

Masterplanning—visions and parameters

By Geoff Wright

Masterplans are in fashion—across the country regeneration partnerships are churning out visions for change and consulting widely on them. For larger projects developers often present masterplans with their planning applications.

My aim in this paper is to get behind the surface of all this worthy activity and address some underlying issues;

1. How does masterplanning relate to the cultures of local government planning and private sector development and to the agenda for increased community involvement?
2. How should masterplanning relate to the statutory functions of plan-making and planning permission? Where does it fit in current practice with environmental assessment? And in the brave new world of local development documents, action plans and statements of development principles?

This paper represents the personal views of a planning practitioner who has concentrated on delivering major projects in an urban context. Much of my experience has been in the public sector, pushing forward positive change particularly in Birmingham where I led city centre planning throughout the nineties. This included the production of “quarter plans” and site briefs, and negotiating the planning principles of numerous major developments. Latterly in the private sector I have advised developer clients securing planning permissions for major projects in a number of English cities, often in close relationship to masterplanning and to community engagement.

I’ll set the scene with some general points about planning and the development process.

Planning for Uncertainty

“The only certainties in life are birth, death and taxes” (Benjamin Franklin)

In an ideal planning world there would be clear and unambiguous plans giving certainty for developers to invest and for others to know what will happen and when. Developers’ schemes would (after extensive consultation and assessment) be fixed and detailed in all respects. They would be built quickly after approval and exactly in line with the approved plans.

The real world is messier. Plans are written at a point in time. They emphasise the concerns of the day. When they try to predict the future and provide for anticipated development they will always be wrong to some degree. New concerns surface, nationally and locally and the essentially political nature of local government decision taking adds unpredictability.

Property development is a volatile business, subject to changing overall levels of investment and the success and failure of individual companies and projects. Planning applications usually relate to a specific scheme which will also relate to a transient perception of viability and market preferences. Schemes will also be influenced by the personal views of strong personalities in the developer’s or local authority’s team.

Add the ingredient of the time it takes to plan, approve, assemble land and build a major urban project—anything from 5 to 10 years is typical—and it becomes clear that the planned and predictable delivery of a major urban development is a rare event indeed.

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This volatility is especially true of planning for redevelopment in urban centres. It is the context for urban renaissance strategies and partnerships and for recent private sector development attention to city centres and brownfield sites.

One would have thought that with uncertainty so endemic in the planning and development process, there would by now have been some sophisticated mechanisms in the planning system to enable projects to make positive headway whilst retaining the flexibility to adapt to changing circumstances.

Examples of this exist but they are not widely understood. In contrast many planning authorities, developers and their advisors go out of their way to fix detailed aspects of planning for reasons of short term expediency and then discover that they need to start all over again. This can be a shared problem for the public and private sectors in presenting coherent progress to each other and to the general public.

Masterplanning doesn't change the background of uncertainty, but it can help "manage uncertainty". I'll develop this point by comparing the planning history of the two largest private sector developments completing this year in Birmingham city centre—Brindleyplace and the New Bull Ring.

The New Bull Ring

Redevelopment of the 60's Bull Ring Shopping Centre was first mooted in 1987 by the London and Edinburgh Trust. It was not anticipated by the Council but with Prince Charles and others deriding Birmingham's post war concrete jungle the developer's enthusiasm to rebuild was initially warmly welcomed.

The illustrative scheme which accompanied an outline planning application in 1987 was proudly described as an "in-town out-of-town shopping centre". Whilst welcomed by senior local politicians it generated a backlash from an amalgam of local people, market traders and amenity societies acting as "Birmingham for People". They wanted new investment but not in the physical form proposed, which they saw as unrelated to the city and inward looking. The proposal was unkindly described as looking like an aircraft carrier.

The scheme was modified progressively over two years, taking account of these concerns and of Birmingham's emerging City Centre Design Strategy to arrive at a compromise solution with distinct building blocks and new public spaces. A revised outline and reserved matters were eventually approved in 1990.

With a large number of interests to acquire, the scheme proceeded onward to a CPO inquiry in 1991, where it was argued that the particular scheme represented the most appropriate way to develop the site. Compulsory Purchase was confirmed by 1992. Unfortunately this coincided with the demise of the London and Edinburgh Trust in a property recession.

