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The Localism Act 2011 and Neighbourhood Planning in London, the ‘hyper-diverse’ city: challenges and first development

A critical look at neighbourhood planning in London

• On the basis of what we know from 4 decades of (sociological) research on ‘public participation in planning’ and ‘community’/‘neighbourhood planning’
• Against the backdrop of the specific issues affecting contemporary London:
  – The ‘super-’ or ‘hyper-diverse’ city
  – Housing need, affordability and gentrification
  – Specific governance challenges
Examples from the Boroughs of Haringey and Hackney
North-East London

1. Planning reform in the UK post-2010: Localism and Neighbourhood Planning


3. Conclusions and research agenda
1. Planning reform in the UK post-2010: Localism and Neighbourhood Planning

New Labour and the shift to ‘spatial planning’ (1997-2010)

- From Town and Country Planning to **Spatial Planning** (2004 Act): a wider concept referring to the coordination of activities and policies in space.
- **Regional planning** (Regional Spatial Strategies) in England
- Recreation (2000) of **Greater London Authority (elected Mayor)**
- **Devolution** (Scotland and Wales: national spatial plans)
- A new **urban policy**? New area-based initiatives for neighbourhood renewal / new agenda for ‘urban renaissance’ and ‘sustainable communities’.
The Conservative (Lib-Dem) political agenda post-2010: smaller state, bigger society, new localism

‘I want my Party to be one that says, loudly and proudly, that there is such a thing as society - it’s just not the same thing as the state’.

‘The state is often too inhuman, monolithic and clumsy to tackle our deepest social problems’.

‘The Big Society is about a huge culture change—where people . . . don’t always turn to officials, local authorities or central government for answers to the problems they face but instead feel both free and powerful enough to help themselves and their own communities’.

(David Cameron)

‘Big Society’ to replace ‘big government’:

• Empowering individuals and communities: decentralization not just from central to local government, but also to communities, neighbourhoods and individuals (voluntary organisations, faith communities, friendly societies, co-operatives and social enterprises) for them to create better neighbourhoods and local services.

• Some continuities with New Labour: ‘active citizenship’ and community empowerment / the neighbourhood as focus of urban policy for improving democracy, reducing disadvantage, encouraging greater community participation in planning and delivery of services (Bailey and Pill 2011) (e.g. Community Development Trusts; New Deal for Communities)
The government’s vision of planning

- Planners as ‘enemies of enterprise’ (Cameron)
- ‘Presumption in favour of (sustainable) development’
- Deregulation
- ‘Open Source Planning’ (Conservatives’ *Green Paper on Planning*)

‘Our conception of local planning is rooted in *civic engagement* and *collaborative democracy* as the means of reconciling economic development with quality of life. Planning issues drive members of the public to become *engaged* in local political campaigning and decision-making. Communities should be given the greatest possible opportunity to have their say and the greatest possible degree of *local control*. (...) If we enable communities to find their own ways of overcoming the tensions between development and conservation, local people can become proponents rather than opponents of appropriate economic growth’.
Localism Act (15 November 2011)

A significant transformation of the planning system in the UK... which has dismantled several policies/initiatives set up under New Labour:

- National Planning Policy Framework replaced Planning Policy Guidance notes
- Abolition of Regional Spatial Strategies and Regional Development Agencies
- Specific provisions for London strengthen power of Mayor: introduction of Mayoral Development Corporations (London Legacy DC)
- Creation of a new tier of plans: Neighbourhood Plans (Local councils will continue to produce development plans that will set the strategic context)

The legal context for Neighbourhood Planning

- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
  http://www.legislation.gov.uk/uksi/2012/637/contents/made
- The Neighbourhood Planning (Referendums) Regulations 2012
  http://www.legislation.gov.uk/uksi/2012/2031/contents/made
- National Planning Policy Framework
- Guidance notes from Local Authorities / London Boroughs
Neighbourhood planning

- Designated bodies such as Town and Parish Councils or ‘neighbourhood forums’ (NF) (of at least 21 people) are allowed to prepare Neighbourhood development Plans (NP).
- Must have regard to national planning policy, be in general conformity with strategic policies in the development plan for the local area, be compatible with EU obligations and human rights requirements.
- Subject to passing an ‘independent examination’, the NP will be put to a local referendum and will be approved if more than 50 per cent of those voting do vote for it.
- For the local planning authority (London Boroughs): duty to provide technical support to NF, including holding of the independent examination and the referendum.

