN source NH07).

In their turn LDDC also supported LBN bids (e.g. Canning Town SRB, Stratford International Rail Link and Stratford City Challenge), albeit this support being in kind, as it consisted of statements of support and not direct finance. LDDC also worked with LBN with regard to getting Assisted Area and Objective II status for the Royal Docks, which meant that they were recognised areas by Central and European Government (respectively) for financial assistance.

In the early years of the UDC there was an officer from LBN placed in the LDDC, and funded by the LDDC in order to act as a liaison between the two organisations. However this situation became slightly untenable as the officer was employed by LBN but worked at and was paid by LDDC. Thus the officer became a full time LDDC employee within two years of the secondment. LDDC did not second any officers to LBN. However an officer did work very closely with LBN officers in relation to dedesignation.

In specific relation to the UDP, there was a pooling of resources in terms of ideas; "this did occur; the Corporation suggested a special chapter on the UDA with flexible zoning for big sites and Newham took this on board and used it both inside and outside of the UDA." (LDDC source LD(NH)10).

Then the two organisations had to join forces to persuade the Inspector at the Public Inquiry that this was a good idea, "we both had to fight like mad to get the Inspector to agree to this - Newham needed the Corporation on board to help argue the case" (LDDC source LD(NH)11). With concern to the discussions on land uses in the Royal Docks Major Opportunity Zones, "neither party saw themselves in the ascendancy...there was a lot of disagreement on the Consultation Draft due to bad drafting in the Plan, as opposed to intention; once discussion commenced concerning the Deposit Draft there was a lot more similarity - and a constructive working relationship ensued" (LBN source NH08). LDDC officers agree with this, "we worked together, ideas for some uses in MOZs came from the Corporation and other Newham" (LDDC source LD(NH)12).

However this must be tempered with an alternative view on planning as a whole in the Newham part of the UDA, taking into account LDDC development control powers amongst other things: "in terms of planning power there is not an equal relationship, the LDDC is much stronger" (LBN source NH09). LDDC also recognised this, "the Corporation could scupper the Plan, as before over the South Dockland Local Plan, so the Corporation had to be consulted and listened to" (LDDC source LD(NH)13). However, "Newham did have an upper hand in statute, as the development plan authority, but the LDDC did have its own powers and also government backing and financial resources, so there were different aspects and thus it was not too imbalanced" (LDDC source LD(NH)14). Thus despite the debate and negotiation, it was recognised that LDDC as development control authority, major landowner and government agency had the last word on development in the UDA.

6.4.4.3. Exchange of Information

With concern to the exchange of information, this occurred proactively from both organisations. This happened with relation to development control applications and also major projects that have a direct input from LBN. This arrangement was partly as a result of the Memorandum of Agreement. LBN was proactive in releasing advance drafts of the plans and chapters for LDDC consideration. As a result of the 'special status' with regard to the UDP, LDDC were, "provided [with] information at the earliest instance, and heard well before other organisations" (LBN source NH10). LDDC recognise that LBN provided them with a range of detail in relation to the Plan, going so far as to say, "at times we were deluged, Newham were very proactive" (LDDC source LD(NH)15). In their turn, LDDC supplied a great deal of data in relation to population, housing, site capacity and availability, employment and industrial zones, "Newham appreciated that the Corporation had more, and more up-to-date, information, and was keen to receive this information and tap the LDDC for it" (LDDC source LD(NH)16). LBN, "received this gladly" (LBN source NH11).

Overall information exchange was proactive and responsive from both organisations, "the information exchange was very effective" (LBN source NH12).

6.4.4.4. Development of Trust

The development of trust between LBS and LBN evolved over time, but had its setbacks since both the inception of the UDC and also since UDP preparation began.

As stated previously, LBN had outright hostility to LDDC at its inception. A pragmatic view was then taken, and communication occurred between the organisations. This was then set back due to LDDC reaction to, and the Inspector throwing out, the local plans for the UDA. Acrimony followed, however following negotiation concerning firstly the Memorandum of Agreement and the other reasons mentioned in the introduction to this section, the trust was rekindled. One officer stated in relation to the development of trust, "there has been a gradual progression, this is not just in UDP matters, but principally due to the dedesignation of Beckton - the UDP benefited from this" (LBN source NH13).

In specific relation to trust and the preparation of the UDP, curiously it mirrors the development of trust over the period of time of the existence of the LDDC - gradual progress with a major setback. The Consultation Draft was produced without much liaison except for the LDDC submitting material, and brief discussions following that. There was some more discussion prior to the publication of the Deposit Draft, however following the receipt of the extended list of objections and observations from the LDDC in relation to the Deposit Draft, LBN felt particularly disappointed and betrayed. The trust that had been built up at that stage was threatened. "There was a hiccup in the development of trust at the Deposit Draft objections. LBN felt let down as a lot of points were trivial, but LDDC thought that they had to raise them that way" (LBN source NH14). This is the major setback that mirrors the setback in the development of trust caused by the Inspector throwing out the local plans in the mid-1980s.

The real problem here was that LBN thought that the discursive infrastructure existed to debate UDP matters with the UDC without recourse to formal procedures such as the submission of representations. However the LDDC wanted to *cover its back* by using the formal procedures as well; so that should discussion break down then the official representations could be relied upon at the Public Inquiry. LBN were unaware that LDDC would do this, and that is why LBN officers felt let down.

However the disappointment following the receipt of the LDDC objections was short lived, this time around. The relationship between LBN and LDDC had matured since the Public Inquiry into the local plans in the 1980s. At the next meeting concerning the UDP, LDDC explained that they had to adopt this method of presenting its grievances with the Deposit Draft, in order to cover all the eventualities in case negotiation broke down and any matters had to go to the Public Inquiry. The LDDC needed to take a formal stance logged as an official objection. "The vindication of the good relationship, and that LBN were right in being surprised and disappointed [at the LDDC's mountain of observations on the Deposit Draft], was the fact that LBN were able to deal with most of the LDDC objections quickly" (LBN source NH15).

Since the detailed discussions concerning the Deposit Draft and the LDDC objections there was definitely a growing degree of trust between the two organisations, "definitely since Summer 1994 there has been trust, even though we may not always agree, but there is the trust there" (LDDC source LD(NH)17).

6.4.4.5. Mutual Orientation

Initially there was little mutual orientation between the local authority and the UDC.

Both wanted urban regeneration, but there was a philosophical difference as to how

this was to happen, "trickle down from LDDC, but Newham wanted mechanisms in

place for local people to take advantage of development" (LBN source NH16).

However both organisations moved together following negotiation and finally, "there

was a high degree of overlap, from initially being apart" (LBN source NH17). This

overlap was engendered by many things; the Memorandum of Agreement has been

mentioned, however the crusade to get Stratford International Station (as part of the

Channel Tunnel Rail Link) showed to LDDC that LBN recognised the international

importance of its location and its land resources. "The campaign to get Stratford

International Station convinced the LDDC and Eric Sorensen [then Chief Executive at

the LDDC] that LBN were putting Newham on the map" (LBN source NH18). The

discussion and involvement in the UDP engendered this still further, "the UDP

process helped open each other's eyes, even more than the Stratford work" (LBN

source NH19).

However there was still a lot of discussion required to resolve the issue of community

benefit in the UDP. LBN wanted a direct relationship between approving

development and provision of community benefits - a set of criteria which led to a

shopping list of benefits to get from developers.

LDDC were opposed to this approach and sought to have, "a set of preferred sites, with the Corporation as an agency funding community benefits directly from grants from Central Government or through land sales" (LDDC source LD(NH)17). LDDC used arguments that it would cost more to supply the benefit the way that LBN suggested. LBN eventually conceded to LDDC's argument that the Corporation would supply the benefit as opposed to having the benefit as part of the planning consent to be supplied by the developer. It could be said that LDDC got their way over this point, however through the process LBN, "got a much clearer indication on the broad range of uses in the Major Opportunity Zones" (LBN source NH20) and LDDC did not get complete flexibility concerning these uses, "they had wanted complete flexibility but they did not get it" (LBN source NH21). LBN also received recognition that they would be involved in the production of the urban frameworks.

"There is a degree of agreement in general, Newham have become more interested in jobs and this mutual orientation is reflected in the UDP" (LDDC source LD(NH)18). LBN, due to pressures such as finance and the Inspector's Report, have altered their orientation. LBN now support exhibition centre proposals in the Royal Docks as they now recognise the amount of jobs such a development would create. Also the arguments concerning affordable housing in the UDP meant that LBN no longer sought only rented accommodation but also subsidised owner occupied housing. At the time of the dedesignation of the UDA, there was even some talk of LBN discussing a high class housing development in order to alter the housing make-up in the Borough, a situation unheard of in the early 1980s.

6.4.4.6. Commitment Over the Long Haul

As can be seen from the multitude of discussions since both the inception of the UDC, and particularly the commencement of the UDP, there has been a definite commitment over the long haul to working together. One officer stated, "yes, there was a commitment, we always talked - it was adversarial in the 1980s, and even up to Consultation Draft publication, but much better afterwards" (LBN source NH22).

6.4.5. Synopsis

As has been illustrated through the above sections, negotiation was a key part of the relationship between LBN and LDDC. The negotiation was both formal and informal. In relation to the emerging LBN UDP, LDDC responded to the various drafts and documents in a formal way, through documents and meetings, however this was supplemented by a great deal of informal contact outside of these arenas by officers from both organisations, "there was informal contact at officer level" (LBN source NH23).

The negotiations occurred at three levels, which was enough to cover the entirety of both organisations. Officer liaison was where the intricacies of the Plan were discussed, "painstaking point-by-point negotiation" (LBN source NH24). Above that, at a more strategic level, the 'Dockland Negotiating Team' would discuss more strategic matters, this group being made up of senior officers and directors of planning. Finally at member / board level the 'Royals Steering Group' would meet at least quarterly and the UDP would be an item that would be reported to them from the

other two levels. Occurring around this three tier structure would be the negotiations on individual projects and ad hoc liaison concerning them between LBN and LDDC. This meant there was enough discursive infrastructure to ensure that issues of disagreement were identified and negotiated, "they were all genuinely committed to not seeing the organisations scrapping in public - this system worked well in relation to the UDP" (LBN source NH25).

However the quality of this negotiation, and whether both sides felt it to be successful is called into question, "there was an urgency for Newham to get the Plan through, in some respects that meant giving the LDDC what they wanted. Some officers do think that Newham went into meetings with a white flag, surrendering to LDDC demands" (LBN source NH26). This reflects the dissatisfaction LBN felt in relation to the softening of the community benefit requirements in the plan, and also changes at a more strategic level to the whole balance of the plan, "the Deposit Draft had a balance between local needs and strategic importance" (LBN source NH27). What LBN believed to be a balance between local needs and strategic importance the LDDC saw as, "an inherent tension in the plan" (LDDC source LD(NH)19).

The LBN were disappointed that the Inspector recommended the removal of the planning gain parts to the plan as, "it needs something to actually convey things" (LBN source NH28). That is to say that the plan required stringent policies to enforce the community benefit provision.

Some of the LBN members did have a problem with the flexibility finally proposed

by the Plan, but, "generally the final draft of the Plan was accepted" (LBN source

NH29).

6.5. LONDON BOROUGH OF TOWER HAMLETS (LBTH)

6.5.1. Introduction

The London Borough of Tower Hamlets (LBTH) is the local authority area for

approximately 2,000 hectares of inner London. Tower Hamlets stretches from the

north bank of the River Thames up to the London Borough of Hackney, covering the

areas known as the Isle of Dogs and Wapping on the riverside, up through Poplar,

Stepney, Bethnal Green and Bow. The London Borough of Newham and the City of

London bound Tower Hamlets to the east and west respectively. Figure 6.5.A.

illustrates the local authority area. Tower Hamlets can be described as a multi-ethnic

Borough in terms of population make up, with a total of around 170,000 inhabitants.
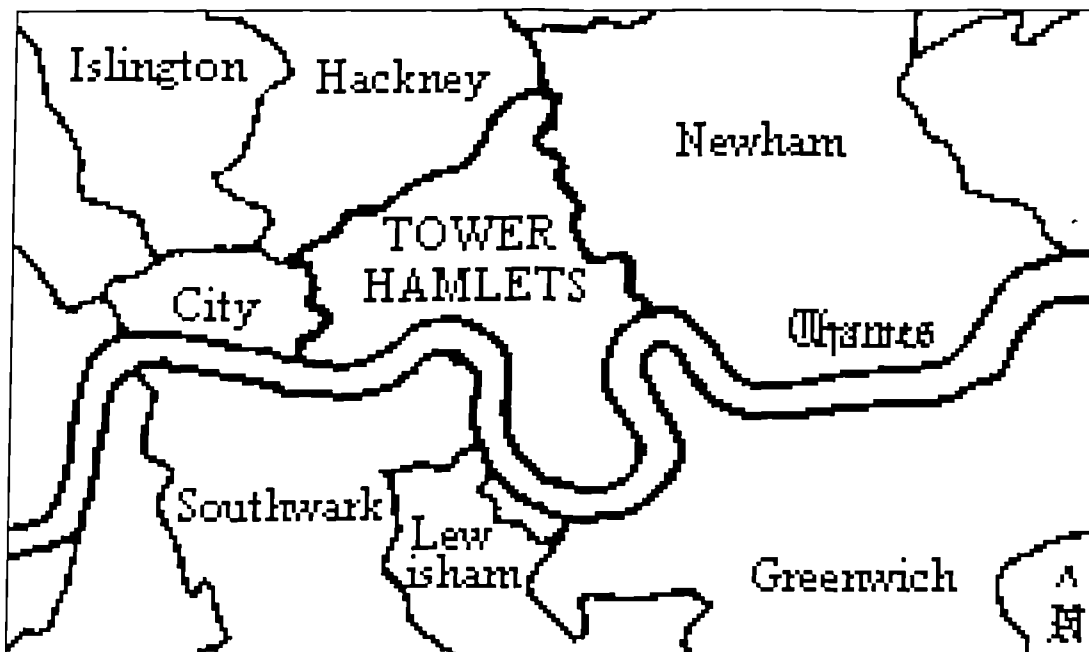
FIGURE 6.5.A. LONDON BOROUGH OF TOWER HAMLETS AND ITS SURROUNDINGS

The UDA in Tower Hamlets initially covered an area of 757 hectares along the River Thames, as shown on Figure 6.5.B. Wapping and Limehouse (184 hectares) to the east of this area were dedesignated in March 1997, and the Isle of Dogs was dedesignated in December 1997.
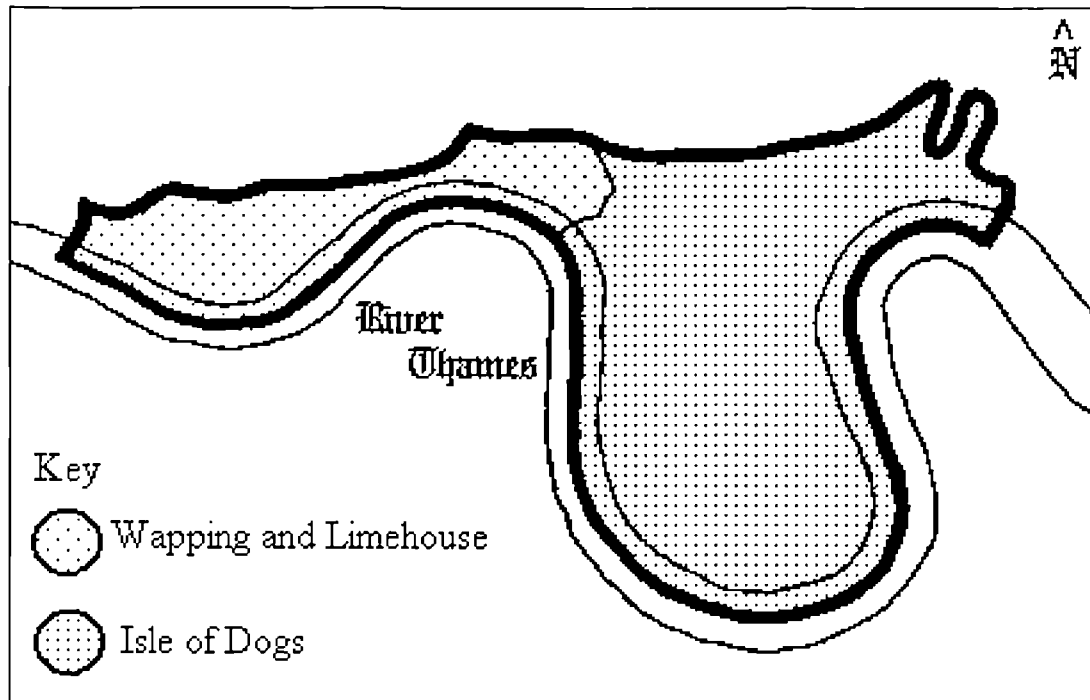
FIGURE 6.5.B. TOWER HAMLETS UDA

The Thames and its associated industries were the mainstay of the local economy for centuries. Clothing and furniture manufacturing industries also flourished. All these industries have declined and the closure of the London Docks left tracts of un-used land and an inherent employment problem. However new industries have taken their place (mainly since the inception of the LDDC), including a new office centre at Canary Wharf and the Isle of Dogs, and the relocation of many national newspapers from Fleet Street to Wapping.

Whilst the local authority was under control of the Liberal Democrats, the Borough's administration was devolved to seven largely autonomous Neighbourhoods. This began in 1986 and town planning was decentralised in 1987. This decentralisation was meant to provide a more accessible and accountable service to local residents and businesses. However there was a strategic department that was responsible for borough wide co-ordination and it was at this level that the UDP was collated in order that it be produced by the neighbourhoods, but presented as a borough-wide plan.

When Labour retook control in May 1994 it decided to re-centralise and started moves that would abolish the neighbourhood structure. This was a Labour policy decision and was not the result of LDDC action or lobbying. The re-centralisation was achieved during the UDP preparation process. All reference to the devolved neighbourhoods was removed from the plan following the Public Inquiry and prior to adoption.

6.5.2. UDP Preparation Process

The Consultation Draft of the LBTH UDP was published on 5th August 1991 followed by a consultation period which lasted six weeks until 15th September 1991.

At that time LBTH Council was under the control of the Liberals Democrats who had introduced decentralised service delivery for the Borough. The Borough was divided into seven neighbourhoods in an attempt to improve political control and service delivery.

The Consultation Draft contained Borough-wide policies, but also individual

Neighbourhood Chapters and Proposals Maps. The LDDC UDA fell into the whole

of the Isle of Dogs Neighbourhood and part of the Wapping Neighbourhood.

Planning officers from the LDDC and LBTH met on a number of occasions following

publication of the Consultation Draft to discuss the LDDC response. The LDDC

Planning Committee approved a report containing the LDDC's response to the

Consultation Draft on 15th October 1991, which was sent in slightly amended form to

the LBTH on 21st January 1992. The reason for the LDDC response being submitted

after the consultation period was that discussions and meetings were ongoing between

the two organisations following the publication of the Consultation Draft and these

continued after the consultation period expired. There was also a large amount of

internal review at the LDDC as to the exact nature of the response to the Consultation

Draft, in particular in relation to the designations on the Proposals Maps, which

accounted for the delay in the LDDC sending the LBTH the comprehensive list of

LDDC responses to the Consultation Draft.

The Deposit Draft LBTH UDP was prepared in the months that followed and was

published on the 30th October 1992, with the deposit period lasting until 11th

December 1992. LDDC Planning Committee approved a report containing the

LDDC's response to the Deposit Draft UDP on 1st December 1992, which was then

forwarded to LBTH.

LBTH insisted that all representations made on the Deposit Draft UDP be made on

individual comments sheets so, once approved, the report was cut up into dozens of

individual responses and attached to the individual comment sheets and forwarded to

LBTH.

In April 1993 LBTH contacted LDDC with concern to setting up a series of meetings

with LDDC officers to negotiate the LDDC objections on a topic by topic basis.

These took place in the next two months. It was following these meetings that

Director level discussion was first raised concerning LDDC Development

Frameworks and the LBTH UDP.

In the light of the representations made on the Deposit Draft and the discussions that

followed them, LBTH published a first set of modifications in July 1993, (London

Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Pink Document

(No.1.)), 30th July 1993). These were placed on deposit for a six week period from

that date until 10th September 1993. LDDC Planning Committee approved a

schedule responding to this first set of alterations in August 1993, (LDDC

Representations on the London Borough of Tower Hamlets Deposit Draft UDP

Proposed Alterations (Pink Document (No.1.)), July 1993, Schedule of Objections on

UDP approved by LDDC Planning Committee on 31st August 1993). This schedule

either withdrew the LDDC objections in the light of changes made by the first set of

modifications, or sustained the objections to be dealt with either by written

representation or appearance at the Public Inquiry.

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The LDDC then submitted the Proofs of Evidence that dealt with the LDDC objections that were to be taken to the Public Inquiry.

The Public Inquiry began on 5th October 1993. However on its first day the Inquiry was adjourned following some confusion as to whether LBTH had agreed upon the LDDC Development Frameworks. Nevertheless, after much discussion it was concluded that, although LBTH had not agreed the frameworks, the Inquiry should proceed as scheduled.

Bearing in mind that LBTH had already published one set of modifications to their UDP immediately prior to the Public Inquiry opening, during the duration of the Inquiry LBTH produced two more sets of alterations to their UDP, as detailed below.

The next set of modifications were called "London Borough of Tower Hamlets Deposit Draft UDP Further Proposed Alterations (Yellow Document (No.2.)), published on 29th October 1993" and LBTH made them available for comment until 10th December 1993. The LDDC response was contained in a letter and statement sent to LBTH on 10th December 1993 (LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP Further Proposed Alterations (Yellow Document (No.2.)), October 1993, Letter and Statement dated 10th December 1993).

The Public Inquiry continued intermittently. In May 1994 Labour retook control of LBTH Council from the Liberal Democrats and began to re-centralise.

That is to say it dissolved the neighbourhoods and restored control to the centre. In relation to the emerging UDP this meant that reference to the Neighbourhoods was erased from the UDP.

On 4th November 1994 LBTH published "London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Green Document (No.3.)), November 1994", and made these modifications available for comment for six weeks until 16th December 1994. This set of alterations removed the reference to the Neighbourhoods from the Plan and added a new Chapter One, "Planning for Equality of Opportunity".

The LDDC response to the third set of alterations was approved by LDDC Planning Committee in December 1994 (LDDC Report to Planning Committee on Representations on London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Green Document (No.3.)), November 1994, dated 13th December 1994).

The Public Inquiry finally closed on 27th April 1995 (after opening on 5th October 1993). In case the reader is in any doubt this extract from the Inspector's closing statement confirms that:

> **"This UDP Public Inquiry has been, I understand, the longest of its kind in England during the current round of Inquiries on UDPs to date."**
> **(Closing Statement by Inspector at Public Inquiry into LBTH UDP, April 1995).**

The Inspector published his report in November 1995 (Inspector's Report on the LBTH UDP, November 1995).

Following deliberation on the Inspector's Report LBTH published their response to it in November 1997 in two parts (Statement of Decisions on Inspector's Report (Red Document), November 1997; and Proposed Modifications (post-Inspector's Report - Red Document), November 1997). By this time LDDC was winding up its activities in the borough, indeed new planning applications were already going to LBTH for decision and thus no formal response to this stage was made. In December 1997 LDDC ceased its activity completely in the borough.