Successor owners, SPP Investments picked up the baton in 1993. They took a less ambitious approach to be implemented in phases with less new road building and re-using some of the existing structure with the indoor markets below. The hope that existing CPO powers could be used were dashed by Jeremy Sullivan Q.C. (as he then was) advising that the powers had been sought and secured in the context of a very specific scheme proposition, not for the generic principle of redevelopment—so a completely new planning permission and new CPO powers would be required. A new outline planning permission was sought and granted in 1994 adopting new principles of public space and vistas and of connections to the surrounding city.

Subsequently new owners Hammerson revised the ambitions upward again to a single-phase

comprehensive new build project—with floorspace and parking levels close to those of the original LET scheme. The physical form was based on the SPP layout. Another new outline consent in 1996 was followed by reserved matters in 1998 and 1999. The confirmation of a revised CPO in 2000 cleared the way for construction. The scheme opened early this month.

The process has taken over 15 years of continuous attention, with several false starts and changes of developer and three substantive outline planning permissions, each with associated s.106 Planning and s.278 Highways agreements.

The levels of new retail space and of car parking are close to the 1987 figures, with substantial changes in the basic layout in urban design terms between 1987 and 1994 but with subsequent changes being essentially of refinement.

Brindleyplace

Brindleyplace was assembled for private sector development by Birmingham City Council as part of the Broad Street Redevelopment Area, relating to the City's new International Convention Centre. The site was marketed to secure a private development partner in 1987. The selected joint venture consortium, Merlin/Shearwater/Laing, promoted a "Festival Marketplace" project on the Eastern Seaboard US model. They constructed the National Indoor Arena on part of the site (a rare example of planning gain achieved without the development it related to), then the partnership dissolved in 1990 without implementing their 1989 Outline approval.

The project reverted to Rosehaugh, and was the subject of a masterplanning process involving public consultation. This started with some very basic concepts of how priority would be given to the issues of achieving an attractive "public realm" of new streets, squares and canalside spaces as the setting for an office-led project which could be built out over time. Complementary uses included housing and "people-attracting" leisure. This masterplan related to an outline planning approval in 1992, which fixed maximum levels of floorspace and defined the "Masterplan Principles". The Masterplan itself could be revised within a framework of planning conditions.

Rosehaugh folded in 1992, and the receivers acting in consultation with the City Council selected Argent as a bidder prepared to work within the existing development and planning agreements. Rosehaugh's project director and masterplanner were kept on and the new owners implemented the existing consent. Some changes were made to the masterplan, first in 1993 to allow a housing development partner to concentrate new housing on part of the site originally earmarked for leisure, and again in 1995 to carve out a second public square in the later phases of the development whilst allowing the building heights around to rise within the approved maximum floorspace levels. This followed the commercial success of the main Brindleyplace Square as an environment and address for businesses.

The first buildings on the site were completed in 1994, with the main square area complete by 1998. The last three buildings are almost complete.

Again the overall timescale is long, but in this case a 1992 planning consent with its associated masterplan process and s.106 agreement gave certainty of principles with flexibility of details. It controlled the subsequent 10 years of designing and building within an evolving masterplan vision.

Comparing these two successful projects, both have involved engagement with the public on urban design and masterplanning issues. In the case of the Bull Ring it was reactive, in the case of Brindleyplace proactive. Whereas the Bull Ring has been presented by successive developers as "a

scheme”, Brindleyplace has been presented throughout as a “masterplanned area”. The Bull Ring has run the risks of being reconsidered in principle several times with new planning applications. Brindleyplace has, since 1992, been delivered within the ground rules of a permission, which specifically anticipated the need for changes to be made over time.

The emphasis on the Masterplan underpinning the Brindleyplace process is more than just presentation. It reflects a commercial philosophy of thinking first about the place and uses to be created, and how it will link to the City around, then secondly about how individual buildings will contribute to the overall effect. This isn’t at all new in town planning or commercial development terms—just a modern variant of the basic town planning principle of starting with the streets and squares. Importantly it implies a time line—explicitly allowing for phased development. As a process it takes on board civic design concerns from the outset, rather than later as was the case with the Bull Ring.

In Birmingham and in some other cities, similar long-life masterplan-relating consents are increasingly widely used. Their underlying advantage is that they plan for the real world (some things will change) rather than for an illusion (we believe it will turn out just like this).

