

Planning for Socially Just Outcomes:  
Planners, Politics and Power in the Olympic Legacy Planning  
Process

Thesis submitted by

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## **Declaration**

I, David Farndon, confirm that the work presented in this thesis is my own. Where information has been derived from other sources, I confirm that this has been indicated in the thesis.

London, 26 February 2016

## **Abstract**

This thesis explores whether mega event-driven development can achieve socially just planning outcomes by investigating how the development in London's Olympic Park regeneration masterplan - the Legacy Communities Scheme (LCS) planning application - was rationalised by the actors involved (particularly planners), and assesses whether the LCS's planning outcomes were socially just. The thesis firstly critically reviews conceptualisations of social justice within the planning and urban studies literature, thus informing a normative framework of 'socially just planning outcomes', adapted from Fainstein's three 'Just City' principles, against which to assess the LCS. This theoretical framing is accompanied by an examination into the functioning of power in the planning decision-making process, drawing from analytical concepts relating to agency, agenda setting, and rationality.

Through analysis of the LCS application's documentation and in-depth stakeholder interviews, the main planning outcomes of the LCS are established, focusing on housing, employment, open space, and education land uses. How actors engaged in the LCS's planning decision-making process reflected on and rationalised their support/objections to these outcomes is then examined. Subsequently, the role of power in shaping the LCS is discussed, with consideration to the exceptional governance arrangements, technical expertise, agenda setting, and the consensual, 'closed-door' approach to decision making. The thesis concludes that the LCS only partially provides outcomes that meet the 'Legacy promises' and the 'socially just planning outcomes' criteria. These outcomes closely align with national government objectives to ensure the delivery of the 'Legacy' development and recoup Olympic expenditure. This was primarily secured by the LCS applicant's technical viability rationalisations, premised on maximising financial returns, which were largely accepted by the planners within the Olympic planning authority when assessing the LCS. This constrained the application of local planning policy and development objectives, and thus the influence of rationalisations advanced by the Boroughs' planners and councillors.

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## List of abbreviations and acronyms

<b>AOD</b>	Approval of Details Planning Application
<b>BOA</b>	British Olympic Association
<b>CIL</b>	Community Infrastructure Levy
<b>DCMS</b>	Department for Culture, Media and Sport
<b>DCLG</b>	Department for Communities and Local Government
<b>DfE</b>	Department for Education
<b>FiT</b>	Fields in Trust
<b>FIAAP</b>	Fish Island Area Action Plan
<b>GIS</b>	Green Infrastructure Strategy
<b>GLA</b>	Greater London Authority
<b>HOC</b>	House of Commons
<b>HWAAP</b>	Hackney Wick Area Action Plan
<b>IBC</b>	International Broadcast Centre
<b>IOC</b>	International Olympic Committee
<b>JPAT</b>	Joint Planning Authorities Team
<b>LB</b>	London Borough
<b>LCS</b>	Legacy Communities Scheme
<b>LCSCPG</b>	Legacy Communities Scheme Careers Programme Group
<b>LDA</b>	London Development Agency
<b>LLDC</b>	London Legacy Development Corporation
<b>LLDC PC</b>	London Legacy Development Corporation Planning Committee
<b>LLDC PPDT</b>	London Legacy Development Corporation Planning Policy and Decisions Team
<b>LLDC RET</b>	London Legacy Development Corporation Real Estate Team
<b>LMF</b>	Legacy Masterplan Framework
<b>LOCOG</b>	London Organising Committee of the Olympic and Paralympic Games
<b>LOGPGA</b>	London Olympic Games and Paralympic Games Act 2006
<b>LPA</b>	Local Planning Authority
<b>MOL</b>	Metropolitan Open Land
<b>NPPF</b>	National Planning Policy Framework
<b>OCA</b>	Olympic Co-Ordination Authority (Sydney)
<b>ODA</b>	Olympic Delivery Authority
<b>ODA PC</b>	Olympic Delivery Authority Planning Committee
<b>ODA PDT</b>	Olympic Delivery Authority Planning Decisions Team
<b>OLSPG</b>	Olympic Legacy Supplementary Planning Guidance
<b>OPLC</b>	Olympic Park Legacy Company ( <i>Applicant</i> of the LCS Planning Application)
<b>OPLT</b>	Olympic, Paralympic and Legacy Transformation planning applications
<b>PAOS</b>	Publicly Accessible Open Space
<b>PC</b>	Planning Committee
<b>PDZ</b>	Planning Delivery Zone
<b>POS</b>	Planning Officers Society
<b>S106</b>	Section 106 Legal Agreement
<b>SIL</b>	Strategic Industrial Land
<b>SRF</b>	Strategic Regeneration Framework
<b>TPPT</b>	Olympic Delivery Authority Town Planning Promoter Team
<b>VAR</b>	Variation of Condition Planning Application
<b>ZMP</b>	Zonal Masterplan

## **Chapter 1. Introduction**

### **1.1 The London Olympics: ‘Legacy’ promises, social justice and the planning process**

‘Legacy is probably nine-tenths of what this process is about, not just 16 days of Olympic sport’ (Sebastian Coe, quoted in Culf, 2006).

‘Irrespective of the time of production and space, legacy is all planned and unplanned, positive and negative, tangible and intangible structures created for and by a sport event that remain longer than the event itself’ (Preuss, 2007: 211).

The concept of ‘legacy’ was a central theme that underpinned London’s successful bid for the 2012 Olympic Games. Yet one of the difficulties in promoting ‘legacy’ as a desirable objective of the Games is that there is no consensus as to how it is constituted (see Gold and Gold, 2011; Smith, 2013) and little acknowledgment within the UK government’s Olympic regeneration discourse that a ‘legacy’, as the above Preuss quote notes, can comprise of negative as well as positive outcomes.

Nevertheless, in the build up to the London Olympics, there was a concerted effort to establish a number of ‘legacy’ promises, one of which being to ‘transform the heart of East London’ (DCMS, 2008: 3). The main site for the staging of the 2012 Olympic Games, the Lower Lea Valley, is situated just three miles east of Central London, taking in parts of the London boroughs of Hackney, Newham, Tower Hamlets, and Waltham Forest, and is subject to some of the most acute levels of deprivation in England and Wales (Host Boroughs, 2009). Given this backdrop, alongside the vast amount of money that has been spent on the Games and the constant reference to an Olympic ‘legacy’, it is the contention of this thesis that any effort to ‘transform’ East London should seek to address the entrenched socio-economic problems faced by local residents. However, as shall be discussed, there is considerable evidence to demonstrate that mega event-driven development has a limited impact on reducing socio-economic inequalities and that it can often emerge from exclusionary political arrangements. This raises a question as to how ‘socially just’ mega event-driven development is, and whether preparations for a development ‘legacy’ can capture benefits for local residents. Moreover, and of pertinence to my past professional experience as a local authority planner, the potential

for planners and the planning system to secure social, economic and environmental benefits appears to have been overlooked by many academic commentators.

Indeed, there appears to be an absence in academic discussions around mega events and their development outcomes of any detailed examination of the negotiations that occur around the shaping of development agendas within the planning decision-making process. Instead, 'planning' is often treated as an umbrella term for the governance arrangements surrounding the preparation for a mega event and any subsequent regeneration. This deficiency represents an insufficient acknowledgement of the importance of the formal planning decision-making process in establishing the nature of the development that will occur. Based on my own observations in a number of seminars and conferences on the delivery of mega events, it has become apparent that the detailed functioning of the planning decision-making process, notably how it can serve to shape development as well as secure potential benefits for existing residents, remains somewhat a mystery to many academic commentators. This is not helped by the fact that London's Olympic preparations have been peppered with a confusing array of various different proposals and plans, which has made it difficult to decipher what development has been given formal planning approval. This thesis will contribute to fill this gap in existing research and hopefully demystify the inner workings of this process to help examine and understand the nature of a large part of the development that will occur on the Olympic Park site. Following from this, the key aim of this research is to understand whether and how planners can act to create more 'socially just' forms of development in the case of mega event-driven development. This is undertaken through a case study examination of the planning decision-making process for the *Legacy Communities Scheme* (LCS) planning application – the main masterplan that establishes the quantum, location and type of land uses that constitute the regeneration of a large area of the post-Games Olympic Park.

My interest in this topic is a reflection of my personal and professional biography and has developed over a number of years. My first beginnings in Coventry endowed me with a sensitive understanding of the process of deindustrialisation which crippled the city, notably during the 1980s, both economically and socially. However, it was during my time as an undergraduate student in Birmingham that I gained my first experience and understanding of how large-scale urban development could be used to reconfigure a city that had seen a decline in its industrial base. During the early 1990s, Birmingham embarked upon a huge redevelopment programme within the city centre, creating three flagship development projects - the *International Convention Centre*, the *National Indoor*

*Arena*, and the *Hyatt Hotel* - in what was to be known as the 'Convention Quarter'. At the time, criticisms were made that the development had not benefitted local people despite the vast public subsidy of the redevelopment programme, and that the subsequent high land prices and housing had led to local disadvantaged communities feeling 'cut off' from the 'new Birmingham' (Barber, 2001). It is the parallels between Birmingham's redevelopment programme and the proposals for London's Olympic regeneration legacy that I found particularly interesting, notably that the proposed site of London's 2012 Games was also former industrial land next to some of the country's most deprived communities (the socio-economic context to the post-Games regeneration, alongside the various 'Legacy' commitments, is set out in Chapter 5).

Finally, my six year experience as a Planning Officer prior to carrying out my doctoral studies has led me to the general view that planning has become all too reactive to market processes and, as with many professions, has become somewhat bureaucratised in its search for efficiency. This has led to an undue focus on ensuring the 'viability' and delivery of development, thus meaning that private developers are often well placed to successfully fulfil their development agendas that maximise financial return at the expense of achieving broader development outcomes that have consideration for their socio-economic context. However, despite planners being attacked from both Marxist intellectuals, for their role in legitimising capitalist exploitation, and the neoliberal right, for being the source of unwanted regulation and stifling economic growth, this thesis is grounded in the belief that there is a role for the planner in mediating and shaping development and therefore as a force for the good in securing more socially just development. As Peter Hall notes, '[i]n the land of its birth, planning was slipping into insignificance, not because it was wrong or misplaced, but because it lacked the intellectual wherewithal to defend itself' (Hall, 2002: 376). This thesis will hopefully, whilst being constructively critical, be a small step in its defence.

Having provided some reflections on my motivations for this research, and before introducing the research questions which have guided my investigation, it is important here to briefly outline the main arguments and debates around the use of mega events as strategies of urban development, with a particular focus on their distributional and social justice impacts.

## 1.2 Urban entrepreneurialism and mega events

Since the 1970s, urban researchers and theorists have been increasingly drawing attention to the changing nature of governance within cities, highlighting what some have called the emergence of the 'entrepreneurial city' (see, for example, Judd and Ready, 1986; Harvey, 1989). Whilst there has been some discussion over the linear nature of the transition to urban entrepreneurialism and associated neoliberal policies (see Brenner and Theodore, 2002), as well as the degree to which this transition represents a complete paradigmatic shift (see Hall and Hubbard, 1996), there is seemingly broad agreement that urban entrepreneurialism is characterised by the promotion of pro-growth local economic development and an associated organisational and institutional shift from urban government to urban governance (Hubbard and Hall, 1998). This reorientation of the state primarily emerged from the 1970s and 1980s, when the economies of cities throughout the western world were subjected to globalising processes, de-industrialisation and structural shifts in economic organisation from a mass production, 'Fordist' model to a 'post-Fordist', flexible system of production and consumption.

The rapid development of transport and technological communication, the liberalisation of capital internationally with greater interconnectivity of financial markets, and the expansion in the activities of multinational corporations on a global scale are said to have compounded this structural economic upheaval faced by cities (see Harvey, 1989). Many have therefore commonly argued that, due to their insertion into rapidly developing networks of economic flows, elected governors have been left with little choice but to engage in competition with other cities for increasingly mobile capital, investments and leading personnel (Hall, 1993; Meijer, 1993; Paddison, 1993; Hubbard and Hall, 1998; Barber, 2001). However, the view that cities are constructs that compete in totality for the development of international economic roles has been refuted by some (see Cox, 1993; 1995; Jessop, 1998; McGuirk et al, 1998), with further conceptual criticism perceiving such competition as anthropomorphic determinism (Painter, 1998). Nevertheless, as Colomb notes, what really matters is that 'the majority of local political and economic decision-makers think that cities do, and have to, compete, and so formulate and orientate their strategies, policies and activities accordingly' (Colomb, 2011: 13).

Whilst there are differences in the way cities approach their pro-growth economic development policies, particularly given the varied national and local context, there are also considerable similarities in their strategies of urban entrepreneurialism. Three key



characteristics are briefly highlighted here: privatism, place marketing, and large-scale development projects (which can often be associated with the staging of a mega event).

One of the central key features of urban entrepreneurialism has been the influence of '*privatism*', which asserts the belief that the fortunes of cities are tied to the vitality of their private sectors and subsequently has encouraged a reliance on private institutions for urban development (Barnekov and Rich, 1989). As such, the future prosperity of cities is rationalised as depending on the ability of urban areas to adapt and conform to the changing demands of capital, with local political actors encouraging the formation of public-private partnerships so that 'a traditional local boosterism is integrated with the use of local governmental powers to try and attract external sources of funding, new direct investments, or new employment sources' (Harvey, 1989: 7).

Thus, associated with the desire to attract private capital, a dramatic intensification of *place marketing* activities has been undertaken since the 1980s by cities attempting to create and transform their image with the intended goal of attracting business, tourists and residents (Short and Kim, 1998). The strategic nature of contemporary place marketing campaigns involves communicating particular characteristics of place, predominantly through the use of logos, slogans, advertising campaigns and public relations exercises, often with an ambition to emphasise the uniqueness of local 'identity', 'history' and 'culture' (Colomb, 2011: 17). This 'imagineering' process sees cities commodified, packaged and marketed for 'consumption' by current or potential residents, investors or visitors (Holcomb, 1993). However, the place marketing undertaken has been criticised for necessitating a process of social exclusion in the imagination of new urban identities, reconstructing contested place and social histories and identities around an 'official' urban image (Hall, 1998).

As an extension of place marketing activity, cities have been seeking to reproduce urban landscapes to project a certain image and meet the perceived demands of the global marketplace. This has resulted in the construction of 'hypermediated developments composed of a formulaic mix of commercial, residential, leisure and industrial uses' (Hubbard and Hall, 1998: 7), commonly discernible as, *inter alia*, new shopping malls, sports stadia, and civic centres, all of which frequently endowed with a postmodernist style of architecture (Harvey, 1989). The use of these prestige projects, which as noted below includes development associated with mega events such as the Olympics, is that they are considered to provide the opportunity to 'regenerate' derelict urban areas and therefore act as magnets for further development. Their popularity also represents a

belief in the importance of transforming the urban fabric to reflect the city as being no longer a centre of production but of consumption. Notwithstanding concerns over 'zero-sum inter-urban competition' (Harvey, 1989: 5), speculative efforts to transform place image and identity are perhaps expressed in their most extreme and intense form through the staging of mega events such as World Expos, the World Cups in football, rugby and cricket, and the Olympic Games.

Mega events, such as the Olympic Games, have become a regular feature in urban development strategies, mirroring the popularity and growth of mega events themselves as global spectacles. Indeed, particularly since the 1980s, cities have been justifying the staging of mega events on the basis that they provide a stimulus for urban regeneration (see Gold and Gold, 2011; Smith, 2012).<sup>1</sup> Such justifications argue that mega events generate opportunities for new jobs and global investment, as well as additional 'soft' outcomes such as renewed civic pride and more interest in sport amongst the young. However, whilst mega events may well provide a platform from which to showcase the city, there are concerns regarding the rationale for hosting them as well as their potential impacts. These concerns, as explored below, have elicited unease with the production of entrepreneurial urban landscapes that act to both 'divert and entertain', and thus distract from the social and economic problems that persist within cities (Hull and Hubbard, 1996; Harvey, 1998). The contested claims over the benefits emerging from mega events raise a number of issues regarding the degree to which they can embody wider concerns for achieving socially just development.

### **1.3 Mega events and social justice**

There is a wealth of literature that seeks to understand the effectiveness of mega event-driven development as an urban policy intervention. Due to its sheer breadth and multi-dimensional character, it is not the intention here to document the entirety of such

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<sup>1</sup> Smith describes the 'parallel physical regeneration of cities' (Smith, 2012: 101) when linking major events to development. This is a useful description as events can be used 'within urban regeneration projects in different ways and at different stages of the process' (*Ibid.*: 102). For example, they may produce public buildings that provide a regeneration legacy themselves or alternatively can be used as a symbolic catalyst for accelerating existing plans. The LCS represents a development opportunity that has been facilitated by the decontamination works that have occurred on London's Olympic Park site, with the Olympics also providing the political impetus to unify land ownership that has subsequently assisted in the formulation of the LCS's site-wide masterplan. For the purpose of clarity and consistency, mega event-driven development shall be used as an all-encompassing term throughout the thesis in reference to the linking of mega events and development strategies.

literature but rather extract some key themes relating to issues of social justice by looking at some of the key rationales, albeit often contested, that are utilised to substantiate the justification for hosting a mega event.

### **1.3.1 Rationalising mega event development**

Firstly, mega events can facilitate the physical restructuring of urban areas, and can therefore result in lasting benefits through new facilities and public buildings, a range of wider infrastructural developments, including the upgrading of transportation systems, and beautification projects designed to enhance the city's landscape and environment (Essex and Chalkley, 1998; 1999; see also Loftman and Nevin, 1995; Gold and Gold, 2008). The experience of Los Angeles demonstrates how cities are prompted to provide investment in infrastructure through staging a mega event, with the 1984 Olympic Games resulting in the extensive renovation of the airport and installation of \$100 million of telecommunications infrastructure (Andranovich et al, 2001: 124-125).

The aesthetic impact of large-scale development is, as previously noted, also perceived a valuable tool in place marketing activities. The prestige of the Olympic Games, for example, and the sustained attention that they attract, provides an unparalleled opportunity to 'show off' the existing and newly constructed physical attributes of the city to the world's media, with new stadia often embracing striking architectural forms so to promote the city as being distinctive and of high status. This enhancement of city image and reputation is thought invaluable in attracting investment in a period of, as discussed earlier, heightened inter-city competition (Essex and Chalkley, 1998).

Place marketing also plays an important internal role in fostering a sense of social solidarity amongst city residents. The staging of a mega event can, when allied with associated place marketing, galvanise significant civic and national pride (Hubbard and Hall, 1998; Poynter, 2006). Nevertheless, the primary function of the marketing process is aimed at making the city attractive to external investors as well as to attract increased tourism (Chalip, 2004; O'Brien, 2006). The tourism legacy has been considered an important component of Olympic-related revenues, with considerable upgrading of hotel and tourism infrastructure being of purported lasting benefit to the success of this economic sector (Poynter, 2006). Further economic benefit can also be potentially stimulated from the resulting employment opportunities. Cities undertaking large-scale development activities can expect to receive a stimulus in their construction industries, with the staging of a mega event also providing a short term boost in employment at venues and in the associated administrative sector, as well as the aforementioned

tourism and leisure sector (Poynter, 2006; Gold and Gold, 2008). There are also examples of social and economic programmes running in unison with the staging of mega events that can proactively seek to capture benefits and address issues of social equity within a host city. Smith and Fox (2007) examined the 'event-themed' *Legacy Programme* that was delivered in association with the 2002 Commonwealth Games in Manchester. In doing so, they highlighted the success of a range of social and economic projects in benefitting many from disadvantaged backgrounds through the provision of opportunities for qualifications and employment, as well as more 'soft outcomes' such as increasing the self-esteem of participants.

Finally, it is believed that cities can also leverage mega event preparations to fund and bring forward long term plans which would have otherwise been left undelivered for many years (Essex and Chalkley, 1998). For example, the Barcelona 1992 Olympics illustrated the degree to which the impact of the Games could be continued and extended as a catalyst for urban redevelopment. The modifications undertaken to Barcelona's urban structure were not the result of entirely new plans but were in fact proposed in the city's urban development plan which preceded the city's nomination for hosting the Games. The extension of Barcelona's public open-space programme was, for example, proposed back in 1980 in order to remedy the shortage of land and leisure facilities following an era of minimal urban planning during the Franco period (Essex and Chalkley, 1999: 385). As Essex and Chalkley argue, it is a fair assumption that such related urban development would not have been so readily delivered if not for the 'Olympic resources and political pressures deriving from a clear deadline and intense interest from the international media' (Essex and Chalkley, 1999: 204).

### **1.3.2 The role of mega events in realising social (in)justice**

The rationales briefly reviewed above have not gone unchallenged, with various concerns raised regarding the use of such strategies, particularly with regard to their social impacts. Raco (2004) addresses many of these concerns, articulating how such development agendas tend to result in gentrification and displacement instead of addressing community need, are often shaped by powerful external interests, and promote development *in* rather than *of* host cities (Raco, 2004: 34-37). These inter-related themes form a useful guide for documenting the various impacts that are of particular pertinence to issues of social justice.

### ***Prioritising change over continuity***

The various rationales detailed above maintain that mega event and large-scale development strategies are able to deliver economic growth, urban regeneration and community benefits. However, whilst such strategies may promise to deliver significant change through a substantial programme of development, this can often be at the expense of *existing* employment forms and local attachments to the social or cultural value of places (Raco, 2004). The Barcelona Olympic Games in 1992 resulted in thriving small businesses being evicted to make way for event related development (Jones, 2001), an act replicated in London, with over 300 small and medium sized businesses being displaced from the Lower Lea Valley to make way for the Olympic Park. Commentators reporting on the latter have highlighted the legitimisations for the 'inevitability' of the eviction of these businesses (see Raco and Tunney, 2010; Davis and Thornley, 2010), which are characterised by a diverse set of industries, with the London Development Agency effectively asserting that 'the business uses were of low economic value for London [and that] it would be practically impossible to redevelop the site without the relocation of all of its former users' (Davis and Thornley, 2010: 93). Further impressions of the land being derelict, with little reference, for example, to the existence of 107 homes on the Clays Lane Housing Co-Operative Estate, were pushed by developers so to conveniently convey a 'dystopic image' against which a new and 'exciting' landscape could emerge (Gold and Gold, 2008: 312; see also Raco and Tunney, 2010). This shall be discussed further in Section 5.3.1.

However, the justification for comprehensive redevelopment often fails to present a balanced argument with regard to the necessity for *change*, with the 'superior' proposals not acknowledging the historic difficulties and deficiencies attributed to mega event-driven regeneration strategies. For example, there are considerable tensions involved with embedding sports stadia into the surrounding urban and social fabric (see Jones, 2001), and serious difficulties in actually finding occupiers for the stadia after the event. In Athens, the reality of creating 'landmark' buildings for the Olympics in 2004 is one of public facilities detached from their social and economic context, with the sports complexes at Marousi, Faliro, and Hellenikon all having struggled to find viable uses prior to the Games (Gold and Gold, 2008; 2011).

The justification process also frequently results in overstated benefits, a concern particularly applicable to mega events where cities often exaggerate benefits to gain public support. As Hiller notes, the proposed 90,000 permanent jobs projected as a result

of potentially hosting the Olympics in South Africa was a speculative but 'important aspect of the legitimisation of mega event support' (Hiller, 2000: 446). Promises of increased tourism and thus economic advantage consistently utilised by cities in the run up to hosting mega events are also on tenuous grounds with, for example, Australia purportedly failing to benefit from tourism in the years following the Olympics (Scherer, 2011), with similar claims made regarding London's tourism during the Olympic period (Kingsley, 2012).

Given the often flawed legitimising rationale, the manipulated images of existing and future spaces, and the inaccurate assumptions of significant economic benefit for local residents, it has been contended that mega event development strategies do not embrace *continuity* and the resolution of existing problems in social welfare, but instead implicitly see the 'need to change 'problem' communities entirely through processes of gentrification and displacement' (Raco, 2004: 35) as discussed further below.

### ***Community ownership, decision-making and the governance of mega event-driven development***

One of the prevailing concerns regarding the staging of mega events, and the associated large-scale development it necessitates, is that regeneration aims and objectives are often established by powerful, non-local agents rather than generating ownership in local communities. This results in a discord between meeting the social and economic needs of local communities and those whose main concern is to maximise profit returns (Raco, 2004). Indeed, some have asserted that the point of the Olympics is not targeting socio-economic inequality but rather 'it is about sport and commerce' (Hiller, 2000: 454), as confirmed by the former mayor of Atlanta who stated that the 1996 Games were 'not a welfare programme (but) a business venture' (cited in Rutheiser, 1996: 238).

This pro-growth ideological agenda, supported by the functioning of public-private partnerships, is present in numerous concessions a city is required to make in order to successfully compete for a mega event such as the Olympics (see Cochrane et al, 1996), as is a commitment to the requisite large-scale development and infrastructure.<sup>2</sup> This 'frontloading' of assurances, accordingly, requires 'that planning begins elsewhere rather

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<sup>2</sup> Bidding for the Olympics requires that cities abide by the International Olympics Committee's (IOC) competitive rules, and are therefore induced to 'engage in Olympic boosterism, to pledge higher and higher levels of local financial support, servicing and infrastructure provision, [and] to trade concessions with the IOC (for example, concerning TV rights, merchandising or promises of subsidised places to athletes and official[s] from poorer countries)' (Cochrane et al, 1996: 1328).

than in the community' (Hiller, 2000: 449), with local residents often reacting to plans rather than having any sense of ownership over their creation. Such an early commitment by city leaders entails from the outset the discouragement of dissent, and therefore furthers the exclusion of a balanced evaluation of the social and economic implications (Chalkley and Essex, 1998). The dominance of Olympic proponents over the city's future development agenda is therefore at the 'expense of strategic thinking about how such events are embedded into a wider set of development agendas that, for instance, promote community-based training or encourage investment in wider social projects' (Raco, 2004: 36). Rather, as shown in the planning for the Cape Town 2004 Olympic bid, planning participation involves local communities being invited to attend meetings that focus on transmitting 'information about Olympic plans for reaction (almost in a marketing style) and input [instead of] exploring the assumptions behind hosting the Olympics' (Hiller, 2000: 449). Furthermore, it is difficult to challenge the very staging of the Olympics and the associated development plans as bidding negotiations ensure decisions have already been made 'before local politics gets in the way' (Payne, 2006: 191). This reflects what some have criticised as 'post-political' governance, where there 'may indeed be scope for debate about which policies might help [a] city to become more competitive, more global, more sustainable [...] [b]ut challenging the underlying necessity and legitimacy of these visions is far more difficult' (Davidson and Iveson, 2015: 546). The nature of 'post-political' decision making within the field of planning is discussed further in Section 3.2.4.

With regard to the formal planning process under which actual planning applications are assessed, similar issues arise. Indeed, in order to meet the rigid timetables dictated by hosting a mega event, planning procedures are often undertaken within what has been termed a 'state of exception' (see Agemben, 2005) with exceptional legislation and institutional arrangements created to facilitate rapid *change*. This subsequently impacts on the openness and transparency of the formal planning process and thus restricts public participation in decision making (Owen, 2002; Scherer, 2011). For example, the *ad hoc* Olympic Co-Ordination Authority (OCA) that was established to deliver the Sydney 2000 Olympics was criticised on the basis that it relaxed planning requirements for environmental impact statements for Olympic developments, along with the normal rights to appeal, thus 'enabling the approval of developments that would not have proceeded under normal circumstances' (Owen, 2002: 330).

Furthermore, it is argued that the forfeiting of normal governance arrangements not only diminishes the power of local communities, but also local governments themselves, with

Olympic committees treating them similarly to all the other institutions and individuals trying to represent their interests (Andranovich et al, 2001). Thus, not only are planning powers consolidated outside of the remit of local governments, but the more centralised focus of power often results in a lack of attention to local economic and social impacts – a theme running throughout the analysis provided in Chapter 10.

### ***Promoting development in rather than development of host cities***

As noted above, it is the drive for *change*, alongside an associated push for development *in* rather than *of* host cities, that has led to a failure to build upon the existing strengths and continuities of regeneration areas and has resulted in many mega event-driven development strategies failing to engage with local communities' needs and aspirations (Raco, 2004: 35). In fact, given the level of expenditure in new buildings and infrastructure, whether sports stadia, new roads or convention centres, mega events and flagship development projects often divert money away from community facilities and services (Essex and Chalkley, 1998). For example, the amount of resources required for the Sydney Olympics in 2000 was criticised by social service leaders, with core spending on health, education and welfare purportedly suffering in the five years before the Games (Lenskyj, 2002: 108; also Owen, 2002).

Whilst the lack of planning for social justice appears to be an attribute of mega event-driven development strategies, there are also considerable indirect negative impacts that emerge. As highlighted earlier, there are often problems with displacement transpiring from increasing land values and associated gentrification. Between 1986 and 1990, the period preceding the Barcelona Olympics, a housing development boom emerged in Barcelona with the value of existing properties rising by almost 240 per cent, serving to reinforce social divisions between the more affluent and poorer areas (Poynter, 2006: 18). Sydney's 'Olympic corridor' from the inner city to the Olympic Park site at Homebush Bay was also deliberately targeted as an area to be 'revalued' (Wilson, 1996; Lenskyj, 2002), with the remediation of contaminated industrial land at Homebush Bay facilitating real estate speculation and the construction of a new, gentrified area (Scherer, 2011).

Displacement not only occurs through land pricing mechanisms, however, but also more crudely as a result of the actual demolition of housing in order to make way for the infrastructure associated with mega events. As Gold and Gold note with regard to the 2008 Beijing Olympics, the Games have become part of the rationale for demolition of so called 'sub-standard' housing, 'in which the criteria used to define dilapidation have a remarkable habit of yielding sites in places wanted for redevelopment' (Gold and Gold,



2008: 309). As such, the Centre on Human Rights and Evictions has estimated that a total of 1.5 million Beijing residents have been evicted to make way for the Games (Gold and Gold, 2008: 309). Similar lost housing to Olympic development also occurred in Atlanta, with the displacement of some of the city's poorer residents, alongside the closing of hostels (Andranovich et al, 2001: Gold and Gold, 2008).

The concentration on development *in* rather than development *of* cities, to borrow Raco's (2004) phrasing, further expresses itself in the redevelopment of sites that are most suited to profit maximisation, that being neglected areas with poor urban fabric and social deprivation. Whilst mega event-driven development may create a better environment and transform property values, such benefits are not always received by those most in need and often results in the transferral of 'problem' communities elsewhere. As Wilkinson has argued, this approach can 'be seen to reflect an obsession with urban fragments, the planning of individual elements rather than comprehensive and integrated urban systems' (Wilkinson, 1992: 206). Indeed, the emphasis is not on the creation of a more equitable city or locality, but rather is geared towards 'restructuring the spatial form of parts of urban areas to meet the demands of a restructured national and global economy' (Loftman and Nevin, 1995: 306).

The main problem with this process of mega event and flagship development is that such localities, normally those where profit can be most readily yielded with the least resistance, are commonly home to the most disadvantaged groups. It is this proximity to disadvantaged groups that is often utilised by the proponents of mega event and flagship development strategies to legitimise their implementation. Such legitimisation bears resemblance with the rationalisation process undertaken by the organisers of the London 2012 Olympics, who have maintained that the Games themselves are not the most important aspect but rather the after-effects, referred to as 'Legacy'. As Sebastian Coe, the Chairman of Organising Committee of the Olympic and Paralympic Games (LOCOG), stated, 'Legacy' is considered 'absolutely epicentral' to the plans for 2012 (Coe, quoted in Culf, 2006).

## **1.4 Objectives and research questions**

The key aim of this research is to understand whether and how planners can act to create more 'just' outcomes in the case of mega event- driven development. The first objective is therefore to examine how theory can inform a normative approach to achieving socially just planning outcomes. This initially involves understanding how social justice has been

conceptualised amongst scholars working within the field of planning and urban studies. This will then inform my own construction of a 'working definition' of a normative framework from which to assess urban development from a social justice perspective. The second objective is to understand how the planning decision-making process (as defined in 4.1) functions, and the opportunities and constraints that this therefore provides for planners hoping to secure more socially just planning outcomes. This requires an analysis of the role of power in decision making and how various stakeholders are able to negotiate and shape development agendas.<sup>3</sup>

To fulfil the research objectives provided above, the following research questions are addressed:

- 1) How can socially just planning outcomes be conceptualised within the context of mega event-driven urban development?*
- 2) Within the context of the planning decision-making process, how is power mobilised by the involved stakeholders to rationalise and influence the development agenda and planning outcomes of mega event-driven urban development?*
- 3) How do planners directly engaged in the planning decision-making process for mega event-driven urban development rationalise their support for a particular development agenda and planning outcomes?*

The second and third research questions are further broken down into sub-questions in Table 3 in Section 3.3 as a result of an examination into the role of power in the planning decision-making process.

## **1.5 Thesis structure**

Chapter 2 reviews the theoretical literature concerning how social justice has been conceptualised within the field of planning and urban studies. In doing so, the two most prominent fractures in the exploration of social justice are examined, that being the *political economy* and *post-structuralist* paradigms. The influence of liberal political philosophers, as well as that of proponents of communicative planning, is also discussed. Detailing the various ways in which social justice has been conceptualised provides a backdrop to the adoption of a 'working definition' of a normative framework from which

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<sup>3</sup> Within the context of this thesis, the terms 'actors' and 'stakeholders' are considered interchangeable.

to assess the planning outcomes of the LCS application. The chapter therefore concludes by presenting such a framework adapted from Fainstein's (2010) three principles of the 'Just City'.

Chapter 3 explores theoretical discussions, predominantly drawing from the work of political scientists and planning theorists, regarding the role of power and the individual agency of the planner in the planning decision-making process. The administrative boundaries of the English planning system are explained so to provide an understanding of the context under which agency is enacted within the functioning of the planning decision-making process. The agency of the planner and other decision makers within the planning process is then explored, followed by a discussion of the exceptional governance arrangements under which the planning decision-making process was undertaken for the assessment of the LCS planning application. The comparison between the *normal* and *exceptional* planning arrangements facilitates an understanding of how the Olympic planning process differed with regard to the agency of stakeholders and the constraints on development decisions. Drawing on my experience working as a planning officer in a London borough, the process of agenda setting and rationalising decisions is examined, including how knowledge is used in this process. This is followed by exploring how bias is mobilised and the agenda is controlled by certain actors within the planning decision-making process, and the potential for what has been termed 'post-political' decision making. Chapter 3 therefore provides the basis for understanding the role of power within decision making around development, producing a number of conceptual tools and associated sub-research questions to assist in the later analysis of power in the LCS's planning decision-making process.

Chapter 4 presents the research design and explains the appropriateness of using a case study approach. The case study is presented, highlighting the development site and main land uses proposed in the LCS planning application. The data gathering methods are then discussed, detailing how they address the research questions alongside such issues as validity, reliability, and research ethics. The final section of the chapter addresses how the data was analysed, providing an explanation of the adopted epistemological position and of how the data analysis is structured within the thesis.

Chapter 5 sets out the background for the analysis of the LCS planning decision-making process and outcomes by detailing the socio-economic context of the site on which the LCS is proposed, alongside referencing the relevant planning policies that were formally considered in the assessment of the LCS application. An analysis of the evolution of the

post-Games 'Legacy' development promises in documents produced by the UK Government (alongside those of the London Mayor and the Host Boroughs) and the development proposals contained within prior planning applications relevant to the LCS proposals, and thus the regeneration of the Olympic Park site, is then presented. Finally, the backdrop narrative, highlighting the establishing principles and objectives, of the LCS development provided by the interviewees are then analysed so to provide a context from which to understand the rationalisations advanced by the stakeholders involved to shape and influence the proposals within the LCS planning application.

Chapters 6 to 9 form the main empirical analysis of the research data that responds to the research questions, with each chapter addressing a different land use proposed in the LCS application: housing, employment, open space, and education. Each chapter is split into two main sections, with the first section providing a detailed examination of the respective planning outcomes from the LCS planning application, and the second section, acknowledging the conceptualisations of power discussed in Chapter 3, exploring the rationalisations advanced by the different stakeholders involved to support or challenge the proposed development as well as the disagreements, tensions and negotiations between them.

Chapter 10 provides a detailed analysis of a number of issues related to the general negotiation and assessment undertaken within the planning decision-making process for the LCS, and is broadly structured to relate to the various conceptions of power in the planning decision-making process that were examined in Chapter 3. Chapter 10 therefore addresses: how the Olympic Delivery Authority's (ODA) exceptional governance arrangement drove the planning decision-making process for the LCS; the manner in which the overall development agenda was negotiated and controlled; the mobilisation of bias in decision making; and ideological considerations for the LCS.

Chapter 11 concludes the thesis by examining the key research findings with regard to the main research questions. Firstly, a discussion comparing the LCS's planning outcomes against those envisaged in the 'Legacy' related documents and prior planning applications for the Olympic Park site (as detailed in Chapter 5) is undertaken. This helps to contrast the planning outcomes that will be realised against those which were promised in the build up to the staging of the Olympics. In turn, this will assist in understanding whether the LCS will address the needs of existing local residents. The LCS's planning outcomes are then assessed, within a discussion of the main thematic findings of the research, against the adapted normative framework of Fainstein's three

principles of the 'Just City', detailed in Chapter 2, so to evaluate whether the LCS planning decision-making process delivered socially just outcomes. Drawing from this discussion, the adapted normative framework is then revisited so to consider its merits. Finally, some reflection is provided on the examination of the LCS planning decision-making process conducted in this thesis, highlighting the limitations and contribution of the research, alongside suggesting areas for further interrogation.

## **Chapter 2. Conceptualising social justice within the field of planning and urban studies**

The aim of this chapter is to illuminate some of the key theoretical themes concerning social justice within planning research so to facilitate the creation of a ‘working definition’ of a normative framework from which to assess urban development. It is thus not intended to be an exhaustive account detailing notions of justice dating from classical philosophy. The following section will be split into two main subsections which reflect the most prominent fractures within debates on social justice in planning and urban theory; that being the *political economy* and *post-structuralist* approaches. Notwithstanding this heuristic divide, and recognising consequent imperfect categorisations given the relational complexity within elaborations of social justice, acknowledgement of the influence of liberal political philosophers, as well as articulations of prominent proponents of communicative planning, will be discussed. The chapter will conclude by providing a normative conceptualisation for assessing socially just planning outcomes, and thus the LCS development, and therefore helps to address the first research question to be answered during the course of the thesis.

### **2.1 Conceptualising social justice within the ‘political economy’ approach in planning and urban studies**

The term ‘political economy’ generally refers to the examination of how material processes of production and exchange, alongside the distribution of income and wealth, shape and are shaped by decisions made in economic and political institutions, with ‘urban political economy’ centering around material production *of* and *within* cities (Nevarez, 2007). Within the field of planning and urban studies, the (urban) political economy approach to understanding how social justice may be conceptualised has been dominated by scholars influenced by Marxist theory. Thus, whilst reference is given to liberal perspectives, the following discussion will examine these Marxist-related approaches to social justice.

#### **2.1.1 Marxist-related approaches**

It could be deemed imprudent to begin any exploration into social justice within the political economy literature without first using David Harvey’s seminal work, *Social Justice and the City* (1973), as our point of departure. Within *Social Justice and the City*,

Harvey presents two separate intellectual trajectories; the first titled 'Liberal Formulations', with the second half of the book dedicated to 'Socialist Formulations'. Within his 'Liberal Formulations', Harvey sought to highlight the dynamics of urban development and its impacts on income distribution by arguing that the normal workings of labour, housing and real estate markets, along with the locational decisions of planners, developers, banks and retailers, tended to lead consistently to a redistribution of real income in favour of the rich and more politically powerful. The industrialist capitalist city therefore, as Ed Soja surmises, 'functions day to day as a machine for the manufacturing and maintenance of distributional inequalities and [...] territorial injustice' (Soja, 2010: 49).

To tackle such 'distributional inequalities' and 'territorial injustice', Harvey critically reconfigured John Rawls' 'Theory of Justice', which sought to 'prevent excessive concentrations of property and wealth' (Rawls, 2001: 44), to encompass the production process itself so that a conceptualisation of social justice embodied 'a just distribution justly achieved' (Harvey, 1973: 116).<sup>4</sup> This was significant in that it represented a move away 'from a predisposition', like that of Rawls, 'to regard social justice as a matter of eternal justice and morality to regard it as something contingent upon the social processes operating in society as a whole' (*Ibid.*: 15). As such social justice is to be achieved through the particular application 'of just principles to conflicts which arise out of necessity for social cooperation in seeking individual advancement' (*Ibid.*: 97).

In trying to establish these 'just principles', Harvey devises three criteria from which individuals can justify a claim upon the product of society. These three criteria would be given a 'geographic aspect' by which a

measure of territorial justice can be devised by correlating the actual allocation of resources with the hypothetical allocations. Such a procedure allows for the identification of those territories which depart most from the norms suggested by standards of social justice (Harvey, 1973: 101).

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<sup>4</sup> Seeking to reconcile liberty with equality, Rawls (1971; 2001) posited that individuals, behind a 'veil of ignorance' in which they do not know the social position they might occupy in the future, would act rationally to hypothetically choose mutually acceptable principles of justice – that is, firstly they would choose the equal distribution of primary goods so as to ensure that they will not end up in an inferior position and, secondly, would request the most extensive basic liberty compatible with similar liberty for others. This position adheres to the liberal individualist view that emphasises justice as fairness.

Harvey's three criteria aimed to assist in the formulation of such standards, and are summarised as follows. The first criterion, 'Need', is defined as different categories of activity associated with basic needs. These nine categories consist of food, housing, medical care, education, social and environmental services, consumer goods, recreational opportunities, neighbourhood amenities, and transport facilities. All such categories, as a normative measure of social justice, would be subject to decisions as to what would be considered reasonable standards. The second criterion, 'Contribution to Common Good', relates to allocating to those who make the 'greatest contribution to fulfilling needs through the multiplier and spread effects generated by a particular pattern of regional investment' (*Ibid.*: 106). However, Harvey caveats such a criterion by stating that it should remain subsidiary to the concern for distributive consequences. The third criterion is that of 'Merit', which ensure that, under a principle of social justice, society at large should underwrite the higher costs of insurance in areas of high social risk. 'Merit' is therefore translated in a geographical context as an 'allocation of extra resources to compensate for the degree of social and natural environmental difficulty' (*Ibid.*: 107). Through the imposition of such criteria, Harvey therefore seeks to engage methodology with philosophy so that what might be called social justice is not related to philosophical abstraction but the context within which social relations take place. The concern that Harvey had with such criteria, however, was that it would require such extensive social intervention that such formulations would never be implemented. It is here that Harvey turns to his 'Socialist Formulations'.

Harvey's 'Socialist Formulations' marked a shift to a Marxist research agenda, moving away from the search for specific criteria to focus on the urban process under capitalism. Within this latter half of the book, Harvey engages with the role of use and exchange values within a theory of urban land use using Marx's workings on rent and minor-economies of land and space to show how rent is utilised as a rationalising and allocative device for land as a fixed commodity, open to multiple uses. Harvey furthers this enquiry, focusing on what he calls the 'essential qualities' of urbanism (*Ibid.*: 196). His approach aims to demonstrate how the inequalities in the capitalist labour process are embedded spatially and, in turn, how this further exacerbates inequality and exploitation:

An increase in the total quantity of social surplus produced has historically been associated with the activity of urbanization [...]. Urban Centres have frequently been "generative" but the need to accomplish primitive accumulation militates against the process being naturally and reciprocally beneficial as both Adam Smith and Jane Jacobs envision it, for the processes of primitive accumulation are, in Marx's words, "anything but idyllic" (Harvey, 1973: 233).



This turn to examine the history of urban development promoted spatiality into the study of the capitalist system. However, as he has acknowledged, Harvey owes a degree of his inspiration to his theorising on space to the works of Henri Lefebvre.

Henri Lefebvre published a number of important works in the late 1960s and early 1970s which invigorated Marxist analysis within the urban, particularly resulting from his formulation of 'the right to the city' (see Lefebvre, 1968; also 1991; 1996), which, although extending beyond arguments solely concerning justice, do seek to establish its urban foundations alongside that of democracy and citizen's rights. Lefebvre saw the workings of everyday urban life as engendering unequal power relations, which consecutively manifested in inequitable and unjust spatial distributions of social resources. It is such consequential geographies that would also enable capitalism to endure economic crisis. It is perhaps Lefebvre's *The Survival of Capitalism* (1976) which contains one of his most notable quotes with regard to this resilience:

Capitalism has found itself able to attenuate (if not resolve) its internal contradictions for a century, and consequently, in the hundred years since the writing of *Capital*, it has succeeded in achieving "growth". We cannot calculate at what price, but we do know the means: by occupying space, by producing space (Lefebvre, 1976: 21).

The claim that capitalism manages to surpass its internal contradictions by producing and occupying space has some resonance within Harvey's notion of the 'spatial fix', whereby periodic crises of overaccumulation are overcome through investment in fixed assets such as infrastructure and buildings, thus constituting the process of urbanisation (see Harvey, 1982).

Manuel Castells was also inspired by Lefebvre to provide a critique of the relationship between the production of urban space and capitalism. Castells, however, focused more on overt political conflict and less on the logic of capital accumulation than Harvey. At the heart of *The Urban Question*, first published in 1972, was Castells' assertion that the role of the state is to provide collective consumption, such as education, housing and mass transportation, so as to aid the reproduction of the labour force and contain class conflict (see Castells, 1977: 276-323). However, Castells believed that it was the provision of such collective public services, along with the production of cities at regional scales, which had become integral to a 'new and sinister' urbanism that increased social injustice (*Ibid.*: 427). Nevertheless, Castells did provide some hope that, through conflict over control of collective consumption, urban social movements could gain cross-class alliances that would enable a 'municipal revolution', albeit 'nothing more' (*Ibid.*: 360).

These social movements would therefore enable the state to mitigate the effects of the capitalist economic system's tendency to generate crisis and inequality, even if they could not ensure social transformation (*Ibid.*; see also Castells, 1983).

It is the work of Harvey and Castells, as documented above, along with Lefebvre's stimulating ideas about 'the right to the city', that provided a new impetus to debates on urban justice. However, according to Soja (2010), it was this utilisation of Marxist analysis that inhibited further developments in the examination of the concept of distributional justice among subsequent radical geographers. This is for reasons that can be traced back to Marx. For Marx, distributive justice was essentially a diversion from the main problems of capitalist society. It was, according to Marx, a 'mistake to make a fuss about so-called distribution and put the principal stress on it' (Marx in Soja, 2010: 87). The true realisation of justice would therefore only result from a transformation in the social relations of production that characterise capitalist development. It is this assertion by Marx that perhaps led to refraction away from conceptualisations of social justice, with many radical geographers and urban scholars, influenced particularly by the works of Harvey, focusing instead on the critical diagnosis of urban problems.

It was not until the publication of *The Urbanization of Injustice* in 1996 that the theme of social justice was revisited with any vigour amongst political economists. Indeed, the editors of the book, Andy Merrifield and Erik Swyngedouw, envisioned this collection of essays as an intervention against the groundswell of recent work which had 'relegated the issue of social justice to the hinterland of academic inquiry' (Merrifield and Swyngedouw, 1996: 2). The main thrust of the volume is outlined at the outset in the opening essay by Merrifield and Swyngedouw. The editors are critical of the 'omnipresent impasse within the terrain of social justice', created by the contradictions between the 'postulates of consensus and the reality of dissensus' (*Ibid.*: 3). It is this divide that approximates to Rawlsian conceptions of justice which, as noted earlier, pivot around a hypothetical and abstract universal ideal, and the position advanced by scholars such as Iris Marion Young who, with a more relativist perspective, contend that oppression and domination should be the primary terms from which to conceptualise injustice. The work of Young shall be returned to later.

Merrifield and Swyngedouw endorse a unity in this division, albeit supporting Harvey in his defence of Marx's class analysis for restraining the relativism of 'strong' postmodern thought, and recommend a formulation that understands universality as constructed in dialectical relation with the particularity of difference where each 'defines the other in

inexorable unity' (*Ibid.*: 9). They proceed with the view that it 'makes no sense for critical theory, therefore, to reject universality or so called 'totalizing theory' in favour of a flimsy kind of relativism' (*Ibid.*: 9). Whilst there is no concrete example provided of how this dialectical conception of social justice would translate and function in practice, it is nevertheless purported to afford a 'principled position' (*Ibid.*: 9) that incorporates social difference whilst maintaining a universalistic critique of the materialist conception of social life.

In his contribution to the volume, Ira Katznelson also expresses concern with what he views as the current duopoly of urban studies. This is presented as being an emphasis on the 'continuing elaboration of materialist analysis' largely drawn from Marxism on the one hand, and on the other, 'an anti-materialist, anti-essentialist focus on culture, discourse, identity and realms of power' (Katznelson, 1996: 48). According to Katznelson, this focus has left a silence in the area of institutional political analysis, including works on rights, constitutionalism, representation, and law. He therefore calls for a new conceptual underpinning to social justice that is sensitive to the inadequacies of abstract liberal theory as well as the suppression of liberalism within the Marxist tradition. Nevertheless, whilst referencing Polanyi's analysis of housing and spatial segregation, as well as reiterating Christian Topalov's advocacy of studies into the linkages between social history, social policy and the welfare state (*Ibid.*: 61), there is little in the way of a normative construction as to how one could realise social justice.

In the third essay of the volume, Harvey returns to his basic formulations laid out within *Social Justice and the City*. Harvey reasserts that it is crucial to see social justice as something contingent upon the social processes operating in society as a whole, and through a detailed empirical breakdown of environmental discourses, argues that the environmental justice movement embedded in 'militant particularisms' has to 'find a way to cross that problematic divide between action that is deeply embedded in local experience, power conditions and social relations to a much more general movement' (1996a: 95). Harvey contends that the 'overpowering rhetoric' of the environmental justice movement does not help arbitrate complex conflicts over how to organise material production and distribution. For example:

The demand to cease the production of *all* toxins, hazardous wastes, and radioactive materials, if taken literally, would prove disastrous to the public health and well being of large segments of the population, including the poor' (Harvey, 1996a: 96).