6.5.3. UDP Content Evolution

The previous section has detailed the numerous drafts that the LBTH UDP went through in the course of its preparation process. Whilst active in the borough LDDC made deliberate and comprehensive response to all the successive drafts and alteration documents. The five most important areas of debate are dealt with below.

6.5.3.1. Treatment of the LDDC and the UDA

In the Consultation Draft it was clear that LBTH and in particularly the Isle of Dogs Neighbourhood wished to see the cessation of LDDC activities as soon as possible, despite such a decision being in the hands of central government and not the local authority. Nevertheless LBTH included the following paragraph and policy in its Consultation Draft UDP:

> "5.8.   The LDDC
> [para.] 5.8.1.   The LDDC was created in 1981, its
> Board is an unelected body, appointed by and
> accountable only to the Secretary of State.   Its
> remit has been to secure the 'regeneration' of
> Docklands.   The LDDC's interpretation of its task
> has been narrow and concentrated almost entirely
> within the commercial office sector.

The broader, but equally important element of
regeneration, that of investing in social, housing
and community infrastructure has largely been
ignored to the clear detriment of the Neighbourhood
as a whole. This narrow economic regeneration task
has largely been completed or is committed by
approved schemes in the pipelines. The LDDC has
been largely insensitive to local concerns and needs
during this period focusing on rapid physical
redevelopment as dictated by market forces. Local
people and their representatives have largely been
excluded from this development process. The role of
the Development Corporation in the Neighbourhood is
now complete.

*[Policy] IOD.13. The Neighbourhood seeks the
structured withdrawal of the LDDC and a return to
local authority control of its functions and powers,
land and resources."*
(p.156, London Borough of Tower Hamlets Consultation
Draft UDP, August 1991).

The LDDC response to Policy IOD.13. in the Consultation Draft was:

"Policy IOD.13. is out of place in an UDP."
(LDDC Objections and Observations on the London Borough of Tower Hamlets Consultation
Draft UDP, Report Approved by LDDC Planning Committee, 15th October 1991).

In the Deposit Draft there was no longer a specific policy seeking the withdrawal of

the LDDC, but both Neighbourhood Chapters replicated a desire for this in their

supporting statements:

"[para.] 7.1. The Neighbourhood considers that the
task of the LDDC is now effectively complete. The
transport and infrastructure to achieve regeneration
is in place or planned, and the future character of
the area has been established by the development
already permitted. The UDP will take account of the
Government's Strategy for London and will be a Plan
for the whole Borough. It will be the subject of a
rigorous public examination at its Inquiry. It will
provide a strategic and local framework for moving
the regeneration of the UDA forward in a way which
is responsive and accountable to the concerns of
local people, the development industry, government
and other interested parties.

> [para.] 7.2. The Neighbourhood therefore considers that the return of the functions of the LDDC to the Borough should start immediately, with a short transitional period during which the two organisations work together to ensure the smooth completion of the exit of the LDDC from Tower Hamlets."
> (p.176, London Borough of Tower Hamlets Deposit Draft UDP, October 1992 and also repeated as paras. 10.1. and 10.2. on p.194 of ibid.).

The LDDC continued to recognise that such material was not appropriate for inclusion

in an UDP and responded as follows:

> "No separate planning strategy is proposed for the UDA. The Plan does, however, suggest that the task of the LDDC within Tower Hamlets is now complete and that as an immediate priority, the Corporation should now withdraw from the Borough and return all of its functions to the local authority. Separate discussions on de-designation of a part of the UDA are currently in progress with Tower Hamlets and the Corporation considers it has a continuing and ongoing role in bringing about regeneration in accordance with its statutory remit. Whilst the Corporation should stress this continuing role in its response to the Council, the UDP is not considered an appropriate document for discussion of any winding-up of the Corporation's activities."
> (LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP, Report Approved by LDDC Planning Committee, 1st December 1992).

This matter went to the Public Inquiry, in his Report the Inspector's comments were

as follows:

> "[para.] 1.21. The role of the LDDC is for central government to determine, and the Council's view on the withdrawal of the LDDC is not a planning matter appropriate for inclusion within the UDP. It should be deleted and be replaced by a factual statement giving the latest timetable for the withdrawal of the LDDC. An explanation that planning functions will then be returned from the LDDC to the Council and other agencies should be included, as proposed. These amendments apply to the Introduction and Chapter 13. I have recommended elsewhere that Chapter 12 is deleted in total.
> (p.9, Inspector's Report on the Deposit Draft London Borough of Tower Hamlets UDP, November 1995 / February 1996).

In his Report the Inspector recommended that the paragraph be replaced with the

following:

> "R.1.7. Modify the Plan by:
> (b) replacing para. 5.6. in the Introduction with:
> 'The LDDC is withdrawing from the Borough according to a phased programme
> of de-designating areas within the Docklands UDA. The expected timetable for
> de-designation is (give latest timetable). Upon withdrawal of the LDDC, its
> development and regeneration functions will be returned to the Local Authority
> and other agencies responsible for the long term development of the Borough.'
> (c) replacing para. 2.5. in Chapter 13 with:
> 'Upon withdrawal of the LDDC from Tower Hamlets, its development and other
> regeneration functions, apart from completion of the major Docklands
> transport proposals, will be transferred to the Local Planning Authority and
> other agencies which have a clear remit to secure the long-term stability of the
> area.'
> (p.9, Inspector's Report on the Deposit Draft London Borough of Tower Hamlets
> UDP, November 1995 / February 1996).

In their November 1997 Proposed Modifications LBTH adopted the new wording

proposed by the Inspector. The following month LDDC activity in the borough

ceased. The elongated battle that was fought over the treatment of the LDDC and the

UDA showed not only LBTH negativity towards the work of the LDDC but also that

the process was a *game of words and political position* as much as a real regeneration

effort. The negativity was finally overcome, however too late to have an effect on the

UDC's strategies.

6.5.3.2. Specific Regeneration Policy

By the time of the publication of the Deposit Draft UDP the current thinking at the

LDDC was that a specific regeneration policy would help to bypass any over-

restrictive policies within the emerging UDP.

In their response to the Deposit Draft, the LDDC sought to have both a specific

section on Docklands and a specific regeneration policy:

> "The Plan makes little reference to the role which the LDDC has played in bringing about the enormous changes which have taken place over the past ten years, although both the Isle of Dogs and Wapping Neighbourhood chapters acknowledge that as a local planning authority and a major land owner, the Corporation can be expected to continue to shape the future of the two Neighbourhoods.
>
> In addition to the representations on the key policies, the Plan should therefore include a specific section on Docklands and a policy which would address regeneration and provide a positive and more flexible framework within which the Corporation can continue to carry out its statutory responsibilities as a regeneration authority. A strategic policy should be included in part I which would read as follows:
>
> 'The London Docklands Development Corporation:
> To regenerate the Urban Development Area of the London Docklands Development Corporation.'
>
> Within Part II, a specific 'regeneration' policy should be included, i.e.:
>
> 'REG.I. Within the London Docklands Development Corporation Area, investment will be welcomed and public / private sector partnerships encouraged. Planning permission will normally be granted within this area for proposals which:
> 1. Generate employment;
> 2. Improve the environment;
> 3. Provide housing and social facilities; or
> 4. Bring back into beneficial use vacant land or buildings unless environmental or amenity considerations suggest otherwise.'
>
> The key employment and housing policies, namely EMP.2., HSG.2., and HSG.4. could then be amended top take into account of this policy as follows:
> 1. Policy EMP.2. Insert new paragraph 9. -
> 'where the loss is in accordance with Policy REG.I.'
> 2. Policy HSG.2. - Insert a new paragraph 5. -
> 'or the policy accords with Policy REG.I.'
> 3. Policy HSG.4. Insert a new paragraph 5. -
> 'the proposals accords with Policy REG.I.'
>
> A similarly worded policy to REG.I. was put forward for the Southwark UDP and was accepted by L.B. Southwark at the Public Inquiry into that UDP. The inclusion of this policy within the Tower Hamlets UDP would therefore be entirely consistent with that part of the UDA in Southwark."

(LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP, Report Approved by LDDC Planning Committee, Ist December 1992).

PLATE FOURTEEN:
DOCKLANDS LIGHT RAILWAY AT HARBOUR EXCHANGE

In the July 1993 Proposed Alterations LBTH did introduce a new strategic Part I policy that would apply borough-wide:

> "*To welcome investment and encourage public / private sector partnership proposals which generate employment, improve the environment, provide housing and social facilities, and bring derelict sites and buildings into beneficial use, in accordance with the overall strategy of this plan.*"
> (p.3, London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Pink Document (No.1.)), 30th July 1993).

The LDDC still wished to see a specific policy for the UDA, particularly in Part II of the plan and thus up to and throughout the Public Inquiry these issues remained contentious. In his Report on the Public Inquiry the Inspector dealt with the objections that the LDDC had made concerning issues which were repeated throughout the Plan and also the issues concerning the strategic aspect of the Plan. With concern to the LDDC request for a new core objective on regeneration, in his Report the Inspector's comments were as follows:

> "[para.] 2.18. The statutory responsibility of the LDDC to secure the permanent regeneration of Docklands should be referred to in the UDP. However, a strategic policy on regeneration should apply Borough-wide. The need for regeneration is not confined to Docklands here the problem has been most acute; it is spread throughout the Borough. There are many areas and individual sites beyond Docklands which are under-used or in poor condition which will benefit from economic and physical renewal. Regeneration will remain of importance after the withdrawal of the LDDC and throughout the Plan period. Docklands should be better integrated with the remainder of the Borough, and a separate planning regime for Docklands should not be unnecessarily prolonged.
>
> [para.] 2.19. A Part II policy on regeneration is unnecessary as it would partially duplicate the strategic policy and, contrary to the view of the LDDC, it would not be needed as a means for adapting the application to Docklands of other policies such as EMP.2., HSG.2. and HSG.4.

> Instead, those policies should be amended to provide a firm and flexible planning framework suitable as a basis for regeneration over the whole Borough, including Docklands. I consider such policies individually under Part II."
> (p.14, Inspector's Report on the Deposit Draft London Borough of Tower Hamlets UDP, November 1995 / February 1996).

The Inspector's Report recommended the addition of the strategic policy on regeneration as in the July 1993 Proposed Alterations, which LBTH included in the emerging UDP. Both LBTH and LDDC were content with the outcome of this policy evolution.

6.5.3.3. Retention of Employment Uses

There was a continuing problem with the policy concerning the retention of employment uses. LBTH had included a very restrictive policy in the Consultation Draft to which the LDDC had objected. LDDC wanted greater flexibility concerning change from employment uses to other uses (particularly housing) in order to complete its regenerative aims. Despite a slight softening in the wording, LDDC continued to object to this policy at Deposit Draft stage. It read as follows:

> "*[Policy] EMP.2. On sites currently or last used for employment generating uses, there will normally be a presumption in favour of the continuance of an employment use except:*
> *1. Where the loss is made good by replacement with good quality buildings likely to generate a reasonable density of jobs on suitably situated land in Tower Hamlets not already proposed for employment development in the schedules; or*
> *2. Where the loss is justified by a proposal shown on the Proposals Map; or*

> *3. To eliminate such uses from buildings which are incapable of meeting or being adapted to meet all statutory requirements of the Factory Inspectorate and Fire Authority or which are incapable of being provided with access for goods or people; or*
>
> *4. To eliminate such uses on sites where such uses (including consideration of their traffic generation and means of access) cannot be made compatible with adjoining residential uses (N.B. Business Class uses are by definition acceptable in residential areas); or*
>
> *5. In the case of listed or locally listed buildings where the existing use harms the fabric of the building; or*
>
> *6. Where the loss is for the purpose of providing ancillary employee facilities; or*
>
> *7. Where the loss is to restore the building to a previous residential use."*
>
> (p.54-55, London Borough of Tower Hamlets Deposit Draft UDP, October 1992).

LDDC wanted to see a residential exclusion in this policy and objected to Policy

EMP.2. in their representations on the Deposit Draft:

> "Objection to this policy which repeats similar policy in Consultation Draft (EMPL.1.) and to which the Corporation objected. This policy does not reflect the opportunities for residential development on sites formerly in employment generating uses. Corporation considers policy to be too inflexible with insufficient exceptions. Suggest that additional wording to reflect regeneration objectives be made and cross-reference to proposed Policy REG.1.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP, Report Approved by LDDC Planning Committee, 1st December 1992).
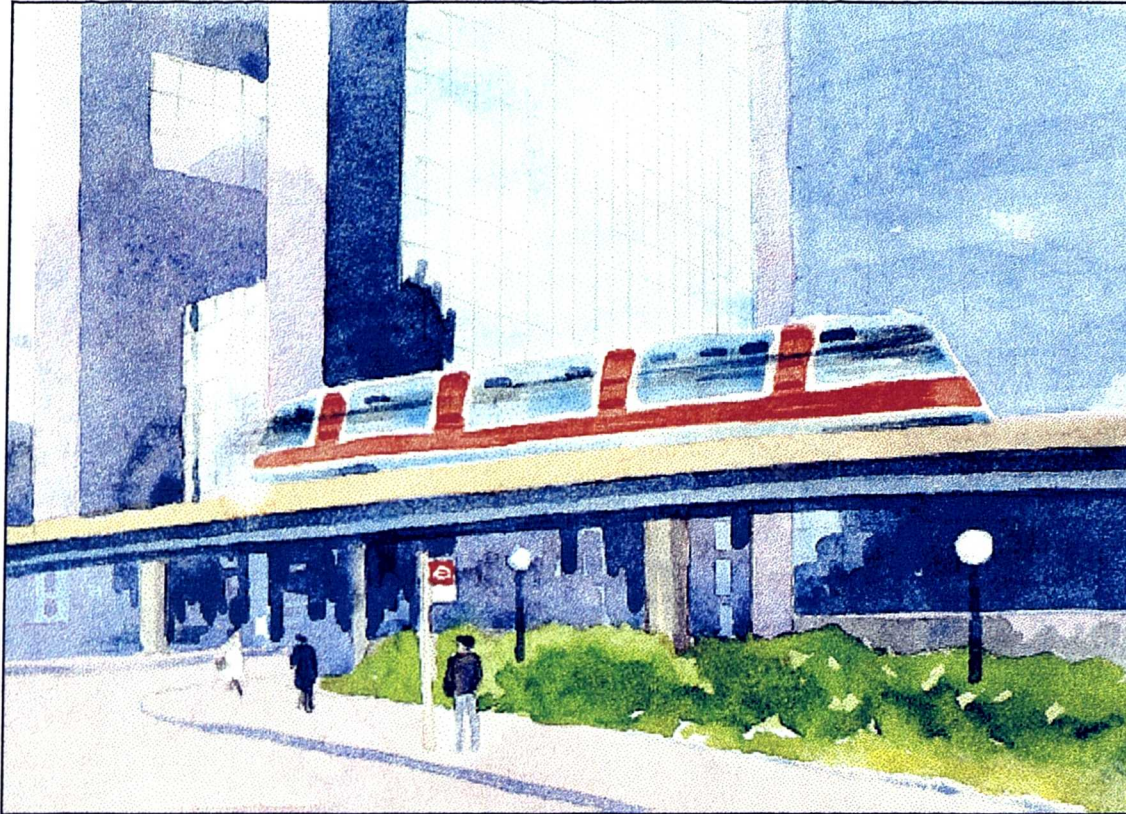
In the first set of alterations (London Borough of Tower Hamlets Deposit Draft UDP

Proposed Alterations (Pink Document (No.1.)), July 1993) LBTH did make a couple

of slight alterations to the wording of this policy and also added a new exception

concerning non-Class B development which might generate employment. A new

policy concerning redevelopment of office space was introduced.

Neither alteration satisfied the LDDC however, and the UDC maintained the objection

to this policy. No further alterations were made in either the second or third sets of

alterations produced by LBTH.

In the Inspector's Report it was recognised that there was a need to safeguard

employment sites in order to relieve the unemployment the borough suffered from but

it was also recognised that the policy as it stood might prejudice development on land

that was no longer suitable for employment-related development. As such the

Inspector's Report recommended:

> **"R.6.4. Modify Policy EMP.2. to read:**
> **'On sites currently or last used for employment generating uses, the Local**
> **Planning Authority will oppose developments resulting in a loss of those uses**
> **except:**
> **(list of criteria 1-9 as in Proposed Alterations 1, followed by:)**
> **10. Where the site or building remains vacant after having been actively**
> **marketed for a reasonable length of time at a value prevailing in the area for**
> **employment-generating land uses."**
> **(p.104, Inspector's Report on the Deposit Draft London Borough of Tower**
> **Hamlets UDP, November 1995 / February 1996).**

LBTH accepted the Inspector's recommendation in their Statement of Decisions on

Inspector's Report (Red Document), November 1997. This additional exception

meant that the LDDC could implement its change of use strategies on sites that had

previously been in employment use. It meant that LDDC were successful in

achieving the flexibility they desired in this policy.

6.5.3.4. Location of New Housing

Policy HSG.2. in the Consultation Draft dealt with the Location of New Housing

Development. LDDC had no objection to this policy at that stage, however there was

an objection to a similarly worded Policy HSG.2. in the Deposit Draft. In the Deposit

Draft the policy read as follows:

> "[Policy] HSG.2.   New housing development will
> normally only be permitted on sites in non-
> residential use or on vacant land outside the areas
> shown on the Proposals Map where:
> 1. The land is not shown on the Proposals Map as
> being required for any other use;
> 2. The proposals do not conflict with any other
> policies in the Plan;
> 3. The environment is suitable for residential use
> or will be made suitable as part of the proposal;
> 4. The locality is adequately provided with services
> needed by residents or will be so provided in the
> near future."
> (p.68, London Borough of Tower Hamlets Deposit Draft
> UDP, October 1992).

The LDDC response to Policy HSG.2. in the Deposit Draft was:

> "Corporation considers this policy to be inflexible as with Policy EMP.2. Suggest that, as
> with objection to Policy EMP.2., additional wording should be incorporated in the policy to
> reflect regeneration objectives and to allow for residential development on sites which may
> have formerly been in employment use.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP, Report
> Approved by LDDC Planning Committee, 1st December 1992).

Discussion between the two organisations did not result in any compromise

concerning this policy and thus LBTH did not alter this policy in any of the three sets

of alterations to the Deposit Draft.

PLATE FIFTEEN:
NEW CRANE WHARF HOUSING, WAPPING, TOWER HAMLETS

In the Inspector's Report it was recommended that the word 'only' be deleted from

the second line of the policy as the policy was over restrictive (p.121, Inspector's

Report on the Deposit Draft London Borough of Tower Hamlets UDP, November

1995 / February 1996).LBTH accepted this recommendation in their Statement of

Decisions on the Inspector's Report and this satisfied the LDDC.

6.5.3.5. Affordable Housing

Policy HSG.3. in the Consultation Draft dealt with Affordable Housing:

> `` [Policy] HSG.3.   The Neighbourhoods will seek to
> ensure that housing affordable to local residents
> and key workers is provided in new housing
> development; legal agreements will be sought in the
> case of large housing schemes of more than 30
> dwellings to ensure that at least 25% is provided.
> Affordable housing is defined as housing for rent,
> low cost housing for sale or shared ownership by
> housing associations and housing co-operatives and
> self-builders. "
> (p.48, London Borough of Tower Hamlets Consultation
> Draft UDP, August 1991).

The LDDC response to Policy HSG.3. in the Consultation Draft was:

> "[This policy] appears to be contrary to Circular 7/91 in that it imposes a quota upon
> developers regardless of market and site conditions."
> (LDDC Objections and Observations on the London Borough of Tower Hamlets Consultation
> Draft UDP, Report Approved by LDDC Planning Committee, 15th October 1991).

Despite slight changes in wording the crux of this policy remained in the Deposit

Draft. Policy HSG.3. in the Deposit Draft continued to insist that on,

> ``...developments with a capacity for 30 dwellings or
> more, the Council will normally seek provision of
> 25% affordable houses, though the merits of each
> case will be taken into account"
> (p.69 London Borough of Tower Hamlets Deposit Draft
> UDP, October 1992).

LDDC continued to object to this policy:

> "Whilst the provision of affordable housing is a relevant consideration in a UDP, as set out in PPG 3, PPG 3 states that policies should not seek to impose a uniform quota on all developments, regardless of market or site conditions.
> This policy suggests 25% affordable housing on all residential schemes with a capacity for 30 dwelling or more. This is not, however, justified in terms of specific housing need.
> Action: OBJECT."
> (LDDC Representations on the London Borough of Tower Hamlets Deposit Draft UDP, Report Approved by LDDC Planning Committee, 1st December 1992).

In the first set of alterations (London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Pink Document (No.1.)), July 1993) LBTH did slightly alter the wording of the policy, however its *strong intention and uniform quotas remained and* as such LDDC maintain their objection to this policy.

This policy proved to be the subject of much debate at the Public Inquiry. Whilst there was no change to this policy in the second set of alterations, in the third set of alterations LBTH did alter this policy (p.20-21, London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Green Document (No.3.)), November 1994). The alteration removed the quota from Policy HSG.3., however it reappeared as a strategic policy. As such the LDDC response was:

> "Affordable Housing: Of this target, the Council has proposed that it will seek 25% as affordable housing, the definition of which includes housing for sale and is related to a maximum defined weekly housing cost based upon low incomes. Policy HSG.3. which specifically addresses affordable housing is now drafted as follows:-
> `[Policy HSG.3.] The provision of affordable housing will be a material planning consideration on large housing developments with a capacity for 30 dwellings or more, though the merits of each case will be taken into account. The Council will seek to ensure that affordable housing is retained for future occupants through the use of planning conditions and obligations and/or the involvement of housing associations.`
> `[(p.21, London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Green Document (No.3.)), November 1994).]`

This policy reflects an amendment to the earlier policy which included the 25% figure on all housing schemes over 30 units, although this was subsequently amended to reflect the 25% figure as an overall target to be achieved across the Borough throughout the Plan period and not applicable to every development site. As now proposed, the overall 25% figure is within a strategic policy, whilst the detailed policy requires that the merits of each case will be taken into account. Current Government advice as set out in PPG 3 states that the provision of affordable housing is a material planning consideration where it can be justified on grounds of housing need. However, PPG3 also states that 'local plan policies must be reasonably flexible on the issue of affordable housing and must leave room for all other material considerations to be taken into account. Where an element of low cost provision is appropriate, its precise scale will vary from case to case and will need to be a matter for negotiation. Policies should not seek to impose a uniform quota on all developments, regardless of market or site conditions'.

In its objection to an earlier draft of policy HSG.3., the LDDC noted that since 1987, approximately 18% of the total number of new housing units within the Tower Hamlets part of the UDA had been social housing units and that the Corporation would, where resources permit, seek to provide further assistance towards the provision of social housing. The Corporation did not object to the principle of affordable housing but to the imposition of a quota on individual schemes.

Insofar as the proposed wording of policy HSG.3. deletes any reference to a specific percentage and provides for the merits of each case to be taken into account, the policy is now considered to be acceptable. However, in proposed paragraph 5.2. of the new Introductory Chapter, 'Planning For Equality of Opportunity' it is stated that 'Policy HSG.3. seeks affordable housing as part of all large developments'. The Corporation should object to this wording which suggests less flexibility than in the wording of the policy itself."
(para. 4.8.-4.9., LDDC Representations on London Borough of Tower Hamlets Deposit Draft UDP Proposed Alterations (Green Document (No.3.)), November 1994, Report Approved by LDDC Planning Committee, 13th December 1994).

