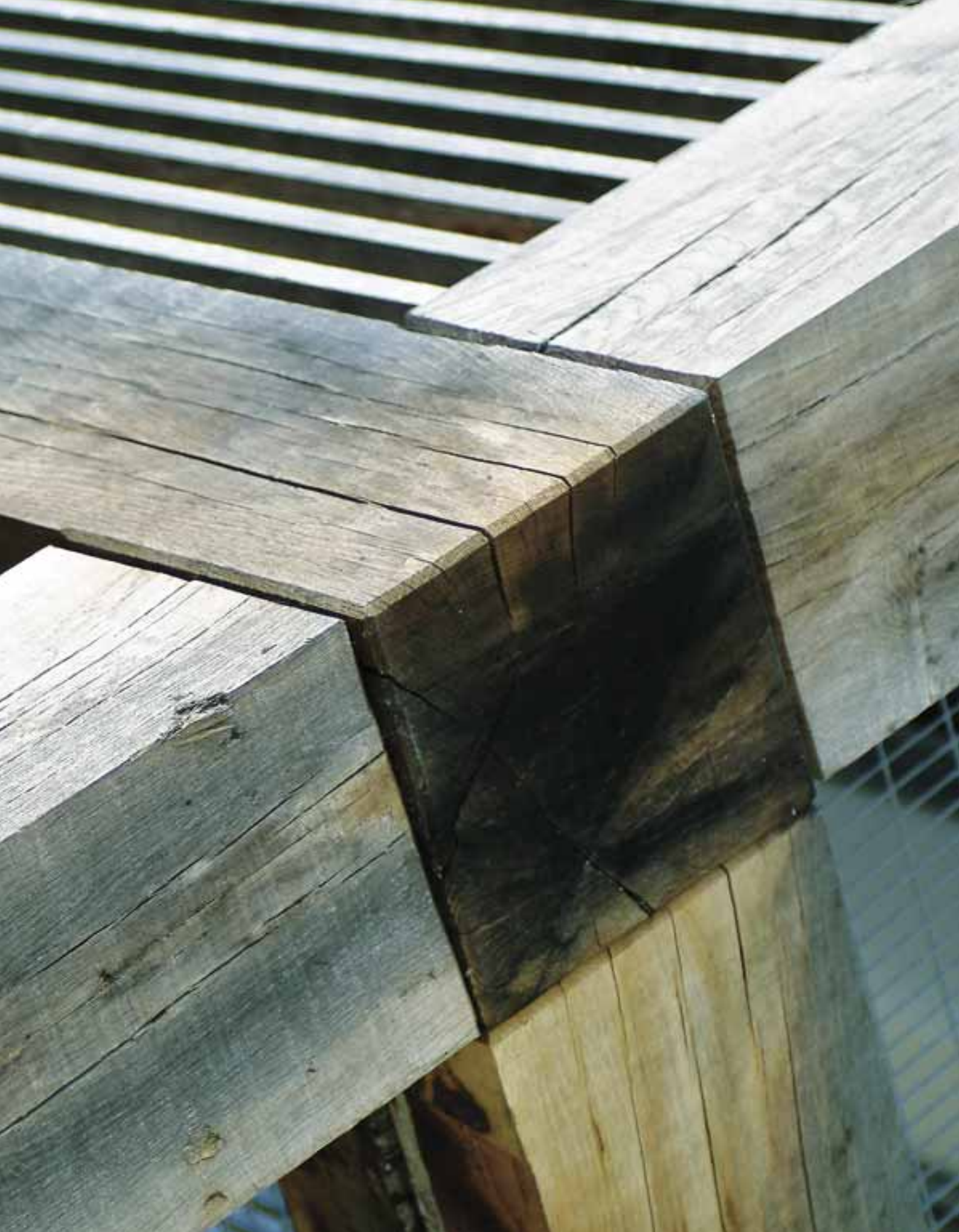


The Williams Report

Quality first: The Commission on the Design of Affordable Housing in the Thames Gateway







May 2007

Acknowledgements

The Commission would like to thank June Barnes, Group Chief Executive of East Thames Housing and chair of the London Sustainable Development Commission for a very informative and helpful presentation on the Toolkit for Higher Density Housing developed by East Thames.

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Preface

The Housing Corporation was a new world to me in 2000. I was amazed at the precision of its delivery, proudly achieving each year its forecasts of homes and money, much closer than I was ever used to as an engineer.

But that was not enough. Quality must guide quantity. Using CABA and Gold Awards and the like, we have brought design and quality to be as valued as the numbers. We invited Dr Tim Williams to pull us further because we are facing the opportunity of a generation, for better or worse depending on what we choose to do, in the Thames Gateway. We must not waste the chance.

The Williams Commissioners have given their advice and guidance generously and in thanking them here we expect the work to continue. Each opening up of potential also reveals further possibilities. And even if we were all by some miracle to help the needy to transcend need, we expect the Williams guidance to provide a valid basis for a generation.

Communities England is being planned to take up the Corporation's mission once it has been established. The Williams report is one of our gifts to it.



Sir Duncan Michael

Housing Corporation Board Member,
Investment Committee Chair and
Member of the Williams Commission

Foreword

I took up the bold invitation of the Housing Corporation to chair this independent Commission as someone with 'previous' in the Thames Gateway and as one who was passionate about social housing, urban design and sustainability and how you combine the best of all of them in successful communities.

I grew up in a council house in a great community in South Wales and have lived in East London for most of my 20-odd years in the capital. For the last decade I have worked in and for the regeneration of the Thames Gateway and, more recently, as an advisor to Government on things urban. I have played my part in developing the planning, design and regeneration framework within which as a nation we build. These things matter to me.

In their various ways this is true of the experienced, representative and committed group which accepted the Corporation's invitation to sit as a Commission to discuss the future of the design of affordable housing in the Thames Gateway. Drawn from both private and public sectors, Commission members have

brought a wealth of analysis and insight you'd expect from those who are leading the way in delivering the promise of the Gateway. These guys have been around the block and learned a thing or two along the way. The ideas generated in the discussions are grounded in their vast experience and realism leavened by the idealism and spirit of ambition required of anyone attempting to turn the rhetoric surrounding the Gateway into hard fact. It's not easy out there but who said it would be?

Although the Commission's work has been geared primarily at producing a report to the Housing Corporation with a view to guiding what it does in the Gateway, the Corporation has kindly agreed to make this more publicly available, as a contribution to the now urgent national debate about urban design and social housing and to influence other actors in the delivery chain of development in the Gateway.

The openness to new ideas and new thinking which the Corporation has shown



in initiating this process and throughout the discussions has, I believe, been exemplary. Given the scale of the Corporation's current and future spend in the Gateway, it is, I think, hugely to its credit that it has asked expert opinion outside the Corpy to work with it in developing a new approach to the serious task before it in the Gateway. I hope that our response has been as innovative as was the initial invitation from the Corporation to establish this Commission.

It is certainly the view of all Commissioners that innovative thinking is required on delivering quality affordable housing in the Gateway if the place is to become what we all would wish it to be:

"A phenomenal place, where a great city meets a great estuary and 'new things happen'." (CABE/CLG: New Things Happen, 2006)

But innovation needs to be combined with serious learning from the past and a commitment to raise the bar even

higher in future. As one Commissioner put it, eloquently, passionately and certainly correctly, "We must hold high expectations. That Leamington, Belgravia or Edinburgh New Town could 200 years ago, self-consciously and planned, build environments which remain so attractive to communities even today, when they had less than a tenth of our wealth, less than a tenth of our social legislation and less than a tenth of our engineering technology, shows what is well within our reach, if we have the consistent will and patience. People are the only difference in the equation, to make it worse or to make it better. We must choose to make it better in the Gateway."



Tim Williams
Commission Chair

The key purpose of the Commission is to produce an approach, or mechanisms, for the Housing Corporation to help improve the delivery of quality and consistency in housing procured through its use of the National Affordable Housing Programme in the Thames Gateway.

An ancillary aim is to develop a better understanding of the current procurement mechanisms and the overall delivery chain for quality in the design of social and affordable housing in the Gateway, as a contribution to the effort of many partners in the process to raise the quality of housing and place making in the sub-region.

Our aim also is to send a message that one of the main organisations at work in the Gateway is committed to a serious long-term programme of significant high-quality investment there, and that body, the Housing Corporation, is going to use its purchasing power in a new, more robust fashion to promote great social and affordable housing in great mixed communities in great places.

Although, as one Commissioner put it, “place making takes time” – something often forgotten in the rush to condemn the pace of progress in the Gateway – all long journeys begin with the first steps as the intrepid explorer, compass in hand, begins to mark out a definitive direction of travel. This report is meant to guide the Corporation on that journey. But it is also meant to draw the attention of private and public decision makers to a key fact: that this journey towards making the Gateway top quality and successful is real and already actually underway and that it commands the resources, skills and commitment of a force which, now and in the future, has a formative

influence over its development. That is the Housing Corporation, soon to form a cornerstone of Communities England.

The final message is that this is not an academic report but a call to action. It’s worth pointing out that in achieving change on the ground, as advocated in this report, the Corporation culture and organisation will not themselves remain unchanged. All Commissioners were impressed by the positive way in which Corporation leaders and other staff involved in the report did not simply or passively accept change but enthusiastically embraced it. They are running with the ball – and the process of building Communities England will be all the more transformational because of it.

Members of the Commission

Tim Williams, Commission Chair

Steven Douglas, Commission Vice Chair,
Housing Corporation

Margaret Allen, Housing Corporation

Peter Andrews, London Thames Gateway
Development Corporation

Judith Armitt, Thames Gateway

David Balcombe, Essex Design Guide
and Essex County Council

Peter Bishop, Design for London

John Callcutt, English Partnerships

Dominic Church, CABE

Clive Clowes, Housing Corporation

Neale Coleman,
Greater London Authority

Aman Dalvi, Gateway to London/
Chair of Gallions Housing Association

Ros Dunn, Thames Gateway Strategy,
Communities and Local Government

Piers Gough, Kent School of Architecture

Deborah Heenan, George Wimpey

Malcolm Kerr, DP9

David Levitt, Levitt Bernstein Associates

David Lunts, Greater London Authority

Dale Meredith, G15 Development
Directors Group

Sir Duncan Michael,
Housing Corporation

Alison Nimmo, Olympic Delivery
Authority

Tony Pidgley, Berkeley Homes

Roger Ridsdill-Smith, Ove Arup
and Partners

Cllr Chris Roberts, London Borough
of Greenwich and Thames Gateway
London Partnership

Richard Simmons, CABE

Malcolm Smith, Arup Associates

Canda Smith, Communities
and Local Government

Eric Sorenson, Thames Gateway
London Partnership

The Thames Gateway framework


Before detailing the Commission's findings, it is important to share a sense of the Commissioners' understanding of the context in which their work took place and to give some insight into the character and content of their deliberations.