Furthermore, it is the differing emphasis emanating from the discourses of the movement that is their weakness, with Harvey effectively presenting an implicit attack against the strong relativism that would hold all environmental discourses as being of equal validity, and thus there is a need to find a 'discourse of universality and generality that unites the emancipatory quest for social justice [which is] impossible without environmental justice (and *vice versa*)' (Harvey, 1996a: 96). Within his book of the same year, *Justice, Nature and the Geography of Difference* (1996), Harvey also declares that such universal discourse can only emanate from confronting the fundamental problem of 'unrelenting capital accumulation and the extraordinary asymmetries of money and political power that are embedded in that process' (Harvey, 1996b: 401). With this focus on discourse, Harvey recognises that this can only be effective if conjoined to normative outcomes, that being the exploration of alternative 'modes of production, consumption and distribution [which can link to] a program of radical political action' (*Ibid.*: 401). However, acknowledging this requisite and detailing its manifestation appear to have been treated as two separate remits by urban and planning scholars with, as noted earlier, many choosing to focus on diagnosing urban problems. It is perhaps this criticism that has led Harvey to subsequently speak favourably of normative and utopian thought, as detailed within *Spaces of Hope* (2000), although his own attempts at providing a utopian vision, whilst interesting and thought provoking, are little by way of a compelling articulation of, or schema for, a socially just urbanism (see Harvey, 2000: 257-281). Indeed, Harvey effectively concedes as such from the outset with his proclamation – 'Make of it what you will' (Harvey, 2000: 257).

Nevertheless, Harvey's attempt to translate his socialist intellectual perspective of social justice into a normative programme for action has seen other manifestations, including a nurturing of a more sensitive approach to post-structuralist arguments through an elaboration of Young's 'democratic cultural pluralism' as engendered in the 'five faces of oppression' formulation. Young's work and other post-structuralist arguments shall be examined in detail later, but it is nevertheless worth documenting Harvey's sympathetic articulation of social justice within this context. Building on Young's vision, Harvey proposes six principles for 'just planning and policy practices' (Harvey, 1992), referencing each 'face of oppression' in turn. Firstly, Harvey states that just planning and policy practices must minimise the 'exploitation of labour power both in the workplace and the living place' (*Ibid.*: 598). With regard to the issue of marginalisation, Harvey asserts a need to organise and militate 'within the politics of marginalisation in such a way as to liberate captive groups from this distinctive form of oppression' (*Ibid.*: 599). Harvey's third

proposition relates to tackling powerlessness, and thus a need to empower and not deprive the oppressed of access to political power and the ability to engage in self-expression. The fourth principle focuses on being sensitive to cultural imperialism and therefore eliminating imperialist attitudes, whilst the issue of violence is to be addressed by the advancement of non-militarised and non-exclusionary containment of personal and institutional justice. The sixth and final principle does not directly relate to Young's theory of oppression, and instead sets about resolving the ecological consequences of social projects and its 'impacts on future generations as well as upon distant peoples and take steps to ensure a reasonable mitigation of negative impacts' (*Ibid.*: 600).

There is, however, a problem with this approach to social justice, which can also be applied to the work of Young (see 2.2), which is that it reflects liberal ideals of justice that Harvey himself has criticised. As such, the answer to the question regarding who decides who is oppressed in any given moment is often provided from the 'eye of the beholder', and therefore one that cannot be resolved without a universalistic discourse. As Neil Smith declares within the context of New York's homeless wars and the battle for Tompkins Park after 1988: 'Between bitter opponents there was a broad appeal to precisely the same principles of justice but utter conflict over what these principles meant in the here and now, and over 'whose' injustices got to count, or to count most' (Smith, 1996: 132). Harvey does recognise this problematic, and suggests that while oppression has to be confronted as it manifests in daily life, the 'underlying sources of the different forms of oppression in the heart of the political economy of capitalism must also be confronted' (Harvey, 1992: 600), and thus Harvey's six principles can rather be understood as offering, in some way, symbolic power to stir people to action rather than criteria for achieving social just outcomes.

Neil Smith is nevertheless generally supportive of Harvey's assertions. He is perhaps more sceptical, however, as to whether an applicable theory of justice is attainable given the new urbanism that is inscribed by 'internationalization at one scale and by a deepening 'revanchism' on the other' (Smith, 1996: 118). Smith believes that the emergence of identity politics in the 1980s, often at the expense of class analysis, has given 'a left wing gloss to liberal versions of social justice' (*Ibid.*: 131). Quoting Friedrich Engels, Smith considers such versions 'but the ideologized glorified expression of existing economic relations' (Engels, in Smith, 1996: 131). Thus, liberal individualist conceptions of social justice are dismissed as being unable to sustain a critique of oppression, and instead in sympathy with Harvey, Smith calls for a return to discussions around the political economy of capitalism and thus the centrality of 'exploitation' in

constructions of justice (*Ibid.*: 133). However, the author pessimistically surmises as to whether 'a reworked theory of social justice is possible' (*Ibid.*: 135), thereby implicitly judging the normal functioning of capitalist urbanisation as rendering outcomes inherently inegalitarian and unjust, which is perhaps reflected in there being again a lack of any augmented articulation of possible conceptualisations or praxis of social justice.

It is perhaps the problematic between linking theoretical conceptualisations of social justice with the actuality of planning and building cities that has resulted in a relative deficiency in the creation of coherent frames for action and deliberation within struggles for social justice. One such collective effort, however, can be found in Marcuse et al.'s *Searching for the Just City* (2009). This book can be seen as an attempt by the editors and respective authors to 'sharpen the definition of justice in the context of twenty-first century urbanization' (Connolly and Steil, 2009: 1) so to facilitate the assemblage of a theoretical frame for engagement in the reshaping of existing urban realities. As such, it focuses on exploring the meaning of social justice in the search for the 'Just City', a concept developed by Susan Fainstein over the past decade, both theoretically and in practice.

One of the key contributors to the book, Peter Marcuse, is supportive of 'Just City' thinking as it 'contributes to strengthening the normative claim of urban planning, which is badly needed in the current period of pragmatism and retreat' (Marcuse, 2009: 91). However, he raises concerns that conceptions of the 'Just City', and calls for distributive justice, are inadequate as they 'fail to address the causes of injustice, which are structural and lie in the role of power' (*Ibid.*: 91). In an appeal for 'Commons Planning', Marcuse states that discussion should be used as 'a way of raising concretely the structural issues that underlie the creation and exercise of power in social relationships, [thus highlighting how] power [...] produces distributional injustices' (*Ibid.*: 91). Marcuse further contends that urban planning is insufficient as it deals with 'immediate issues, immediate actions within the existing distribution of power and legal regulatory schemes' (*Ibid.*: 101), and thus suggests that we need to move to a 'Commons Planning' which would raise questions of what a city should be and for whom as the starting point into discussions around the formulation of a different framework to existing planning practices. 'Commons Planning' would 'consider alternatives to existing relationships of power, otherwise conceived as the differential support for capabilities or the full meaning of the Lefebvrian "right to the city"' (*Ibid.*: 95).

It is Mustafa Dikec, another contributor to the book, who sets out to consider such alternatives in proposing what he calls a role for 'spatially informed emancipatory politics' (Dikec, 2009: 80) in mobilising the marginalised. Such 'emancipatory politics' would be grounded in Lefebvre's 'right to the city' concept, with Dikec arguing that the:

Right to the city implies not only a formulation of certain rights and the cultivation of the political among city habitants, but also a reconsideration of the spatial dynamics that make the city. It, therefore, should not be considered merely as a practice of claiming and asserting rights, but should also be conceptualized in a way so that it puts on the agenda the *dynamics* (e.g. property markets) and *principles* (e.g. urban policy, land use policy, planning laws) of the ways in which social relations are spatialized in the city (Dikec, 2009: 83; emphasis in original).

As Dikec acknowledges himself, such a conceptualisation would conform to the views of Neil Smith who, as noted earlier, expressed unease with liberal conceptions of social justice as having the potential for being a 'vehicle for a reasserted individualism' (Smith, 1996: 134). The detachment of asserting rights from an acknowledgement of the ways in which social relations are spatialised depicts, in Dikec's view, the 'perils of the right to the city discourse' (Dikec, 2009: 83). This severance can be transcended through what Dikec's vaguely and therefore somewhat unsatisfactorily describes as *égalité*, 'an enactment of equality and freedom [which provides] the universal that transcends particular identifications' (*Ibid.*: 84).

Expanding the debate on the limitations of the 'Just City', Novy and Mayer (2009) argue that Fainstein's conception, based upon claims of Amsterdam being a model of social justice, relies on a particular historical and institutional context that is currently being destabilised and disrupted. Furthermore, Fainstein's 'Just City' has also been 'characterized by a focus on distinctively Euro-American assumptions and ideas' (Novy and Mayer, 2009: 114). They therefore recommend greater attention be paid to the urban transformations and experiences in the developing world. They point here to Latin America where 'left-led local governments over the last few decades have, with the support of social movements, [...] resisted - or reversed - the neo-liberal approach to governance and planning' (*Ibid.*: 115). One of the examples referenced is drawn from the work of another contributor in the book, Erminia Maricato, who discusses the role of the 'Urban Reform' movement in Brazil since the 1970s. This movement was, *inter alia*, able to exert pressure, if sometimes in an *ad hoc* manner, on the National Assembly to alter Federal Constitutions so that changes instituted by new law include penalties for underused buildings, mandatory master plans for municipalities, along with compulsory transportation plans for cities, mandatory reports on the environmental and

neighbourhood impacts of large developments, and public participation to be compulsory in the elaboration of planning documents and policies (Maricato, 2009). However, such provisions have long been a component in 'Euro-American' planning in one form or another, and Maricato makes explicit that such actions have been partial, with 'one being compelled to recognize that the impact on the broader economy and politics has been limited. The neoliberal model persists with little change' (*Ibid.*: 205). Indeed, Novy and Mayer themselves recognise that 'progressive and radical local governance experiments in Latin America involve plenty of imperfections and pitfalls that could not be discussed here' (Novy and Mayer, 2009: 116).

Yet whilst Novy and Mayer have critiqued Fainstein's 'Just City' for its Euro-American bias, it is clear that, whilst there are effective examples of radical and progressive practices (such as those documented by Maricato), it is not always simple for any particular action to transcend the historical, social and territorial circumstance to form a meaningful position within a universal normative framework for social justice. It is therefore reasonable to expect that any such framework can engender certain delimitations, so long as acknowledged, without negating the impact from its actualisation in promoting a more socially just society. For it is common within much scholarly work (see, for example, Brenner and Theodore, 2002) to declare urban processes as being symbolic of *actually existing neo-liberalism* without any such acknowledgement of the limitations placed on these processes resulting from conflict arising with, for example, progressive social movements. Fainstein's 'Just City' concept therefore provides a laudable attempt to delimit the search to accept inescapable particularities, this being what appears feasible within Western capitalist countries. The issue of scale is important and shall be returned to within the brief overview of Fainstein's 'Just City' to which we now turn.

### **2.1.2 Fainstein's three principles of a 'Just City'**

Fainstein has long been concerned with the process of neoliberal restructuring and the resulting shortcomings of contemporary urban development. In particular, Fainstein has taken issue with prioritisation of urban economic development within cities over more socially and environmentally progressive policies, as well as the role of planning theorists, along with planners themselves, in promoting or inhibiting more socially just outcomes (see Fainstein, 1996; 2000; 2001; 2005a; 2005b; 2009; 2010). It is through this work that Fainstein has pursued a modified form of political economic analysis to devise a coherent concept of social justice and therefore formulate a model for urban



planners that 'reacts to the social and spatial inequality engendered by capitalism' (Fainstein, 2000: 453). For Fainstein, this ambition has been stimulated by the belief that while 'utopian ideals provide goals toward which to aspire and inspiration by which to mobilize a constituency, they do not offer strategy for the transition within given historical circumstances' (Fainstein, 2009: 28). This desire has also been driven by a rightly perceived gap in urban studies, whereby 'many scholars in the political-economy tradition offered critique without formulating specific criteria of what was desirable' (Fainstein, 2001a: 885). Fainstein's development of an urban theory of justice as a tool for urban policy evaluation therefore posits planners and policy makers committed to progressive urban change as requiring a vision of what is desirable and feasible within the circumstances in which present-day cities are embedded.

In *The Just City* (2010), Fainstein brings together much of her work hitherto, integrating her theoretical and empirical investigations to argue for a 'normative framework promoting the (more) just city' (Fainstein, 2010: 6). This is representative of Fainstein's desire to move from theoretical discussions to principles which can guide the actions of planners. After explicating why justice should become a central value orientation for future planning endeavours, and through developing a theory of justice, Fainstein presses 'for the maximization of the three values of *equity*, *diversity*, and *democracy*, as expressed in a set of norms by which to direct and evaluate policy' (*Ibid.*: 166; *author's emphasis*). The term equity is employed by Fainstein in reference to a distribution of material and non-material benefits from planning and public policy that does not favour those who are already better off at the beginning. Further, it 'does not require that each person be treated the same but rather that treatment be appropriate' (*Ibid.*: 36). Diversity encompasses both the physical environment as well as social relations, and therefore refers to planning outcomes and policy ambitions that go beyond nurturing acceptance of others to include the social composition of places (*Ibid.*). The final principle, democracy, is promoted with the purpose that 'inclusion in decision making should be to have interests fairly represented, not to value participation in and of itself' (*Ibid.*: 175).

Fainstein tests these theoretically informed 'values' (also referred to as 'policy principles') within the context of three in-depth case studies within New York, London and Amsterdam. It is through an analysis of the case study findings that a set of policy criteria are derived that 'can move cities closer to justice' (*Ibid.*: 171). It is not the intention to provide a detailed account of these policy criteria here (a full list of the criteria can be found in Appendix 1). Rather an adapted version of these criteria is provided in Section 2.4, with the most applicable criteria to London's post-Games regeneration being offered

as a 'working definition' of a normative framework from which to analyse the LCS development and planning decision-making process. Upon completion of this analysis, Fainstein's 'Just City' formulation is revisited in Section 11.3 so to further discuss its usefulness in assessing socially just planning outcomes.

There are, nevertheless, some criticisms and limitations to Fainstein's 'policy principles' and criteria that are worth acknowledging and addressing upfront. Firstly, Fainstein's framework does not purport to aspire to create the conditions for 'human flourishing' and therefore the production of the 'good city', and thus whilst Peter Marcuse has suggested that justice planning is not sufficient in 'opening the question of what the city should be' (Marcuse, 2009: 93), this should not negate the fact that justice is a significant and necessary component 'of a vision of the good [and thus] it raises enough questions and is so frequently traduced in the name of efficiency or the public interest as to constitute a sufficient subject for analysis' (Fainstein, 2010: 5).

Given that, as noted earlier, Fainstein delimits her normative framework to what appears 'feasible within the present context of capitalist urbanization in wealthy, formally democratic, Western countries' (*Ibid.*: 5), there has also been criticism of Fainstein's construct that it fails to tackle structural injustice and therefore only acts

within the existing capitalist regime of rights and freedoms and is thus constrained to mitigating the worst outcomes at the margins of an unjust system [...]. Fainstein's emphasis on the discursive and inspirational role of the Just City avoids the necessity for outright conflict and struggle (Harvey with Potter, 2009: 46).

Such criticism is acknowledged by Fainstein, although she does 'not expect conflict to be avoided' (Fainstein, 2010: 6). Moreover, Fainstein also states that the system will change incrementally as a consequence of the pursuit for justice, and whilst in isolation such endeavours may not be structurally transformative, as part of 'broader international and national movements they would add to overall pressure for restructuring capitalism into a more humane system [although] [t]o the objection that a humane capitalism is an oxymoron, I have no answer' (*Ibid.*: 6). Indeed, one may argue that despite the absence of an absolute strategy for resolving all social injustice, this should not invalidate attempts to offer specific criteria for transition within a given historical context; there are indeed many ways to interject non-capitalist principles into social and economic institutions, planning included. Furthermore, utopian ideals from which to measure articulations of particular actions or policies in their efforts to achieve social justice could appear somewhat pharisaic considering that such idealism often fails to articulate criteria for the

practical application of what is considered desirable, leaving a recipe for inertia amongst those planners and policy makers who wish to improve the lives of those most in need. Peter Hall has expressed a similar sentiment with regard to the Marxist logic that capitalism's inherent contradictions will inevitably lead to its collapse, rightly stating that, according to this viewpoint, planners seeking greater justice have little space to manoeuvre as they 'could never hope to divert the course of capitalist evolution by more than a millimetre or millisecond [and therefore] the Marxian logic is strangely quietest: it suggests that the planner retreats from planning altogether into the academic ivory tower' (Hall, 2002: 371). Such a perspective would assert that the fortunes of people are indeed inevitably linked to revolution, something which lacks historical support.

In opposing capitalist inequality, Fainstein's proposed policy principles and criteria for achieving social justice are therefore rationalised on human motivation and grounded within political action rather than historical inevitability. It is within this context that Fainstein invokes Nancy Fraser's aforementioned 'nonreformist reforms'. The development of practical alternatives to neoliberal hegemony therefore becomes 'the primary task for those with a moral commitment to human betterment' (Fainstein, 2010: 19), as Fainstein further emphasises by quoting Peter Marris: 'reforms as well as radical actions may be working towards profound and far-reaching changes in the expectations which govern [structural] relationships' (Marris, quoted in Fainstein, 2010: 19).

Another issue to be discussed with regard to Fainstein's normative framework for promoting social justice is that of scale and to what extent such a framework can be practically implemented within urban governance. The financial resources that cities have at their disposal are largely determined by national governments and the decisions of private investors. Nevertheless, Fainstein notes that that 'local public policy making still affects who gets what and is not fully constrained' (Fainstein, 2010: 7). Thus, whilst flows of capital are not primarily determined by the action of city leaders, and the financial constraints applied by national government directly impact on the ability of urban regimes to redistribute resources, 'it is still possible to develop a concept of justice relevant to what is within city government's power and in terms of the goals of urban movements' (*Ibid.*: 18). It is worth briefly returning to Castells' notion of the 'collective consumption' of public goods and services and the possibility for urban social movements to control their allocation at city level through a municipal revolution (Castells, 1977). Through this municipal revolution, Castells argued that the state could mitigate the effects of capitalism's tendency to produce inequitable outcomes, and as such there is logical coherence here with Fainstein's assertion that '*urban movements do have transformative*

*potential despite being limited to achieving change only at the level in which they are operating'* (Fainstein, 2010: 18; emphasis in original). Urban and city governance can and does play an essential role in redistributive processes, and it is therefore reasonable for Fainstein to focus at this level.

As the above examination of Fainstein's and other scholars work details, there has been much political economic analysis regarding the issue of social justice and planning, with a new geographical approach to justice studies emerging and inspired from David Harvey's *Social Justice and the City* (1973). However, during the 1990s, new claims for a 'Just City' began to surface from a radical and increasingly post-structuralist cultural politics. It is to the literature of this new critical analysis of urban justice that we now turn.

## **2.2 The post-structuralist turn in urban studies and its influence in planning debates**

Post-structuralism is a nebulous term that encompasses a variety of formulations which, influenced by postmodernist epistemology, focus on group-based difference, rather than liberal individualism and Marxist class analysis, in order to understand the emerging urban order and to reformulate visions of social justice. The following section will present the views of a number of scholars whose work has informed planning theory, some of which do not always exclusively adhere to post-structuralist theory but instead also combine it with ideas from political economy.

One of the key works looking into the significance of group difference is that of the political philosopher, Iris Marion Young. Young's *Justice and the Politics of Difference* (1990) argued for the need to contextualise justice in more concrete geographical, historical and institutional terms, so that it considers 'issues of domination and oppression, which require a more process-orientated and relational conceptualization' (Young, 1990: 8). Young's concept of justice sets out to challenge what she views as institutionalised domination and oppression through embracing a 'politics of difference', and therefore sees social justice as requiring 'not the melting away of difference, but institutions that promote reproduction of and respect for group differences without oppression' (*Ibid.*: 47). To do this, Young highlights a set of distinct but interacting forms of oppression, known as the 'five faces of oppression', that must be overcome: Exploitation, Marginalization, Powerlessness, Cultural Imperialism, and Violence (*Ibid.*:

48-65). Exploitation, according to Young, relates effectively to class and thus, in line with Marxist thinking, oppression occurs through the transfer of the results of labour of one social group to the benefit of those who own the means of production (*Ibid.*: 49). Marginalization is defined as involving the curtailment of full participation in social life and accessibility to societal resources, with certain segments of the population, such as old people and women recovering from child birth, subject to scarcity of 'cultural, practical, and institutionalized conditions for exercising capacities in a context of recognition and interaction' (*Ibid.*: 55). The third 'face of oppression', Powerlessness, is also linked to the Marxist idea of class, but provides the more nuanced categorisation of the 'professional' and 'non-professional', which in turn is also informed by race, gender, or any other 'human attribute'. Powerlessness sees the 'non-professional' as having a weakened sense of political power, participation, representation and capacity for self-expression, and therefore they lack the 'orientation toward the progressive development of capacities and avenues for recognition' (*Ibid.*: 57). Cultural Imperialism involves 'the universalization of a dominant group's experience and culture, and its establishment as the norm' (*Ibid.*: 59). The dominant group is therefore said to 'construct the differences which some groups exhibit as lack and negation', and thus the culturally dominated are stereotyped, resulting in them internalising inferiorised images emanating from outside definitions of themselves (*Ibid.*: 59). Finally, Violence relates to the systematic violence suffered by marked groups, such as women, people of colour, and gays, as well as the tolerance of such violence in social and institutional practices. The systematic nature of violence towards such groups is what constitutes it as a 'phenomenon of social injustice' (*Ibid.*: 62).

Young recognises the importance of defining group association in order to tackle the workings of oppression as detailed above, considering the liberal contract model of social relations, as espoused by Rawls, as incorrect in its *a priori* assumption of a homogenous public, and appropriate only for conceiving associations resulting from common interests, rather than providing a true understanding of social groups which are actually defined 'not primarily by a set of shared attributes, but by a sense of self-identity' (*Ibid.*: 44). Justice should therefore move from its fixation with redistribution to 'social differentiation without exclusion' (*Ibid.*: 238). Thus, the normative ideal of city life

instantiates social relations of difference without exclusion. Different groups dwell in the city alongside one another, of necessity interacting in city spaces. If city politics is to be democratic and not dominated by the point of view of one group, it must be a politics that takes account of and provides voice for

the different groups that dwell together in the city without forming as community (Young, 1990: 227).

Young does not endorse 'the assimilationist ideal', stating that emancipation comes from a positive sense of group difference, whereby the group defines itself rather than being defined from outside (*Ibid.*: 172). A politics of inclusion would, it then follows, promote 'the ideal of a heterogeneous public, in which persons stand forth with their differences acknowledged and respected, though perhaps not completely understood, by others' (*Ibid.*: 119).

The 'five faces of oppression', and recognition of group difference, detailed above provide a lucid insight into how people may be differently inhibited or constrained within society. However, the overlapping aspects of oppression detailed by Young in her theorisation of justice are more of a useful heuristic device for situating lived experience rather than a set of criteria for a clear and direct framework that is applicable for shaping planning outcomes resulting from development proposals and negotiations within the planning decision-making process. Despite being criticised for being somewhat utopian (Smith, 1994), Young's approach is undeniably thought provoking for those wishing to engage in formulating just arrangements in material situations. As such, its significance is affirmed by its position as the basis for further investigations into achieving social justice with, as detailed earlier in Section 2.1.1, David Harvey providing one such attempt at directly engaging with some of the theoretical implications of Young's work.

Nancy Fraser has also sought to advance the role of recognition in achieving social justice. Fraser argues that claims for justice can be organised around a bifocal interest in redistribution and recognition; two 'interests' that constantly interact, but are not reducible to one another (Fraser, 1996; 2003). With regard to both redistribution and recognition, Fraser distinguishes between 'affirmative' and 'transformative' strategies for addressing injustices. The former corrects inequitable outcomes without disturbing the underlying social structure, and thus tend to reproduce in the long-run the unequal capitalist/nationalist and male-dominated settings. The latter works by changing the social frameworks that give rise to injustice, therefore challenging the social systems that produce the hierarchical order of classes, genders, and ethnic entities (Fraser, 2003). Fraser notes that, whilst more preferable, transformative strategies are more difficult to achieve in practice. Thus, Fraser recommends a middle ground, calling for 'nonreformist reforms', a strategy later endorsed in Fainstein's approach to the 'Just City' (Fainstein, 2010), which would operate within existing social frameworks but 'set in motion a

trajectory of change in which more radical reforms become practicable over time' (Fraser, 2003: 79).

According to the urban geographer Ed Soja, however, the articulation of fundamental reforms is to be achieved in a thoroughly spatialised manner, whereby city spaces facilitate the development of cultural politics that are 'radically open, and openly radical in its active promotion of social transformation' (Soja, 1996: 189). For Soja, this 'thirdspace', where new radical modes of postmodern thinking are created, would erase identity categories altogether and the injustices that emanate from them (*Ibid.*). While lacking the expression of a normative conception of this 'thirdspace', Soja has been consistent in attempts to develop a spatiality-orientated theory of social justice. The 'thirdspace' attempt at redefining the 'boundaries of spatial disciplines' (*Ibid.*) has much in common with his most recent Lefebvrian inspired attempt to provide a 'spatial consciousness in urban theory and planning' (Soja, 2010: 101), whereby a dialectical relationship between the academic spatial perspective and place-based local activism is considered prerequisite for the constitution of spatially just social transformations. This relationship builds on Soja's earlier theorisations which were informed, sometimes questionably and in an obfuscated manner (see Merrifield, 1999), from his empirical work documenting the reshaping of social space in the Los Angeles metropolitan area. It is such theorising that has resolutely contended, like Harvey, that social practices and process create spaces and these spaces, in turn, constrain, enable and alter those practices and processes in a 'socio-spatial dialectic' (Soja, 1989: 78).

Doreen Massey concurs with the idea that space contains 'particular and specified social processes' (Massey, 1984: 5) and therefore should not be considered as a separate realm from social processes. However, Massey has been critical of both Soja and Harvey, arguing the former as being strangely unaware of feminism's engagement with postmodern thinking (Massey, 1994), and critiquing the latter for his relegation of feminism by subsuming all struggles within the umbrella of class politics, and thus urging 'a unity enforced through the tutelage of one group over others' (Massey, 1991: 55). For Massey, a more democratic and just urban politics can be achieved if the connections between identity, spatiality, and power, which are themselves unstable and relational categories, are critically examined and understood (see Massey, 1996).

The connection between spatiality and identity has been central in Fincher and Iveson's effort to promote more just planning practices. In *Planning and Diversity in the City* (2008), Fincher and Iveson, drawing influence from Fainstein as well as feminist literature

on diversity and identity, analyse and formulate a normative prescription for promoting social justice by adding the concept of 'encounter' to the well-established themes of redistribution and recognition of diversity. Redistribution, according to Fincher and Iveson, requires not only the promotion of equity in the distribution of resources but also a need for social access to public services, with provision incorporating the ideas of what service users will find appropriate and accessible, as 'merely locating a facility or service closer, physically, is unlikely to have such potential [in playing a transformative role in the lives of users]' (Fincher and Iveson, 2008: 27). Recognition, drawing from the aforementioned work of Young and Fraser, is promoted as the need for planners 'to not devise and implement a fixed and permanent model of recognition, [but rather] planners can best advance a transformative politics of recognition by taking a *pragmatic* and *contextual* approach to the question of recognition' (*Ibid.*: 103-104). Thus, recognition of diverse identities within planning and urban policy should not assume which identities and social groups are most important. The meaning given to encounter is offered as 'through which the interaction of individuals is planned for in order to offer opportunities for increased sociality' (*Ibid.*: 3), and therefore to understand the possibilities for different ways of living in the city. In creating decision rules for planning intervention, covering the three themes, the authors are attempting to link general social scientific arguments to the realisation of practical implications, and thus provide 'useful norms and tools for planning that has progressive social intentions' (*Ibid.*: 223). The three themes presented by Fincher and Iveson, as outlined above, represent one of the relatively few attempts amongst planning theorists to construct a normative prescription to guide the promotion of positive experiences of diversity in the city. The authors do, nevertheless, accept that such conceptual apparatus should be wielded alongside learning from the practices and thinking of planners in other contexts, and that planning under such themes needs to be continually negotiated across national and local settings of the public sphere (*Ibid.*: 223).

Fincher and Iveson's introduction of the theme 'encounter' bears resonance with the work of planning theorist, Leonie Sandercock, who, as explored below, promotes the possibility of 'togetherness in difference' to cultivate an acceptance of diversity (Sandercock, 1998: 199). It was indeed the accent of diversity and recognition of the 'other', notably amongst scholars interested in justice towards the end of the twentieth century, that led Sandercock to envisage Cosmopolis, a 'journey of coming to terms with difference, of connection with the cultural Other' (*Ibid.*). To achieve this, Sandercock advocates a parting with modernist planning and its 'anti-democratic, race and gender-blind, and culturally homogenizing practices' (*Ibid.*: 4), with a new emphasis on



discerning power relations and their influences on planning practices and the perpetuation of inequalities. The 'language of distributive justice' in planning debate, according to Sandercock, has focused too heavily on the material and economic realm, providing inadequate definitions of social justice. A redefinition of justice would highlight the need for cities to 'nurture difference and diversity through a democratic cultural pluralism' (*Ibid.*: 183), whereby the goal is 'not so much to create a document called a plan as to generate a political process' (*Ibid.*: 7). This shift to process rather than material outcomes is one that 'demands the fostering of an everyday politics of dialogue and negotiation as the habit of political participation' (*Ibid.*: 199), alongside the appropriate institutional conditions that allow 'the force of argument [to] be the deciding factor rather than an individual's power or status in some pre-existing hierarchy' (*Ibid.*: 96). The position held by Sandercock, however, effectively relegates the importance of the wider political and economic forces shaping urbanisation and thus negates any comprehension of the constraints in which planning must function.

Nevertheless, the recent focus on institutional conditions and the planning process has led to the development, in the 2000s, of an increasingly dominant approach in planning theory: communicative planning.

## **2.3 The 'communicative planning' approach to social justice**

The communicative planning model derives much from the work of Jürgen Habermas, whose theory of communicative rationality emphasises the importance of discourse ethics and the 'ideal speech situation' for creating discursive theories of democracy (Connolly and Steil, 2009). Habermas endeavours to ground justice within the process of argumentation itself, whereby it is conceived through practical discourse leading to consensual agreement (Campbell and Marshall, 2006). As Habermas explains:

Agreement rests on common *convictions*. The speech act of one person succeeds only if the other accepts the offer contained in it by taking (however implicitly) a 'yes' or 'no' position on a validity claim that is in principle criticisable. Both ego, who raises a validity claim with his utterance, and alter, who recognises it or rejects it, base their decisions on potential grounds or reason (Habermas, in Campbell and Marshall, 2006: 243; emphasis in original).

Such validity claims are identified in relation to, what Habermas describes as, categories of speech acts. Questions of justice are therefore concerned with the rightness of action,

of an appropriate *process*, and thus justice itself 'is not something material, not a determinate "value", but a dimension of validity' (Habermas, in Campbell and Marshall, 2006: 244).

This focus on the processes that could lead to justice has gained much prominence in academic debate, most notably inspiring communicative planning theorists who hold discursively democratic means as constituting the path to just outcomes. There are a number of proponents of communicative theory within the domain of planning, with two of the most influential being John Forester and Patsy Healey.

Forester, in line with the thinking of Habermas, proposes an argumentative or discursive analysis of planning practices, with the planner seen as the facilitator of the process of deliberation (Forester, 1999). Placing an emphasis on the discursive role of the planner, particularly within argumentation, as an important source of knowledge, Forester focuses on communication and 'words in practice'. Considering the institutions in which planners work as being a basic source of distorted communication, Forester advocates critical analysis focusing on 'the politics (status, strategies, effects and implications) of who says what, when and how in planning-related organisations' (*Ibid.*: 53). An analysis of planning in its 'local setting' seeks to further an understanding of what actually happens when planners speak and listen in the course of their everyday activities. The logic as such is that people, within this setting, often go along with courses of action that are not always in their best interests due to the distorted effect of communication, and thus by speaking truth to power, employing multiple forms of discourse, and engaging all forms of stakeholders in the communicative process, it would be possible to overcome the manipulation of communication within the planning process and thus attain more socially just outcomes (*Ibid.*).

Patsy Healey has described such discursive counteractions, with participants arriving at an agreement on action that expresses their mutual interests, as *collaborative planning* (Healey, 1997). Healey has argued against a political economy approach by contending that people do not have fixed interests; that a particular structural position (e.g. capitalist) does not automatically produce a particular policy position (e.g. deregulation), and thus, for example, discussions can lead capitalists to understand how environmental regulation can be beneficial to them as opposed to restricting their freedom to pollute (Fainstein, 2000). Where Healey and other communicative planning theorists do agree with political economists, however, is in a shared scepticism concerning the usefulness of models of rationality and their associated privileging of efficiency. They instead argue

that means and ends are mutually constituted and thus cannot be regarded as separate as in the rational model (Healey, 1997). Planning practice is considered political and value-laden, and therefore carries power:

Spatial and environmental planning practices are embedded in specific contexts, through the institutional histories of particular places and the understandings that are brought forward by various particular groups, and the processes through which issues are discussed. Through this double activity of *embedded framing*, spatial and environmental practices thus both reflect the context of *power relations* and *carry power* themselves (Healey, 1997: 86; emphasis in original).

The associated power asymmetries, according to Healey, can be recognised and countered with a 'vigorous pluralistic politics' (Healey, 1997: 213). This would involve the building up of confidence across fissures in interpersonal relations resulting from the traditional stakeholder power biases, creating 'new relations of collaboration and trust [which will] shift power bases' (*Ibid.*: 263). However, as Tewdwr-Jones and Allmendinger argue, to 'say that this is optimistic would be an understatement' (Tewdwr-Jones and Allmendinger, 1998: 1980), as this view displays little regard for individual perception and motivation. It is unlikely that a planner would actively surrender their professional status and the primacy they receive in decision making as a result of their specialist knowledge and 'expert' judgement. Furthermore, if such a goal is to achieve consensus through 'new relations of collaboration' then the unifying assumptions engendered may result in silencing rather than giving voice to those who provide opposition. These issues, related to the functioning of power in the planning decision-making process, are discussed further in Chapter 3.

This focus on the *process* of planning and the planner's mediating role, as expressed by Healey and communicative theorists in general, does also appear to be at the expense of a concern with the ends. It is difficult to understand the field of power in context without an examination of planning *outcomes* and a comparison of those outcomes to a view of social justice. Healey, however, does express a concern with an evaluation of planning practices based upon normative concepts of social justice, contending that

concepts of the "good" and the "just" were themselves conducted through relations of knowledge and power [but] the processes of articulating values and the manner in which these might become embedded in established discourses and practices were important. In other words, substance and process are co-constituted, not separate spheres. In addition, process should not be understood merely as a means to a substantive end. Processes have process outcomes. Engagement in governance processes shapes participants' sense of themselves (Healey, 2003: 110).

By this logic any assertion of a particular content ‘simply regresses to the outcome of communication among participants, as all forms of knowledge are socially constructed’ (Fainstein, 2010: 9). Whilst the process by which decisions are made should be scrutinised, given the efficacy of ‘viability’ in shaping development (as demonstrated in discussions over the LCS development detailed throughout Chapters 5-10), alongside naive assumptions from proponents of communicative planning that existing power differentials between actors engaged in the decision-making process can be overcome, it is considered important that a greater emphasis is placed on substantiating development outcomes.

## **2.4 Conclusion – setting the scene to a framework for assessment**

This chapter has examined and critically analysed various conceptions of social justice related to the field of planning within ‘political economy’ and ‘post-structuralist’ literature, as well as the increasingly dominant ‘communicative planning’ approach in planning theory. What has emerged from this analysis is that there are few authors who have provided any tools or approaches that can be operationalised to study actually existing planning practices. Fainstein’s three principles of a ‘Just City’ (2010) does, however, provide one such normative prescription that, whilst embedded in wider theoretical discussions, highlights the importance of substantiating socially just outcomes.

In the previous chapter, it was argued that the existing literature on the impacts of mega-events tends to highlight their questionable distributional outcomes, with limited success in targeting socio-economic inequality. Many past events have been shown not to contribute to social justice or have actually assisted in exacerbating social inequality through such processes as gentrification and/or displacement. In the context of this research, based on the approaches reviewed in this chapter, the first objective of the study was therefore to develop and refine a conceptualisation of ‘socially just planning outcomes’ in the context of mega event-driven urban development. This provides the first research question of this study:

*How can socially just planning outcomes be conceptualised within the context of mega event-driven urban development?*

To address the first research question, a ‘working definition’ of this conceptualisation shall now be provided which is adapted from Fainstein’s three principles of a ‘Just City’. It should also be noted that the following chosen criteria from Fainstein’s conceptualisation have been selected through an iterative process, with the number of

appropriate criteria narrowed down as the research analysis has been carried out. Thus, only those criteria which can be related to the themes relevant to the planning decision-making process for the LCS planning application have been chosen. The policy principles and associated general criteria to be applied to achieve more socially just outcomes from the planning decision-making process are therefore as follows:

**Table 1.** *‘Working definition’ of socially just planning outcomes adapted from Fainstein’s (2010) three principles of the ‘Just City’*

<b>Policy Values/ Principles</b>	<b>Criteria</b>
<i>Equity</i>	1. All new housing development should provide units for households with incomes below the median, either on-site or elsewhere
	2. Households or business should not be involuntarily relocated for purpose of obtaining economic development or community balance. Adequate compensation provided so dislocated can occupy equivalent dwelling or business site. Reconstruction of neighbourhoods conducted incrementally so interim space can be created for displaced households to remain in same location.
	3. Mega projects should face scrutiny, benefitting those on low wages in the form of employment provisions, public amenities and a living wage.
	4. Planners should take an active role in deliberative settings in pressing for egalitarian solutions and blocking ones that disproportionately benefit the well off.
<i>Diversity</i>	5. Households should not be required to move for purpose of obtaining diversity but neither should new communities be built that further segregation.
	6. Allocating land uses should be undertaken to foster inclusion.
	7. Boundaries between districts should be porous.
	8. Ample public space should be widely accessible and varied; where public space is provided by private entities, political speech should not be prohibited within the property.
	9. To the extent practical and desired by affected populations, land uses should be mixed.
	10. Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education and employment.
<i>Democracy</i>	11. Groups not able to participate directly in decision-making processes should be represented by advocates.
	12. Plans should be developed in consultation with the target population if the area is already developed.
	13. In planning for as yet uninhabited or sparsely occupied areas, there should be broad consultation that includes representatives of groups currently living outside the affected areas.

Subsequent to the analysis of the planning decision-making process and outcomes for the LCS development provided in Chapters 6 to 10, the criteria provided in Table 1 will be revisited in Chapter 11 to assess whether the LCS’s planning outcomes can be considered ‘socially just’. In turn, in dialectical fashion, the desirability of Fainstein’s

normative framework as a basis for decision making in the planning process will also be discussed, with consideration given to the workings of power in the negotiation and rationalisation of LCS development. This will inform wider debates around how a normative framework for socially just planning outcomes can be advanced and the implications this has for the delivery of mega event-driven urban development.

A number of the criteria, particularly those associated with the 'democracy' principle, within the normative framework provided in Table 1 reflect the importance of the planning decision-making process in shaping development *outcomes*. This chapter, notably Section 2.3, has also highlighted how the planning decision-making process is unavoidably subject to the workings of power. This requires further elaboration and it is therefore to the role of power and the individual agency of the planner in the planning decision-making process that constitutes the focus of the following chapter.

### **Chapter 3. Power in the planning decision-making process**

This chapter will examine some key elements in the quotidian functioning of the English planning decision-making process so to understand the operation of power. With assistance from interspersed reflections on broader theoretical issues, supported predominantly, although not exclusively, from work by political scientists and planning theorists, and my personal experience as a planner, it generates a number of analytical questions around the process of decision making that are subsequently addressed during the examination of the LCS planning application. As such, these questions will facilitate an analysis and understanding of the LCS planning decision-making process, and consequently will help to address the main research questions set out in Section 1.4.

The key themes structuring this chapter were purposively selected for their applicability to the nature of the planning decision-making process and their ability to provide an analytical lens through which to answer the main research questions of the study. It is, however, acknowledged that this chapter provides a focused, rather than exhaustive, examination of the role of power in planning decision making. In doing so, the issues described in this chapter will provide a 'meso-level' of theoretical framing which complements the 'macro-level' theories of planning and social justice reviewed in Chapter 2.

It is appropriate to begin, however, by briefly establishing the manner in which agency and discretion is enacted within the English planning system. This requires first detailing the administrative boundaries of the English planning system so to provide an explanation of the context under which the planning decision-making process functions. The agency of planners and politicians in the decision-making process is then detailed so to understand how they undertake development decisions. This is followed by an examination of the exceptional governance arrangements provided by the ODA for the assessment of the LCS planning application, as well the extent to which this sets the Olympic 'Legacy' planning process apart from 'normal' arrangements.

The second main section explores the role of 'agenda setting', focusing on how various rationalities and narratives are employed to shape the nature of development. The 'mobilisation of bias' in the process of agenda setting is also examined, followed by a further discussion on how actors seek to control the agenda and achieve 'realistic'

outcomes. This will provide the basis for the later exploration and analysis of power in the planning decision-making process for the LCS application, and thus the subsequent regeneration of the post-Games Olympic Park.

### **3.1 Agency and discretion in the English planning system**

The ability for, and desirability of, agency to be enacted within decision making is subject to varying accounts from academic commentators depending on their respective philosophical position.<sup>5</sup> It is not the intention to detail the evolution or extent of these accounts here or similarly provide an extensive history of the changing professional and organisational context of the planning system and its influence on the agency of those who engage with it. Rather, with regard to the role of planners and other actors engaged in the planning decision-making process, the following has a more modest ambition of identifying a few key issues concerning how agency is exercised or constrained so to facilitate the later analysis of the LCS development.

#### **3.1.1 The English planning system**

The English planning system is unique, in comparison to the USA and other European systems, in the level of discretion that is afforded to Local Planning Authorities (LPA) in the preparation of their development plans. This discretion also applies to the delivery of the development plan as, unlike many other countries, a departure from the plan may be acceptable depending upon a number of 'material considerations', as detailed in Section 4.1, that can be taken into account by planners when undertaking the assessment of development applications. This provides for a degree of agency and flexibility within the system.

To explain the English planning system further, it is worth highlighting the three administrative fields of which it is essentially comprised: the professional, the judicial, and the political (Clifford and Tewdwr Jones, 2013: 61). Planning is assumed to hold a 'professional' status based upon the claim that planners possess 'specialist' knowledge and skills that enable them to exercise responsibility for the production of policies (the aforementioned development plan), albeit guided by an evidenced base approach alongside the political priorities of the respective local authority, to manage the location and nature of land uses and development, as well as for the application of these policies

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<sup>5</sup> Agency is referred to here as the capacity of individuals to act independently and to make their own free choices.



in the assessment of planning applications (the decision-making process conducted by a LPA for a planning application is explained in Appendix 2). The decision-making process involves assessing whether a development proposed within a planning application conforms to the objectives of the relevant development plan policies alongside any potential material considerations (as explained in 4.1). The skills to undertake these tasks are gained through formal education, with membership to a professional planning organisation, the Royal Town Planning Institute (RTPI), awarded after successful completion of an accredited university programme, two years in practice and a peer group assessment of competence (*Ibid*, 2013; RTPI, 2015).

The 'judicial' component consists of the laws and rules that govern the functioning of the planning process, and include parliamentary statutes and case law which 'determine how the planning system is to be operated by professional officers' (Clifford and Tewdwr Jones, 2013: 61). It is this legal framework which provides consistency to the remit and application of the planning system. Finally, the 'political' dimension concerns the carrying out of the planning function by government agencies, which can include the elected councillors within a LPA and their respective planning committees (or, under exceptional arrangements as described below, an appointed planning committee within a development agency such as the ODA), the London Mayor, or the Secretary of State for Communities and Local Government (DCLG).<sup>6</sup> Formal channels of public participation in the plan-making and development management process form part of this 'political' dimension, most notably through consultation on planning applications. Conflict can arise between the different institutional objectives established by actors in the three administrative fields. This conflict may occur, for example, between planning officers and politicians, with the latter sometimes choosing to determine a planning application for reasons that negate the 'professional' viewpoint. The role of politics in planning is

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<sup>6</sup> A planning committee is comprised of local authority councillors that sit to determine planning applications. Advice is usually provided by the authority's planning officers who recommend an approval or refusal for each application following a detailed report highlighting the main issues to be considered. The sitting of the committee is a public meeting and therefore time is allotted for members of the public, who have pre-registered, to speak and provide comments (representations) on each application. Whilst conditions vary between local authorities (and their respective 'Codes of Practice') regarding when application may be put before a committee for determination, it is commonly on the basis of whether the proposed development has received a number of consultation objections (representations) or is of a sufficient scale (often adjudged by a 'Major' application classification, defined in Part 1 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 as proposing 10 or more dwellings or over 1,000 square metres of floorspace).

particularly acute in high-profile developments such as the Olympics, which are often claimed to necessitate particular planning governance structures.

### **3.1.2 The planning decision-makers**

The planner's privileged position as a decision maker within the English planning system was founded in the establishment of the welfare state in the years after the Second World War which saw an elevation of 'the public sector ideal of an egalitarian, caring and compassionate state run by well-paid professionals' (Perkin, in Campbell and Marshall, 2002: 93-94). During this time there was an alliance between politicians and experts that was, in part, responsible for a cross party consensus that collective action was necessary to solve the economic and social problems facing the country, with the post-war planning system representing a vital component 'of the 'professional ideal' and of the Keynesian social democracy upon which consensus was built' (Campbell and Marshall, 2002: 94). The planner in this context was seen as committed to altruistic public service (Campbell and Marshall, 2005) and, through an education that endowed them with privileged access to scientific knowledge and 'know how' (Friedmann, 1987), as an objective, politically neutral decision maker.<sup>7</sup> It is through this purported objective and scientific knowledge-based reasoning that planners' derive their legitimacy. Furthermore, the work that professional planners undertake, which in this research relates to the assessment of planning applications for permission to develop land, has been argued to require discretionary judgment rather than just the use of standardised routines given that the English planning system requires each planning application to be independently evaluated rather than adjudged against unambiguous zoning rules (Campbell and Marshall, 2005). Planners can also reinforce their agency and status through their daily interaction with and understanding of the 'judicial' dimension of the planning system, as defined above, which demands technical/legal knowledge to be at the forefront of the planning decision-making process.

Clifford and Tewdwr-Jones (2013) argue that planners are able to exert agency within the decision-making process and highlight Lipsky's (1980) notion of the 'street level bureaucrat' which emphasises that the discretion, and thus the agency, of those implementing public policy manifests itself in 'the devices they invent to cope with

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<sup>7</sup> This perceived altruism and neutrality in decision-making has received significant academic criticism since the 1960s due to the difficulty in defining the public interest (see Alexander, 2002) alongside, as examined further below, the planning profession's highly political and contested nature (Swain and Tait, 2007).

uncertainties and work pressures, effectively becoming the public policies they carry out' (Lipsky, 1980: xii). Indeed, they go further, whilst paraphrasing Allen (2001), by stating more broadly that governance and 'policy studies literature tends to focus on policies and procedures rather than the important role of individual personalities in policy implementation networks' (Clifford and Tewdwr-Jones, 2013: 76). Drawing on the 'new institutionalist' literature (see, for example, Peters, 1999; Lowndes, 2001, 2005; Lowndes, and Wilson, 2003), Clifford and Tewdwr-Jones see structure and agency as mutually constitutive, and thus emphasise that the relationship between the institutional parameters of decision making and the agency of the planners is in fact dialectically constructed, with 'actors being shaped by their institutional inheritance and also helping shape it' (*Ibid.*: 77). Importantly, this relationship is relevant and expressed in the interaction of the multiple 'frames' that planners may possess when assessing development within the planning decision-making process. The issue of 'frames' shall be discussed later.

The institutional and organisational context in which planners function undoubtedly impacts upon the agency they are able to exercise and the 'professional' status they are afforded. Planning in England has historically been largely embedded within local authorities, which traditionally were 'structured around the professions associated with the delivery of particular services' (Campbell and Marshall, 2005: 203). However, this organisational norm has been somewhat transformed, most notably through the Thatcher government's neo-liberal attack on the professions as providing 'unnecessary' regulation and the New Labour focus on a managerialist approach to public service delivery which embedded performance indicators and targets into practice (Allmendinger, 2011). This in turn has created a feeling that planning has become 'de-professionalised', reducing practitioners to administrators of the planning system with judgment and discretion being demoted in favour of efficiency and the swift processing of planning applications (Clifford and Tewdwr-Jones, 2013).<sup>8</sup> Furthermore, the individual planner, as a 'professional', is always guided in their assessment of the merits of a

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<sup>8</sup> The need to determine applications within the target time period is a common pressure that I have regrettably felt and yielded to, resulting in a refusal of an application with offers to negotiate rather than undertaking such negotiation within the process. Indeed, local planning authority decision notices commonly use a default response that states the planning application is 'refused – with offer to negotiate'. Similarly, but with cognisance of managing a burgeoning caseload, the persistent office joke that planners share, to which I have frequently been privy, is the question - 'is this proposal bad enough to refuse?', implying that you should try to approve the application with a host of conditions rather than contest an appeal or determine a revised application at a later date.

development by the established institutional parameters. Whilst the aforementioned 'judicial' process does enable the planner to assert agency by privileging their specialist knowledge through legislation from national government, planning policy set both at a national and local level, and planning case law, also serves to define the remit of their decisions.<sup>9</sup> It is the existence of these parameters that have produced 'an institutional view that town planning can be described far more effectively as a technical and administrative profession' (Tewdwr-Jones, 1996: 237). Accordingly these rigid parameters would not only limit the discretion that a planner is able to apply in their assessment of the merits of development, but they would also leave no place for the values and moral judgements of the individual planner to be applied.

The other key decision makers within the planning system are the political representatives, chiefly councillors sitting on local planning committees. Within LPAs, councillors form part of the political process of the planning system and gain legitimacy through being elected representatives. Conversely, this can also be a constraint on their individual agency as they may feel a responsibility to reflect the views of local residents within the planning decision-making process. However, councillors are also able to constrain the agency of planners. For example, the political process offers a potential conflict of legitimacy between the planner's 'technical skills' and the locally elected councillors' 'democratic accountability' when determining planning applications through a planning committee. This dynamic sees the planner's decision making authority subordinated so that they instead function as an adviser, that is, 'a channel of communication between technical criteria and the political process' (Tewdwr-Jones, 1995: 175). This can lead to the frustration of both the planner, who yields delegated authority of decision making to councillors sitting on the local planning committees, and the councillors on such committees who resent planning officers' recommendations that acknowledge Central Government guidance and policy rather than being *solely* embedded in local circumstances and interpretation of local planning policy.

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<sup>9</sup> Related to the emphasis on efficiency and delivery restricting the agency of planners, it should be noted that the Conservative Government's National Planning Policy Framework (NPPF) has provided a new emphasis on planners being aware that '[p]ursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable' (DCLG, 2012: 41). The importance placed upon delivery is an issue at the forefront of the LCS development as shall be discussed later in the thesis (see 10.1.3).