LBTH continued to contest government policy as well as LDDC advice. However, the Inspector took on board the LDDC representations made and in his Report the Recommendation was as follows:

"R.7.5. Modify Policy HSG.3. to read:
"The Local Planning Authority will seek a reasonable provision of affordable housing on large housing developments with a capacity for 30 dwellings or more, consistent with the merits of each case and with the strategic target of 25% affordable housing in Policy ST.18.a. The Authority will seek to ensure that affordable housing is retained for future occupiers through the use of planning conditions and obligations and/or the involvement of Housing Associations.

R.7.6. Modify para. 5.7 by:
(a) replacing the definition of affordable housing with:
'Affordable housing is defined as new housing for which both (a) the asking
price / rent of the property is significantly lower than prevailing prices / rents in
the Borough and (b) which is subject to arrangements that will ensure its
availability in accordance with condition (1) in perpetuity.
(p.125, Inspector's Report on the Deposit Draft London Borough of Tower
Hamlets UDP, November 1995 / February 1996).

6.5.4. The Nature of the Relationship

LDDC and LBTH had a history of turbulence in their relationship. In many respects

the greatest changes in the UDA took place in the Tower Hamlets part of it, in

comparison to the other two local authorities. The change from the disused dockland

to the skyscraper dominated 'New City' on the Isle of Dogs was massive.

At a political level LBTH kept up a barrage of hostility to LDDC, maintaining the line

that the Corporation should withdraw from the Borough immediately. Such

sentiments were even included in the Consultation and Deposit Drafts of the emerging

Plan. However at officer level, with concern to the day-to-day working of the

respective planning departments, there was co-operation conducted in a professional

manner.

Discussions concerning the UDP in Tower Hamlets were on ongoing process,

continuing from the publication of the Consultation Draft until the Inspector's Report

was issued. There was then a long pause while LBTH assimilated all the

recommendations the Inspector had made, but that was just a temporary lull in

communication caused by pressure of work and not animosity.

However by the time LBTH released their Statement of Decisions on the Inspector's Report LDDC had ceased their activity in the borough and returned control to LBTH.

6.5.4.1. Recognition of Dependency

Officers from both LBTH and LDDC stated that there was a recognition of dependency between the two organisations. In specific relation to the preparation of the LBTH UDP, "there was a definite recognition of dependency, and this came out in the negotiations" (LBTH source TH01). Slightly more reluctantly it was admitted by the LDDC that, "the Corporation is not the development planning authority and this means that its ability to act is restrained by legislation, but implementing the plan is the duty of the development control authority for the UDA so, yes, there is a recognition of dependency" (LDDC source LD(TH)01). Due to the provisions introduced by Section 54A the LDDC were keen to see that the development plan did not hinder its regenerative work and responded to the Deposit Draft in detail, "there is a statutory requirement to consult in relation to a UDP, with section 54A, this led to a large number of objections, then a 'sieving' process on objections" (LDDC source LD(TH)02). Following LBTH receipt of the LDDC observations on the Deposit Draft, this 'sieving' process was made up of a series of meetings undertaken to negotiate and resolve the LDDC objections through compromises.

These meetings were undertaken on a topic basis, chapter by chapter. There were some differences where compromises could not be reached, e.g. affordable housing and flexibility with concern to re-development of employment generating sites and these had to go all the way to the Public Inquiry.

But at these officer level meetings, it was recognised this would occur in some cases, and thus certain irreconcilable issues did not stymie discussions on other parts of the Plan.

6.5.4.2. Pooling of Resources

In specific relation to the UDP, the compromises arrived at through negotiation could not really be described as a pooling of resources, as there was little mutual alteration of the policies. Overall the UDP was a product of inputs from both organisations (among others), so at a superficial level it could be described as a pooling of resources, however although LBTH took on board LDDC recommendations, there was no real discussion and collusion leading to a mutually satisfactory end result. "There was a dialogue, but I am not sure if there was a common purpose" (LDDC source LD(TH)03).

6.5.4.3. Information Exchange

"There was a proactive exchange of information" (LBTH source TH02) between the two organisations. However this did not go so far as supplying advance or draft copies of the various drafts of the Plans and its alterations that were released. LDDC were treated like any other respondent in this case. When LBTH released it Deposit Draft it supplied LDDC with "just a handful of copies...far too few to provide all the LDDC planners a copy each, let alone other interested departments at the Corporation such as transport and community services" (LDDC source LD(TH)04).

Married to the tight six week time scale in which the Plan had to be dissected, assimilated, and have responses formulated and approved by LDDC Planning Committee, this meant that the LDDC planners had a awkward job on their hands. However after that episode (1992), attitudes softened and, "in general Tower Hamlets have become far more accommodating concerning the LDDC, and also the LDDC have been more accommodating towards us" (LBTH source TH03). In relation to their response to the Plan, LDDC recognise that, "we were fairly responsive, we delivered on time and took the process seriously" (LDDC source LD(TH)05).

6.5.4.4. Development of Trust

Since the inception of LDDC there were many setbacks in the development of trust between the two organisations. The rapid pace and large scale of change in the Tower Hamlets part of the UDA in particular meant that often the two authorities were at loggerheads. However once UDP preparation began, LBTH and LDDC worked together to a great extent.

For better or for worse, the 'New City' on the Isle of Dogs was built, albeit not fully complete, but definitely far too far down the path to attempt any reversal. LBTH accepted this, and once the commencement of discussions concerning the exit strategy for the LDDC from Tower Hamlets began, LBTH realised that in order to get the best deal for itself, the Borough as a whole and the UDA that would, once again be soon under its administration, it had to work with the LDDC.

Officer level liaison had always occurred, but in the later years of the LDDC (post

1994) a new willingness became evident across the organisations as a whole.

Particularly changes in the make up of the Council at LBTH, going from traditional

Labour Councillors, to Liberal Democrat, then back to Labour, but, "a younger newer

Labour" (LDDC source TH04), were clear to see. Once LBTH had an end date for

LDDC involvement in the Borough it worked towards that time, content in the

knowledge that the LDDC would be wound up.

In specific relation to the UDP, officers replied, "at officer level there has been a

development of trust, we all got on well - we all knew the game" (LBTH source

TH05).

This underlined the fact that the negotiating was going on, but the officers were

professional enough to know some matters might be irreconcilable. This should be

tempered, however, with the fact that both sides knew that, "at levels above that [i.e.

levels above officer level] there is more likely to be hidden agendas; however the

main antagonism for us comes from the members now" (LBTH source TH06).

"There has been grudging acceptance of what the Corporation has achieved, which

would not have occurred under old Labour, there is a degree of trust between the two

organisations, partly due to the wind down" (LDDC source LD(TH)06).

6.5.4.5. Mutual Orientation

In relation to mutual orientation, both organisations wanted the regeneration of the Docklands, however the strategy used and the end product of regeneration differed between LBTH and LDDC.

On the Isle of Dogs, and particularly in the former Enterprise Zone (EZ), development did happen haphazardly, and without a great deal of control, partly due to the EZ status removing the controls. As such it was unclear to LBTH what exactly the LDDC strategy was, "Tower Hamlets is really unsure of LDDC philosophy anyway, so mutual orientation is difficult to consider, the Corporation lacked a strategy, acting incrementally" (LBTH source TH07).

Following discussion related to the UDP preparation process, it became clearer what each organisations desires were in the Tower Hamlets part of the UDA. These discussions introduced and clarified the perceived strategies of the two organisations and the consensus and trade-offs that occurred as part of the UDP preparation process led to greater mutual orientation, "the UDP has been used as a vehicle to move towards mutual orientation, it is one way of influencing the LDDC" (LBTH source TH08).

However in their turn the LDDC saw that it had influenced LBTH, "there is an acceptance of what the LDDC has done and Tower Hamlets now has its own urban regeneration department" (LDDC source LD(TH)07).

The mutual orientation is exemplified by, "a clear and explicit commitment to urban regeneration and acknowledgement of the benefits of Canary Wharf" (LDDC source LD(TH)08).

This movement towards a more mutual orientation had visible results. Many local labour initiatives were set up by LBTH to train locals for the jobs available. LBTH did not concern itself so much with objecting to developments in themselves but more the disruption caused by building works, "the main concerns now tend to be around construction effects, not the final development and its benefits" (LDDC source LD(TH)09).

LBTH has also been more proactive in fostering relationships with the private sector, "there has been an influence of New Labour philosophy rubbing off locally leading to constructive relationships with the private sector" (LDDC source LD(TH)10). The private sector have been keen to be involved in this, but want something out of it in exchange for moving development to Tower Hamlets, "the private sector are willing to work with Tower Hamlets, in exchange for a quick turnaround in applications and support" (LDDC source LD(TH)11). If the local authority act more like the development corporation then the private sector are happy to be 'in bed with them'.

6.5.4.6. Commitment Over the Long Haul

In relation to the first decade of the UDC in Tower Hamlets the local authority was opposed to the LDDC. However after 1990, a pragmatic relationship led to more liaison between the two authorities.

Unfortunately the adoption of an UDP in Tower Hamlets was not a priority for either organisation for long periods during its preparation. It has been mentioned earlier that it was long seen as an inconvenience by LBTH as it did not relate to the neighbourhood structure that was in operation until 1994; in its turn LDDC were in no hurry to have a statutory plan against which every development application would have to be measured. Once a statutory plan was in place, despite whatever flexibility the UDC had managed to introduce, the LDDC would have to abide by it. The fact that UDP preparation took so long in Tower Hamlets, "has not bothered the Corporation, as long as the Plan is unadopted it suits the Corporation" (LDDC source LD(TH)12).

The work to complete the UDP progressed but was not seen as an necessity which needed to be finished with utmost haste.

6.5.5. Synopsis

"The negotiation in Tower Hamlets operates on two levels: corporate and officer" (LDDC source LD(TH)13). The strategic and political level was where the posturing often took place and was cited as where the two organisations were most likely to be seen to be opposed. At officer level the communication was more ongoing, however tempered by the relationship at the higher level, "corporate objectives are accepted" (LDDC source LD(TH)14). Over time the two organisations moved together, as the previous sections have detailed, "relationships have got better as the move towards withdrawal progresses" (LDDC source LD(TH)15).

LBTH were prepared to compromise on UDP matters, as well as their orientation moving more towards that of the UDC, "Tower Hamlets has changed to come more to accept business uses and the like, but in reality it would prefer mixed uses to predominate" (LBTH source TH09). This philosophy was in line with the Corporation's objectives.

During the UDP meetings, "Tower Hamlets officers knew what the members wanted them to do, and argued the Tower Hamlets line, even if professionally they knew that the Inspector would throw out that policy or part of the Plan" (LBTH source TH10). A particular example of this was the polices which dealt with disabled issues and accessibility. LBTH officers knew that the provisions made in the Deposit Draft were too stringent and that the Inspector would recommend their deletion, however they continued to promote them in the face of opposition, in accordance with Council member wishes, "we knew the DoE would throw them out" (LBTH source TH11).

With concern as to who got the most out of the negotiations this is difficult to assess. Following the Inspector's Report, LDDC were satisfied that the recommendations would lead to an UDP flexible and responsive enough to facilitate urban regeneration in the UDA, and of course there were many changes made to what appeared as the Deposit Draft, both from the Inspector's Report and the Amendments made by LBTH. LBTH believed that, "LDDC is probably happier with the final Plan than LBTH. LDDC got most of what they wanted, but it is hard to gauge where there is problem for us" (LBTH source TH12).

LDDC recognised that LBTH's desire to come to an agreement helped their cause, "Tower Hamlets were prepared, where able, to compromise and this helped to inject a degree of flexibility" (LDDC source LD(TH)16). It would thus appear that both LDDC and LBTH were content with the final form of the UDP. However it must be stated that a lot of effort was put in, which eventually could be called irrelevant with the cessation of LDDC activity in the Borough. LBTH gained a chance to be *positive* in its approach to regeneration through the UDP discussions, and LDDC got as much flexibility as possible introduced into the UDP framework. This all occurring within a delayed process of plan adoption.

7.0. ANALYSIS

The analysis part of this research is divided into three sections, arising from the three areas of activity identified in the conceptual framework. In the previous chapters the seven case study UDPs have been presented individually in order to impose on each an identity and then examine its own experience with regard to the conceptual framework. This individuality was maintained in order that any comparative analysis could occur together in one place and not begin to appear piecemeal in the later case studies. It is here that the comparative analysis is undertaken.

The first section of this chapter deals with the procedure and process of the UDP evolution. It identifies four areas of concern where differences were evident across the seven case studies. This first section concerns itself with the real-life practicalities of the development plan preparation process. The differences discussed concern working practices, procedures and time-tabling matters and these provide a foundation for the next two parts of the chapter. The first section acts an introduction to the analysis of the case studies.

The second section identifies the similarities and differences in the negotiation over policy content during the plan evolution processes for the seven case study UDPs; addressing the matters which concerned the second section of the conceptual framework. This section highlights the actual matters of concern and the policy areas where UDCs' strategies differed to those proposed by the local authorities in the

successive drafts of the emerging UDPs. As such it approaches more ideological areas of debate than the previous section. Each of the case studies had a series of issues that were contested between the UDC and the local authority. These varied between case studies, some areas of concern running through all the case studies, some through some of them, and of course some were unique to a certain case study. This section aggregates them around topic headings and examines the outcomes of the negotiations.

The third section is concerned with the nature of the relationship between the local authorities and their respective UDCs with regard to the individual seven case study UDP preparation processes; relating to the third section of the conceptual framework which unpacked the relationship into six components. This section draws out the similarities and differences with regard to the degree of activity in each component.

This third section of analysis is the most profound part of this thesis. The findings from this third section of analysis form the initial part of the conclusions that are drawn as to similarities and differences between the case studies. The areas of debate covered by the first two sections of this chapter justify many of the similarities found in the third section. Through the discussion concerning the *relationship* between the UDC and the local authority, the seven case studies fall into one of four groups. The concluding part of this chapter identifies the four groups and into which each of the case studies fall.

7.1. ANALYSIS OF UDP PROCEDURES AND PROCESSES

This section of analysis deals with the differences and similarities between the respective UDP preparation *processes* for the seven case study local authorities. It concerns itself with the real-life practicalities of the development plan preparation processes of the case studies.

Chapter 3 dealt with the concept of the development plan and detailed what standpoint this study takes with regard to what is a development plan. Part of that chapter presented a chart illustrating the stages that the development plan must go through as its evolution towards adoption (see *Section 3.1.1. Formal Legislative and Procedural Requirements*). The flow chart details the legislative requirements and the practical norms of an UDP preparation process. The seven UDPs this study is concerned with, by necessity, followed this pattern. There were, however, differences between the case studies in four associated areas, when compared to the skeletal flow chart norm. These are dealt with in turn below.

7.1.1. Pre-publication Drafts of the UDP

The provision by the local authority of pre-publication drafts of the UDP for the UDC was not a legislative requirement. The local authority only had to *statutarily* consult with the UDC at the publication of the Consultation and Deposit Drafts of the emerging UDP. However, in the examination of each of the individual case studies it was evident that there were differences between them with regard to the activity of

providing pre-publication drafts of the UDP over and above the legislative stages of

consultation.

The provision of pre-publication drafts of the UDP would help the UDC to formulate

its own response to the emerging UDP. This provision would provide the UDC with

an opportunity to comment informally on the content of the emerging UDP and also

provide an opportunity for the UDC to understand better the evolution process the

UDP was undergoing with regard to its composition by the local authority. As such

this provision acted as an indicator as to the state of the relationship of the local

authority to the UDC.

Analysing the seven case studies they fell into one of three categories: where

provision did occur; where it occurred only in the later stages of the preparation

process; and finally, where it did not occur at all.

NCC supplied TWDC with initial confidential drafts of their UDP. The UDC

commented on these informally. There was an existing mutual agreement between

NCC and TWDC to discuss sensitive issues that affected them both in private,

between just themselves and this applied to the UDP and its preparation process.

Thus emerging drafts were made available to the UDC before official publication

throughout the plan preparation process. This provision fostered a position where

NCC and TWDC mutually agreed the UDP strategy and content early on in the plan

preparation process. As such TWDC had no objection to the plan upon entering its

Public Inquiry and made representations supporting it to the Inspector.

STMBC worked even more closely than NCC with TWDC in its plan preparation process. Ongoing joint working groups negated any necessity for provision of pre-publication documents as it was through these meetings that TWDC officers were kept fully aware of how the UDP was progressing and what was being proposed as its content and strategy. STMBC did supply TWDC with any documentation necessary to be fully briefed for these meetings and this included pre-publication material when required.

In the later years of the LBN UDP preparation process (i.e. post-Deposit Draft) a similar operating relationship existed between LDDC and LBN. The LDDC was made fully aware of what the local authority was proposing throughout the modification stages of the UDP. This had not occurred at the Consultation and Deposit Draft stages where the local authority had not supplied any pre-publication material, but in the negotiation stages of the LBN UDP following the Deposit Draft the local authority and the UDC had an arrangement similar to that between STMBC and TWDC, described above.

At the four other local authorities (NTMBC, SCC, LBS and LBTH) there were much less proactive forms of consultation. The UDC was consulted by the local authority with regard to the emerging UDP, but it was treated like any other consultee. The UDC only saw the successive drafts of the UDP upon publication and was not given any special status. This issue is examined further in *Section 7.3.3. Exchange of Information.*

7.1.2. UDP Discussion Meetings

Analysing the working practices of the local authorities and the UDCs with regard to the emerging case study UDPs there were differences between them as to the extent to which discussion meetings concerning the UDP were undertaken. Concerning this, the case studies fell into one of three categories: where meetings occurred and they were reciprocal; where meetings occurred and they were undertaken only in self-interest; and finally, where no meetings occurred.

NCC and STMBC had an ongoing series of meetings with the UDC regarding their respective emerging UDPs. There was already a high degree of mutual orientation between these local authorities and the TWDC and as such any differences of opinion or strategy tended to be minor. The discursive infrastructure existed which enabled a mutual compromise to be reached on any issues that arose between the organisations. This scenario was also the case between LBN and the LDDC in the post-Deposit Draft stages of its UDP preparation process.

Meetings did occur between NTMBC, LBS and LBTH and their respective UDCs concerning their individual emerging UDPs. However these meetings were undertaken by the local authorities on the basis that they were necessary to enable trade-offs to be made in order to appease the UDC and ensure the withdrawal of certain UDC objections to parts of the *local authority-written* UDPs. In these case studies the meetings could be categorised as undertaken in self-interest as they were arranged in order to achieve the aims of the local authority *primarily*, without any

mutual orientation necessarily intended. The degree to which the UDCs had influence over the local authorities with respect to the evolution of the content of the UDPs was an important factor in the local authorities seeing such meetings and trade-offs as a necessary part of the plan preparation process. The examination of the power relations of this *dependency* will be further discussed in *Section 7.3.1. Recognition of Dependency.*

In the case of NTMBC, UDP meetings were undertaken following Consultation Draft publication, however TWDC concerns were not addressed by the Deposit Draft UDP. The meeting process did not lead to a satisfactory conclusion at this stage of the NTMBC UDP preparation process with regard to UDC demands. Whereas the meetings might not have been undertaken in self-interest, they did not lead to any reciprocal changes (or any changes at all) to the emerging UDP.

LBS wanted their UDP adopted in the shortest possible time and thus there was a deliberate effort made to meet objectors to the Deposit Draft and try and take on board their demands in the emerging UDP. LBS were readily prepared to alter their UDP in order to enable objectors to withdraw their objections as long as this did not involve any too drastic changes in the strategy of the Plan. The meetings were thus reciprocal, yet undertaken with an agenda more concerned with an urgency to adopt, than a desire to see consultees' representations incorporated into the plan.

LBTH met LDDC to discuss their UDP in an effort to *bargain away* as many UDC objections as possible, in order to ensure that the plan was adopted in some form and

not thrown out by the Inspector on the back of a continued and extended hostile response from the UDC. The UDC was perceived to have power over the content of the LBTH UDP by the local authority and it was in order to ensure a smoother adoption of the plan that LBTH undertook meetings with LDDC. It was thus in self-interest that these meetings were undertaken and not with any particular desire to see mutually agreed changes made to the emerging UDP.

SCC did not meet TWDC concerning their UDP. TWDC did have some observations to make on the Consultation Draft, which SCC addressed within the Deposit Draft and this negated any necessity for discussion on any specific UDP matters where there was a recognised difference of opinion. However TWDC did have some more general concerns involving the *'blandness'* of the plan and these could have been raised by the UDC in meetings had they occurred between the two organisations. It was recognised through the case studies that evidence of meetings concerning the UDP lead to a more mutually agreed end product, even when they were undertaken primarily in self-interest. This is further evidenced by the study in the next section on the content of the emerging UDPs. Perhaps if such meetings had occurred with regard to the SCC UDP both the UDC and the local authority might have seen an improved end product.

7.1.3. Joint Working

In the last section the occurrence of meetings between the UDC and the local authorities was examined as was the extent to which these were undertaken in either a reciprocal or self-interested way. That section examined the negotiating standpoints of the organisations with regard to those UDP meetings. This section follows on from

that and examines to what extent joint working occurred with regard to the UDP, a stage beyond that of negotiation in UDP discussion meetings.

In the later stages of the LBN UDP preparation process there was some definite joint working between the local authority and the UDC. LDDC officers produced specific policies and land use designations for parts of the UDA in Newham for inclusion in the emerging LBN UDP. This was done with the full approval of LBN planning officers (and council members) through joint working with them.

Joint working to a much lesser extent existed in the STMBC UDP preparation process, as TWDC officers sat in on STMBC UDP working groups and were involved in input to the UDP through this mechanism.

With regard to the five other UDP preparation processes (NCC, NTMBC, SCC, LBS and LBTH) there was discussion and consultation leading to some alteration but nothing that could be classed as joint working. The examination of joint working and the occurrence of synergy in the evolution of the emerging UDPs is discussed further in *Section 7.3.2. Pooling of Resources.*

7.1.4. Interrupted or Sustained Process

This sub-section seeks to identify whether the UDP preparation processes of the case study UDPs were interrupted or whether they progressed smoothly. The reasons for any interruptions or stages that were particularly prolonged within the individual case studies will also be examined.

The barcharts below present an illustration of whether the respective UDP preparation

processes were sustained or interrupted. The longer bar charts, and those which have

a particular coloured segment that is longer than the others' corresponding segment

are those UDPs that have progressed slowly, or have been delayed at a certain stage

(NB For a better comparison as to length of process, the barcharts compare the time

taken on each stage *after* each authority published its Consultation Draft. So the start

time on the barchart below is Consultation Draft publication for *each* local authority;

this time being signified as January Year 00).