The Commission's deliberations coincided with some significant initiatives in the Thames Gateway. The work by the Government's Communities and Local Government (CLG) Department on the Thames Gateway 'strategic framework', endorsed by all Gateway local authorities and the Greater London Authority, culminated in the publication of the Thames Gateway Interim Plan in November 2005. This was accompanied by the joint CLG/CABE-sponsored report into the identity of the Gateway, published as *New Things Happen*.

In the same period, CLG made clear its determination to secure development in the Gateway with a minimal carbon 'footprint'. The private and registered social landlord sectors have responded positively to this new requirement with agreement between government and the housing industry on the objective that Gateway development be 'carbon neutral' by 2016. The year ended with the arrival of Judith Armitt – also a member of this

Commission – as the new Chief Executive for the Gateway, to lend greater focus to strategy and momentum for delivery in the Gateway. This report should be seen as complementary to the recent work of the Government and its various agencies in the Gateway.

Indeed a key aspect of this report is that Housing Corporation funding of applications for social housing should be explicitly linked with both the Thames Gateway Interim Plan and the accompanying Development Prospectus, identifying the main sites close to the four 'transformational economic opportunities' and key town centre locations (offering scope for organic growth in places that already have a sense of place), where it is proposed the projected 160,000



homes for the Gateway be built. It is a fundamental recommendation of this report that, to be successful, applicants for Corporation funding must show how their programmes or projects fit with or otherwise help realise the aspirations and objectives of that plan and help deliver and develop these key sites and locations (see the next page for more details).

This echoes a key theme of the Commissioners' deliberations, which is that whatever recommendations come forward, they should not simply add to the plethora of reports or guidance on both urban design and the Gateway but rather assist the realisation and implementation of current policy and objectives for both. It also links housing investment with the regeneration programme for and 'urban renaissance' of the Gateway.



“ The prospectus provides a clear picture of the scale of delivery on the ground that is possible and an estimate, of some £38 billion, of private sector investment ”

The Thames Gateway policy framework

Thames Gateway Interim Plan

Communities and Local Government is aiming to provide up to 160,000 well-designed homes in mixed communities across the Gateway between 2001 and 2016. To achieve this, the Interim Plan envisages that:

- The Thames Gateway Strategic Partnership (TGSP) will consider how to accelerate housing completions across the Gateway so as to reach the total of 160,000;
- TGSP will consider how PPS3 can be applied in the Gateway in a way that helps to build mixed communities to support our economic and social ambitions;
- When the outcome of the 2007 Comprehensive Spending Review is known, CLG and delivery partners will jointly produce a Gateway-wide affordable housing plan that shows how the new homes to be provided will fit with our aspirations to create mixed communities;
- CABE has produced a future guide for the Thames Gateway, entitled *New Things Happen*. This document explains the value of a strong identity for the Gateway and identifies the themes that delivery partners can use to create a sense of place that is unified but still respects distinctiveness;
- TGSP will develop a Gateway Design Pact that will commit local authorities to specific actions to improve the quality of all new development; and
- CABE will conduct repeat housing audits in the Thames Gateway, based on the Building for Life assessment methodology. This will provide an independent check on whether quality is improving. The CLG aim is that by 2010, no scheme will be assessed as 'poor', and that at least 50% of schemes will be 'good' or 'very good', with that rising to 100% by 2015.

Thames Gateway development prospectus and baseline

The prospectus sets out, for each location in the Gateway, the nature and scale of development proposed including major planning applications lodged and details of investment in key transport infrastructure. It brings together for the first time existing plans, proposals that are being developed, work that is already underway and what remains to be done across the whole of the Gateway. It highlights opportunities for private sector partners to get involved. And it shows how sustainable growth can be achieved where public and private sector investment works together. The prospectus provides a clear picture of the scale of delivery on the ground that is possible and an estimate, of some £38 billion, of private sector investment likely in the Gateway by 2016.

The prospectus guides investors and developers in particular as to key development sites on offer and detail as to where the TGSP believes the ambitions for investment in economic and residential opportunities, community facilities and social infrastructure and the environment can be realised.

Communities and Local Government also has produced a detailed analysis of the 'baseline' position – that is, how the Gateway is performing now against a wide range of indicators. This information, contained in an evaluation report titled *State of the Gateway*, was published alongside the Interim Plan, and will be used to monitor the impact of the investments planned as regeneration work progresses.

The final version of the Interim Plan – the investment and delivery plan – will be formally published following the 2007 Comprehensive Spending Review. It will include a detailed programme and timetable for each delivery partnership (in London, South Essex and North Kent) and key sites. This will be updated each year.

The fundamental role of the Housing Corporation

In realising national and regional objectives in the Gateway the Housing Corporation and its successor in Communities England will have a fundamental role.

There is a simple mathematics to this. Of the 160,000 new homes to be built in the Gateway by 2016, Corporation funding is likely to facilitate or result in some 60,000 social and affordable homes. No other single body in the private or public sectors will have such a significant and direct impact on the development of the Gateway, whether one thinks in terms of crude numbers of homes or of contribution to place making. What the Corporation does in the Gateway matters.

The spirit which led the Corporation to initiate the Commission and which has animated its discussions is one of determination to use the Corporation's unique position and influence to ensure the delivery of the highest quality affordable housing – in the best of places – in the Gateway. Clearly, although this initiative is new, the commitment by the Corporation to fund quality is not.

Under the current national framework for funding social housing the Corporation's grant formula gives a significant priority to design quality. However, the value of this framework has not inhibited the Corporation from embracing openness to innovation in pursuit of quality – as its Northern Challenge initiative and other work around Cambridge also suggest. Further it is recognised that the special challenges of development in the Gateway, from flood risk and water supply to contamination and infrastructure, and the pressures from the market to deliver sub-optimal housing solutions – on, for example space or energy standards – require something of a bespoke approach.

Naturally, any initiative by the Corporation sits within national and regional frameworks now in place to secure high-quality urban design and aspirations to achieve environmentally responsible development (see overleaf). These frameworks embody a professional consensus – built up since the Urban Task Force report, developed by bodies such as CABE and the London Mayor’s Urbanism and Architecture Unit and promoted in much Government guidance – that the objective of policy is geared towards compact urban development, good public transport service, walkable neighbourhoods, and increased density without compromising quality, respect for local character, mixed uses, mixed tenures, safe peopled streets, cared for, attractive public space and managed greenery. In essence the objective of policy is as much about making places as building homes.

Building homes, making places

Working within existing design frameworks

“ Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted ”

The national policy framework

Good design is at the heart of the new planning policy, and the focus now has to be on delivery within this strong framework.

- PPS 1 states, “Sustainable development is the core principle underpinning planning. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations.”

Notably, PPS 1 goes on to state, “Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted.”

CABE’s Housing Audit comments, “A great deal has been done since the advent of planning policy statement 1 (PPS1). But this commitment needs to be backed up with incentives for good design and penalties against poor design. Not least, local authorities need to be confident that the Planning Inspectorate will uphold at appeal local planning decisions that reject applications on the grounds of design quality. There is a real feeling among local planning authorities, particularly elected members, that their decisions will not be upheld at appeal and this makes them wary of turning down development on these grounds. The inspectorate, supported by CABE, has taken steps to address this concern, and CABE hopes to continue to work with it on removing this perception. Resolving the issue is, of course, dependent on local planning authorities setting out clear design policies, against which the inspectorate can make decisions.”

- PPS 3 states, “Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable, mixed communities.”

It goes on to state, “Reflecting policy in PPS1, good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.”

CABE’s Housing Audit comments, “We welcome the inclusion in PPS3 of the requirement to monitor design quality alongside other factors but it is important to ensure that a robust and lightweight mechanism is developed. This requirement is also made at the regional level and agencies here will need to determine quickly what their expectations are for design quality. Development on public land more generally should be led by high design standards to raise aspirations across the board.”

- The Code for Sustainable Homes represents a new voluntary approach to improving the sustainability of new homes, saving water and energy, and building on the 70% improvements to the energy efficiency of new buildings made since 1990 (40% since 2002). The Code will, for the first time, provide buyers of new homes with information on the sustainability and running costs of their homes, which will gain one of five star ratings. The Code does not substitute for building regulations. Its comprehensive nature (addressing some things not in regulation) means that the Code as a whole sets more demanding building standards even at the entry level.
- Publication of the Manual for Streets by the Department for Transport is imminent, and its provisions will be important for the layouts of new developments, although the document will only address some residential streets. A similar exercise needs to be completed for streets of intermediate scale, where many people also live.
- Over the past year, English Partnerships has moved to adopt the Building for Life criteria as a quality threshold for proposed development.



Housing Corporation: First among equals in a complex housing delivery chain

The delivery chain for housing within such a framework can be a complex one and policy initiatives and aspirations can conflict as easily as complement one another.

To meld together aspirations for housing that is both environmentally smart and yet respects differences in location, character and context, for example is a serious challenge. Although this complexity is sometimes used as an alibi for fatalism, failure, inertia or hand wringing, the need for a range of forces and 'players' to be in alignment (and, yes, that includes the traffic engineers and the Planning Inspectorate who, in the view of Commissioners, have given mixed messages on quality as a priority) for optimal results to be achieved, is a key challenge for all of us involved.

In attempting to ratchet up quality in the Gateway, it is understood that the Corporation is one force amongst many which need to push in the same direction. Nonetheless, it must be considered, and should have the intellectual confidence to think of itself as first amongst equals, leading by example, being unequivocal about quality and bringing others to the table to do the deals necessary to achieve the shared objects of policy.

It is, however, particularly challenging for the Corporation, as for all in the delivery chain, that so much social and affordable housing is now realised via s.106 agreements with the private sector, and under conditions in which it can frankly be difficult to secure quality. We were keen in the Commission to understand the preconditions for success both where housing associations were the developer and, by contrast, where the private sector partnered housing associations as part of their s.106 commitments. We were clear that the task was easier in principle in the former rather than the latter scenario. This is partly because of the more direct relationship between the Corporation and the associations in the former case, but also because the latter approach has tended, frankly, to deliver social housing more as an afterthought than as an integral part of the development. It is no accident that the majority of waivers granted by the Housing Corporation for deviations from agreed Scheme Design Standards have been for s.106-derived social housing.