I will return to this theme of managing uncertainty later in this paper, with an example of how the Brindleyplace consent model has been taken further in more recent practice.

The Context for Community Engagement

I want to turn now to another underlying theme—that of community engagement. The Government is emphasising an increased level of community engagement particularly in preparing the new local development documents. There is also the expectation that developers should undertake significant pre-application consultation on larger projects.

Most planners and developers know from experience that people who engage as individuals with plan-making or with representations on planning applications do so as objectors. There will always be a silent majority of others who don’t care, don’t mind or may even support the proposals, but generally it is those against change or who see an opportunity to present an issue of their own whose voices are heard.

This experience makes many planners sceptical that the government’s aspirations for increased community involvement will improve the delivery of or public satisfaction with planning outcomes.

There is an alternative view coming from the “better governance” and “community planning” agendas of multi-agency partnerships and community empowerment. From recent practice in these areas there are emerging signs in the larger cities of “top-down” dialogue across relevant delivery agencies, involving area community representatives capable of taking a wider view of matters. These processes of community planning are in their infancy but they offer the potential for new and less confrontational engagement. They recognise that “the community” is not a single entity. It is made up of a range of interest groups with overlapping agendas—the local resident community, the local business community, disadvantaged groups, inward investors, service delivery agencies, commuters, government and voluntary bodies. . .the idea is to explore the scope for some degree of at least mutual awareness and at best a degree of consensus.

The new community planning processes are showing a wide range of techniques and experiences. At the inter-agency overview level they can be dominated by the roles and strategies of different agencies and their respective leaders although there is generally an underlying will toward some resolution of these “creative tensions”.

Things tend to get interesting when “real people” become involved as representatives of the communities of physical areas. Their interests focus on what will happen in their area—and they want to see clearly expressed proposals not just organisational coordination.

Turning to site planning proposals I would highlight two distinct types of context for local community engagement around a masterplan.

1. Those sites where the status quo is an option. Typical examples of this scenario would be green belt, “urban cramming” or environmentally challenging developments where the local community may adopt a clear “NIMBY” stance. In such cases a masterplan can do no more than help explain a proposal or provide a context for the marginal discussion of mitigation measures.
2. Urban redevelopment sites where there is a widely shared expectation that some change is needed but where there may be a range of views and expectations regarding outcomes.

The latter case is much more amenable to a dialogue with local “stakeholders” and community groups to explore the scope for acceptance and even “buy-in” by the communities to proposals for change. It is here that masterplanning processes can be especially relevant, involving people as participants or at least as consultees in the process of firming up proposals. Local people will often have constructive comments to make.

For urban redevelopment, regeneration agencies and enlightened developers have begun to appreciate that a preliminary and broad-based dialogue around a masterplan can engage a broad spectrum of local opinion and secure levels of understanding and support that will never be aroused if a planning application is made and objectors reacting dominate the agenda.

How can Masterplans Engage a Community?

If people are ready and willing to be involved, masterplans can allow ordinary people the opportunity to start thinking in three-dimensional terms about their area. Aerial photographs or axonometric illustrations are excellent as tools to engage people, firstly with answering their curiosity (where’s my house on that) and then leading on to help people understand and influence the places they live in and use.

There are a number of techniques and approaches:

Placecheck

Placecheck is a structured checklist, promoted by the Urban Design Alliance (itself a joint exercise involving the planning, architecture, engineering and surveying professions). Launched three years ago it is essentially a tool for local communities to analyse their surroundings. Whilst intended to encourage ordinary people toward greater understanding, it works best when guided by expert facilitation—it goes into some quite detailed aspects of urban design analysis and into the practicalities of the ownership and control of sites and public spaces. Placecheck builds communities’ capacity to understand and to engage with development processes.

Planning For Real

Planning for Real comes from the same basic ethos of enabling local people to become involved. It concentrates on testing development options, usually in organised workshops where local people are able to use physical models. Planners and architects act as facilitators to help them express their ideas.

Planning for Real has a long history within the voluntary sector of community planning aid but has gained wider acceptance over the past decade. It is most often used in the process of regenerating areas of social housing where it is commonly funded by regeneration agencies and development partnerships as an essential part of preparing an area masterplan which can be accepted by local people who will continue to live in the area. It is a very accessible technique and can be an enjoyable and “team-building” experience for the community.