Figure 7.1.4. COMPARISON OF LENGTH OF UDP STAGES
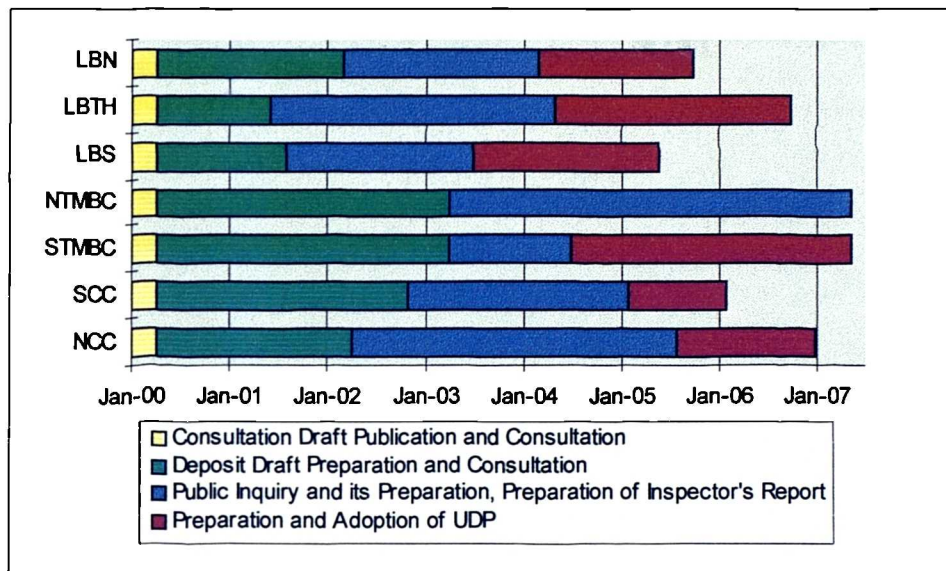
In all the case studies (except perhaps NTMBC) the closer the UDP was to adoption

(i.e. in the final stages and particularly after the publication of the Inspector's Report)

the more there was an increased desire to finalise the plan preparation process. This is

reflected in the bar charts below and is also explored in *Section 7.3.4. Development of*

Trust. A more detailed version of this chart appears in Appendix 3.

The NCC, SCC and STMBC UDPs all progressed at a steady if not spectacular pace. In the SCC and STMBC cases this might be explained by the fact that the two plans were largely uncontroversial and had a blandness that defied any major opposition to their strategy. The NCC UDP, with regard to consultation with the TWDC, was mutually agreed at an early stage which helped smooth its adoption process; notwithstanding the fact that there were some problems that did arise concerning issues unrelated to the UDA and UDC operation.

In comparison to the other London Boroughs, the LBS UDP was adopted fairly swiftly, taking around six years from commencement until adoption in June 1995. There was a definite sense of urgency to adopt a borough-wide plan in Southwark, reflected by the willingness to negotiate with objectors at all stages of the plan preparation process.

In the three remaining local authorities the UDP preparation process was extended and halted due to a variety of reasons.

In the case of NTMBC, the UDP was not seen as a priority matter by the local authority and as such resources were not allocated to UDP preparation. At a *cash-strapped* local authority such as NTMBC, this meant that the UDP preparation process would take a particularly extended time to reach a conclusion.

A similar scenario existed at LBN. During the mid-1980s LBN had seen its development plans thrown out by the Department of the Environment in the light of

extreme opposition to their content and strategy by the LDDC. At a time of scarce resources (1988-1992) LBN concentrated on bidding for further money from central government (notably the City Challenge bid for Stratford) rather than allocate funds and man-hours to UDP preparation. A six month officer strike at LBN following Consultation Draft publication meant that UDP preparation slipped further behind its initial timetable for adoption.

The UDP was not seen as a priority matter at LBTH. At the time of the commencement of the UDP preparation, process, LBTH Council was organised into neighbourhoods for decentralised service provision. Production of a *'Unitary'* Development Plan was not seen as important in the context of the administration of Tower Hamlets. However, as UDP preparation process progressed, and following Deposit Draft publication, a change in control at LBTH Council meant that the Borough moved towards re-centralisation. This re-organisation of the departments and employees at LBTH, with all the inherent relocations it caused, resulted in slippage in the LBTH UDP timetable for adoption.

7.1.5. Synopsis

This section of the chapter concentrated on the real-life dynamics of the plan preparation process and examined areas of difference between the case studies with regard to the practicalities of the evolution of the plan. These areas of difference will be explored further in *Section 7.3. Analysis of the Nature of the Relationships* and concluded at the end of this chapter. The lessons learnt from this examination of working practices will be drawn out in Chapter 8.

7.2. ANALYSIS OF UDP CONTENTS

This section identifies the areas of interest with concern to policy content during the evolution process of the seven case study UDPs, concentrating on the *intentions* and *operations* of specific policies; fulfilling the second sub-section of the conceptual framework outlined in Chapter 4.

The UDPs examined covered seven different local authority areas, these being located in the north-east and London dockland areas of England. As such the plans studied were intended to operate over different areas which, of course, had different characteristics. It would be correct, in the first place, to assume that comparisons made will thus not exactly be like with like, i.e. every situation was unique. However there were marked similarities between all the local authority areas, and particularly the UDA parts of the local authority areas, across the seven case study areas.

In the introduction section of the individual case study chapters, a *pen-picture* was painted of the local authority area, its population, its industries and its strengths and weaknesses. The reader will thus be aware of some of the general similarities between the case study areas, which enable a meaningful comparison to be made. These include the facts that: all seven of the local authorities were metropolitan boroughs and as such were responsible for producing UDPs; the UDPs were the first plans of such type to be produced by the authority; each local authority area was partly covered by a UDC, along the riverside part of the borough; and finally, the

UDC was designated to regenerate areas of river, coast and dock side that had suffered

from decline in recent years. Thus there were contextual similarities in the formal

situation between all the case study areas. It is in front of this general background for

all the seven local authority areas that the individual contents of the UDPs can be

examined.

In each of the case study sections, the sub-section '*UDP Content Evolution*'

concentrated upon the key policy areas where the UDCs were concerned with

affecting the emerging UDPs. In order to draw a comparative analysis across the

seven case studies these areas of interest have been categorised as follows: Sieving

Process for Minor Issues; Presentation of the UDC and Its Work; Retention of

Employment Use Policies; 'Bad Neighbour' Employment Use Policies; Affordable

Housing; Other Housing Issues; and finally, Community Benefit. These seven areas

of concern were where UDCs, in all or some of the case studies, made representations

on the emerging development plan.

7.2.1. Sieving Process for Minor Issues

In all the UDPs preparation processes, the UDC acted as a *filter* to check for mistakes

and anomalies in the successive drafts of the plans. The UDCs were particularly keen

to have a *correct* document which was a working policy base for development control

operation. The UDCs also tested the successive drafts of the UDPs against their own

strategies and intentions for specific sites covered. It was a critical requisite of the

UDCs that the emerging UDPs in their final form would not hinder the urban

regeneration work of the Corporations to any extent. It is with this intention in mind that the more specific policy concerns were also raised.

The only representations the TWDC made on the STMBC UDP involved minor matters. Designations for some sites were confused and came under a handful of policies in the Consultation Draft; in the Deposit Draft these were clarified (see *Section 5.5.3.3. Economic Development and Jarrow Staithes*). In their observations on the Consultation Draft, TWDC also suggested more precise wording for some policies (see *Section 5.5.3.2. Hazardous and Polluting Installations*) and confirmation of responsibility for others (see *Section 5.5.3.4. Shopping Improvements and Jarrow Town Centre*). These were taken on board in the Deposit Draft and as such TWDC had no objections to the STMBC UDP from the Deposit Draft stage onwards.

A similar scenario evolved in the SCC UDP preparation process. There were certain matters that required clarification in the Consultation Draft (see *Section 5.6.3.3. Enterprise Zone Policies, Section 5.6.3.4. Public Open Space, Section 5.6.3.5. Policies Concerning Sunderland South,* and *Section 5.6.3.6. Car Parking Standards*). These were all addressed in the Deposit Draft and as such the TWDC had no objections from that stage onwards.

In the NCC UDP preparation process the TWDC were more concerned about the tone of the plan, and made minor representations on many Consultation Draft UDP policies the UDC believed helped add up to a restrictive UDP in overall general tone (see *Section 5.3.3.4. General Tone of the Plan*). Discussions on these matters were

ongoing past Deposit Draft stage, however they were fully resolved prior to the Public

Inquiry.

In the NTMBC Consultation Draft there were also some matters that the TWDC

wished to see clarified, however these were not addressed in the Deposit Draft to any

significant extent (see *Section 5.4.3.5. Shopping Development Outside Town Centres*)

and remained contentious up until dedesignation.

In the successive drafts of the London UDPs there were also many examples where

UDC representations clarified or corrected parts of the emerging UDP, however these

were too many (and too minor) to have been specifically dealt with in the case study

sections.

7.2.2. Presentation of the UDC and Its Work

Both TWDC and LDDC were particularly concerned with how the UDP presented the

UDC and its work. The UDCs were keen to see themselves manifested in a good

light, as an agency which would foster suitable development, and had operated

successfully in the borough in the past. However the local authority-produced UDP

provided an ideal vehicle for the incumbent councils to *lambast* the UDCs, by

questioning their aims and criticising the work they had completed thus far. The

extent to which this occurred will be examined in this sub-section.

In the Consultation Drafts of their respective UDPs, both NTMBC and LBTH used

the document to make derogatory remarks about the UDC. NTMBC talked of the

TWDC diminishing land values along the riverside due to residential development there (see *Section 5.4.3.1. General Thrust of the Plan*), and the LBTH pulled no punches in having policies impressing the need for the immediate winding up of the LDDC (see *Section 6.5.3.1. Treatment of the LDDC and the UDA*). LBTH continued this attitude in its Deposit Draft UDP. However, in the light of representations from LDDC throughout the Public Inquiry process, such policies and their supporting statements were eventually deleted. The long battle that was fought between the LDDC and LBTH in getting a specific regeneration policy into the UDP was indicative of this struggle (see *Section 6.5.3.2. Specific Regeneration Policy*).

NCC (see *Section 5.3.3.3. St Peter's Basin*), SCC (see *Section 5.6.3.1. Treatment of the UDA*) and STMBC (see *Section 5.5.3.1. Treatment of the UDA*) maintained a perfunctory mention of the UDC and its development work throughout the successive drafts of their UDPs. Similarly, reference to the UDC was cursory in the Consultation Draft stages of both the LBS (see *Section 6.3.3.1. Part I and the General Thrust of the Plan*) and LBN (see *Section 6.4.3.1. Tone of the Plan and Treatment of the UDA*) UDPs. However, following UDC representations, a more positive mention was made in later drafts of these latter two plans.

In all seven case studies UDC representations throughout the plan process sought to remove derogatory comment and put in short sections made up of UDC mission statements and developments achieved or proposed in the future across the UDAs. In this respect the two UDCs sought to use their sections in the UDPs to provide information. This information obviously presented the UDCs in good light. However

it is debatable as to whether one could go so far as to say that the sections which were finally included in the UDPs could be classified as promotional. The common sense moves of including the informative material were generally recommended by the Inspectors for inclusion in the respective final drafts of the plans.

7.2.3. Retention of Employment Use Policies

In the NCC, NTMBC, LBN, LBS and LBTH Consultation Draft UDPs, the UDC sought to have changes made to restrictive employment policies. Policies concerning the retention of employment uses, particularly along the riversides, were seen as overly restrictive with regard to UDC strategy and the regeneration of the UDA.

In the case of Newcastle, alteration of the tone of the policy, by the introduction of the phrase 'development for other uses will not normally be allowed', satisfied the UDC in discussions occurring after the publication of the Deposit Draft. Other changes, to sub-policies, included a change of emphasis by altering the word 'retention' to 'restriction' (see *Section 5.3.3.2. Existing Industrial Land*).

In the Newham case, policies concerning the loss of industrial land in the Consultation and Deposit Drafts initially resisted all other development within sites previously in that use. However the Inspector recommended that these be altered to include caveats to allow other uses following an assessment of demand with regards to maintaining industrial uses. This added flexibility to the policy, and satisfied the LDDC (see *Section 6.4.3.4. Loss of Industrial Land*).

In the case of Southwark, discussion concerning the retention of industrial uses continued until the Public Inquiry. The Inspector's Report finally recommended that the restrictions on change of use in employment areas be changed to the granting of permission for employment use only in particular areas, and also suggesting the removal of many caveats restricting change of use in these areas (see *Section 6.3.3.4. Change of Use from Employment*). A similar battle was fought over warehousing in Southwark which resulted in a more flexible policy in the adopted plan (see *Section 6.3.3.5. Purpose Built Warehousing*). LDDC were satisfied with the outcome to both of these policy content issues.

In the LBTH case study, a restrictive policy in the Consultation Draft concerning retention of employment uses was slightly softened in the Deposit Draft by addition to the list of caveats. However the LDDC maintained their objection to the policy at the Public Inquiry as, in its opinion, the policy did not provide enough flexibility. The Inspector's recommendation to add a further caveat allowing for change of use after the site had been vacant for a period of time was accepted by LBTH (see *Section 6.5.3.3. Retention of Employment Uses*). This softening of a previously restrictive policy introduced the greater degree of flexibility that the LDDC desired.

In the Consultation Draft NTMBC UDP the riverside uses were mainly designated for maritime use, and only slight changes were made to map designations in the Deposit Draft. The problem remained here between the TWDC and the local authority up to UDC dedesignation (see *Section 5.4.3.3. Riverside Areas Uses*). Apart from this last example (where the plan was yet to be adopted at UDC dedesignation) it is clear that

the UDCs were successful in their representations made on retention of employment uses policies, by demanding a greater deal of flexibility as to change from employment use.

7.2.4. 'Bad Neighbour' Employment Use Policies

In order to relieve unemployment and provide opportunity for jobs within the boroughs the local authorities were keen to promote employment uses in their plans. However there was often some disagreements between the UDCs and the local authorities as to the nature of the employment uses that were to be designated on UDA sites. The riverside sites within the UDAs had often been utilised in the past for *'less glamorous'* types of employment use and storage, such as hazardous materials and scrap yards. Despite their undesirability, such uses had to be addressed by the emerging UDPs as part of their borough-wide remit. Making provision for these uses was a direct part of the development plan-making process. Tensions arose between the local authorities and the UDCs concerning such existing uses and possible alternative uses. This occurred as the UDCs attempted to radically change the character of some parts of the UDAs.

In their Consultation Draft UDP, NTMBC promoted scrap yard and waste disposal uses on some UDA sites (see *Section 5.4.3.2. Special Industrial Uses* and *Section 5.4.3.4. Waste Disposal Facilities*). Despite UDC objection, these designations remained in the Deposit Draft and had not been resolved by the time the UDC was dedesignated.

TWDC were more successful in their objections to the SCC UDP where the local authority clarified matters concerning scrap yard uses between Consultation and Deposit Drafts (see *Section 5.6.3.2. Economic Development and Scrap Yard Uses*) to the TWDC's satisfaction. Thus the TWDC had mixed success in their representations made concerning bad neighbour uses.

7.2.5. Affordable Housing

The most important housing issue that arose in the seven case studies was that concerning affordable housing. Whilst this was not an issue in the four Tyne / Wear Boroughs, affordable housing was an area of much concern in the Dockland Boroughs.

The Dockland local authorities were keen to have UDP policies that imposed a quota of affordable housing provision on certain residential development sites. This was in order to address the perceived need for such accommodation in the Boroughs. LDDC did not want to have a quota that would have to be built on every site affected by a policy, in the belief that this would hinder development in the area. LDDC thought that developers would not be keen to construct where their profit margins would be adversely affected by a blanket condition to supply a certain amount of affordable homes. It is in front of this background that the affordable housing policies evolved.

In the LBN case study, the Consultation Draft imposed a strategic (i.e. Borough-wide) figure of 25% of new dwellings built and a specific figure of at least one in ten of all new dwellings built being made affordable (see *Section 6.4.3.3. Affordable Housing*).

The LDDC were concerned that these figures would result in an amount in excess of the 1500 units agreed for the UDA in the Memorandum of Agreement. In the Deposit Draft the affordable housing policy was considerably softened stating that all applications for residential development would be assessed by the Council in relation to the needs of the Borough. LDDC still thought this unreasonable, especially as *all* applications for residential development would be subject to this policy. The UDC also questioned the definition that LBN adopted of affordable (which seemed to be more stringent than that commonly accepted). As a result LDDC continued their objection to the policy. The Inspector recommended that the policy be further redrafted to *not* be site specific at all and include a clause that the Council would work with all interested bodies to provide 3,000 units across the Borough within the plan period. The Inspector's policy was not restrictive and did not impose on any individual site a specific percentage required of any application, which satisfied the LDDC.

A similar situation occurred within the LBTH UDP preparation process. In the Consultation Draft a policy sought to provide at least 25% affordable homes on schemes of more than 20 dwellings. The LDDC objected to this however the policy remained in much the same form in the Deposit Draft. Objections to this continued until the Public Inquiry although LBTH did suggest a slight redraft in their third set of amendments. The Inspector suggested the policy be altered from the 25% restriction to a sought after strategic target of 25% with provision made on the merits of each case (see *Section 6.5.3.5. Affordable Housing*). LBTH adopted this recommendation and this satisfied the LDDC.

With regard to the LBS case study an affordable housing policy was not introduced until the Pre-Inquiry Proposed Changes stage. It did not involve any major objections from the UDC (and as such is not dealt with specifically in the case study section) and following representations seeking clarification, the Inspector's Report suggested the policy ensure that 'through negotiation new housing development over 20 dwellings contained a proportion of affordable housing'. The UDC was content with this and the policy appeared in that vein in the Adopted UDP.

Thus in all three cases, policies imposing a percentage of affordable housing on certain developments sites were softened to apply a percentage across the whole Borough and thus not impose anything on an individual site. The slackening of such restrictions in previously proposed policies suited the UDC desire for ultimate flexibility, at the expense of the development plan enforcing what the local authorities saw as an effective provision of affordable housing. Market-led considerations can be seen here to be taking precedence over directly enforced provision. This was in line with current national level guidance at the time. PPG 3 Housing stated that "policies should not seek to impose a uniform quota on all developments, regardless of market or site conditions" (para.39., PPG3, Department of Environment, 1992c).

7.2.6. Other Housing Issues

LDDC were successful in getting more flexibility concerning change *to* residential use of land in Tower Hamlets following representations made throughout the plan process, which were recommended by the Inspector (see *Section 6.5.3.4. Location of*

New Housing). However LDDC were not successful in their representations made on the LBS UDP seeking greater flexibly for changes *from* residential use (see *Section 6.3.3.2. Protection of Existing Housing*) as the Inspector upheld the local authority's standpoint.

The final point to note with regard to housing polices concerned the New Tourist Accommodation policy in the LBS UDP. Here a particularly preventative policy was replaced by a promotional policy suggested by the UDC and recommended by the Inspector. This was a *big win* for the LDDC in the representations on the evolving LBS UDP (see *Section 6.3.3.3. New Tourist Accommodation).*

The housing chapters and policies in the emerging Tyne / Wear UDPs did not present any problems for the UDC and were not an arena for debate. There was a broad consensus between the local authorities and TWDC with concern to housing issues in the region. Some designations were altered on the Proposals Maps. However these consisted of slight changes agreed between the TWDC and respective local authorities. The LDDC thus were generally successful in getting the flexibility they wanted introduced to housing policies in the emerging UDPs.

7.2.7. Community Benefit

LBN as a local authority were particularly keen to extract the maximum community benefit from developers on the sites within the borough. However following protracted negotiation before and after the Public Inquiry LDDC were successful in promoting their method of supply within the plan framework (see *Section 6.4.3.2.*

Community Benefit). In the other local authorities the community benefit issue did

not cause much aggravation, as the policies concerning it were not as stringent as

those first forwarded by LBN.

7.3. ANALYSIS OF THE NATURE OF THE RELATIONSHIPS

This section of analysis deals with the conceptual framework for the comparison of the relationships between local authorities and their respective UDCs. In Chapter 4 the conceptual framework was presented and it unpacked a local authority / UDC relationship into six components. The six components comprised: recognition of dependency; pooling of resources; exchange of information; development of trust; mutual orientation; and commitment over the long haul. In the case study chapters the extent of activity in each of these components was looked at in relation to the UDP preparation process for all of the seven local authorities *individually*. This section compares and contrasts the extent of activity in each component across all seven of the local authorities. With regard to each relationship component each local authority will be placed into one of three categories identified both by the detail of the conceptual framework and through this comparative process.

Following the examination of the individual relationship components the local authorities will be compared to each other with regard to the overall extent of activity across all of these components. It is at this stage that the reasons for the differences between the local authorities will be explored.

7.3.1. Recognition of Dependency

The first category with concern to this component is where there is no recognition of dependency between the organisations. This was the experience in just one of the case studies, in the relationship between NTMBC and TWDC. The UDC was not considered by NTMBC to be critical in the production process of their UDP. As such little weight was attached to the observations TWDC made on the drafts of the plan. There were some meetings (described by both organisations as *'conciliatory'*) between the local authority and the UDC following the publication of the Consultation Draft of the NTMBC UDP and receipt of TWDC observations on it; however the TWDC's specific policy concerns raised by the Consultation Draft were not addressed by the Deposit Draft.

This lack of a recognition of dependency in the North Tyneside case study must however be tempered by the fact that the production of the UDP for North Tyneside was not seen as a priority matter by NTMBC. It was due to budget constraints and councillor attitude that the production of the UDP was not seen as an urgent matter. TWDC were likewise in no particular hurry to have a statutory adopted plan covering the whole of the UDA in North Tyneside, against which all development proposals there would have to be measured. It is thus within this context, i.e. that planning had little priority at NTMBC, that the lack of a recognition of dependency between NTMBC and TWDC in relation to the production of the NTMBC UDP must be taken into account. The regulatory arena of the development plan was unimportant to either NTMBC or TWDC.

The second category that some of the case studies fall into is one where there was a

perfunctory recognition of dependency. By this it is meant that the dependency was

recognised merely because of legislative demands and the dependency was identified

and adhered to for the sake of duty and no more. This category is not particularly

advanced from the first category where there was no real recognition of dependency.

In this second situation the local authority and the UDC dealt with UDP matters in a

formal and mostly non-negotiative way. The local authority produced successive

drafts of the plan and the UDC was treated like all other consultees. The UDC

responded to each draft of the UDP normally by letter, listing observations on the

draft in a straightforward manner. Face-to-face discussion was either non-existent or

minimal. The local authority endeavoured to address UDC concerns in successive

drafts of the plan without particular discussion with the UDC. In this category the

regulatory and investment arenas are separate, that is to say that the development plan

consultation took place, but the context of on-going development projects did not

enter this discussion arena.

It was this second recognition of dependency scenario that was the case for the

relationship between SCC and LBS and their respective UDCs. SCC took no special

account of TWDC in relation to development plan production matters. TWDC was

not seen as either an obstacle or an aid to the plan preparation process, merely just

another statutory consultee. LBS treated LDDC in a similar way. LBS and LDDC

did have meetings however, and LBS were more willing to take on board observations

from the UDC. But this was the case for all the consultees in the LBS UDP

production process, which was an effort to produce the LBS UDP as swiftly and as

without opposition as possible. These meetings just meant that LDDC was treated the

same as other consultees in the LBS UDP preparation process.

The power relations of this second, formal dependency recognition did not impinge on

the development plan adoption process. As the relationship was formal, and the

organisations allowed legislation to dictate the way in which consultations were

undertaken, neither side was operating from a position of power or ascendancy. Both

parties upheld there legislative requirements and within this framework attempted to

achieve their own ends. In the case studies that fell into this category, both LBS and

SCC and their respective UDCs had a substantial amount of common ground from

Consultation Draft stage onwards, which enabled the formal consultation process to

move smoothly in the later stages of plan preparation.

The third and final category *is where there was a definite recognition of dependency.*

With regards to the case histories of NCC and STMBC, these local authorities

involved the UDC at an early stage of the plan preparation process - before the

Consultation Draft was published. This involvement included meetings between the

local authority and the UDC prior to publication of the successive drafts of the UDP.