This local versus central tension can be further heightened when negotiating large regeneration projects, such as the LCS development, with an external development agency (the ODA) that is not embedded in the local political structure. Planners employed by the development agency, alongside private consultants and local councillors sitting on the agency's planning committee, will be equipped to challenge the technical and democratic control of local authority planners and local planning committee councillors respectively, resulting in the potential further diminishment of the latter's agency. The tension between local and national actors and objectives will be examined in the LCS planning decision-making process as detailed in Section 10.3.2, and the issue of technical knowledge and agenda setting shall be returned to later.

### **3.1.3 Discretion in a 'state of exception'**

The need to deliver London's Olympic Games on time led to an exceptional governance arrangement with regard to the usual functioning of the planning system (the legislative backdrop and functioning of this arrangement are examined further in 10.1.1). The creation of the ODA to deliver the Games' infrastructure - an ad-hoc organisation which assumes local planning authority status under Section 5 of the *London Olympic Games and Paralympic Games Act 2006* – provides the institutional basis for what can be described as a 'state of exception' (see Agamben, 2005). The ODA's Planning Decisions Team (PDT), whilst not having plan making powers unlike normal LPAs and the succeeding LLDC, was able to determine planning applications for proposals in and around the area of the Olympic site and, notably, was responsible for assessing the LCS planning application. The exceptional nature of this governance arrangement is worth acknowledging here because the ODA not only acquires the planning powers previously held by the local boroughs but also maintains an emphasis on delivery (as detailed in 10.1.2). This, in turn, raises concerns over the democratic legitimacy of planning decisions given that the customary local political involvement in development, notably elected councillors sitting on a borough's planning committee, is withdrawn with members of the ODA Planning Committee (ODA PC) instead being appointed by the ODA Board.<sup>10</sup> As Short notes, the tight development deadlines associated with mega-event regeneration are used to justify exceptional governance structures that are

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<sup>10</sup> The ODA Board, comprised of the Minister for the Olympics, Mayor of London, Chairman of the BOA, and Chairman of LOCOG, held responsibility for coordinating the delivery of the London Olympics (see ODA, 2011) and was responsible for establishing the ODA PC. It is noted that four of the nine ODA PC members were councillors from the local boroughs that held land on which the LCS development was sited or bordered.

established to overcome any potential ‘political resistances, bureaucratic logjams and administrative inertia’ (Short, 2008: 331). As shall be discussed in Section 10.1, the creation of a development agency (the ODA), so to ensure that the Olympic and post-Games development is approved and delivered on time, can serve to limit the agency of those engaged in the negotiation and assessment of development proposals.

Before examining the role of agency in the planning decision-making process, it is worth briefly elaborating further on the governance arrangement for the assessment of the LCS development by presenting the organisations that provide the primary focus for the research given their prominent engagement with the LCS planning application.

**Table 2.** *Main organisations engaged with the LCS planning application and their role within the planning decision-making process*

Organisation	Role with regard to the LCS planning application
Olympic Delivery Authority Planning Decisions Team (ODA PDT)	Local Planning Authority
Olympic Park Legacy Company (OPLC)	Applicant
Olympic Delivery Authority Planning Committee (ODA PC)	Planning Committee
London Borough (LB) of Newham	Application consultee
London Borough (LB) of Tower Hamlets	Application consultee
London Borough (LB) of Hackney	Application consultee
London Borough (LB) of Waltham Forest	Application consultee
Greater London Authority (GLA)	Application consultee
Host Boroughs Unit	Application consultee

It should be noted that only the main organisations that participated in the negotiation and assessment of the LCS’s land uses discussed in Chapters 6 to 9 are subject to examination (as explained in 4.2). A list of the individuals interviewed from these organisations, and their respective positions, is provided in Appendix 3. This list also includes a representative from EDAW, the planning consultancy responsible for the original Olympic Park masterplan in 2004 (constituting part of the planning history for the LCS site).

The governance arrangements for the general delivery of the London 2012 Olympics and the associated regeneration are not detailed here given that, as explained in Section 1.1, the focus of the research is on the planning decision-making process for the LCS.<sup>11</sup>

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<sup>11</sup> See Smith (2013) for a history of London’s Olympic regeneration governance arrangements.

Nevertheless, for reference, Appendix 4 provides a diagram of the broader organisational structure responsible for delivering the Olympics.

## **3.2 Agenda setting, rationalities and knowledge claims in the planning decision-making process**

Understanding and assessing development outcomes and the supporting reasoning used during the planning decision-making process is important to unearthing professional and political objectives and how (development) agendas are set in that decision-making process.

### **3.2.1 Rationality, knowledge and narratives**

The reasons and motivations for favouring particular planning outcomes in decision-making processes will not always be easy to uncover but, in line with the intention of this thesis, an analysis of the rationalisations presented by actors is one way in which to help uncover the role of power in achieving the desired development outcomes. As Flyvbjerg's concise proposition states, '[...] power *defines* what counts as rationality and knowledge and thereby what counts as reality' (Flyvbjerg, 1998: 227). Through his study of planning in Aalborg, Flyvbjerg demonstrated how power constrained decision making with regard to transport infrastructure within the centre of the city. Central to this was an understanding of how the Chamber of Industry and Commerce was able to manipulate decisions around transport and environmental management through a rhetorical and discursive strategy that engendered a set of syllogisms: what is good for business is good for Aalborg, what is good for motorists is good for business, and, hence, what is good for motorists is good for Aalborg (*Ibid.*: 58). The power of Aalborg's business community, derived from the Chamber of Industry and Commerce's political and organisational dominance, allowed them to successfully realise their strategy and deploy certain knowledge claims, with the help of the city's local newspaper, to ensure that a favourable rationalisation for the continued primacy of automobile use prevailed. In short, Flyvbjerg's Aalborg demonstrates reasoned argumentation cannot be guaranteed in the decision-making process as what often matters is 'which party can put the greatest power behind its interpretation' (Flyvbjerg, 2002: 360). The supporters of mega events, as discussed in Section 1.3.2, almost invariably generate a dominant narrative based upon particular knowledge claims to advance the belief in largely exaggerated benefits from being a host city (see Flyvbjerg et al, 2003; Raco, 2004).

An understanding of the workings of power in the creation of dominant narratives can be furthered by using Hajer's (1995) notion of storylines. Hajer views storylines 'as a generative sort of *narrative* that allows actors to draw upon various discursive categories to give meaning to specific physical or social phenomena' (*Ibid.*: 56; *author's emphasis*). By drawing their understanding from different discursive categories, which include 'analogies, historical references, clichés, appeals to collective fears or senses of guilt' (*Ibid.*: 63), people use storylines as a means of comprehending the world and communicating with other actors who may hold a different perspective. The power to therefore instigate a particular course of action such as, for example, a specific development agenda(s) within the LCS planning decision-making process, may thus be represented by the emergence of 'new storylines that re-order understanding [and thus] [f]inding the appropriate story-line becomes an important form of agency' (*Ibid.*: 56). But storylines can also act to provide a disciplinary force whereby anybody wishing to challenge a dominant storyline must be expected to orientate their argument within the frame provided by the established discursive categories (Hajer, 1995). This explanation of the way planning outcomes may be shaped by storylines has obvious implications for the study of the 'Legacy' regeneration on the Olympic Park, opening up the possibility for understanding how the LCS planning application is shaped by those who are able to create dominant storylines around the nature of the development that should be undertaken. As noted earlier with reference to how supporters of mega-events exaggerate the benefits that accrue to a host city, it is therefore important to understand the process by which particular storylines, referred to as 'narratives' in this study, are developed and adopted so to provide an insight into the strategic reasoning behind their advancement and consequently who benefits from the development advocated (see 4.3.1 which explains the narrative approach to this research and 5.3 for the 'backdrop narrative' to the LCS). The role of certain concepts can also assist in understanding the process of narrative development, such as that of 'Legacy' and 'Convergence' in the planning decision-making process for the LCS, despite the fact that such concepts can represent an 'empty signifier' (see Laclau, 2005) - they have no one agreed meaning within a development narrative (see 9.2.1 and 11.2.5), and therefore cannot be consistently defined in Olympic related documents or within the evolving planning history of the LCS development (see 5.2).

The use of concepts, such as 'Legacy', can nevertheless be part of the legitimisation process for a development agenda. This is, in part, because it can form part of the 'frame' from which development is rationalised. A 'frame' involves the 'integration of facts,



values, theories and interests' (Tewdwr-Jones, 2002: 87), and therefore decisions made will differ between various individuals, institutions and situations. For example, planners and politicians working within a development agency may have different institutional/political/professional objectives to those within a local authority, and this in turn influences the 'frame' that they use in the decision-making process to determine the desirability of any development proposed. However, as Tewdwr-Jones notes, a 'frame' can also include an individual's implicit, 'pre-packaged' views that they may have developed 'in the family, in school, in university or in extra-curricular activities' (Tewdwr-Jones, 2002: 87). This research does not seek to provide a 'frame' analysis nor record implicit thought processes, which is empirically problematic, but instead endeavours to understand the explicit rationalisations and supporting knowledge claims used by the engaged actors in the planning decision-making process to advance their favoured development agenda for the LCS.<sup>12</sup> It is acknowledged, however, that even this is challenging for the researcher given the potential for a reflective individual, during an interview, to regulate their responses so to, for example, present themselves in a favourable light. Also, even when observing the process of decision making in the public arena, such as at a local planning committee, there may be the potential for what Goffman (1956) termed the 'front stage performance' of actors. This view sees actors as formally 'performing' and adhering to conventions that have meaning to an audience, and thus they do not present their true views but act in order to influence how they are perceived (Goffman, 1956). This view raises concerns over the authenticity and biases of decision-making processes and the robustness in the assessment of development, an issue detailed further with regard to the functioning of the ODA's planning committee for the determination of the LCS application (see 10.1.4).

### **3.2.2 Mobilising bias in decision making**

The success in arguing for a particular development agenda primarily relies upon the acceptance of the aforementioned 'facts, values, theories and interests' by those negotiating and determining the nature of development proposed. However, the process of influencing decision making is not always that easy to discern. Bachrach and Baratz (1962) believe the functioning of power to possess 'two faces': one face that concerns

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<sup>12</sup> Understanding and recording the implicit cognition of the planner is inevitably challenging given the difficulty in acquiring reliable and authentic knowledge of an individual's internal thought processes. Firstly, an individual may not be aware of the subconscious reasoning that has shaped their personal decision making process. Secondly, upon questioning, a reflective individual could understandably regulate their responses to any enquiry regarding their motives.

the outcomes of overt battles between different actors over particular issues, with the second face referring to the 'non decision-making process'. This latter aspect provides a 'two-dimensional view' of power, to use Lukes' expression (see Lukes, 1974), and is what Schattschneider had previously referred to, through analysing political processes, as the 'mobilization of bias':

All forms of political organization have a bias in favor of the exploitation of some kinds of conflict and the suppression of others because organization is the mobilization of bias. Some issues are mobilized into politics while others are organized out (Schattschneider, 1960: 71).

With great resonance to the process of agenda setting within the planning decision making arena, Schattschneider recognises that the process of 'non decision-making' is an exercise in ensuring some issues never make it onto the political agenda. Those with power are able to devote their energies to establishing and strengthening the social and political values, as well as institutional practices, that 'limit the scope of the political process to public consideration of only those issues which are comparatively innocuous' (Bachrach and Baratz, 1962: 948). As it follows, only those who are able to conform and consent to the dominant values, rituals, narratives and institutions of politics are admitted and able to participate in decision making (*Ibid.*), with those who wish to challenge the dominant ideals excluded. Within the field of planning, the dominance of viability (as made explicit in the government's NPPF highlighted earlier in this chapter) provides an example of an institutionally accepted consideration that acts to restrict the development agenda on which decisions are made. Furthermore, even when planners accept the principle of viability but wish to challenge the knowledge claims within viability assessment reports, which form the basis for decisions on the amount of social infrastructure and affordable housing provision required for a development, they often lack the particular expertise to understand and dispute the esoteric technical data on which viability claims are made (see Wainwright, 2014). As discussed in the following chapters, viability is an issue that runs throughout the negotiations and assessment of the proposed land uses in the LCS.

Thus, as institutional practices and values can serve to limit overt conflict (for example, through an implicit acceptance of viability as a legitimate constraint on development), there is often little or no behaviourally admissible evidence of power being exercised within the 'non decision-making' process (reflecting the 'post-political' critique discussed in 3.2.4). Commenting on Robert Dahl's (1961) seminal work on power in the urban politics of New Haven, Newton (1975) demonstrates this by stating that discussions of

contentious issues around public policy and redevelopment in the inner city were not solely the point at which power was exerted, as Dahl had suggested. Rather it was also present in the manipulation of political boundaries that influenced the interest of citizens in policy issues:

[T]he drawing of a political boundary is itself a potent political act with all sorts of implications for community decisions [...]. This is an example of the mobilization of bias, or rather the institutionalization of bias (Newton, 1975: 18).

Whilst viability represents a bias in the development agenda through a 'technical boundary' being formed (discussed in the analysis of the LCS in 6.2.1), Newton's above quote does raise the further issue of the level or scale to which those proposing, negotiating and assessing the nature of development are conscious of the anticipated reaction of those residing in and around development sites when determining their geographical boundaries, scale and the associated participatory processes, and therefore alter them accordingly to satisfy their personal/professional/institutional objectives. Wolfinger (1971) does counteract this view, however, by stating that what may be presented as the insidious action of political power is often an unreflective routine, enacted to reduce the confusion of excessive stimuli to a manageable level. However, in the context of the planning decision-making process, such stimuli could constitute the views of potential stakeholders and thus should not be dismissed out of hand. Such views, for a regeneration project that is both of local and national interest, may reflect and influence the political scale at which the development objectives are rationalised during negotiations. The politics of scale shall be discussed with regard to the LCS in Sections 5.3.3 and 10.1.2.

Detailing the process by which agendas are shaped and constrained is vital as it provides an understanding of the role of power in limiting deliberation around fundamental planning issues such as, for example, the allocation of certain land uses within development proposals for the LCS planning application. This constraining action of actors in relation to which topics make it onto the agenda within the planning decision-making process for the LCS post-Games development shall be examined in detail within the subsequent data analysis sections of this thesis.

### **3.2.3 Controlling the agenda**

As highlighted earlier, planners hold a privileged position as (one of the) decision makers within the planning process. However, it was also noted that the agency of planners may

be constrained by their position within the state through their relationship with politicians who possess democratic legitimacy and institutional power that is exercised at local planning committees. Nevertheless, as Tewdwr-Jones (1995) argues, planners can seek to protect their legitimacy and influence by promoting their 'professional credentials', thus retreating behind a legislative and policy framework. It is through the promotion of a more professional and technocratic approach to their work that planners have subsequently been accused of 'attempting to establish an apolitical function' (*Ibid.*: 238). Reflecting on my own past experience working as a planner in a local authority, an example of this is to be found in the production of extensive planning assessment reports that result from the planner's desire to demonstrate transparent decision making, due process in the assessment of an application, and to reassure stakeholders that all relevant planning issues have been considered. Whilst the intention of these comprehensive reports is also partly to defend against any challenge by judicial review, which itself considers whether the appropriate administrative and technical processing of an application has been undertaken, the breadth of information covered can make it difficult for committee members to digest key issues in the assessment of the proposed development given limited time resources. Furthermore, briefing meetings to inform and summarise to councillors the key issues that require their attention in the assessment of a planning application may result in planning officers highlighting selective information that is subsequently put on the 'agenda' for discussing during the formal committee meeting. This is not to say that such briefings are necessarily subject to a Machiavellian type of manipulation; rather the technical details deemed important by the planner's 'professional' frame may focus the attention on matters that may not always be of concern to local councillors and, conversely, the planner may also selectively highlight the aspects that he/she knows will be of concern to the politicians.

Notwithstanding this, the agency of the planner has continued to be under scrutiny by those who wish to challenge their authority as a 'decision maker'. The communicative rationalists, discussed earlier in Section 2.3, believe planners should play a greater role in engaging in a more deliberative and democratic manner with all residents and stakeholders when determining the nature of development. According to Forester, this requires planners' work towards

[...] the correction of the *needless* distortions, some systematic and some not, that disable, mystify, distract, and mislead others: to work towards a political democratization of daily communication (Forester, 1989: 21).

Yet the idea that the dominant view of the planner should be countered through engaging all stakeholders and speaking truth to power (Ibid.), leaves little by way of a practical articulation as to how these 'distortions' can be resolved and power subsided within the planning decision-making process. As such, the communicative rationalists, whilst acknowledging the role of power, have little means by which to eliminate distortions that 'mislead' and 'mystify' unless they emerge in an overtly observable and causalistic manner (which would invalidate the premise that they were 'misleading' and 'mystifying' in the first instance).

Nevertheless, it is noted that the process of agenda setting is not always easily perceived given, as discussed above, the legitimacy afforded to technical knowledge claims in decision making and the potential for the mobilisation of bias. Also examined earlier was the notion of the 'professional' being premised upon possessing specialist knowledge and 'expert' judgement, and thus whilst the individual planner may well understand the argument for reducing the distortions of technical reasoning and devolving decision making, it is perhaps naive to assume and difficult to envisage, as Tewdwr-Jones rightly notes, why planners would want 'a more pluralistic and equal relationship between 'the planner' and the planned [...] for fear of losing status or rewards' (Tewdwr-Jones, 2002: 73).

This does not, however, mean that planners are domineering arbiters and manipulators of the decision-making process. Whilst the planning decision making does afford significant weight to the legitimacy of technical knowledge, local councillors are not powerless to promote their own agenda and, given their position on planning committees, are able to ensure that any large-scale or strategically significant planning applications are brought before them for determination. In terms of assessing an application, the issues under consideration would be viewed from a frame that emanates from their role as a councillor and thus is not solely concerned with technical planning matters but often reflective of the goals of their political party as well as that of those they purport to represent. However, any assessment of a planning application has to be undertaken with regard to particular 'material considerations' (as highlighted in 4.1), and thus the issues that may be important to those on the local planning committee, as well as local residents, may be excluded 'under the remit of 'professional land use planning' [or] the policy preferences of central government' (Tewdwr-Jones, 1996: 240). Whilst the range of 'material considerations' do provide the planner with some discretion in implementing the development plan (given the unique and more flexible character of English planning system, as highlighted earlier, when set against zoning/coding based systems), they are

still bound by what is considered relevant and therefore serve to take a number of potential issues 'off the agenda' in the planning decision-making process. Nevertheless, councillors can, and sometimes do, seek to refuse an application under the guise of what constitutes a 'material consideration' whilst in reality such decisions are based on political reasoning and legitimised through their democratic authority. These decisions are always a balance of what councillors perceive to be appropriate development and the suitable 'political' position to uphold versus the potential for a refused application to be challenged through a formal appeal and a subsequent payment of costs to be awarded against the council to the appellant for insufficient material grounds for refusal. The technical knowledge of planners in this instance can be selectively called upon by councillors to defend such an appeal, with planners therefore acting in subordination to political and democratic reasoning.

Thus, technical knowledge can be used in both resisting and approving development depending on the dominant frame used in decision making. Indeed, the planners' use of their technical knowledge has been described as a 'corporatist bargain' between the state and the planning community, with professional status and power afforded to the planners over land use control activities, and the state obtaining technical justification for what are highly political decisions (Campbell and Marshall, 2005; see also Kiernan, 1983; Reade, 1987). Planning is seen within this context as not able to propose 'objective' solutions or choices but rather as a series of claims and interests based upon political rather than technical judgement (Reade, 1987). However, this does not mean that there is a homogenous 'planning community' as often there will be competing agendas between and within local and central government and thus planning professionals. Additionally, as the planning profession has become established in both the private and public sectors, the negotiation and determination of a planning application can result in a clash of opposing technical reasoning between local authority planners and those planners working as consultants for the applicant. Other factors that may influence the outcome of this process include the level of dependency and attractiveness of a particular local authority to private investment and development, the amount of financial and time resources that can be utilised to support a particular position, and the alignment of the nature of the development proposal with the political objectives established at the level of central government. As shall be discussed later within the analysis of LCS planning decision-making process, the latter aspect may even become more pertinent for the decision making agenda when *ad hoc* development agencies are able to establish planning powers and assemble their own planning committees. So the use of technical

knowledge in reasoned argumentation over development outcomes should itself not be seen as problematic, but rather it is the political and professional objectives that are concealed in its advancement that require scrutiny and understanding.

### 3.2.4 Post-politics and a 'realistic' development agenda

The use of technical knowledge to conceal political objectives in decision making has received broader attention within discussions over what has been termed the 'post-political condition'.<sup>13</sup> This concept has emerged out of what Rancière describes as the 'end of the socialist alternative [which has] signified the reduction of democratic life to the management of local consequences of global economic necessity' (Rancière, 2004: 3-4). Whilst this is not the place to detail the discussions around this perceived 'condition' and the academic debates surrounding its existence, it is worth highlighting the emphasis which the concept of the post-political puts on urban development decisions being 'increasingly framed in a *common* and *consensual* language of competitive creativity, flexibility, efficiency, state entrepreneurship, strategic partnerships, and collaborative advantage' (Swyngedouw, 2007: 60, *author's emphasis*). The search for consensus in decision making is considered an ideologically driven form of 'non-decision making' as it is said to restrain and foreclose dissent by excluding the 'universalization of particular demands' (Swyngedouw, 2007: 65), with ideological conflict being replaced by pluralistic identity and issue-based politics (see Paddison, 2010). The 'post-political condition' is also depicted as advancing a managerial logic that utilises assumedly neutral expertise to devise and evidence technocratic solutions to identified urban problems (Swyngedouw, 2007).

The pragmatic approach to governance, as depicted through the post-political lens, thus focuses on achieving 'realistic' outputs or, for the planner, development outcomes. To this end, Rancière sees experts as sticking 'to the 'possible'', which precisely does not offer a great deal of possibilities' (Rancière, 2005: 9). Raco (2015), discussing the London Olympics' sustainability policy, similarly declares that 'we are witnessing the [...] *politics of the possible*' (Raco, 2015: 124) whereby decisions over the nature of the development agenda can therefore be resolved through a technocratic and managerial approach. Good governance becomes about 'getting things done [with democratic]

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<sup>13</sup> A number of academic writers have sought to detail the 'post-political condition' including, amongst others, Slavoj Žižek, Jacques Rancière, Alain Badiou, and Chantal Mouffe. Specific contributions to the post-political debate within the field of geography and urban planning include, although again not limited to: Eric Swyngedouw (2007; 2009), Ronan Paddison (2010), Philip Allmendinger and Graham Haughton (2011), Mike Raco and Wen-I Lin (2012).

[e]ngagement [...] viewed as the enemy of effective delivery' (*Ibid.*: 130). As detailed in Section 6.2.2, decisions for the LCS development were often described as being 'pragmatic', with effective delivery a result of having taken 'the politics out of it' (see 10.4.1).

### **3.3 Conclusion - Understanding power in the LCS planning decision-making process: a conceptual and analytical framework**

On the basis of the literature reviewed in this chapter, it is important to define the main concepts that I will be referring to throughout the analysis of power in the LCS planning decision-making process. Determining the planning outcomes of the LCS planning application or the nature of any development agenda requires the definition of what constitutes a problem for resolution or an explanation of the benefits that will accrue from undertaking such development. The act of 'agenda setting', 'framing', 'legitimation', 'narrative construction', and 'storylines' - which are analytical concepts discussed above - all respectively constitute a process that enables the endorsement of a particular course of action. I have given prominence to '*narrative*' as an analytical concept as it represents an organising principle that, as noted above within the discussion of storylines, can justify a course of action such as a particular development agenda. Narratives are also an important concept as they are specifically relevant to understanding the process by which power is transmitted given that they can act as a disciplinary force around which all *rationalisations* must be orientated. As shall be discussed, the 'viability' narrative was omnipresent and assisted in various rationalisations that were advanced to shape the LCS development.

Indeed, in support of the term 'narrative' as a conceptual analytical tool, I primarily employ '*rationality*' or '*rationalisation*' to refer to what constitutes any legitimising arguments alongside any associated *knowledge claims* used to support a narrative. In drawing attention to the associated knowledge claims, one is able to not only reconstruct the argument for a particular decision, but to account for any argumentative *exchange* within the formation of a narrative (Hajer, 1995). It is this exchange that is considered an important focus of analysis as it will highlight how various actors seek to validate their desired 'narrative' in the hope of achieving a particular development agenda, as well as the subsequent 'rationality' that was favoured by those undertaking the assessment and determination of the LCS planning application.



This chapter has provided a focused examination of how the role of power and the relationship between certain actors shape planning outcomes, both in terms of the functioning of the planning process, through the negotiation and advancement of certain rationalisations, and the nature of the development approved. It has therefore highlighted how those engaged in the planning decision-making process can potentially contribute to a more or less socially just development agenda. As such, a series of pertinent considerations are established for the exploration of the role of power in shaping the nature of the ‘Legacy’ development proposed by the LCS planning application. A number of key sub-questions will therefore need to be answered in order to address the last two research questions as set out in Section 1.4. These analytical questions have been informed by, and relate directly to, the functioning of power as detailed above, and are listed in Table 3 as follows:

**Table 3.** *Analytical guiding questions for understanding power in the LCS planning decision-making process*

<i>Main research questions</i>	Q2 - Within the context of the planning decision-making process, how is power mobilised by the involved stakeholders to rationalise and influence the development agenda and planning outcomes of mega event-driven urban development?
	Q3 - How do planners directly engaged in the planning decision-making process for mega event-driven urban development rationalise their support for a particular development agenda and planning outcomes?
<i>Sub-research questions</i>	What <i>narrative(s)</i> do actors advance with regard to the objectives of the LCS development?
	What are the various <i>rationalisations</i> expressed in the planning decision-making process with regard to the nature of LCS development?
	How do the various <i>rationalisations</i> expressed in the <i>argumentative exchanges</i> that form the planning decision-making process influence the nature of the LCS development?
	How are <i>bias</i> and certain forms of <i>knowledge</i> and <i>knowledge claims</i> mobilised to shape the development agenda within the planning decision-making process?
	How are actors <i>constrained</i> in their efforts to realise their development agenda?

Having detailed the guiding analytical questions that will be used when examining the research data collected from the LCS planning decision-making process, it is time to discuss methodological considerations.

## Chapter 4. Methodology

This chapter details the logic and appropriateness of the methodology chosen to respond to the research questions provided in Section 1.4. Appropriateness is here defined as enabling a detailed answer to all of the research questions and attending to pragmatic and ethical considerations. The first section presents the research design and choice of case study. An explanation of the appropriateness of using a case study approach is provided, alongside a contextual account of the nature of the LCS planning application as a case study. It also presents the research strategy, highlighting the timetable under which the research process was conducted. The second section discusses the data gathering methods and sources of data, detailing the research methods adopted and how they address the research questions, alongside such issues as validity and reliability. The final section addresses how the data was analysed, providing an explanation of the adopted epistemological position and of how the data analysis is structured within the thesis.

### 4.1 Research design and choice of case study

The research design involves a qualitative case study of the planning decision-making process for the 'Legacy' regeneration plans of the London 2012 Olympics, focusing on the development that is to occur in the Olympic Park post-event. As a matter of clarity, throughout the study, the planning decision-making process refers to the general planning function of 'development management', which includes pre-application discussions between the applicant and planning authority around the nature of development, along with the point at which planning applications are received, assessed and determined by planning authorities. For the assessment and determination of the Olympic Park 'Legacy' regeneration plans, the role of planning authority for the decision-making process was assigned to the ODA. As the research is concerned with the planning decision-making process, the study will concentrate on the outline planning application, the *Legacy Communities Scheme* (LCS), which sets out the post-Games transformation for the Olympic Park and thus provides the framework from which future development must abide.

A case study approach was chosen as a research strategy because it was considered the most suitable for answering the research questions. Whilst the future of the Olympic Park is still in its infancy with regard to the specific design of the built form, what is

perhaps not so widely appreciated is that the LCS established the nature, quantum and location of land uses, and thus is absolutely central to long term 'legacy' and regeneration ambitions, and, in turn, is important to the future socio-economic fortunes of those who reside within the area and across the host boroughs. In order to address the research questions, it is therefore essential that an understanding is acquired as to how the planners, the Olympic Delivery Authority Planning Decisions Team (ODA PDT) officers, involved in the planning decision-making process, along with key stakeholders, were actually able to influence the nature of LCS and thus the potential for it to integrate the post Games opportunity for physical development in the Olympic Park with the socio-economic need of residents within the host boroughs.

In case study research, the researcher examines an individual entity or phenomenon that is bounded by time and activity, such as 'an event, an activity, a process, or one or more individuals' (Cresswell, 2003: 15). As the research is an in-depth investigation into the planning decision-making process, applying a case study approach has enabled the use of a variety of data sources and research methods (Creswell, 2003; Vennesson, 2008). A case study approach also presents the opportunity to explain why certain outcomes happen (Denscombe, 2003), and it is therefore this distinct character that facilitates an understanding of the mobilisation of power by actors and their varying justifications for development agendas in the planning decision-making process.

By focusing on the LCS planning application's decision-making process, the research maintained a clear vision of its boundaries within a particular time and activity. The LCS planning application is the final masterplan stage for the comprehensive development of the post-Games Olympic Park and therefore chronologically succeeds the 'Legacy' objectives documents and the previous two planning masterplan applications detailed in Section 5.2. Whilst the formal LCS planning application process itself corresponds to the period from when the application was validated (5 October 2011) to the date of determination by the ODA (28 September 2012), the study will also reference pre-application discussions as well a couple of further applications that are linked to development details that were conditioned by the LCS approval (see 6.1.2 and 8.1.5 respectively).<sup>14</sup> This longer time frame has been adopted as the assessment and

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<sup>14</sup> A 'validated' planning application is one that has been submitted to the planning authority for determination with all the necessary information, and thus would comprise of the following: information requested on the standard application form; mandatory national information requirements, including a design and access statement if one is required; information specified on an LPA's local list. Once an application has been deemed valid and the determination process

determination process of the LCS application should be considered with reference to pre-application discussions and the aforementioned planning history for the site – that is, information that represents a standard ‘material consideration’ in the assessment of any planning application in the English planning system and invariably influences the nature of development as proposed.

Whilst it would have been tempting to expand the field of study and utilise data sources that do not explicitly relate to the planning decision-making process but potentially have an impact on the nature of development, such as any negotiations between the ODA, national government and potential occupiers/developers of the site, it would have resulted in an unmanageable workload and therefore exceeded the capacities of a doctoral research project. In delimiting the study to that which relates to the ‘Legacy’ regeneration of the Olympic Park site, that being the LCS planning application, it also enabled easier access to potential data sources, with many being available as public documents. Furthermore, having worked as a Senior Planning Officer for a London borough from 2005 to 2011, I am familiar with current planning processes and therefore this assisted in navigating the various locations and arenas where data could be sourced.

As with all single case studies in the social sciences, the common criticism lies in the ability to provide generalisations. However, formal generalisation is only one way in which scientific investigation can enable people to gain and accumulate knowledge (Flyvbjerg, 2006). Indeed the absence of a predictive theory suggests social science ‘has not succeeded in producing general, context-independent theory and, thus, has in the final instance nothing else to offer than concrete, context-dependent knowledge’ (Flyvbjerg, 2006: 223). As such, social science research should not be solely concerned with how representative a certain case may be, but rather with yielding contextualised knowledge that is appropriate to particular settings and focused on particular problems. Furthermore, when the objective is to achieve the greatest possible amount of information on a given problem or phenomenon, such as the role of power in the planning decision-making process, then often the richest source of information can come in the form of ‘atypical’ or ‘extreme’ cases as they can ‘activate more actors and more basic mechanisms in the situation studied’ (Flyvbjerg, 2006: 229). The planning decision-making process for London’s Olympic regeneration development can, according to Flyvbjerg’s terminology, be considered one such case that is somewhat ‘atypical’ and

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commences, the application is placed on the planning register and given an application reference number (DCLG, 2010).

'extreme'. Atypical in that it functioned under a dedicated governance structure that was set up specifically to deliver the London Olympic's events stadia and post-Games regeneration development (see 3.1.3), and extreme in that it had to function under strict time pressures and intense political scrutiny.<sup>15</sup> As Colomb demonstrates in her examination of the politics of place marketing in Berlin, it is often atypical and extreme case studies that can act as a 'magnifier' for wider trends and features in urban governance, planning and policies (see Colomb, 2012) which, in this instance, relate to the formal planning decision-making process for large-scale development projects.

Notwithstanding the 'atypical' and 'extreme' nature of planning decision-making process, the examination of the LCS planning application case study can also be linked to the quotidian functioning of local planning authorities in their determination and assessment of planning applications. This link is made possible by one notable obligation that characterises the planning decision-making process for both the ODA PDT, who are responsible for the determination of the LCS, and the standard local authority' planning function – the need to abide by the same fundamental planning legislation, notably Chapter 3 of *The Town and Country Planning Act 1990* and associated orders, which, *inter alia*, includes the necessary provisions for the assessment, consultation and determination of applications for planning permission.<sup>16</sup> Whilst the *London Olympic Games and Paralympic Games Act 2006* does establish the ODA as an urban development corporation, it is the 1990 Act which enables the planning process to remain intact with regard to the administrative procedure and functioning of the decision-making process to be applied by the ODA to the LCS planning application. It is this boundary to the ODA's functioning that therefore further facilitates the context-dependent analysis derived from this case study approach to contribute to broader discussions around the actions of planners, the rationality and determination of development agendas, and the micro-politics of the planning decision-making process. In essence, whilst the LCS planning application has been assessed and determined by an exceptional, *ad hoc* planning authority set up for that purpose, the ODA PDT, and despite heightened political attention and pressures, there is a principle of normality within this 'extreme' case study due to the need to consider statutory material considerations as per the standard

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<sup>15</sup> Although, as noted in Section 1.3.2, the use of exceptional planning processes is quite typical across the globe in the delivery of infrastructure for similar mega-events (see, for example, Chalkley and Essex, 1999; Owen, 2002).

<sup>16</sup> For example, the provisions contained therein constitute sections such as: Meaning of development; Requirement for planning permission; Applications for planning permission; Publicity for applications; Determination of applications (Town and Country Planning Act 1990 (c.8)).

assessment criteria and determination process of planning applications.<sup>17</sup> The functioning of this exceptional governance arrangement during the assessment of the LCS application, along with reflections on the supporting legislative framework, is specifically addressed in Section 10.1.1.

It is appropriate here to provide some brief background information on the LCS planning application to establish a context for later discussions of the LCS's planning outcomes and how the development approved was negotiated and rationalised.

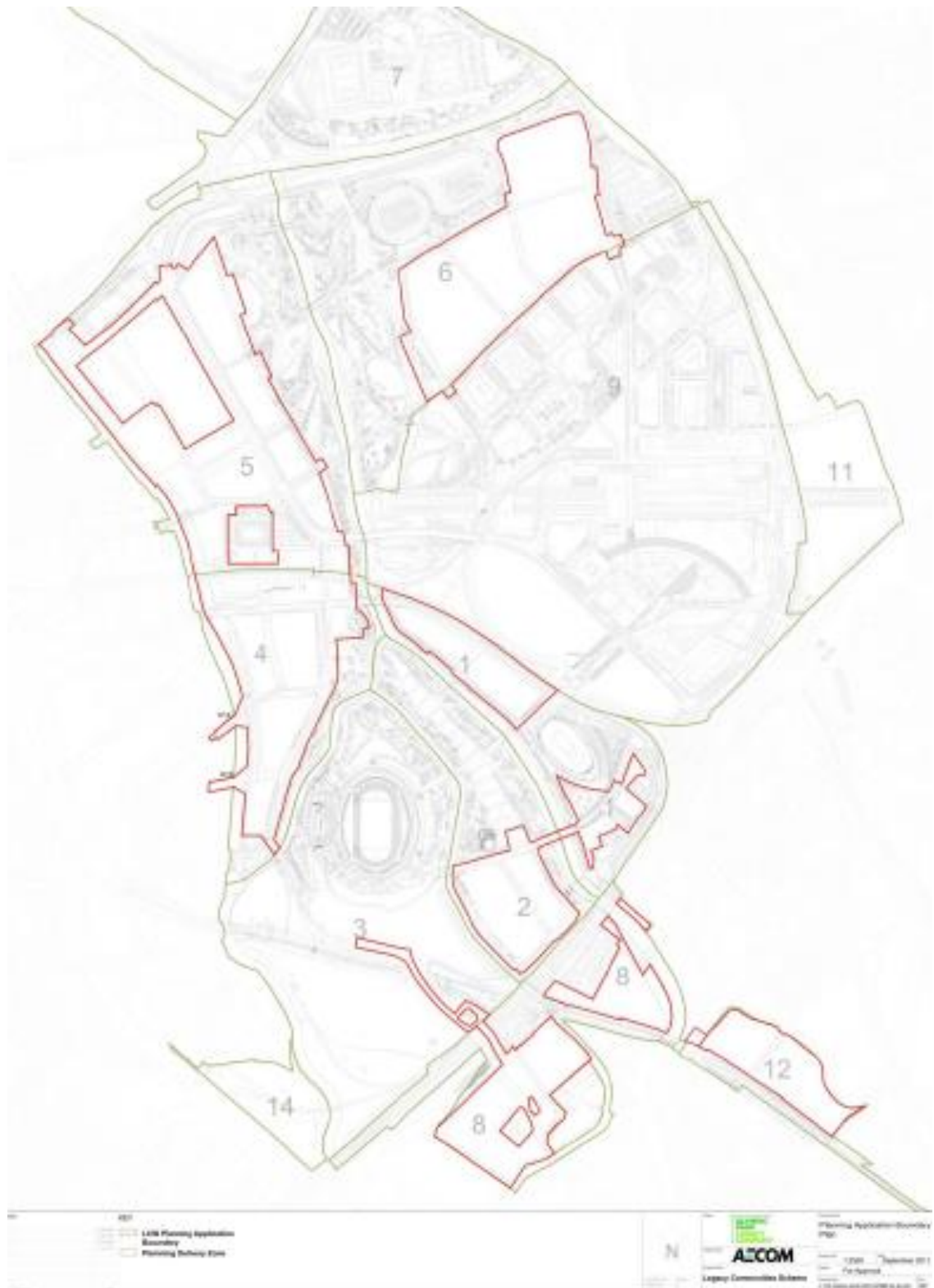
#### **4.1.1 The LCS planning application**

The LCS planning application was submitted by the applicant, the Olympic Park Legacy Company (OPLC), to the Local Planning Authority, the Olympic Delivery Authority Planning Decisions Team (ODA PDT), for determination on 5 October 2011. The application was subsequently approved at the Olympic Delivery Authority Planning Committee (ODA PC) on 26 June 2012, with the Decision Notice and agreed Section 106 (S106) Legal Agreement issued on 28 September 2012. The LCS is an outline application that establishes the principle of development and allows detailed designs to be developed and submitted for subsequent approval. The application site for the LCS development covers approximately 64 hectares and is split into a number of areas known as Planning Delivery Zones (PDZ). The PDZs are loosely comparable to the indicative development plan provided by the *Legacy Masterplan Framework* (LMF) that was produced back in 2009 (see 5.2). The LCS planning application comprises specifically of PDZs 1, 2, 4, 5, 6, 8 and 12, all of which are bounded by the red line as shown in the site plan below:

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<sup>17</sup> A 'Statutory Material Consideration' is used to assist in the determination of a planning application by guiding decision makers in their analysis of the merits of a development (see Section 70 of the Town and Country Planning Act 1990). 'Material Considerations' in the United Kingdom have evolved from planning case law with the courts ultimately deciding what they constitute. Established and commonly enacted 'Material Considerations' include, inter alia, the following: Local, strategic, national planning policies and policies in the Development Plan; Pre-application planning consultation; Previous appeal decisions; Provision of social infrastructure; Layout, design and density of development; Highway and environmental impacts; Resulting noise or disturbance; Impact on neighbouring privacy/sunlight.

**Figure 1.** LCS planning application and Planning Delivery Zone boundaries. Source: OPLC (2011a: 12)



(N.B. The red line on the site plan shows the LCS's application site boundary, with each the numbers contained therein referring to a particular Planning Delivery Zone (PDZ)).

However, many of the Olympic venues and associated infrastructure are not included in the LCS application, notably the Olympic Stadium, Aquatics Centre, Velopark, Eton Manor, and the Athletes Village (ODA PDT, 2012a: 10). Their absence appears to be primarily the result of the fact that they have already been developed out and thus that their predominant usage has already been established. As such, whilst acknowledging that they form part of the urban fabric in which the LCS development resides, this thesis does not set out to address their future functioning or their relationship to the LCS development.

The LCS planning application proposes each of the PDZs to have a different character, comprised of the following land uses:

**Table 4.** Maximum floorspace of land uses within the respective Planning Delivery Zones. Source: ODA PDT (2012a: 30)

PDZ	Residential (m <sup>2</sup> )	Retail (m <sup>2</sup> )			Employment (m <sup>2</sup> )		Hotel (m <sup>2</sup> )	Leisure (m <sup>2</sup> )	Community facilities (m <sup>2</sup> )	Max floorspace applied for (m <sup>2</sup> )
	C3	A1–A2	A3–A4–A5	A1–A5 Total	B1a	B1b/ B1c	C1	D2 <sup>2</sup>	D1 <sup>3</sup>	
PDZ 1	134,000	6,750	8,500	13,000	0	0	14,500	1,650	1,430	165,080
PDZ 2	75,000	900	900	1,438	0	0	0	165	440	77,043
PDZ 4	67,730	1,450	1,600	2,576	1,065	0	0	0	8,410	79,781
PDZ 5	96,097	1000	2,850	3,268	5,389	3,612	0	1,457	6,888	116,540
PDZ 6	112,800	1,400	1,350	2,310	124	0	0	165	1,141	116,540
PDZ 8	118,290 <sup>4</sup>	1,200	1,500	2,345	23,791	12,158	0	169	1,482	158,235
PDZ 12	37,900	400	400	550	0	0	0	0	11,660	50,110
<b>Site-wide Total</b>	<b>641,817</b>	<b>13,100<sup>5</sup></b>	<b>17,100<sup>4</sup></b>	<b>25,987</b>	<b>30,369</b>	<b>15,770</b>	<b>14,500</b>	<b>3,606</b>	<b>31,451</b>	<b>763,500</b>

As can be seen from the above table, the application is predominantly focused on the delivery of residential development, with a range of other social infrastructure and employment related uses. Given the sheer size of the development being proposed in the LCS application, it is not the intention to detail every single element of the floorspace accounted for in Table 4 above. However, there are a number of aspects that form the primary planning outcomes as well as the key ‘tension points’ within the LCS, and thus it is to these elements of the development that the focus of Chapters 6 to 10 is directed.



#### 4.1.2 Overview of the research process

A brief schedule of the process under which this research was conducted is provided in the table below:

**Table 5.** *Overview of the research process*

<b>Project stage</b>	<b>Time period</b>	<b>Purpose and activities</b>
<i>Research Planning</i>	October 2011 - November 2012	Review of literature; research training; establishment of research aims and questions.
<i>Preliminary Fieldwork, alongside Research Review and Refinement</i>	May 2012- December 2012 (N.B. Fieldwork in May and June)	Identification and collection of LCS related documentation; Attendance at the LCS related planning committee meetings; Testing operationalisation of research questions; Refinement of research questions and Case Study strategy.
<i>Fieldwork Phase One</i>	January 2013 - August 2013	Continued collection of LCS related documentation and undertaking of first round of interviews.
<i>Initial Data Analysis</i>	April 2013 - September 2013	Review and analysis of data collected from LCS related planning committees, documentation and interviews; refinement of questions for second round of interviews.
<i>Fieldwork Phase Two</i>	November 2013 - June 2014	Undertaking of second round of interviews.
<i>Writing up</i>	July 2014 - December 2015	Continued refinement and analysis of data collected; Writing up phase and drawing conclusions.

The preliminary fieldwork and refinement of research in 2012 was followed by two main phases of empirical research which took place between January - August 2013 and November 2013 – June 2014. The research progressed in a flexible and iterative manner with the main breaks in the fieldwork, alongside shorter periods of reflection, allowing for preliminary examination of the information and data collected and subsequent refinement of the research strategy and analytical approach.

Prior to conducting the fieldwork, a commitment to ethical integrity was established by applying for, and receiving, the approval of the UCL Research Ethics Committee to certify that the research conformed to general ethical principles and standards. This approval constituted recognition that the research did not include vulnerable participants and was therefore defined as ‘low risk’. Relevant ethical issues (e.g. informed consent) are discussed below in relation to the research methods used.

## 4.2 Data gathering methods and sources of data

The data gathering methods and sources used to answer the three central research questions outlined in Section 1.4 are summarised in Table 6 and examined in depth in this section.

**Table 6.** *Research questions and respective sources of data*

Research question	Data gathering methods and sources
1 <i>How can socially just planning outcomes be conceptualised within the context of mega event-driven urban development?</i>	<ul style="list-style-type: none"> <li>• In-depth critical examination of literature related to key theoretical themes</li> </ul>
2 <i>Within the context of the planning decision-making process, how is power mobilised by the involved stakeholders to rationalise and influence the development agenda and planning outcomes of mega event-driven urban development?</i>	<ul style="list-style-type: none"> <li>• Analysis of relevant Olympic documentation and legislation</li> <li>• Analysis of LCS planning application documents, planning assessment report, formal consultee responses</li> <li>• Semi-structured interviews with OPLC officers, ODA PC members, the local boroughs' councillors and officers.</li> <li>• Non-participant observation at LCS related planning committees.</li> </ul>
3 <i>How do planners directly engaged in the planning decision-making process for mega event-driven urban development rationalise their support for a particular development agenda and planning outcomes?</i>	<ul style="list-style-type: none"> <li>• Analysis of LCS planning assessment report produced by ODA PDT officers.</li> <li>• Semi-structured interviews with ODA PDT officers.</li> <li>• Non-participant observation of main LCS planning committee.</li> </ul>

In order to answer *Research Question 1* and provide a context to the theme of social justice explored in the thesis, the first stages of research included an in-depth critical examination of existing literature related to key theoretical themes concerning social justice, highlighting some of the main discussions around differing views and conceptualisations of social justice within contemporary urban studies and planning related literature (see Chapter 2). Whilst forming a context for the study itself, the critical analysis of literature facilitated the adoption of a normative framework from which to analyse socially just planning outcomes for mega event regeneration, with Fainstein's three principles (2010) deemed a useful 'working definition' from which to assess the planning outcomes resulting from the LCS planning application. This 'working definition', which shall be subject to further reflection later in the thesis, is summarised in Section 2.4. To assist further in the analysis of the LCS's planning outcomes, a baseline consisting of the socio-economic and planning policy context from the surrounding

boroughs is provided in Chapter 5, alongside a record of the evolution of the 'Legacy' promises and objectives, including prior planning permissions for the LCS site, and the 'backdrop narrative' of the objectives of the post-Games regeneration as expressed by actors engaged in the LCS planning decision-making process.

In order to answer *Research Questions 2 and 3*, and therefore understand the role of power in the planning decision-making process, a number of methods for gathering primary data were used: the LCS planning related documentation, semi-structured interviews with key stakeholders, and non-participation observation of relevant planning committees.<sup>18</sup>

#### **4.2.1 LCS planning related documentation**

The LCS planning application documentation is the first main source of data for the research. It comprised the OPLC's submission documents for the LCS planning application, formal consultation responses from stakeholders, and the planning application assessment report (with the Decision Notice and Section 106 Legal Agreement) produced by the ODA PDT officers. The desire to focus on the LCS planning application documents is due to the explicit nature of their content.<sup>19</sup> The formal approval of the LCS planning application as recommended under the ODA PDT's assessment report, in support for the OPLC's planning application submission documents, formally establishes the nature, quantum and location of land uses approved for the 'Legacy' regeneration of the Olympic site post-games, and thus provides an anchor from which to explore the negotiation process which has led to these outcomes.

Furthermore, the LCS planning application documents, which include formal consultation responses, provide a detailed account of the development outcomes desired by a variety of stakeholders engaged within the planning decision-making process.<sup>20</sup> In addition to this, the submission documents and assessment report show how OPLC officers justify the development agenda proposed and how the ODA PDT officers also openly

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<sup>18</sup> Sources of data addressing *Research Question 3* were used to understand the role of the ODA PDT officers. These officers represent the 'planners directly engaged' in decision making given that they were responsible for recommending an approval/refusal of the LCS application at the ODA PC meeting.

<sup>19</sup> The OPLC's submission documents that are examined in the study include the following: the Design and Access Statement; Proposed Plans; Planning Statement; Convergence Statement; Section 106 Heads of Terms. These documents were chosen on the basis that they primarily and directly address the nature and rationale for the development proposed.

<sup>20</sup> It should be noted that 'planning outcomes', a term used throughout this thesis, acknowledges both development and process outcomes as demonstrated by the nature of the criteria included within the 'working definition' of socially just planning outcomes in Table 1.

rationalise their support for this agenda. The documentation therefore plays an important complementary role to the interviews which further seek to understand the process by which outcomes are rationalised and negotiated. It is the interviews, as discussed below, which elaborate on the process of negotiation, alongside the formal consultation responses of the LCS planning application. Both sources highlight the consensus and conflicting opinions of the various stakeholders engaged in the planning decision-making process with regard to the nature of numerous aspects of the LCS development.

One of the key elements in the role of a researcher is the ability to 'gain entry' to the research site (Cresswell, 2003). With regard to gaining access to LCS planning related documentation, the LCS submission documents and the formal consultation responses are public documents that were available through the ODA planning authority website and also in hard copy form at the LCS planning committee meeting. The committee meetings that I attended were open to members of the public although they were not well attended, as documented in Section 10.2.1, with the LCS planning committee notably having no members of the public present. It should be noted that whilst there was transparency with regard to viewing the LCS planning documentation, this did not relate to the *Viability Report* submission which is protected from public scrutiny due to its 'commercial sensitivity'. This is not unique to the LCS planning decision-making process but is a common and problematic occurrence in general planning practice. This matter is discussed further in Section 10.3.1.

#### **4.2.2 Semi-structured interviews**

Semi-structured interviews formed the second primary data collection method for the research study, being utilised to examine a number of issues related to *Research Questions 2 and 3*. Semi-structured interviews were conducted with a total of 28 stakeholders - a range of different actors who were engaged in the negotiation and assessment of the development proposed in the LCS planning application. The selection of interviewees thus followed a logic of purposive sampling, whereby the researcher samples on the basis of wanting to interview people who are relevant to the research questions (Bryman, 2004), and as such was based on an initial mapping of the key institutional stakeholders involved in the planning process, followed by the identification of the appropriate individuals to speak to in those organisations. A table detailing the interviewees, including their positions and respective organisations, is provided in Appendix 3.