Stakeholder Workshops

Stakeholder workshops are increasingly used by planning authorities and developers as a means of engaging a wide range of interests initially at an early informal stage of a planning application or site brief, repeating this at key stages as the project advances. They aim to bring together a broad spectrum of different perspectives including local residents, business and service provider interests and various issue groups. They enable a two way flow of information on how the potential of a site is seen and have the important role of opening channels of communication between all interested parties and the developer before proposals are finalised. It is good practice for developer and planning authority to attend together so that there can be shared understandings of the views expressed and of how to take them into account.

These arrangements can operate at various scales depending on the size of project. For the very largest schemes of citywide impact, workshops may extend to establishing a “citizens panel”, selected to be representative of the general public, and paid to attend and give their views.

Proactive Planning-Quarter Plans and Area Briefing

Town planning has a long history of producing physical visions for places as an integral part of plan-making. It is instructive to look back at some of the best of the plans for our city centres produced soon after the Second World War with their perspective sketches of ambitions for redeveloped areas, or to look further back to Daniel Burnham’s (largely implemented) 1909 Masterplan for Chicago.

Through the 1970s and 1980s this spatial visioning at an area level dropped out of most formal plans in favour of policy based and criteria based planning—mainly using words not pictures.

“Visioning” was for a long time left for the very local level of site briefing. Alongside an emphasis on conservation it tended to be used to illustrate the immediate urban design issues of “fitting in” or “mending” places rather than ambitious aspirations for change.

With rising interest in urban regeneration from the late 1980s, there has been a new breed of urban area plans, often given the status of supplementary planning guidance and usually related to a regeneration agenda involving a local authority in a lead or partner capacity.

I’ll give an example from my own experience—the City Centre quarter plans produced by Birmingham in the 90’s. The apparently poor arithmetic—there are seven “quarters” is explained by the European dimension. We are talking about urban “quarters” here, in a city benchmarking itself against international comparators—European regional capital cities.

Birmingham’s quarter plans combine written area policies with urban design analysis setting the context for positive changes throughout the city centre. They also contain some strong images visioning radical change. For example the before and after montage from 1995 of the development possibilities to be released by taking away the inner ring road “concrete collar” at Masshouse Circus. This was a powerful vision. Today the road has gone and new developments are approved and underway as part of Birmingham’s Eastside regeneration.

A key ingredient of Birmingham's quarter plans and many similar examples of urban visions in recent plans is the use of axonometric and aerial oblique plans which give people the ability to relate proposals to the city they know and experience. They help make positive change seem possible.

Plans like these aren't just concerned with planning control, they are part of a process of positively encouraging where and how private development might take place, and they aim to achieve a wide public appreciation of the potential for positive change.

Visualisation

With the growth of computer modelling techniques including photomontage it has become increasingly easy to explain the structure of a whole area in 3D and to test the scale, layout and appearance of developments in their context.

We are all so familiar with photomontages of new developments now that it is easy to forget that only 10 years or so ago the planning system relied on planners and architects expressing such obviously visual issues using mostly words and 2D plans.

Local authorities may now require high standards of visualisation. This is currently a rather inexact science and there can be pitfalls in validating the accuracy of images, but by way of example of current advanced practice Bristol City Council's City Centre Model has been used (at the developer's expense) to test the massing of new proposals such as the Broadmead redevelopment. This is used mainly as an assessment tool.

At an even larger scale dealing with the whole city centre Leicester Regeneration Company's Masterplan, first highlights areas identified for change in their context and then visualises some deliberately provocative sketch ideas for these areas. This is being used mainly to promote a regeneration process, engage public support for change, and to encourage the private sector to develop viable proposals. It is widely understood that the next layers of masterplanning, for individual sites, should be inspired by the underlying possibilities rather than bound to these sketch ideas.

Masterplanning and the Developer's Agenda

Looking from the developer's viewpoint, masterplanning is an important tool to test and validate development options internally within a project team or externally with a local planning authority. It can be helpful to establish general principles for project approval within the development company, to secure investment from key funding partners and possibly to engage pre-let tenants before moving into expensive detailed design work.

For larger sites, masterplanning will necessarily engage with issues of phasing of the development and related infrastructure changes.