Associated mechanisms

To support the government’s ‘pro-growth agenda’: incentives to encourage local communities to permit new development:

- Neighbourhood development orders: provisions for permitting development without the need for planning applications.
- Community Infrastructure Levy: NF can receive part of the charges which developers must pay to LA to contribute to new or enhanced services and infrastructure.
- New Homes Bonus scheme: government funding set aside for local councils/communities that welcome new housing development (government matches the council tax raised from new homes for the first six years).

The state of Neighbourhood Planning initiatives in London

- London Communications Agency/London First/DCLG publish a map of London’s Neighbourhood Forums every 4 months (based on expressions of interest by neighbourhood groups)
- As of early November 2013: 74 potential Neighbourhood Forums in London:
  - 23 that have had their area and/or forum formally designated;
  - 19 that have submitted their designation application;
  - and a further 32 who have expressed interest in organising as a Neighbourhood Forum.
  (and several rejected ones...)
Government ‘Front Runners’ scheme: £20,000 given to pilot NF by DCLG (planning ministry) to support work on neighbourhood planning: 4 rounds of bids = 126 communities designated.

Now: smaller grants (£7,000) and technical support

Wide variety of schemes:
- a business-led plan in partnership with local residents for LB Southwark’s Bankside
- a ‘sustainable suburb’ vision in Hackbridge, LB Sutton
• No neighbourhood plan in London has been legally adopted yet.

• In the Borough of Kensington and Chelsea: Norland conservation area may become the first NP to go through referendum after an examiner gave it a green light subject to modification.

Progressive potential of Neighbourhood Planning

• Encouraging citizens’ involvement and action
• Recognising that neighbourhoods have assets, not just problems
• Building and strengthening social networks
• Using local knowledge to get better results
• Beyond engagement with planning as a result of a threat to local conditions: positive proposals? But how to draw the line between collective NIMBYism (Not In My Backyard) and NP for the ‘common good’?
Potential for conflict at each stage of the process

- Establishment of area boundaries and constitution of Neighbourhood Forum
- Preparing the Neighbourhood Plan or Development Order
- Passing an independent check from an examiner
- Succeeding at community referendum
- How adopted plans interact with Local Plans + local acceptance of development in practice

A critical look at NP in London

- On the basis of several 4 decades of research on ‘public participation in planning’ and ‘community’ or ‘neighbourhood planning’...
- Against the backdrop of the specific issues which are faced in London:
  - The ‘super-’ or ‘hyper-diverse’ city
  - Housing need, affordability and gentrification
- ... which make the possibility of NP becoming a progressive, just and fruitful form of planning strongly questionable.
The ‘super’ or hyper-diverse’ city

- The ‘super-’ or ‘hyper-diverse’ city:
  - Socio-economic divide
  - Ethnic diversity (2011 census: 55% of Londoners are not white British, 42% in 2001): the ‘world in one city’
  - A transient and mobile population

Macro- and micro-geographies of segregation
The fallacy of the ‘community’ rhetoric in a city like London?

- Community: a vague term which has multiple meaning (Taylor 2003)
  - Descriptive: people with common characteristics, beliefs, activities, interests (identification to the community): cultural heritage, social relationships on the basis of family, kinship, neighbourhood; economic interests; common experience of power or oppression
  - Normative: communitarianism (family/community as site of moral norms and obligations)

- Can we identify communities in complex cities whose population are changing rapidly?
- Individuals now belong to several communities (work, leisure, family, residence, religion...) /‘weak ties’
- ‘Neighbourhoods’ do not have identifiable geographical boundaries, because they change, mean different things to different people, who are mobile (Jacobs, 1961).

Housing need, affordability and gentrification

- London population, 2011 Census: 8.17m (up to 8.8m in 2021, 9-10m in 2031?)

- Given existing housing shortage and changes in household size: need of up to 1.25 million more homes over next 25 years.
- + need space for at least 655,000 more jobs, + transport, utilities, social and green infrastructure
- Resistance to development: Green Belt / strong rural lobby in S.E. England + cultural resistance to high density living?
• Restraining population growth?
• Diverting population and or jobs to other parts of UK – how? (a strong regional policy)
• Increasing density in Central London? The ‘compact city policy’
• Increasing development and development density in lower density suburbs, especially where there is transport and social infrastructure.
• Intensify employment uses to free up space for more housing.
(from D. Bowie, 5/12/2012)

(i) Where/who are the Neighbourhood Forums?