National debate on housing: Anxieties about quality

It is fair to say that the Commission undertook its work at a time of some anxiety about the quality (and, indeed, quantity) of housing being delivered in England via the business model of the existing range of house builders and the related,

rather limited choice of homes being offered to consumers in what resembles a supply-led market underpinned more by scarcity than quality.

The private sector view is that any failure in housing productivity or quality is largely due to the shortage of land and the difficulty and the transaction costs of obtaining planning permission, which squeeze developers' margins and their capacity to deliver innovation and quality.


The Government has responded to this critique by asking John Callcutt to review the business model, delivery capacity and green credentials of the industry with a view to enhancing its ability to meet the aspirations in the Barker report on numbers and new national priorities on climate change.

A new planning White Paper is also being prepared with the objective of reducing developer transaction costs by speeding up the planning process.

Furthermore, PPS3 balanced a commitment to securing more family housing with provisions that should widen the available sources of developable land. It will be interesting to see whether the industry, which has been quite unresponsive to large rises in house prices and consumer demand, responds to these moves by building more and better homes.

In the meanwhile, CABA audits are witness to continuing significant problems in urban design and architecture. The Commission has calculated, derived from CABA's audits, that at the national level, only 18% of schemes inspected by CABA were classified as either 'good' or 'very good'. And, whilst all the national volume house builders seem able, when required, to design and deliver housing which wins awards, CABA's research shows that performance varies significantly, with the majority of the 'names' clustering at what might be termed the Middlesbrough level of the Premiership – with some more akin to Watford, without, of course, currently the same fear of relegation.

Though beyond the scope of this Commission, it should be noted that a positive development in terms of the private market and design has been the way in which rising consumer demand for housing to be more environmentally responsive and responsible, and tightening regulations, are beginning to have a significant impact on what is being built.



It is a challenge to both private and affordable housing providers, where consumer or tenant pressures have been historically weak, due mostly to the scarcity of stock on the one hand and the absence of spending power on the other, to ensure design quality and innovation improve from the current general levels.

Richard Simmons of CABI has called for a revolution in design quality and the quiet revolutionaries on the commission wholeheartedly back that call – and have suggested reforms which will help deliver it.

Thirteen Thames Gateway housing schemes were included in CABI's 2004 audit of London, the South East and the East of England. Of these, five were assessed as 'poor', whereas six were 'average' and only two were 'very good'. There have been exemplary projects – at Greenwich Peninsula, Abbots Wharf, Ingress Park and in Barking town centre –

but the norm has, thus far, been mediocre or worse by CABI's criteria. Some analysts have real fears that the low-ambition, low-quality development of the recent past is being repeated, reminding us that, "The London parts of the Thames Gateway are littered with examples of large, isolated and difficult housing estates with poor links to jobs, poor environments, poor services and poor transport... built to meet the last housing crisis when numbers were the key determination of quality." (A Framework for Housing in the Thames Gateway, LSE Housing and Enterprise LSE Cities for London Thames Gateway Partnership, 2004)

The need for quality

The danger is clear that the Gateway may, by grace of its capacity to take huge numbers of new homes and its wide range of brownfield sites, both in town centres and more remote settings, experience the double whammy of modern development.

On the one hand, almost ex-urban, low-density new-build based on construction industry preferences for building numbers of houses in a similar style on large vacant sites – and to do so at modest rates of build-out reflecting the priority of desired rates of return over broader community outcomes and the requirements of place making. And on the other, a surfeit of hyper-dense flats, enabled by sometimes naïve and over-generalised planning guidance and forward funded by buy-to-let investment, frankly inimical to the aspirations for mixed communities, neighbourhoods of choice and the needs of our increasingly diverse families. The dangers of this are not merely those of disappointing architecture or clumsily engineered streetscapes so offensive to urban designers but also those presented by social imbalance, economic failure and ethnic tension. For some parts of the Gateway, these are not a distant prospect but actually present today.

The Commissioners felt that the challenges can be especially acute when high-density development is combined with aspirations for mixed tenure and mixed communities with families of all kinds. The need to make the right decisions in a number of crucial areas was identified if success was to be assured. These included: neighbourhood context, public realm, housing typology, tenure and management, common parts, space in homes, outdoor space (both shared amenities and private), privacy, orientation/aspect and environmental sustainability.

In her presentation to the Commission, June Barnes of East Thames Housing echoed this approach and suggested that the toolkit developed by Helen Cope could be of wider benefit. The importance of a long-term management regime/concierge services in relation to higher-density mixed communities was a persistent theme of discussions and was identified as a key criterion of success. As one Commissioner put it, “It is critically important to agree future management regimes at the time buildings are designed rather than as a reaction to the way they have already been designed.”

Dangers for Thames Gateway



“ If housing is built in those areas without good accessibility to jobs, shopping, leisure, health, education and other facilities, it will suffer the same fate of other large-scale peripheral estates ”

Commissioners were clearly exercised by these issues and particularly that a combination of pre-PPS3 planning policy, development pressures and developer response to rocketing land values had led to a further ratcheting up of land values, hyper-dense development in inappropriate locations and the dominance of one or two-bedroom flats so evident in places such as the Lower Lea Valley.

Currently 90% of development in this ‘quarter’ of the Western Thames Gateway at the edge of the emerging Olympic Park fits that typology. It is of some concern in this context that in his report on the future of social housing, John Hills noted that the worst outcomes across a range of indices of deprivation, in health, security, worklessness, poverty and education, were associated not just with estates of concentrated social housing but, decidedly, where flatted development predominated.

Appropriate densities in appropriate locations – very much the spirit of PPS3, which in some ways can be read as a response to the emerging situation in the Lower Lea – were at the heart of Commission deliberations. This is why Commissioners were agreed on the vital importance to development of the new Thames Gateway Interim Plan overall and, specifically, to bringing forward high-quality public transport provision in key locations.

Outside the well-connected town centres, achieving higher density, mixed use, mixed tenure communities will depend to a considerable degree on providing certainty for developers and pioneering occupiers that the vision for the Gateway of high-quality, well-integrated development will be supported and delivered in the shorter term and over a long duration.

The Interim Plan – which envisages 100% of schemes being ‘good’ or ‘very good’ by 2015 – gives real confidence that this vision is the collective objective across government for the Gateway.

The need for infrastructure

However, in their discussions, Commissioners agreed with the view put forward by the Thames Gateway London Partnership, representing London boroughs in the Gateway: “It is not consistent to plead for high-quality housing design without the supporting social and other infrastructure which raises developer ambitions.”

More pointedly, there was the abiding concern that, as the authors of the recent London School of Economics report into housing in the Gateway put it, “If housing is built in those areas without good accessibility to jobs, shopping, leisure, health, education and other facilities, it will suffer the same fate of other large-scale peripheral estates.”

It is worth stressing that it was a given in the discussions of the Commissioners and the contributions received that design in this context is not simply about aesthetics. It is about making places work, promoting connections between people, places, access to jobs and services – and the design of social and affordable housing within that context. Again, this is not an excuse for inaction by a key player and agonising about how “complex” it all is. It is about a full understanding of the broad issues confronting those who seek to realise the ambitions for the Gateway as a “community of sustainable communities” and to use the specific tools that they have to greatest effect.

The need to respect and respond to the environment

The positive tone of Commissioners was also in evidence in dealing with that other matter which public policy deems “complex” but which Commissioners felt was not an alibi for paralysis: designing in and for a flood plain.

Just as the extent and scale of development in the Thames Gateway actually provides opportunities to innovate in housing and scheme design so as to maximise energy and water-use efficiency and minimise, if not reduce, the carbon footprint and emissions (and unique opportunities to ‘green the metropolitan edge’ on a large scale, through extensive parkland development and green grids as envisaged in the Interim Plan), so too must the flood risks of the Gateway be seen as a challenge to be overcome.

Humanity has rather successfully managed to flourish in flood plains over millennia and it’s difficult to see why this success needs to come to an abrupt end in our lifetime in the east Thames corridor. As an engineer on the Commission put it, “Flood measures and high-quality design mitigations and adaptations to cope with the challenge should become part of the vernacular.”

The role of local authorities in design chain and place shaping

Much of the national effort being made to raise design quality has been directed at, or developed by, local planning authorities.

There are a large number of recommended practices and procedures followed by boroughs to help improve affordable housing design. These include guidance in UDPs and LDFs; publication of design codes; encouraging developers to prepare masterplans for appropriate sites; appointment of design champions; and training for members and officers.

The recently issued PPS3 also emphasises the importance of good design and the need for local authorities to monitor their planning decisions against good design criteria. Commissioners noted the necessity of local planning authorities following through after outline planning approval has been given, as it was felt that at that point some developers dropped their quality team (“the second XI comes in to bat”) and returned to a more ‘bog-standard’ approach for implementation and local authorities tended to take their eye off the ball. Resources at this key point were deemed to be an issue and some authorities reported pressures on their design teams. Many felt that the deregulation of building control had added to the problem.

Interestingly, and somewhat disturbingly, some felt that, if local authorities could be sure the Planning Inspectorate could be relied upon to back up their refusals on quality, more applications would be turned down on the basis of poor design. This view was not advanced solely by local authorities but was supported by the London Thames Gateway Development Corporation (LTGDC), which, while welcoming the recent introduction of design and access statements, stressed that, even if local planning committees had the skills to judge quality, “until... there are policy-based criteria for prioritising and judging design quality supported by the Planning Inspectorate, then poor design will continue to win consent”. PINS and CLG take note.

It is crucial that local planning authorities establish a local framework for quality and set the bar high. Although in some cases a stringent approach to quality is a pretext for nimbyism, it was the common feeling of Commissioners that central government itself must not give the impression that the injunction to increase housing output and densities was more important than the pursuit of design quality. It is patently easier to achieve buy-in to this agenda from the private sector in areas of high housing demand, where properly conducted and sophisticated s.106 negotiations around community facilities, public realm and infrastructure have the potential to be decisive in achieving the best results.

However, planning authorities in all areas of the Gateway can, should and often do seek the same result in less benign economic circumstances.

An important initiative in this respect will be the emerging Design Pact being developed by TGSP following on from initial work by CABE. The pact envisages that local authorities in the Gateway will commit themselves to make their contribution – via design codes, design briefs and appointing local authority design champions – to ensuring new development is of high design quality and in keeping with the character of the area. An interesting new direction is being mapped out by the six cities in the East of England which form English Cities East. They have agreed to pool information about good and bad development partners, which, if they produce a duff scheme, aren't welcome in the planning process at all the other local authorities. This is exemplary and something for the emerging Thames Gateway Design Pact to consider endorsing.