The aim of interviewing appropriate individuals was, firstly, so to facilitate an understanding of the rationale for why the ODA was given responsibility to act as the planning authority for the Olympic 'Legacy' regeneration, followed by a desire to establish the nature of, and rationale behind, the evolution of the proposed 'Legacy' regeneration since the Olympic bid and the initial *Olympic Games & Legacy* planning applications in 2004 (see 5.2 and Appendix 5 for a detailed exploration of the UK Government's main 'Legacy' objective documents and the relevant planning history of the LCS planning application). Interviews were therefore purposively conducted with ODA PDT officers, members of the OPLC as acting LCS applicant, and formal consultees, notably local borough officers, of the LCS planning application.<sup>21</sup>

Subject to this first round of interviews, in order to directly address *Research Questions* 2 and 3, interviews were also conducted to acquire a clear understanding of the actors who were engaged in negotiation during the planning decision-making process for the LCS, how they rationalised their arguments and were able to influence the nature of development, and how they were constrained in their actions. Actors were at first selected for interview by their names being referenced in LCS planning application documents, notably formal consultation responses. They were also chosen through their prominence at the LB Hackney and LB Tower Hamlets planning committees in which the boroughs' consultation responses were respectively discussed, as well as through their attendance at the ODA's planning committee meeting for the assessment of the LCS application. Further actors were selected on the basis of what has been referred to as the 'snowball effect', which is effectively by recommendation of preliminary interviewees (Devine, 2002; Bryman, 2004), with an awareness of their appropriateness maintained at all times. Thus, in order to answer *Research Question 2*, stakeholders were limited to the formal consultees of the process, as explained above, who were prominently engaged in the discussions and negotiations over the nature of the proposed LCS development. This included local borough planning and regeneration officers, Greater London Authority (GLA) planners, OPLC officers, and the members of the ODA PC. In terms of addressing *Research Question 3*, particular attention was afforded to the role

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<sup>21</sup> The term 'formal consultees' is used here to delineate those included in the formal consultation process of the LCS planning application by the ODA PDT (as necessitated for all planning applications by Section 71 of the *Town and Country Planning Act 1990*) and thus those involved, with varying influence, in the assessment and negotiation of the LCS development. There were also a vast number of individuals and organisations who were not formally consulted by the ODA but could claim to be a 'stakeholder' by virtue of, *inter alia*, general public interest. However, they were not subject to the focus of the study, as manifest in the research questions and, moreover, given the limited scope and resources of a doctoral research project.

of the planner in the LCS planning decision-making process, specifically the planning officers within the ODA PDT, as they were ostensibly in charge of assessing and determining the outcome of the planning application and thus the nature of development to be delivered on site. As shall become apparent in subsequent chapters (6 to 10), their agency was only partial and subject to the constraining actions of others.

As it was not possible to gain first-hand experience of day to day negotiations that occurred during the planning decision-making process for the LCS planning application, the case study involved undertaking interviews so to uncover the various actors' different views and reflections upon the planning decision-making process. All interviews were undertaken on a one-to-one basis and lasted from between 45 minutes to 2 hours in length. The interviews were partially structured in that an interview guide was used to order a number of pre-determined open-ended questions, which helped to ensure the interviews covered similar themes and topics derived from the research questions, as well as allowing for triangulation of research data with other sources (a list of these interview questions can be found in Appendix 6).

For the interviews to be effective, I ensured that I had read and become familiar with the LCS planning application assessment report and the formal consultation responses so that I was aware of contextual issues such as the nature of the LCS development proposed and the rationalisations of the individual stakeholders and/or their representative organisations with regard to this. This assisted in the probing of issues that were deemed of importance and also helped in the selection of interviewees, as detailed above, based upon their involvement in the planning decision-making process. Given this contextual understanding and the flexible approach taken to interviewing, the interviews were also tailored to encourage those interviewed to reflect and elaborate on the rationalisations they provided within the LCS assessment report and consultation responses to provide further insight into their respective positions with regard to the LCS's development agenda and their influence in shaping it.

### ***Interviewee access and recruitment***

In terms of the organisation of interviews, every care was taken to ensure that any approach to gain consent from potential participants was undertaken with thought and due respect. All of the interviews were formally arranged via e-mail. On a number of occasions I had already briefly introduced myself to prospective participants prior to the e-mail request at the Tower Hamlets and Hackney's planning committee meetings that were held to formally respond to the LCS planning application's notice of consultation or

at the actual LCS committee meeting. This introduction, I believe, did assist in forming an initial rapport with the potential interviewee, enabling them to 'put a face to the name'.

Within each e-mail request for an interview, a number of key elements were included to uphold ethical standards and ensure research transparency and fully inform prospective interviewees about the nature of the research (see Appendix 7). A short briefing note (a generic copy of this can be found in Appendix 8) was also attached to the e-mail. The note elaborated on my employment and academic background and the aims and objectives of my research, and was tailored to take into consideration the role and institutional setting of each of the prospective participants. The interview questions were generally not provided within these initial interview e-mail requests, unless a potential interviewee requested to see them in advance. Such a request only occurred once from one of the officers who had worked for the OPLC.

One of the positive and, perhaps, surprising aspects of the interviewing process is that out of the 29 people I contacted to request an interview, 28 accepted the invitation. All interviews except one were conducted in a quiet area or room within the everyday institutional setting of the interviewees. It is difficult to discern why all of those who I approached for an interview kindly obliged. I can only speculate that, given general media attention relating to the 'legacy' of the Olympics, it was occasionally a result of individuals being keen to express their knowledge and get 'their side of the story' across. Moreover, timing was also important as most interviews were conducted after the decision had been made on the LCS planning application, and thus interviewees may have felt more open to discussing the development and any perceived sensitive matters regarding its nature and the planning process. However, I also believe that it was largely due to a sense of public obligation to which they willingly offered their time, considering many held positions within publicly accountable bodies.

### ***Preparation of interview guide and formulation of questions***

The formulation of questions for each interview was guided by the desire to maintain a flexible, semi-structured approach, with a number of the questions being tailored to the respondent's institutional setting and their particular interest in the LCS planning application. This enabled the questions to specifically examine how each interviewee framed and understood the main issues of the LCS development and planning decision-making process. A flexible approach also allowed for themes and emerging topics to be probed further through additional questioning to encourage elaboration in responses

offered and for interviewees to discuss issues they felt were most pertinent (Devine, 2002).

The interview questions, however, were produced in a rigorous manner to ensure that the main issues that necessitated scrutiny were covered. Whilst the interviews were generally arranged with less taxing questions at the beginning, followed by more difficult and potentially sensitive questions in the latter part of the interview when the participant was feeling more comfortable, there was a conscious effort to ensure that the interview guide structured questions systematically to answer each of the main research questions and sub-research questions that are presented in Section 1.4 (an example interview template containing general questions and topic areas can be found in Appendix 6). However, such preparation did not negate the important specificities of each interviewee which emerged from their personal understandings, organisational role and institutional context. Indeed, the flexibility upheld in the semi-structured approach facilitated the conversational nature of the interviews allowing, as noted above, for each interviewee to also address the issues that they felt were most interesting with regard to the LCS development.

### ***Conducting the interviews***

It was essential that some key formalities were observed whilst conducting the interviews, with the first being introducing myself, followed by confirmation of permission to record the discussion, along with a reassurance of the confidentiality of comments made during the interview. A brief overview of my research was then provided. I took the opportunity here to build a degree of rapport with the interviewee by highlighting my shared interest in planning and urban regeneration and informing them of my experience as a planning officer in a London borough. This experience actually assisted me in gaining familiarity with the jargon and technical terms planners' use in everyday practice. This was useful as, firstly, it ensured that the language I used in interviews was comprehensible to the people who I was engaging with (Bryman, 2004) and, secondly, enabled me to exhibit a sympathetic awareness of the complex nature of the work that planners are involved in. By emphasising, when appropriate, this knowledge and the interests that I shared with the interviewees, whilst promoting my non-judgemental identity as a researcher, I sought to create a momentary 'positional space' that engendered a level of trust, respect and cooperation in the interview encounter (Mullings, 1999). Moreover, demonstrating an awareness of planning practice provided the ability to proceed more hastily into the details of key issues of the LCS planning application.



Finally, I believe the ability to show a degree of understanding of the challenges met by planners in their day-to-day activities at the beginning of the interview did help nurture a candidness from the planners that were interviewed who perhaps felt that they had a 'sympathetic ear' when addressing the complexity of the LCS planning decision-making process. Also, local borough' planners, being aware of my local authority experience, often assumed that I was aware of the fact that the development priorities of the borough were a key 'material consideration' in the assessment of planning applications given their representation in local planning policy, and thus given their frustrations with the LCS planning process addressing these priorities, they were often uninhibited to make this concern known in detail. Nonetheless, I sought to remain aware of possible bias and sought to discern answers to questions that appeared subject to bravado or intended to 'please the interviewer' (Devine, 2002; Denscombe, 2003). This reflexivity and awareness of bias also extended to the nature of the questions being posed, as I was always conscious of the phrasing of a question so not to lead the interviewee into answering in a certain way.

However, the ability to relate to the interviewee because of my professional planning experience was not always an advantageous overture, as I was to find out at my first interview. Having disclosed my familiarity with the planning process to a councillor from a local borough, I proceeded with the interview, asking a number of questions regarding how effective he felt the LCS planning process had been in securing benefits for local residents. The councillor became wary of such probing, often referring the question back to me, as he assumed that I would know the answer to my own question. This was, of course, not the point; the questioning was aimed at getting the councillor to express his own reasoning and rationality with regard to the issue at hand, regardless of any prior knowledge I may possess with regard to the bureaucratic functioning of the planning system. But, nevertheless, my eagerness to build a rapport had in fact scuppered an early openness and unreserved dialogue with the interviewee, provoking the councillor into a defensive position. Whilst the councillor did relax as the interview progressed, as I persevered in a cordial and responsive manner, it was an important lesson that I would take with me for the rest of the interviews - that flexibility and a degree of intuition is needed in the initial rapport building with each interviewee.

### ***Recording and Transcription***

All of the interviews undertaken were recorded using a digital voice recorder, with consent sought verbally from the participant prior to the interview commencing. The

rationale behind recording the interview was that it would allow for a natural conversational style, which would be difficult to ensure if preoccupied with taking comprehensive notes (see Dunn, 2010), as well as for examination of the participant's answer both during and after the interview (Bryman, 2004). However, recording each interview did not result in the abandonment of taking notes altogether. I consciously decided to take some notes so to reduce the possibility of 'mental wandering' and sustain concentration. Selective note taking was also useful in documenting what I believed to be key points made by the participant, along with any particularly anomalous responses, including those perceived to be resulting from bravado or ingratiation whereby the subject under discussion is distorted by the interviewee overemphasising their role or influence or providing an answer based upon a preconceived idea of the motive for a question and therefore what they believed I wanted to hear.

I was also cognisant of how the audio recorder may have affected the participant's responses, reminding them of the formal nature of the interview. I sought to confront this as practically as possible by, as described above, noting instances of ostentatious or stunted responses. There was also the possibility of suspending the recording if it was deemed to be problematic (Bryman, 2004), although I found this was not necessary as participants had willingly agreed to be interviewed and therefore generally 'loosened up' despite any initial anxiety over being recorded.

All of the interviews were transcribed as soon as possible after their occurrence so that they could be recalled in detail and recorded accurately, therefore assisting examination of the participants' responses. The decision to transcribe the interviews was based on the view that it provides the researcher with a form of data that is far easier to analyse than having to continuously move back and forth through an audio recording (Denscombe, 2003). Whilst laborious, the act of transcribing the interviews certainly assisted in reflecting on the information received, and therefore facilitated the analysis of emerging themes that formed part of questioning in subsequent interviews. For this reason, I transcribed the first 12 interviews, although for the remaining 16 interviews, as well as the all-day LCS planning committee meeting, I decided to pay for professional transcription as this was more time efficient given the sheer amount of work involved.<sup>22</sup> Upon receipt, I would examine each of the professional transcripts undertaken to ensure

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<sup>22</sup> The transcription process was indeed arduous with over 300,000 words of meeting and interview transcriptions produced by myself and my assistant.

their accuracy and, as with my own transcribing, this examination would enable immersion in the data, providing a preliminary form of analysis.

One further issue to highlight relates to the issue of anonymity. The aforementioned e-mail request for an interview stated that it could be conducted anonymously, and this was also reiterated verbally at the beginning of each of the interviews. However, not one of the interviewees requested this, although I made the cautionary decision to give anonymity to all participants in the final thesis. This is due to the fact that, whilst those interviewed did agree to speak to me in a professional capacity, they referred to others involved in the LCS planning decision-making process as well as the tensions and disagreements that occurred. Thus, given that the planning and implementation of the post-Games development is still ongoing and will continue to be subject to scrutiny, providing anonymity enabled me to maintain a critical analysis of the LCS planning decision-making process without compromising the position of any of the actors involved. There were a couple of occasions during an interview whereby the interviewee stated that what they were about to say was 'off the record'. These moments were treated as such and therefore are not included in the research data.

#### **4.2.3 Non-participant observation**

Non-participant observation formed a third and supplementary data collection method for the research study, being utilised to examine issues related to *Research Questions* 2 and 3. During the course of my fieldwork, I attended three separate planning committee meetings related to the LCS planning application. The first two of these planning committees formed part of the review and approval of two of the local boroughs' formal consultation responses, with LB Tower Hamlets planning committee being held on 10 May 2012 and LB Hackney's on 14 May 2012. The third planning committee meeting was that of the ODA's, held on the 26 June 2012, at which the LCS application was assessed and formally determined by the ODA PC.

The meetings were purposively selected due to their relevance to the research questions. My attendance at the planning committee meetings for two of the local boroughs primarily focused on identifying the planning and regeneration officers who were engaged in the consultation responses from the local boroughs to try to influence the LCS development, and thus related to answering *Research Question* 2. I had also hoped to understand how local residents engaged with the planning process in these meetings, but unfortunately no members of the public attended to provide representations during proceedings. The lack of public engagement shall be discussed

further in Section 10.2.1. Unfortunately, given the point at which I was conducting my fieldwork, I was unable to attend all of the local boroughs' planning committee meetings. Attendance at the ODA's LCS planning committee meeting was, however, considered the most important and relevant to answering both *Research Question 2* and *3* as it assisted in understanding how ODA PDT officers, as well as ODA PC members, rationalised their support for the various aspects under discussion regarding the nature of the proposed LCS development, as well as highlighting 'tension points' (see 4.3.1) through listening to objectors' verbal representations.

I have described this research method as 'non-participant observation' due to the unobtrusive manner in which the fieldwork was conducted. It is acknowledged that the normal public setting of a planning committee meeting could induce a 'reactive effect' or bias in the behaviour of committee members and those directly engaged with proceedings. However, at the two local borough planning meetings, I sat in the public gallery amongst a large number of members of the public (whose presence, I must add, was related to another item on the committee agenda rather than for the LCS), and furthermore, consciously positioned myself so not to be prominent and to draw any attention to myself and my note-taking. At the ODA's LCS committee, I was also sat within the public seating area, although this was entirely taken up with various actors from the different organisations engaged in the LCS development process, such as ODA and OPLC employees, local authority planners and councillors, and stakeholders who had formally commented on the LCS proposal (for example, individuals from the East London Housing Partnership). Thus, while there did not appear to be any members of the public in attendance, it would have been extremely difficult for members of the LCS committee to have recognised my presence given the large number of people congregated, let alone my intentions to document the discussions. Therefore, the proceedings of each of the planning committee meetings were not influenced by my presence over and above that of any individual's when attending an open public meeting with many attendees. I consider the adopted observational research method and the resulting fieldwork data to be characterised by its non-participatory nature.

### ***Structuring observation, recording and transcription***

The documentation of the planning committee meetings, most importantly the ODA's LCS planning committee, focused on recording verbal substantive content expressed by attendees rather than a meticulous account of their non-verbal behaviour. This reflected the research focus on the rationalisation of decision making within the LCS planning

application process. The main actors subject to observation were all those who spoke during the ODA's LCS planning committee meeting, including local and ODA PDT officers and ODA committee members, formal consultees and, additionally, the planning and regeneration officers of the OPLC who were also present. The recording of data was systemised through the utilisation of a loose observation schedule which focused on incidents of discussion. As such, the schedule guided the recording of the content of an actor's verbal engagement through the following references: any reference by an actor to the type, location and design of land uses in the proposed LCS development; the argumentative and rationalised position adopted by the actor with regard to these substantive characteristics of development; and the knowledge or data expressed by the actor in support of this rationalised position. I have used the term 'loose' to describe the way in which the schedule was applied inasmuch that flexibility was given to allow for the documentation of any other notable 'incidents' that emerged specifically from the LCS planning committee that were not consistent with my prior experience and knowledge of the standard procedural functioning of planning committee meetings at local authority level.

The data collected as a result of the observation conducted at the ODA's LCS planning committee meeting was subjected to rigorous examination, as explained in the Data Analysis section below. It is acknowledged that, through observing and recording the substantive content of actors' verbal engagement within the committee meeting, the data collected only highlighted incidences of overt rationalisation in decision making. This is, indeed, a common problem of utilising systematic observation as a research method as it does not ensure a direct understanding of the intentions that motivate behaviour (Denscombe, 2003), which, in this instance, relates to the objective(s) that provokes the expression of certain knowledge claims and rationalisations in the decision-making process for the LCS planning application. However, it is with such awareness that I utilised the data collected from the non-participant observation as supplementary to other research methods, with the aforementioned LCS related documentation analysis and semi-structured interviews helping to triangulate the data collection. It is through these latter two sources of data, particularly interviews, that I was able to further investigate the various stakeholders' explanations for their manifest use of certain knowledge claims, and thus understand, in line with the objectives of *Research Questions 2* and *3*, how stakeholders rationalise their support for a particular development agenda(s).

With the permission of the respective committee clerks, I was able to record all three of the planning committee meetings through the use of an audio recorder. I also obtained

an additional, higher-quality recording of the LCS planning committee meeting from the ODA as they had themselves recorded proceedings. I decided to record and transcribe the meetings in order to ensure that I had not missed any potentially important moments in discussions. Reliability is a key consideration when conducting fieldwork and can be difficult to achieve because of the effects of such factors as observer fatigue and lapses in attention (Bryman, 2004). Furthermore, the speed in which discussions between the actors took place and often evolved meant that relying solely on notes would have potentially resulted in the absence of recording key incidents and therefore the rationalisations and knowledge claims employed by actors to argue their position. Thus, whilst I maintained notes during the meeting, to aid the subsequent analysis of transcriptions by documenting the time shown on the audio recorder at which important moments originated and the actors involved in the discussion, it was through the review of the transcriptions themselves that I was able to undertake a more thorough examination of the discussions that took place in the committee meetings.

## **4.3 Data analysis**

### **4.3.1 Approach to coding and data analysis**

The main sources of data and information were analysed using a qualitative content analysis approach. This means that rather than applying a formal coding process to the various textual information and the interview transcripts, which seeks to systematically quantify content in a replicable manner using predetermined categories (Bryman, 2012), a more flexible coding approach was used that emphasises the role of the researcher 'in the construction of meaning of and in texts' (Bryman, 2012: 714). Whilst I did undertake a computer programme course in the NVivo software package so to facilitate coding, I found that the process of using that software for the purpose of my research was too time consuming and preferred to manually organise the information. This decision was based upon a recognition, as Rydin notes, that it is not how a particular piece of text is coded 'but *what* should be selected for coding in the first place' that matters (Rydin, 2003: 183). A 'close reading' of the textual information was therefore adopted, with the information placed into an excel spreadsheet that was split into various sections so to facilitate its analysis and enable the information to be connected back to the main and sub-research questions. These sections therefore addressed issues and concepts related to the functioning of power in the planning decision-making process (see Chapter 3), with dedicated spreadsheet columns, for example, attending to agency and agenda setting. The spreadsheet also enabled the information, including direct quotes extracted

from interviews, to be structured with regard to various interviewee reflections on the relationship between actors, as well as the different rationalisations or knowledge claims that were expressed in support or objection to a particular planning outcome. This was a reflexive process in that the theoretical and conceptual framing, provided in Chapters 2 and 3, guided the structured analysis with further refinement of the selective organisation of the text emerging as I immersed myself in the information gathered.

Indeed, the land uses that constituted the main focus of the thesis - housing, employment, open space, and education – were chosen due to their prominence in the LCS development agenda and negotiations, as well as because of their pertinence to issues of social justice and the potential for these uses to benefit existing local residents in the post-Games regeneration (see Chapter 2 and Chapter 5 which respectively discuss socially just planning outcomes and the socio-economic character of the area surrounding the LCS site). These four land uses also provided the most substantive content of the LCS application and interviewee discussions, with other issues, such as design impact and sustainability, having yet to be fully established within what is an outline application.<sup>23</sup>

The flexible coding approach taken also enabled any linkages between issues to be uncovered, which further refined the categorisation process. These categories were then organised thematically, as recommended by Creswell (2003: 194), so to form a 'qualitative narrative'. The narrative approach was deemed most appropriate as it enabled a coherent and detailed discussion of themes, alongside various sub-themes, multiple perspectives and quotations, and thus provided what Geertz describes as 'thick descriptions [...] to comprehend an event' (1973: 6), which in this case was the planning decision-making process for the LCS application. Providing a 'thick description' of a decision-making process, and the supporting rationalisations and knowledge claims of individuals, was also deemed important as 'we can only grasp the nature of interests through deep involvement in practical contexts of everyday life and engagement in the dialogues that constitute these' (Clegg and Pitsis, 2012: 73). The narrative approach enables the researcher to highlight key 'tension points' which, as Flyvbjerg et al. note, are those moments when power relations are perceptible because of 'dubious practices, contestable knowledge and potential conflict' (2012: 288).

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<sup>23</sup> It should also be noted that to have examined all of the LCS's land uses or related infrastructure in detail would have been simply beyond the scale of a doctoral thesis.

In order to provide an accurate account and triangulate data, not only were there a number of data sources used, as noted above, but also the 'thick description' approach ensured that various different rationalisations and opposing viewpoints were documented within discussions around the LCS's development agenda so to provide a fair representation of the argumentative exchange and to minimise any bias that may have occurred from only engaging with one point of view. Allied with this, gaining multiple viewpoints enabled any discrepant or alternative information to be documented so ensure research integrity. It should also be noted that during the 'close reading' of the transcripts for the committee meetings and interviews, I regularly revisited the audio recordings that I had taken so to ensure that the interpretation of the textual information aligned with the tone of those speaking. The tone of the speaker can alter the meaning of the information conveyed, for example if an interviewee provides a sarcastic remark, and therefore I believed this, along with support from my personal notes made during the interviews/meetings, to be essential so not to misrepresent any comments and maintain ethical standards.

Finally, I should also state here that hopefully my experience as a local authority planning officer has assisted in the data analysis by enabling a more informed, reflective account of the planning decision-making process and some of the seemingly arcane procedural arrangements that govern decision making and action within planning authorities. Whilst acknowledging the need to maintain a critical position, it is through understanding the constraints on individuals that will have also helped in discerning and documenting important events and information, ensuring not to misrepresent the actions and rationalisations of individuals.

#### **4.3.2 Epistemological considerations: a critical realist and social-constructivist approach**

This research takes a *critical realist* stance towards its object of study. This critical realist epistemological position sets out to 'recognise the reality [...] of the events and discourses of the social world' (Bryman, 2012: 29). As such, reality is considered to exist independently of human thought, although the generative structures that create these events and discourses 'are not spontaneously apparent in the observable patterns of behaviour; they can only be identified through practical and theoretical work of the social sciences' (Bhaskar, 1989: 2). This position is reflected in the analysis of the rationalisations presented by actors when advancing a particular development agenda for the LCS. For example, reflections are made on 'professionalism' as a 'generative



mechanism' for legitimising certain knowledge claims, with specialist technical knowledge being applied in the planning decision-making process to shape and assess the LCS development.

The role of rationality, knowledge and narratives in constructing and advancing a particular development agenda has been examined in Section 3.2.1. Nevertheless, it should be highlighted here that whilst the research does detail how the LCS development agenda has been socially and politically constructed, it does not assume that such constructions are artificial. That is, the fact that a development agenda is socially defined and produced does not mean that it has not been constrained by a pre-existing material reality. The research does, however, set out to account for the argumentative exchanges and conflicting rationalities advanced in the planning decision-making process for the LCS. In doing so, it therefore endeavours to understand the role of power in decision making by unearthing the political and professional objectives that shaped the nature of the LCS development.

#### **4.4 Structure of data analysis**

Finally, a brief comment should be made upon the structuring and content of the data analysis chapters. In order to provide a full exploration of the empirical data collected, the LCS's proposals, and their supporting rationalisations, are structured thematically across four chapters. Each of these chapters addresses a specific land use which, as noted in the previous section, relate respectively to the housing, employment, open space, and education land uses. The chapters cover a range of issues that are specific to each land use but inevitably there is some cross-referencing of subject material given the inter-connectedness of the land uses and their impact on one another (i.e. a negotiated increase in housing can result in a decrease in open space provision). There are also other elements that are discussed, such as connections into the LCS's open space, given their associated importance to discussions around the merits of the LCS proposals. A summary of the key findings is provided at the beginning of each of the land use chapters so to assist the reader in understanding the important elements that are to be drawn from the discussion, given that its sometimes detailed and technical nature provides a dense empirical narrative. It should also help those who are not familiar with the details of the English planning system.

Chapter 10 provides a detailed analysis of a number of issues related to the negotiation and assessment undertaken within the planning decision-making process for the LCS

application. This chapter is broadly structured around, and should be related back to, the various conceptions of power in the planning decision-making process that were examined in Chapter 3. This chapter does also cross-reference issues concerning the four land uses during the course of providing broader reflections on the planning decision-making process. This is due to the fact that the planning outcomes, and their supporting rationalisations, provide the context from which to determine the role of power in decision making.

Having detailed the methodological considerations of this research, the following chapter details the context under which the development proposed in the LCS planning application should be considered.

## **Chapter 5. Contextualising the LCS development and planning decision-making process: constructing a baseline for analysis**

This chapter provides a baseline from which to analyse the LCS development. In order to draw meaningful conclusions on whether the LCS provides socially just planning outcomes against the backdrop of Fainstein's adapted criteria, it is necessary to evaluate those outcomes against a baseline that contextualises the proposals. This thesis does not aim to perform a quantitative evaluation of the planning outcomes against indicators of need, but instead the baseline will consider three dimensions: the socio-economic context of the surrounding area to where the Olympic Park is situated; existing planning policies; and, the 'Legacy' promises made initially in the pre-Games documents.

Firstly, the socio-economic context is examined to assist in understanding how the LCS development may address the needs of existing local residents and thus social inequality. Associated with this, the importance of the planning policies in the assessment of the LCS planning application is discussed, with the relevant planning policies of the Greater London Authority (GLA) and of each of the local boroughs to the LCS development being detailed in Appendix 9. Whilst this thesis does not seek to focus on the assessment of the LCS against local planning policies, acknowledging their content assists in understanding the rationalisations of actors seeking to influence the nature of the LCS development and the 'tension points' that arise in negotiations.

The next element of the baseline documents the evolution of the proposed nature of the post-Games Olympic Park development with regard given to the various 'Legacy' promises that were set out as rationale for the staging of the 2012 London Olympics, along with the guiding objectives and planning outcomes that have been associated with the proposed regeneration. This will provide a basis for comparison with the planning outcomes of the LCS development and facilitate discussions over whether the justification for the Olympics, based upon the purported benefits, was valid or, as has happened with other mega events (highlighted in 1.3.2), such benefits were exaggerated for the purpose of securing support for the 2012 Games (see discussion in 11.1).

The 'backdrop narratives' that emerged from interviews with actors engaged in the LCS planning decision-making process are then examined to provide a deeper contextual understanding of some of the underlying reasons behind the manner in which these

actors negotiated and rationalised the LCS development agenda (discussed in Chapters 6 to 10).

## **5.1 Providing a baseline for the analysis of the LCS development: socio-economic context and local context**

The following section will document the socio-economic context of the surrounding areas to where the Olympic Park is situated so to understand how the LCS development may address the needs of local residents. Providing further benchmarks from which to analyse the proposed post-Games Olympic Park development, this will be accompanied by the planning policies of the GLA and of each of the Host Boroughs.

### **5.1.1 Socio-economic context to the LCS planning application**

There are numerous socio-economic pressures facing London and the Host Boroughs, and it is worth briefly highlighting a few aspects to provide a context from which to view the proposed LCS development.

The *Joint Strategy Evidence Base*, which forms part of the evidence for the Mayor's London Plan, forecasts London's population as increasing by 1.3 million in the 25 years to 2031, with the number of households in London rising by 0.9 million (GLA, 2011: 72). The GLA's 2008 *Strategic Housing Market Assessment* (SHMA), also an evidence base for the London Plan, stated that there would be a requirement for 32,600 dwellings per annum within London (*Ibid.*: 72). This means that the Host Boroughs situated around the Olympic Park will need to deliver the following number of household units from 2011 to 2021:

- LB Hackney - 11,600 minimum ten year target; 1,160 per annum.
- LB Newham - 25,000 minimum ten year target; 2,500 per annum.
- LB Tower Hamlets - 28,850 minimum ten year target; 2,885 per annum.
- LB Waltham Forest – 7,600 minimum ten year target; 760 per annum (*Ibid.*: 76).

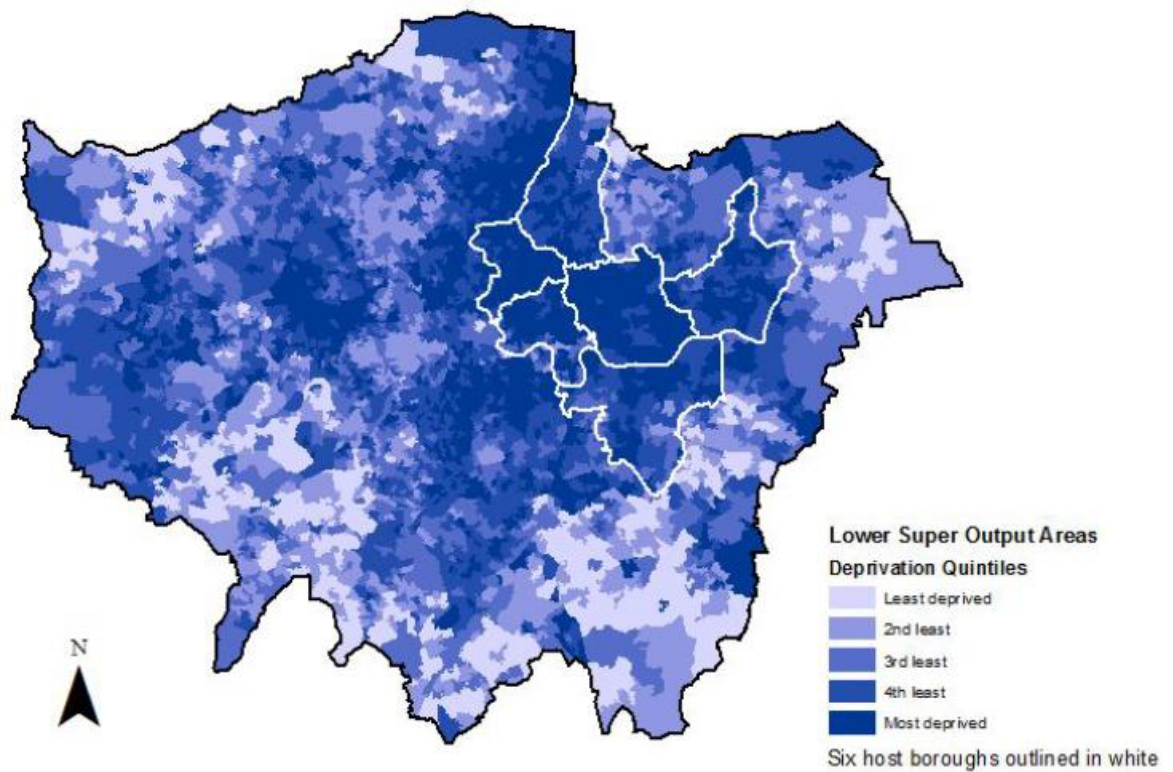
The SHMA evidence base also states that, within the overall London figure, there is a need to provide 182,000 affordable homes (*Ibid.*: 84). The GLA's definition of affordable housing includes, social rented housing and intermediate housing, although there is also provision for affordable rented housing, set at a figure of up to 80 per cent of local market rates (*Ibid.*: 90), which is arguably still unaffordable to many (see 6.1.3).

The work of the Host Borough's in documenting the socio-economic character of the area surrounding the Olympic Park during the creation of the *Strategic Regeneration Framework* (SRF) (see 5.2) provides a valuable context from which to view the outcomes of the LCS planning application and how the proposed development will address some of the problems faced by local residents. The main issues highlighted by the Host Boroughs that are relevant to this study are as follows:

- 64.2% of the population are employed in the sub region compared with 70.4% in London (equates to 77,000 fewer people in employment in the host boroughs);
- overcrowding varies from 18% to 38% of households in the five boroughs against a London average of under 7%;
- there are low levels of adult skills compared to the London average, with 17.6% of adults in the host boroughs having no qualifications, compared to 11.6% in London (this gap equates to 67,000 more people with no qualifications);
- there is almost an 8% gap in GCSE attainment from the London average;
- an extra 15 people per 100,000 population die prematurely in the host boroughs than in London overall;
- one in four children are classified as obese by Year Six, this is above the London average (Host Boroughs, 2009: 11).

These figures show a significant 'deprivation gap', with, on almost every deprivation indicator available, the living standards of communities residing within the Host Boroughs being worse than that of other communities living in London (*Ibid.*: 11). The following map provides a useful visual image to highlight the imbalance in deprivation levels faced by the Host Boroughs compared with the rest of London.

**Figure 2.** Map showing Index of Multiple Deprivation in London and the Host Boroughs, 2007. Source: DCMS (2011: 58)



The LCS planning application will therefore need to address these deprivation issues if it is to help alleviate some of the acute socio-economic problems facing the surrounding local area in which the Olympic Park ‘Legacy’ development will reside. The ability of the LCS application to tackle issues of deprivation will, in turn, provide a marker as to whether development in the Host Boroughs will be able to realise the SRF’s objective of ‘convergence’ with the rest of London.

### **5.1.2 Planning policies relevant to the LCS planning application**

It is the responsibility of each local planning authority to maintain an up-to-date local development plan, consisting of a range of planning policies, so to manage and control the development of land within their jurisdiction. It is these policies that therefore provide them with the basis from which to evaluate the desirability of any proposed development in the assessment and determination of planning applications. Each local planning authority’s development plan, now termed the Local Development Framework, must go through an ‘Examination in Public’ before it can be fully adopted. This entails providing all relevant evidence to support the proposed planning policies to the Planning

Inspectorate who, alongside assessing consultation responses, must decide whether such evidence, and thus the development plan, is 'sound' and therefore supported for adoption. This process is therefore one of rigorous assessment through the analysis of substantial evidence bases. However, the substance of particular policies inevitably reflect both local and national political biases and preferences and thus any reading of the nature, and perceived objectivity, of the planning policies must be conscious of this.<sup>24</sup> Nevertheless, considering the extensive consultation process and substantial evidence provided, the planning policies do offer an additional account from which to understand the needs of the local area in which the Olympic Park is situated and consequently assess the LCS development outcomes and their ability to meet such need.

Whilst this thesis does *not* seek to focus on the assessment of the LCS against local planning policies, it does draw on a few of them when highlighting particular 'tension points' (see 4.2.1) within the rationalisations of actors negotiating the nature of the LCS development. Thus, whilst it is not appropriate to list the local planning policies here, given their breadth and often extensive detail, they have been documented in an accessible table form in Appendix 9. It should also be noted that not all planning policies are included within this appendix, and some are not reproduced in their entirety. Rather the policies provided have been selected on the basis of them being referenced in the LCS planning application report and only where they bear relevance to the main planning outcomes discussed in Chapters 6 to 10. Finally, whilst there are other national planning policies to consider, these have been omitted from being documented because they are too wide-ranging and of little contextual value when seeking to understand the immediate socio-economic needs of the local boroughs. However, the National Planning Policy Framework, for example, is referenced and discussed where relevant in discussions around the rationalisation of the LCS planning development.

## **5.2 The evolution of the post-games Olympic Park 'Legacy' development: changing promises**

It is not the intention to detail the history behind London's bid or to discuss the plethora of different Olympic related documents that were produced prior to the Games from various different bodies. Rather, in order to be able to highlight the evolution of the stated objectives and purported benefits presented in support for London hosting the Olympic

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<sup>24</sup> It would go far beyond the capacities and focus of this study to provide a full analysis of the appropriateness of, and potential biases within, these policies here.

Games, the main documents produced by the UK Government (alongside those of the London Mayor and the Host Boroughs), as well as the relevant planning history, will be explored in chronological order with a brief description of each document's general content provided. It should be noted that a more detailed critical analysis of the stated objectives and benefits is provided in Appendix 5 so to highlight any omissions, contradictions or notable assertions. However, the primary purpose of this discussion is to unearth what objectives and planning outcomes for the proposed Olympic regeneration were envisaged and presented in support for the Olympics so to provide a context for comparison with those secured by the LCS development proposals.

### ***London's 2012 Candidature File (2004)***

A Candidature File is submitted by each Candidate City to support their bid for hosting the Olympics, and therefore is required to outline how the city plans to stage the Games which, for the 2012 bid, related to 17 themes (see IOC, 2004). These themes include such aspects as the budget, venues, security, and environmental issues. London's Candidature File for the 2012 Olympic Games was submitted to the International Olympic Committee (IOC) in November 2004. It is common for the Candidature File to maintain a focus on the event itself, with considerable attention given to the how the Candidate City is equipped to stage a successful Games. However, whilst one of the IOC's themes addressed the issue of 'Legacy', what was particularly unique in London's bid was that it emphasised 'Legacy' throughout their bid document.

### ***Olympic Games & Legacy Planning Applications (2004)***

At a local level, running concurrently to preparations for the bid, the London boroughs of Hackney, Newham, Tower Hamlets, and Waltham Forest formed what was to be known as the Joint Planning Authorities Team (JPAT). Each of these boroughs' areas of jurisdiction met in the site at which the Olympic Park was proposed to be located, and it was therefore deemed that a joint planning team could best coordinate the various and complex planning considerations that would need to be assessed so to ensure the Olympic Park development could be effectively delivered whilst conforming to the needs of the boroughs as set out in their respective planning policies.

The *Olympic Games* and *Legacy* phases of development were divided into five planning applications under the organisation of the London Development Agency (LDA). The development proposed was then formally assessed by planning officers from each of the four boroughs who were seconded to the JPAT. Officers subsequently recommended



approval at the final JPAT planning committee held on 9 September 2004 for the Games and 'Legacy' applications, with committee members supporting the recommendation.<sup>25</sup>

### ***London Olympic Games and Paralympic Games Act 2006***

Following from London's successful bid for the 2012 Olympic Games, announced on 6 July 2005, the UK Government produced the London Olympic Games and Paralympic Games Act 2006. This Act, which received Royal Assent on 30 March 2006, was created to facilitate the organisation of the Games, including the establishment of the Olympic Delivery Authority (ODA) as a corporate body, and fulfil the government's obligations to the IOC. The Act contained four main provisions that related to the following: The Olympic Delivery Authority; Transport; Advertising; and, Trading. Within the 'Olympic Delivery Authority' provision resides Section 5, containing the most important element to this study: Planning.

### ***Our Promise for 2012 – DCMS (June 2007)***

The Department for Culture, Media and Sport (DCMS), the lead government department responsible for the Olympics, were conscious to promote the idea of 'Legacy' and set out a broad articulation of what it constitutes and their commitments to its achievement. The *Our Promise for 2012* (2007) publication demonstrated this, rationalising 'Legacy' as five promises to be implemented.

Whilst all of the promises do refer to wider objectives than hosting a successful Olympic Games, the most pertinent to this study is promise 2, 'To transform the heart of East London', as this relates to the proposed post-Games development in and around the Olympic Park site.

### ***Olympic, Paralympic and Legacy Transformation planning applications (2007)***

In 2007, the *Olympic, Paralympic and Legacy Transformation* (OPLT) planning applications were submitted as part of the next phase of the planning process for Games. The OPLT consisted of two applications, with their subsequent approval superseding the 2004 approved planning applications as the primary planning permission for the area.

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<sup>25</sup> The approval of the Olympic applications was undertaken on the 9 September 2004 by the JPAT planning committee. This arrangement saw four separate borough planning committees, using their existing planning powers, to assess the proposed development according to their respective planning policies. Following these four meetings, a final planning committee was conducted to provide a coordination of each boroughs position with regard to the merits of the applications, resulting in their determination and the subsequent granting of approval.

The OPLT's two applications dealt with different aspects of the development: the first application was comprised of the enabling works for the Games, covering such aspects as land remediation, earthworks, and the stockpiling of materials, whilst the second application referred to the development for the Games and post-Games transformation phases, such as the sports venues, open space and circulation areas, bridges, utility structures and the future development platforms. However, unlike the 2004 permissions, they did not explicitly deal with any proposed Legacy developments.

There was one document of note, however, that accompanied the two planning applications. This was the ODA's and LDA's *Commitment to Sustainable Development*, which set out to 'demonstrate ongoing ODA and LDA commitment to apply sustainable development principles to emerging proposals for the regeneration of the area and its communities' (ODA/LDA, 2007:4).

### ***Five Legacy Commitments – Major of London (January 2008)***

The Mayor of London's *Five Legacy Commitments*, published on 9 January 2008, mirrored the promises of the DCMS's *Our Promise for 2012*, although understandably possessing a London focused agenda.

### ***Before, during and after: making the most of the London 2012 Games (June 2008)***

Building upon the earlier five promises made within the *Our Promise for 2012* (2007) document, the DCMS provided an action plan, *Before, During and After: Making the Most of the London 2012 Games* (2008), to detail further the objectives for the regeneration brought about by the Games.

### ***Legacy Masterplan Framework (2009)***

The *Legacy Masterplan Framework* (LMF), published by the LDA in 2009, provided the first real spatial vision for the Olympic Park area post-Games since the *Olympic Games & Legacy* planning applications back in 2004. Seeking to describe the key spatial and land use features, the LMF was produced in conjunction with a number of supporting draft strategies relating to social infrastructure, housing, employment, leisure and culture, transport, energy and climate change. The purpose of the LMF is to set out the parameters of the development whilst leaving 'elements open and flexible for later stages of implementation' (*Ibid.*: 1). Thus, it does not appear to be presented as a definitive formulation but rather represents a 'preferred scheme [that] clearly articulate[s] the overarching ambitions and vision for a place' (*Ibid.*: 1).

The proposals contained within the LMF are stated as being the result of five 'key drivers': Capitalise on 2012 investment; Promote adaptability and longevity; Maximise connections; Activate public realm and waterways; and, Encourage diversity (*Ibid.*: 29). Furthermore, it is said to embody six spatial concepts: 2013 Olympic inheritance; Neighbourhoods and centres; Connections; Open space and parklands; Water city; and, Field evolution (*Ibid.*: 44-98). Drawing from these drivers and concepts, the LMF provides six Area Briefs within the Olympic Park site, each explained as having their own distinctive character. These are described as follows:

- *Stratford Waterfront* – a distinctive waterfront location adjacent to Waterworks River and Stratford City.
- *Olympic Quarter* – a focus for sport, education and housing around the Main Stadium
- *Old Ford* – a family housing area focused on the waterways of the Hackney Cut
- *Hackney Wick East* – a learning, living and working neighbourhood
- *Stratford Village* – a family neighbourhood area to the north of Stratford City
- *Pudding Mill Lane* – a mixed employment and housing area in a unique waterfront setting (LDA, 2009b, 4).

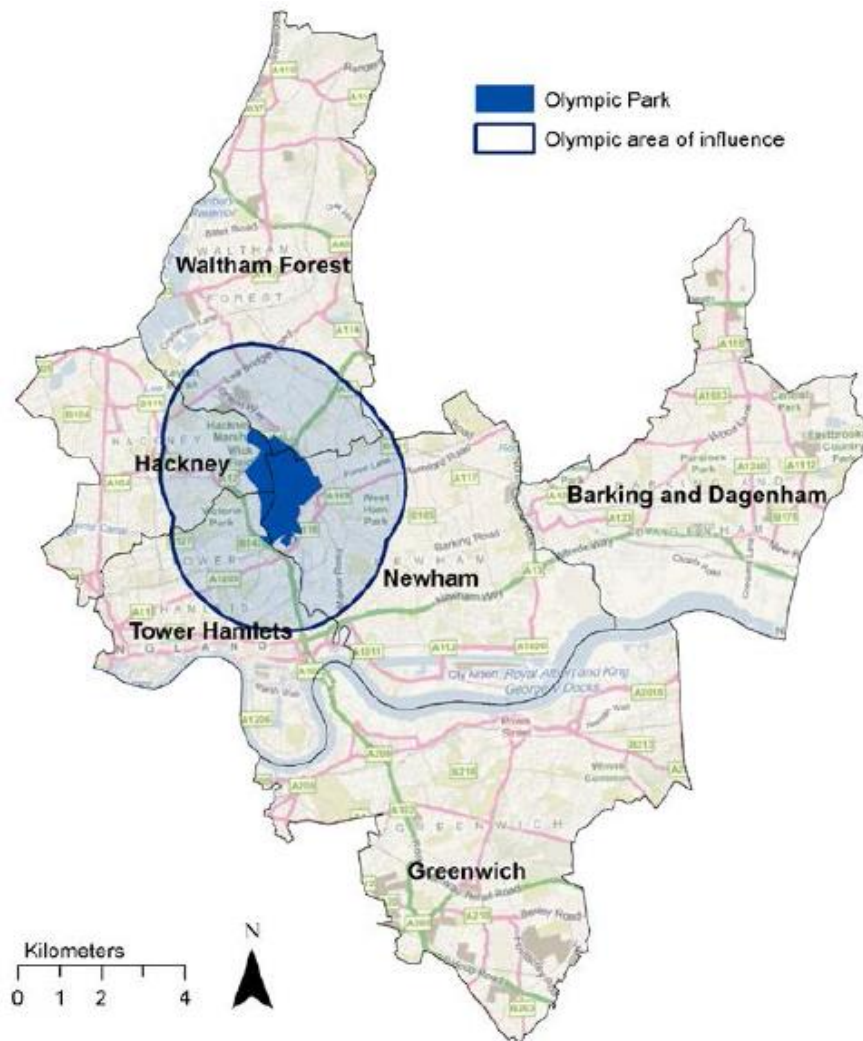
Figure 3 below shows the proposed development sites associated with the LMF's six Area Briefs:



### ***Host Borough's Strategic Regeneration Framework (SRF) – October 2009***

The London Boroughs of Newham, Hackney, Tower Hamlets, Waltham Forest, and Greenwich provided the main geographical focus for the staging of the 2012 Olympics. It is these boroughs, along with the later addition of Barking & Dagenham, which formed the partnership known as the Host Boroughs in an attempt to help secure any potential wider regeneration benefits for East London that could be captured from holding the Games. Figure 4 below shows the location of the Host Boroughs with regard to the setting of the Olympic Park and as such, with particular relevance to this study, where the LCS development will take place:

**Figure 4.** Map showing location of the Olympic Park and surrounding Host Boroughs. Source: DCMS (2011: 57)



In 2009, the Host Boroughs published their *Strategic Regeneration Framework* (SRF).<sup>26</sup> The SRF, which gained approval from the Secretary of State for Communities, the Mayor of London, and the Mayors and Leaders of the Host Boroughs, was produced as a means to improve “the coordination and delivery of socio-economic interventions linked to the Olympic Games Legacy” (Host Boroughs, 2009: 6), with the organising principle of the document being that of ‘convergence’. The objective of this ‘convergence’ principle was to ‘achieve socio-economic convergence between the Host Boroughs and the London average for key indicators of deprivation within a 20-year timeframe’ (*Ibid.*: 14). This ambitious vision was translated into seven specific outcome objectives:

1. *Creating a coherent and high-quality city within a world city region.*
2. Improving educational attainment, skills and raising aspirations.
3. Reducing worklessness, benefit dependency and child poverty.
4. *Homes for all.*
5. Enhancing health and wellbeing.
6. Reduce serious crime rates and anti-social behaviour.
7. Maximising the sports legacy and increasing participation (*Ibid.*: 18, *author’s emphasis*).

A number of ‘deliverables’ are also provided to help realise ‘convergence’ for each of these outcomes. It is not appropriate to detail them all here as they are quite broad in nature and, whilst all of the seven outcomes do have a degree of relevance to the future success of the post-Games Olympic Park development, many contain a number of inapplicable topics to the focus of this study. Nevertheless, outcomes 1 and 4 are of a most pertinent nature and shall be detailed in the table below.

The above discussion has provided an explanation of each of the main documents produced by various sources (including the UK Government, the London Mayor, and the Host Boroughs), alongside the relevant planning history, in support for the London Olympics and post-Games development. The examination of these documents has

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<sup>26</sup> It should be noted that the London Borough of Barking & Dagenham became a member of the Host Boroughs after the publication of the SRF in 2009.

unearthed the main proposed 'Legacy' objectives and planning outcomes of the post-Games regeneration. These objectives and planning outcomes are detailed in Table 7.