Meetings also followed publication of successive drafts of the UDP, in order to

discuss matters of concern, often on a topic-by-topic or chapter-by-chapter basis. The

local authorities actively sought out the UDC's opinion on the emerging development

plan from an early stage in the adoption process in order to come to a joint consensus

on the policies and strategies of the plan and in turn have the support of the UDC with

regards to the development plan throughout its preparation process. Such meetings

also occurred with regard to the LBTH UDP and the LDDC, however these were ad

hoc. In the early stages of the LBTH UDP preparation process LDDC were not

consulted to any great extent. The recognition of dependency was more evident in the

later stages of the LBTH UDP preparation, during the 'Modifications to the Deposit

Draft' documents.

With similarity to the LBTH case study, there was no real recognition of dependency

between the local authority and the UDC in the early stages of the production of the

LBN UDP. However as the adoption process progressed LDDC and LBN

increasingly worked together. During the final stages of UDP production in Newham

during the modifications to Deposit Draft stages, LDDC and LBN had a definite

recognition of dependency with regard to UDP adoption, as was exampled by their

joint working practices illustrated in the individual case study section.

In this third dependency scenario both parties were actively aware that the

development plan would be an important tool in the strategy of land development and

land-use organisation. The legislative dependency was clear to both sides but this

went further, as both parties realised the power that each other had to affect

development in that part of the world. As such there was a willingness by both the

local authority and the UDC to work together on the development plan. In the NCC

and STMBC case studies this was a recognition that was *not* made in a perfunctory

way. That is to say that an *active* effort was made to work with the UDC from its

inception on all matters.

In the LBTH and LBN case studies this recognition of dependency was evident only really after the development plan preparation process was substantially underway, as both studies depict, it occurred after the Deposit Draft stage. In these two case studies the local authority realised that the UDC could *foul up* the UDP preparation process by substantial objections and (possibly) ultimately a request for the plan to be suspended in the UDA. In its turn the UDC was aware that the local authorities wrote the development plan and could attempt to put in the plan unwanted land designations and restrictive polices that were in conflict with UDC aims and strategies. Thus a pragmatic recognition of dependency arose, with both sides aware that consultation would avoid any desperate scenarios arising. With the worse case scenarios in mind the power relationship to a large extent was split evenly between the UDC and the local authority, though of course both sides would protest that this was not necessarily the case.

7.3.2. Pooling of Resources

This category initially acts as a physical indicator, identifying certain arenas where resources were pooled in order to present a concrete reflection of where the two organisations are co-working and to what extent this has occurred. As such, this pooling of resources category is divided into four sub-categories. The first three arenas are tangibles and as such are easily identifiable. They are outside of the development plan process but have an affect on it, and as such act as a background for the fourth sub-category. The fourth and final sub-category is the one that specifically concerns the preparation of the development plan, and is the one that particularity

concerns the conclusion and recommendation of this study. The four sub-categories

are: Physical Resources; Manpower; Funding and Projects; Ideas and Synergy.

In relation to physical resources this study looked at the pooling of resources such as

building and land. There was no evidence that this occurred in the relationships

between the local authorities and the UDCs. Admittedly there occurred a large

amount of vesting and purchase of land in order to set up the two UDCs in the initial

years of operation. However this could not be described as an actual 'pooling' of

resources in relation to physical resources, as to a large extent it was undertaken

without the express desire of the local authority.

Actual pooling of resources in relation to manpower only occurred in true form in the

early years of the relationship between LBN and LDDC. In this example an officer

from LBN was funded by and seconded to the LDDC in a liaison role. This situation

eventually became untenable (because of possible split allegiances) and the officer

concerned became an LDDC employee outright. In the other relationships such a

situation did not occur, despite some discussion as to its possibility (e.g. at LBS).

Within all the organisations certain officers were given responsibilities for dealing

with the corresponding organisation at a certain level or area of interest, however this

did not constitute an actual 'pooling' of resources in relation to manpower.

The pooling of resources in relation to funding and projects covered a multitude of

shared and supported projects over the life spans of the UDCs. However it was the

degree to which the organisations were involved with each other, the nature of the involvement and how this affected the UDP process that was interesting to note in these cases. The greater the degree of involvement and interaction over all the kinds of funding and projects, the greater the increase in the level of understanding.

There was mutual support evident between NCC, STMBC and the three London Boroughs and their respective UDCs, this becoming more evident and more public in the later years of the existence of the UDCs (i.e. after the UDP preparation processes had begun). It was only at SCC and NTMBC where there appeared to be little alliance, even with regard to support for bids for funding.

In the later years of the relationship between both LBN and LBS and the LDDC, there were joint bids made from the organisations to attract funding, taking the mutual support for funding and projects a stage further. This made an important point about what structured the nature of the relationship in these case studies.

Across all the local authorities the UDCs were involved in funding capital projects such as highway improvements and educational facilities. In Tyne / Wear the TWDC also supplied funding to community projects outside of the UDA in Newcastle. In this particular case the UDC seemed to become an alternative source of funding to the Urban Programme in the face of cutbacks, with pressure coming from the local authorities on the UDC to provide funding.

There was also a pooling of resources in relation to setting up further urban regenerative initiatives. In the North Tyneside part of the UDA, TWDC and NTMBC worked together in drawing up proposals for a SPZ that were successful. Likewise in Sunderland both the UDC and the local authority worked together in persuading central government that an EZ should be designated in the Borough. However this must be tempered by the fact that once the EZ was agreed in principle, the local authority and the UDC had to compete in an effort to have their sites included in parts of the EZ. The EZ would occupy a finite area of land and both parties were keen to have as many of their sites included in the final designation. So the collaborative pressure was superseded to an extent by a competitive pressure. A degree of joint working was undertaken in order to draw up the final EZ schemes, with this competition occurring concurrently.

The final sub-category here is ideas and synergy. Where there was a pooling of resources with regard to ideas concerning the UDP, synergy was evident - as the two organisations worked mutually to evolve the UDP. This was the case in South Tyneside and Newham where meetings were used to discuss and take forward ideas and policies in the emerging plan. Both local authority and UDC worked together throughout the evolution of the development plan and this joint working fostered synergy with regards to ideas in the preparation process. This also occurred, but to a lesser degree in the NCC UDP experience, the reason being that there were fewer areas where debate was required between NCC and TWDC in comparison to LBN and STMBC.

In the NTMBC, SCC, LBS and LBTH relationships there was no pooling of resources in relation to ideas and thus their UDP experiences cannot be categorised as evolving through a process including synergy.

7.3.3. Exchange of Information

The exchange of information component is concerned with more mundane matters than that of synergy and pooling of resources. In this component the extent to which each organisation supplied information to the other is assessed. The basic exchange of information was the local authority-produced successive drafts of the plan and the UDC-produced *successive consultations on them*. *This can be seen as a reactive* exchange of information, not going beyond that of the legislative process of plan preparation. A more proactive exchange of information was where the local authority supplied pre-publication drafts of the UDP so that the UDC was more aware of what was to be published. This fostered an attempt to present a common front on such matters. In its turn, the UDC would supply the local authority with pre-public knowledge documents such as advance copies of development frameworks and decisions on larger applications, so that the local authority would be aware of what was going on *'in its backyard'*, and was not just notified through statutory obligation.

The most advanced example of the exchange of information component would be when the two organisations were closely working together on all aspects of development in the area, and thus the exchange of information was on-going and proactive through meetings and letters informing each other of progress on projects

and developments, and stages in the production of the development plan or development frameworks.

The first category is where there was a proactive exchange of information. The case studies in this category exchanged information in a receptive and fluid way. The process was meaningful, plentiful and undertaken in an explanatory way. Examples of this included the STMBC UDP and NCC UDP preparation processes and also the post-Deposit Draft stages of the LBN UDP preparation process. In these case studies the local authority and the UDC exchanged information on a regular basis in a proactive way.

The second category is where there was a formal exchange of information. The case studies that fall into this category exchanged information in a basic and satisfactory way at best. The process of information exchange was not proactive, and was undertaken in a reactive or perfunctory manner. The organisations involved provided what they were asked for and no more.

This was the case for the LBS, LBTH, NTMBC and SCC UDP preparation processes. These UDPs were prepared with a formal preparation process, where the local authority supplied the information required by legislation for the UDC as a statutory consultee, and the UDC replied to this as and when its input was to be considered.

A final category would be where there was an ineffective exchange of information, identified as a particular area of concern. In this scenario information would be

required but not supplied. However none of the seven case studies suffered from such

a poor exchange of information between each other.

7.3.4. Development of Trust

Analysing the development of trust in the relationships between the seven local

authorities studied here and their respective UDCs is difficult. As the conceptual

framework states, "trust is an intangible that is very hard to identify in a professional

relationship" (see *Section 4.2.4. Development of Trust*). The local authority / UDC

relationships lasted different lengths of time and were affected by outside forces to

different extents and at different stages in their life times, and thus trust developed

differently across all the case studies.

It must also be recognised that there was often a marked difference between strategic /

councillor / board member *posturing* and day-to-day officer level working experience.

It is common knowledge that local councillors can be accused of saying one thing in

public, i.e. decrying the actions of the UDC, but perhaps in private agreeing with what

the UDC is doing. In such cases the councillors are posturing: their public

expressions are aimed at pleasing their constituents. It is within this context that a

degree of generalisation will be utilised to examine the strategic experience over the

lifetimes of the UDCs, before a more effective comparison is made of the officer level

working experience with concern to the emerging UDPs.

At the strategic level all the local authorities maintained some degree of objection to

the presence of a UDC in their borough. In the early years of the LDDC this was

reinforced by a *brick-walling* to contact from the LDDC by LBS and a similar, if not

so extreme, negative attitude from LBN and LBTH. The TWDC experience never

suffered from such a manifest lack of trust and co-operation from its local authorities,

however NTMBC were particularly outspoken in their condemnation of the creation

of the TWDC, with the three other local authorities also opposing the concept of an

UDC in their boroughs.

At the strategic level this opposition to an outside agency operating in their boroughs

was maintained by all seven of the local authorities to at least some degree. Then the

local authorities and UDCs began to open channels of communication and work

together on projects; this tended to be described as *pragmatic* move by the local

authority, meaning they were *just in it for the money*, whilst still being ideologically

opposed to the philosophy of the UDCs.

This study however is concentrating on the UDP preparation process and as such is

particularly interested in the officer level relationship in this matter. The above

strategic level experience serves merely to act as a broad context, a backdrop against

which the day-to-day development plan preparation work went on. With regard to the

development of trust at officer level in the context of the UDP preparation process, the

three categories were as follows.

The first category is where there was no real development of trust between the

organisations. In the relationships between LBS and NTMBC and their respective

UDCs it was apparent that there was a professional respect between officers but not a

trusting relationship. In the case of LBS it was cited that difficulties and opposition in the early years (i.e. pre-1988) of the existence of the LDDC tainted any future conciliation that took place, inhibiting any 'real' development of trust. At NTMBC, trust between the local authority and the UDC was seen as superficial, described as apparent but with no real substance. The lack of weight attached to the TWDC representations on the Consultation Draft NTMBC UDP within the later Deposit Draft illustrated this observation.

The second category is where there was a development of trust over time, however it was tempered with occasional breakdowns or problems arising in relation to specific incidents or projects. At SCC, the development of trust was illustrated by the informality with which the UDP preparation process was undertaken in the stages following Deposit Draft publication. However differences of opinion on certain projects did lead to temporary breakdowns in communication, where conflict broke out (see *Section 5.6.1.*). The LBTH experience similarly saw a development of trust over time. However this was often stalled by the long periods where no consultation took place in relation to UDP matters due to various reasons (e.g. waiting for the Inspector's Report, reorganisation and office relocation and change in the control of the Council).

The third category is where the development of trust steadily got stronger over time. In the NCC case study there was a mutual desire to present a common front, and as such the two organisations regularly consulted on any areas of mutual concern. The relationship between NCC and TWDC benefited from this and there was a

development of trust from an early stage of the relationship between the two

organisations. It should be noted that in the later stages of the relationship there were

a couple of strategic concerns; however they did not cause any lasting harm (see

Section 5.3.1.) due to the extent to which trust had been established. At STMBC the

development of trust was similarly fostered by regular consultation on issues of

mutual interest The high degree of informality in the relationship between STMBC

and TWDC was indicative of this development of trust. The development of trust

between LDDC and LBN was exampled by the joint working that occurred on large

parts of the UDP covering derelict sites in the UDA.

The discussion as to why these different relations of trust existed across the case study

areas will be taken further in the concluding section of this chapter.

7.3.5. Mutual Orientation

Mutual orientation has been described as the 'glue that binds together' participants in

a relationship. The amount of *glue* in each of the seven relationships examined here

varied markedly, however it is possible to rank them according to whether there was

little or no mutual orientation, some mutual orientation that expanded over time, and

finally where there was a strong degree of mutual orientation in relation to the content

of the UDP since commencement of its preparation.

The mutual orientation that is under scrutiny here is in the case of the relationship

between the local authority and the UDC with regard to the development plan. In

other words this component is concerned with the degree to which both organisations

agreed upon urban regeneration and development strategy with concern to the UDP. As such this component was important in the quality and durability of the relationship that was built up.

There was little evidence of mutual orientation between NTMBC and TWDC. NTMBC maintained their stance that the large riverside sites should be safeguarded by plan designations for employment uses, whereas TWDC pushed through development consisting of other uses (e.g. residential, retail and recreation). Once the TWDC development was complete NTMBC could do little about it, however in their emerging UDP, NTMBC continued to attempt to designate the remaining riverside sites for employment uses (in line with their ideological opposition to UDC strategy).

The relationship between SCC and TWDC was also illustrated by little mutual orientation, however not to such a small degree as NTMBC and TWDC. The poor consultation and communication quality between SCC and TWDC resulted in little joint working between the two organisations and this stymied any mutual orientation of urban regeneration projects in the UDA in Sunderland (with the exception mentioned in *Section 5.6.4.2. Pooling of Resources*). The Sunderland UDP evolved as a bland document, which promoted most things and restricted little; and in doing this attempted to please everyone and actually helped no-one. The lack of a mutual orientation between TWDC and SCC on the urban regenerative specifics in the SCC UDP lessened the document's relevance. SCC and TWDC shared a common pro-development orientation, but SCC's desire to control all designations in the plan

resulted in overtly flexible designations in the UDA, following UDC response to the

Consultation Draft UDP.

In the three London Boroughs there was some existing mutual orientation as the UDP

preparation processes began, but also some important differences of opinion between

the local authorities and the UDC as to the content and strategy of the emerging UDPs

(noticeably on employment use policies and sites) as the case study chapters detailed.

At LBTH, the local authority were unsure of LDDC strategy, which often appeared to

operate on an ad hoc basis. With the LBTH UDP commencing its preparation at a

time of recession (1989), and large (mainly office) developments having planning

permission across the LBTH part of the LDDC UDA but unlikely to be built due to

the economic situation, this meant that the LBTH UDP did not start out with a

particularly secure foundation. The discussions concerning the emerging LBTH UDP

introduced and clarified the perceived strategies of the two respective organisations.

The consensus and trade-offs that occurred as part of the UDP evolution process

between LBTH and LDDC led to a greater degree of mutual orientation with concern

to urban regenerative strategy in the LBTH part of the UDA. This was an example of

how understanding and trust built up over time through consultation.

LBS and LDDC similarly moved together through UDP discussions. LBS (prior to

UDP preparation) had used restrictive plan policies to squeeze benefit out of

developers, whereas LDDC preferred flexible plan policies to attract a variety of

proposed schemes. LDDC objection to the restrictive policies proposed initially by

the local authority forced LBS to include a greater degree of flexibility in their

policies in the emerging LBS UDP, which had begun to occur anyway in the wake of

the recession and LBS moving towards the view that it was better to have something

than nothing. There was more mutual orientation between LBS and LDDC over the

UDP evolution period, mainly due to LBS moving towards the LDDC standpoint.

It was also UDP discussions that acted as a forum for LBN and LDDC to build a

greater degree of mutual orientation in urban regeneration strategy. The requirement

for a proposals map showing proposed uses, meant that the two organisations had to

finalise these uses and the prospective community benefits for sites across the LBN

part of the UDA in the context of the UDP. This meant that discussion had to be

undertaken between LBN and LDDC to come to an mutually agreed standpoint. The

UDP preparation provided the forum for this and enabled the two organisations to

come to a mutual orientation for plan strategy and implementation in the LBN part of

the LDDC UDA. The LBN case study was a complete contrast to the formalistic

relationships of some of the other case studies. In this example the planning arena

helped build mutual orientation and in turn trust through the development plan

process.

In the three London Boroughs there were some areas of mutual orientation in strategy

before the UDP preparation process commenced. However the UDP preparation

process identified the areas of difference and engendered discussion in order to arrive

at a mutually agreed standpoint, fostering more complete mutual orientation between

the local authorities and the UDC.

The final category is where there was a strong degree of mutual orientation since before UDP preparation began. The situation in Newcastle and South Tyneside were examples of this. TWDC had minor observations to make on the NCC and STMBC UDPs as there was already a large degree of mutual orientation in strategy. NCC and STMBC recognised that the goal of urban regeneration was best reached through co-ordinated working with the UDC and mutual orientation. As a result both local authority and UDC were mutual supportive of the content and strategy of the emerging UDPs.

7.3.6. Commitment Over The Long Haul

A recognition of a commitment over the long haul should be seen as the defining illustration of a relationship being fully developed and durable. It also suggests that both organisations were content with each other's existence and operation, and as such were committed to working with each other. This is important given the timescale of: firstly, a UDC life-span; secondly, a plan preparation period; and thirdly, the life-span of the adopted plan. The commitment over the long haul to the preparation of a *mutually oriented development plan* is particularly concentrated upon in this sub-section.

Such a commitment was not evident in the relationship between TWDC and NTMBC. There was no particular commitment to preparing a UDP at NTMBC and as such there was no commitment over the long haul to working with the TWDC to produce a plan. Similarly at the strategic level NTMBC continually repeated its opposition to

the TWDC. This ideological opposition to TWDC, and the way in which the UDC

undertook its regenerative strategy, further hindered any commitment over the long

haul to working together to produce a statutory adopted UDP.

SCC similarly had no commitment over the long haul to working with the UDC, and

this was reflected by the lack of meaningful consultation in its UDP preparation

process that was undertaken with minimal contact.

The pre-Deposit Draft Modifications stages of the LBTH UDP also suffered from a

lack of priority within the local authority. LBTH Council did not see the production

of a UDP as a priority matter, as the decentralised neighbourhoods system of service

delivery was in place and a unitary plan for the whole borough went against this ethos

to an extent. However following a change in power at the elected member level of the

LBTH Council, and with it a new desire to complete the UDP preparation process,

LBTH exhibited greater commitment over the long haul to complete the plan with the

UDC on board supporting the UDP and its content.

LBS and LDDC worked in parallel, albeit not together, with regard to UDP matters.

LBS's desire to complete a statutory UDP, adopted Borough-wide, ensured that there

was a pressure to iron problems out swiftly. However this did not always mean that

discussions were finalised to the full satisfaction of both sides.

There was eventually a commitment over the long haul between LBN and LDDC.

The two organisations had little liaison until after the publication of the Deposit Draft

UDP. Following this, UDP preparation *took off* (after delays caused beyond the plan process). LBN became committed to producing a plan, and recognised that this was only possible if it was a plan mutually agreeable to both local authority and UDC. This attitude helped foster a more enduring relationship generally.

The attitude adopted by STMBC and NCC with regard to working with the UDC ensured there was always a commitment over the long haul to working together, and this was reflected in UDP matters. There was some strategic posturing and initial areas of concern, but the discursive infrastructure was in place from UDC inception and the commitment to working together ensured that both sides were able to discuss how a mutual view could be reached.

7.3.7. Synopsis

The six relationship components examined above enable one to draw some initial conclusions as regards the relationship between the local authorities and their respective UDCs.

The pragmatic approach adopted by NCC and STMBC towards TWDC from its inception meant that channels were always open in order to discuss matters to a mutually beneficial end. This resulted in a scenario where there was no UDC opposition to either UDP at their respective Public Inquiries. Negotiation had taken place at an early stage in order to present a united front in development and also development plan matters.

Liaison also occurred between LBN and LBTH and the LDDC, particularly in the lead up to their Public Inquiries, in order to minimise the objections made by the UDC to the respective UDPs. This negotiative relationship had its genesis in the stages of the UDP following the Deposit Draft and did evolve over time (as the relationship components sub-sections describe) as in the UDP stages prior to the publication of the Deposit Draft little negotiation was undertaken in either case.

After a period of early hostility, LBS entered into discussion with the LDDC concerning their UDP in an extremely pragmatic way, doing so literally to smooth over and speed up their UDP preparation process. They were prepared to meet LDDC demands in order to have objections withdrawn and the plan adopted as quick as possible.

Meetings and liaison did occur between NTMBC and TWDC concerning drafts of the plan, however this was basic, non-productive and lead to no changes in successive drafts of the plan.

Within Sunderland there was a remote relationship between the UDC and the local authority. SCC's formal method of working was illustrated in UDP matters by consultation being undertaken through letters, with no meetings taking place.

7.4. ANALYSIS CONCLUSIONS

The previous section examined the degree of activity in each of the six relationship components for all the seven case studies. This section examines the degree of similarity between the local authorities in their relationship with the UDCs in regard to their UDP preparation processes.

In order to present a graphical interpretation of each of the relationships, a *subjective* judgement concerning the extent of activity for each of the relationship components can be made. This subjective judgement is based on the material presented in the case study sections and is a result of a strictly *qualitative* process of analysis. These rankings have already been indicated through the discussion in the previous sections of this chapter. It must be emphasised that the numbers are used merely to present an order of magnitude within each component, they are not intended to present any scoring system for aggregation.

Each relationship component is measured in accordance with its rank order as to whether there was more, less or the same amount of activity within it. In this respect they are an ordinal scale of measurement (pp.24-26, Pagano, 1998). Thus, across the seven case studies, for each component, the figures determine whether they one authority had a greater, equal or lesser amount of activity in each component, but they do not purport to represent how much greater or lesser one is of another in the attribute being measured. The subjective nature of this assessment, as based upon the

case study material presented in the previous sections of this chapter, is likewise stressed.

This subjective grading for each component can be plotted on a *spider* chart. If a line is drawn between the individual relationship component gradations, a pattern is formed. This pattern highlights similarities and differences between the individual case studies. The larger the area covered, the greater the degree of activity in each of the relationship components. A smaller area covered will depict a poorer relationship. Also the more rounded the graph, the more rounded the relationship, as values in each of the six relationship categories are similar. A more pointed pattern will reflect attributes or deficiencies in certain relationship components.

The seven case studies fall into one of four categories. These will be examined in turn with reasons supplied for why these are evident.

The first category can be referred to as 'well-rounded', the pattern it generated is full and round. This reflects a great deal of activity in all the relationship components. The relationships in this category are likewise well-rounded, they were rich and operated on a variety of levels. There was a genuine recognition of dependency on each other to complete the emerging UDP, and resources were pooled in order to achieve this. There was an effective exchange of meaningful information, undertaken in a proactive manner. Trust had developed over time and there was mutual orientation to the strategy undertaken with regard to urban regeneration and the plan production process; both sides were committed to working together.