They do all this in the exercise of what the recent Local Government White Paper and interim report of the Lyons Inquiry identified as perhaps the key role of local authorities – place shaping, the best examples of which are indeed usually achieved as a result of determined civic leadership, combined with effective public involvement and, yes, the high-level professional skills of the planner and urban designer.



The role of Urban Development Corporations

One of the things that makes the Gateway a unique ‘growth area’ is that it has two Urban Development Corporations within its borders. The Chief Executive of the London Thames Gateway Development Corporation was a member of the Commission and played an active role.

The extent to which the Urban Development Corporation (UDC) is thinking about, and committed to achieving, quality residential development and place making, is encouraging. The London Thames Gateway Development Corporation affords many insights into how the UDCs see their contribution in this arena and into what they think works.

Commissioners, for example, felt that masterplanning was a key tool in the delivery of quality development. LTGDC agrees but adds, “All too often masterplans become rigid blueprints and are ignored by the landowner and the developer. A framework for development that sets out the aspirations, local context, and complementary public sector investment in infrastructure and establishes the key parameters along with a visualisation of the development should be the starting point.”

Although the UDC is making extensive use of frameworks, masterplans and design guides to ensure communities are well planned and is engaging with developers “as early in the process as possible”, it is more “cautious”, it says, about the use of design review panels. “All too often,” the UDC thought, such panels are “involved so late in the process that all they can do is suggest incremental change which all too often results in a compromised design.” By contrast, the UDC favours what it terms a “quality panel” to engage with developers from the earliest stage of a scheme to consider all aspects of design, construction and management to ensure the scheme delivers what is intended. Commissioners found this an interesting innovation worth reviewing over time to see what difference it makes, especially in view of the fact that, while the UDC is a planning authority with significant revenue resources, it is not, unlike its precursor the London Docklands Development Corporation (LDDC) or its partner boroughs, yet a major owner of land.

Publicly owned land

The special circumstance where a local authority is the landowner, and is promoting housing development, can clearly allow greater influence over the form and standard of development, than might be achieved simply through development control mechanisms alone.

The local authority can specify in detail the development it wishes to see, prepare a masterplan as well as a development brief and, through a development agreement or, where the land is retained on a leasehold arrangement, through devices such as building licences, assume a strong position to ensure what is built is what was specified.

This analysis applies equally to other public sector landowners seeking to dispose of land for housing development, and indeed was very much the approach of the LDDC where some high-quality development was realised by such methods. Commissioners were agreed that, where public sector land is concerned, simply disposing of freeholds for short-term 'best value' consideration which in practice has usually meant highest price would not deliver the quality objectives of current policy and that, by contrast, the public sector needed to take an approach which enabled a long-term involvement and oversight of development on its land.

The housing associations argue that much of the best-quality development they have achieved occurs on sites where the local authority has been able to be a development partner, reducing land costs or taking them out of the equation, arguing that it is the competition for land in the

open market which can squeeze housing association margins for quality design. In principle, design should not be a function of land costs but, in practice, some Commissioners argued, the issue could not be ignored. No one, however, argued that improving design was made impossible by rising land costs.

Where such circumstances of ownership do not apply, however, local authorities in the Gateway made the very valid and insightful point that, whilst plan making and development control are key tools, they remain in essence regulatory and, to some degree, reactive functions. Further, "The quality and design of development is significantly in the hands of the client/developer. Their commitment and determination to promote design quality and their use of good architects is fundamental to the production of well-designed development. It is essential therefore that the promotion of good design is properly directed towards the development client and does not concentrate excessively on the approach and procedures by authorities." (TGLP evidence)

Developers and the influence of the Corporation

These are highly pertinent observations relevant to the power and influence of the Housing Corporation in relation to housing association or private sector applications for grant, where, as applicants, they are also the developers. Indeed, the very premise of this Commission is that, as the key funder with direct influence over the client/developer relationship in the delivery of social and affordable housing, the Corporation can have a more determining role in securing quality. The Corporation should thus authoritatively set the tone and create a precedent for the quality of social and affordable housing desired in the Gateway – where it will be involved in enabling some 40% of the total housing product and thus be a ‘dominant shareholder’ in its future – thereby also helping to lever up the quality of private sector housing in the area.

A further premise is that the Corporation wishes to exercise that authority. The how, rather than the whether, of this proposition becomes the key question. The Commission makes a number of suggestions as to how the Corporation’s own approach and grant-giving/purchasing power might be adapted for delivery of high-quality investment in the Gateway.

Some suggestions are also made in relation to the quite different and increasingly significant challenge when social and affordable housing is delivered via the s.106 route, now the major means by which affordable housing is delivered.



The section 106 challenge

The Commissioners agreed that a key requirement of success via the s.106 route lies in the early collaboration between the relevant parties – the developer, the local authority and the housing association.

Such collaborations happen haphazardly at the moment and the inevitable consequence is that housing associations have to make opportunistic purchases, by means of ‘Dutch auctions’ in competition with other publicly funded housing associations, of social/affordable units within developments at a very late stage in the development process – too late to affect design, tenure split or distribution, or even to ensure the development meets the quality and place-making aspirations of policy, including the Corporation’s own standards.

There was much discussion on the merits or otherwise of housing association involvement in s.106 auctions, the key question being whether competition between housing associations was good at driving up standards in management and quality by avoiding the ‘comfort’ of zoning, or whether it generated a race in effect ‘to the bottom’ with all the bidders for s.106 being desperate to boost their development programmes whatever the consequences. Some Commissioners felt the current system was so perverse that it should be abandoned, competition between housing associations should be avoided and the former system of site registrations re-installed to prevent it.

The G15 London housing associations made the point to the Commission that the current system made competition inevitable, if undesirable, but any workable alternative would require more central

government direction over public land, guaranteeing allocations of land to housing associations at less than best price and a pipeline of projects. It is clear that in building Communities England, the Government needs to consider the issue of housing associations competing for land and indeed the wider issue of public land disposal – and what alternatives there might be.

Interestingly, some Commissioners further felt that the design problem of the s.106 approach was compounded where private sector house builders were developing houses and small blocks of flats at the lower-density end of the range in contrast to the less traditional, more complex, higher-density schemes predominantly of flats. As one said, “In the latter, developers are often obliged to retain the services of their architects and designers well into the construction stage due to the complexities of the work involved; while, in the former, house builders all too often use reputable designers for little more than the masterplan/outline planning consent stage where they are in competition for publicly owned land, after which they revert to their tried-and-tested standard house and flat typologies.”

Let us be clear where this appraisal of s.106 leads to. House builders usually complete the scheme to their own designs first, effectively bypassing engagement with the Housing Corporation, and then shop

around for a housing association willing to take on the s.106 affordable housing contingent. This scenario, reinforced by what one Commissioner termed the “early escape of private house builders via freehold sales plus the ten-year insurance guarantee for major fabric failure”, gives all decision-making powers to the actors with the shortest horizon of engagement whilst comprehensively disenfranchising the long-term stakeholder. It also encouraged the system of Housing Corporation ‘waivers’, whereby the Corporation’s high-spec Scheme Design Standards (in relation, say, to space or energy efficiency) might be avoided. For s.106 affordable housing where the housing association has come in late in the game, waivers are often granted to get the housing, rather than tear down something complete, whatever the quality. The Corporation is reviewing this, has begun to tighten up the practice and has indicated to the Commission that it is willing to declare a policy of ‘no more waivers’ in the Gateway and lead the market as a whole. This was felt to be vital by Commissioners, and commendable.

What the Commission learned about the s.106 social/affordable housing route suggests that the whole ‘time frame of engagement’, between grant funders, local authority s.106 negotiators, developers and housing associations, needs careful review and reform in the run up to Communities England. In setting out this proposition, the LTGDC

put, as it were, the case for the defence of the private sector under the current arrangements: “You highlight the fact that registered social landlords are often brought in by developers to schemes that are already at an advanced stage in design, but you neglect to mention that this is a consequence of the vagaries of the affordable housing requirements in the planning system and the Housing Corporation funding regime. Often certainty on affordable housing requirements comes too late in the process and it is at this stage the developer will shop around for the best offer from a registered social landlord in terms of financial consideration. This aspect needs to be considered in far greater detail.”

Wherever responsibility lies, no Commissioner, whether from the private sector or from a housing association, thought the existing s.106 affordable housing route as fit for purpose, if that purpose is properly conceived and executed high-quality, mixed development. In so far as such development is delivered, Commissioners felt that this was down to individual skills and commitment rather than the intrinsic merits of the system. However it is to be brought about and whoever is responsible for making it happen – and the role of local authorities, working closely with the Corporation and its successor Communities England, in at least holding the ring, seems inescapable – Commissioners were clear that, at the very least, tripartite discussions between

the developer, the housing association (or equivalent long-term manager/owner) and the local authority must occur at an earlier stage so that shared aspirations for quality development can be realised.


More radically, many Commissioners felt the whole s.106 route to affordable housing needed review. The discussions around and the legislation required to create Communities England, combined with the approaching conclusion of the debate on Planning Gain Supplement and the forthcoming Cave report on regulation, would seem to afford opportunities to reshape s.106 and the rules of engagement for providers, so as to be more fit for purpose in relation to the delivery of social housing.

It should be clear from the tone of the discussions that the Commissioners' multifaceted critique of s.106 custom and practice does not boil down to simple criticism of the private sector. The current system is at fault. All Commissioners wanted to see the mixed economy in the delivery and management of affordable housing flourish and all welcomed new entrants to the market.

Moreover, the public sector at national and local level certainly did not escape criticism. It should be stressed that, in the discussions on the respective contributions to place making of the various players and the specific conditions in which the best results may be realised in relation to social

and affordable housing, the lettings policies of some local authorities in interpreting their obligations under the 1996 Housing Act and in implementing their nomination rights was subject to some criticism. It was felt that some local authorities had not shown sufficient regard to the need for a viable demographic profile to underpin the shared commitment to creating sustainable mixed communities. In a minority of cases, some Commissioners felt, authorities deliberately sent all 'difficult cases' to the same development. Whether or not this was apocryphal, Commissioners agreed with John Hills that flawed nominations policies could lead to excessive clustering of types of household in a single development in a way which had been shown to have had problematic consequences for the health, cohesiveness and success of those communities.