Where site acquisition including compulsory purchase may be necessary, masterplanning approaches can be used to test the coherence and viability of different extents of development, to illustrate the necessity of land acquisition and to visualise the relationship of a particular site to a context of other schemes or external changes.

A proper masterplanning process which establishes ground rules and agreed principles narrows down the range of development scenarios for further design and viability assessment. This progressive focus has some business logic as a discipline for the project team and offers the potential to reduce abortive work through backtracking repeatedly over issues of fundamental principle.

From the developer's viewpoint the ability to agree the principles of a development with a local

planning authority at an early stage can be critical. Masterplanning processes are valuable if they give some certainty for the developer through adoption as supplementary planning guidance, or preferably as part of the approval of an outline planning permission. Developers need key reassurance on planning principles to justify further investment in taking a project forward.

Shared discussion and understanding of the issues that are important from the viewpoints of the developer and the planning authority can also provide a considerable degree of preparation for any s.106 agreement to be associated with the development. In particular commitments to key elements of infrastructure and environmental work within and around the site can be rehearsed and their costs and benefits understood from the outset, reducing the risks (for both developer and planning authority) arising from more confrontational negotiations at a late stage.

How not to masterplan—big architecture

The masterplanning I see as most helpful, to both developers and local authorities, is that which is able to express clear underlying ground rules and commitment to direction without jumping to detailed solutions. The general idea is to agree the planning equivalent of “heads of terms” for the development as it will relate to the planning system and to the wider community.

However, there are many examples of major development projects being presented with “masterplans” that lack explicit analysis and are just “big architecture”. In such cases a single fixed architectural solution is presented for an area without an understanding of underlying principles, or of how the messy realities of probable changes at a later date might be addressed. There may be “a masterplan” but in many cases there may be no evidence of the process of “masterplanning”.

A changing planning system—the design agenda

I’m pleased to say that 3D planning is here to stay. It is an essential part of planning and development as a positive activity. If a picture says a thousand words then masterplans at various levels of detail are a key part of the wider language we must use to explain what plans and proposals mean and what permission is being given for. Like all language masterplans need to be clear and coherent if they are to be meaningful.

The Planning and Compulsory Purchase Bill makes extensive use of the word “spatial” in visualising the key features of a better planning system. It is a word that in this country we aren’t too clear about yet. In some European planning circles it has a much more established meaning. Strategies for regional investment and visions for places have an established tradition of being expressed in terms of visual imagery.

For the preparation of area and site level Local Development Documents and Action Plans, where community engagement is also emphasised, masterplanning in its various forms is the obvious tool for the job.

We will need to see the regulations before we know if words like “spatial” and “masterplanning” will acquire a more specific meaning for planning purposes but we can already see that these and other “design” words are becoming the currency of planning in practice.

Urban renaissance and CABA

The planning system has always had a strong underlying concern with design issues, but in recent years, since Lord Roger’s Urban Task Force report in 1999 and the arrival of CABA in 2000, the design agenda has moved to the centre of the planning practice stage.

CABE has begun to spur on planning authorities and developers alike to a higher level of attention to urban and architectural design quality. Its interventions may not always be welcomed by those whose projects are the subject of criticism, but it is undoubtedly effective in raising the quality of debate. Design issues are moving from being seen as matters of local concern or personal taste into the realms of accepted good practice and of meeting public expectations for quality.

Much of what CABE is arguing for is already in the planning system. PPG1 (1997) urges planning authorities to reject poor design, and to push for quality:

“Good design should be the aim of all those involved in the development process and should be encouraged everywhere. Good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. . .”

Planning authorities are urged to focus especially on setting and achieving urban design principles, and on promoting and reinforcing local distinctiveness using clear plans or guidance. However, they “should not attempt to impose a particular architectural taste or style arbitrarily” or “concern themselves with matters of detailed design” except where “such matters have a significant effect on the character or quality of the area, including neighbouring buildings”.

In practice, some planners seem to regard these latter statements as discouraging any involvement in matters of architectural design, whereas it is clear that the main thrust is to encourage a well argued design policy context.

“By Design”, the companion guide to PPG1 (CABE/ODPM 2001), gives guidance on how to evaluate these design issues in practice. The forthcoming PPS1 is expected to give further emphasis to the importance of good design.