Figure 7.4.1. STMBC Case Study
Graphical Relationship Representation

Recognition of
Dependency

Long Haul   Resource
Commitment   Pooling

Mutual   Information
Orientation   Exchange

Trust
Development
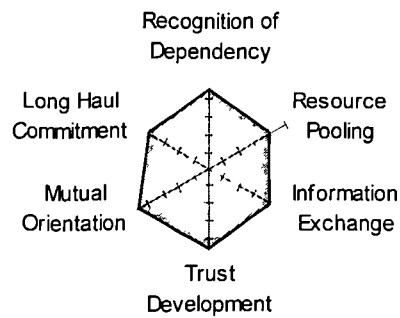
The case studies that fall into this category are STMBC, NCC and LBN. In these

three case studies there was a conscious aim made by the local authority to work with

the UDC in order to, in many instances pragmatically, achieve maximum benefit from

the presence of the UDC in its respective local authority area.

Figure 7.4.2. NCC Case Study
Graphical Relationship Representation

Recognition of
Dependency

Long Haul   Resource
Commitment   Pooling

Mutual   Information
Orientation   Exchange

Trust
Development
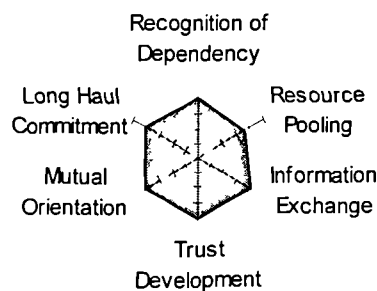
Admittedly all three boroughs were initially against the designation of a UDC in their

area. However, in the NCC and STMBC cases studies, once the UDC was set up

there was a willingness to work with it.

Figure 7.4.3. LBN Case Study
Graphical Relationship Representation

Recognition of
Dependency

Long Haul
Commitment

Resource
Pooling

Mutual
Orientation

Information
Exchange

Trust
Development
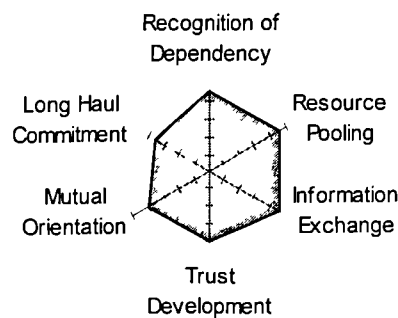
In the case of LBN this pragmatic decision to work with the UDC was made in stages
beginning in the late 1980s with the signing of the Memorandum of Agreement and
then intensifying through the UDP preparation process, particularly after the Deposit
Draft stage.

The second category depicts a competent relationship with particular deficiencies and
includes only one case study, that of LBTH. Here the word competent is used to infer
that the relationship existed but did not operate in a proactive way. The working
relationship was generally efficient, but mainly in the self-interest of the organisations
and not because of any agreed upon mutual orientation.

In the LBTH instance there was a particular deficiency with regard to resource
pooling and synergy. The other relationship components score satisfactorily, however
not to the extent of the previous category. The relationship between LBTH and
LDDC matured particularly after the Deposit Draft stage of the UDP.

Figure 7.4.4. LBTH Case Study
Graphical Relationship Representation
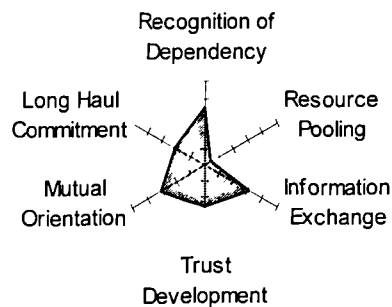
Following discussions on the UDP many situations were clarified to the satisfaction of both parties and greater mutual orientation was evident. As a result of this, there was a greater degree of trust between the two organisations, certainly more than in the early years of the relationship (i.e. pre-1988). In the LBTH case study the particular deficiency with regards to resource pooling and synergy can be explained by the effect on the relationship of the many previous battles fought between the two organisations, which prevented a fully trusting relationship ever maturing.

The third category is one where there was a poor relationship with certain minor attributes. In this category the relationship components generally score low, however some components do have a moderate degree of activity within them.

In the case of both SCC and LBS, the UDP process generally operated with a efficient exchange of information and a fair degree of mutual orientation. In the relationship between SCC and TWDC there was also a degree of trust evident, however apart from these there was little activity in the other relationship components.

Figure 7.4.5. LBS Case Study
Graphical Relationship Representation

Recognition of
Dependency

Long Haul   Resource
Commitment   Pooling

Mutual   Information
Orientation   Exchange

Trust
Development
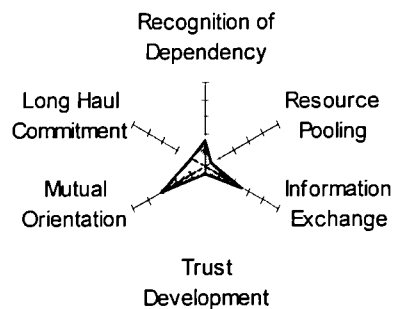
In the case of LBS the relationship did not mature to a full extent for a number of reasons. Perhaps most importantly, disagreements and differences in the past tempered any real advance towards a close working relationship. It was difficult for both sides, particularly the local authority, to discount the battles previously fought between the two parties concerning a variety of matters from ideology to site specifics. The plan-making process in Southwark was undertaken at pace, with a desire to adopt a borough-wide statutory plan as swiftly as possible. As such any consultations were undertaken on a fire-fighting basis. That is to say consultations and negotiations (areas that would have enabled synergy to take place and would have engendered a greater degree of mutual orientation and trust) were undertaken in order to deal with specific objections and not to deal with more abstract areas of the plan such as overall strategy or direction.

Political desire to maintain an ideological opposition to the presence of an UDC in Southwark inhibited any move by the local authority to be committed over the long

haul. In the face of such an attitude any stance LDDC could take with regard to commitment over the long haul was constantly stymied.

Much of the UDA, and indeed most of Southwark Borough, was developed by the time the UDP preparation process commenced. This meant that there were no real large sites, indeed few sites of any size, within the UDA that the LDDC had to be particularly concerned about. This dearth of actual sites meant that there were no 'battlefields' where the UDC and local authority could 'joust' with concern to land use intention. The LDDC were concerned with matters of policy but in the absence of sites requiring regeneration to relate this to, response was not as critical as, for example, in Newham.

Figure 7.4.6. SCC Case Study
Graphical Relationship Representation
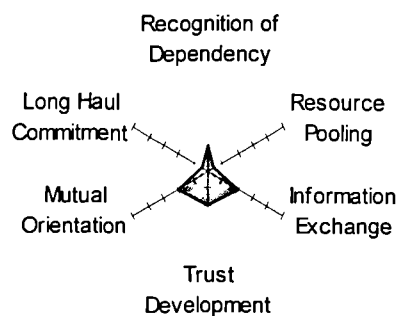
In the case of SCC there was minimal discussion between the two organisations on any matters, including the UDP. The two organisations worked in parallel and, with specific regard to the UDP, consultation took place in the formal way dictated by legislation. This completely inhibited the chance for any synergy to be evident in the evolution of the UDP and was indicative of a lack of any commitment over the long

haul to working together. This suited both the local authority and the UDC in this instance as a plan was prepared that satisfied both sides throughout the adoption process, and as such it was not seen as an area for debate.

However this resulted in a plan that was particularly bland. The plan in itself was pro-development, but in certain areas it is 'pro-any-development'. This was an attempt by SCC to encourage development (particularly job creating development) of any type in the borough. However commercial interests are sometimes concerned about a lack of certainty across an area. The plan does not recognise that sometimes developers are keen to see a rigid framework presented for future development, so that there is some certainty as to what will occur. Thus the lack of certainty concerning land uses across the borough in this case *could* be a hurdle to future redevelopment of significant areas.

The fourth and final category of case study is that where there was an 'insubstantial relationship'. There was little or no degree of activity in any of the relationship components. Only the NTMBC case study falls into this category.

The whole sphere of planning was not seen as an important area of concern for NTMBC Council. In a particularly deprived borough, funding and resources were targeted more directly at alleviating poverty than at planning matters. The production of a development plan, which is still further removed from direct action, was not a priority matter for NTMBC. As such few resources were committed to UDP production and that is why its timetable for adoption slipped and become the longest for any of the seven local authorities studied here. The successive drafts of the UDP

that were published did not appear to take on board the consultations that had been

agreed on previous drafts. This stilted process, added to the lack of concern with

planning, made it difficult for any relationship to mature between NTMBC and

TWDC.

Figure 7.4.7. NTMBC Case Study
Graphical Relationship Representation

Recognition of
Dependency

Long Haul   Resource
Commitment   Pooling

Mutual   Information
Orientation   Exchange

Trust
Development
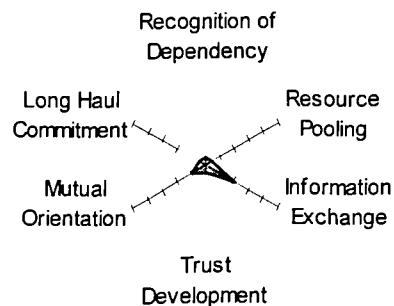
In the background to all this NTMBC were ideologically opposed to the presence of a

UDC in its local authority area for the early years of TWDC existence (1988-1993).

In the later years of the TWDC (post-1993), a more pragmatic approach was adopted

by NTMBC with regard to dealing with the UDC, but production of a development

plan remained a matter of little priority and this affected all areas of the relationship

between the two organisations with regard to this matter.

7.5. SYNTHESIS

The quality of the UDC / local authority relationship with regard to the preparation of the UDP varied from place to place and also over time. All bar one of the relationships matured as the preparation process progressed. However the ways in which the UDPs were prepared with regard to the UDCs' interactions were very much influenced by the history of the relationships between the local authorities and the UDCs and the development issues that arose in the individual cases.

The following chapter (*Chapter 8*) will address the key issues that were summarised at the end of *Chapter 3* and answer the questions that were raised in the light of the examination of the phenomena that were UDCs and development plans. The academic literature that was debated in *Chapter 3* will also be examined with regard to the findings of this thesis.

8.0. CONCLUSIONS AND FINAL CONSIDERATIONS

8.1. CONCLUSIONS

Throughout this study the key concern has been to what extent the UDCs were successful in making representations to the local authorities throughout the plan preparation processes with regard to urban regeneration strategy for their respective UDAs.

The previous chapter identified the extent of activity with regard to certain components in order to highlight the differences between each UDP preparation process. It also identified the varying importance that procedure, attitude and content played in propagating these differences during the plan preparation process.

The development plan process was undertaken to produce a document to regulate development. However the UDCs' urban regeneration remit was to promote development. The processes examined in this piece of work have highlighted policy areas where there has been a tension between regulation of development (the plan) and promotion of development (the aims and strategies of the UDCs as given shape by their representations).

Chapter 3 raised a series of questions concerning the relationship between UDCs and local authorities in relation to the development plan and the goal of urban

regeneration. Following the presentation and analysis of the case study material these questions can now be addressed.

8.1.1. Introductory and General Issues

8.1.1.1. To what extent was there conflict between the regulative role of the emerging development plans and the aims of the pro-development UDCs?

In the first instance the plethora of representations that the two UDCs made upon the seven emerging UDPs at the various stages of their preparation processes would lead one to believe that there was a great deal of conflict between the regulative role of the emerging development plans and the aims of the UDCs. The case study sections detail a variety of observations and objections that the UDCs made on the content and direction of the emerging UDPs, dealing with a range of matters both minor and major.

However, both TWDC and LDDC adopted a policy of comprehensive response to the emerging UDPs and actively pursued discussion on areas of concern in an effort to ensure that the framework that the UDP presented would encompass their own (albeit pro-development) aims. The planning teams at both LDDC and TWDC were successful in persuading *their* organisations to recognise the important regulatory role that the UDP would play, and ensuring that UDC response to it fed correctly into the plan preparation process. The two UDCs were, with a couple of exceptions, successful in getting their observations addressed in successive drafts of the UDP. The attitude that was adopted by the UDCs to the emerging UDPs meant that the final drafts of the case study UDPs satisfied both the local authorities and the UDCs; as

discussion, negotiation and trade-offs had been utilised to come to a mutually

acceptable stand-point on areas of concern.

There was a considerable potential for conflict within the arena of the plan production

process. But as the case studies detail, arguments concerning issues of plan content

did not escalate out of control. Consensus between the UDCs and the local authorities

was reached on the broad strategic outlook of the UDPs by the final stages of their

evolution. Issues concerning who had the upper hand, and how much power the

UDCs wielded are dealt with below (in *Section 8.1.2. Formal Procedure vs. Informal*

Power Issues).

8.1.1.2. To what extent did the UDCs treat their response to the emerging UDPs as if they were potential site developers?

This study has already examined the extent to which the UDCs acted as a filter to

check for mistakes and anomalies in the successive drafts of the plans (see *Section*

7.2.1. Sieving Process for Minor Matters). The matters dealt with in that section

concerned clarification of uses and designations in parts of the UDA, recognised and

represented upon as if the UDC was the actual landowner.

The UDC response made on more major issues in the plans was also undertaken as if

they were potential site developers. Inherent in all the responses to the UDPs was the

search for *a sufficient degree of flexibility*. In most cases (see *Section 7.2.3. Retention*

of Employment Use Policies, Section 7.2.5. Affordable Housing, and *Section 7.2.7.*

Community Benefit) the UDCs were successful in persuading either the local authority

to alter their policies or the Public Inquiry Inspectors to recommend a more flexible

policy approach. It was only on a rare occasion that the UDC was not successful in its

representations (see *Section 7.2.6. Other Housing Issues* and *Section 5.4.3. NTMBC*

UDP Content Evolution).

However it must be emphasised that the UDCs' role in the plan preparation process

was *more* than just as potential site developers. The UDCs were also concerned with

how they were represented in the plan. The UDCs both wanted a positive view of

their work reflected in the plans. The battles concerning this are detailed in the case

study chapters (see *Section 5.5.3.1. (STMBC) Treatment of the UDC; Section 5.6.3.1.*

(SCC) Treatment of the UDA; Section 6.4.3.1. (LBN) Tone of the Plan and Treatment

of the UDA; and Section 6.5.3.1. (LBTH) Treatment of the LDDC and the UDA). The

UDCs wanted to attract development and they believed that this could be done

through a positive image. The creation of this positive image would create a market

for its product. The UDCs did not want an emerging plan to deride their work in any

way which might affect the its image. Thus, in the plan preparation process the UDCs

did act as potential site developers, but also played this other role.

8.1.1.3. To what extent did the existing and continuing relationships between the individual local authorities and the UDCs affect the negotiations on the UDPs?

The discussion in *Section 7.3. Analysis of the Nature of the Relationships* illustrated

that in six of the seven case studies (i.e. all except NTMBC) the local authority and

the UDC moved towards each other as the UDP preparation process continued. The

UDP preparation process was cited as being a component in the development of the

relationship between local authority and UDC. Discussions undertaken concerning

the emerging plan helped to develop trust between the two organisations *(Section 7.3.4. Development of Trust)*.

However it should not be forgotten that, particularly in the London Dockland case studies, any relationship forged over the course of the UDP preparation process was tempered by the experiences and relationships, and also the battles fought and stand-points taken, in years prior to UDP preparation commencement. This was evident in the Southwark case study and also affected the extent to which joint working occurred on the LBTH UDP. In this regard the existing relationship between UDC and local authorities affected the negotiations concerning the emerging UDP with particular regard to the degree of both synergy and the development of trust.

In all the case studies the local authority had to eventually adopt a pragmatic attitude in its dealings with the UDC. NCC and STMBC made a concerted effort from the inception of the TWDC to work with it and gain benefit from its presence, and this was rewarded by much of the early development taking place in these Boroughs (certainly with regard to NCC). LBS wanted its UDP adopted swiftly, so it had a basis to regenerate the other areas in the Borough outside of the UDA, and thus it compromised on issues with the LDDC, whereas before (i.e. prior to 1990) they had not even talked to the UDC. LBTH recognised that the Canary Wharf development had now been built (circa 1991) and organised planning strategy around it as a centre within the borough. LBN realised that the LDDC frameworks for development in the Royals had to become part of the UDP in order to legitimise work by both organisations.

The non-committal response by SCC led to a plan that was neither restrictive nor promotional but bland as a document for the control and promotion of development. And the NTMBC UDP at Deposit stage still contained flaws and anomalies due to the haphazard and interrupted approach to plan-making.

Across the seven case studies it was found that the more effort that was made to involve the UDC in the plan preparation process (i.e. the more open the attitude the local authority took in dealing with the UDC), the swifter the process was completed and the more sympathetic the plan was with regard to development.

8.1.1.4.   To what extent did the attitude of the local authorities to the adoption of their respective UDPs affect the preparation process?

Any answer to this question has to be made in the positive, as the local authority itself was the prime actor in the preparation of an UDP for its borough and thus its attitude to adoption obviously affected any preparation process. The importance given to the production of the UDP *did* affect the way in which it evolved in different local authorities.

LBS were particularly keen to have an adopted borough-wide local plan. The local authority saw it as an important tool in the development and regenerative process for the parts of the Borough outside of the UDA. LBS embraced a policy of *negotiating out* any objections to the emerging plan in an effort to have it adopted as swiftly as possible. This keenness to negotiate and compromise meant the preparation process

took just over four years, a good deal less than the other case studies. It resulted in a plan that satisfied both the local authority and the UDC.

At the other end of the scale were the authorities where production of the plan was not seen as a priority matter. NTMBC allocated meagre resources to plan production and this affected its evolution process. This *care-less* attitude tempered negotiation on the two successive drafts published to such an extent that changes apparently agreed between local authority and UDC were not made in the relevant next draft of the plan (see *Section 7.1.4. Interrupted or Sustained Process*).

At times in the early stages of both the LBN and LBTH experience slippage occurred. LBN had to concentrate resources on bids for government grants and LBTH decentralised method of service delivery meant that a *unitary* plan went against the whole local authority's ethos. As such the stages up to and including the Deposit Drafts had little coherency between and within drafts.

The other three plans progressed at a steady pace, as a result there was a great deal more continuity in both the content and the timescales for the plans of NCC, STMBC and SCC.

The UDCs could only really respond to the local authorities' timescales. The UDCs would have welcomed a flexible plan which could have been used to justify their development control decisions; however they did not want a restrictive plan that would hinder their urban regenerative strategy. The scenario that developed was one

where the UDCs would response swiftly and comprehensively to the successive drafts produced, but were in no hurry to see a final plan adopted until all their representations had been addressed by the emerging plan.

8.1.1.5. To what extent were the emerging UDPs either promotional, restrictive or neutral in tone and content?

This section reflects the debates that were raised in *Chapter 3, Section 3.4.2. How a Development Plan Could Affect Urban Regeneration.* All the UDPs examined as part of this study had policies that were restrictive and had policies that were promotional. However this question is looking at a more prevailing opinion as to the overall tone and content of the plan. This opinion is based upon both the author's experience of development plans, and as a reflection of the UDCs' representations made concerning this aspect of the emerging plans.

TWDC initially thought that the NCC UDP had a restrictive overall tone. There *was* a miasma of development control polices that seemed to force any prospective developer to '*jump through a series of hoops*' before planning permission might be given. Representations made by TWDC following publication of the Deposit Draft ensured that some of these policies were softened in order to appear more as guidance than as a series of hurdles to be overcome.

This was in direct contrast to the SCC and STMBC UDPs. Neither plan received any major objections upon it from the UDC, indeed informed opinion at TWDC was that both plans were bland. That was to say that most forms of development were suitable for most areas across the borough (except for any Green Belt areas designated). The

plans lacked both area specific and use specific strategies. This blandness inhibited any major objection to either plan, but could be detrimental to their effectiveness as land use management tools by creating uncertainty. It remains to be seen what problems this might cause in the future. Despite this concern these plans presented a flexible framework for development, within which a developer could operate quite easily, if perhaps too easily. The regulatory values of the plans have been compromised to an extent, in an effort to attract development at almost any cost.

LDDC made an abundance of objections to all the Dockland Boroughs' plans concerning restrictive tone and policies. The pre-Deposit Drafts of all three plans forwarded many policies which inhibited change of use and restricted certain types of development. The preparation processes of the Dockland Boroughs plans could be described as *wars of attrition* by the LDDC, with the aim of introducing as great a degree of flexibility as it could to the three UDPs. As the case study sections detail, in most instances the UDC was ultimately successful (see *Chapter 6*).

8.1.2. Formal Procedure vs. Informal Power Issues

8.1.2.1.   To what extent did the perceived balance of power between the local authorities and the UDCs affect the UDP preparation process?

The initial component identified by the conceptual framework dealt with the perceived recognition of dependency between the two organisations. However the extent to which each party was dependent on the other obviously varied, and more importantly the *perceived* recognition of dependency varied. Legislation dictated that there should be a recognition of dependency, as the plan making authority had to statutarily consult with the UDC as part of the development plan preparation process, and the local authority would have to address any representations made by the UDC as part of the plan adoption process.

Thus in theory there was a relationship of equals. The UDC could not have its strategic aims incorporated into the plan without making representations to the local authority in a manner that enables incorporation into the evolving document. The local authority could not progress with the plan adoption process without the broad agreement of the UDC as to strategy for the UDA part of the borough. When the two organisations worked together and communication channels were open this scenario worked. Examples of note are the plan preparation processes in Newcastle and South Tyneside, and also the later years of preparation of the Newham UDP. Where the communicative infrastructure did not exist, delays and repeated objections occurred, examples of this being the North Tyneside experience and also the early years of Tower Hamlets and Newham UDPs preparation processes.

In addition to what can be discerned from taking an objective view of the situation in hindsight, as is attempted by this study, were the perceived views of each of the organisations throughout the plan preparation process. The local authorities were responsible for writing the evolving UDP, however there was a widespread feeling that 'when the crunch came', i.e. at Public Inquiry and Inspector's Report stages, the UDC would get their way in the face of what the local authority might have proposed in the emerging plan. In the Tyne / Wear experience (excepting North Tyneside) almost all of the UDC representations on the local authority UDPs were addressed prior to the Public Inquiries. In most cases this reflected a desire to work together, however it should not go unstated that there is a case, which was never clearly articulated, to believe that the local authorities agreed to UDC demands in the belief that they would 'lose any battle eventually'.

This is perhaps more obvious in the London Docklands experience. Particularly in hindsight, the local authority officers clearly stated that it was felt that the UDC representations, coming from a central government quango, into a plan that was to go through a Public Inquiry process chaired by a central government appointed Inspector, had too much influence and backing behind them to be ignored right through the plan adoption process. One outstanding example of this was in the LBN case study, where vast swathes of community benefit policies were recommended for deletion by the Inspector (see *Section 6.4.3.2. Community Benefit*). The feeling there was that the UDCs did not just have extensive development control powers but also a massive influence over the content and strategy of the UDP. This was perhaps justifiable,

when the extent to which LDDC representations were taken on board in all the UDPs

is assessed.

The UDCs did not see the development plan process as an direct adjunct to UDC

strategy. With regards to all the responses to the seven emerging UDPs examined in

this study, the UDCs did not take any stage for granted. The comprehensive and

minuscule level of detail with which each plan was examined and commented upon

was testament to the importance the UDCs attached to the emerging plans. The UDCs

were keen to respond to the successive drafts of the plans in an effort to ensure that

they provided a flexible framework for development in the UDAs. They were all too

aware of the possibility that policies could hinder regeneration, particularly in the

wake of Section 54A. The UDCs knew that they were statutory consultees, but

recognised that the local authority as plan-writers did have final say on what would

appear in successive drafts of the plan. This led to responses that were detailed and

well argued in order to press the UDC case in the best possible way throughout the

adoption process.

Both the local authorities and the UDCs believed the other to have an important hold

over the plan content and direction, which was the case in the legislation, which

ensured that consultation must occur. However the lesser the degree of activity in

relation to communication and joint working through to negotiation and then synergy,

the greater the degree of resentment apparent when the Inspector altered the local

authorities produced development plan in line with UDC representations.