**Table 7. Summary of Legacy promises, guiding principles and objectives for the 2012 London Olympics and the post-Games Olympic development. Source: compiled by the author**

Document	Legacy Promises/Objectives
London's 2012 Candidature File (2004)	<ul style="list-style-type: none"> <li>• 'Benefiting the community through regeneration' (LOCOG, 2004: 19).</li> <li>• The 'most enduring legacy of the Olympics [will be] the regeneration of an entire community for the direct benefit of everyone who lives there' (<i>Ibid.</i>: 19).</li> <li>• The Olympic Park as the new 'hub' of East London that would be a 'model for social inclusion' (<i>Ibid.</i>: 19), providing local people with 'significant improvements in health and well-being, education, skills and training, job opportunities, cultural entitlements, housing, social integration and the environment' (<i>Ibid.</i>: 23). Also to provide new opportunities for creative industries (<i>Ibid.</i>: 23).</li> <li>• The post-Games Olympic Village would see the establishment of a 'new, desirable and sustainable residential community with 3,600 new housing units' (<i>Ibid.</i>: 23).</li> <li>• The creation of a high-quality environment for the neighbouring mixed-use communities thorough the enhancement of 'the amount and quality of greenspace' (<i>Ibid.</i>: 23), creating the 'largest new urban parkland in Europe' (<i>Ibid.</i>: 83).</li> </ul>
Olympic Games & Legacy Planning Applications (2004)	<ul style="list-style-type: none"> <li>• 9,400 new residential units in the Olympic Park site during the 'Legacy' phase. This residential provision will include a broad mix of residential units with a target of 50% affordable housing to address housing needs.</li> <li>• Provision of a range of world-class sporting, health, education and other facilities developed within a high-quality landscaped setting. This setting forms part of the 127 hectares of open space provided across the Olympic Park.</li> <li>• Creation of a high-quality modern mixed use development in the 'Legacy' phase would play a valuable role in the attraction of inward investment.</li> <li>• Maximised employment opportunities together with obligations to link activity directly to training, ensuring that local people can be prioritised.</li> <li>• Range of new, modern education facilities at Stratford and elsewhere across the site.</li> <li>• New on-site modern healthcare facilities for the benefit of both new on-site residents together with existing adjacent communities.</li> <li>• Comprehensive network of new transport infrastructure including new and improved provision for public transport, walking and cycling. Design to incorporate full 'accessibility for all' considerations (LDA, 2004: 16-17).</li> </ul>
London Olympic Games and Paralympic Games Act 2006	<ul style="list-style-type: none"> <li>• (b) to the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them,</li> <li>• (c) to the terms of any planning permission already granted in connection with preparation for the London Olympics,</li> <li>• (e) to the development plan for any area in respect of which an order is made under section 149 of the Local Government, Planning and Land Act 1980 (c. 65) by virtue of subsection (1) above, construed in accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (c. 5) (London Olympic Games and Paralympic Games Act 2006: s5(5)).</li> </ul>
Our Promise for 2012 (2007)	<ul style="list-style-type: none"> <li>• (2) <i>To transform the heart of East London</i> <ul style="list-style-type: none"> <li>• build the new Olympic Park – one of the largest new urban parks in Europe for 150 years providing major sports venues for elite and community users.</li> <li>• create 9,000 new homes in the Olympic Park after 2012, many for key workers [with 4,000 homes proposed in the Olympic Village]. Provide new education facilities that meet the needs of residents.</li> <li>• improve the transport infrastructure including the railways, road, bridges, waterways, footpaths, cycle routes and towpaths (DCMS, 2007:2).</li> </ul> </li> </ul>
Olympic, Paralympic and Legacy Transformation planning applications (OPLT) (2007)	<ul style="list-style-type: none"> <li>• Maximising the beneficial use of urban land, ensuring that well considered, sustainable and comprehensive proposals evolve to deliver physical, economic and social change;</li> <li>• Providing infrastructure and utilities platforms to create the backbone for future legacy communities;</li> <li>• Strengthening local community cohesion, bringing people together and building civic pride through celebrating socio-economic, cultural and ethnic diversity; and thereby</li> <li>• Establishing sustainable communities with mixed and balanced population profiles and appropriate provision of community and social infrastructure (ODA and LDA, 2007: 6). <ul style="list-style-type: none"> <li>◦ The proposed post-Games Olympic Park development will take 'the Development Plan Policy, pertaining at the time, and prevailing social, economic and market factors as a starting point to determine' such as elements as affordable housing, unit size mix, housing density (<i>Ibid.</i>: 29).</li> <li>◦ The shaping of these elements will take the 2004 permission 'as the baseline' from which to assess proposals (<i>Ibid.</i>: 29), with a condition in the OPLT's <i>Planning Explanatory Statement</i> stipulating that '[a]ppropriate provision for affordable housing will be included in the Legacy Communities planning application' (ODA, 2007a: 20).</li> </ul> </li> </ul>
Five Legacy Commitments (2008)	<ul style="list-style-type: none"> <li>• Mirrored objectives of <b>Our Promise for 2012 (2007)</b> document.</li> </ul>
Before, during and after: making the most of the London 2012 Games (2008)	<ul style="list-style-type: none"> <li>• To 'transform the heart of East London': <ul style="list-style-type: none"> <li>• Transforming place: create a well-planned and well-managed environment in and around the Olympic Park which will attract business investment and promote recreational and cultural use for years to come;</li> <li>• Transforming communities: build over 9,000 new homes, a large proportion of which will be affordable; and provide new sport, leisure, education and health facilities that meet the needs of residents, business and elite sport;</li> <li>• Transforming prospects: help 20,000 workless Londoners from the 5 Host Boroughs into permanent employment by 2012; and create 12,000 new job opportunities in the area of the Park post-Games (DCMS, 2008: 37).</li> </ul> </li> </ul>
Legacy Masterplan Framework (2009)	<ul style="list-style-type: none"> <li>• Up to 10,000 to 12,000 new homes on Olympic Park site, with 35 per cent being affordable. Affordable housing to have 50/50 split between socially rented and intermediate housing, and up to 42 per cent of affordable units will be family-sized homes. Creation of a new park designed in step with the urban setting and adjoining community, amounting to 102 hectares of open space.</li> <li>• Three primary schools, a sixth-form entry secondary school, and 300 plus 'education facility' for 14-19 year olds in Legacy Stadium. Also, a higher education proposition in connection with employment proposals for Olympic media and broadcast facilities.</li> <li>• A 'one-stop' primary care centre and two walk-in GP/dentist centres.</li> <li>• A community centre and other smaller community spaces.</li> <li>• 10,000 new jobs in and around Olympic Park site, with office and industrial uses as well as a high technology/research and development park.</li> <li>• Desire to diversify economic base of the area by attracting creative industries, media, retail, sport, and green collar industries, alongside business and professional services and a visitor economy (LDA, 2009a: 35).</li> </ul>
Host Borough's Strategic Regeneration Framework (2009)	<ul style="list-style-type: none"> <li>• 1. <i>Creating a coherent and high-quality city within a world city region.</i> <ul style="list-style-type: none"> <li>◦ the world-class development of the Olympic Park delivering a focus for the legacy in the host boroughs;</li> <li>◦ the arc from the Lea Valley to the riverside providing a heart for the area;</li> <li>◦ improving connectivity for the locality;</li> <li>◦ all our places becoming high-quality;</li> <li>◦ delivering high-quality social infrastructure;</li> <li>◦ physical development providing for local economic growth (Host Boroughs, 2009: 18).</li> </ul> </li> <li>• 4. <i>Homes for all.</i> <ul style="list-style-type: none"> <li>• reduce overcrowding, homelessness and social housing waiting lists;</li> <li>• increase and keep prosperity in the boroughs;</li> <li>• intervene for decent private homes, and better private sector provision to meet local needs;</li> <li>• ensure that we secure the highest quality of housing, inside the homes and in the neighbourhoods (<i>Ibid.</i>: 32)</li> </ul> </li> </ul>



Having detailed the evolution of the proposed nature and objectives of the post-Games Olympic Park development, it is now time to conclude this chapter by drawing from interviews with actors engaged in the planning decision-making process for the LCS to highlight what their overall views were on the establishing principles and objectives of the post-Games Olympic Park development. This will assist in understanding their 'baseline' in relation to the site and the 'Legacy' objectives, and therefore discern the context from which various actors assess the merits of the LCS development.

### **5.3 The backdrop narrative to the LCS planning application**

The 'backdrop narratives' that emerged from interviews with actors engaged in the LCS planning decision-making process shall be examined here to provide a deeper understanding of some of the underlying reasons behind the manner in which these actors negotiated and rationalised the LCS development agenda.

#### **5.3.1 Setting the pre-Olympic scene**

There was a general consensus of opinion amongst those interviewed regarding the character of the 'Legacy' development site prior to the Olympics and with regard to the need for some form of regeneration to be undertaken. This latter aspect was perhaps unsurprising given that they were all engaged in the planning process in the first instance. *Resp11*, a Regeneration Officer from one of the local boroughs, stated that the site should be "achieving its potential", although was somewhat aware of his anthropomorphic description of the development site, stating that this was "the kind of language we use". He did not have time for "nostalgists" because what had been lost on the site as a result of the Olympic development was "a relatively small number of jobs" and furthermore the site was incredibly polluted. A similar depiction was provided by *Resp19* who described the area as "old, polluted, dark land that had piles of fridges and a dodgy Sunday market where people sold guns in Waterden Road". These images of decay were also utilised in the OPLT planning applications in 2007, with the applicant providing a series of photographs within the supporting documentation to demonstrate the site's "poor quality" environment and open space and thus that regeneration was necessary (see Appendix 10). As such, this representation aligns with the criticism, as highlighted in Section 1.3.2, that proponents of mega-event driven development use 'dystopic images' to argue for the necessity of large-scale regeneration. Importantly, these images can also understate or ignore the attributes that others may value, such as the 107 homes on Clay Lane's Estate that were compulsory purchased (see The

Guardian, 2008), as well as the natural open space, allotments and almost 300 SME's that existed on site prior to Olympics (see Gold and Gold, 2008; Raco and Tunney, 2010).

This 'mobilisation of bias' towards the negation of the existing character and land uses within the context of potential development scenarios was further endorsed by *Resp11* who saw the area as a physical barrier to urban areas immediately to the east and west, and thus recommended a "reconnection". This was supported by *Resp3*, a Planning Officer in the ODA PDT, who saw the proposed LCS development as "stitching together" the "dividing line" of the Lee Valley. Similarly, the Olympic site prior to the Games-related development was described as a "blank canvas" by one local borough councillor, whilst *Resp7* (an ODA PC member) referred to the site a "big chunk of land that was just lying there". Together, these representations provide evidence of Swyngedouw's (2007) reflection on the consensual framing of urban development decisions, with a discernible agreement amongst those engaged in the planning decision-making process that the existing character of the pre-Olympic site was not worthy of preservation. This view also accords with Raco and Tunney's (2010) criticism of large-scale development carried out by Urban Development Corporations in the UK, which are similar in remit to the ODA, that 'conceived of places as 'blank slates' for development that could be converted into highly visible regeneration landscapes [with] few, if any, socioeconomic activities of value that needed protecting or supporting' (Raco and Tunney, 2010: 2071).

### **5.3.2 The Olympic 'catalyst'**

The shared view of those interviewed, that the pre-Games site needed regeneration, was extended to claims that the Olympics was a 'catalyst' for achieving such development. A senior planner (*Resp5*) at the OPLC, the applicant for the LCS planning application, interestingly began the interview by stating that the Olympic legacy "plan, unashamedly, was for the regeneration [of the Olympic site] area". This virtuous sentiment, of being 'unashamed', would suggest that the regeneration was a noble and necessary objective. Indeed, he goes on to further state that the 2012 Games was a catalyst for regeneration as it was "accelerating things through a natural process". This allusion to a development catalyst and a 'natural', causalistic relationship between the Olympics and the post-Games regeneration is reinforced by an unclear metaphor that states "the catalyst and chemistry put two products together – there's quite a lot of heat and there's a fusion" (*Resp5*). This bombastic and ambiguous explanation does not provide an easily perceived understanding of how the Olympics acted as a catalyst to the development proposed in the LCS planning application. It does to an extent demonstrate, nevertheless, how some of the interviewees wished to de-politicise the planning process

by suggesting that development outcomes were governed through a 'natural process' rather than by political decisions and their supporting rationalities.

A former senior planner (*Resp14*) of LB Hackney was, however, able to detail in more grounded terms the opportunity that the Olympics provided for promoting development. She was of the opinion that a "national strategic focus [was necessary] to unlock those land ownership issues and those remediation issues". For her, the Olympics provided the political will and justification to compulsory purchase land for single ownership, as well as clean up the pollutants on site, so to "unlock that whole part of London". This again emphasises the idea of the undesirable nature of the existing uses and that the 'potential' of the site had not been realised.

*Resp22*, a senior regeneration officer at the LB Newham, welcomed the "catalytic effect" of the Olympics as he wanted to "make things happen" on the basis that planners and local authorities are "fearful of change". This suggests that he sees planners as potentially inhibiting regeneration, although he does not elaborate on this claim regarding how planners are required to undertake development decisions based upon a plan-led system. He then asserts that, without the Olympics, the regeneration of the site "would be more piecemeal, iterative, probably lower quality [and] done in bits and bobs", and thus it would have been "less likely that major investors would want to invest in that scale of commercial development".

Whilst it is not possible to expand on the views of all interviewees here, what is of particular interest is that there was a general consensus that the Olympics was a desirable 'catalyst' that would hasten the development of the post-Games site. Like the aforementioned 'blank slate' approach to development and the criticism of mega-event regeneration, this accelerated process prioritises change over continuity (see 1.3.2). Only one senior planner, *Resp20*, interviewed expressed the benefit of a more gradual development process that, within the context of linking emerging employment opportunities to local people, could have been a "bit more manageable and controllable".

The plan-led approach to assessing development is obviously an important element of the English planning system, as noted earlier in the chapter, and thus in the negotiation and management of the LCS development. However, the appropriate scale at which development outcomes are addressed is often an issue that runs concurrent to policy considerations, influencing how rationalisations are presented for certain development agendas. The next section analyses how the objectives of the LCS development were rationalised with regard to geographical scale by the interviewed actors.

### 5.3.3 A local, regional or global scale development?

Many of the interviewees framed the objectives of the proposed LCS development at a broader geographical scale to the immediate site and surrounding boroughs. These interviewees included, surprisingly, a number of local councillors and borough officers. One local councillor, *Resp18*, declared that he wanted to “set the agenda” with “our focus [on] repositioning east London as a significant [...] gear in the mighty machine that is London”. But rather than expressing a local focus for the LCS development, he saw the regeneration efforts as “all of us looking towards the future of London and maintaining that position in a global economy, as a world city”. He therefore saw the importance of setting a London-wide agenda so to enable the city to “secure its position to the end of this century”.

The explicit references to creating a vision to shape the development agenda were revealing as they demonstrated a conscious recognition of the importance of constructing a narrative from which to orientate discussions over the nature of the LCS development. Indeed, *Resp22* was open in stating that the ‘Legacy’ regeneration was and should be framed through a “credible narrative about the changing face [...] of East London”. Further still, he states that his “forte” is ensuring the narrative is “communicated in a lexicon that can be interpreted by a specific group [for the] appreciation and knowledge of the changing face of what’s going on”. The open reference to narrative construction is interesting in that it is premised on the idea that there may be more than one narrative possible, and thus it is necessary to be proactive in communicating your own to shape the LCS development to meet your objectives. This is at odds with the ‘natural process’ of regeneration asserted by *Resp5* above, which in this context can also be seen as a narrative to constrain opposition to his preferred development agenda. What is also interesting about *Resp22*’s communication of a “credible narrative” is the desired recipient. Notably, he believes that a narrative must be provided in “a way that becomes informative, whether or not you’re a Head of State or you’re the chairman of some multi-national company”. This appeal to the influence of global actors does little to suggest that, in trying to attract capital investment, the narrative used was one that related to the needs of local residents. Indeed, he then went on to describe how the narrative was used to give “certainty to foreign direct investment”, followed by him offering a list of various developments around East London that have been funded by global capital because “the further away you get, the clearer that they see the opportunities”. *Resp21*, a senior planner at one of the local boroughs, also endorsed the global narrative of engaging international investors in the prospective regeneration, stating that the success of gaining planning approval for the LCS before the Olympics

had started was vital “to market on a global scale the continuing opportunity that was provided by the Olympic Park for Legacy [as it meant] we were able to say ‘look, there’s a huge amount of land here that’s available commercially’. We, as in UK PLC, are interested in development partners who want to work here and want to be part of the future of Stratford”. This shows a remarkable consciousness of issues concerning development finance considering that a local planner working in the Development Management department of a local borough would, in their day to day role, be focused on assessing development proposals on the basis of planning policy. This awareness may be a reflection of the broader political objectives of the council as well the influence of the OPLC and ODA PDT in providing this commercial context to discussions with local stakeholders regarding the proposals within the LCS planning application. Indeed, *Resp21* did tellingly remark with some displeasure that “the frustration [was that] the Legacy Communities Scheme was very much driven by the Olympic Park Legacy Corporation, it was very much commercially driven”.

However, the objectives for the LCS development were not solely explained by the interviewees in commercial terms, and there were numerous occasions when those interviewed expressed the desire to achieve a ‘Legacy’. It was commonly the local planning officers, and variably those within the ODA PDT, who did highlight the need to achieve certain local outcomes (see below and 10.3.2). It is reasonable to assume that this is partially due to the fact that it is at the local level that the majority of planning policies are produced and applied, thus providing the professional frame to which planners orientate discussions around the LCS development. But they also frequently discussed the objectives and desired outcomes from the context of the Olympic promises that central government had promoted ever since the initial bidding stage (see 5.2). One example of this is provided by *Resp12*, a local borough planning officer, who stated the benefits from the development should be based on the promises “on which the Olympics was sold [...]. [T]he ‘regeneration of an entire community for the people who live there’”. To justify why the benefits of the LCS development should be felt locally, he went on to highlight the socio-economic circumstances of the area, declaring that there is “nowhere in the country that has the need for regeneration on the scale of east London, [...] the levels of poverty which continue to exist, the appalling housing conditions which continue to exist [are] kind of Dickensian”. So there was a definite acknowledgement among a number of those interviewed, particularly those planners working within the boroughs, of the need for the LCS development to deliver the promises on which the Olympics was rationalised by central government as well as to address localised deprivation. Whether

the LCS could ever hope to achieve such objectives is something that has been contested, as discussed further in Section 11.2.5.

Notwithstanding the local emphasis expressed by a number of planners, the predominance of the 'global' narrative within the framing of the development may provide an explanation for the reasons behind some of the development decisions of the LCS development, a number of which were not always in line with established planning policy and the needs of local residents (as shall be discussed further below and in 6.2.3 and 8.2.3). However, it should also be noted that there were guiding constraints to the LCS development that may in turn have influenced the construction of this narrative. One primary constraint, as shall be detailed later, comes from the broader political desire from central government (and the GLA who took liability of the expenditure debt of the Olympic Park in 2012) to ensure that the expenditure on the Olympic stadia and infrastructure incurred by the Treasury, the main creditor, is recouped during the Legacy development phase.<sup>27</sup> As we shall see, the constraining influence of this political objective does help to explain the nature of negotiations around the LCS development, notably the amount of affordable housing being provided on-site and the priorities afforded to social infrastructure.

Given the context provided by the political desire to recover much of the expenditure on the Games-related infrastructure, it is necessary, according to *Resp20* (a senior planner at a local borough), to attract international capital because it is the primary way in which to produce a large number of employment opportunities that would not "come from very inward activity in local economies".<sup>28</sup> Also, due to Stratford's existing and proposed transport infrastructure, which includes the International Station and Crossrail, *Resp20* reasons that immediate decisions at local level will inevitably be influenced by the opportunity to attract employment and housing development due to the "broader reach" such infrastructure provides in attracting the associated commercial benefits for those looking to invest. The merit of this strategy cannot be contested here, but it does provide an example of the perceived constraints of broader political objectives on the decisions of local actors around attracting development. It also highlights one fundamental tension that, whilst *Resp20* believes that "the market is steered by whatever planning

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<sup>27</sup> The ownership of much of the land within the Olympic Park was transferred over to the OPLC debt free on 30 September 2010, with the GLA taking over the land debts from the LDA on 31 March 2012 (HOC, 2012). The pressure to repay the Olympic donor organisations is succinctly addressed by Smith (2013).

<sup>28</sup> Although investment in housing development, which is proposed to dominate the LCS development (see Table 4 in 4.1.1) creates few employment opportunities outside of those related to the construction industry.

applications exist at the time”, it is in fact the market that is driving development decisions as it is, as she acknowledged, “the only game in town”. Loftman and Nevin (1995) indeed long ago noted, with regard to large prestige developments, that the urban spatial form becomes dictated by the demands of the global economy. The related role of development viability in the planning decision-making process shall be discussed later, but there is a discrepancy and tension worth noting here between the aforementioned stated Legacy objectives promised by central government and the reality of the funding mechanisms used for delivering the post-Games regeneration based on high-return commercial development.

## **5.4 Understanding the narrative of the Olympic regeneration – Concluding remarks**

The above examination of the views of those interviewed concerning the general objectives of the LCS development highlights a number of prevailing narratives which were not always harmonious. Perhaps most interesting was the openness of some of the actors in emphasising the importance of constructing a narrative to orientate discussions concerning the nature of the post-Games regeneration and thus influence the development outcomes proposed in the LCS planning application.

There was a consensus amongst all those interviewed that the Olympic Park site was in need of regeneration, with there being no expressed opposition from any of the interviewees, regardless of their position or organisation, to the ‘dystopic’ images presented by the OPLC in their supporting documentation for the LCS planning application. This is not to say that the images provided were not an accurate representation of the site’s physical environment as I could personally verify much of the dereliction that was depicted. Rather, the images they conveyed constituted a selective representation that failed to highlight the land uses that were replaced by the Games-related development, such as the Clay’s Lane housing estate, the expansive natural green space and the predominant light industrial business activity. Thus, portraying the site as a ‘blank canvas’ curtailed the influence of those who occupied and valued the preceding land uses to rationalise continuity with the proposed development and thus shape the LCS planning application. It also served to limit the influence of planning policy, as well as the ‘Legacy’ promises that were made to the boroughs, in determining the nature of the LCS development, most notably the reduction in designated open space as a result of the desire for housing in PDZ5 as detailed in Section 6.2.3.

The other distinguishable narrative that was pursued, particular from the applicants but also by a number of officers across the ODA PDT and boroughs, was that of the LCS development being conceived and rationalised at a broader geographical scale than the immediate locality. Whilst the appeal for investment from global capital is to be expected when taking into consideration the financial constraints imposed by the Treasury's demand for the reimbursement of the Games infrastructure expenditure, it is the manner in which this constraint was expressed in the negotiations around the nature of development and the resulting outcomes that, as detailed in Section 6.2.1, is of particular interest when examining the role of power in the planning decision-making process. The ODA PDT and the respective boroughs' planning officers were quite resistant to some of the viability assertions made by the OPLC, mainly due to the need to their desire to secure certain levels of social infrastructure in line with planning policy. The restricted access to the supporting financial figures on grounds of commercial sensitivity meant, however, that they had limited success in challenging the OPLC's knowledge claims and thus the viability reasoning.

This chapter has provided a baseline to establish a context from which to assess and understand the planning outcomes of the LCS application, including an examination of the 'backdrop narratives' constructed by those engaged in the planning decision-making process with reference to the guiding principles and objectives of the post-Games development. It has also provided a brief outline of the LCS planning application to provide a context for the following four chapters which focus on understanding the nature of the LCS application's proposals and how the development agenda was negotiated and rationalised.



## Chapter 6. The LCS housing proposals

The following four chapters will provide a detailed examination of the proposed planning outcomes from the LCS planning application and the rationalisations advanced by the different engaged stakeholders to support or challenge the proposed development.

The first section of each of the chapters will focus on establishing what planning outcomes were included within the LCS application and subsequently approved at the ODA PC meeting. This information is gathered from a range of sources, given the complexity of the proposals for an application of this size, but primarily is drawn from a host of supporting documents provided by the OPLC in the LCS planning application submission, formal consultation responses to the application, and the ODA PDT's planning assessment report that considered the merits of the development and provided a recommendation for approval to the ODA PC. For the analysis of housing outcomes in this chapter, the following information is thus conveyed: the amount of housing floorspace approved; the level of affordable housing; the evolution of the affordable housing provision; and, the affordability of the proposed housing.

The second half of the chapter explores and analyses the information garnered from research interviews, alongside other LCS related documentation where relevant, to understand how numerous actors engaged in the LCS planning decision-making process reflected on and rationalised their support and/or opposition for particular planning outcomes, including those approved, in the LCS planning application. This analysis also includes an examination of the actors' reflections on the process of decision making and other matters that were not documented in formal correspondence. This exploration is undertaken with reference to, and provides findings that further understandings of, the role of power in the planning decision-making process as discussed earlier in Chapter 3. To facilitate the reading of the analysis offered in the following four chapters, given that such analysis includes references to technical and very detailed discussions related to particular planning issues or development parcels (referred to as PDZs in the planning documents), the main findings are summarised upfront in the introduction of each respective chapter to assist the 'non-planner' reader. For the analysis of housing provision provided in this chapter, the main findings are:

- The predominance of the Treasury's 'payback' requirement, and thus viability, was an overriding rationalisation for constraining the affordable housing provision (even though full disclosure of the details of this 'payback' demand was not provided);

- The ODA PDT did negotiate, seemingly utilising their ‘professional’ status, a minimum affordable housing level, although not all stakeholders (notably planners from LB Tower Hamlets) were satisfied that this minimum level was sufficient.
- The OPLC and the ODA PDT, in line with a ‘post-political’ management focus on delivery, framed the LCS development, and thus the promotion of housing, around the idea of being ‘pragmatic’ and thus not making ‘unrealistic’ demands of the post-Games regeneration.
- The OPLC were successful in gaining local political support from the boroughs in advancing their desire for the LCS to be housing-led development and securing approval at the ODA PC. This was evident in the PDZ5 development parcel where the ‘corporate’ view of the LB Hackney’s Mayor and Cabinet Member for Regeneration (*Resp18*) aligned with the OPLC, as opposed to the LB Hackney’s PC and planning officers who were concerned about the proposals as they did not align with regional and local planning policy or previous planning application approvals.
- The housing development, again illuminated by the proposals in PDZ5, was rationalised at varying spatial scales by the OPLC and ODA PDT. For example, the delivery of housing in PDZ5 was rationalised on the basis of the stated shortage of housing supply across London, thus overriding the LB Hackney’s local delivery of housing which is in excess of the housing target numbers set out in the London Plan.
- The planning process and ODA PC for the LCS was unusually ‘managed’ so to secure the approval of the application, as demonstrated by discussions over the housing footprint in PDZ5. This was mainly the result of intense political pressure to secure approval and meet viability (i.e. Treasury ‘payback’) demands.

Establishing the nature of the LCS proposals shall now begin with the detailing of the housing outcomes.

## 6.1 The LCS’s housing outcomes

The LCS application proposed a significant amount of housing with a maximum of 641,817m<sup>2</sup> of residential floorspace to be delivered on-site. The OPLC avoided applying for a set number of residential units but calculated that such floorspace would indicatively deliver up to 6,800 residential units (OPLC, 2011b: 19). Interestingly, this is a significantly lower number than the 9,000 proposed in almost all of the aforementioned ‘Legacy’ documents produced by the UK government and the 10,000 to 12,000 units proposed in

the LMF (see Table 7 in 5.2). Nevertheless, the LCS development is still clearly a housing led scheme with around 84 per cent of the maximum floorspace applied for being residential (*Ibid.*). This prominence of residential floorspace has creation tensions with local strategic planning policy, which is demonstrated by the housing in PDZ5 being proposed on Strategic Industrial Land (SIL) and Metropolitan Open Land (MOL) as designated in Hackney's *Core Strategy* and the Mayor's *London Plan* policy documents. These two policy departures are discussed later in the respective 'employment' and 'open space' chapters.

### **6.1.1 Affordable housing**

A site wide target of 35 per cent affordable housing with a 30:30:40 social rented:affordable rented:intermediate split was also initially proposed.<sup>29</sup> This percentage is said to be the result of the OPLC's review of existing planning policies and in acknowledgment of the London Plan (2011) not setting an affordable housing target. However, importantly, it should be noted that the local boroughs all have varying affordable housing targets, ranging from 35-50 per cent (see 5.1.2 and Appendix 9 which details the key planning policies applicable to the LCS), and that the initial 35 percent figure proposed was subject to viability (OPLC, 2011b: 19). This figure, however, was reduced during the LCS planning application assessment process with the proposed affordable housing subsequently set at an agreed minimum level of 20 per cent, which is well below the requirements of local planning policy. The reasoning given for this reduction was the financial viability of the proposed development and the OPLC's obligation to repay the Treasury for the public investment in the LCS site (see 6.2.1).<sup>30</sup> The 35 per cent was subsequently set only as a maximum target dependent on market conditions (ODA PDT, 2012a: 439).

As a minimum affordable housing percentage for across the LCS application site has been agreed and established under a S106 agreement, it is quite unique for a maximum affordable housing target to have also been included. Both of these percentages are subject to a viability review which ultimately decides the level of affordable housing that

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<sup>29</sup> Social rented housing is owned and let by local authorities and housing associations and offers the lowest rents which are set by Government. Affordable rented housing is owned and let by housing associations and can be rented at up to 80 per cent of market rate levels. Intermediate housing is homes that are available to both rent and buy, and include such schemes as Shared Ownership (the buyer shares ownership with a housing association or a developer) and Help to Buy (whereby the Government provides a loan to a first-time buyer to reduce the amount of deposit and mortgage required).

<sup>30</sup> It should be noted that, alongside the Treasury, the National Lottery is also to be reimbursed for its Olympic related expenditure. Reference to the Treasury's payback throughout the thesis thus also acknowledges the Lottery's repayment.

can be provided at the point of delivery for each PDZ, and therefore a 'ceiling' percentage would normally be viewed as superfluous to requirements. If viability is considered the primary factor in deciding whether a minimum affordable housing percentage can be achieved then it would also reason that more than the maximum 35 per cent affordable housing should be delivered if financially viable and in line with planning policy. However, as developers are keen to reduce the burden of providing affordable housing, so to increase their return through an increase in the amount of private sale residential units they are able to build, it follows the same principle that the OPLC have structured the LCS development to amplify land receipts, with a maximum 35 percent affordable housing level assisting in the potential provision of private residential units and thus boosting the financial return to the Treasury. This raises questions over the manner in which the objective of 'convergence' (explained in 5.2) is realised, with more affluent residents inhabiting the new private residential units and subsequently raising the socio-economic standards of the area, and thus the extent to which social need is actually being addressed.

### 6.1.2 The evolving reduction in affordable housing

It is likely that financial viability will remain a prominent consideration as the LCS planning application is implemented. An example of its continued influence, and the associated 'planning creep' (see 10.4.2), can be seen in the evolving housing provision for each PDZ as discussed below. Firstly, to provide some context, the affordable housing percentages for each of the PDZs of the LCS planning application, in line with proposed site wide minimum of 20 per cent and the 35 per cent site wide target respectively, are provided in the following table:

**Table 8.** Affordable housing provision as calculated for each PDZ within the LCS planning application under the respective 20 per cent minimum and 35 per cent target site wide provision. Adapted from Source: ODA, LLDC, and TFL (2012: 56-57).

PDZ/SPDZ	Percentage of Residential Units	
	20% Site Wide Minimum	35% Site Wide Target
1A	19%	19%
1B	23%	23%
2	11%	36%
4	25%	48%
5A	25%	43%
5B	25%	33%
8A	28%	35%
8B	22%	46%
12	15%	53%

N.B. Whilst not included in the above table, the S106 of the LCS application also states that no less than 28 per cent of the total number of residential units constructed in PDZ6 (under both the respective 20 and 35 per cent site wide provision) shall be provided as affordable housing units (*Ibid.*: 56).

The interesting aspect to these figures is that the percentage of affordable housing to be delivered may be adjusted, as noted earlier, under viability review at the point of delivery for each PDZ – that being not more than twelve months or less than three months prior to the submission of the Zonal Masterplan (ZMP) for each PDZ (*Ibid.*: 195-197).<sup>31</sup> The ZMPs for each PDZ were approved to be delivered in a particular sequence and, starting with the earliest, are thus set in the following order: PDZ6, SPDZ1A, SPDZ5A, PDZ4, SPDZ1B, PDZ2, SPDZ8A, SPDZ5B, SPDZ8B, and PDZ12 (*Ibid.*: 57). Whilst the affordable housing level to be provided should maintain a 20 per cent or more rolling average across all approved PDZs during the delivery timeline of the LCS development (*Ibid.*: 57), which would result in the affordable provision being ‘frontloaded’ so to ensure compliance, it may be difficult to enforce in practice given that viability will be assessed in piecemeal at each ZMP submission stage. The 20 per cent minimum may therefore come under further threat as it is hard to envisage how the principle of the viability claims that established the initial reduction in the original minimum of 35 per cent affordable housing provision (see 6.2.1) will be different when each of the specific ZMPs are submitted for assessment by the acting Local Planning Authority (LPA).<sup>32</sup>

Whilst this thesis principally focuses on the main LCS planning application, a subsequent Approval of Details (AOD) planning application must be briefly mentioned as it demonstrates this continued principle of privileging viability and the subsequent ‘creeping’ reduction of affordable housing in the LCS.<sup>33</sup> The LCS development is, as specified above, to be implemented through each of the PDZs being delivered in a particular order. However, the applicant does have the opportunity to apply to the LPA to alter the sequence of delivery of the PDZs under Condition LCS0.49 (see Appendix 11) attached to the approval of the LCS application (ODA PDT, 2012c: 31-32).<sup>34</sup> A further

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<sup>31</sup> Each of the ZMPs constitutes a full planning application submission that requires a more detailed development agenda for each of the PDZs whilst conforming to the approved proposals set out in the LCS planning application.

<sup>32</sup> At the time of writing, the LPA responsible for the application site covered by the LCS is the London Legacy Development Corporation (LLDC).

<sup>33</sup> An AOD application is necessary where a condition in a planning application consent requires details of a specified aspect of the development which was not fully described in the original application. These details need to be submitted for approval before the development can begin.

<sup>34</sup> In the UK, a LPA may grant planning permission, and therefore allow development, subject to compliance with certain Conditions that they attach. These Conditions often relate to such issues as time limits on the implementation of permissions, undertakings with regard to environmental

clause in the S106 agreement of the LCS application states that, subject to a change in the sequence being approved, the '[d]eveloper may submit to the LPA for Approval a revised version of [Table 8]' (ODA, LLDC, and TFL, 2012: 57) which will be approved so long as it maintains the delivery of the 20 per cent minimum affordable housing provision (*Ibid.*: 57). The applicant therefore decided to submit an AOD application pursuant to Condition LCS0.49 to change the order of the phasing of development. This AOD application sought to deliver PDZs 4 and 5 earlier than approved under the LCS planning application so 'to meet local and regional housing needs' (LLDC PPDT, 2014a: 29), although no further elaboration on how such needs are to be met is provided in the LLDC Planning Policy and Decisions Team's (LLDC PPDT) assessment report. However, it is of note that this accelerated delivery is stated as resulting in a reduction in land value. The two reasons given for this reduction are the impact of indexation as a result of the PDZs coming forward sooner than expected, thus missing out on the expected six years of house price inflation, and the proposed change in private stock from sale to rented tenure (*Ibid.*: 51). The submitted viability assessment report, produced by Deloitte Real Estate, is therefore said to conclude that the original benchmark land values will not be achieved (*Ibid.*: 35) and thus a reduction in affordable housing is required to ensure the development's viability (the inaccessible knowledge claims supporting 'viability' are discussed further in 10.3.1). It is interesting that the purported reason for the housing in PDZs 4 and 5 being more promptly delivered was to meet local need and yet, in doing so, the amount of affordable housing delivered will be significantly reduced, with the percentage being delivered creating an even larger deficit to the levels required by local planning policy than that proposed in the approved LCS application. The proposed new site wide target, which will remain subject to viability review, has in fact been reduced from 35 per cent to 31 per cent. Whilst the applicant, which for this application is the LLDC Real Estate Team (LLDC RET), states that no change will occur to the 20 per cent site wide minimum (LLDC, 2014a: 18), it remains to be seen given the change to the percentage of affordable housing to be delivered in PDZs 4 and 5 and its impact on the maximum site wide target, whether this amount will be delivered or the attrition of affordable housing under the principle of viability will be continued.<sup>35</sup> The below table shows the reduction in affordable housing across PDZs 4 and 5 that was proposed in the AOD application:

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impact, and the appearance of the development. Such Conditions can only be imposed if they are deemed: necessary; relevant to planning; relevant to the development permitted; enforceable; precise; and, reasonable in all other respects (DCLG, 2012: 47).

<sup>35</sup> The LLDC RET is effectively the successor to the OPLC.

**Table 9.** Amended affordable housing provision across site wide and in PDZs 4 and 5 under AOD application which varies Condition LCS0.49 within the LCS Planning Application. Adapted from Source: LLDC PPDT (2014: 56-57).

PDZ/SPDZ	Percentage of Residential Units	
	20% Site Wide Minimum	31% Site Wide Target (previously 35% in LCS)
4	25%	30% (previously 48% in LCS)
5A	20% (previously 25% in LCS)	44% (previously 43% in LCS)
5B	12% (previously 25% in LCS)	12% (previously 33% in LCS)

It is worth highlighting that the level of affordable housing in PDZ4 remains fixed at 25 per cent within the context of a 20 per cent site wide minimum provision. Considering that a reduction in affordable provision within PDZ5 has occurred under both of the proposed site wide scenarios, it appears anomalous that this has not replicated in PDZ4. As the actual number of residential units to be built is not provided, it is not possible to ascertain the tenure mix breakdown across and within the PDZs that give rise to these proposed percentage figures and thus the static PDZ4 percentage. This is perhaps understandable given that the ZMPs for each PDZ have not been produced at this early stage of the development process, although it would have surely been useful to have provided an indication of unit numbers in order to demonstrate transparency in decision making around the proposed affordable housing percentages. Also, there does not appear to be any plan provided in either the LCS or AOD applications that presents the separation of PDZs 1, 5 and 8 into their 'A' or 'B' SPDZ components. This is despite clear textual reference to them in the LCS's S106 and the subsequent AOD application planning statement. This, in conjunction with the absence of unit numbers, further obfuscates an understanding of how the affordable housing percentage figures are determined and allocated on-site.

One final matter that requires scrutiny concerns the procedure by which the affordable housing provision in the LCS development is open to amendment through the submission of the AOD application. The imposition of a planning condition and S106 clause to the approved LCS application is a legally acceptable way by which to deal with any changes in phasing. Indeed, LPAs commonly agree such an arrangement with there being no prohibition offered by *The Town and Country Planning (Development Management Procedure) (England) Order 2010* which was the relevant legislation for determining the correct development management procedure at the time of the LCS

application's assessment.<sup>36</sup> Furthermore, a change in the timing of delivery will definitely impact upon development viability, and subsequently the nature of the housing provision, in the PDZs subject to a phasing schedule change. Thus, I can confirm from personal experience that an AOD application to alter a phasing schedule is a common phenomenon within the planning system. However, it should be noted that an AOD application does not require the LPA to re-consult the statutory consultees of the original application, which in this instance would be those consulted in the LCS planning application process. Thus, changes to the phasing schedule in the LCS, and thus the affordable housing provision, would only be subject to further consultation at the discretion of the LLDC PPDT. In this instance, the LLDC PPDT decided not to formally consult any statutory consultees on the AOD application, and thus the changes that were approved to phasing and affordable housing percentages were not formally scrutinised by former consultees or members of the public (although it does appear that consultation responses were received from the surrounding boroughs and thus that discussions did occur with them even if not with formal recognition).

Nevertheless, this matter does highlight, not only for the LCS planning process but the planning system in general, issues around the role proffered to participation in shaping development. Whilst not for discussion here, there is a need to balance concerns regarding the ability for development to be delivered in a timely manner within the context of frequent consultatory processes whilst, conversely, acknowledging just expressions of unease over the denial of a true democratic process and the 'commercial sensitivity' that veils viability discussions (see 10.3.1). Furthermore, there is an issue with maintaining the same personnel that have shaped decisions on the nature of development throughout the planning process so to ensure consistency and transparency. The LCS planning process has been effectively conducted by two separate LPAs. The ODA PDT, along with the ODA PC, assessed and approved the original LCS planning application along with the attached conditions, whilst the LLDC PPDT and LLDC Planning Committee were responsible for approving the AOD submission. Thus, many of those responsible for shaping and rationalising the LCS development, alongside imposing the planning conditions, are not able to engage in the decision-making process to ensure the final nature of development complies with that which was initially envisaged and approved. The discontinuity of knowledge and rationalisation in decision making is therefore detrimental to individual accountability and the original approved development outcomes, with an absence in the continuity of

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<sup>36</sup> This legislation has subsequently been replaced by *The Town and Country Planning (Development Management Procedure) (England) Order 2015*.



personnel allowing for a greater potential for piecemeal alterations to development through a process of 'planning creep' (see 6.2.5).

### **6.1.3 The 'affordability' of 'affordable rent'**

Finally, notwithstanding the overall percentage provision in the LCS, there must be consideration for how expensive the affordable housing proposed will be for residents.<sup>37</sup> The 'affordable rent' element of the housing provided in the LCS is defined, in line with the London Plan (2011), as requiring a rent control of 'no more than 80 per cent of the local market rent' (ODA PDT, 2012: 250). The surrounding boroughs, notably Tower Hamlets and Newham, were concerned that this rental rate would be too high, with LB Tower Hamlets preferring a 50-60 per cent range so that rents would be in line with household income levels and therefore 'truly affordable to [...] residents in Tower Hamlets' (LB Tower Hamlets, 2011: 7). The ODA PDT, nevertheless, were satisfied with target rent levels proposed by the OPLC, although they did state that discussions will continue with the boroughs in order to seek 'agreement to the income levels against which affordability criteria can initially be established for affordable rented homes' (ODA PDT, 2012: 256). Subsequently, an update report from the ODA PDT was provided at the LCS committee meeting, if only to state the rent levels for the affordable rented units will be 'determined and agreed with the Local Planning Authority as part of the [...] viability review process for each PDZ, having regard to relevant planning policy' (ODA PDT, 2012b: 26). This therefore leaves some uncertainty over the levels of rent that shall be applied to the affordable rented housing proposition. The S106 agreement attached to the approved LCS planning application does provide the commitment that rent levels will not exceed the lowest of either the agreed percentage resulting from the viability review of each PDZ or 80 per cent of market rates (ODA, LLDC, and TFL, 2012: 60), but there is no enforceable guarantee that any viability review would actually result in a lower rent level than the 80 per cent figure. It is therefore of concern that affordable rent levels may be set at 80 per cent which could be considered unaffordable for many residents facing acute social need from the surrounding boroughs (see ELP, 2012; Wiles, 2014).

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<sup>37</sup> Concerns over how affordable the 'affordable rent' housing model is are not confined to the LCS development, with commentators arguing, amongst other things, that it is too expensive for those on low-incomes and that it has caused an increase in the UK government's housing benefit expenditure (see Easton, 2013; Heywood, 2013; Hill, 2013).

## **6.2 Reflections on the LCS's housing outcomes and planning decision-making process**

The following discussion will explore a range of information gathered from LCS related documentation and research interviews in order to understand and analyse how various actors engaged in the planning decision-making process rationalised and reflected upon the housing outcomes, both those approved and the ones that they desired, as well as the associated process by which such planning decisions were made.

### **6.2.1 Setting a 'viable' housing agenda**

The ODA PDT's assessment report for the LCS application explains how the OPLC's 'financial obligations to repay the public investment in the Olympic Park' (ODA PDT, 2012a: 435) was a key consideration in the viability assessment process. This repayment demand from the Treasury was therefore a primary concern for the OPLC when devising the nature of the development within the LCS application and thus the aforementioned affordable housing provision. Significantly for the planning decision-making process, this Treasury demand was also accepted as a constraint by the ODA PDT planning officers that they must acknowledge when assessing the merits of the development. *Resp2*, a senior planning officer in the ODA PDT, indeed openly accepted this, stating that the housing "needed to deliver a return in accordance with the agreed benchmark values for each of the sites". This agenda formed a consensual basis from which the ODA PDT and the OPLC could negotiate the type and amount of development so to "work through the real value of the scheme, [and] what it could afford to pay [...] in terms of affordable housing and social infrastructure". Whilst viability is a formal material consideration in the assessment of a planning application, personal experience affords me recognition of the unusually supportive and collaborative approach taken to cultivate the approval of the LCS application under viability constraints specified by the applicant, rather than a planning authority's customary role of assessing the merits of a development against the requirements of planning policy. As discussed later, this reflects a continuation of the emphasis placed on delivery that was applied during the planning process for the Games-related developments.

The financial constraint provided by the Treasury is perhaps more problematic given the lack of transparency in the evidence used to rationalise viability claims, with even more restrictive access for the planning authority than under standard commercially sensitive viability discussions (see 3.2.2 and 10.3.1). *Resp2*, reflecting on negotiations with OPLC, declared that whilst the standard viability appraisal was available, he "only had access

to a certain amount of stuff” and could therefore “never see the terms of the agreement between the Mayor [OPLC] and the Treasury [...] cos that was confidential”. Therefore, whilst a routine assessment would involve scrutinising a developer’s base claims, such as “why did you pay that much [for the land]?”, the ODA PDT officers did not have full knowledge of the OPLC’s financial arrangement with the Treasury and therefore had to accept and “manage” it. This undoubtedly weakened their negotiation position and constrained their demands of the applicant for particular development outcomes, most notably the affordable housing provision. This ‘secretive’ approach is also surprising given that this is a public led development concerning development on public land.

What is most remarkable is the sense of subordination and disempowerment amongst the ODA PDT who passively reflect in the assessment report for the LCS application that ‘the “normal” approach to viability appraisal is not one which can, or indeed probably should, be pursued given the position with respect to the settlement of the outstanding debt to Government’ (ODA PDT, 2012a: 438). The OPLC’s call for them to yield to Treasury demands when regarding the affordability provision and S106 obligations (*Ibid.*: 437) is therefore something that the ODA PDT and their ‘respective advisors’ (*Ibid.*: 438) acknowledge, even though they appear hesitant and bound when stating that they ‘probably should’ forego the ‘normal’ viability assessment in the planning decision-making process.

If the ODA PDT lacked knowledge of the financial constraints provided by the Treasury, then the opportunity for local boroughs to contend such matters was even more limited. However, this was not of concern to some local borough planning officers, with *Resp21* from the LB Newham appearing unperturbed with viability claims, stating that it was “not appropriate for me to comment as we haven’t reviewed the financial appraisal for Chobham Manor [PDZ6]”.<sup>38</sup> Another LB Newham planning officer, *Resp20* elaborated on this ostensible ambivalence by explaining that Newham “aren’t so bothered about affordable housing because they have a different vision for the area”. This vision is one that seeks to attract more affluent residents, with *Resp22* stating that there is “no middle class in Newham [and] that the acute nature of some of the problems here are related to [...] demographic[s]”. So for LB Newham, any gentrification resulting from the LCS was considered desirable rather than an unwanted regeneration outcome. It is not the place to examine and critique this objective here, but what the LB Newham officers’ views demonstrate is how the unchallenged supremacy of certain technical knowledge (i.e.

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<sup>38</sup> Chobham Manor [PDZ6] is the first, and at present only, PDZ from the LCS to have come forward as a ZMP for development under detailed planning approval.

viability) claims can actually be a reflection of political objectives that are not formally declared within the formal decision-making process (that being, Newham's desire to attract more affluent residents).

Notwithstanding the accepted viability constraint set by the applicant (under the authority of the Treasury) that provided a frame from which all development decisions were made, there were areas of contention within the planning decision-making process that were subject to negotiation around the particularities of the development. With regard to the proposed housing land use on the site, these particularities were expressed in two main issues of discussion: the minimum amount of affordable housing provision that was to be delivered and, with relevance to this, the size of the housing development parcel for PDZ5 (discussed later in this chapter).

With regard to the minimum provision of affordable housing across the LCS development, *Resp1*, a senior ODA PDT planner, did by her own account demonstrate agency in ensuring a minimum percentage was secured in the S106 agreement despite the issue that the "Legacy Corporation [OPLC] didn't want a minimum, Treasury didn't, DCLG didn't". This dispute was the one occasion where reference was made to central government pressure, perhaps reflecting the fact that *Resp1* wanted to demonstrate the level of institutional communication and influence that she possessed. Nevertheless, it was not possible to ascertain how *Resp1* managed to secure the minimum affordable provision other than through a 'professional' duty to ensure compliance with planning policy, even if this compliance failed to completely deliver the percentages recommended by policy (see Appendix 9). Nevertheless, as there had been examples of full departures from planning policy that were accepted through the assessment process, it may be that she decided, under pressure from other stakeholders, that a minimum affordable housing requirement was a commitment that she would maintain resilience in pursuing. Indeed, *Resp1* stated that she "just dug [her] heels in and was a cow and said 'I want to have minimum', [even though she was] pilloried by [...] Tower Hamlets in particular [who stated] 'it's not good enough'".

Indeed, in contrast to the aforementioned ambivalence of LB Newham resulting from their aspiration to attract more affluent residents, the LB Tower Hamlets were quite vocal in expressing their displeasure with the level of affordable housing provided on PDZ4 within their boundary. *Resp13* commented, with political affectation, that "in terms of planning legacy, my concern has always been about trying to gain as much social and affordable housing for the borough of Tower Hamlets". On this basis, *Resp13* spoke in objection at the ODA's PC for the assessment of the LCS, stating that "[f]or a public body

that has been set up explicitly to deliver regeneration in east London, to suggest a lower than policy compliant would be, frankly, shocking”. This was followed by an expression of frustration at the minimum 20 per cent affordable level established in the S106 agreement being lower than what the LCS application proposed, suggesting that this would encourage any developer to deliver only the minimum rather than the amount that was actually viable – “you should always start right from the top, and then work your way down”.<sup>39</sup>

This position was supported by both planning and regeneration officers within LB Tower Hamlets.<sup>40</sup> *Resp12*, a senior planning officer, reinforced the view that the ODA PDT officers were not as robust in their negotiation and assessment of affordable provision, stating that they “were always talking about the lowest denominator [...] in terms of the overall percentage”. The leniency afforded the OPLC as a result of viability framing development decisions was also criticised by *Resp11*, a senior regeneration officer, who highlighted how the S106 agreement was arranged so that if the development approved became less viable at the time each of the specific ZMP applications are submitted (as explained in 6.1.2) then the amount of affordable housing can be reduced. Conversely, if the market improved, there is no legal requirement to ensure the amount of affordable provision is increased to reflect this. This is a significant observation because it shows the rationality of the viability agenda as enacted when maximising the Treasury’s financial return but compromised when rising market values would enable greater social obligations. Furthermore, it demonstrates that stakeholders were aware of this deliberate strategy but were unable to successfully challenge it despite raising it as an issue. As *Resp11* states, “to no-one’s surprise, they [the ODA PDT and the OPLC] didn’t pick up on that”.

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<sup>39</sup> However, *Resp13* was appointed onto the planning committee of the succeeding development agency to the ODA, the LLDC. In order to uphold research integrity in explaining the position taken by the engaged stakeholders in the LCS planning decision making process, it is important to report that when a later application that reduced the affordable housing provision approved in the LCS for the Tower Hamlets area of PDZ4 (application 14/00035/AOD as detailed in 6.1.2) was submitted to the LLDC, *Resp13* provided apologies for her absence from the committee meeting and also failed to offer any written representatives to the application to defend her previously strongly held position of the insufficient level of affordable housing provision. Whilst it is not possible to verify the true motives for this, it would seem to provide an example of *Resp11*’s (as well as Hackney’s *Resp19*’s) claim that there was a degree of political reticence with regard to shaping the planning outcomes of the LCS development by LB Tower Hamlets. It may also reflect how the position of ‘decision maker’ results in a more ‘pragmatic’ political position.