CABE is now looking more closely at the process of how the planning system can ensure good design in practice. Our own experience at Turley Associates has been drawn on to draft the new CABE guidance document “Protecting Design Quality in Planning”. This includes best practice advice on how design considerations can be dealt with under the current legislation and looks ahead to the changes proposed in the Planning and Compulsory Purchase Bill. “Protecting Design Quality in Planning” was launched in September 2003.

CABE’s general perspective is that the development and planning control processes must connect better. They should become less confrontational and more collaborative. Significant planning applications should be seen as projects to be managed, jointly by applicant and planning authority, through from first concepts to outcomes in a structured way.

Outline Planning and the Statement of Development Principles

The Statement of Development Principles introduced by the Planning and Compulsory Purchase Bill seems to have come from design concerns expressed by CABE and others that “red line” outline planning applications dealing only with uses and not addressing the physical form of development should be outlawed.

This whole mission may have been based on a misunderstanding that “red line” outlines are still commonly used. I do not think that in practice this is the case. The design and urban context assessment agenda has reached most planning authorities. Larger outline planning applications nowadays usually include indications of the scale of development and some preliminary design thinking at least by way of illustrative sketch ideas.

For the largest projects, where Environmental Assessment kicks in, there will in any case need to be sufficiently defined parameters as to the scale, use mix, and basic layout principles of a development to enable a valid Environmental Statement to be produced.

As a planning practitioner I find the phrase “Statement of Development Principles” helpful in its basic concept. It expresses similar language but wider applicability to the “Masterplan Principles” that I have been advocating as useful to define the urban design parameters of major outline planning permissions. It is a phrase that can include issues of quantum and use mix as well as physical layout and design intent.

The problem is that this useful new phrase is associated with a status of apparently limited currency. Unless the new regulations can explain otherwise, it looks as if a Statement of Development Principles will have the uneasy status of a material consideration, somewhere between but potentially weaker than either “a plan” or “a permission”. It seems unlikely to give equivalent confidence to the status of an outline planning permission in encouraging investors to commit to the expensive stages of detailing larger development proposals.

The development industry is very concerned at the potential abolition of outline planning permission, and rightly so. The idea that all the investment in a major development involving years of preparatory work could be at risk pending a planning permission secured only at the end of a detailed design process would seriously undermine the ability to fund and plan project development. It would remove the confidence in an eventual positive outcome that the outline/reserved matters process currently offers and which is of mutual reassurance to both developers and planning authorities.

There is another and particular problem. Major urban developments often require compulsory purchase to achieve comprehensive development. The grant of an outline planning consent with its associated assessments by the planning authority of the planning merits of the proposal and of its environmental acceptability in principle gives clarity to all parties and gives a high level of planning status (i.e. a substantive permission) to underpin viable compulsory purchase. Without this there is a risk that the ability to assemble land using CPO could be inhibited by lack of a sufficiently clear planning status for the scheme being promoted.

My personal view is that all that is needed to overcome the perceived risk of outline planning applications being granted with inappropriately low levels of design principles attention would be some modest changes in the regulations such as to retain outline planning applications but require them to be accompanied by a “Statement of Development Principles”. Guidance can then give an indication of the expectations for the content of these statements in a range of circumstances.

The new CABE guidance includes the following advice on appropriate outline planning;

“Outline planning applications are particularly relevant to the larger development or redevelopment schemes, including some urban regeneration projects. In such cases outline planning permission may be essential to give development partners the confidence to commit investment, to underpin compulsory purchase or to advance infrastructure changes programmed some time ahead of the design of individual buildings.

In these cases it is important to establish key urban design principles for the development at outline stage. This should usually include the structural principles for the proposed public realm of streets and spaces which will set the context for new buildings. Other principles relating to the overall scale and general massing of the development will often be appropriate.

Masterplans are very useful tools as a focus for the design dialogue between applicant, planning

authority and the public at outline stage. When clearly presented they can enable people to engage in the design process and can help resolve a shared vision for change on major development sites. They may propose a fixed template for development establishing the siting and scale of individual buildings, but it is often more appropriate to think in terms of the masterplanning of the largest sites as a process which allows some flexibility for ideas to evolve over time. Such masterplans positively anticipate the need for detailed adjustment as individual architects appointed for particular sites bring specific design ideas to the table.