• Relative concentration of Neighbourhood Forums (both designated and interested) in Inner London.
• No expressed interest in 14 boroughs
• Compare with the (micro) geography of socio-economic wealth and deprivation, of cultural capital and ethno-religious concentrations within Boroughs:
  – Established middle- or upper-middle class areas
  – Newly gentrified areas with a ‘new middle class’
  – Areas with a very strong, geographically concentrated and inward-looking ‘community’ (ethnic/religious lines)
Haringey/Islington, Highgate NF

http://www.highhateneighbourhoodforum.org.uk/

- Established middle- or upper-middle class area with strong conservation agenda (Highgate Society)
- Very well organised network of amenity societies; high degree of financial, cultural, social, legal capital
- Defend privileged quality of life and property values?
- Findings from D. Watts (UCL student)
  http://www.highhateneighbourhoodforum.org.uk/blogs/planning-and-participation/

Hackney, Chatsworth Road NF

www.chatsworthroade5.co.uk/planning/neighbourhood-plan/

- The mobilization of the ‘pioneer gentrifiers’ (in alliance with old residents) to protect a fragile social mix and functional mix / slow down gentrification?
  http://www.youtube.com/watch?v=pRkgSG2VTnc
- Attempts to reach out to young people; Chinese and Asian Groups; Muslim, Hindu and Sikh communities; unemployed and disabled groups
**Hackney, Stamford Hill / North Hackney NF**

- Home of the largest Orthodox Jewish (Haredi) community in London (3rd biggest in the world): a very strong, geographically concentrated community, growing in size (20,000)
- Background of conflict and corruption over planning issues in the Borough/area in the 1990s-2000s
- 2 competing applications for area and forum status, refused by Hackney Council in July 2013 (which designated a smaller area in the centre of Stamford Hill).

[http://www.hackney.gov.uk/neighbourhood-planning.htm#Upe55SdF33U](http://www.hackney.gov.uk/neighbourhood-planning.htm#Upe55SdF33U)
Petition by Hackney Planning Watch
(http://hackneyplanningwatch.wordpress.com)

A divisive instrument in a hyper-diverse city?

Hackney planning row exposes faultlines in orthodox Jewish area

http://www.theguardian.com/society/2013/mar/08/hackney-planning-row-orthodox-jewish
No surprise?

• The pre-existing power relations and socio-cultural inequalities will favour certain voices over others in the NP process,
• NP: a minority sport! The ‘usual suspects’? (educated middle-class, activist working class)
• Difficulty in mobilizing a wider cross-section of the local population: socially excluded or disenfranchised, ‘weak’ social groups (migrants, elderly, young people...) tend to not participate, or less. Their voice is often channelled by powerful community leaders and/or professionals.
• Socioeconomic inequality remains a determinant of people’s ability to engage with and influence the planning process.
• Socioeconomic status, education level, language ability, confidence, time, money, mobility, relation to property (interest)... all affect an individual’s willingness / capacity to participate.

‘Much of its success depends on people being convinced of the importance of their role within neighbourhood planning exercises. Lay-folk may not care sufficiently about the impacts of planning policy to get involved; there are more important things in their daily lives. The ‘promises’ of localist planning may not be believed sufficiently to outweigh the costs in terms of effort, disturbance to routines, and childcare and transport costs that accompany participation; communities may not trust government to leave the future of their locality in their hands. The role given to business within neighbourhood planning, the threats from centrally sanctioned infrastructure development, and the presumption in favour of growth may all result in the incentive structure remaining firmly weighted against participation’ (Holman and Rydin, 2012: 8)
Some (potential) surprises?

- In London the housing crisis and gentrification pressures are so intense that this may lead to new coalitions of low and middle income groups: the emergence of unusual alliances?
- Hypothesis of the recent literature on new urban social movements (‘Between austerity urbanism and creative city politics’, Mayer, 2013): some coalitions bridging the gap between the ‘materially dispossessed’ and ‘culturally disenfranchised’?

(ii) Neighbourhood planning without resources?