<sup>40</sup> Both of which endeavoured to make Tower Hamlets’ politicians conscious of the planning policy relevance that the LCS planning application had for the borough (to which they expressed limited success) as well as briefing *Resp13* before our arranged research interview of the borough’s planning policy position.

Finally, with regard to the 35 per cent target level of affordable housing provision across the application site, there is an important declaration in the ODA PDT's LCS assessment report that was left unchallenged at the LCS committee meeting. The ODA PDT officers provided an explanation of the OPLC's repayment obligation to the Treasury as being 'significantly higher than the Applicant's [OPLC's] proposed target benchmark net cash flow from the development' (ODA PDT, 2012a: 436). Yet this target benchmark figure has been calculated on the basis 'of a scheme at 35 per cent affordable housing with the social infrastructure and financial contributions in the S106 offer' (*Ibid.*: 436). This effectively is a statement to say that the target affordable housing figure and S106 contributions are untenable. So the question arises: why did the ODA PDT officers recommend the approval of the LCS application based upon calculations that demonstrate the implausible delivery of the agreed S106 and affordable housing obligations? This issue will need to be addressed at a later date, which certainly both the ODA PDT and OPLC are aware of, and will result in a more candid representation of what the LCS will deliver (this has in fact occurred, in part, through the submission of the AOD and VAR applications detailed in 6.1.2 and 8.1.5 respectively). But the ODA PDT's account in the LCS assessment report of the predicament faced by the OPLC is a curious explanation of their capitulation. It weakens the challenge of anybody questioning the merits of what the LCS is delivering by 'setting the context' of the primary constraint under which the LCS should be assessed, whilst the unattainable, by their own explanation, 35 per cent affordable provision is promoted elsewhere as being a target that enables the LCS to meet London-wide planning policy (*Ibid.*: 261). This effectively means that the planning authority is defending the unreserved parameters set out by the applicant and the implicit inadequate planning outcomes with regard to local planning policy (see Appendix 9 for local planning policies). This, in turn, also demonstrates the importance given to not hindering the *delivery* of a post-Games 'Legacy' development through the imposition of 'unrealistic' constraints to the viability of proposals.

### **6.2.2 Being 'realistic' and 'pragmatic'**

One of the pervading issues that provided a context for the LCS's planning process was the 'pragmatic' approach to development decisions. The ODA PDT rationalised their support for the dominance of housing within the LCS application on the basis that there had to be an "element of realism" to ensure that there was "a viable amount of development on the site" (*Resp3*). *Resp2* was supportive of the LCS housing focus, highlighting the importance of viability across the scheme with housing being "where the value is". This was supported further by *Resp2*'s approach to rationalising at the broader scale, with him asserting that the amount of proposed housing was acceptable given

“London’s housing crisis”. It is of note that *Resp17* contradicted this, and much of the broader narrative expressed by actors as examined in Section 5.3.3, by highlighting the immediate LCS context and reasoning that the LB Hackney had provided more housing than required under its London Plan targets.

Within this ‘pragmatic’ context, there was an emphasis on the general lack of development occurring that achieved the affordable housing levels required by the surrounding boroughs’ planning policies. With regard to the 35-50 per cent affordable housing range requested within local borough policies, *Resp3* stated that he was “not aware of any scheme that achieved those levels of affordable housing in this immediate part of the world”. Further still, the adoption of the OPLC’s viability rationalisation for the proposed LCS housing by the ODA PDT was quite apparent in that they did not wish to pursue absolute policy compliance through the negotiation and assessment of the development and, furthermore, the requests by local boroughs for an increase in social infrastructure was solely a result of them “not [being] the planning authority [and therefore] not responsible for delivering [the development]” (*Resp3*). Hence, for *Resp3*, some of the boroughs infrastructure requests represented an “unrealistic view”. Indeed, if there was an increased demand on the LCS development, the ODA PDT argued that this would have jeopardised the delivery of the social infrastructure that had already been proposed to help meet the aspirations of the ‘convergence’ agenda and host boroughs. Thus, ‘for the good of the scheme’, it was important that the viability consideration was a prevailing determinant. As *Resp3* remarked, “looking at that scheme viability front, if you want to achieve those things, then I think the view of the applicants, [which] we ended up conceding, was that [...] you needed [...] to make the viability work [and] get a scheme that, in general, would be acceptable”. However, there is a degree of inconsistency in his rationalisation given that, whilst promoting viability as a primary consideration when hoping to deliver wider social infrastructure, *Resp3* then actually states that “you can’t really do more than ask a scheme to [...] ‘wash its own face’”. Indeed, S106 agreements, as utilised in the LCS application, can only be used for the delivery of social infrastructure that solely meets the need created by the development (ODPM, 2005).<sup>41</sup> The ability of the planning system to deliver ‘convergence’ and local

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<sup>41</sup> A planning obligation must be: (i) relevant to planning; (ii) necessary to make the proposed development acceptable in planning terms; (iii) directly related to the proposed development; (iv) fairly and reasonably related in scale and kind to the proposed development; and (v) reasonable in all other respects (ODPM, 2005: 10).

borough aspirations is therefore limited and relies on the 'goodwill' of the applicant. This is obviously problematic when the applicant is trying to maximise land values.

The 'realistic' approach to assessing the LCS development, and the associated acceptance of the dominant residential land use, was however interestingly accepted by some local borough officers, particularly those in LB Newham. The OPLC's desire to raise as much land value so to repay the Government investment in the Olympic Park became unchallengeable, for some, even if the resulting proposals were contrary to local planning policy. As *Resp20* stated, "it's about being pragmatic [...], it was always a housing development, it was never anything else [...] and [the] fundamental principle [was] about payback". To have not accepted the primacy of 'payback' as the sacrosanct determinant would have been to "say it's refusable". However, *Resp20* did not consider this a possibility because she "understood from the outset, as maybe other boroughs would, that it was gonna be granted planning permission [...] so we weren't in a position of saying 'you must refuse this' 'cos that would have been a stupid negotiating position". *Resp22* agreed with this, stating that "it's far better, far more pragmatic [...] to work for it [the OPLC's proposals] and influence it than not". But, as noted earlier, a less antagonistic approach by some officers at the LB Newham may be the result of the political desire to attract wealthier residents to the borough and thus not see an increase in affordable housing provision.

The consistent reference to the need to be realistic by planning officers at the ODA PDT and OPLC, as well as by some within the boroughs, does seem to reflect a 'post-political' management principle that, according to Raco (2015), focuses on 'the implementation of delivery-focused governance arrangements' (Raco, 2015: 125). We shall return to the issue of 'post-political' decision making later in Section 10.4.1.

### **6.2.3 Negotiating a housing development parcel whilst negating the plan**

The affordable housing outcomes and the continued evolution of the development parcel within PDZ5 were explored in Section 6.1.2. However, the negotiation of this element of the LCS provides an important insight into how varying rationalities are advanced by different actors to challenge the proposed development agenda as well as provide additional reasoning for the approval of the application despite what appears to be the omnipresent issue of viability and its dominating influence in shaping the LCS proposals. The following discussion also highlights the role of governance scale when rationalising the merits of development (see also the 'backdrop narrative' discussion of scale in 5.3.3), as well as how formal decision making at a planning committee can be conducted so to cultivate an approved application.



Firstly, it is necessary to examine the contentious issue of the proposed residential use in PDZ5 so to understand the process by which this development agenda was set. As with the general residential offer and affordable housing levels across the site, the key determinant in shaping PDZ5 appears to have been the drive to maximise land values and thus Treasury repayments. Having been keen to establish both employment uses and open space within this area of the Park, the LB Hackney's *Resp19* noted that "the essential tension [is that] the parkland and employment don't get [the OPLC] as much money back as residential, so they were always gonna push for more". According to a GLA planner (*Resp25*), even the IBC, immediately to the west of PDZ5, was to be replaced with housing in the early planning discussions for the LCS. This was on the basis that any employment use would be "lowering the value of the land". So right from the initial discussions around the nature of PDZ5 area there was a desire by the OPLC to treat the site as a 'blank slate' (see 5.3.1) and thus maximise residential development at the expense of other land uses regardless of any planning policy designations. This is despite, according to *Resp17*, a number of promises that were made prior to the Olympic bid that the area would have "a substantial new park and employment opportunities adjacent to the Hackney Wick".

It is from this context that one must view the rationalisation behind the proposals for PDZ5. The proposed housing for PDZ5 was, as required, advertised as a formal departure from planning policy as the parcel sits on both MOL and SIL. Furthermore, the open space designation was maintained in the application approved in 2004 (see Appendix 12), and was also largely protected in the 2007 approval (see Figure 8 in 8.1.4). The ODA PDT's assessment report for the LCS accepted, however, the OPLC's rationalisation for PDZ5's housing parcel on "design grounds" and the creation of a "critical mass of development" (ODA PDT, 2012a: 422). This is corroborated by *Resp3* who appears to view the LCS as not being compelled to abide by the constraints resulting from the planning history and policy for the site by stating that "there'd always been a tacit understanding that you [would] probably put housing [in PDZ5]" because that is "probably the best thing to put along the park frontage". *Resp3* goes on to further state that he recognises that the LB Hackney were "corporately [...] reasonably comfortable with that" even though there was an objection by the LB Hackney's PC, chaired by *Resp17*, and thus the significant amount of housing being created represented "a compromise that was a worthwhile one to make".<sup>42</sup> However, given that the two

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<sup>42</sup> Hackney's *Resp19* agreed with *Resp3*'s account of the borough's internal disagreement, stating that "things went on at a higher level than us, [and] deals were done about [...] how much the housing crept out into the parkland". He goes further to state that "[*Resp17*] and I subsequently

applications in 2004 and 2007 respectively didn't maintain a housing footprint along the full coverage of the area covered by PDZ5, and notably there was no design reasoning advanced in these applications for any such development, there is some reservation over whether the 'design grounds', relating to the creation of a park frontage, were a determining factor in the location of the proposed housing or instead provided a convenient 'post-rationalisation' of the proposal so not to expose the sole determining factor as the political objective of maximising land values. *Resp15*, a LB Hackney planning officer, did provide some support for this view, stating that "sometimes the way these schemes happen, [the applicants] look at the volume of build development and then [...] come up with a design rationale for it, when they know that's what they've been wanting all along, x amount of residential units and x amount of floor space". Nevertheless, any understanding of this is limited given the reliance on being able to access an individual's thought processes or discussions that occurred behind 'closed doors'. There is also the distinct possibility that the OPLC's political objective of promoting a residential land use coincided independently of the architectural viewpoint that emerged during the LCS planning process regarding the appropriateness of a residential frontage. What is clear is that the housing did not have any support from planning policy or in planning history but was still approved on the grounds advanced by the OPLC.

#### **6.2.4 Scale and bias**

This matter, nonetheless, highlights the issue of scale in the rationalisation process. The Treasury's political desire to maximise their financial return was not only rationalised at the broader central government level but also indirectly through a local scale consideration of achieving a 'critical' mass of development and securing a successful design. However, *Resp17* also provided a local scale rationalisation at the ODA's PC by suggesting that there was no borough specific reasoning for further residential use, stating that LB Hackney "delivers on its housing targets [...] [and that he had] been criticised because Hackney is four years ahead of its London Plan housing target". *Resp2* conversely rationalised this local delivery issue at a broader regional spatial scale by stating that "we're not delivering enough houses for Londoner's anyway". Highlighting these differing geographical and governance based reasons is not to demonstrate any illegitimacy in the different rationalisations. Rather it is to evidence how the objectives of central government can override local considerations, whilst certain local considerations

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kind of got our knuckles rapped" by Hackney officers who were aware that [*Resp18*] and Mayor Jules Pipe had agreed the principle of housing development in PDZ5.

can simultaneously be advanced and gain traction in the planning decision-making process where they support such objectives. This is further demonstrated by the approved *Variation of Condition* application (see 8.1.5) that resulted in the reinstatement of the original footprint of PDZ5 through the vocal support of the architect, Piers Gough, during the LLDC's PC meeting for the application (see LLDC PPDT, 2014b).<sup>43</sup>

### **6.2.5 'Managing' the committee process for the approval of the LCS application**

Finally, with regard to the residential development in PDZ5, the unusual nature of its assessment at the ODA's PC requires scrutiny. Having listened to the objection of *Resp17* to the proposed housing on the basis of planning policy and the pre-bid promise to provide open space, the committee discussed the issue of PDZ5's footprint size and the appropriateness of housing on designated open space. The response during the ODA PC meeting from the ODA PDT to *Resp17*'s objection referred back to the departure from planning policy in order to justify the PDZ5's proposals.<sup>44</sup> *Resp1* focused on what was the loss of potential employment floorspace as attributed under the SIL policy designation, highlighting that the employment floorspace created by the IBC was commensurate to that which was approved in the 2004 application for the Hackney Wick area and the LCS application area "in the round". The LCS development, according to *Resp11*, should therefore not be unacceptable because of the policy departure but rather should be assessed "as a balance [as] we were still achieving a very significant amount of employment floorspace within that area as we expected, when you look at it as a whole".<sup>45</sup>

However, *Resp1*'s rationalisation was not disputed by the ODA PC members, although a discussion did ensue regarding whether the proposals represented a policy departure (see 7.2.3), but rather the members' examination set out to 'manage' the proposal so to

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<sup>43</sup> Who perhaps pre-empted criticisms regarding maximising land values by stating that the reinstatement of the original footprint without the 15m set back was "honestly done in the best interests of housing". He did not explain, however, how he was able to come to such a conclusion other than by stating that the imposed 15m set back had been "detrimental [to] a well-planned housing scheme" (LLDC PPDT, 2014b: 7).

<sup>44</sup> *Resp1* of the ODA PDT was described as "spitting feathers" by *Resp17* upon realising that he was at the ODA PC to object to the LCS application. This, according to *Resp17*, was due to the political pressure felt by the ODA PDT to ensure an approval had been secured at the PC before the Olympics had started.

<sup>45</sup> The reference to 'we' is interesting here as it implies that the LCS proposals have been shaped by both the OPLC and the ODA PDT. This collaborative approach is different to the customary planning process whereby the applicant proposes the development and the planning authority is responsible for assessing the development as proposed.

respond to some of the issues that had been raised by *Resp17*. *Resp6* was most vocal of the ODA PC members in addressing the issues raised regarding PDZ5, stating that “the park needs to get bigger and the housing needs to have a smaller footprint”. *Resp8* agreed with this, stating a condition attached to any approval would mean “that this piece of land will not be built on”. It should be noted that *Resp8* was, and *Resp6* had been, a LB Hackney councillor and thus this may explain their support for *Resp17*’s objection. When I mentioned this to *Resp6*, he stated that it was because he knew the area that he believed his stance on this matter was important. It is not possible to determine if this provided a full explanation, but it is not entirely implausible that these two ODA PC members offered their support on the basis that they represented the same political party as *Resp17*.

Upon hearing unease over the size of PDZ5’s footprint, *Resp1* recommended that a short adjournment be taken so to “look at the parameters” of the development proposed and how they may be affected. These parameters refer, as *Resp2* stated, to the general envelope of the potential building including minimum/maximum building heights, to which *Resp1* added that any changes would “have a bearing [on the] viability review of this zone”. This logically refers to the fact that a change in building height would be as a result of trying to accommodate additional residential units to replace those that might be lost from a reduction in the footprint. *Resp8* responded by acknowledging that a change in the footprint would have an “affect [on] viability studies in the future” but that this was an acceptable consequence as “to lose this land now would be to lose it forever”.

In quite a unique occurrence, the call for an adjournment was subsequently agreed by the PC chair, and thus the ODA PDT left the meeting room to discuss the implications of a reduced footprint with the OPLC. Having been part of many planning committees during my time as a planning officer, I have never known any sort of adjournment to be agreed. All applications are to be judged on their merits at the committee and if any changes of this nature are requested then this would warrant the deferral of an application to be discussed at a committee meeting at a later date. The agreed adjournment therefore reveals the proactive approach to delivery taken by the ODA PDT and PC by ensuring the determination of the LCS application before the staging of the Games. The ODA PC’s *Planning Code of Practice* does state that the ODA PDT officers must ‘behave in a way that maintains impartiality’ and that ‘decision-making powers [must be used] fairly and consistently’ (ODA, 2006: 11). The ODA PC should also ‘not only be impartial but they should be seen to be impartial’ (*Ibid.*: 12). Allowing a mid-committee adjournment to occur so to negotiate and revise a different proposal to meet the concerns of the PC, albeit secured through condition, is so extraordinary that one

could fairly conclude that the ODA PC members and the ODA PDT did not act, or be seen to act, impartially but rather granted a special privilege to the applicant that would not normally be acceptable under normal planning committee etiquette. As *Resp12* commented, there “ought to have been some policing of that actually with the lawyers”.

When the ODA PC resumed, *Resp1* reported that ODA PDT officers had discussed and agreed an alteration to the PDZ5 footprint with the OPLC that could be secured via condition. *Resp1* then requested that “if we are minded to agree the application, that you delegate to me to discuss a set-back”. However, there was no statement from the ODA PC members before the adjournment regarding the reduction of the footprint that would be required to make it acceptable and, furthermore, *Resp1* did not state the level of set-back that was discussed with the OPLC during the adjournment. It would therefore seem strange to delegate the decision to the ODA PDT given that they did not have a problem with the PDZ5 development in the first instance and given that a condition placed upon the application at *Resp1*’s discretion would not require the application to be agreed at the ODA PC at a later date. In fact, the next time the planning authority for the area, by then the LLDC, visited this element of the LCS development it was to assess the applicant’s request to remove the condition necessitating a set-back so to return the footprint to that which was originally proposed. Importantly, neither *Resp6* nor *Resp8* was part of the LLDC’s PC and thus the main opposition to this element of the PDZ5 development was not present to provide continuity to the rationalisation process and thus reassert their concerns. This is a common problem faced by planners, especially in the transient planning offices of London boroughs, whereby organisational change and the associated temporal dimension to accountability within the planning decision-making process can often lead to a loss of contextual understanding when reassessing the often nuanced rationalisations of previous planning decisions.<sup>46</sup> This phenomenon assists in the process of ‘planning creep’, as discussed later in Section 10.4.2, which makes it difficult for the planning system to resist incremental changes to development.

A number of interesting responses were provided when I discussed the PDZ5 debate at the ODA PC with interviewees. When questioned about how satisfied he was with manner in which the PDZ5 set-back was agreed, *Resp2* tellingly responded with “what answer do you want?”, thus highlighting that he was personally uncomfortable with the manner in which an adjournment was needed to ensure the development was approved on the day whilst ‘professionally’ maintaining that it was appropriate. With regard to the

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<sup>46</sup> As validated by *Resp12* who casually remarked that “people just move on, organisations change”.

latter, *Resp2* was keen to add that the ODA PDT had to ensure that changing the proposal during the ODA PC meeting was indeed “legally robust, that you could make those sort of changes”. But he confirmed that with “most other schemes you’d probably want to say ‘look, [...] if you want that change [then] lets go away and negotiate what the implications are’”. He further acknowledged that under “normal circumstances” this would not have been done but “the enormity of the application is such that this is one issue which they felt [had to be immediately resolved] [...] and obviously legally could be done”. This emphasis on the legality of the approach taken provides a legitimisation for what, as *Resp17* noted, was a politically motivated decision to ensure a planning approval for the post-Games ‘Legacy’ development was in place prior to the start of the Olympics.

Of pertinence to the manner in which the ODA PDT negotiated the smaller footprint during the adjournment, *Resp17* was annoyed with the emphasis on delivering housing that was ‘viable’, stating that the financial constraints set by the applicant “are not [...] justification for departing from policy”. *Resp1*, however, accepted these financial constraints by highlighting the impact that a change in PDZ5’s footprint would have on the OPLC’s viability management and thus “the amount of affordable housing”. This, according to *Resp17*, should not have been a material consideration, leading him to actually contend that “we should have judicially reviewed the whole process”. However, the fact that other influential LB Hackney politicians of the same political party, the Mayor and *Resp18*, were supportive of the development suggests that it would have been difficult for *Resp17* to have persuaded the LB Hackney to challenge the planning process for the LCS.

*Resp6* did accept the adjournment during the meeting without any stated objection. However, on reflection, he was clear that the evolution of the land on which PDZ5 sits, from open space to housing, was unacceptable and that the “wedge of housing [was] too big”. Indeed, he was quite forthright in stating that “we should have kicked the whole thing out on that basis, but of course, again, it was political”. This viewpoint, however, would appear to demonstrate a personal negation of agency when in reality each committee member could enact their right to independently vote on the acceptability of the application. It would appear his lack of resistance was as a result of feeling a degree of political pressure, and he indeed stated that he felt “a bit afraid of voting against it for some reason at the time” (the lack of resistance to the LCS development in the planning decision-making process is discussed further in 10.4.1). Whilst *Resp6* did not explicitly state why he abstained rather than vote against the LCS approval, he did comment on “the terrible political expectation [...] to justify the spending of £9 billion”, and this certainly reflects the acute political pressure applied during the negotiation of the LCS

development, including the reduced footprint in PDZ5. Also, *Resp6* was surprisingly candid in divulging that during the adjournment the ODA PC members were “showed a [viability] report”, which does seem to evidence a direct pressure to influence them so to ensure that they did not apply too restrictive a demand on PDZ5 and therefore the OPLC’s ability to manage the government ‘payback’. This would again seem to contravene the ODA’s ‘impartiality’ principle established in their code of practice. It also highlights an issue with the lack of transparency over how viability discussions shape development outcomes, made even worse by the fact that, as *Resp6* rightly highlights, this is “public money and public property [...] so it’s not like a developer doesn’t want the rival developer stealing their thunder”. The common rationale of providing commercial confidentiality becomes more complex when the state is the acting developer, raising real concerns over democratic processes. This issue, and the issue of ‘closed-door’ decision making will be returned to in Sections 10.3.1 and 10.1.3 respectively.

The development proposed in PDZ5 therefore resulted from intense political pressure and a complex interplay of the differing rationalisations expressed by those actors engaged in the planning decision-making process. Whilst the assessment process was often troublesome for those actors who held reservations about the proposals, there was nevertheless an overriding collaborative effort to ensure that this element was not prejudicial to the overall approval of the LCS application. This resulted in an effort to seemingly address the concerns raised by an objector, *Resp17*, by suggesting only a minor revision to the footprint instead of exploring the more fundamental issue of the merits of the proposed location and type of land use.

## Chapter 7. The LCS employment proposals

As with the preceding chapter, the following discussion will first establish and examine the planning outcomes that were included within the LCS application and subsequently approved at the ODA PC meeting. For the analysis of employment outcomes in this chapter, the following information is thus conveyed: the amount of employment floorspace proposed; the loss of the prior industrial uses on the LCS site; and, the negation of regional and local planning policy on employment land.

The second half of the chapter explores and analyses the rationalisations of actors engaged in the planning decision-making process with regard to their support and/or opposition to the LCS employment outcomes. With regard to the analysis of employment provision provided in this chapter, the main findings are:

- The 'blank slate' regeneration narrative, as examined in Section 5.3.1, was maintained by a number of actors interviewed, but the LCS proposals were also rationalised through claims that the SMEs that resided on the pre-Olympic site were 'non-conforming' and unworthy of preservation. There was, however, some dissent which considered the LCS development as replacing local people and businesses, therefore raising doubts over the ability to achieve 'convergence'.
- There was a lack of any defence of planning policy, and thus industrial employment uses, by the ODA PDT and PC in their assessment of the LCS. With regard to the PDZ5 development parcel located within the LB Hackney, the ODA PDT were satisfied that the 'corporate' view of the LB Hackney agreed that a different employment vision could be adopted that did not meet the 'Industrial Land' planning designation.
- The ODA PDT rationalised the employment proposals at the wider cross-borough scale rather than in relation to the application site in order to support the proposals in PDZ5 of the LCS (which were said to depart from planning policy). However, one ODA PC member did highlight that there was an incoherence to the assessment given how the 'picking and mixing' of scale was used to suitably rationalise whether a particular element of the application was a departure from planning policy. Indeed, the SIL designation for the site was constituted under regional planning policy, the London Plan, thus providing a contradiction in the OPLC's and ODA PDT's rationalisation that



the broader geographical context was the basis for shaping and assessing this element of the LCS development.

- Nevertheless, discussion around the employment proposals during the ODA PC centred on the departure of planning policy, rather than the substance of the proposals, and therefore led to an undue focus on the 'technical' aspects of the application to demonstrate due process rather than also fully engaging with the merits of the proposals and the supporting knowledge claims.

To begin to understand the LCS employment proposals, we shall now turn to detailing the relevant outcomes approved.

## **7.1 The LCS's employment outcomes**

The LCS development proposes a maximum of 121,683m<sup>2</sup> of potential employment generating floorspace. Included in this figure is 30,339m<sup>2</sup> of 'Office' floorspace (Use Class B1a) and 15,770m<sup>2</sup> of floorspace in 'Research, Development and Light Industrial' use (Use Class B1b and B1c).<sup>47</sup> The other main employment drivers included in the maximum figure are the 'retail and food/drink' uses (Use Classes A1 to A5) which together constitute 25,987m<sup>2</sup> of floorspace. The LCS development is expected to generate approximately 4,421 direct end-use jobs up to 2031 if the total proposed maximum employment generating floorspace (121,683m<sup>2</sup>) is fully occupied (ODA PDT, 2012a: 406).

### **7.1.1 Local employment and the loss of B2/B8 (industrial) uses**

It is worth highlighting that no permission was sought for any 'General Industrial' or 'Storage and Distribution' uses, classified under the B2 and B8 Use Classes respectively. This is of relevance due to the predominance of such uses on the site that comprised many of the nearly 300 Small and Medium Enterprises (SMEs) that were compulsory purchased to make way for the Olympic development. The loss of local SMEs, largely ignored within the narrative of the Legacy regeneration as noted in Section 5.3.1, is of concern as it raises important questions over the purported regeneration benefits and how they would be accrued by local residents. As documented in Table 7, London's Olympic bid emphasised that the 'most enduring legacy of the Olympics [will be] the regeneration of an entire community for the direct benefit of everyone who lives there'

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<sup>47</sup> The Town and Country Planning (Use Classes) Order 1987 (as amended) arranges uses of land and buildings into various categories known as 'Use Classes'. A copy of the 'Use Class' Order can be found in Appendix 13.

(LOCOG, 2004: 19). As earlier suggested within the thesis, it is hard to grasp the nature of the planning outcomes that were envisaged by the bid, and perhaps those responsible in this process also lacked knowledge of any specific development plan. Nevertheless, as the SMEs maintained a labour force largely drawn from the local area (see Raco and Tunney, 2010), the failure to replace general industrial uses calls into question who the primary recipients of the regeneration benefits are, and whether the 'most enduring legacy' will be a positive one for existing local residents. The creation of approximately 4,421 jobs is, if accurate, a substantial figure that would numerically compensate for those lost as a result of the compulsory purchase of the SMEs. Furthermore, whilst not stated within the ODA PDT's assessment report for the LCS, a stipulation within the S106 agreement attached to the approval of the LCS application states that 'the Developer shall use Reasonable Endeavours to [ensure that] a total of between 25% and 85% of the employees in retail, commercial and leisure end-use jobs' are comprised of local residents from the Host Boroughs (ODA, LLDC, and TFL, 2012: 139). Whilst what constitutes a 'Reasonable Endeavour' is not defined and the gap in the percentage targets for local employment is considerable, this is a laudable objective. The S106 agreement does also contain a requirement for the creation of a 'Careers Programme Group' (LCSCPG) to provide 'education and training opportunities and employment advice [...] to assist Local Residents [a person whose primary residence is in the Host Boroughs] to gain employment in jobs related to the [LCS] Development' (*Ibid.*: 143). The LCSCPG is to be supported by the submission of a monitoring and review report every twelve months to the LPA to assess the 'Developers' progress in meeting the aforementioned targets for local resident employment (*Ibid.*). Whether those in need who currently reside in the local area, or indeed those consequently made unemployed as a result of the loss of the SMEs, are assisted by the LCSCPG and thus have the opportunity and skills to access the jobs created is a key consideration for assessing the 'Legacy' regeneration. This can neither be addressed at this present time or within the scope of this study.

Finally, it is worth briefly highlighting here that the only resistance from local residents to the future development agenda for the Olympic Park, and therefore the changing economic base, was at the point at which the compulsory purchases were being undertaken, although this was a mobilisation against the SMEs displacement rather than an engagement with any future development vision (see Raco and Tunney, 2010). In fact, the LCS planning application received no formal consultation responses from the local community to propose an alternative employment vision for the Olympic Park site,

highlighting, as shall be discussed in Section 10.2.1, the perceived abstract and incomprehensible nature of development projects of this size.

### **7.1.2 Negating plan-led development**

The role of development visions is also of relevance to the function of planning policy and a plan led approach to determining the planning outcomes for the proposed LCS development. The London Plan (2011) and LB Hackney Core Strategy (2010a) designates the area on and to the south of where the International Broadcast Centre (IBC) resides as being 'Strategic Industrial Land' (SIL), with the Core Strategy referencing 'Other Industrial Uses' as also immediately to the south.

**Figure 5.** Strategic Industrial Land' and 'Other Industrial Uses' designated in the Hackney Core Strategy as relevant to PDZ5 of the LCS. Source: Adapted from LB Hackney's Proposals Map (2010b)



Yet the LCS planning application proposes this area to be used predominantly for residential development which is thus classified as a departure from planning policy. The applicant in rationalising the decision for the appropriateness of residential in PDZ5, primarily responding to initial concerns raised by LB Hackney regarding the policy departure, amended the LCS development by replacing some of the ground floor residential uses with business and employment floorspace along the building line facing the Lea Navigation (ODA PDT, 2012: 401).

Furthermore, a number of business and employment initiatives, including measures to encourage 'entrepreneurial activity', were highlighted (*Ibid.*: 400). The applicant, nevertheless, was clear in stating that the LCS will act to support 'wider plans for large-scale job creation at other sites including the Royal Docks, Stratford City, Wood Wharf, Canary Wharf, Barking Reach/Riverside and Tech City, by seeking to complement and provide neighbourhoods to support those areas, rather than seeking to compete for the same types of employment uses' (OPLC, 2012a: 39). The LB Hackney planners, directed by the views of the borough's planning committee, were not convinced by this entrenched desire to prioritise housing and thus again objected to the application and this rationalisation on the basis that the proposals fundamentally failed to locally deliver 'the promise of an employment-led legacy' (LB Hackney, 2012a: 3).<sup>48</sup> However, the ODA PDT sided with the applicant's broader view that the LCS development supports a 'clear economic vision and strategy [...] which would positively and proactively encourage sustainable economic growth in accordance with [...] paragraph 21 of the NPPF' (ODA PDT, 2012a: 401), with the IBC, which notably is outside the LCS application boundary, providing a flexible amount of employment and business floorspace (*Ibid.*: 402).

The decision to prioritise residential use is, as previously discussed, one that seems to have been primarily governed by the need to repay the Treasury for its Olympic investment, with housing providing significant returns in land values. The associated accepted departure in PDZ5 from the industrial designation established in local planning policy (as well as regionally in the London Plan), alongside the deviation from the open space designation discussed later, is an important issue as it calls into the question the role of councils in providing evidence of local need and the democratic role that consultative processes provide to inform planning policy and decisions. In sum, the

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<sup>48</sup> Interestingly, the borough's consultation response took the form of a formal planning decision notice. This was perhaps a reflection of a need to be politically sensitive and thus distinguish between the formal 'planning' critical view of the LCS development and the 'corporate' view, led by the LB Hackney's Mayor and *Resp18*, which supported the proposals. It should also be noted that some planning officers at LB Hackney did privately support the proposals as well (see 7.2.2).

ability of the plan-led system to shape development visions is compromised. In this instance, it also highlights how, by rationalising development on a wider spatial scale, broader political priorities are able to usurp the planning decision-making process despite objections from key stakeholders. Yet the inversion of this logic is applied when arguing for other aspects of the development, such as the LCS's education provision, which seeks to *address the needs of the LCS application site only* and does not consider the existing shortfall in school places in the surrounding boroughs (see 9.2.1). The issue of scale in the assessment process is discussed further below.

## **7.2 Reflections on the LCS employment outcomes and planning decision-making process**

The following discussion will explore a range of information gathered from LCS related documentation and research interviews in order to understand and analyse how various actors engaged in the planning decision-making process rationalised and reflected upon the employment outcomes, both those approved and the ones that they desired, as well as the associated process by which such planning decisions were made.

### **7.2.1 'Non-conforming' industry and a desirable blank slate**

A prominent narrative that existed amongst a number of those engaged in the LCS planning decision-making process was that the site of the proposed Olympic Park was effectively a 'blank slate' (see also Section 5.3.1). This is of importance within the context of the employment uses as the LCS made no provision for 'General Industrial' uses that had previously been located on the site prior to the staging of the Olympics. There was, however, one ODA PC member, *Resp6*, who did notably recognise what employment had been replaced. *Resp6* acknowledged that "there were jobs weren't there, there were car breakers and things where self-employed people worked [who also] employed other people". As a result of the proposed post-Games development, *Resp6* therefore concluded that "it's all been corporatized in a way, the small person has lost their toehold in that place that they would have had historically". This does serve to highlight *Resp6*'s concern about how local residents will benefit from LCS development, and he indeed states that he is "a bit dubious about [convergence]" unless it results from more affluent people moving into the area.

*Resp28*, who worked as the lead planner at the private consultants, EDAW, to secure the planning permission for the Olympic Park prior to the bid, provided a counter-perspective to that expressed by *Resp6*. *Resp28* described the pre-Games site as

“where all of the non-conforming industries, the pollution [and] the environmental degradation was concentrated or allowed to progress because actually nobody lived there”. This ‘dystopian’ view, a depiction also held by others, does not solely portray the aforementioned ‘blank slate’ but instead also challenges the desirability of the previous uses in an attempt to rationalise support for the LCS proposals.

### **7.2.2 Negating the plan-led system**

The lack of reflection on the merit of the prior employment uses is further exposed by the absence of any defence by the ODA PDT and the ODA PC for the SIL designation, with the proposed housing in PDZ5, as discussed earlier, advocated instead. *Resp2* commented that, despite the predominance of housing, the LCS was “helping deliver the sort of product for employment that Hackney would want to see now, that might be different from the heaviest industrial uses that might have been characterised by a SIL designation”. Whilst it was noted by *Resp2* that this view cannot be attributed to the LB Hackney’s PC, notably chaired by *Resp17*, it was of interest that he did highlight the support of senior planning officers at Hackney. This is surprising given that proposals were “against the AAP [Area Action Plan] and the direction of travel that Hackney [planning authority] wanted Hackney Wick/East Wick to go in”. It would appear that Hackney’s aforementioned ‘corporate’ view was therefore supported by some planning officers, even though in their ‘professional’ capacities they had assisted the Hackney PC in submitting an objection to the LCS application.

*Resp2*’s reference to the emerging AAP policies is also interesting as it provides an acknowledgement by the ODA PDT of the course that the LB Hackney had formally wanted to take in providing planning protection for ‘general industrial’ uses over the coming years in the area of PDZ5. Whilst no direct causation can be ascertained from the interviews, the OPLC must surely have played a role in encouraging the ‘corporate’ view to deviate from this prospective plan. What was therefore puzzling about the OPLC’s and ODA PDT rationalisation for the departure from policy, both presented in the assessment report and at the ODA PC, was that there was no expression of any endeavour to shape the HWAAP during its consultation phase that occurred whilst the LCS was being assessed by the ODA PDT. The HWAAP was formally adopted three months after than the LCS’s determination at committee and, as *Resp17* verified, was consistent “with the previous masterplanning pre-Olympics” as well as with the GLA’s SIL designation. Thus, to uphold a plan-led system and the associated democratic principles on which it is based, it would have been reasonable to expect the OPLC and ODA PDT to have provided consultation responses to the LB Hackney’s plan-making



process to inform them, and enable the HWAAP to reflect, the emerging proposals within and around the LCS area. However, this would have required them to submit the supporting evidence used for the LCS proposals prior to the assessment of the LCS application itself. One can speculate that they were not keen to do this as it would be unlikely that the LB Hackney's Planning Authority would have been as sympathetic to submitted evidence that recommended a departure from the emerging HWAAP as the ODA PC were during the LCS assessment. Thus, the OPLC instead took the opportunity to achieve their desired outcome, to maximise land values, through the ODA planning process where they could apply political pressure, and thus gain the support of the PDT, within the context of the pressing Treasury payback demands.

### **7.2.3 The ODA PC – Negotiating scale and procedural conduct**

The ODA PDT's acceptance of the departure from policy was also discussed at the ODA PC for the LCS application. *Resp1*, as noted on Section 6.2.5, rationalised the predominance of housing in PDZ5 on the basis that there was still a significant amount of employment floorspace, when including the IBC, being provided within and around Hackney and therefore it was necessary to look at the area "as a whole". Upon hearing *Resp1*'s analysis, the Chair of the ODA PC, unusually intervened in an attempt to 'set the scene' for any possible discussion. Offering support for *Resp1*'s rationalisation by referring to the scale under which the application should be assessed, the Chair stated that

we are not a one borough planning authority, that's the whole point, is what we are is looking at the site as a whole [...] so personally, if the overall scheme has a similar amount of employment as originally proposed [and] has the requisite amount of green space that was required [...] then I think I'm at least comfortable with a departure for one borough.

This vocal backing from the ODA PC Chair demonstrated the forthright nature of her involvement in the committee discussions regarding the LCS development. *Resp6* actually highlighted the Chair's assertive character, noting how she would pressure ODA PC members "into doing something", such as taking a particular course of action or upholding a certain position. This viewpoint, however, would appear to demonstrate a personal negation of agency when in reality each committee member could indeed choose to enact their right to independently vote on the acceptability of an application. The influence of the ODA PC Chair and the often lack of resistance offered by the PC members shall be discussed further in Section 10.1.4.

*Resp7*, an ODA PC member, objected to the rationalisation presented by the ODA PDT and the Chair promoted with regard to the assessment of the PDZ5 development by



correctly highlighting its inconsistency: “I think we’re picking and mixing. I think on some points of this application we’re using borough policies and other times we’re saying that we’re looking at the development site as if it’s detached from the boroughs and so I think we have to have a bit of consistency”.<sup>49</sup> In so doing, *Resp7* argues, with regard to local borough policy, “if it [the LCS] was acceptable in the broader context, there wouldn’t be a departure”. However, the OPLC and ODA PDT do not offer any acknowledgement that this part of the site was in fact designated MOL and SIL under regional planning policy, the GLA’s London Plan. Thus, their support for assessing the merits of the development based upon a broader geographical rationalisation is contradicted as the London Plan constitutes this broader reasoning but was ignored. This omission was recognised by *Resp17* who, during the ODA PC meeting, interrupted the discussion by exclaiming that “the whole of that area [within PDZ5] was SIL, which was employment land. Strategic employment land, the GLA designated it to be”.

Following *Resp7*’s interjection regarding the inconsistency in policy implementation, the ODA PC’s meeting then pivots towards a more technical discussion on whether the proposed development constitutes a departure from local planning policy. This discussion does hold validity as the consideration given to viability has highlighted how the plan can often be subordinated. However, the ODA PC discussions around this part of the LCS should not have solely focused on whether the LCS application is rightly defined as a policy departure, but instead should have equally addressed the substance of the LCS proposals and whether they are acceptable given the justification provided within the committee report and by ODA PDT officers. The sole focus on the potential policy departure with regard to this element of the application is an important matter because it seems to highlight a characteristic of discussions at the ODA PC meeting for the LCS application that constituted ensuring that a legal and ‘professional’ approach had been upheld. Indeed, *Resp7* articulated her “area of expertise” was expressing knowledge of the policy context so to ensure that “everybody said ‘yes, we agree with that’” (even though the important London Plan designation was conveniently ignored). An explicit discussion of the policy context therefore “got sort of into the system that way”. This statement is worthy of note as it does appear indicative of a desire to demonstrate due process rather than principally engaging with the merits of the development proposals, including supportive knowledge claims, in conjunction with the agreed policy requirements.

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<sup>49</sup> Again, the constant reference to ‘we’ suggests responsibility for collaboratively shaping the LCS development when the formal responsibility of committee members is to provide an independent assessment and determination.

As noted on Section 3.1, and drawing from my experience as a planning officer, planners are aware of the need to maintain 'professional' standards by upholding the correct procedural conduct. This inhibits the opportunity of planning decisions being open for judicial review, which is particularly important for a highly visible, and therefore political, development such as the LCS. The ODA PC members were also aware of this given their close relationship with the ODA PDT officers (see 10.1.3 that discusses closed-door decision making). Thus, in line with the aforementioned post-political accounts of decision making, the LCS application discussions regarding fundamental land use matters were frequently dominated by the management of procedural matters. We shall return to this later regarding the 'slot-in and out' application procedure in Section 10.2.1.

## Chapter 8. The LCS open space proposals

Paralleling the structure of the preceding two chapters, the following discussion will first establish the planning outcomes that were included within the LCS application and subsequently approved at the ODA PC meeting. For the analysis of open space outcomes in this chapter, the following information is thus detailed: the amount of open space provision; the creation of a maximum provision; the delivery of recreational space; the tension between housing and open space delivery; 'planning creep' and the reduction of open space; and, the public/private management of open space.

The second half of the chapter explores and analyses the rationalisations of actors engaged in the planning decision-making process with regard to their support and/or opposition to the LCS open space outcomes. With regard to the analysis of open space provision provided in this chapter, the main findings are:

- The bid promise relating to the Olympic Park being the 'largest to be built in Europe for 150 years' was exaggerated and mobilised to garner support from the public for the 2012 Games and was never going to be secured through the LCS application. Instead, the LCS is to deliver less open space than approved under earlier 'Legacy' planning applications and the standards set out in planning policy. Reflecting the view of some of those interviewed from the OPLC and ODA PDT, one ODA PC member stated that this was acceptable as such planning precedents and standards result in 'arbitrary, inflexible targets'. Subsequent AOD and VAR applications have reduced the open space provision further, highlighting how the planning system is often unable to resist incremental changes, often driven by viability considerations, which can collectively alter the fundamental nature of urban development.
- The complexity of the LCS's open space provision and its evolution, alongside the large amount of supporting technical information, made it difficult for ODA PC members to interrogate the open space proposals. The technical nature of the open space drawings also made it difficult for lay people to understand what was being proposed in the LCS.
- The open space provision was influenced by a consideration for viability and therefore did not maintain the MOL designation that was required under planning policy. For the ODA PDT and PC, this departure from policy was considered acceptable. However, planners and councillors from LB Hackney were frustrated by the lack of

provision, although it was the political will of the Head of LB Hackney's PC that galvanised the borough's planners into providing a more robust objection to the proposals.

- The usability of the LCS's open space proposals was not clearly rationalised by the OPLC or the ODA PDT. Therefore, questions remain over the usability of the space given the topography of the land and that a significant amount is constituted of small 'pockets', which subsequently limits its recreational use.
- The population modelling for the LCS was contested by the boroughs as underestimating the number of people living in the proposed development. This, in turn, meant that there was insufficient provision of open space within the LCS application, which will result in more demand on existing open space outside of the site. This is therefore contrary to the objective of 'convergence'.
- Whilst the LCS does provide for additional linkages into the Olympic Park, there were concerns raised by some borough planners that the open space provision was not accessible and well integrated into the surrounding existing neighbourhoods. Whilst LB Tower Hamlets were able to secure extra bridges into the Park, the lack of political engagement from the LB Waltham Forest meant that they were not able to secure such benefits for their residents. This has also resulted in the main access way on the eastern side of the Park emerging from Westfield Shopping Centre, thus emphasising the proposed open space as a 'destination' for visitors rather than a defined local amenity.

To begin the examination of the LCS open space proposals, the relevant outcomes approved shall now be detailed.

## **8.1 The LCS's open space outcomes**

It is important to firstly establish the amount of open space proposed in the LCS application.

### **8.1.1 Open space provision**

The LCS application's *Green Infrastructure Strategy* (GIS) explains that the previous 'slot in' applications consented 14.7 hectares of open space within the LCS boundary. The LCS planning application retains only 2.5 hectares of this allotted area whilst creating 9.9 hectares elsewhere, thus giving a combined total of 12.4 hectares of open space

within the LCS application boundary. The breakdown of open space provision is provided in the below table:

**Table 10.** *Open space provision in the LCS planning application. Source: OPLC (2012b: 58)*

PPG 17 Typologies	Retained open space with LCS planning application boundary (ha)	New open space with LCS planning application boundary (ha)	Consented open space outside LCS planning application boundary (ha)	Total open space across Queen Elizabeth Olympic Park(ha)
Allotments	0.0	0.0	2.1	2.1
Amenity Green Spaces	0.0	0.0	0.3	0.3
Civic Spaces	0.6	0.9	6.0	7.4
Green Corridors	0.3	1.9	11.1	13.3
Natural and Semi-natural	0.0	2.9	27.2	30.1
Open Space in Development Parcel	0.0	3.2	0.0	22.5
Outdoor Sports Facilities	0.0	0.4	19.4	0.4
Parks and Gardens	1.6	0.7	20.4	22.7
River	0.0	0.0	13.8	13.8
<b>Total</b>	<b>2.5</b>	<b>9.9</b>	<b>100.3</b>	<b>112.7</b>

When the LCS provision is combined with the 100.3 hectares of open space with consent that falls outside of the LCS planning boundary, this results in the overall open space of the Olympic Park amounting to 112.7 hectares (ODA PDT, 2012a: 372). Thus, whilst there is a net loss of 2.3 hectares of open space against the 14.7 hectares that were previously consented, the overall provision exceeds the established 102 hectare target. As a visual aid to this reconfiguration of open space within the LCS, Figure 6 offers a spatial overview of the overall open space within the Olympic Park:



Whilst the open space provision in the LCS exceeds the target established in the OPLT planning applications, the proposed 112.7 hectares across the Olympic Park site nevertheless does not meet the amount promised in the original 'Legacy' application approved in 2004 which stated that 127 hectares would be delivered (LDA, 2004c: 37). The reduction in the total open space being provided, again as was highlighted earlier with the proposed levels of affordable housing, is rationalised through the expressed desire to increase land receipts so to meet the applicant's debt repayment requirements to the Treasury.

### **8.1.2 Maximum provision**

The Section 106 (S106) agreement attached to the approved LCS application states that the LCS development, alongside previous planning consents within the Olympic Park, must provide 'a minimum of 102ha and a maximum of 110ha of PAOS [publicly accessible open space]' (ODA, LLDC, and TFL, 2012: 149). As discussed above, however, the adjustment to provision proposed in the LCS application enables the creation of 112.7 hectares of open space. As the ODA PDT provide a detailed breakdown of how this amount is constituted in their LCS assessment report, as do the OPLC in their GIS, it is surprising to see its substitution for the lower figure of 110 hectares in the S106 agreement as this latter figure does not appear in any of the submitted documentation for the LCS application. The only reference that can be found is within concluding remarks regarding the open space provision in the ODA PDT's assessment report, whereby without any clear explanation it is asserted that the LCS will see 'the delivery of 110.1 hectares against the 102 hectares requirement' (ODA PDT, 2012a: 377). This unexpected inclusion lacks any expressed rationale for the reduction in hectares other than the statement that the development parcels in PDZ5 will encroach onto an area of open space previously consented in the OPLT applications (*Ibid.*). Thus, despite two separate assertions provided in the assessment report regarding the level of provision, it is the revised figure of 110 hectares that prevailed.

What is further puzzling is that a maximum threshold limit is seen to warrant inclusion as a S106 obligation. This is quite unique in planning terms, with the assessment report offering no rationality or knowledge claims to declare its necessity. If the proposed development platforms and land uses have received planning approval through a robust assessment and viability review, and moreover would unlikely be compromised by additional open space, then a restrictive covenant is surely superfluous? One can only speculate that both the OPLC and ODA PDT are aware of additional development coming forward that falls outside of the LCS application but within the Olympic Park area

as delineated by the OPLT planning applications. Thus, the maximum 110 hectare figure secured by the LCS's S106 enhances the viability of any future development by unburdening potential developers from having to provide further open space that would normally be required to meet the needs of their proposed development.

Such speculation is given greater credibility by a further clause within the S106 that states the LLDC (who, after the LCS application, became the LPA for the Olympic Park, as well as succeeding the OPLC in assuming responsibility for the Park's development) must provide no less than 102ha of PAOS, inclusive of the LCS open space provision, unless the 'LPA approves any planning application that reduces the quantum of PAOS within the Olympic Park that is not [the LCS's] PAOS, [which means the] LLDC shall not be required to increase the quantum of [the LCS's] PAOS to compensate for such reduction' (ODA, LLDC, and TFL, 2012: 153). Again, this second S106 clause appears to envisage the potential for further changes to reduce the overall level of open space provided across the Olympic Park to below the agreed minimum level. In other words, even though the LCS's open space needs have been assessed on the balance of other existing or already consented open space, and notwithstanding the maximum of 110 hectares in the S106 being less than originally proposed, the LCS development is under no obligation to compensate for any future loss of open space resulting from changes to the proposed Olympic Park. This may therefore result in the LCS development, and Olympic Park site, supplying an inadequate level of open space in relation to the amount of development being undertaken.

Nevertheless, whilst this analysis is based upon an inference drawn from the ODA's and OPLC's limited knowledge claims and rationalities detailed above, the success of the open space provision will also be in part the result of its 'usability'. Indeed, even the original figure of 112.7 hectares, due to the lack of any detailed reasoning presented in support of this amount, does appear somewhat detached from providing any definitive understanding of what constitutes a suitable level of provision for existing and new residents in and around the Olympic Park site. It is therefore worth discussing here a few related matters regarding the open space provision that may assist in developing such an understanding.