Avoiding this, Commissioners felt, was important as a principle in the Thames Gateway. The matter was put succinctly by a private sector representative on the Commission who asked that local authorities be "more imaginative in their nominations and required to achieve a sustainable mix of ages and occupations". He pointed out that in communities which have 'naturally' grown over time, "There is a mix of ages and occupations. This does not occur on new developments as the nominations made by the local authority are predominantly families with young children, often all or more or less of the same age." Sustainable mixed communities



needed to be understood, he felt, as not just meaning a split of private and public provision “but a natural mix of ages and occupations”.

When it came to tenure mix, Commissioners engaged in an important debate about the role of service charges as one of the many challenges in achieving successful mixed communities. Whilst all agreed that pepper-potting and tenure-blind design were essential to realise this objective, some argued that it wasn't just developers who could be resistant to the charms of both and that housing associations were increasingly posing practical questions of these policies. At the heart of the perceived difficulty were the related issues of the costs of estate and public-realm management and service charges – charges essential to help manage a mixed-tenure development but which, arguably, that very mix made more problematic. This is because “the needs of your family of social tenants and a two-bed for sale are”, as one Commissioner stated, “drastically different, leaving the resultant separation of service charges incredibly complex to manage”.

All Commissioners were agreed that for mixed communities to succeed there should be, as one put it, “no discrimination against either the affordable or private occupiers as affordable and private units have to be designed and maintained so that there is no way of differentiating between them”. He went on, “It is not sufficient that

the initial design and build quality is tenure blind. A failure to maintain the affordable housing over time will make it clear which housing is affordable and which private. Failure to provide sufficient maintenance funding for the affordable units will create conflict as private owners will be concerned that their investment value is being eroded by poor maintenance of the affordable.” That conflict is made more likely, it was argued, in the situation where private sector units bear an “unreasonable or disproportionate level of the maintenance or service charges” and where a continuation of what it was suggested was “state parsimony in relation to estate management issues and service charges” will “if we don't watch out simply replace one set of sink estates with another”.

Further, there was common assent that a potential perverse consequence of the service charge problem was to encourage un-mixed development when the preferred national policy was the opposite.

The issue of service charges clearly needs to be grappled by government and all relevant bodies if we are to create mixed communities in the Thames Gateway, or indeed anywhere else. A successful service charges policy underpins that long-term management of high-quality, mixed-tenure developments which must become the norm if the Gateway is to prosper.

The need for long-term engagement

Long-term engagement was seen as a critical factor in the delivery chain for quality development in the Gateway.

For the generality of private house builders dealing in freeholds, the business model is driven by marketing, sales, a controlled release of units, a short-term approach of return on capital employed, that 'early escape' approach referred to previously and, inter alia, a tendency to see diversity of design, product differentiation and long-term engagement in place making as risks too far in a business traditionally viewed by the City as inherently risky.

By contrast, housing associations traditionally have a long-term engagement with the housing they create, resulting in an inherent interest in its long-term viability, more of a commitment to and connection with 'place', and at least no immediate business interest in the avoidance of innovation in design. The emerging Arms-Length Management Organisation model has many of the same virtues, as might the Community Land Trust/Local Housing Company approach currently being explored in several places in the UK, most notably by the Housing Corporation and English Partnerships, Bellways and Barking Council at Barking Riverside.

In the private sector, an attractive alternative to this model and that of the traditional house builder model is that of the mixed-use developer seeking to create value and maintain quality over the longer term in an estate and public realm over which ownership is retained through leasehold arrangements. Shared equity models in mixed communities being developed by elements of the private sector – and the initiative currently being considered by major property developers to create residential funds and thus become landlords, which would be a significant and welcome departure from the conventional build and sell model – are also tending in the same direction of longer-term management, engagement and care for place as well as stock.

In principle, such a model could and should play a critical role not just in developing social housing in the Gateway but in setting design quality standards for affordable housing tout court in the Gateway and in taking a lead on the vital task of place making. In the understandable rush to condemn previous generations of social housing – and in the equally understandable desire that today's housing associations do not repeat the errors of the past and should, by contrast, create mixed communities and places with shared equity and flexible tenures – the leadership and innovation once exercised by public housing (by Peabody, by Guinness, by leading-edge local authorities) is wrongly forgotten.

“ By contrast, housing associations traditionally have a long-term engagement with the housing they create, resulting in an inherent interest in its long-term viability, more of a commitment to and connection with ‘place’ ”

The best of that tradition, modernised, must play a pioneering role in tomorrow’s Gateway. And indeed, the adaptations in the Housing Corporation approach to securing quality recommended in this report seek to maximise the benefits of the registered social landlord and ALMO-type model but also to incentivise the best exponents and practitioners of such models. The object of public policy should also be to incentivise innovation by the private sector and achieve that longer-term engagement with homes and with places which the Gateway in particular will need.



The potential role of public land

It was assuredly the view of Commissioners that without long-term thinking, there is no incentive to designing well in the first place.

With continued ownership of freeholds on the land, ground rents create a long-term basis for business and income for management services and public-realm maintenance, and help create better communities along the way.

With great swathes of land in the Thames Gateway still owned by various agencies of the central or local state, Commissioners felt that a key tool to help deliver and sustain quality development remained in public control. However, the public hand has not recently capitalised on the opportunities for masterplanning and appropriate covenants and there have been lost opportunities when the Government failed to lever the power it holds to raise the quality bar, in favour of selling freeholds to the highest bidder for ‘best (immediate cash) value’.

The LDDC demonstrated an alternative approach which should influence policy at the centre as well as the practice on the ground of the UDCs and other holders of public land. The LDDC example shows that it is not always necessary for the public sector to sell the land. Equity shares can be retained and leases and building licence granted, engendering a long-term interest in creating real value and quality – the very approach, of course, of the best development of the great estates in London and elsewhere. Housing associations currently feeling cost pressures at a time of rising expectations that standards will be improved – and in some

cases themselves selling stock and cutting back on maintenance and concierge services to fund activity – see consideration of this issue of long-term partnering between public land holders and social housing providers as not academic but urgent.

It was important in this regard that a forward position on the importance of public land in securing delivery of both numbers and quality was taken by the new Chief Executive for the Gateway, Judith Armit, and by what is in a sense a successor to the LDDC, the LTGDC. In its evidence the LTGDC stressed that, “The creation of quality communities could be aided by a requirement that public sector land must be sold with a strict development brief that ensures place making and quality of design take priority over financial return. Furthermore, the public sector should be encouraged to retain a long-term interest in land to secure leverage over its future use and management. Outright disposal should be discouraged – all too often, large sites are sold with no consideration of the value that will be created through the development, over time, of a new neighbourhood. Deferred receipts, building licences and equity shares are all common tools utilised in the private sector but often ignored by the public sector to share in the upside of development.

“The disposal by the public sector of land on a long lease can ensure that the public sector retains long-term control of the site to ensure that management and maintenance are maintained to a required standard.”

Furthermore, “developers should suffer no disadvantage in selling the housing product on a contemporaneous long lease as this method is already used on housing as well as flatted schemes to provide secure service charge payments for common area maintenance”. This is all spelt out here at some length because sometimes very clever people can miss the totally obvious. We know what works. We just have to do it.

This was the tone of Commission deliberations: idealism and a passion for innovation and quality in design and place making, tempered by realism and pragmatism. Above all, a desire that nothing but the best available within our means, our tradition and our talent – from Edinburgh New Town through Georgian squares, garden villages and on to New Islington and, indeed, Barcelona – should be available to people who deserve the best. Our recommendations to the Corporation reflect this tone.



Ends and Means: Responding to Hills

John Hills published his distinguished report into social housing as the Commission was concluding its deliberations. It is the work of a fine public intellectual in the great tradition of social reporting in this country and it has inevitably influenced this report.

Ends and Means both echoes themes in this report and suggests initiatives which, if pursued in the Thames Gateway, will strengthen the quality of social and affordable housing achieved there. It also, however, shares some of our concerns.

The greatest problem Hills alerts us to is to the social polarisation, deprivation and ‘liveability’ problems associated with concentrations of social housing, particularly on larger estates and especially in estates of flatted developments. All social outcomes are worse in such places. The policy shift of the last few decades, which has seen those in work exit social housing via Right to Buy and narrowed entry to it only to those ‘in need’, who are increasingly homeless, workless and on benefits, has led to ‘polarisation on the ground’ and residualisation. Hence, social housing is increasingly located in deprived neighbourhoods.

The corollary is that very little social housing has been built in the least deprived areas. Hills notes, “If ensuring that social tenants live in mixed income areas is a key potential advantage of social housing then we do not seem to be achieving it.” Even more worryingly, he quotes a London-based housing professional who asserts that “national homelessness policy is in direct competition with housing management, Respect and mixed communities agendas”.

In areas of un-mixed concentrated social housing, feelings of insecurity prevail. In such places, fully 50% of tenants report feeling unsafe outside in the dark – much higher than for private tenants. In flatted developments, 18% felt unsafe even at home. In flatted developments, 20% were dissatisfied with their neighbourhood, compared to 12% in private tenancy and only 8% of house owners.

Social housing is now for the poor and the workless, where once on many estates it had been a condition of tenancy that one was in employment. Few tenants now move out of social housing into jobs. Social housing currently is not associated with social mobility, but rather the reverse. The fact that social tenants have limited power of ‘exit’, the ultimate consumer choice, is of course a design issue of prime importance. As Hills says, “Quality in housing includes the ability to move.” (And, of course, in the absence of such mobility, having a voice in how your letting, estate or neighbourhood is managed becomes even more important.)

Encouragingly, Hills notes that policy has recognised that polarisation can be reduced simply by building smaller schemes – more than half of new social homes are now built in developments of fewer than 20 units – and by pepper-potting social units. Less encouragingly, they are almost all built in areas of concentrated poverty. Inter alia, he notes that in social housing in London, space per person – surely a key criterion of quality – has actually dropped in the least decade from 30 to 28.2 square metres. (The Corporation has recognised this last fact and started a useful debate on whether it is a perverse consequence of a targeted approach which funds units of social housing and not numbers of people in social housing.)

After the severe diagnosis come some of Hills's suggested cures. Many of them reflect the themes of Commission deliberations and point ways forward for the healthy development of the Gateway. They should at least inform public policy when seeking to design, fund and deliver sustainable communities, do inform the recommendations of this Commission and should inform applications for, and decisions by the Corporation on, grant funding by social/affordable housing providers and the approach of local authorities in partnership with them.