More specifically, in the case of STMBC and NCC, the local authority officers made a concerted effort to work with the UDC from an early stage as they believed that this was the optimum way to ensure that there was a joint input into strategy across the UDA within the UDP. Possible concerns about the 'perceived balance of power' were side-stepped through the adoption of close working practices with concern to the emerging UDP. LBS also worked with the LDDC in order to minimise the delays that might be caused by extended objection and 'polarisation' over areas of concern in the emerging UDP; however this was more with regard to the swift adoption of the plan than any particular concern about the UDC holding power over the local authority.

In the stages up to publication of the Deposit Drafts, LBTH and LBN perceived the UDC to have power over what was occurring within the UDA (which it did due its development control powers), but despite this used the UDP to try and introduce local authority influence across the UDA *without* proper consultation and agreement with LDDC. This resulted in the extended list of objections that the LDDC made to the Deposit Draft UDPs of both LBTH and LBN. The negotiation concerning these objections that followed lead to a greater degree of understanding between the local authorities and the UDC and also more mutual agreement on the orientation of the emerging plans. However these negotiations were undertaken with the local authority perceiving the balance of power to be in favour of the heavily financed UDC. Despite this, the negotiations facilitated a more balanced recognition of dependency (see *Section 7.3.1. Recognition of Dependency*).

SCC proceeded with the production of its UDP unconcerned with the perceived balance of power between itself and the UDC. From an early stage the UDC had no objections to any part of the emerging UDP, and as long as this continued SCC were content. NTMBC also disregarded any balance of power being in UDC hands as it continued to rail against TWDC strategy up until UDC dedesignation.

8.1.2.3. To what extent did the local authorities take on board the UDCs' representations with regard to development plan strategies for the UDAs in the emerging UDPs?

With the exception of NTMBC, who anyway had agreed changes with TWDC but somehow did not include them in the successive draft of its UDP, *all* the local authorities took on board UDC representations to a great extent. The case study sections detail that the UDCs were very successful with their representations made on all the emerging UDPs. At both LBN and LBTH, and also to a lesser degree at LBS there was a discernible *volte-face* with regard to the attitude to development in the final drafts of the UDPs. At NCC, STMBC and also SCC the greater level of agreement from commencement of UDP preparation meant that the degree to which UDC representations were taken on board was not as apparent as in London Docklands.

8.1.2.4.   To what extent did the UDP preparation processes present the local authorities with an opportunity to direct urban regeneration in the UDAs?

The UDP preparation processes *should* have presented the local authorities with a prime opportunity to direct urban regeneration in the UDAs as the provision remained with them in regard to development plan-making and strategy (see *Chapter 1*). However as the case study sections illustrate the UDCs were successful in most regards in having the emerging UDP altered in line with any of the representations they made on it. So, in reality, the UDP preparation processes did not give the local authorities any *actual* opportunity to direct urban regeneration in the UDAs. The reasons for this subservience are dealt with in the next paragraph.

8.1.2.5.   To what extent did the local authorities feel bound to take on board the UDCs' representations made on the emerging UDPs?

The local authorities were acutely aware that the UDCs were directly funded by the DoE, and that the UDPs would have to go to a Public Inquiry chaired by a DoE Inspector. It was perceived by the local authorities that the Inspector would be 'more than generous' in recommending changes in line with the demands of the UDCs. This situation enforced the feelings of retrenchment that the local authorities suffered from with regard to their relationships with the UDCs. The local authorities were also aware that the UDCs' central government remit to regenerate would 'clash' with any overtly restrictive UDP policies dealing with development within the UDAs.

LBS were content to address any objections to its UDP in order to shorten the Public Inquiry (and indeed the whole adoption) process. In the post-Deposit Draft years of

the LBTH and LBN UDPs both local authorities made a concerted effort to address

the UDC's concerns in the successive drafts of the UDPs. A more amenable situation

existed in the Tyne / Wear case studies, as agreement was reached before the Deposit

stages of their plans. However this agreement was always dependent on the *UDC*

being happy with the strategy within the UDP for the UDA and not necessarily what

the local authority would have wanted for the UDA.

8.1.3. Issues Concerning the Nature of Influence

8.1.3.1. To what extent did the local authorities work with the UDCs to develop mutually agreed strategies for the UDAs with regard to the UDPs?

The extent to which local authority and UDC worked together is difficult to quantify

as it is almost impossible to trace the exact areas where synergy and joint-working

occurred without recourse to officer opinion. Thus an answer to this question can

only really be formulated through appraisal of officer feedback with regards to the

UDP preparation process.

As the case study sections illustrate, certain policies in the emerging UDPs were the

product of discussion, negotiation, joint-working and synergy with regard to the

interaction undertaken and the representations made concerning them by both the

local authority and the UDC. However, with the notable exceptions of the post-

Deposit Draft stages of the LBN UDP and the early officer working group meetings at

STMBC, the local authorities did not work *with* the UDCs, but could be said to have

worked *in parallel* (see *Section 7.3.2. Pooling of Resources* and also *Section 7.3.6.*

Commitment Over the Long Haul).

8.1.3.2. To what extent did the UDP preparation processes lead to the UDCs' and local authorities' strategies coalescing?

There was direct evidence that over the time of the UDP discussions (i.e. post-1990) the case study local authorities and UDCs did *coalesce* with regard to urban regenerative strategies (*see Section 7.3.5. Mutual Orientation*). The discussions that had to be undertaken as part of the UDP preparation processes acted as fora for debate not just on specific matters or policies in the UDP but also for matters of more general strategy that had to be agreed as Part I of the plans. The only case study where this was not evident to any visible degree was that of NTMBC.

It was evident that both the perceived power relations between the organisations and the absence of a statutory plan affected this coalescence. The effect of the perceived power relations has been dealt with under *Section 8.1.2 Formal Procedure vs. Informal Power Issues*. The lack of a statutory plan to act as a foundation for debate also affected (positively) the extent to which the local authority was able to move towards more UDC orientated ways of thinking. Across the case studies the local authorities did not feel constrained by any existing planning framework with concern to the direction and strategies within their UDPs. With the influence of the UDCs, which were operating within their boundaries, the local authorities were able to observe what was happening and absorb the methods which were being employed.

8.1.3.3. To what extent did the UDP preparation processes stifle or promote urban regeneration UDC style in the UDAs?

The UDPs studied here were the first of such plans prepared by the local authorities. Similarly, changes to the weight given to the development plan in development control decisions, following the introduction of Section 54A (see *Chapter 1*), meant that both the local authorities and the UDCs were dealing with new phenomena.

The wider remit that the UDPs were to cover did not perceptibly affect either local authority or UDC attitude to it. The plans had to be produced and both sides proceeded with their input to this process without any particular '*navel contemplating*' as to the broader scope of the plans in comparison to prior borough local plans. However the advent of Section 54A certainly alerted both the local authorities and UDCs to the possible primacy of the plan and the potential of proposed polices to affect the development process. It was due to this that the UDCs made a concerted effort to have their strategy included in the plan and to try and ensure that nothing in the emerging document would conflict with their agreed aims and strategies for urban regeneration.

The end date for the cessation of the UDCs in some ways alleviated some of the animosity felt by the local authorities towards the UDC. It was almost as if the local authorities had 'lost all the battles but were to win the war' by regaining their development control powers. Despite this, UDC representations on the plan maintained a high degree of importance throughout the plan preparation process (mainly due to the central government power behind the UDCs). The UDCs'

successes in their representations being addressed is perhaps difficult to understand

with regard to the fact that they were soon to be defunct. However their success could

be described as vindication of the way in which the UDCs had implemented urban

regeneration in the UDAs.

8.1.4. Statutory Procedure Issues

8.1.4.1. To what extent were the UDP preparation processes successful in combining planning objectives (i.e. development plans) and development objectives (i.e. urban regenerative projects)?

From the point of view of the UDCs, who, at the time of dedesignation, were satisfied

with the strategy and content of all the UDPs (except NTMBC), the UDP preparation

processes were successful in combining planning objectives (i.e. the regulatory

framework and development control policies) and development objectives (i.e. the

UDC strategies). Following the representations which the UDCs made as part of the

preparation process, the UDPs were seen as a flexible enough framework within

which to operate (see individual case study sections).

However only time will tell whether the development frameworks that the UDPs have

introduced lead to successful and sustainable development, particularly within the

parts of the UDAs still yet to be developed (see *Section 3.3. Urban Regeneration*).

Thus notwithstanding the experiences and processes that have been examined here,

the questions raised concerning the compatibility of development objectives and

regulatory development plans (as discussed in Healey et al (eds.), 1992) remain to be

answered.

8.1.4.2. Should the UDCs have had development plan-making powers?

The UDCs, particularly LDDC had to invest a great deal of officer working hours in the minute dissection of the local authorities UDPs in order to ensure that the plans did not inhibit their urban regenerative strategies. The UDCs also produced a variety of development briefs and development frameworks for sites and areas within their respective UDAs. These briefs and frameworks were often used as the basis for the response to the UDPs of the local authorities. They were non-statutory planning documents. It is with these facts in mind that this hypothetical question can be addressed.

The legislation that set up UDCs was clear in leaving the development plan-making function with the local authorities, arguably as a '*sop*' to the fact that other powers were being taken away. This resulted in the situation that was the basis for this study. However this hypothetical question remains. In the LBS, NTMBC, and also to an extent the LBTH and SCC case studies, the UDCs were alienated by the local authorities, particularly in the early years of their inception. It can be argued that the opposition was so strong that the addition of plan-making powers to those of development control could not have increased the (in some cases) hysterical opposition to the UDCs.

If one takes the hypothetical position that the UDCs did have statutory plan-making powers then one can conjecture what might have occurred. Any statutory plan that the UDC would have produced could well have been flexible in the extreme, in order to

be as reactive as possible to changes in the development market (although UDCs sometimes *did* want a (more) rigid framework (see TWDC response to SCC and STMBC UDPs)). The local authorities would have had the last important piece of weaponry in its control with which to argue against certain non-conforming development proposed by the UDC taken away. Development as proposed by the UDC might well have occurred at a quicker pace as local authority objections would have had no development plan basis, and directions from the DoE would not have been required when development not in accordance with the plan was proposed.

However a great deal of local elective accountability would have been taken away. Any UDC-produced development plan would have sat awkwardly in the hierarchy of planning, and even more so before single-tier unitary plans were introduced. The UDCs were meant to be pro-active in getting development on the ground quickly. A UDC with plan-making powers might be seen to be 'navel gazing' in its early years while surveys and consultations were undertaken with a view to producing a comprehensive plan across the UDA (especially remembering how long the UDP adoption processes examined here took). It is with these regards that it is considered that UDCs should not have had development plan-making powers (notwithstanding the answer to the next question).

8.1.4.3. Should the UDPs have been suspended across the UDAs?

Within the UDC and development plan legislation there existed a clause which allowed for the UDP to be suspended in the UDA (see *Chapter 1*). This clause could have acted as a safety valve, which the UDC could ask the DoE to apply in cases where the local authority development plan varied to an unrequitable (i.e. unresolveable) extent from the UDC's strategy for the UDA. When both the local authorities and the UDCs were questioned concerning the likelihood of such a situation ever developing they were adamant that it was extremely unlikely.

However given what occurred perhaps such an option should have been seriously considered. By virtue of the necessity of an UDC being set up in the boroughs, the local authorities had certain areas within them that required special attention. Across the seven case study boroughs the waterside sites differed from the rest of the boroughs in that (at least in the eyes of the DoE) they required specific intensive urban regenerative action, more so than other parts of the boroughs. With the advent of the Unitary Development Plan, expected to be borough-wide, an anomaly existed. These UDA parts of the borough required special attention, and as such special planning policies, and yet the unitary plan was to apply across the whole borough.

The most marked example of this was in Newham, where the northern part of the borough was developed, and yet the large dockside sites to the south required particular urban regenerative attention. The local authority planners attempted to approach planning borough-wide for this phenomenon by adopting a 'two-in-one

strategy' in their UDP (for detail see *Section 6.4.3. (LBN) UDP Content Evolution*).

However the Inspector did not fully agree with this concept and the special strategy

for the UDA part of the borough was recommended for deletion in order to give the

plan that borough-wide aspect. The UDA did maintain a special status, as it was

designated as a series of MOZs (Major Opportunity Zones) with specialist policies

and land-use designations which dovetailed with the LDDC produced-development

frameworks and development briefs.

In the other London case studies the LDDC sought to gain this special status for the

UDA through the inclusion of a specific urban regeneration policy applying to the

UDA, which would ensure a flexibility in the UDA despite the presence of more rigid

policies in the plan for the boroughs as a whole. The LDDC saw this as an essential

part of their input to the emerging development plan - as it ensured the UDC would

have the required flexibility to continue its urban regenerative work.

Despite this desire to include a regeneration policy by the LDDC, and the TWDC's

contentment that its respective UDPs would not affect their UDC regeneration

strategy, it might have been advantageous if the UDPs had been suspended across the

UDAs. Whilst the large scale development went on, market-led to an extent but

guided by UDC-produced development frameworks, the borough-wide UDPs would

not apply. Upon completion of major components of regeneration, or perhaps the

dissolution of the UDCs, then parts of the UDA could have been introduced back into

plan coverage, and the UDP policies covering more general development control

aspects could apply. A system almost like a large scale SPZ, where certain agreed

development is allowed, within recognised guidelines. Some might argue that this is almost what actually happened in the UDAs, given the UDCs' pro-development ethos.

Another possibility would have been to include the UDA in Part I of the UDP, but suspend it from Part II of the plan. That way the local authority and UDC could agree on general strategy across the borough, and, as part of it, the UDA. However the specific policies in Part II of the UDP would not apply. In this scenario the UDC would not be utilising manpower and resources in objecting to the series of (mainly restrictive) development control policies that might have affected its urban regenerative remit. The constant search for flexibility by the UDCs in many cases weakened robust policies that might have been beneficial in other areas of the boroughs. The application of only Part I, with the suspension of Part II of the plan, could have limited the amount of work the UDC had to do in considering the potential for every single UDP policy to hinder its work.

Either situation would have enabled the UDC to take a more protective and regulatory view in their responses to the successive drafts of the UDP and not insist on the flexibility which in many cases has weakened strongly worded policies.

8.1.5. Institutional Timescale Issues

8.1.5.1. To what extent had battles been won or lost before the UDPs were statutarily adopted?

In all seven of the case studies the lion's share of the development undertaken by the UDC in the respective UDAs was undertaken before the UDP was statutarily adopted. In fact it would be fair to say that in Southwark the UDA was developed before the UDP was commenced. In Tower Hamlets large parts of the Canary Wharf development were built - or had permission, and a similar picture existed across the rest of the UDA in that Borough. In the Newham UDA residential development covered the whole of the northern part, leaving the large dockside sites in the south still derelict - however with granted planning permissions for the majority of them. In the Tyne / Wear authorities the flagship developments were concentrated upon by the TWDC in its early years meaning that large developments such as Royal Quays (North Tyneside), Newcastle Business Park (Newcastle), Viking Industrial Park (South Tyneside), St Peter's Riverside and Sunderland Enterprise Park (both Sunderland) were complete or being finished as UDP preparation commenced.

In the process of all this development being undertaken, permissions had been granted. with or without the local authority's support. In some of the cases (Canary Wharf and Newcastle Business Park among others) the land was Enterprise Zone and this further removed any influence the local authority could have on development. LBTH had approved a Borough Plan as late as 1986 - and yet despite large

designations restricting tall buildings across the UDA, tall office development
boomed up to and beyond the end of the 1980s.

As the case studies detail, many of the important 'battles' had long been won or lost
before the adoption of the UDPs; indeed some of the most major ones had finished
before the commencement of some of the UDPs. The initial developments on the
derelict land approved by the UDCs initiated a pattern for development across the
UDAs. Once commenced this pattern was all but impossible to stop. The UDCs
approved residential and commercial permissions on riverside sites that had
previously been occupied by industrial uses. This meant that development plan
policies protecting industrial uses along the riversides would not be strong enough if
change of use applications on such sites went to appeal. There was an onus on
development of derelict sites. Once permission had been given for a new use on a
particular site, when other applications were made for new uses on similar sites they
had a strong case for approval. The UDC as development control authority, and the
appeal inspector, or Department of Environment in the case of a departure from a
statutory plan policy, would be minded to find in favour of the development; even if
the proposed development was not in accordance with either the out-of-date adopted
plan, or the emerging UDP. Thus the pattern of development was set in motion.

The new development plans, the UDPs, were commenced in the wake of this
experience. In most cases, this greatly affected their tone, content and land-use
designations. Some local authorities did maintain a traditional view in early drafts of
their UDP (i.e. Consultation and Deposit), by trying to restrict change of use on such

sites and prohibit the loss of land with employment-generating potential; however this stance rarely lasted beyond the consultation stage following the Deposit Draft due to pressure from all sides (central government and the DoE, the respective UDCs, developers etc.).

8.1.5.2. To what extent did the dedesignation discussions affect the UDP preparation processes?

UDCs were introduced to perform a specialist individual task with a finite life span, meaning that once their task was fulfilled they would wind up. In both the London and the Tyne / Wear experiences, dedesignation discussions started around the same time as UDP preparation commenced (1991/2 and 1992/3 respectively). The UDP preparation processes progressed alongside, but removed from, the dedesignation discussions.

It was inferred in the interviews with all the organisations involved that the discussions concerning dedesignation and completion / exit strategies had a higher profile than those concerning the emerging UDP. Perhaps the return of the powers and the winding up of the UDCs were seen as some sort of *'coming of age ceremony'* organised by the UDC for the local authority - as if to say *'we took some derelict old thing, showed you how to regenerate it, have it back and use our methods in the future'.*

Both the UDCs wanted to leave a legacy, not just in developments on the ground throughout their lifespan, but also through future permissions and input into the development plans of the local authorities. It can be conjectured as to why this was

the case. It could be taken to be self-important in the extreme, or perhaps over protective of their urban regenerative work, which was still relatively in its formative years. However it was more likely a result of the *achievement culture* that the UDCs tried to foster within their organisations and amongst their personnel. UDC employees were supposed to be 'made of the right stuff', to be 'go-getters and achievers'. There was meant to be a sense that the UDCs were creating something special and it was because of this that the UDCs wanted to protect their work after their end-dates.

Once it was made official that all the UDCs would be wound up in March 1998, the local authorities had a definite date beyond which they would not have to consult the UDC. However it was not the cessation of interference with regard to plan-making that was the important issue, it was the regaining of the development control powers. In some respects the local authorities had lost many battles - over applications and parts of the development plan - but had eventually won the war to regain their development control powers. It was in this light, knowing that the UDCs had a definite cessation date, that the later stages of consultation over development plan matters took place. *This was part of the reason behind a more conciliatory approach* by the local authorities in the later stages of the plan preparation processes. Eventually the power was to *'drain out'* of the UDCs.

8.1.5.3. To what extent did timescales of the UDP preparation processes affect the representations made by the UDCs?

At the beginning of the study for this piece of work it was anticipated that the UDPs would all be adopted long before the final thesis was written up. This would enable the author to examine planning decisions made against the criteria within a statutory adopted UDP. However this proved to be impossible. At January 1998 only two plans were adopted; LBS in July 1995 (and then the UDA in Southwark was half dedesignated in March of that year, the rest following within 18 months) and LBN in June 1997 (with cessation of the LDDC occurring 10 months later and no published copies of the plan available until after that.). From commencement to adoption was taking in excess of 5, 6, and 7 years.

The system worked - but worked very slowly. Almost a year can be added to all the preparation processes just waiting for the Inspector's Report. In many ways this suited both the local authorities and the UDCs. The UDCs have not had a statutory plan to restrict development in the UDAs, and the local authorities can use the as yet un-adopted UDP as an excuse as to why the UDC is getting away with its perceived sins.

8.1.6. Synthesis

It has been recognised that there was a dearth of literature concerned with the exact substance of this piece of research. However it is possible to link the study presented here to more general debates concerning the literature review that made up *Chapter 3*.

It is useful to synthesise the answers presented above with the debates that were evident in the source literature under five topic headings.

8.1.6.1. Lack of Accountability and the Abandonment of Strategic Planning

Brownhill (1990) called the development of London Docklands '*Another Great Planning Disaster*' in the title of her book. She attacked the LDDC's lack of accountability in the way it implemented its regeneration, and in the way it abandoned strategic planning (p.177, ibid.). Other authors have agreed with her to a great or lesser extent (Ambrose, 1986; Lawless, 1989; Imrie and Thomas, 1993a and (eds.) 1993b; Montgomery and Thornley (eds.) 1990).

However this thesis has shown (following 1992 at least) that LDDC took the emerging development plans of the boroughs very seriously. LDDC (and also TWDC) were keen to be involved in the development plan-making processes which affected the UDAs. The UDCs recognised the dependency that their development control decisions would have on the emerging development plans. In the light of this they wanted to see a precise document, which was comprehensive and yet flexible enough to implement urban regenerative projects. The UDCs were involved in a consultative process that they recognised was important and that involved themselves (*and* others). The UDCs were primarily concerned with their UDAs, but it could be argued that they also supported strategic planning. They wished to see the development undertaken in the UDAs have a regional impact and be recognised as having *strategic* importance.

The idea of the development plan as a framework for the land market and through that

the economy (see Adams (1994) in *Section 3.1.2.2. Academic Thought Concerning*

the Development Plan in the 1990s) is reflected in the case studies presented here.

Both TWDC and LDDC placed importance on the emerging development plans being

in accord with their urban regenerative strategies. The extent to which they responded

to the drafts of the emerging UDPs and continued to reiterate their cases illustrated

their recognition of the development plan as a context for their development control

decisions.

8.1.6.2. Complaints About the Property-led Focus

It must be reiterated that the UDCs were not operating in a perfect world. It has been

recognised that successful urban regeneration should produce social and economic

benefit as well as physical improvement (see *Section 3.3.4. 'UDCs were not ALL*

Wrong' - Towards Better Urban Regeneration). However UDCs had to operate

within the scope of a development plan where policies for non land-use matters were

not included (see *Section 3.4.1. Urban Regeneration within the Regulations of the*

Development Plan). Academic commentary has discussed the possibility of

broadening the scope of the development plan (Healey, 1993; Bruton and Nicholson

1987; Healey et al 1988; Adams 1994; Tewdwr Jones, 1996); however central

government has not adopted their ideas. With development planning so constrained,

UDCs' input to the development plan was similarly land-use development orientated

(see *Chapters 5* and *6*). From the point of view of this thesis, the criticisms of the

UDCs' concentration on land-use and physical redevelopment are not so relevant

when considered in the light of the debates previously examined concerning both

UDCs *and* UDPs being constrained by a land-use focus.

8.1.6.3. Timescales for Planning Policy

It has been stated that planning policy is a long process, a product of bargaining

negotiation and political compromise (see Tewdwr-Jones (ed.) (1996) in *Section*

3.1.2.2. Academic Thought Concerning the Development Plan in the 1990s). The

development plans that were examined here illustrated that. The extended timescales

that all of the plans took supports the assertion that plan-making is a lengthy task. It

also infers that perhaps the process could be speeded up, an issue that is dealt with in

the next section. There can also be difficulties in combining timescales, particularly

the rigid UDP preparation timescales which can slip with the flexible processes

required for regeneration.

8.1.6.4. The Variety of Roles of the Development Plan

In *Chapter 3* it was recognised that the development plan had a variety of roles.