### **8.1.3 Delivery of recreational space**

Firstly, the delivery of 'recreational' open space must be considered. The *Fields in Trust* (FiT) standards, commonly utilised by planners for assessing whether adequate recreation space is provided by development (see FiT, 2008), requires there to be 21.56 hectares for the projected LCS population. Of this amount, 15.5 hectares should be for



playing pitches with the approximate 6 hectares remaining being general recreational open space (ODA PDT, 2012a: 376). However, the on-site provision of playing pitches within the LCS development amounts to only 2.8 of the required 15.5 hectares, a substantial under provision when assessing against the FiT's standards, and this is achieved through the use of playing fields within the proposed primary and secondary schools. As a way of addressing this deficiency, the ODA planners accepted the rationalisation presented by the applicant, the OPLC, that there is further existing and potential provision of circa 20 hectares near to the LCS site that is suitable for residents. This provision incorporates Hackney Marshes, Eton Manor, the cycling provision around the Velodrome, and the proposed athletics facilities near to the stadium that are not subject to the LCS application. As for the remaining 6 hectares for general recreational open space, this is met by the aforementioned 12.4 hectares of open space provided by the LCS development. Yet, whilst no explicit analysis is provided by the applicant regarding how the needs of LCS development are satisfied by the provision of this general open space, and thus whether there will be undue pressure on the Olympic Park considering that its open space is also a 'destination' for visitors, the ODA planners offered no resistance to the proposals.<sup>50</sup>

Instead, there is an acceptance amongst the ODA PDT that the 'significant scale of neighbouring open space, for example at Hackney Marshes and other nearby off-site provision, is [...] adequate to accommodate the residual quantum' (*Ibid.*: 377). This is despite contrary knowledge claims made by the surrounding local boroughs that the population modelling applied to the LCS development significantly underestimates the resulting number of new residents (see 9.2.2). Furthermore, the ODA planners appeared satisfied with the justification that the required playing fields provision can be supplemented by other provisions drawn from within the local area. This, conversely, may therefore have the opposite effect of what the Host Boroughs' referred to as 'convergence' as the open space demand created from the LCS actually feeds off the local area rather than provides additional capacity for existing residents surrounding the Olympic Park site.

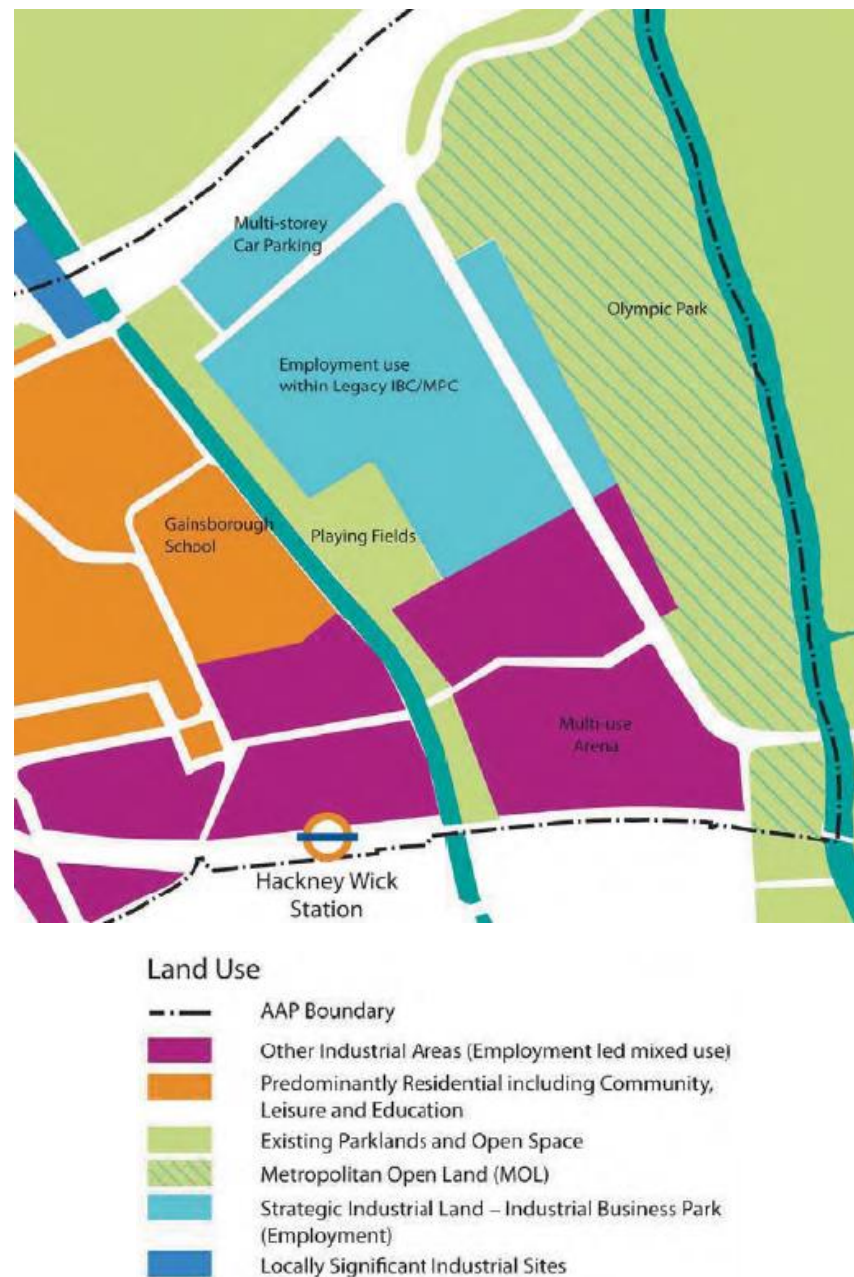
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<sup>50</sup> As a 'visitor destination', the open space in the Olympic Park, particularly around the Olympic Stadium, has hosted a number of music, sporting and cultural events, including: The Color Run; APAP Festive Run; Allsortz Open Mic Contest; the Great British Carnival; and the Invictus Games (see LLDC, 2014b). The use of the park for such events, with many travelling from outside the immediate area to visit, creates a character that is therefore not wholly congruent with regular recreational use by local residents. This further raises concerns over the degree to which a local 'sense of place' can be cultivated (see Friedmann, 2010). The issue of the Olympic Park as a 'destination' rather than a local open space is also discussed in Section 8.2.6.

#### **8.1.4 Housing vs. open space**

The ambivalence to on-site recreational open space provision for those residing in the LCS development is highlighted by the aforementioned residential development that lies immediately to the east of the IBC in PDZ5 and the associated departure from planning policy. The residential development sees the loss of SIL, as discussed earlier, as well as the loss of MOL, thus providing two departures from planning policy. The MOL designation is provided by the London Plan (2011), as well as the LB Hackney's Core Strategy (2010) and Hackney Wick Area Action Plan (HWAAP) (2012). The latter's MOL designation is presented below:

**Figure 7.** The Hackney Wick Area Action Plan designation of Metropolitan Open Land and other land uses around the site of PDZ5 of the LCS. Source: Adapted from LB Hackney (2012b: 39)

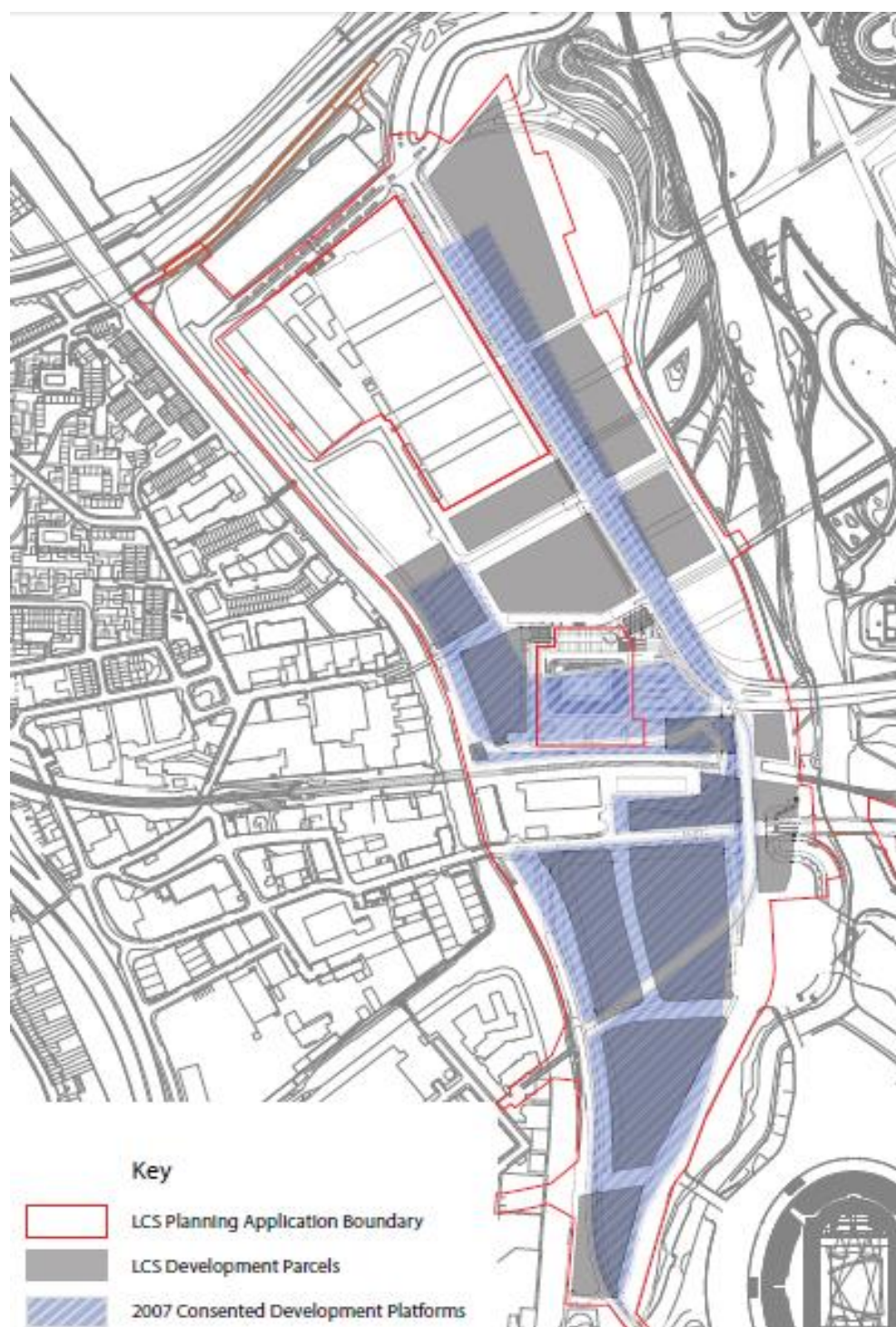


This MOL, designated as such so to protect against development, was also previously delineated as open space by the 'Legacy' related application in 2004 and to a lesser but significant extent in the planning permission of 2007.<sup>51</sup> Indeed, there is an interesting

<sup>51</sup> A plan showing the extent to which the development parcels in PDZ5 of the LCS encroach onto the open space envisaged in the 2004 application, as well as a 'slot in' application in 2010, is provided in Appendix 12.

comparison to be drawn between the size of the development parcels in the 2007 planning permission, which did not encroach onto the MOL, and the corresponding parcels contained within PDZ5 of the LCS application. As the below plan shows, the 2007 consented parcels were in line with the HWAAP whilst the LCS plots are considerably larger in scale:

**Figure 8.** Overlay plan showing the encroachment onto open space of development parcels in PDZ5 of the LCS in comparison to the parcels consented in 2007. Source: Adapted from ODA PDT (2012a: 417)



The LB Hackney formally objected to the larger development parcels and the subsequent encroachment onto the designated open space, stating that the proposed development was at ‘the expense of what was anticipated parkland, without any rigorous justification’

(LB Hackney, 2012a: 3). Furthermore, they rationalised the residential led development as excessive and unnecessary within the context of Hackney's London Plan housing targets (*Ibid.*). However, despite the clear policy departure and the LB Hackney objections, the ODA PDT accepted the applicant's rationalisation that an increase in the development footprint was required on 'design grounds for [...] the resultant built edge to the northern parklands and the creation of a critical mass of development in this part of PDZ5' (ODA PDT, 2012a: 422). This rationalisation is accepted despite the smaller parcel size contained in the OPLT applications in 2007 being considered acceptable and not beset with such development massing or design issues. Furthermore, the increase in the size of the footprint was rationalised elsewhere in the LCS assessment report by the ODA PDT as acceptable due to the applicant demonstrating the 'potential to secure at least an equivalent amount of publicly accessible open space' (*Ibid.*: 192). Whilst the ODA PDT's rationalisations do not appear to be mutually exclusive, it is nevertheless not entirely clear as to the weight that has been afforded to each of them and therefore what the overriding consideration is which justifies a failure to comply with planning policy and depart from that which has been approved under previous planning consents. Given the lack of detail to further explain these rationalisations, alongside an apparent desire to maximise the density of residential development on-site so to increase viability, it would seem that the LB Hackney were reasonable to conclude that 'this aspect of the application is being driven unduly by Government Treasury demands, at the expense of planning policy' (LB Hackney, 2012a: 3).

It was subsequently not surprising that the Chair of the LB Hackney's Planning Committee attended the ODA's Planning Committee (PC) to oppose the LCS application in person, during which he stated that allowing development on open space so to pay back the Treasury 'was not a sufficiently material consideration so as to justify such a departure from planning policy' (ODA PDT, 2012d: 10). As a result of this objection, a quite unique adjournment (detailed in 6.2.5) was called during a discussion around the merits of this particular element of the LCS, with the OPLC and ODA PDT attending a private meeting to presumably discuss whether a reduction in the footprint of the development parcels in PDZ5 could be achieved so as not to encroach onto the open space. This was subsequently agreed at the reconvening of the PC some ten minutes later, with a 15 metre 'set-back' to the eastern building line resulting. The approved LCS development in PDZ5 was thus required, under Condition 290 (see Appendix 11), to deliver a similar parcel to the east of the IBC as that envisaged in the 2007 OPLT applications.

Whilst the unusual adjournment and manner in which this discussion took place at the ODA's PC, as well as the competing rationalisations expressed, has already been detailed, it is worth highlighting here that although the LB Hackney were able to successfully shape the development outcome in PDZ5 through their public objection at the PC, there has been a subsequent reversion back to the footprint proposed by the OPLC in their original LCS application submission. Like the aforementioned AOD application to reduce the amount of affordable housing provided, a similar process of 'planning creep' has occurred which has resulted in the reinstatement of the encroaching residential development parcel in PDZ5.

#### **8.1.5 'Planning creep' and the reduction of open space**

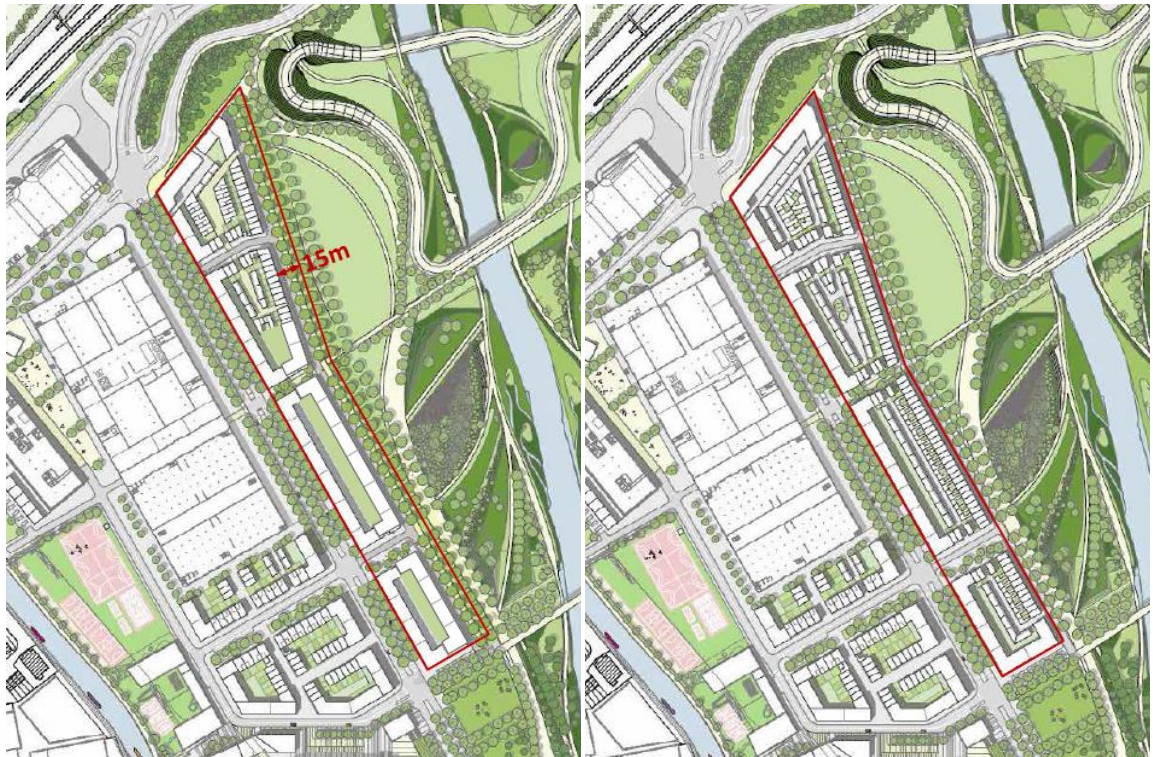
A Variation of Condition (VAR) application was submitted, again by the LLDC RET, in 2014 alongside the aforementioned AOD to remove Condition 290 which stipulated the 15 metre set-back from the designated open space.<sup>52</sup> The reason for this submission was explained as being due to LB Hackney's objection having 'no design justification', with the imposed condition stifling 'the potential to deliver a high-quality lifetime neighbourhood offering a range of housing types' (LLDC, 2014a: 2). The proposed reinstatement of the building line is shown below:

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<sup>52</sup> It is possible to apply to the LPA to vary or remove a condition of a planning application under Section 73 of The Town and Country Planning Act 1990. This is a standard procedure commonly enacted by applicants if they do not believe a condition meets the DCLG criteria (see DCLG, 2012: 47) cited earlier in Footnote 34 in Section 6.1.2.



**Figure 9.** Development parcel boundary showing the reduction of the eastern building line by 15m under condition LCS0.290 (left) and the original parcel size proposed in the LCS planning application to be reinstated under the VAR application. Source: Adapted from LLDC (2014c: 4, 6)



Whilst the comments from the LLDC RET may give the appearance that the concern with the set-back was one of design, a viewpoint drawing validity from the submission of a considerable 64 page Design Statement by the LLDC RET to help rationalise the VAR application, it is clear from reading the Planning Statement, which was also submitted with the AOD application to explain the viability of affordable housing, that the aim of reinstating the original footprint size was primarily driven by a desire to maximise the number of residential units and thus increase land values. As previously noted, the ODA PDT had earlier accepted that viability was the primary consideration and endorsed the 'critical mass' rationale for the size of the footprint, and thus the LLDC RET were keen to demonstrate that this issue was again central to the development proposed in PDZ5. Indeed, a 'confidential update to the LCS Viability Assessment' (*Ibid.*: 12) was submitted as part of the AOD and VAR applications to demonstrate the viability of PDZs 4 and 5 under their proposed accelerated delivery. Nevertheless, the Chair of the LB Hackney's PC did again speak in objection to the VAR application when it went before the LLDC's Planning Committee (PC). The reason for his objection reiterated that which was raised at the ODA's PC, although this time he elaborated on a promise made by the then ODA that the open space on which the IBC rests was to be replaced immediately to the east



on the parcel of land that is subject to the VAR application. Thus, whilst the loss of open space from the proposed removal of Condition 290 is relatively small, the issue of principal is that this parcel in PDZ5 was not meant to be built on at all (LLDC PPDT, 2014b: 6-7).

This appeal to an earlier promise highlights an interesting and scarcely discussed issue regarding how the planning system is often unable to resist incremental changes that collectively alter the fundamental nature of urban development. This issue, to which I refer to as 'planning creep', has been prominent throughout the evolution of the LCS development and shall be discussed again in Section 10.4.2. In this instance, however, by focusing on the individual merits of each aspect of the overall LCS development, the LLDC PC were faced with, and receptive to, the promotion of considerations that were deemed important at that moment in time by the LLDC's RET and the concordant LLDC's PPDT, notably ensuring viability and delivering residential and employment floorspace. The promise to the LB Hackney to enhance the MOL was, by contrast, dispensable even though it too had been presented as imperative at an earlier point (within the *Olympic Games & Legacy* planning applications in 2004) so to secure support for the Olympic bid and development (see LB Hackney, 2012a). As the IBC has been built, there is little the LLDC PC could do to return to the initial negotiation position and address the principal of MOL in PDZ5, so it was to rationalisations of the present development proposals that the assessment of the VAR application inevitably turned. Having already accepted the viability argument in the AOD application regarding the proposed accelerated delivery of development in PDZ5, the LLDC PPDT, who are the acting LPA, had implicitly accepted the reinstatement of the original footprint as the calculation for viability was conducted with this taken into account. This does not imply that other factors, such as the loss of open space from reinstating the eastern building line, were not given due consideration; rather the importance already attributed to viability by the LLDC PPDT meant it would be difficult for them, and subsequently the LLDC PC members, to resist the amendments to PDZ5 when, in sum, the additional footprint coverage would supply further 'outcomes' such as 129 family residential units and 3200m<sup>2</sup> of employment space (*Ibid.*: 5).

The broader pertinence of this detailed analysis is that a reduction in open space provision based upon previous planning consents provides evidence of the common criticism that the development outcomes and regeneration promises that result from mega-event driven regeneration are often overemphasised so to garner support for a successful bid and maintain public backing in the build up to an event. Indeed, there is a conspicuous absence of any mention within the LCS planning application, or since, of the frequent claim made by supporters of the bid in the run-up to the 2012 Games that

the Olympic Park was the 'largest urban park to be built in Europe for 150 years' (see, for example, BBC, 2008). We shall return to this misleading claim in Section 8.2.1.

#### **8.1.6 Public/private management of open space**

The open space provided in the LCS application is subject to an as of yet unspecified management agreement (ODA PDT, 2012a). Such an agreement will need to allay fears regarding any potential conflict over the recreational space provided by the LCS, notably those raised by Sport England during the consultation process that the playing pitches within the proposed primary and secondary schools would effectively require the securing of public access to private open space (Sport England, 2011). The ODA PDT, in their assessment report, did state that this usage would be secured via a planning condition and the S106 agreement attached to any approval of the LCS planning application. The S106 is, indeed, unambiguous in securing the principle of public usage for the proposed playing fields, stating that 'the Developer shall permit the general public to use [the playing fields] outside school hours' (ODA, LLDC, and TFL, 2012: 126). This is a reasonable legal assurance to securing adequate provision for future public usage although, as with any such legal agreement, this may be open to challenge at a later date. However, as the playing fields are that of the schools, it is unlikely that any such challenge would occur and thus the often relevant concerns around the policing of space that emerges from private ownership are unlikely to apply in this instance (see for example, Minton, 2012). The one foreseeable concern that remains is therefore that public usage of the playing fields is not tied to specific hours of use. However, as the playing fields are set to specifically address the needs of the residential population of the LCS, it is a credible assumption that the conventional use of such pitches would be in the evenings and at weekends. Anxieties over public restriction and democratic accountability may, nevertheless, be warranted with regard to the remainder of the open space within the Olympic Park. Upon inspection of the planning conditions, specifically Condition LCS0.160, it would seem the only guarantee provided is that no residential units will be occupied until a site wide framework is submitted to, and approved by, the Local Planning Authority regarding the "management and maintenance principles for the Publicly Accessible Open Space [...]" (ODA PDT, 2012c: 80). The conditioning of the LCS development thus does not explicitly resolve this matter, allowing it to effectively be postponed until the particular proposals come forward for the development of each PDZ. It is therefore difficult to judge at this stage as ownership responsibility has yet to be fully established.

## **8.2 Reflections on the LCS open space outcomes and planning decision-making process**

The following discussion will explore a range of information gathered from LCS related documentation and research interviews in order to understand and analyse how various actors engaged in the planning decision-making process rationalised and reflected upon the open space outcomes, both those approved and the ones that they desired, as well as the associated process by which such planning decisions were made.

### **8.2.1 Misleading promises and ‘arbitrary’ planning**

As acknowledged by many of those interviewed who were engaged in the planning decision-making process, the LCS application contained no reference to the bid promise that the Olympic Park would be the ‘largest urban Park to be built in Europe for 150 years’. *Resp4*, a senior planner at the OPLC, stated this promise was one of “those things that sounds very good during the IOC bid” but was solely an attempt to garner support for the bid from the public and the IOC. *Resp1* was candid in describing the promise as a deception, stating that “they just made it up – the Comms [communications] team made that up in the ODA [Promoter Team], they’ve no basis in fact [but] it sounded good as a sound bite”. *Resp10*, an ODA PC member, agrees that it was an inaccurate portrayal of the Legacy proposals and that “it wasn’t true when they made the statement”. Nevertheless, he does appear to be somewhat indifferent, as did some officers interviewed from the ODA PDT, to the proposed open space size standards established through previous ‘Legacy’ applications (see 8.1.1) and in supporting guidelines such as that produced by the FiT. This was expressed in his view that “it might be a better idea to have ten per cent less of it ‘cos you can build something else and people kept putting arbitrary, inflexible targets”. However, such open space targets are established in policy and, in this instance, prior outline planning applications to protect against the potential diminishment that can occur through an *ad hoc* negotiating process for further development. Such targets are also reached through evidencing the base needs of the development and are therefore not arbitrary, and it is their inflexibility that actually makes them desirable unless there are any substantiated claims to challenge the rationalisation and knowledge claims on which they are based. As such, it was this lack of concern by ODA PC members that enabled the LCS’s reduction in the maximum open space target to be left unchallenged at the ODA PC. *Resp9*, also an ODA PC member, bizarrely appeared to not even be aware of the reduction in the open space being proposed compared to previous iterations, and repeated the bid’s false promise by referring to the

LCS development as being “about the biggest urban park that had been built in the western world for 150 years”.<sup>53</sup>

### **8.2.2 Professionals, technical data and the opportunity for miscomprehension**

Given this apparent indifference and/or misapprehension, it is not surprising that the ODA PC members did not seek to gain any clarity during the ODA PC for the LCS regarding the amount and usability of the open space being proposed. The lack of any interrogation may have also been due to the bid promise having provided sufficient general reassurance that open space was a priority in the LCS development agenda, thus encouraging the view that any provision would be adequate. Furthermore, the complexity of LCS’s open space provision (see 8.1) may have played a role in deterring any ODA PC member from probing any further given the technical discussions that would ensue and the difficulty in tracking the evolution of the provision. This reflects the often problematic relationship between professionals and local politicians with the former able to rationalise decisions based upon complex knowledge claims that may not only be hard to understand but also to challenge during a time restricted committee meeting. This issue is particularly pertinent for the LCS given the scale of the development proposed and that the ODA PC members were provided before the committee meeting with a planning assessment report that was constituted of almost 500 pages, alongside a further 200 page planning update report and the submission of a plethora of different associated documentation and referenced material. It is hard to envisage how a comprehensive examination could be undertaken by the ODA PC members when faced with an overwhelming amount of information and limited time to digest (see 10.2.1). This is not to say that the PC members were not informed of, and agreed to, the main proposals during the planning stages of the LCS (as the ‘pre-determination’ discussion in 10.1.3 details), but that they somewhat rely on the ODA PDT officers to ensure that they have full comprehension of the evolving proposals and their final form within the submitted planning application. Moreover, those important elements in the rationalisation of the development can be lost within the huge amount of text provided in an assessment report resulting from a desire to ensure that all issues are discussed comprehensively so to protect against any challenge from judicial review. As a result, the reader is actually

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<sup>53</sup> He could, of course, have been exaggerating the attributes of the development but this would have been incongruous with his general reflections on the nature of the LCS proposals. Thus, if an ODA PC member was unable to separate the LCS’s actual planning outcomes from the ‘Legacy’ rhetoric, then any lay person would surely have found it difficult to understand and challenge the proposals. The difficulty of engaging with the LCS application shall be returned to in Section 10.2.1.

inhibited in discriminating, and thus contesting, the most important rationalisations and knowledge claims contained therein.

The amount of textual analysis involved with such large-scale development is not, however, the only hindrance to understanding the main elements of the LCS proposals. In fact, there were claims made by a planning officer in one of the boroughs that there was a deliberate attempt to manipulate the technical presentation of the LCS development by the OPLC when they were consulting on the proposals. These claims alleged that the OPLC “misrepresented open space a lot” in the plan drawings, whereby if “there were blanked parcels, they would colour them green on all their maps so it looked like there was lots of open space, but it wasn’t, it was just development land”. It has not been possible to acquire the pertaining plans to substantiate these claims, but the planning officer was direct in the accusation that it “was a deliberate ploy to try and give the perception, and perception’s everything, that the plan was this great thing”. Furthermore, he believed that it was his experience as a planner that enabled him to grasp this perceived indirection, as when “a professional started to read it, you could see that those things weren’t actually open space”. This provides support for a view of power that sees professional planners possessing an advantage over lay people in their ability to understand development proposals within the planning system given their familiarity with the technical plan drawings.

### **8.2.3 Negating the plan**

The confusing and seemingly misleading representations of the open space provision were also not helped by the manner in which the proposals were discussed. A good example of this is provided by *Resp18* when discussing the MOL policy designation that partially covered the area in which PDZ5 resides. The loss part of the MOL, despite its policy designation, is clear as the LCS was reported as a departure from policy in the ODA PDT’s assessment report and at the ODA’S PC. Yet *Resp18* was forthright in asserting that the MOL had been “transferred through [and] is intact, so there is no erosion of it”. Evidently this is not the case, as Figure 8 shows in Section 8.1.4, with the encroachment of housing in PDZ5 reducing the MOL area. This evasion from accepting the reduction becomes more disingenuous when he then states that the provision is actually “about the semantics of the development itself, what it looks like [and] where it sits”. However, as there is no additional MOL designation within the LCS, this comment was an effort to divert attention from the issue of the reduction in MOL to an interpretation of its attributes. Indeed, *Resp18* then states that “the open space is okay, as it should be, [and its] nonsensical to start talking about the loss of open space because there was

no loss". The focus of *Resp18*'s narrative changes here in an attempt to deflect discussion away from the planning merits of LCS development to a general view upon the open space provision within the Olympic Park. Given that there was a pre-Olympic view of the Park as a 'blank slate' (see 5.3.1), it follows that *Resp18* should suggest that there has not been any open space loss but the creation of new parkland. The open space within the Park is an attractive element of 'social infrastructure' which will undoubtedly be used more than the previously wild green space that existed across the site in general. Its wider accessibility is also improved given the new transport infrastructure and links to the Westfield Shopping destination. However, this still does not address the issue that the proposals have seen a reduction in MOL, with development occurring on previously recreational space, Arena Fields, in PDZ5.

A local councillor rationalising support for the LCS development despite it contravening local planning policy is an important issue because it demonstrates the allure of the immediacy of development provided by the LCS over the upholding of the local plan, as well as the role viability considerations played in exerting influence over those engaged in the LCS planning process. The tensions between local planning policy and the comparative change that would be brought about by the LCS development were indeed also manifest in the reasoning expressed by local planners. *Resp15* recognised that *Resp18* was "very favourable to [Hackney Councils] Regeneration [Department's] view [which looked] more 'in the round'", although no mention was made of the potential political capital that would surely result for those political figures wishing to endorse a highly visible, large-scale regeneration project. *Resp15* then commented that there should be some discretion in the assessment of the LCS as "look how better the area is going to be afterwards compared to before [...] so all in all it's a very good thing". He further qualified this statement by saying that "there's that kind of view", although the manner in which he stated this would suggest that it was a view that he had some sympathy for. Nevertheless, whilst sounding somewhat indifferent, he then aligned to a 'professional' planner's position that "in development management we would have a slightly different view, looking at it against policies, whereas they [the Regeneration Department] tend to not worry too much about policies". Despite this claim, there was a sense that the LB Hackney planners did not hold a strong objection to the LCS and that it was only the Head of Hackney's PC, *Resp17*, who was committed to enforcing Hackney's planning policies. This was confirmed as such by *Resp15*'s admission that:

[*Resp17*] had this very strong view about it and it probably wasn't completely shared by officers [...]. I think in the report that I did say what our comments would be. He re-wrote those, quite involved, and made it more strongly against the proposals 'cos I think as officers, despite maybe having a slightly

different view to the regen[eration] [department], we always felt that on balance there's a lot of good things going on here.

The LB Hackney planners therefore used their discretion in applying the borough's planning policies, but conversely they were constrained in their written representations by a local councillor, albeit the Head of the PC, who was keen to uphold local policy and the London Plan. This does show that decisions regarding development outcomes can indeed be shaped by individuals taking principled positions that are not affected by wider political objectives. However, it should also be noted that *Resp17*'s objection did not challenge the fundamental nature of the LCS development and this is therefore why he managed to influence the decision to provide a set-back to PDZ5 at the ODA's PC (although this set-back decision was reversed at a later date – see 8.1.5).

#### **8.2.4 Usability of open space**

Whilst those who were interviewed did comment on the amount of open space being provided by the LCS, there was an absence of any rationale to explain how the minimum and maximum amounts, as discussed in Sections 8.1.1 and 8.1.2, had been reached other than general affirmations of meeting the needs of the LCS development. As examined earlier, the LCS assessment report did detail the amount of recreational space both in terms of playing fields and general provision. However, whilst the proposed schools would provide some playing fields, alongside the contentious use of existing provision (see 8.2.5), the usability of the general open space is problematic. At the time of writing, the Olympic Park does feel fairly open although there are not large expanses of open green space. This openness will, however, diminish as the proposed development comes to fruition, perhaps most acutely felt between the buildings on PDZ5 and the River Lea (see Figure 8 in 8.1.4) due to the current breadth of open space and the impact of the proposed residential blocks without the previously agreed set-back. This space, whilst not solely constituted within the LCS scheme, forms part of the wider setting and thus it is problematic that its usability will be compromised given its reduction and the topography of the land. This issue was actually noted by *Resp15* who, commenting on the land between the buildings on PDZ5 and the River Lea, stated that “there's not that much flat bit at the top, after the housing, before it then starts going down a steep slope down to the river, and whilst that's quite attractive and a quite striking park landscape, you can't kick a football”. Notwithstanding this section of the park and the LCS development, the remaining open space is, as *Resp12* describes, composed of “tiny pockets” with a “linear strip” along the River. As noted earlier, it is difficult to document the evolution of the open space given the many different ‘slot-in’ applications that have occurred since the bid stage, but given the changes that have occurred in PDZ5 (see

Figure 8 in 8.1.4), it is easy to understand *Resp12*'s frustration that "when you looked actually at what was usable open space, it was probably like a third or a half of what they had originally said". This does not mean that the open space provision is without merit, as the minimum total of 102 hectares across the Park is a significant amount considering that the less cultivated open space that previously existed on the site, whilst surely home to much biodiversity, lacked the general functionality of that which is being proposed. Rather it is that a more developed rationalisation from the OPLC and ODA PDT officers would have aided an understanding of the suitability of the proposed open space, opening the proposals to challenge and improvement, whilst also highlighting the degree to which viability was a constraining determinant. The workings of the latter, however, were unlikely to have been divulged for reasons already expressed (see 6.2.1).

### **8.2.5 Convergence, accessibility and technical knowledge**

Associated with the issue of usability, and notwithstanding concerns over the amount provided, there was also an absence of any discussion at the ODA PC regarding the integration of open space into the wider local area. This is important because the objective to achieve 'convergence' would require the open space to be accessible for local residents. Firstly, accessibility would here relate to ensuring existing local residents can use the open space without condition, although it is premature to assess this in full at present due to the fact that, as detailed in Section 8.1.6, the management agreement of the general open space provision has yet to be agreed. Secondly, accessibility also relates to the success of the connection of the proposed open space to the surrounding urban fabric and therefore whether it encourages the traversing of the Park's boundaries. This was of concern to planners at LB Tower Hamlets who were consulted on the LCS application. *Resp12* stated that "one of the biggest missed opportunities was what we could have done beyond the Park's periphery in terms of linkages", with existing neighbourhoods feeling "cut off from being part of the whole legacy". *Resp11* reiterated this point, commenting that he was unconvinced that the LCS development "does everything that it could to link in with the communities around it". He further states that the mistake of the Canary Wharf "cliff edge" is in danger of being repeated as there is "not gonna be much contact between the world within the LCS Scheme and the world outside of it". Nevertheless, there was some concession by the two LB Tower Hamlets planners that improvements to connectivity had been made across the River Lea leading into the Park, and therefore one is left wondering if this criticism was entirely



reasonable.<sup>54</sup> Indeed, they both made reference to the A12 road that runs 200 metres parallel to the western border of the site in their borough and the desire to achieve greater porosity for pedestrians. The separation, created by the existing dense urban fabric in this area, and distance between the A12 and the Park does, however, raise the question of whether it would be reasonable for the LCS to address this issue and, notwithstanding the merit of this desire, it is difficult to see how the current planning system could deliver such a proposal given that S106 agreements for offsite works must only be necessitated by any direct impacts resulting from the LCS proposals.

The connectivity of the LCS development, and the Park's open space, to its environs is nevertheless important for achieving 'convergence', notably as one of the stated objectives of the Host Boroughs' *Convergence Framework* was to encourage local residents "to increase physical activity [...] through changes in the built environment" (Host Boroughs, 2011: 5). Policy 12 of LB Hackney's *Core Strategy* also highlights the need to address the deficiencies in 'publically accessible open spaces' (LB Hackney, 2010a: 71), with the supporting text to this policy expressing a need 'for allocating and safeguarding sites for open space [...] for team games [and] recreational facilities' (*Ibid.*: 71). Policy SP03 of LB Tower Hamlets *Core Strategy* states that, to meet the needs of the existing and future population, there must be 'improved access to the open spaces [...] of the Olympic [...] legacy' (LB Tower Hamlets, 2010: 51), with Policy SP03's preceding supporting text highlighting the 'shortfall in open space across the borough' (*Ibid.*: 48). The primary rationale for the under-provision of recreational space in the LCS application, particularly for playing pitches, was the proximity of existing and potential provision to the LCS development, notably at the nearby Hackney Marshes and Eton Manor. However, the knowledge claims that supported the amount and suitability of this provision were contested by both LB Hackney and LB Tower Hamlets. Hackney's formal LCS consultation response stated that the OPLC were "underestimating the number of people who will live in the legacy development" and that this would have an "impact on infrastructure provision" (LB Hackney, 2011: 3). The LCS application also lacked policy "justification [for] the development plots that overlap with designated open space" (*Ibid.*). Tower Hamlets raised similar concerns in their two formal consultation responses to the LCS, highlighting that the "new public open space within PDZ4 is [...] insufficient in quantum and quality to mitigate the future population density" (LB Tower Hamlets, 2011:

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<sup>54</sup> These improvements were considered necessary given their proximity to PDZ4 and thus were included within the site boundary to the LCS application. They consisted of a replacement bridge on the eastern end of Monier Road to accommodate all transport modes and a new cycle/pedestrian bridge at Dace Road. These connections are referenced as *H14* and *H16* respectively in Figure 11 in Section 9.1.1.

9). They too also highlighted the lack of policy justification as the open space provision in “PDZ4 falls short of the Borough’s standard of 1.2 hectares per 1000 population” (*Ibid.*). The contentious use of population modelling is discussed later with regard to the school places, but if the population of the LCS development has been under-estimated, and given the accepted under-provision of on-site playing pitches, the likely usage of provision outside of the LCS development proposals will result in greater demand on existing provision. This is clearly at odds with the Host Boroughs’ aforementioned ‘built environment’ objective and is counterproductive to the ‘convergence’ agenda.

### **8.2.6 The political ambivalence of LB Waltham Forest**

Notwithstanding the concerns raised by the LB’s of Tower Hamlets and Hackney regarding open space provision and connectivity to the existing local population, perhaps the most notable absence of any additional links to the LCS provisions is on the north-eastern side of the Park facing the LB Waltham Forest. According to *Resp23*, a planning officer at LB Waltham Forest, they did request during pre-LCS application discussions an extra bridge that crossed the railway line separating Waltham Forest from the Olympic Park. However, the OPLC responded by stating that a bridge “wasn’t viable and the logistics of going across a railway line [were difficult]”. According to the Regeneration Officer, *Resp24*, an additional bridge was necessary as the existing route into the Park along Temple Mills Lane is “really [...] a back road [or] more of a service road”. This has resulted in “a situation where there is an existing, relatively dense residential area in Leyton that from a physical point of view feels [...] quite cut off from the Olympic Park”. Notwithstanding the efforts to negotiate a new bridge, *Resp24* felt that local councillors were indifferent to the LCS development as it is not situated in the borough, declaring that “our politicians [...] aren’t particularly fussed with things that go on outside of our boundary”. Yet according to *Resp7*, there was the opportunity for Waltham Forest to successfully demand a new bridge. Whilst not expressing who made the proposition, *Resp7* states that “there was constant nagging at Waltham Forest to try to get the north-east corner of the site linked in to the Leyton [residential] ‘ladder’”. However, she suggests that planning officers within the council were also unresponsive to this opportunity and that “despite the councillor who is on the committee being very in favour of that, he really had great difficulty to get the officers to engage, even though there was money”. This was disappointing to *Resp7*, with her being “the most vocal on Waltham Forest and the linkages there ‘cos I thought that was the weakest, potentially, because it had a resident population who could benefit most”. Given these differing viewpoints on individual responsibility and the viability of providing a bridge, it is hard to provide a definitive answer as to who was accountable for the absence of a new connection within

the LCS proposals, although obviously the OPLC could submit any development proposal it wished for assessment by the ODA PDT. It would, however, be hard to dispute that local councillors within LB Waltham Forest hold much responsibility for not robustly pursuing a new connection with the Park, particularly as their engagement with the LCS development would have likely required planning officers to provide the technical support for any claims they wished to make. As has been documented on a number of occasions within the LCS planning process, decisions around the nature of the development were often not driven by planning policy but by political choices and viability constraints. The lack of councillor engagement in LB Waltham Forest meant that the benefits of the LCS would be limited for the borough. If early political engagement had focused on ensuring the LCS site boundary straddled the railway line adjacent to the borough, then a strategic opportunity would have been created to negotiate a new bridge within this section of the site. As discussed in Section 3.2.2, the drawing of a boundary is an act of ‘mobilising bias’ and thus to exclude an area that could provide a possible connection to the new Park is to prohibit the possibility to negotiate one at a later. This is demonstrated by LB Tower Hamlets who wanted to ensure that the aforementioned bridges across the River Lea in PDZ4 had been incorporated in the LCS’s site boundary, thus allowing them to argue for these connections during substantive discussions over the content of the LCS planning application. Indeed, *Resp12* stated that if “we hadn’t been involved in the [planning] process [...] then we wouldn’t have got those bits of infrastructure”. *Resp24* also recognised the importance of such early political engagement, explaining the missed opportunity for new connections as not “the fault of the LCS [...] [but rather] decisions made [...] about how these pieces of land could be made better use of [by] tackling the railway lines”. Even though there were viability reasons for why the bridge was not proposed in the LCS, as *Resp23* noted earlier, it was the fact that early discussions over the location of the site boundary precluded any possibility of a bridge being negotiated.<sup>55</sup>

The LB Waltham Forest’s indifference to securing a new bridge as part of the LCS development has thus resulted in the main access way on the eastern side of the Olympic Park emerging from the Westfield Shopping Centre. This dominant thoroughfare facilitates movement into the Olympic Park, reemphasising it’s open space and facilities as a ‘destination’ for those travelling into the area and visiting the shopping centre rather than for specifically for those residing in the surrounding residential neighbourhoods. This, in turn, may offer the perception that the open space provided around the stadium

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<sup>55</sup> Indeed, the assessment of a planning application can only consider the merits of development proposals within the specified red line boundary of the application site.

and in close proximity to the Park, notably that which enabled the under-provision of LCS recreational space to be rationalised, is actually not local recreational space. It also highlights a common criticism of mega events that the resulting developments are not primarily used, nor in the ownership of, existing local residents (see Raco, 2004).

## Chapter 9. The LCS education proposals

Concluding the land use analysis, the following discussion will establish the education outcomes that were included within the LCS application and subsequently approved at the ODA PC meeting. The first half of this chapter will thus convey the following information: the provision of primary schools; the secondary school provision; and, issues regarding location and viability of education facilities.

The second half of the chapter explores and analyses the rationalisations of actors engaged in the planning decision-making process with regard to their support and/or opposition to the LCS education outcomes. With regard to the analysis of education provision provided in this chapter, the main findings are:

- The amount of education provision is proposed only to meet the demand that is created from the LCS development. This means that it does not address current shortfalls within the surrounding boroughs and therefore will provide limited assistance in the achievement of ‘convergence’.
- According to the OPLC officers and implicitly accepted in the ODA PDT’s recommendation for approval, the education proposals, as with other social infrastructure, should not be making up for the existing shortfalls in provision resulting from government cuts as the boroughs had hoped but rather should only be addressing development needs. Whilst in line with the normal requirements of the planning system, this does demonstrate a gap in the rhetoric between the ‘convergence’ objective and the delivery of the LCS development.
- The formulation of the LCS planning application submission was not shaped by the ‘convergence’ objective being a primary consideration, as demonstrated by the omission of a *Convergence Statement* and the subsequent request by the ODA PDT for the OPLC to provide one during the application’s assessment period. This request can also be seen as an effort by the ODA PDT to make the proposals appear to have considered this objective and thus conceal its seemingly minor influence.
- There was widespread use of technical information in support of the LCS proposals, epitomised by the OPLC’s use of population modelling to neutralise opposing viewpoints and thus reduce the number of school places necessitated by the LCS development. This ‘expert’ driven approach has been criticised for advancing a ‘post-

political' approach to urban governance and is representative of the current 'professional' approach to planning.

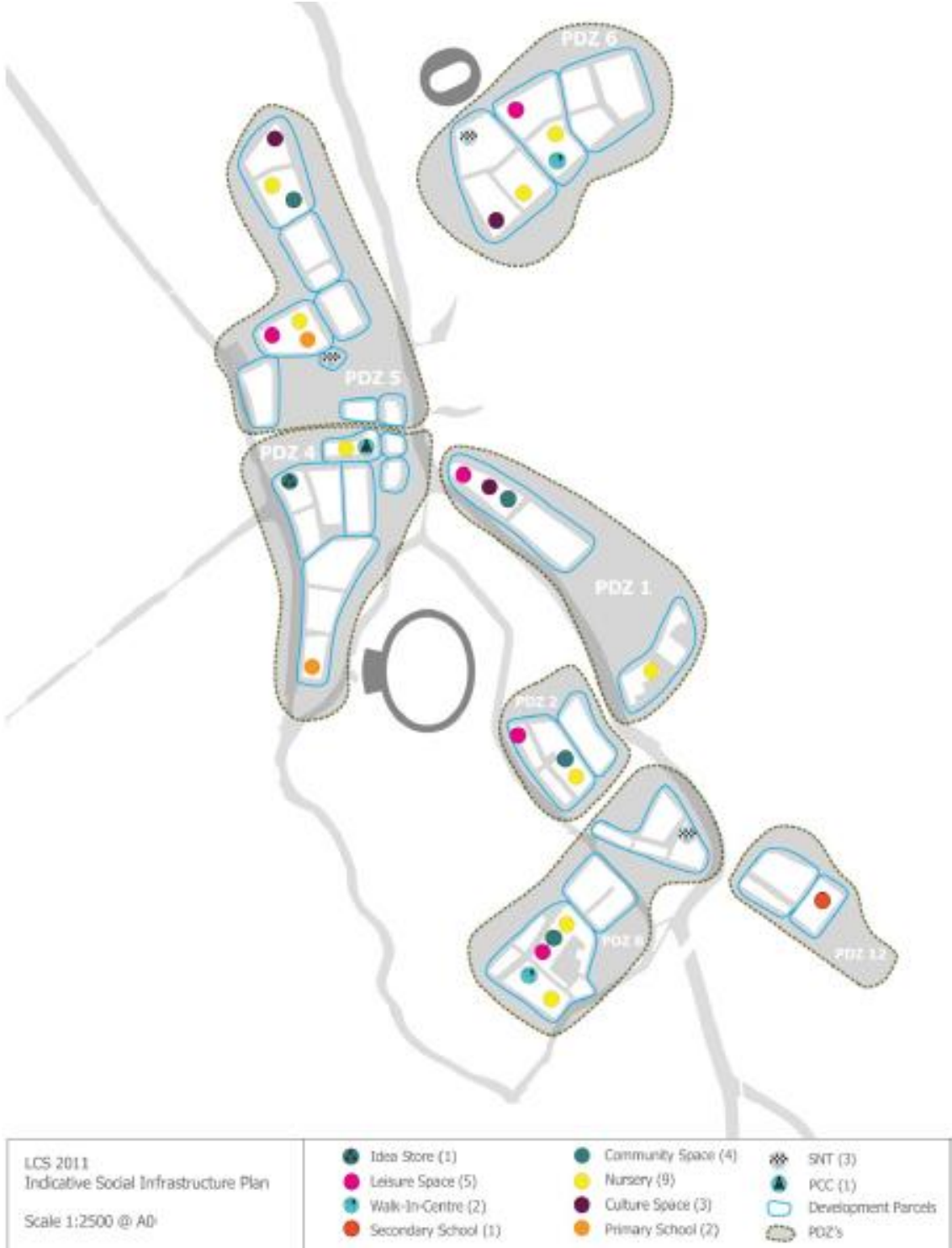
- The LCS's education proposals do not align with local planning policy. As such, they compromise the ability of the local boroughs to meet demand created by the LCS as well as the needs of the existing wider community in the future.
- The location of the LCS's education facilities was driven by viability considerations and the desire to maximise land values rather than a broader strategic approach as represented in planning policy. This has led to both a primary and secondary school being respectively located in the opposing borough to which they are needed, thus potentially compromising the viable functioning of existing provision.
- The selection of an alternative site for the secondary school, as required under a contamination planning condition, has resulted in a proposed sub-standard location with insufficient playing field provision. This demonstrates an example of 'planning creep' whereby small changes to the original proposals result in a different development to that which was originally conceived and approved.

To begin in our examination of the LCS education proposals, we shall firstly turn to detailing the relevant outcomes approved.

## **9.1 The LCS's education outcomes**

To meet the demands of the OPLC's residential population projection of approximately 13,500 residents for the LCS development (OPLC, 2011b: 174), the educational uses proposed in the LCS application consist of two primary schools within PDZ4 and PDZ5 and a sixth form entry secondary school in PDZ12, alongside provision for up to nine nurseries across the site. The location of these educational facilities is shown on the social infrastructure plan below:

**Figure 10.** Location of educational facilities and other social infrastructure proposed within the LCS application site. Source: OPLC (2011b: 341)



### 9.1.1 Primary schools

The Department for Education (DfE) guidelines requires the gross floor area of a primary school to be at least 3,175m<sup>2</sup> (ODA PDT, 2012a: 266). The gross floor areas of both of the proposed primary schools exceed this amount. Concerns were raised, however, by the ODA PDT that the primary school in PDZ4 had an insufficient playing field area. During the planning application process, as a result of a *Regulation 22* request from the ODA PDT, the OPLC therefore revised its plans by replacing a proposed adjacent residential plot to the north of the school site with further playing field space so to meet the DfE standards.<sup>56</sup> The primary school in PDZ5 was also subject to similar concerns raised by LB Hackney and the ODA PDT, with the OPLC responding to the subsequent *Regulation 22* request by again increasing the size of the school site.