These themes are:

- social housing should form part of and indeed help create mixed-income communities and avoid over-concentrations of households of one typology or age group;
- it should be a formal aim of schemes to avoid building in the most deprived areas unless the equally conscious aim is to introduce a social and tenure mix and reduce concentrations of social housing and associated deprivation – new Thames Gateway development should avoid geographical polarisation by income from the start;
- pepper-potting should be the norm;
- to avoid new social housing being only for the most needy, the choice-based lettings approach needs to be adopted and promoted by local authorities throughout the Gateway;
- reinforce this approach and encourage a more European model of social housing as a tenure of choice for a broader spectrum of the population by policies which blend rents and mortgages and promote routes into equity sharing – this could become a real theme of the Gateway; and
- housing policy needs to help reduce negative 'neighbourhood effects' and improve labour market integration partly through a mixed communities approach but also through interventions to support livelihoods, help tenants into employment and improve the incomes of existing tenants.

The current Housing Corporation approach

It was the view of Commissioners that the Housing Corporation's minimum criteria match some of the best practice in the housing sector, e.g., in particular, Scheme Development Standards, Housing Quality Indicators, EcoHomes 'very good' and the Code for Sustainable Homes. And yet, whilst the Corporation's processes aid the development of many exemplary high-quality schemes, too many mediocre schemes still pass through this net.

Whatever the source of the problem – and some of it, in practice, must simply be the sheer number of schemes the Corporation is asked to fund and its need to show best value/value for money – this is prima facie evidence that current arrangements may be necessary but aren't sufficient to secure the desired quality with any consistency.

The Housing Corporation grant regime entails a process of querying proposals by means of a list of closed questions (i.e. requiring a "yes" or "no" response), seeking to balance availability and demand in meeting need in a given area, and factoring in quality and sustainability. Once passed or failed on these criteria, schemes are benchmarked against each other, including a value for grant comparator which applies weighting of cost (50%), quality (30%) and time frame of delivery (20%).

Whilst grant is conditional upon attainment of Scheme Development Standards and Housing Quality Indicators, failure to deliver these standards cannot be truly measured before completion. At this point there is little that can be done without incurring major delays and wasted resources.

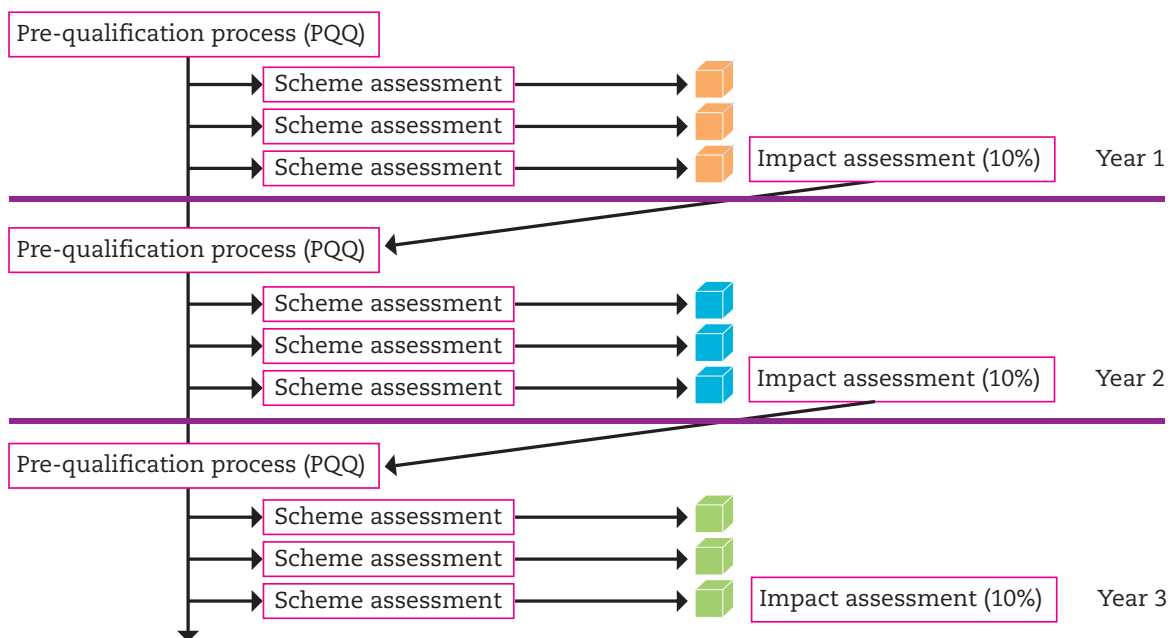
Clearly, although the Housing Corporation does test performance across the range of standards expected, with 25% of completed schemes requiring an independent procedural audit and 10% being subject to a compliance audit, schemes will not be demolished or rejected for narrowly failing the required standard. The criteria thus essentially determine entry to grant and not the delivery of excellence.



The current system

Bidding for Housing Corporation funding is, in practice, conducted with little reference to the design of the actual scheme itself. For example, aside from exemplar or exceptional schemes, at project approval stage scheme drawings are not considered to support what is being approved. There is a presumption that the standards required for grant and the design method statements supplied as part of pre-qualification will facilitate good design. Given the volume of investment and the focus on targets of affordable homes provided, there is an inevitable focus on numbers before design.

The Commissioners recognised the limitations of the current process and were keen for the Corporation to move to a more qualitative approach. It was appreciated that operational issues and the availability of sufficient resources might make a move to a fuller technical assessment of scheme drawings to support all bids difficult to implement in the short term. However, as one Commissioner put it, "It's already apparent that increasing design standards by any method will incur additional expenditure."





“ The Corporation is currently revising its Scheme Development Standards to focus on internal and external environment and on sustainability ”

It was the view of Commissioners that Scheme Development Standards themselves provide only a basic set of hurdles. They focus on the internal environment, and as a consequence do not cover issues such as context, character, public realm, enclosure, ease of movement, legibility, quality and performance of materials, many of which are part of the Building for Life criteria. It seems obvious that Scheme Development Standards need to cover such issues and, indeed, that they should be augmented to include management and maintenance. The Corporation is currently revising its Scheme Development Standards to focus on internal and external environment and on sustainability. It is important that the revision makes clear the Corporation's expectations in terms of high-quality design. The Corporation needs to consider such an evolution in its approach and it will certainly be an issue for its successor body. Effective sanctions for failing to deliver agreed quality clearly also need to be an integral part of the package.

The question of changes to relative weightings of cost, quality and time frame was felt to be a serious issue by the Commissioners, although in the era of public sector targetry some Commissioners felt it could be all too tempting to seek a better result simply by changing the targets and leaving the reality quite untouched.

On the other hand, it is a relevant consideration here that, in pursuit of higher-quality design for the Olympic Velodrome, the Olympic Delivery Authority, much criticised for adopting a design-and-build contract for the Olympic stadium, has in fact inaugurated new guidelines to give greater weight to design quality. While design will be given 'only' a 25% weighting in the new criteria, cost will also only attract a 25% weighting.

The architect responsible for the approach stresses, "If you can select the criteria for selection properly at the beginning, you will probably get a good result... I think it can also apply to projects beyond the Olympics." (Building Design, 19 January 2007)

Whilst a change to the weightings had some appeal, the Commission's view was that its attraction was superficial in the case of volume social and affordable housing, would be impossible to introduce for the Gateway alone and, more deeply, that it would remain open to the weakness of all such approaches: the law of perverse consequences. In this instance, this could mean lending such a heavy bureaucratic weight to the importance of quality that delivery would not take place at all.


Moreover, the view of Commissioners was that there is currently a quantitative 'tick-box' approach to quality – with all the related inherent flaws and potential for 'gaming' and playing the system – and that a changed weighting would merely raise expectations rather than raising the prospects for delivery of improved quality. It was further felt that it would be difficult to justify an entirely different Corporation quality formula and weighting for the Gateway.

All were agreed that greater progress could be made in the short term using the existing weighting and formula if the system of granting waivers for non-performance were radically reformed and the scope for exemption dramatically and speedily reduced. Overall, however, and as the Corporation moves towards Communities England, a more qualitative approach to assessing schemes should be adopted, requiring at the very least that on designated strategic sites,

scheme drawings and design briefs actually accompany grant applications. Put differently, a 25% quality weighting might be perfectly sufficient to assure quality if what were being assessed allowed one actually to understand the quality of an application. Without scheme drawings or design briefs or any of the content outlined above, applications in their current form do not provide the right materials on which any sound judgement of quality can be based. So to raise the weighting for quality to, say, 50% is merely to go from 25% of a flawed approach to double that.

At the time of writing, the Corporation is tightening up its approach to waivers, and Communities England will no doubt further consider that matter and that of the relative place and use of weightings and formulae in the assessment and delivery of quality. The radical approach favoured by this Commission, and very positively supported by the Corporation, is in taking a qualitative approach to the evaluation and raising of quality and to start doing so now.

The Commission recognised that it is impossible to transform a poorly conceived project into an exemplar of design quality via a mechanism of targets and the closed questions of a questionnaire. The Commissioners agreed that, if the quality of the outcome is to improve, this can only be achieved by engaging with project promoters at the earliest stage, and




interrogating the underlying principles of the approach by means of open questions. Such an approach might not be able to be applied to the whole of the Corporation's investment programme, but for strategic sites where large volumes of new homes are required along with supporting infrastructure, this more collaborative and involved approach is necessary.

This means that the Housing Corporation needs to be equipped with processes and skills to undertake this more differentiated (qualitative, directionary and judgemental) assessment of development virtues, requiring the (re)dedication of significant skills and resources. This implies that, aside from the financial support made available to the development of housing in the Thames Gateway, the Corporation will need to draw on resources in terms of architectural, urban design, engineering, planning and project appraisal expertise to ensure that for large strategic sites, investment helps realise the vision for place making in the Thames Gateway. To ensure that this can be achieved, the Corporation might consider it justified to 'ration' this resource to organisations demonstrating a similar commitment to and investment in expertise.

Organisations applying for grant funding need to identify how their development proposal will create, or contribute to, the creation or growth of a home neighbourhood which is attractive now and successful far into the future in that specific part of the Gateway. They will need to show they understand and endorse the themes outlined above.

The Housing Corporation needs to be able to gain an understanding of the implications of its long-term involvement in these new communities, and be able to reward quality over time. To make a place, partners (both public and private) need to join up at the outset of a development, and encouraging participation in that partnering is key. It is in the best interests of all Government departments to participate actively in place making; they already contribute to it through delivering infrastructure and need to ensure public money is spent to best effect.



The Commission recognises the need to move to a proactive approach to development which enables partnering between all parties involved at the outset of development. In order to secure buy in to a more robust role as the major public sector client, developing the brief and procurement for the new communities of the Thames Gateway, the Corporation needs to secure buy in to this partnering approach from all parties concerned.