The relationship of masterplans to outline planning permissions has generated some problems of ambiguity and misunderstanding. A workable approach can be for the Masterplan to remain an illustrative working document whilst its underlying principles are formally confirmed within the outline consent. The requirement for Reserved Matters submissions to relate to an agreed masterplan can be ensured through the use of planning conditions.”

Major Projects—Environmental Impact Assessment

For major planning applications which require the submission of a formal Environmental Statement (ES), both applicant and planning authority need to be sure that adequate attention is given to design.

The expectations of what is necessary to meet the Environmental Impact Assessment Regulations has exercised many lawyers’ minds recently. As a planner I find myself entirely comfortable with the basic underlying principles of environmental assessment, *i.e.* of understanding the environmental context before acting, and considering the implications of any proposals in environmental terms. These are effectively an expression of good planning practice.

The problem for many people in considering the issue is that of the level of detail necessary, especially for outline planning applications. Clearly you cannot assess without some parameters, but how detailed must these be to enable assessment?

Looking at the planning system as a whole it is clear that there are many examples of environmental assessment well before details of an individual proposal are set down. Local authority plans and whole government programmes are subject to environmental assessment. It is also clear from reference to the European origins of the formal assessment processes that the concept of environmental assessment is essentially an iterative one, assessing the relevant issues that will emerge at progressively detailed stages of project development.

In the context of masterplanning, this concept of iterative processes which deal with issues of principle at outline stage and leave detailed matters for resolution later is relevant. Planning authorities can use planning conditions and can require supplemental (non-statutory) assessment at reserved matters stage to ensure this continued attention to environmental aspects.

One positive effect of Environmental Assessment in my view has been to bring forward the gathering of “baseline” information. For major projects this is now typically available to inform pre-application masterplanning discussions between developer and planning authority. This is positively in line with the underlying aims of EIA as it draws environmental considerations to the heart of defining the proposal.

All Environmental Statements must establish the baseline conditions on and around the site. In design terms this implies reference to an area character appraisal or to the need to carry out an appraisal if none exists. It is important to establish the value in design terms of buildings or landscape that exist on the site and to identify existing views, buildings or features of value.

In the context of the Environmental Impact Assessment Regulations, new development proposals on

urban sites can have significant environmental impact issues to assess in terms of the visual impact of proposals and their impact on local character. Both positive and negative impacts need to be identified. The legislation places particular emphasis on assessing the impact on historic areas and buildings.

Visualisation of the proposals is often necessary to assess visual impact. This should include the effect on key views and a 360 degree assessment of tall buildings.

In urban situations, environmental impact assessment will also usually involve a structured analysis of social, economic and transport impact. The new activity proposed will impact on its surroundings positively or negatively in terms of community safety, pedestrian and vehicle movements and the interactions between existing and new uses. These issues will be affected by urban design and layout characteristics which should be assessed.

There is little common ground at present on how these urban design and architectural design impacts of a proposal should be assessed. In my view many ES documents fail to grasp these areas successfully. The basic tests of “By Design” have been used as an appropriate framework for urban design assessment. This can be a sound and defensible approach in many instances as it reflects the national status of “By Design” as the companion guide to PPG1.

Recent Practice Example—Broadmead, Bristol

Having unpicked some of the various issues around masterplanning and the planning system. I will finish by running through a recent case I have been involved with, Broadmead Expansion in Bristol.

The context here is of a tired 1960’s city centre shopping area suffering from competition from recent out-of-town shopping (at Cribbs Causeway). Bristol City Council set out the general aims to regenerate and extend Broadmead in its City Centre Strategy and in an area planning brief seeking not only new shops but a mix of uses, a much enhanced environment and a long list of possible “planning gain”.

In advising the Bristol Alliance (a partnership of Land Securities, Hammersons, Henderson and Norwich Union) we concentrated on a formal outline planning application associated with masterplan principles. This would engage the assessment processes of the local authority formally from the outset and would set the structure of development intent sufficiently clearly to be capable of environmental assessment sooner rather than later.

There was an extensive pre-application dialogue totalling 18 months with the local authority and with stakeholder and citizen panel groups. In both cases this focused on establishing the key principles for the development and understanding the site and area. The first round of stakeholder consultation resulted in eight key external expectations for the development, which the Alliance team were able to use as touchstones thereafter.