- More than 300 ‘Front Runners’ have been given funding by DCLG to support work on neighbourhood planning
- ‘The Big Society idea is strong on empowerment but weak on equality’ (NEF, 2010): not everyone can take part and benefit as easily as everyone else, because the conditions that make it possible are not equally distributed.
- Massive cuts in public services/welfare benefits (benefit cap, bedroom tax) hit the poorest harder and increase inequality: in London, further displacement and social exclusion.
- Austerity measures undermine the very networks and third sector organisations that are most needed in neighbourhoods
- End to most urban regeneration funding streams/programmes set up by New Labour
‘A combination of social and economic forces, working across and between generations, result in some having much more and others much less. **While these inequalities persist, people who have least will benefit least from the transfer of power and responsibility, while those with higher stocks of social and economic resources will be better placed to seize the new opportunities.** Many of those who are currently poorest and least powerful are at risk of being systematically excluded from any benefits that arise’ (NEF, *Ten Big Questions about the Big Society*)

(iii) The difficult/ambiguous role of local authorities

- Designating a forum / the area for the NP: competition for recognition between groups, ‘identity politics’. Favouring ‘difference’ vs an ‘ideal’ public (or common) interest?
- Huge challenge: advising or assisting communities in the preparation of a NP in an era of budget cuts / huge strain on planning departments / lack of adequate skills (mediation/conflict resolution) for planners
- How will officials engage with residents is not clear (Gallent and Robinson 2012 on the experience of Parish planning in rural and semi-rural location around Ashford)
**Practitioner survey responses, Spring 2012: How useful will the introduction of the following measures be?**

http://www.futureoflondon.org.uk/2013/11/15/localism-two-years-on/

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**Will local authorities listen? When the Boroughs’ agenda clash with their ‘communities’**

- Ambiguous relationship between local government and the grassroots initiatives that emerged long before NP (self-organized community ‘planning’): passive acceptance? Active cooptation and promotion into the NP process? Rejection of those which challenge the market-led regeneration narrative?
- Example of Haringey and Tottenham: an active set of community groups mobilizing to propose alternative visions for the area...
- vs a very aggressive strategy of regeneration promoted by the Borough (Labour-led) which ignores those demands, sticks to cosmetic forms of public participation and favours big investors (Wards Corner / Tottenham Spurs)
Our Tottenham, A Community Charter
Planning & Regeneration by and for the Community

The Council are promoting their ‘Plan for Tottenham’, backed by property developers, big business, and the Mayor of London. A plan that will lead to large-scale development, increased rents and unaffordable housing, the loss of some independent local shops and closure of some community facilities. A plan that will seriously impact on our lives and our communities, and force many local people out of the area.

This is unacceptable. It doesn’t have to be like this. Together we are very powerful. We pledge to fight for OUR common interests, OUR neighbourhoods, OUR community facilities and for the needs of OUR communities throughout Tottenham.
(iv) A mosaic of inward-looking plans?

- Inherent tendency of localism to produce inward-oriented plans: danger of fostering bonding social capital within local communities at the expense of bridging/linking ties outside (Holman and Rydin 2012). How will ‘duty to cooperate’ written into the Localism Act apply to NP?
- NIMBYism will prevent the broader ‘collective good’, and future needs, being considered: ‘LULUs’ (Locally Unwanted Land Uses) or new higher density housing.
- Some challenges can only be addressed at a higher scale: e.g. housing provision (regional/national).
- Inherent tension within the Conservative agenda: localism/growth! If incentives exist (New Homes Bonus), how do you keep them in control (e.g. avoid corruption)?

3. Conclusions and research agenda
Conclusion

• A pessimistic view of NP: few of challenges faced by London will be solved by it.
• Enormous power of real-estate interests and the economic growth objective in local and national politics/policies.
• On the contrary, NP may be very divisive in a hyper-diverse city
• A research agenda: under what conditions (if any) can it be progressive?
  – Area boundaries
  – NF membership and workings
  – Process of NP preparation
  – Central role of the planner.
  – Questions of scale/territorial and spatial justice

Fincher and Iveson 2008: 3 social logics of ‘planning for a just diversity’

• Redistribution: “the remedy for inequality rooted in class”
• Recognition: “the remedy for the failure to treat all social or identity groups as equivalent in their diversity”
'If planning is to craft more just cities in a context of diversity, then this cannot be simply a matter of ‘accommodating’ or ‘embracing’ diversity as such. Rather, it is a matter of disentangling the different kinds of diversity which characterize city life and distinguishing between those forms of diversity which are just and those that are unjust, in order to promote what we will refer to (...) as a “just diversity”’(Fincher and Iveson, 2008: 3)