The Commission recommends that the Housing Corporation secure this buy in by outlining its vision for a place-making approach as part of a business plan – as a dominant investor – for the Thames Gateway, within the overall vision set out by the Government. The Housing Corporation might achieve this by adopting a prospectus-based approach combined with a process which secures long-term relationships with high-quality providers, independent expert quality assessment and – vitally – serious sanctions for failures to perform.

Recommended approach: Panel, prospectus, round table and approved partners

“Good design comes from choosing the appropriate designer and getting the ambitions, expectations and the concept right in the first place.” (LTGDC evidence)

The Commission recommends that the Housing Corporation draw on the collected expertise and opinions gathered together in this report **to produce a prospectus setting out processes, key objectives and priorities for development of housing supported by its National Affordable Housing Programme in the Thames Gateway**. The prospectus could form an addendum to the Corporation’s main affordable homes programme prospectus, due for publication in summer 2007. More detail on general and specific issues recommended for inclusion in the prospectus is set out below.

Once published, prospective partners seeking to play a role in the delivery of grant-funded affordable housing in the Gateway would be invited to demonstrate, to a panel of internal and external experts established by the Corporation, their commitment to, and capacity to deliver, identified principles for high-quality development as outlined in the prospectus. The panel would assess specific key issues of quality and design

identified in the work of this Commission, but also look more generally to the organisation’s vision for development in the Gateway, its capacity to deliver and track record in delivery, and the adequacy of its approach to management, tenant involvement and place shaping. Prospective partners who are able to show examples of developments they are proud of, which correspond to their vision and represent what the Housing Corporation is seeking to support, or otherwise able to demonstrate a credible potential to deliver best-practice development, would find themselves in a position to make a particularly cogent response to the prospectus.

Based on an assessment of prospective partners’ responses, the panel would select a list of ‘approved partners’ to contribute to development in the Thames Gateway. Approved partners would gain access to the round table on the basis of their response to the prospectus and the Housing Corporation’s NAHP pre-qualification assessment.

They would be expected to work up submissions for NAHP funding in the identified priority areas. The Commission recommends that approved partner status be granted for a two to five-year period (to be decided by the panel).

The Commission further recommends the institution of a round-table approach to promote engagement and partnering with approved partners and other key

stakeholders in the Thames Gateway. These include the Corporation, English Partnerships, CLG, CABE, TGDU, RDAs, TGSP and adequate representation of regional and local authorities in the Gateway. **The involvement of a tenant voice or representatives should also be secured in one form or another.** The round table could offer an opportunity to bring together the whole supply and delivery chain to make a viable difference. This should go along with the facilitation of work across investment silos. For established priority investment areas, the brief for development programmes seeking grant funding in the Gateway would be developed jointly at the round table, with a presumption that these strategic programmes would have access to NAHP funding (subject to the requirements of the NAHP bidding/allocation processes). The Corporation should identify and

designate an initial group of pilot sites within the Gateway and review what other materials – for example, design briefs and information on context, character, public realm, enclosure, ease of movement, legibility, quality and performance of materials management and maintenance – should guide investment criteria and decisions. The Housing Corporation should review what other materials might be submitted at grant confirmation stage – for example, the scheme design – and consider whether this should in future be vetted by an expert panel of urban designers. The results of work on this group of pilot sites should help define the modus operandi for the round table and inform progress towards Communities England.

“ The involvement of a tenant voice or representatives should also be secured in one form or another. The round table could offer an opportunity to bring together the whole supply and delivery chain to make a viable difference ”

“ The Corporation should monitor the quality of resulting housing development throughout the two to five-year duration – of the funding agreement ”

Throughout the two to five-year period, continued access to the round table would be dependent on a rigorous and independent assessment of outcomes against the development objectives and quality standards set out in the prospectus. To this end, **the Commission recommends that the Housing Corporation – and its successor body which we urge to consider the round-table approach as a potential Communities England pilot – monitor the quality of resulting housing development throughout the two to five-year duration of the funding agreement.** This audit would take into account the range of housing development of each approved partner – including s.106-derived schemes. CABE housing audit methodology might provide a viable model for this monitoring exercise.

Where outcomes are deemed to fall significantly short of the development objectives and priorities set out in the prospectus, or the quality standards demanded by the NAHP funding regime, the approved partner status – including access to the round table and to NAHP funding – should be reconsidered, reduced in scale or closed off. In addition to the immediate possibility of divesting organisations of their approved partner status – and some such strong sanction is fundamental to making this approach work and to delivering better quality on the ground – the audit results could provide a valuable pool of knowledge, suited to giving the power of reputation real purchase and recognition.

Due care should be taken not to raise barriers for small organisations to gain approved partner status. This might be achieved by the Corporation adopting a capacity-building, best-practice-sharing approach to smaller organisations and promoting partnering between organisations across various scales and skills levels.



How the prospectus could work

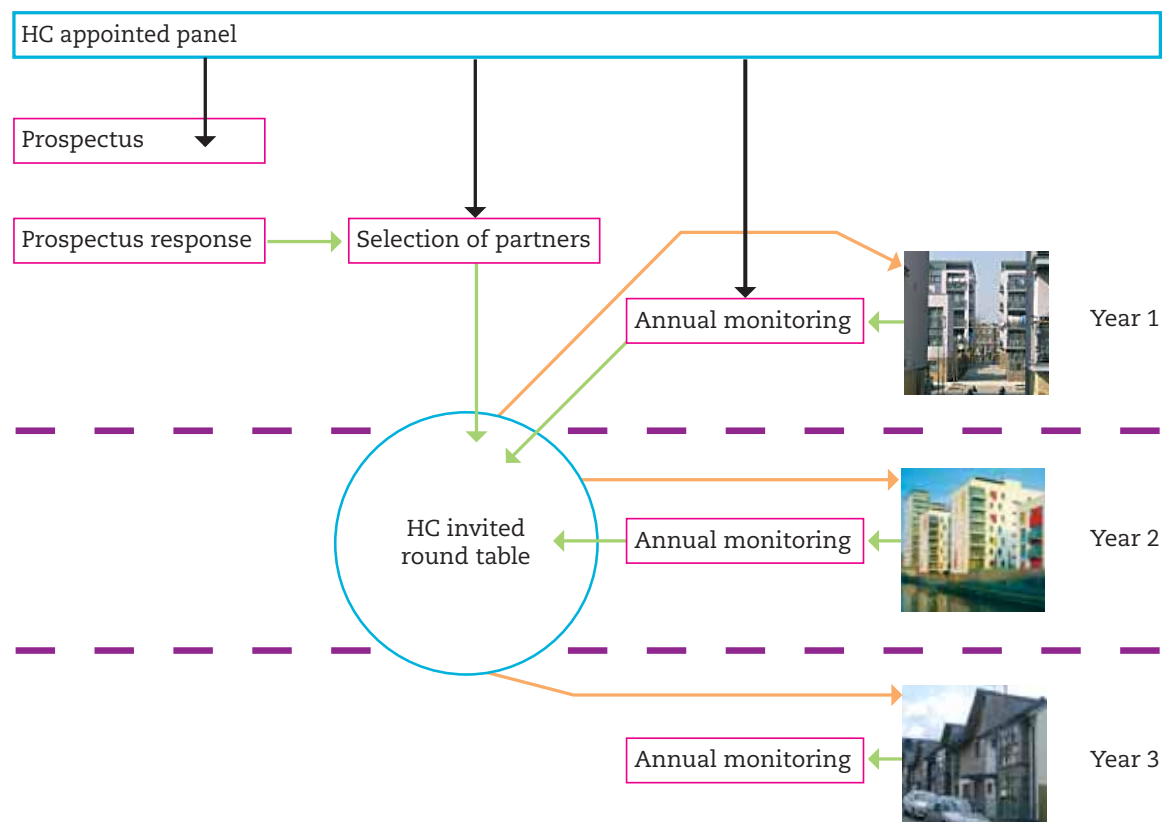
In particular, the Commission recommends the following general and specific issues for inclusion in this prospectus:

Communities of first choice

If they are to succeed, the communities of the Thames Gateway need to become attractive locations of first choice, enriching existing communities and developing new ones in a way which

supports social cohesion and inclusion. The Gateway cannot be viewed merely in terms of the potential amount of new housing units for new arrivals. It is equally important to give serious thought to the benefits for existing communities. Thus, development needs to build on the distinctive characteristics of the Thames Gateway, responding to the pioneering and innovative culture of an area always open to new investment, ideas and peoples.

The prospectus



“ A strong sense of identity helps a place to flourish. When the people who live in a place share a sense of its identity, their collective energy makes it prosper ”

Robert Jones, Wolff Olins, *New Things Happen*

The Gateway is defined by the river and its estuary, providing unrivalled opportunities for a new type of environmental approach to urban design, architecture and landscape design, to create a new kind of landscape to use, to visit and to like living and working in. With its strong trading tradition, new commercial cultures have always joined the stream here, and development needs to seize this opportunity for reinventing identity to find new ways to allow people to create the kind of communities they actually want to live in. Prospective partners will be expected to demonstrate an understanding and a level of in-depth analysis of the needs and opportunities of the specific contexts – respecting the diversity of history and place but equally open to the future.

Social cohesion: integrating new and existing communities

The changing tidal landscape of the estuary will continue to attract a pioneering and adventurous spirit to the Thames Gateway and furnish it with one of its great strengths. But there has always been an inherent tension between the pioneering of new communities and ideas in the Thames Gateway and the sense of turmoil this can engender. The Thames Gateway has always been an area of immigration, whether from overseas, or from the nearby areas of London. The task is to maximise the

benefits of the continuing influx of new residents and ensure that the area can continue to be characterised by a spirit of openness and a shared vision of a bright future. This mix of local identities with a continuous influx of new ideas and populations offers potentially enormous benefits, provided the expansion of existing communities carries the local population with it. There can be tight-knit places with pride in their traditions which deserve pride of place in the future of the area.

New development must integrate with its spatial and socio-economic context, establishing the basis for fruitful interaction between new and existing communities. New development must work towards the creation of mixed communities of equal opportunity. This requires matching the appropriate offer to the given location, both in terms of tenancy and accommodation types. Ideally, the mix should be tenure-blind and pepper-potted. Prospective partners will be expected to demonstrate a track record in delivering development that furthers social cohesion and inclusion, adding to the quality of life in the location as a whole rather than focusing narrowly within the boundaries of development.