Through the discussion of the ideas of Healey (1983), Bruton and Nicholson (1987)

and Healey et al. (1988) it was asserted that the development plan operated in a real-

life context of not only land and property markets but also other policy documents and

as a factor affecting urban regenerative projects (see *Section 3.1.2.3. The Variety of*

Roles of the Development Plan). The case studies showed that the development plan

did have a number of roles. These included statements of intent, lists of policies and

also information provision. Within these roles there was the potential for

contradiction to occur. The case studies showed that the UDCs acted as filters to test

the polices as a potential developer. But the UDCs were also concerned as to how

they were *presented* when the UDPs were operating their information provision role.

The development plans studied here balanced competing and perhaps that was a good

thing. Healey (1993) has argued that development plans should acknowledge

diversities and dilemmas and be a record of arguments to return to in later discussions.

However it was possible that if the plans studied here had been allowed to evolve in

this way, UDC and local authority viewpoints would have stayed (or even moved

further) apart. The fact that the local authorities and the UDCs had to come to an

agreed opinion fostered mutual orientation across both their strategic outlooks.

It has been recognised that the battles over development plans were becoming

increasingly important (see Ward (1997), in *Section 3.1.2.3. The Variety of Roles of*

the Development Plan). This was certainly true with regard to the approach the UDCs

adopted with regard to the emerging development plans covering their UDAs.

However the UDCs had a longer life than most urban regenerative projects that are

currently the vogue in urban policy today. It remains to be seen in the future whether

shorter life urban regenerative projects will have to have such a major input into the

development plan-making processes that concern them.

8.1.6.5. Addressing Criticisms

Criticisms concerning urban regeneration (see Oatley (1995), in *Section 3.3.4. 'UDCs were not ALL Wrong' - Towards Better Urban Regeneration'*) did apply to the case studies presented here. There *were* problems of definition in practice. There was criticism of what actually should have been the end product of the UDCs' urban regenerative projects. There *were* problems of fragmentation of policy. Often the UDC / local authority relationship (certainly in London, and to a lesser extent in Tyne / Wear) had to go through periods without co-operation before discussion lead to greater mutual orientation. There were also problems concerning strategy across the UDA. There *were* problems concerning long term views. All the local authorities were guilty of wanting to be rid of the UDCs, yet also wanting to see 'quick fixes'. There *were* problems of over reliance on property-led strategies. These were almost inevitable considering the land quality that made up the majority of the UDAs and the land-use nature of their remit and development planning at present. There *were* problems concerning bureaucracy and timescales. The extended periods that plans were taking from commencement to adoption, and the lists of objections that the UDCs made on successive drafts of the plans were evidence of this.

However the UDC / local authority relationships examined here did take steps to address these criticisms over their lifespans. The UDP discussions were critical in this. The negotiations between the organisations helped to clarify what the end products of urban regenerative work were to be. Greater mutual orientation occurred within the relationships as they matured. The local authorities, albeit in some cases

pragmatically, acknowledged the money that was spent, and the work that was done,

by the UDCs over their extended lifespans. The UDCs, in their turn, attempted to

place more emphasis on social and community issues in the later years of their

existence. The bureaucracy problems concerning the development plan were solved

partly through the greater mutual orientation in the later years of the plan production

process but also through the fact that the more that had been agreed the greater the

common ground with which to discuss any new issues.

8.2. FINAL CONSIDERATIONS

The UDC experiment has come to the end; the cessation of UDC activity and existence occurred at the end of March 1998. It is perhaps unlikely that organisations like the UDCs will ever exist again to attempt to achieve urban regeneration. However the lessons that have been learnt from this experience will have application in future situations. As such this thesis concludes with some final considerations.

The goal of urban regeneration continues to be a target for a series of urban regenerative initiatives. Individual urban regenerative projects are currently funded by bids made to the SRB (Single Regeneration Budget) and by the work of English Partnerships (which in its time has been described as a 'roving UDC'). As such specialist urban regenerative initiatives continue to be an integral part of the development landscape. These urban regenerative initiatives come into varying degrees of contact with development plans dependent on their size, longevity and remit. However there are lessons to be learnt from the experience of the UDCs with regard to representations made on the emerging development plans studies here.

It is proposed that English Partnerships be broken up and its urban regenerative work be divided between new regional development agencies. Should this new level of administration be charged with the direction of urban regenerative projects, it will come into contact with the development plan preparation process. It is possible that in many ways the regional development agencies will have to respond to drafts of

emerging development plans in a similar way to, and with a similar agenda to, the UDCs.

8.2.1. Negotiative Meetings

As part of the creation process of an UDC, a *formal* communicative infrastructure should have also been outlined. Initially it was expected that representatives from each of the local authorities' elected councillors would sit on the boards of the UDCs. However, as part of political statements made because the seats offered would be a minority, this offer was rarely taken up by the local authorities, especially in the early years of the UDCs. This resulted in a dearth of communication between local authority and UDC in some of the case studies.

What was required were a series of meetings between the local authorities and the UDCs at different levels of the organisational framework. These could act as open fora for the whole range of issues that concerned the organisations. The meetings would start at board and elected councillor level through to department / manager level and finally officer level. At the top level, general strategy would be discussed and major issues of importance dealt with. At departmental level specific implementation techniques would be discussed and reported back to both above and below. At officer level the individual specifics of the urban regenerative process would be dealt with, such as planning applications and actual polices in the UDP.

It was only in the later years of the life spans of the UDCs that such an infrastructure became evident in the case studies. The LBN UDP case study provides a good

example of what can occur both with and without this infrastructure. Before the Deposit Draft stage it did not exist but evolved afterwards and helped to propagate the joint working practices which led to a mutual orientation with regards to a variety of strategies, not least the UDP.

As part of this process of setting in place a formal communicative infrastructure, the perceived power relations would be clarified for both the local authorities and the UDCs. Better, more efficient working relationships would have been established.

8.2.2. The Plan Process Needs to be Speeded Up

The timescales for all the plans studied here were extended far beyond that which was initially perceived. Considering that as the UDPs reach their final stages before adoption, review and alterations are already being discussed it is relatively certain that if in the future the seven case study UDPs are tested against Kitchen's Law then most would fail it (Kitchen, 1997). Kitchen Law states that the usefulness of a plan can be gauged using the following formula:

time over which a plan is useful / time taken to prepare the plan   > 1

If the equation is valid then the plan was a worthwhile effort, if it is not that the plan might be damaging. There has been a conscious effort since the inception of the UDPs to try and speed up the plan adoption process, however the benefits of this will only be reaped in future experiences. One of the proposals would be to delete the first stage of plan production and consultation, that is to say do away with the Consultation

Draft stage. In the future, considering that local authorities will soon have an adopted UDP base from which to work then this could be a beneficial suggestion.

8.2.3. Special status for the UDA

UDAs, by virtue of their existence, were *special* places which required *special* attention. As such it can be argued that they were not suited to inclusion in an *unitary* plan which covers a whole borough with a diverse composition. Serious consideration should have been taken by both the local authorities and the UDC to suspending the UDA from the emerging UDP. This would have resulted in a reduction in the objections for all the plans studied here, as well as a massive saving in manpower and man-hours for both the UDC and local authorities in dealing with the representations that the plan production process generated.

The UDA *would* have been detailed on the Proposals Map, however readers would be directed to a series of non-statutory development frameworks and planning briefs produced for specific parts of the UDA, which would contain the planning guidelines for the area. In the special area of the UDA, the development frameworks and planning briefs would have been more swiftly responsive to changes in the outside world then the cumbersome and lengthy UDP process. This would have provided greater flexibility with regards to both the *content* and the *speed of alteration to content* which the special areas that were the UDAs required.

The general strategy, and then later the specific detail, of these development frameworks would have been agreed across the series of tiered meetings that were

recommended in *Section 8.2.1. Negotiative Meetings.* Large areas still require urban regenerative attention today, after the age of the UDCs. Notwithstanding the fact that, initially, the UDP should recognise such areas and designate them, the idea of special status areas, suspended from UDPs in order to receive specific urban regenerative attention, should be considered for future use.

A further slant on this argument is to suggest that instead of suspending the whole UDP across a certain area, instead designate it under Part I of the plan, but suspend it from Part II of the plan. In this situation the general strategy of the plan would be in force across the whole borough, yet the specific development control policies would not apply in the special area. This is similar in idea to the relaxed planning controls of a SPZ or an EZ. However the development frameworks and briefs for these special areas could be updated and altered in a more reactive way when necessary.

8.2.4. The Primacy of the Plan

Once the UDPs have been adopted across all the metropolitan boroughs then a statutarily approved planning framework will exist upon which modifications can be made. The UDP is there to provide a strategic framework, a vision. It is important that this basis is taken as the first point of call in the development process. In order to protect this primacy, battles concerning changes of designation for land parcels should be fought through the plan modification process and *not* the appeals process. This will in turn help to legitimise the plan-making process itself. Both central and local government, with responsibility taken by the private sector in the face of economic

considerations, must attempt to utilise the existing land-use designations and polices.

This is the most effective mechanism for sustainable development.

It is thus within the plan preparation process that areas requiring specific urban

regenerative attention be recognised. Should they be large enough to require

suspension from the UDP (as suggested in *Section 8.2.3. Special Status for the UDA*)

then it is within the *UDP preparation process* that this should initially be debated.

8.3. SYNOPSIS

The most important conclusion that this thesis draws is that a rounded relationship is the most useful to achieve one's development aims. However the ways in which the UDCs were set up impeded this. It appeared to the local authorities that the UDCs were being forced upon them, taking away their powers. This was certainly the case for the LDDC in the 1980s. However by the time the second wave of UDCs were designated (i.e. TWDC in 1988) lessons had already been learnt. It was evident in the different relationships examined that initially the TWDC had more communicative infrastructure and common ground with its local authorities than the LDDC. TWDC had learnt the lesson from what had occurred between the LDDC and its local authorities. In its turn, the LDDC and the Dockland Boroughs made large strides towards greater mutual orientation during the 1990s. As illustrated by this thesis, the UDP preparation processes nurtured this mutual orientation between the component local authorities of both the LDDC and the TWDC.

The development plan is regulative. It regulates development and thus regulates urban regeneration. Some tensions existed between the UDCs and the emerging UDPs as the case study sections have detailed. In the late 1990s there is less tension between *regulation* and *regeneration*. However tension could easily break out again, over issues such as the speeding up of planning, and regulation being a 'drag' on regeneration. To avoid tension breaking out again the new regional development

agencies will have to act carefully within the regulative framework of the

development plan in implementing their urban regenerative projects.

APPENDIX 1: QUESTIONNAIRE

The following questionnaire was used as a starting point for discussion in the officer interviews that were undertaken as part of the field work for this thesis. It was used for both local authority and UDC officers.

General Information:
Interviewees name:
Interviewees current position in the organisation:
Have you had any important positional changes since you joined the organisation:
Interviewees length of service with the organisation:

General Opinion on the UDC:
What would you say were the main aims of the UDC:
What are the subsidiary aims, if any:
By what means is the UDC trying to achieve these aims:
Have these aims changed since the inception of the UDC:
If yes, then how have they changed:
How much has been achieved at present, considering the aims of the UDC:

How would you describe the UDC's decision making process:
What principles are used in this process:
How do they interlink:

Opinion on the Local Authority / UDC Relationship:
How would you describe the relationship between the UDC and each of the local authorities:
To what extent is there a recognition of dependency between them:
(Concerning pooling of resources) I believe that the local authority can supply three types of input into an UDC, which occur in your opinion:
a) Resources (e.g. personnel, development of land and buildings, finance or facilities)
b) Regulations (e.g. the development plan)
c) Information and ideas (exchange of information)
Has there been a development of trust between the organisations:
To what extent do the UDC and the local authorities have a mutual orientation in their strategies:
Has there been a commitment over the long haul to working with each other:

What are the links (e.g. meetings, levels of consultation) between the local authorities and the UDC:
How have these links changed since the inception of the UDC:

Ideological Issues:
Has there been conflict between the regulative role of the emerging development plan and the aims of the pro-development UDC:
To what extent has the UDC treated its response to the emerging UDP as if it was a potential site developer:

To what extent have the existing and continuing relationships between the individual local authorities and the UDC affected the negotiations on the UDPs:

To what extent has the attitude of the local authorities to the adoption of their respective UDPs affected the preparation process:

To what extent were the emerging UDPs either promotional, restrictive or neutral in tone and content:

Formal Procedure vs. Informal Power Issues:
To what extent has the perceived balance of power between the local authorities and the UDC affected the UDP preparation process:

To what extent have the local authorities taken on board the UDC's representations with regard to development plan strategies for the UDA in the emerging UDPs:

To what extent has the UDP preparation process presented the local authorities with an opportunity to direct urban regeneration in the UDA:

To what extent have the local authorities felt bound to take on board the UDC's representations made on the emerging UDPs:

Issues Concerning the Nature of Influence:
To what extent have the local authorities worked with the UDC to develop mutually agreed strategies for the UDA with regard to the UDPs:

To what extent has the UDP preparation process lead to the UDC's and local authorities' strategies coalescing:

To what extent has the UDP preparation processes stifled or promoted urban regeneration UDC style in the UDA:

Statutory Procedure Issues:
To what extent has the UDP preparation process been successful in combining planning objectives (i.e. development plans) and development objectives (i.e. urban regenerative projects):

Should the UDCs have had development plan-making powers:

Should the UDPs have been suspended across the UDAs:

Institutional Timescale Issues:
To what extent have battles been won or lost before the UDPs will be statutarily adopted:

To what extent have the dedesignation discussions affected the UDP preparation processes:

To what extent have timescales for the UDP preparation processes affected the representations made by the UDCs:

Conclusionary Questions:
In what ways does the development plan help the operation / process of the UDC:

In what ways does the development plan hinder the operation / process of the UDC:

What do you think is the role that the development plan should play in the urban regeneration process:

How is that role different from the status quo:

Thank You.

APPENDIX 2: LIST OF SOURCES

The sources for the quotes in the case study sections are listed below. For reasons of confidentiality only the position of the person interviewed is given. A letter reference is used where two or more people shared a job title.

TYNE AND WEAR CASE STUDY CHAPTER

Newcastle Section Local Authority Quotes:
(NCC source NC01)	- NCC Development Policy Officer A
(NCC source NC02)	- NCC Development Policy Officer B
(NCC source NC03)	- NCC Development Policy Officer B
(NCC source NC04)	- NCC Development Policy Officer A

Newcastle Section Urban Development Corporation Quotes:
(TWDC source TW(NC)01)	- TWDC Principal Planning Executive
(TWDC source TW(NC)02)	- TWDC Principal Planning Executive
(TWDC source TW(NC)03)	- TWDC Principal Planning Executive
(TWDC source TW(NC)04)	- TWDC Principal Planning Executive
(TWDC source TW(NC)05)	- TWDC Principal Planning Executive
(TWDC source TW(NC)06)	- TWDC Principal Planning Executive
(TWDC source TW(NC)07)	- TWDC Principal Planning Executive
(TWDC source TW(NC)08)	- TWDC Principal Planning Executive
(TWDC source TW(NC)09)	- TWDC Principal Planning Executive
(TWDC source TW(NC)10)	- TWDC Principal Planning Executive

North Tyneside Section Local Authority Quotes:
(NTMBC source NT01)	- NTMBC Senior Planning Officer
(NTMBC source NT02)	- NTMBC Senior Planning Officer
(NTMBC source NT03)	- NTMBC Senior Planning Officer
(NTMBC source NT04)	- NTMBC Senior Planning Officer

North Tyneside Section Urban Development Corporation Quotes:
(TWDC source TW(NT)01)	- TWDC Principal Planning Executive
(TWDC source TW(NT)02)	- TWDC Principal Planning Executive
(TWDC source TW(NT)03)	- TWDC Principal Planning Executive
(TWDC source TW(NT)04)	- TWDC Principal Planning Executive

South Tyneside Section Local Authority Quotes:
(STMBC source ST01)	- STMBC Policy and Regeneration Manager
(STMBC source ST02)	- STMBC Policy and Regeneration Manager
(STMBC source ST03)	- STMBC Policy and Regeneration Manager
(STMBC source ST04)	- STMBC Policy and Regeneration Manager
(STMBC source ST05)	- STMBC Policy and Regeneration Manager

South Tyneside Section Urban Development Corporation Quotes:
(TWDC source TW(ST)01)	- TWDC Board Member
(TWDC source TW(ST)02)	- TWDC Board Member

(TWDC source TW(ST)03)   - TWDC Planning Officer
(TWDC source TW(ST)04)   - TWDC Planning Officer
(TWDC source TW(ST)05)   - TWDC Planning Officer
(TWDC source TW(ST)06)   - TWDC Planning Officer
(TWDC source TW(ST)07)   - TWDC Planning Officer

Sunderland Section Local Authority Quotes:
(SCC source SC01)   - SCC Development Plans Team Manager
(SCC source SC02)   - SCC Development Plans Team Manager

Sunderland Section Urban Development Corporation Quotes:
(TWDC source TW(SC)01)   - TWDC Planning Officer
(TWDC source TW(SC)02)   - TWDC Planning Officer
(TWDC source TW(SC)03)   - TWDC Planning Officer
(TWDC source TW(SC)04)   - TWDC Planning Officer
(TWDC source TW(SC)05)   - TWDC Planning Officer

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Southwark Section Local Authority Quotes:
(LBS source SW01)   - LBS Policy Planner
(LBS source SW02)   - LBS Policy Planner
(LBS source SW03)   - LBS Policy Planner
(LBS source SW04)   - LBS Policy Planner
(LBS source SW05)   - LBS Policy Planner
(LBS source SW06)   - LBS Policy Planner
(LBS source SW07)   - LBS Policy Planner
(LBS source SW08)   - LBS Policy Planner
(LBS source SW09)   - LBS Policy Planner
(LBS source SW10)   - LBS Policy Planner
(LBS source SW11)   - LBS Policy Planner
(LBS source SW12)   - LBS Policy Planner
(LBS source SW13)   - LBS Policy Planner
(LBS source SW14)   - LBS Policy Planner
(LBS source SW15)   - LBS Policy Planner
(LBS source SW16)   - LBS Policy Planner
(LBS source SW17)   - LBS Policy Planner
(LBS source SW18)   - LBS Policy Planner

Southwark Section Urban Development Corporation Quotes:
(LDDC source LD(SW)01)   - LDDC Development Planner
(LDDC source LD(SW)02)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)03)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)04)   - LDDC Implementation Planner (Southwark) B
(LDDC source LD(SW)05)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)06)   - LDDC Implementation Planner (Southwark) B
(LDDC source LD(SW)07)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)08)   - LDDC Implementation Planner (Southwark) A

(LDDC source LD(SW)09)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)10)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)11)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)12)   - LDDC Implementation Planner (Southwark) A
(LDDC source LD(SW)13)   - LDDC Implementation Planner (Southwark) A

Newham Section Local Authority Quotes:
(LBN source NH01)   - ex LBN Senior Planner A
(LBN source NH02)   - ex LBN Senior Planner A
(LBN source NH03)   - ex LBN Senior Planner A
(LBN source NH04)   - LBN Senior Planner (Policy Group) B
(LBN source NH05)   - ex LBN Senior Planner A
(LBN source NH06)   - ex LBN Planner (Projects Group) C
(LBN source NH07)   - ex LBN Planner (Projects Group) C
(LBN source NH08)   - ex LBN Planner (Projects Group) C
(LBN source NH09)   - LBN Senior Planner (Policy Group) B
(LBN source NH10)   - LBN Senior Planner (Policy Group) B
(LBN source NH11)   - ex LBN Planner (Projects Group) C
(LBN source NH12)   - ex LBN Planner (Projects Group) C
(LBN source NH13)   - ex LBN Planner (Projects Group) C
(LBN source NH14)   - ex LBN Senior Planner A
(LBN source NH15)   - ex LBN Senior Planner A
(LBN source NH16)   - ex LBN Planner (Projects Group) C
(LBN source NH17)   - ex LBN Senior Planner A
(LBN source NH18)   - ex LBN Senior Planner A
(LBN source NH19)   - ex LBN Senior Planner A
(LBN source NH20)   - ex LBN Planner (Projects Group) C
(LBN source NH21)   - ex LBN Planner (Projects Group) C
(LBN source NH22)   - ex LBN Senior Planner A
(LBN source NH23)   - LBN Senior Planner (Policy Group) B
(LBN source NH24)   - LBN Senior Planner (Policy Group) B
(LBN source NH25)   - ex LBN Senior Planner A
(LBN source NH26)   - LBN Senior Planner (Policy Group) B
(LBN source NH27)   - ex LBN Senior Planner A
(LBN source NH28)   - ex LBN Senior Planner A
(LBN source NH29)   - ex LBN Senior Planner A

Newham Section Urban Development Corporation Quotes:
(LDDC source LD(NH)01)   - LDDC Implementation Planner (Newham) A
(LDDC source LD(NH)02)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)03)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)04)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)05)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)06)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)07)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)08)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)09)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)10)   - LDDC Implementation Planner (Newham) B

(LDDC source LD(NH)11)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)12)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)13)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)14)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)15)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)16)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)17)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)18)   - LDDC Implementation Planner (Newham) B
(LDDC source LD(NH)19)   - LDDC Implementation Planner (Newham) B

Tower Hamlets Section Local Authority Quotes:

(LBTH source TH01)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH02)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH03)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH04)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH05)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH06)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH07)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH08)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH09)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH10)   - LBTH Borough Planning Officer (Policy Team)
(LBTH source TH11)   - LBTH Borough Planning Officer (Policy Team)

Tower Hamlets Urban Development Corporation Quotes:

(LDDC source LD(TH)01)   - LDDC Development Planner
(LDDC source LD(TH)02)   - LDDC Development Planner
(LDDC source LD(TH)03)   - LDDC Development Planner
(LDDC source LD(TH)04)   - LDDC Development Planner
(LDDC source LD(TH)05)   - LDDC Development Planner
(LDDC source LD(TH)06)   - LDDC Development Planner
(LDDC source LD(TH)07)   - LDDC Development Planner
(LDDC source LD(TH)08)   - LDDC Development Planner
(LDDC source LD(TH)09)   - LDDC Development Planner
(LDDC source LD(TH)10)   - LDDC Development Planner
(LDDC source LD(TH)11)   - LDDC Development Planner
(LDDC source LD(TH)12)   - LDDC Development Planner
(LDDC source LD(TH)13)   - LDDC Development Planner
(LDDC source LD(TH)14)   - LDDC Development Planner
(LDDC source LD(TH)15)   - LDDC Development Planner

APPENDIX 3: UDP TIMESCALES BARCHART

The barchart below is a more detailed version of that which appears in Chapter 7, Page 342. It depicts every single different stage of the plan adoption process for all seven local authorities in order that they can be graphically compared.

Legend:
- Consultation Draft Publication
- Consultation on Consultation Draft
- Preparation of Deposit Draft
- Deposit Draft Publication
- Consultation on Deposit Draft
- Preparation for Public Inquiry
- Public Inquiry
- Preparation of Inspector's Report
- Inspector's Report Publication
- Preparation of Modifications
- Modifications Publication
- Consultation on Modifications
- Preparation of Adopted UDP
- Adopted UDP Publication

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>*See separate bibliography for Sunderland City Council documents.*

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It is more useful for the reader to have the documentation produced by the local authorities *and* the UDCs presented chronologically and divided up between the individual case studies. Thus the relevant documentation has been removed from the previous bibliography and presented as such below; in the order that the case studies appeared in the thesis.

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