The “masterplan principles” which formed part of the application were expressed in words with associated explanatory diagrams. Whilst quite simple they were the outcome of a thorough discussion on the essential features of the development that the Alliance and City Council would want to see and included maximum (and some minimum) figures of the quantum of floorspace proposed for each of three identified development sub-areas. The scheme to remodel the major highways through the site was drawn up in sufficient detail to define these development areas. The principles included some key urban design principles for 24 hour routes, key views and the general locations of major elements. These included a landmark department store and a substantial new car park. Other principles set ground rules for management of the development process and for detailed archaeological investigation and

consequential scheme adjustments. A working application of the principles “Masterplan 1” was submitted with the application.

From the outset the regular working processes involving the Alliance and City Council teams established working protocols seen as of mutual interest. One of these, best summarised as “no surprises”, was to ensure that all issues to be addressed should be brought openly to the table from the outset. A shared awareness was built up of the commercial and programming dynamics of the Alliance scheme development and of the various aspirations and concerns of the Council and of local stakeholders relating to the scheme.

As part of this shared understanding it was clear that an outline consent and agreement on new highway infrastructure by mid-2003 would be needed to underpin compulsory purchase and road closures. These allow extensive infrastructure works to take place, defining sites for new buildings opening from 2008.

Within the wider processes of structured pre-application dialogue there was also discussion of an initial schedule of “corporate requirements” that the City Council might seek to secure through planning gain and/or through its landowner and highway interests relating to parts of the site. An initial Council wish-list for up to £20 million of potential contributions through s.106 was reduced significantly once the costs and public benefits of the various commitments made in the masterplan principles were fully shared and following financial appraisals of the ability of such a complex and costly development to fund additions. This process also led to the Council prioritising what it most wished to achieve in terms of planning gain and to the Alliance proposing an affordable package respecting this.

The outline planning application was made in August 2002. It was accompanied by an Environmental Statement. This assessed the maximum impact of the development possible within the masterplan principles and also used the working “Masterplan 1” as a guide to form a view on how mitigation could either already be illustrated or would be possible at future and more detailed stages.

Just prior to submission the proposals were reviewed by the stakeholder groups and scored an average 8 out of 10 when assessed by stakeholders against the expectations they themselves had agreed previously.

The proposals were also reviewed on two occasions by CABE’s Design Review Committee. They expressed support for the basic masterplanning approach and suggested how some aspects of the details might best be taken forward.

The considerable investment in pre-application dialogue paid off in that Bristol City Council were able to resolve to grant outline approval in December 2002, and the Secretary of State confirmed his decision not to intervene soon after. The s.106 agreement was fully detailed by April 2003.

The consent allows up to seven years for reserved matters submissions reflecting the phased development with completions of individual buildings from 2008 onward. Conditions attached to the consent confirm the need for further details and related assessments of various matters considered in principle within the environmental assessment. Whilst this continued post-consent attention to environmental issues does not form part of the statutory assessment it follows the spirit of continued attention to environmental concerns that underpin the regulations.

At the time of writing reserved matters submissions are submitted for consideration relating to most of the development area. These have been drawn up by a number of architects working on individual buildings within the masterplanning framework. Masterplan 2, which has been submitted with the

reserved matters has not altered radically but adjusts the footprints and uses of various buildings and of the related public spaces. Compulsory purchase orders and road closures are being progressed based on the outline approval.

For a major development this project is proceeding very smoothly through the planning system. I would say this is largely because of an open and thorough working process involving the Alliance, City Council and stakeholders. All can understand each other's concerns, what is proposed and how it will be detailed progressively in future. There is a positive culture of dialogue and of increasing trust. As with Brindleyplace a decade earlier, there is a shared appreciation that what is to be built must work commercially, attracting people as consumers and tenants, but at the same time it must work as a piece of Bristol, welcomed by people as citizens.

Conclusions

Masterplanning has a key role to play in major projects. It is not a magic wand but it can be an important focus for the joint understandings that are needed between developer, planning authority and the wider public if any major urban redevelopment is to proceed smoothly and effectively.

The generation of major urban regeneration projects coming forward today must work in commercial terms and in civic terms, for people as consumers and for people as citizens.

The existing planning legislation can be used effectively for major projects, but some of the changes proposed in the Planning and Compulsory Purchase Bill run some risk of bringing new complications and obstacles to progress when what is most needed is wider awareness of how the public and private sectors should be working together to resolve the principles and details of major schemes over time in a structured manner.