High-quality design

Development must conform to the highest possible standards of design, standards that create significant value over and above their cost. To this end, the Housing Corporation should propose enhanced design and quality standards as a minimum requirement for development. Any organisation seeking approved partner status should view a commitment to the highest standards enshrined in the Corporation's Housing Quality Indicators, Scheme Development Standards, EcoHomes, Lifetime Homes and Building for Life as a prerequisite for gaining access to the round table. As such, a response to the Housing Corporation prospectus must do more than reiterate a commitment to these standards. Prospective partners will be expected to be fully committed to these standards, or better, and to be able to demonstrate dedication of considerable resources – and determination – towards the delivery of these standards in past and current development. Where prospective partners are new entrants, selection will have to balance the risks of inexperience with the need for innovation and competition to drive up quality.

Prospective partners would also be expected to demonstrate expertise in the full range of procurement modes such as 'partnering' forms of contract, rather than relying merely on design/build forms to reduce the overall expenditure

on consultants' fees to deliver sufficiently tight cost control. Prospective partners would be able to demonstrate that they would be equipped with the ability to ensure that the design team remains on hand to assist with complex decisions throughout the design process, and that control remains with the team members best equipped to ensure the high aspirations of the initial design can be delivered in construction.

Sustainability

An understanding of and commitment to social, economic and environmental sustainability must be brought to bear on development, in order to secure the success of new and existing communities long into the future. In social terms, this means that the Thames Gateway must be as attractive to the younger generations that will be born there as it was to their parents when they decided to move there. This will only succeed if we can create living communities with the flexibility, skills and resources to adapt and meet future challenges and opportunities as yet unknown.

This entails investment in new ways of learning, living and working, which will help the people of the Thames Gateway thrive on the area's unrivalled opportunities for working with nature, developing environmental technology, investing in renewable energy creation, fostering



enhanced biodiversity and managing their relationship with the water.

The future economic success of communities in the Thames Gateway will also be dependent on their relationship to an efficient infrastructure, enjoying a sufficient critical mass to support existing services/facilities and build a healthy economic basis for infrastructure (transport, schools, medical services, through to retail).

At the regional scale, this means building in the right place, in order to strengthen existing communities, rather than creating new, self-contained ones to live alongside them.

At a neighbourhood scale, the sustainability of the Thames Gateway entails a commitment to development at adequate densities in the appropriate locations in order to ensure that local facilities, services and amenities can be

provided. Sustainability at the neighbourhood scale will require a commitment to a high-quality, walkable public realm, and to providing an attractive, healthy outdoor environment with easy access to daily needs to be written into the masterplanning brief.

At the building level, an understanding of good design and a commitment to the highest possible level of energy efficiency in terms of construction materials and methods, and in terms of everyday running costs, must feed into the development of the design brief. A determination to promote carbon-neutral development is a *sine qua non*.

Prospective partners will be expected to demonstrate a commitment to growing skills and expertise in these issues and illustrate this with examples from their development portfolio in their response to the prospectus.

Other specific Corporation recommendations

The NAHP **must have regard to the Thames Gateway Interim Plan and Development Prospectus** when allocating its programme and should expect that applicants for funding do the same.

The Housing Corporation **should further tighten up the waivers system and reduce their use by 75% in the Gateway by April 2008**. Communities England will no doubt further consider that matter and that of the relative place and use of weightings and formulae in the assessment and delivery of quality.

The Corporation should implement its programme in the Gateway with regard to the final report of the Commission on Integration and Cohesion established by CLG.

In its programme in the Gateway, it should have regard to PPS3 and fund only schemes which propose appropriate densities in appropriate locations, appropriate mixes of household typologies, ages and tenure. The Corporation should urge local authorities to adopt balanced letting plans, for example, in terms of age distribution.

The Corporation should facilitate and empower partners to take a strong lead from the outset of development. In the case of s.106-derived affordable housing, the Corporation could use grant power to leverage s.106 partners' access to the negotiation table at an earlier stage where necessary, thus improving their negotiation position. The Corporation could also adopt

other policies to help approved partners improve their negotiation skills, such as promoting partnering between weak and strong negotiators, or by aiding access to expert professional advice.

The Corporation, as it moves towards Communities England, could engage with key stakeholders to facilitate access to land at affordable price, exploring agreements on overage/CPO usage/the role of smaller sites alongside strategic sites. As part of this approach, the Corporation could encourage the public sector to retain an equity share in public land to help ease costs and share gain, as ownership and control of public land are most effective tools in exacting the highest standards from development.

The Corporation needs to review the issue of service charges with CLG with a view to achieving by the time Communities England is in place a more satisfactory and equitable regime which promotes for the long term a tenure-blind result in the management of properties and public realm on mixed developments.

Carbon-neutral development should be the aspiration for the Thames Gateway. To this end, the Corporation and other partners around the round table should work with affordable housing providers to deliver development which is carbon neutral, not just in terms of buildings and their components, but also in terms of the environmental performance and sustainability of the new communities and neighbourhoods they constitute.



Further recommendations

Registered social landlords

Registered social landlords working in the Thames Gateway should embrace the 'quality first' approach advocated in this report in order to become the world class delivery partners sought by the Housing Corporation for development in the Gateway.

They should develop their capacity now to work with the Prospectus approach outlined here and the higher quality threshold anticipated of bidders for National Affordable Housing Programme grant in the Gateway. This will mean in some cases a culture shift and in others a resource shift, but in all cases it will mean a shift to higher skill levels in architecture, planning for and managing mixed communities, neighbourhood engagement and place making.

Registered social landlords should support the emerging Thames Gateway design pact and support investment in the key locations and communities identified in the Thames Gateway interim plan development prospectus and, when issued, the final Thames Gateway investment and delivery plan.

They should establish best practice relationships, at the earliest stages, with the relevant local authorities, the GLA and the key private sector house builders.

Registered social landlords should ensure that developments put forward for funding are mixed tenure from the start, have appropriate management regimes and, post Hills, address the employment and training needs of tenants, in partnership with the key agencies and local authorities.

A commitment to carbon-neutral development should be a sine qua non for registered social landlords and indeed all housing deliverers in receipt of public funding in the Gateway. Consumers in the private sector are moving the industry in this direction but social housing providers should do as they have always done on the broader design front: lead the way.

Communities and Local Government

CLG should detail the policy-based criteria on which planning authorities can judge/prioritise design quality.

Further recommendations

It should require PINS to produce an annual report on design and the quality of schemes reviewed at appeal either in the Gateway or nationally. This would bring out the general lessons on what is sound and not sound and would provide a clear guide to the industry and authorities as to what will and will not pass muster.

CLG should encourage partnering arrangements between local authorities and quality developers in the private and not-for-profit sectors. When disposing of their own land and calculating 'best consideration', local authorities should ensure they have included the non-financial benefits to be gained from the disposal (for example in improved quality of design) in the calculation as well as the cash price. It should also require the Communities England transition team to review the working of s.106 in relation to the quality of social and affordable housing produced and ways in which the s.106 system might be improved or reformed.

The Thames Gateway Delivery Unit/CLG is moving from 'plan' mode to 'co-ordinate investment' and must, in the 2007 Comprehensive Spending Review, obtain support from other relevant Government departments and agencies for the investment in social and other infrastructure required to bring to the market appropriate and sustainable sites identified in the Interim Plan and the Development Prospectus.

The Delivery Unit should adopt the model of the English Cities East pact, which identifies approved developers/deliverers on the basis of performance and design quality, with a view to emulating it in the Gateway.

As a matter of urgency, CLG should review the issue of service charges and the funding of long-term maintenance in social/affordable housing and mixed developments.

The Commission welcomed the announced intention of the Thames Gateway Delivery Unit to see created a physical flagship for skills in planning, design and building control in the form of a School of Urban Renaissance in the Thames Gateway. This offers the opportunity further to enhance approved partner skills levels and to reconnect professional training in the housing sector with the challenges of the given context. The Corporation and Communities England could take fully the opportunity to help shape the curriculum for this institution of learning, thus contributing to a major knowledge-building exercise.

Local authorities in the Gateway

Local authorities in the Gateway should embrace and help shape the TGSP Design Pact and implement the proposed suite of measures to secure quality including design codes, design briefs and local authority design champions.

The Commission recommends that local authorities adopt Residential Design Guidance, which might be based around common building blocks, such as Building for Life and other elements of the Corporation's design and quality standards, as well as relating to existing guidance in London and the other sub-regions in the Gateway. A reinforced policy framework will place local authorities in a strong position to ensure development proposals meet the highest design quality standards, and allow them to make a powerful case in the event of an appeal.

Local authorities should adopt the choice-based lettings approach by 2010 at the latest and review lettings policies to avoid over-concentration and clustering of households of one typology over another.

Following the Local Government White Paper and the report of the Lyons Review, local authorities should undertake an internal review of what the role of place

shaping/place making means for them in terms of functions, funding, skills, structures and capacity, particularly as regards the provision of housing in their area. They should monitor their planning decisions against good design criteria and strengthen their capacity to follow through after planning approval has been given, with continuing appraisal of the implementation of approved schemes.

They should avoid disposing of freeholds for 'best price' and, wherever and whenever they are owners of land being sold to developers, or developed with private/registered social landlord partners, they must specify in detail what quality of development is desired, prepare a masterplan and development brief and, through development agreements or (via leasehold arrangements) building licences, ensure what is built is what was specified.



Other Government departments

Government departments should adopt a similar approach to the development of their land as outlined for local authorities and should work with CLG/Communities England in a collaborative fashion to achieve the best quality result on that land. The disposal of freeholds for 'best price' should be avoided.

Other Government departments need to consider a protocol with Communities England which appoints them as agent and quality advisor for the disposal or end use of public land, with a view to maximising the quality and community benefits of its use over the long term.

Planning Inspectorate

The Planning Inspectorate should send a stronger message to developers and local authorities that the low quality of schemes is a legitimate basis on which applications can be rejected.

Private sector

Private sector house builders should look at longer-term models of investment, engagement and management as well as build and sell models.

They must engage with housing associations and local authorities at an early stage to ensure the best result.

House builders need to engage with the prospectus and bid to become an approved partner.

Private sector house builders should invest in skills and knowledge in order to establish and adopt best practice, through research and development where necessary. Developers need to ensure they work with the best architects with experience in the housing sector at all stages.

Finally they must draw on the best examples of developer leadership and reinvent it for the Gateway.



**This independent report
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Housing Corporation**



Housing Corporation

Maple House
149 Tottenham Court Road
London W1T 7BN

For enquiries:

Tel: 0845 230 7000

Fax: 0113 233 7101

E-mail: enquiries@housingcorp.gsx.gov.uk

Internet: www.housingcorp.gov.uk