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<sup>56</sup> *Regulation 22 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011* enables a LPA to request that further information is submitted as part of the Environmental Impact Assessment during the assessment period of a planning application.



**Figure 11.** Changes made to primary schools in PDZs 4 and 5 to increase size of playing fields. Source: Adapted from OPLC (2011c, 2011d, 2012d; 2012e).

**PDZ4**

As Originally Proposed in LCS (OPLC, 2011c)



Revised Proposal (OPLC, 2012d)



**PDZ5**

As Originally Proposed in LCS (OPLC, 2011d)



Revised Proposal (OPLC, 2012e)



Subsequently, the enlargement of the playing fields in PDZ5 will enable them be shared with Gainsborough School, which is located across the canal immediately to the west of the proposed school site and therefore outside of the LCS application boundary. This arrangement was secured under the S106 agreement attached to the approval of the LCS application (see ODA, LLDC and TFL, 2012: 126). As noted earlier, there were

concerns raised regarding the level of provision of recreational open space, with the LCS application drawing on capacity from the local area. However, allowing the existing school to use the proposed playing fields does provide a meaningful example of how existing residents located around the Olympic Park will benefit from some of the facilities provided within the LCS development, as well as how the objective of 'convergence' can be advanced through the built environment. This is not to say that other concessions were not offered elsewhere to which we are not privy so to offset the loss of residential units. It does however provide a clear instance of how planners, and the planning system, are able to influence the nature of development and capture public benefit.

### 9.1.2 Secondary schools

The sixth form entry secondary school in PDZ12 proposes to have a gross floor area of 22,500m<sup>2</sup> and therefore comfortably exceeds the DfE guideline figure calculated at 10,125m<sup>2</sup> (ODA PDT, 2012a: 267).

**Figure 12.** Proposed secondary school in PDZ12. Source: Adapted from OPLC (2011e)



The secondary school would cater for 11-18 year olds so to enable compliance with DfE plans which require children, from 2015, to remain in school or in training until the age of 18 (ODA PDT, 2012a: 267). However, whilst the sixth form provision would enable the continuing schooling of children, the vocational training will not be provided on-site. Thus, the OPLC have agreed, as set out in the application's S106 agreement, to the payment

of a commuted sum amounting to £696,000 Indexed (ODA, LLDC, and TFL, 2012: 111). Whilst it is beyond the remit of this thesis to challenge how this figure was calculated, and therefore the knowledge claim supporting the amount of financial contribution, the principle of such a payment should be considered. For example, one may proffer the view that vocational training should be provided, as well as other social infrastructure provision, within the application site in which the demand for it is created given the scale of the development proposed. However, given there is already other vocational infrastructure provided within the Host Boroughs, such as the *Workplace* training and job brokerage programme provided by LB Newham, it is a reasonable endeavour to provide additional resources to link the demand created by the LCS development to an existing network. This investment may also have the added benefit of strengthening the existing infrastructure in a manner that will in turn support vocational employment pathways for existing residents within the host boroughs and thus the 'convergence' objective. Furthermore, my experience as a planner in an inner London borough affords me the understanding that this is a common arrangement undertaken by planning and education authorities. Whilst this is not justification in itself, it is worth noting this customary approach when placing the actions of the ODA PDT under scrutiny, and given the existing infrastructure it is therefore understandable that the ODA PDT decided to secure an appropriate financial contribution to meet the demand for vocational training created by the LCS development.

### **9.1.3 Location and viability**

Concerns were raised by both the LB Hackney and the LB Tower Hamlets regarding the location of the proposed secondary school on Rick Robert's Way in PDZ12. The LB Hackney highlighted in their consultation response to the LCS planning application that a shortage of secondary school spaces within the borough meant that additional provision should be prioritised within the western element of the LCS site (LB Hackney, 2011: 13-14). The LB Tower Hamlets raised a similar issue, stating that the predicted new population of 154 children between the ages of 11-15 created within PDZ4 of the LCS development required a new secondary school within this area of the scheme or a commuted sum towards school places within the borough (LB Tower Hamlets, 2011: 4). Further to this, the LB Tower Hamlets highlighted the deficit in secondary school places within neighbouring Hackney, concluding that the proposed new secondary school in PDZ12 will be unable to cater for the new population in the western area of the LCS and fringe communities of Hackney Wick and Fish Island 'due to its location and [being] inaccessible to our local communities' (*Ibid.*: 5).

In response to these issues raised, the OPLC further rationalised the location of the new secondary school in PDZ12 by providing evidence to rebut the claims made. This involved, during the course of the LCS planning assessment period, the submission of an addendum *Housing and Social Infrastructure Statement* (2012) which included a number of plans showing the walking, cycling and bus route accessibility of the secondary school. These plans are provided in Appendix 14. The 'walking plan' highlights that both PDZ4 and 5 are, in the main, around a 15-25 minute walk from the proposed secondary school in PDZ12 when calculated following the 'most direct/logical routes' (OPLC, 2012c: 31). Although there is no explicit reference, the plan does also show that the school is less than two miles from PDZ4 and 5 when measured in a straight line, and therefore meets the standard expressed by the DfE for pupils attending without transport (see DfE, 2006). Nevertheless, what is particularly interesting is the lack of any reference within the aforementioned addendum statement to 'convergence' and the deficiency within the surrounding boroughs or any direct written response to the accessibility claims made by the LB Tower Hamlets. Instead, the OPLC focused on relaying how their 'child yield' projections for the LCS development were accurate and sufficiently aligned with the yield projection models of the surrounding boroughs (OPLC, 2012c: 39-41). Furthermore, there was no reference made to the secondary school designation, located in the PDZ4 parcel, which was proposed in LB Tower Hamlets' emerging Fish Island Area Action Plan. Both the yield projections and this divergence with planning policy were, however, of some contention as discussed later in Section 9.2.2.

As a result of the additional information submitted by the OPLC, the ODA PDT stated that the accessibility plans provided 'adequately demonstrated the accessibility of the proposed school location for those living within and in the near vicinity of the scheme and conclude that PDZ12 is a generally acceptable location' (ODA PDT, 2012a: 277). No further elaboration was provided to address the concerns raised by the boroughs and the appropriateness of the school's location despite the LB Newham stating in their consultation response that, whilst they welcomed the school being located in the borough, they are more concerned about primary school places as 'we have no pressure on secondary spaces currently' (LB Newham, 2011: 30). The LB Waltham Forest, on the other hand, expressed their unease at the location of the secondary school as they currently have excess capacity in the south of the borough near to the proposed school site, and thus the additional secondary places would 'add to that excess capacity [...] and potentially affect the viability of at least three schools' (LB Waltham Forest, 2012b: 2). This therefore leaves some ambiguity as to why the secondary school is proposed for

Newham when both Hackney and Tower Hamlets have a more pressing need for places, whilst Newham and the neighbouring Waltham Forest have sufficient capacity.

As PDZ12, alongside PDZ8, is detached from the rest of the delivery zones of the LCS application that are sited within the Olympic Park, one could argue that the secondary school is nevertheless appropriately located as it is easier for children of secondary school age living across the LCS development to independently travel to a more geographically removed site than the younger primary school pupils. It follows such rationale that the primary schools should be located nearer to the main residential development that is proposed, such as in PDZs 4 and 5. Alternatively, one may speculate that the land in PDZ12, by virtue of its detachment from the main Olympic Park site, is indeed less financially viable as residential land and thus, as there is a desire to increase land receipts to ensure the Treasury and National Lottery recoup their Olympic expenditure, it was deemed more appropriate to ensure that the more lucrative residential development, rather than a land intensive secondary school, was situated in the Olympic Park. To summarise, it would appear that it was the incentive of greater land receipts that *primarily* decided the location of the education facilities, alongside the desire to only meet the direct demand created by the LCS development site rather than the social needs of existing residents residing around the Olympic Park. As such, a shortage of secondary school places in Hackney and Tower Hamlets, the two boroughs on the western side of the Olympic Park, may potentially be exacerbated by the proposed development, contrary to the objective of attaining 'convergence'.

The case for suggesting that the aim to maximise land receipts determined the proposed location of the secondary school in Newham is also amplified by the ODA PDT's claim that the gas works adjacent to PDZ12 represent a safety concern. The ODA PDT accordingly recommended the imposition of a review mechanism on 'any grant of planning permission preventing the build out of the school until clarity is provided on the future operation of the adjoining site' (ODA PDT, 2012a: 279). Whilst the feasibility of removing or decommissioning the gas holder infrastructure was unknown at the point of the LCS application's determination, the condition to safeguard public safety and require an alternative school site if necessary (*Ibid.*: 279) does give some assurance that a secondary school will be suitably provided (although, as noted in 9.2.4, the alternative school site that is currently being considered does have potential inadequacies). What it also shows, however, is that PDZ12 does present some potential development obstacles that at present burden land values and the potential desirability for housing in this location. Without seeing the submitted viability assessment, one may hypothesise that this explains the proposed location of the secondary school.

Ultimately, despite this proposition, it is difficult to state with absolute authority the reasoning behind the location of secondary school given the lack of any clear explanation from those involved in the shaping of the LCS development and in its assessment, as well as because members of the public, and some of the application consultees, were unable to view financial viability figures due to issues of commercial sensitivity (see 6.2.1). What is clear is the location of the school did not suit all those consulted, nor was it solely reflective of the wider socio-economic context. The degree to which the current planning system can shape development so to address these issues is particularly germane and is a matter that shall be discussed further in Section 11.2.5.

## **9.2 Reflections on the LCS education outcomes and planning decision-making process**

The following discussion will explore a range of information gathered from LCS related documentation and research interviews in order to understand and analyse how various actors engaged in the planning decision-making process rationalised and reflected upon the education outcomes, both those approved and the ones that they desired, as well as the associated process by which such planning decisions were made.

### **9.2.1 Meeting the needs of the LCS or achieving ‘convergence’?**

One of the main areas of contention in the LCS planning application was over the amount of social infrastructure, with the boroughs stating that, in some instances, there had been an under-provision whilst the OPLC and the ODA PDT maintained that an adequate amount had been provided to meet the needs of the development. This was notable in both the affordable housing provision (see 6.1.1) and the open space proposals (see 8.2.5).

However, the tension between these views was exemplified by the LCS’s education provision. *Resp11* highlighted his frustration during the interview that the rhetoric of the Olympics, regarding the benefits that will accrue to East London, should have meant that “the LCS scheme will not just be for the people who will live in it, but having a positive effect on the communities that surround it”. However, the problem for *Resp11* is that “in terms of the social infrastructure that the LCS delivers, it meets its own needs, but does not deal with existing shortfalls in the surrounding areas”. As such, if the LCS “was to do the job that it was intended to do in terms of regeneration and supporting convergence [...], it needed not only to deal with the needs that itself generates, but also to look at what the surrounding communities require”.

*Resp4* disagreed with this sentiment, stating that the “huge government cuts” had led the boroughs to inappropriately seek “the [LCS] to compensate” for social infrastructure shortfalls. Thus, despite the OPLC providing two primary schools and a secondary school in the LCS, the boroughs “wanted us to provide more and more than our own scheme needs”. What is particularly interesting about *Resp4*’s account is that she saw the boroughs as not just “looking to us [the OPLC] as a developer”.<sup>57</sup> In doing so, *Resp4* shows that this is in fact how she saw the OPLC and thus did not perceive their responsibility as being anything more than providing what was required to meet the needs of the LCS development.

The ODA PDT was in agreement with the OPLC in this respect as, with *Resp1* stating that “we had some difficulties with the boroughs”. *Resp1* goes on to explain how the LB Newham “wanted a primary school in their borough and we were saying no”, with the ‘we’ here seeming indicative of the close relationship the OPLC and ODA PDT had in collaboratively shaping and controlling the development agenda of the proposed LCS development.<sup>58</sup> This is further evidenced by *Resp3* who, as noted earlier, expressed a similar view that “you can’t really do more than ask a scheme to [...] ‘wash its own face’ unless you have a willing applicant or a specific financial input”. It is this admission that suggests the OPLC was not a ‘willing applicant’ in offering any additional infrastructure desired by the boroughs. However, *Resp3* was quite open in declaring the boroughs’ requests as unrealistic in that they were trying to look “at their broader picture of needing to increase schools provision overall, rather than looking at ‘well, does the new population coming along with this new development need school places and how can that be secured?’”.

So there is quite a clear distinction in how the different engaged stakeholders viewed what the objective of the LCS development should be. In their formal consultation responses to the LCS application, the boroughs, chiefly Hackney and Tower Hamlets, broadly framed the objectives of the development around the SRF’s ‘convergence’ agenda and the bid promises. The latter here is primarily represented by the broad bid objective to ‘regenerate East London’ as well as local issues such as the provision of a secondary school in Tower Hamlets and the protection of MOL as contested by *Resp17*. The OPLC, with support from the ODA PDT, conversely focused on the LCS providing

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<sup>57</sup> *Resp12* exemplified this view in the frustration he expressed at how the OPLC acted “only as [a] landowner [...] in many respects”. Elaborating further, *Resp12* saw the OPLC as established to “get a job done and get out [...] with no qualitative [...] value put on what the outcomes were”.

<sup>58</sup> However, as highlighted in Section 9.1.3, the LB Newham did not mind the schools location *per se*, but were keen to secure a primary rather than secondary school given demand created by the LCS and the shortage of primary school places within the borough.

the minimally permissible amount of social infrastructure to gain planning approval (see for example, Sections 6.1.1 and 8.1.2 respectively) and, as such, ensuring that only the needs of the proposed development were met. This narrower objective was set within the viability constraints established by the Treasury. Whilst the OPLC has stated that they had given consideration to the 'convergence' agenda, it was noted earlier that the *Convergence Statement* submitted for the LCS development did not form part of the initial submission documents and was only provided upon request by the ODA PDT after the boroughs had noted the absence of any 'convergence' ambition in their consultation responses. Indeed, the apathy which resulted in the late addition of the statement was said to be reflected in its content, of which *Resp12* described as being "wishy washy [as] it didn't make any sort of commitment". *Resp4* responded to this criticism by stating that the 'convergence' objective "was [...] interwoven into [the] submitting documents [and] at the time that we submitted, they [the GLA] hadn't yet identified their policy requirements for a convergence statement". However, given their consultee role, the OPLC were aware that the convergence statement requirement was to be formally adopted in planning policy, specifically under the GLA's OLSPG that accompanies policy 2.4 of the London Plan (see Appendix 9), and therefore if so desired could have anticipated the need to explicitly establish how the LCS would meet 'convergence' in their original submission documents. This ambivalence was qualified by *Resp1* who stated that the OPLC had not "thought about convergence, particularly, in quite the same way that the boroughs were doing". Evidently this was the case given the opposing views on social infrastructure provision, but the ODA PDT officers were not particularly resistant to the OPLC's view of 'convergence' either. Nevertheless, *Resp1* did explain that the ODA PDT had wanted to see more of a "regeneration vision [but] convergence is a very nebulous thing".

Despite the broad thematic categories provided in the Host Boroughs' original SRF document, there is definitely potential for the 'convergence' objective to become an 'empty signifier', particularly when trying to negotiate substantive development outcomes. The 'convergence' objective, to raise the living standards of those in east London to those in the west of the city, is also ambitious. *Resp1* is uncertain as to how the LCS can achieve this, and questions "how can one development achieve improved educational attainment across the whole of east London?". However, this does appear a somewhat 'all or nothing' statement as it is surely not the expectation that the LCS would completely resolve this issue. But the submission of a 'convergence statement' should make claim for a specified outcome and not just be an allegiance in words to a particular concept. It is not the place here to examine the *Convergence Statement*, but the detailed



analysis of the development outcomes undertaken highlights potential deficiencies in the LCS for achieving broader benefits for existing residents.

### **9.2.2 Technical information and legitimate knowledge**

As has been established, there were differing views with regard to the nature and objectives of the LCS education provisions, as well as social infrastructure in general. However, to embody these views within a development agenda, certain knowledge claims were advanced to rationalise the proposals. It is clear that, within this rationalisation process, competing objectives result in competing knowledge claims.

The demand created by the future residents of the LCS development on the number of school places was one area of contention. All of the surrounding boroughs, along with the GLA, raised objections to the population modelling that had been used by the OPLC as it underestimated the resident, and thus child, yield from the development. Indeed, throughout the planning decision-making process, there was a consistent tension with OPLC regarding the appropriate measure of yield, with LB Waltham Forest highlighting ‘overarching concerns regarding the population modelling that has been adopted and the underlying assumptions used to inform [the OPLC’s] modelling process’ (LB Waltham Forest, 2012b: 1). The LB Hackney similarly asserted that ‘the number of children requiring primary and secondary schools appears to be an underestimation’ (LB Hackney, 2011: 10). The extent of the underestimation was actually quantified by the LB Newham who, in their consultation response, stated that ‘the modelling we have seen suggests on average less than 2 persons per household compared to the recent Mayhew Survey for Newham [...] which identifies an average of 2.8 people per household’ (LB Newham, 2011: 6). This remarkable difference in the number of projected residents would, as LB Newham noted, have significant implications for planning of appropriate ‘child yield and schools places, community infrastructure, open space and play space’ (ibid.). The GLA also highlighted concerns with the population modelling, with one senior planning officer (*Resp25*) stating that “we thought that they were trying to underplay the child yield that the LCS would end up with, therefore [resulting in] a shortage of school places”.

The discordance expressed by the boroughs and the GLA resulted in the ODA PDT implementing a *Regulation 22* request (see Footnote 56 in 9.1.1) asking the OPLC for further information on their modelling data. It was noted by the boroughs at this point that the *Mayhew Survey* data should be utilised to provide what they believed to be more accurate projections. However, the OPLC did not agree with this recommendation and thus provided further information in the form of a ‘sensitivity test’ based upon ‘the most

up to date available data at that time' (ODA PDT, 2012a). This was of frustration to the boroughs, as *Resp12* describes, because rather than consider alternative, and substantial, evidence in shaping their proposals they instead "always had an army of consultants who had an answer to everything, [effectively] outsourcing the planning to them in terms of the application". According to *Resp12*, the OPLC's technical 'resources' thus neutralised any opposing viewpoint as, during discussions over the LCS, local borough officers found themselves "often answerable to a whole host of different consultants, [and] any query you came up with, they tried to bat you down with some other sort of evidence to say otherwise". More broadly, this 'expert driven' process reflects a 'post-political' approach to urban governance, as examined in Section 3.2.4, which has been criticised for negating political discussion by using a managerial logic that calls on the use of 'neutral' expertise to provide technical support for chosen development agendas.

Indeed, this approach was further reflected by the ODA PDT who, upon receipt of the OPLC's further information, requested its own consultants to undertake a review, following which the ODA PDT confirmed that the 'sensitivity test' constituted a 'robust approach' (ODA PDT, 2012a: 177) that was 'technically sound' (*Ibid.*: 273). This acceptance frustrated the four surrounding boroughs and the GLA, with *Resp25* declaring their choice of modelling as deliberately biased to produce lower child yields so that "they were less litigated [...] to provide that social infrastructure". Together, the boroughs and GLA then produced a separate report using the *Wandsworth New Housing Survey* dataset so to provide further support for the upgrading of the yield projection.<sup>59</sup> This *Wandsworth* dataset was presented to the OPLC, who agreed to generate further population forecasts as a result of this new information, thus subsequently increasing the original projection, and ODA PDT approved, figure of 13,516 residents to a mid-range forecast of 15,391 and an upper bound forecast of 17,253 (ODA PDT, 2012a: 272). The disparity between these forecasts is remarkable, highlighting the potential for a considerable difference in the requirement for school places as well as other social infrastructure obligations to be met by the applicant. As a result of this process, the boroughs, GLA and OPLC agreed, through the implementation of a planning condition, to utilise this new information in a population review mechanism over the anticipated 18 year phasing of the LCS development to ensure social infrastructure demand is met (ODA PDT, 2012a: 273). This review is to occur prior to submission of each ZMP to the

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<sup>59</sup> The *Wandsworth* dataset is commonly used in the assessment of planning applications as its use is advocated by the London Plan for assessing population yield, and thus it is quite surprising that the ODA PDT did not take a proactive approach to ensuring that it was utilised by the OPLC in the modelling process for the LCS.

LPA but one should remain apprehensive as to whether a higher projection will be agreed as, despite the competing knowledge claims made by those engaged in the planning decision-making process, the ODA PDT has already accepted the ‘technically sound’ lower projection figure. This, and any future, acceptance must be viewed within the context provided by the ODA PDT’s recognition of the aforementioned viability constraints and thus the potential for additional contributions from the OPLC in social infrastructure that would be necessitated as a consequence of a higher population yield projection agreement. In short, enforcing additional expenditure from the OPLC would be politically difficult for the ODA PDT’s successor.

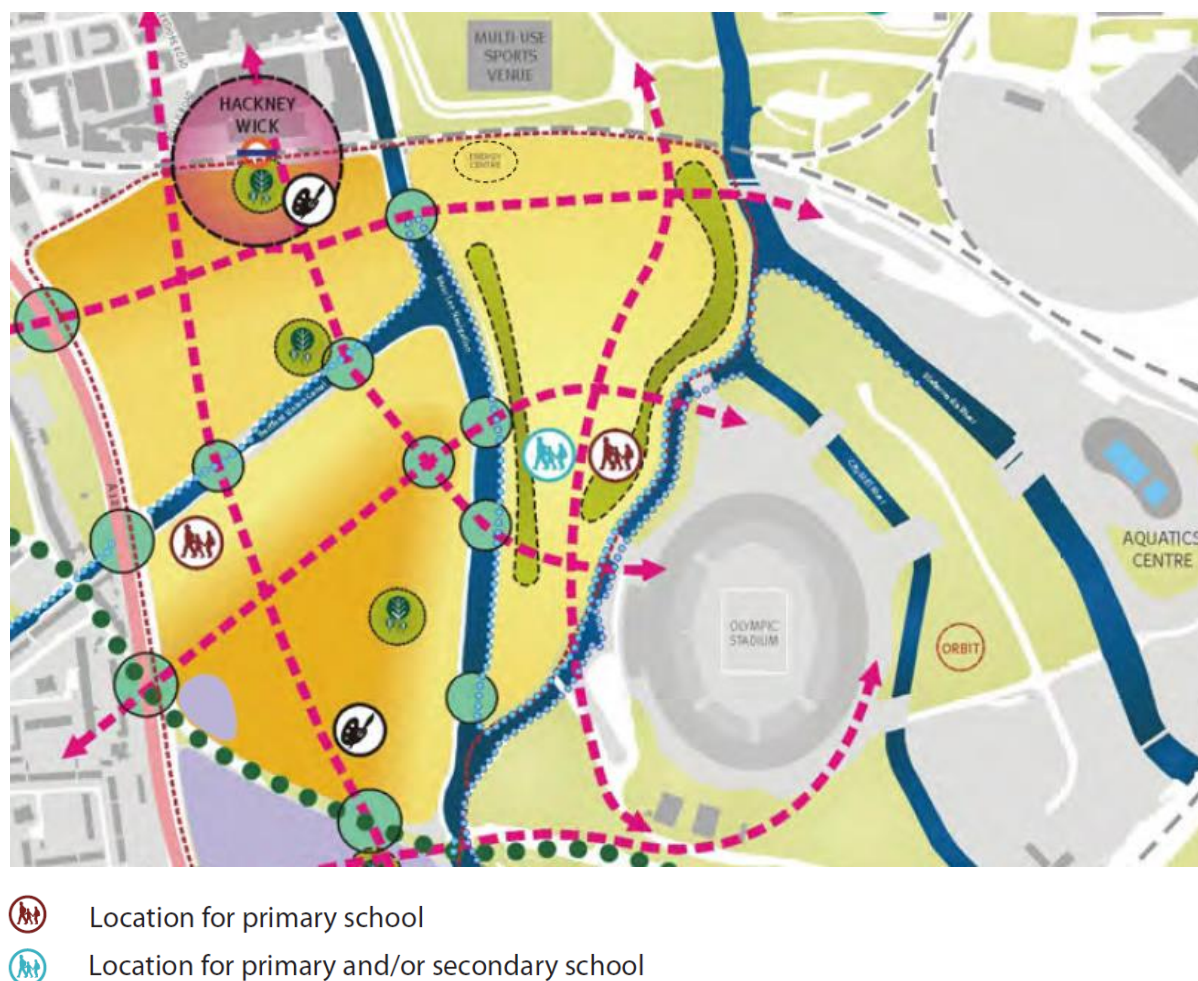
Of further concern is that all of these discussions, as can be seen above, were anchored in what the ODA PDT’s assessment report openly describes as the planning requirement to ensure that the LCS development ‘should make provision for the needs arising as a consequence of the development’ (*Ibid.*: 272). This focus therefore appears to have ensured that any objective to provide additional infrastructure for existing residents, and thus ‘convergence’, was kept off the agenda in negotiations. However, it should also be noted that the LCS does provide three new schools whose use cannot be restricted to the occupiers of the LCS development and, as such, will in principle be accessible to existing residents of the surrounding boroughs. The accessibility and location of the secondary school in PDZ12 was, however, contested as explained in Section 9.1.3. What is worth highlighting here, by drawing on the reflections of those engaged in negotiating this aspect of the development, is the manner in which local planning policy was, in part, sidelined by the LCS proposals.

### **9.2.3 Viability negating the local plan**

The location of the schools within the LCS site was subject to much discussion, as explained earlier, with both the LB Tower Hamlets and LB Hackney stating that a secondary school was needed in the western part of the site rather than to the south-east in PDZ12. It is not the intention to repeat the explanation of the nature of this planning outcome and its accessibility here but rather highlight a couple of important points about how the proposals relate to planning policy.

During his interview, *Resp11* explained how the consultation proposals for the Fish Island Area Action Plan (FIAAP), which were being formulated by the LB Tower Hamlets at the same time as the LCS planning process, made provision for the delivery of a primary or secondary school in the southern part of ‘Fish Island East’ (see Appendix 15 for names and location of the FIAAP’s ‘character areas’). This FIAAP designation for educational facilities is shown in the below plan.

**Figure 13.** Proposed location of primary and secondary schools as designated in the Fish Island Area Action Plan. Source: LB Tower Hamlets (2012: 25)



The OPLC argued in their consultation response to the FIAAP that this part of the site, relating to the LCS's PDZ4, should be protected for a primary school only as this is what is required to meet the needs of the development that was being proposed in the LCS application (the location of the LCS's proposed primary school in PDZ4 is shown in Figure 10 and Figure 11 in 9.1 and 9.1.1 respectively). However, *Resp11* noted that restricting the site to a primary school designation was problematic as there was "a much greater shortfall in secondary school places, and there are very few sites in Tower Hamlets where you could potentially build a secondary school because it requires quite a lot of land and land [...] is just very expensive". This problem was compounded by the fact that LB Tower Hamlets "has almost no [other] sites in its ownership".<sup>60</sup> Nevertheless,

<sup>60</sup> The FIAAP proposals also reaffirm *Resp11*'s view, highlighting how "there is no single site west of the Lea Navigation large enough to deliver a secondary school, and there are considerable risks attached to the financial viability and deliverability of assembling a site through CPO processes" (LB Tower Hamlets, 2012: 55).

the OPLC maintained its objection to the continued secondary school designation during the Planning Inspectorate's examination and approval of the FIAAP on the basis that at this point in time the LCS application had already gained approval and therefore should take precedence. The Planning Inspectorate rejected the OPLC's objection, however, by emphasising the rationale advanced by LB Tower Hamlets that the FIAAP's proposals for a school "should respond to the needs of the wider community, not just [...] the LCS" (*Resp11*). According to *Resp11*, this reasoning was made even more pertinent by the fact that a primary school had just been approved in the 'Fish Island Mid' section of the FIAAP (see Figure 13 and Appendix 15 – the latter providing a more comprehensive orientation of this primary school's location in accordance with the 'Fish Island Mid Character Area'), thus helping to meet any "need generated by the LCS site [...] which would then leave space in 'Fish Island East' within the LCS for the secondary school".

The formulation and approval of the FIAAP, reflecting the consideration of evidenced need within a local borough, provides an interesting contrast with that of the LCS application and its elevation of viability as a dominant consideration in its production. As discussed in Section 9.1.3, it would seem that the location of the secondary school in PDZ12 was primarily driven by the attempt to maximise the residential land use within PDZ4. PDZ4 provides a desirable waterfront setting and also holds a more central location within the main Olympic Park, and thus the potential for increased land receipts from residential development facilitated by the less land intensive primary school appears the prevailing rationalisation. This proposal by the OPLC, approved by the ODA PDT, is however also a concern for achieving 'convergence' and ensuring existing residents benefit from the bid promise of a regeneration 'Legacy'. As reflected in the tensions regarding the projected population yield, the isolated manner in which the location of the secondary school was determined neglects the broader strategic approach taken by policy in addressing the needs of the area with new development. The FIAAP's reasoning for the proposed secondary school in the area delineated PDZ4 by the LCS reflects this wider ambition when stating that 'the principles that underpin the Olympic Legacy objective of "convergence" support the provision of new schools [...] for children from both existing and new communities in and around Fish Island and the Olympic fringe' (LB Tower Hamlets, 2012: 55). It is therefore understandable that Tower Hamlets officers were frustrated with LCS education proposals deviating with the borough's planning policy because, as also noted earlier, it demonstrates "a bit of a gap [with] the rhetoric" (*Resp11*).

Without this understanding of the differing rationalisations and knowledge claims behind the proposed nature and location of education facilities within the LCS, the ability to

discern whether an approved course of action will achieve the objectives pursued in their name, such as ‘convergence’, is hindered. For example, *Resp1*’s response when questioned as to why the ODA PDT approved the secondary school in PDZ12 was that it was “a choice around delivery and around space”. But as informed by the detailed analysis above, it appears the term ‘delivery’ here actually means ‘viability’, with ‘space’ being a subsidiary consideration as demonstrated by the fact that a suitable site was designated in the FIAAP but not adopted for the LCS. Also, *Resp4* maintained that PDZ12 was the most appropriate site by highlighting the accessibility to all areas of the LCS although, as discussed in Section 9.1.3, this was disputed by some of the boroughs. Nevertheless, *Resp4* maintained that the boroughs were demanding too much from the LCS, and actually that it was not possible to “put a secondary school in each and every borough”. However, as noted earlier, it would seem, formally at least, that the LBs Hackney and Tower Hamlets had both requested a secondary school be placed in the western element of the LCS site rather than one in each of their jurisdictions. This could therefore align with the FIAAP, to which *Resp4* made no reference. Furthermore, PDZ12 falls within the LB Newham which actually did not desire any more secondary school provision but rather had requested a primary school. Indeed, *Resp10*, who was also an ODA PC member, stated that the LB Newham raised this with the OPLC but that they would respond by saying “there is a primary school [...] in Tower Hamlets”.<sup>61</sup>

*Resp4* did reason further that the secondary school, as well as being accessible, would maintain an admissions policy to guarantee that the take-up of school places by existing residents is permitted. This, she explained, had been “embedded in the [Section] 106, it’s very unusual, and a lot of that was to [re]assure the boroughs”. To enforce this through a S106 legal agreement is indeed quite unique, as it is usually the responsibility of the school operator, and does show some commitment to usage of LCS facilities outside of the site itself. It is, however, too early to say as to how successful this ‘take-up’ will be.

The use of the S106 agreement in the delivery of education facilities does nevertheless raise one further issue with regard to the secondary school in PDZ12 and the potential evolution of the LCS development. It is to this issue that we now turn.

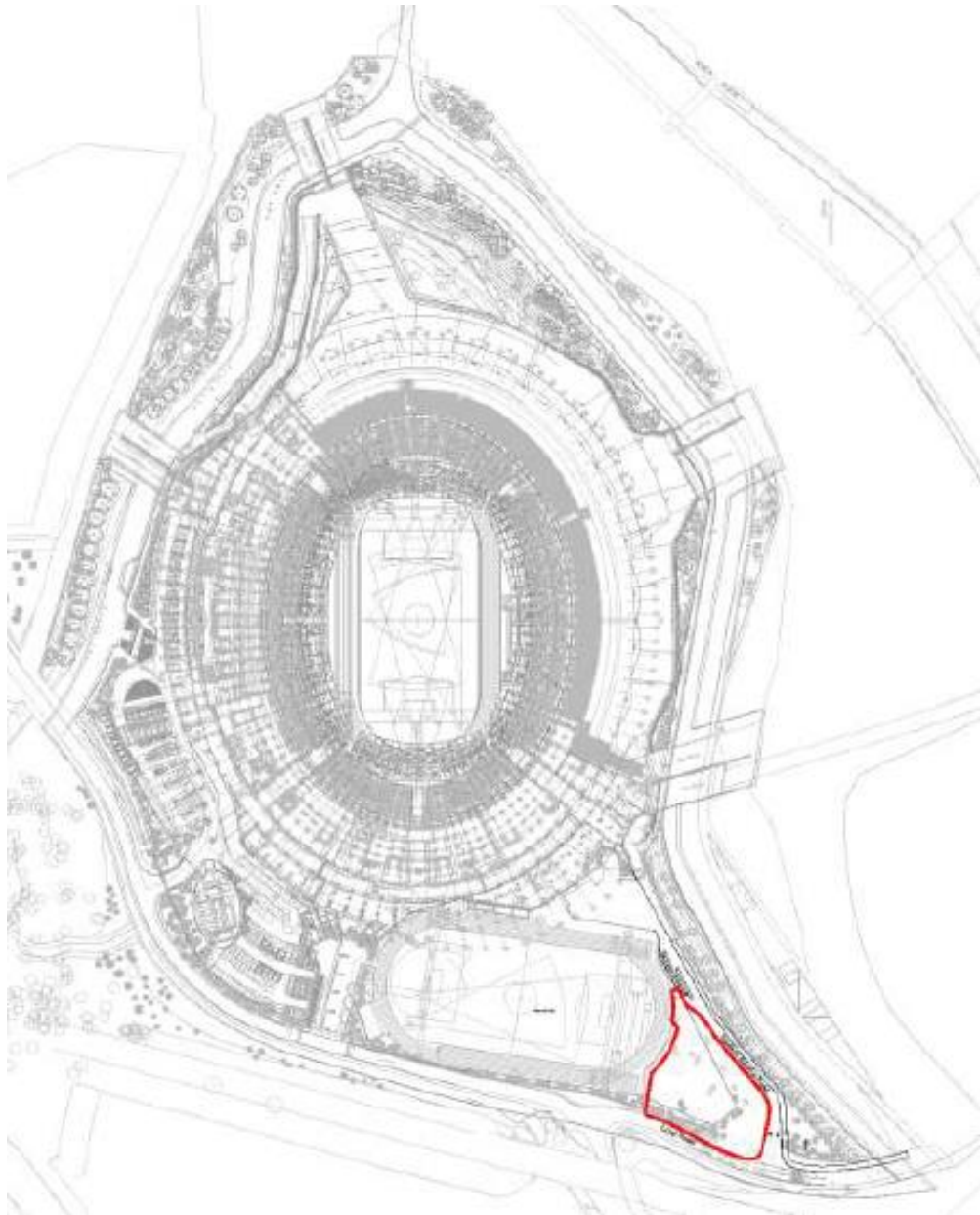
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<sup>61</sup> It is worth noting that, despite *Resp10* recognising this shortcoming of the LCS, he did not raise it as an issue at the ODA PC meeting for the assessment of the LCS application.

#### **9.2.4 ‘Planning creep’ and education**

There have been further developments relating to the S106 agreement pertaining to the contamination of the land in PDZ12 on which the secondary school is to be located and the potential need of an alternative site. Whilst the LCS S106 agreement requires an alternative site to be designated by the applicant, in the event of the PDZ12 site being considered beyond remediation, the one proposed does appear to have a couple of flaws. Firstly, the site being proposed is within PDZ3, and therefore falls outside of the LCS planning application boundary. This site location is shown below (with the LCS application boundary and PDZs shown in Figure 1 in 4.1.1):

**Figure 14.** Proposed alternative location for the secondary school in PDZ3, near to the Olympic Stadium. Source: LLDC (2014d: 19)



Thus, whilst the OPLC had criticised the boroughs for requesting that the LCS proposals consider the circumstances outside the confines of the application site, the successor to the OPLC, the LLDC RET, are themselves proposing that the demands created by the LCS are in fact met by provision outside of its borders. This may appear a ‘technicality’ but is important because it potentially risks undermining the requirement for a planning application to assess the merits of a development based upon how the proposals function and meet planning policy as a whole rather than as a set of piecemeal elements. Indeed, the LCS’s S106 explicitly requires the secondary school in PDZ12 to provide



playing fields, but the alternative school proposal in PDZ3 will see the absence of such provision and will require the sharing of that which is provided within the primary school in PDZ4 (LLDC, 2014d: 12). This absence of playing fields is actually a reflection of the relatively small footprint of the alternative PDZ3 site, with a gross external area of 8,750m<sup>2</sup> as against the S106 requirement to provide a school of at least 11,660m<sup>2</sup> (*Ibid.*: 5). The LLDC RET state that the limited site availability within the immediate vicinity, given the need to protect the minimum 102 hectares of open space in the Olympic Park that were safeguarded by condition in the OPLT and LCS planning applications, has resulted in this constrained site. However, despite falling short of the proposed size as conditioned, the LLDS RET reasons the alternative site as acceptable given that it is consistent with DfE technical size standards (*Ibid.*: 9).

The alternative site will only be required if the PDZ12 site proves to be too hazardous given the proximity to the existing gas holders. In a report submitted along with the new site proposals, it would appear that although the proposed school building in PDZ12 is considered safe from potential hazardous substances, the 1.2 hectares of playing fields which are required through LCS condition is on land currently advised as too polluted for use (*Ibid.*: 7). Whilst the school situation is ongoing, and thus no decision has been made upon the acceptability of the alternative PDZ3 site, it would seem that, given the viability constraints that have provided a back-drop for the LCS's development decisions alongside the potential remediation costs of PDZ12, there is a considerable chance the alternative site will receive approval. If so, this represents further erosion of previously agreed open space, notably due to the loss of playing fields, and LCS infrastructure provisions. The LLDC RET do reason that the schools in PDZ3 and 4 will benefit from sharing facilities and services given their proximity (*Ibid.*: 9), but without any developed explanation of this, it does seem to be a somewhat post-rationalisation of a pre-determined decision. The increased accessibility also promoted (*Ibid.*: 9) may also appear ironic to the LBs of Tower Hamlets and Hackney given that the OPLC had gone to such lengths to demonstrate the ease of access for PDZ12 so to rebut their claims to the contrary. Thus, the changes and problems that have emerged since the LCS approval does serve to further highlight how the original decision to provide a primary school in PDZ4 alongside residential development was primarily driven by concerns for viability and not by the functionality of the site. It does also leave one wondering whether these potential alterations to the proposals were envisaged as a desirable scenario and as part of a long term planning process strategy to reduce the land covered by social infrastructure so to maximise land values through commercial and residential development. Without any empirical evidence that explicitly addresses this possibility,

speculation over such a clandestine strategy will surely remain just that. However, the approval of the alternative PDZ3 site would provide further evidence of the planning system's ineffectiveness in resisting incremental changes to previously approved development proposals, thus opening up the opportunity for significantly different development agendas to that first envisaged (see 10.4.2).

## **Chapter 10. The role of power in the LCS planning decision-making process**

The following chapter provides a detailed analysis of a number of issues related to the negotiation and assessment undertaken within the planning decision-making process for the LCS. Unlike the previous four chapters, this analysis is not orientated around particular land use issues but is broadly structured to relate to the various conceptions of power in the planning decision-making process that were examined in Chapter 3, and therefore focuses on: how the ODA's exceptional governance arrangement drove the planning decision-making process for the LCS; the manner in which the development agenda was negotiated and controlled; the mobilisation of bias in decision making; and, the importance attributed to consensus and viability in the LCS development.

### **10.1 Governing the LCS planning decision-making process**

#### **10.1.1 An inaccurate interpretation of exceptional legislation**

One of the key elements to ensuring the delivery of the London Olympics was the creation of the ODA, which was established under Section 3 of the *London Olympic Games and Paralympic Games Act 2006* (LOGPGA). Section 5(5)(b) of the LOGPGA states that the ODA, in fulfilling its planning function, must have regard 'to the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them', although there is no further reference to what these 'benefits' constitute. According to *Resp12*, this Act was problematic given that "there were a lot of things in it [...] that forfeits normal planning legislation". As a result, whilst the assessment of the LCS should have seen a "rigorous testing", it was dealt with by the ODA PDT with a "very much a light touch" (*Resp12*). *Resp17* provided a comparable viewpoint, stating that that the "Olympic Planning Act [...] says that a material consideration is delivering the Olympics, and so all normal policy issues are off limits".

*Resp28* noted that the ODA PDT were able to use the Act "as a material consideration in determination [of planning applications] and part of that was to (a) facilitate the Games being held on time and (b) to get the best value out of the investment made in hosting the Games for long term legacy". This meant, according to *Resp28*, that a development may not have received planning permission under "normal circumstances, but [if it] was the best route to getting something delivered quickly, then they could [use] that as a

material consideration". This "wouldn't have been if they were just running under the normal Planning Act" (*Resp28*).

However, what is interesting about the LOGPGA is that whilst it does establish the ODA as a LPA, there is no explicit reference to the overriding of normal planning legislation with regard to the assessment and determination of applications, that being Chapter 3 of *The Town and Country Planning Act 1990*. Section 5(1)(b) does relate the LOGPGA back to the Section 33 of the earlier *Planning and Compulsory Purchase Act 2004* (PCA), which states that an urban development corporation, such as the ODA, is unburdened from the need to produce a local development plan. However, Section 5(5)(e) of the LOGPGA states that, with reference to Section 38 of the PCA, the ODA shall have regard 'to the development plan for any area' within its remit. Thus, whilst the ODA shall have regard 'to the desirability of making proper preparation for the London Olympics' (Section 5(5)(a) of LOGPGA), which does imply an emphasis on delivery, the reference by *Resp12*, *Resp17* and *Resp28* to the limiting of normal planning procedures and material considerations (also see 4.1), and therefore the discretion that can be applied by planners within the ODA PDT, is somewhat unfounded in relation to the LCS. Rather it would appear to be that the perception of the provisions contained within the LOGPGA by those engaged in the LCS planning decision-making process, alongside political pressure from the ODA Board and the various rationalisations and actions of ODA PC members documented further below, is what drove the emphasis that the viable delivery of the LCS was paramount over the consideration for, and desires of, the local boroughs and their respective development plans/agendas for the LCS.<sup>62</sup>

This political pressure from the ODA Board was present during the ODA PC meetings, as *Resp17* recognised, because for the "Legacy [LCS] there was still the working practice that [the OPLC, ODA PDT and ODA PC] worked along with each other, and indeed the ODA Chair [and] Vice-Chair [...] was on the ODA Board [Steering Group]". The influence of the ODA PC Chair shall be returned to later. Whilst one cannot definitively know the implicit thought-processes of those involved in the LCS decision making, given the obvious empirical difficulty in obtaining them as explained in Section 3.2.1, it may be speculated that those working for the ODA PDT and the ODA PC members would not likely be inclined to robustly challenge the political objectives of the ODA and its Board members as they themselves had already chosen to work for a development agency in

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<sup>62</sup> As noted in Chapter 3, the ODA Board acted as the main decision making body for the delivery of the 2012 Olympics. It was supported by the Olympic Board Steering Group which provided it with 'advice and assurance on the progress of the Olympic Programme' (ODA, 2011: 13).

the first instance to be part of a large-scale and high profile development that few people have the opportunity to be involved in.

The role of the planning function's governance arrangement within the delivery of the LCS is important and requires further examination.

### **10.1.2 'De-risking' and the demotion of local democratic accountability**

The delivery of the LCS development by the OPLC is based upon the creation of 'joint venture structures with development partners [to] enable the [OPLC] to take a share in the development risk and associated receipts' (ODA PDT, 2012a: 436). Furthermore, in order to maximise the viability of the LCS, the OPLC stated that the 'normal enabling costs', resulting from remediation and the provision of utilities and access to the development site, are to be 'excluded and will not be passed on to development partners' (*Ibid.*: 438). These two provisions result in the OPLC thus taking on much of the development risk to attract private developers to deliver the LCS. The use of public finances in the delivery of the Olympic related infrastructure and venues represented, as Smith (2013) rightly notes, a 'de-risking' of the area for future private investment. The delivery of the LCS development continues this process of reducing development liabilities for potential investors.

The creation of the ODA as the local planning authority also forms part of the 'de-risking' process in that, as *Resp22* explains, it provides "a much more powerful vehicle to give certainty, clarity and consistency with decision making and [an] expeditious approach [that] you wouldn't get [...] if you let local authorities continue to do their own thing in that area". One of the key elements of this delivery 'vehicle', particularly during the shaping of the LCS development, was the close relationship that existed between the ODA PDT and the OPLC (as well as the OPLC's predecessor, the ODA's Town Planning Promoter Team (TPPT)). The ODA's planning function was to ensure that there was in place "established structures and processes to ensure that the integrity of the planning system, based upon rigorous application of existing planning policies [was] upheld" (Hollingsworth and Shaw, 2011b: 1). Thus the ODA PDT and the OPLC were to maintain the customary planning authority/applicant separation in the negotiation and assessment of the LCS planning application. However, *Resp11* noted that this relationship involved a "notional, and in practice, largely fictitious Chinese wall" between the two. The reality of their informal relationship was, according to *Resp14*, based on the need to "to deliver a clear outcome and [overcome] one of the biggest risks [...] around planning". Furthermore, *Resp14* felt that the ODA PDT and the OPLC's close relationship was at the expense of the "accountability to our communities".

Indeed, this lack of accountability could be viewed by the closed nature of decision making that occurred throughout the shaping and assessment of the LCS planning application.

### **10.1.3 Predetermined and ‘closed-door’ decision making**

The lack of accountability to local residents, given the exceptional planning arrangements, was an issue reaffirmed by *Resp12* who believed that, whilst some changes were secured, it was generally difficult to alter the LCS development given that the ODA PDT and OPLC conducted “a tick box exercise when it came to consulting the surrounding boroughs and agencies and local residents”. Elaborating on this, *Resp12* stated that the close relationship between the ODA PDT and OPLC and the speed at which decisions were undertaken on the nature of the LCS application made any changes to the development agenda “quite inaccessible [with] decisions being made behind closed doors [which meant] it was very hard to have any influence”.

Related to this, one notable matter of interest was the general view amongst those interviewed that it was easier to influence the nature of the LCS development agenda prior to the planning application being submitted rather than during the formal consultation process of the application. The main reason for this was that the nature of the proposed development had already been solidified once the formal application had been made.

It was, in fact, a working practice to negotiate the LCS application prior to its submission. LPAs commonly use a formal process of pre-application discussions, upon demand of a fee, to highlight some of the main issues that may emerge from any given planning application. The ODA PDT and OPLC appear to have utilised a similar process of pre-application discussion, although there does not seem any evidence of a fee charge given that the LCS is a public development, to discuss various land use issues and informally consult local boroughs on the proposals.<sup>63</sup> As *Resp3* explains, the pre-application meetings enabled the ODA PDT and OPLC to “work through all of the various issues and topic areas that would come up through that full assessment process before [the] application stage”. The dominance of professionals in these discussions was highlighted by *Resp3* when stating how the ODA PDT “facilitated those meetings with technical

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<sup>63</sup> Section 26 of the ODA PC’s *Terms of Reference* encourages the use of pre-submission discussions, stating the following: ‘The Planning Committee may set up working parties to advise or make recommendations to the Planning Committee on such issues as the Planning Committee shall decide’ (ODA Board, 2008: 4).

representatives and other [...] planners from the boroughs, along with their housing and transport and other specialists, with the applicants”.

The ODA PC members were, interestingly, involved at this point in the process through a series of briefing meetings. *Resp7* highlighted the importance of these early meetings for the ODA PC members stating that “most of the influence that we had had came before [the LCS committee meeting] in the briefings that we’d had on the whole thing and elements of it, and the [OPLC] officers had come and spoken to us many times”. *Resp8* agreed with this, stating that the pre-application briefing meetings were “massively important [as] by the time the application comes, it’s far too late to start making suggestions as to how it might be better”.

The fact that ODA PC members were involved in this manner prior to the formal submission of the application does raise a concern over the extent to which the LCS could be said to have been ‘pre-determined’. Firstly, the ODA’s *Planning Code of Practice* states that in order that pre-application discussions involving decision-makers are not “part of the lobbying process for the benefit of applicants, the ODA expects that [...] any advice given to applicants or prospective applicants is not partial and will not be seen to be partial.” (ODA, 2006: 20). Secondly, and with broader pertinence to the planning system, Section 25(1)(b) of the *Localism Act 2011*, whilst abolishing the concept of pre-determination, states that a ‘decision-maker’ must not have “had or appeared to have had a closed mind (to any extent) when making the decision” (*Localism Act 2011*). This reflects the common law position that it is acceptable for a committee member to be predisposed on a matter before the planning committee provided they are open to changing their viewpoint subject to the discussion and new information emerging during the meeting.<sup>64</sup> This would be difficult to prove without being present for all discussions but, nevertheless, a couple of observations are worth detailing here.

A number of the ODA PC members highlighted how they clearly expressed their views on the LCS scheme prior to the application’s submission. *Resp11* commented that “there was real debate about stuff, but usually before it got to public committee, when we would have the initial briefings on schemes and we’d tear them apart sometimes and really put them to the test and they were genuine discussions”. *Resp9* echoed their freedom to express their viewpoint during these briefings, whilst unwittingly also highlighting how they may have been ‘partial’ when hesitatingly acknowledging that “you can only give an opinion, or in fact you can’t give an opinion, you can give a reflection”. Nevertheless, he

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<sup>64</sup> There is considerable planning case law that seeks to address the principle of pre-disposition but it is too extensive to detail within the remit of this thesis.

was quite open in stating that in order to provide these 'reflections' rather than opinions, the ODA PC members would often raise questions "and try and do it that way [although], in reality, people understand that [offering opinions] is what you're actually doing". This resulted in "direct questions which people shouldn't answer, and then someone would say 'of course you meant ...'. So it's generally understood that you do not pre-determine something if it's been done properly, otherwise you're doing the planning meeting" (*Resp9*). Thus, whilst one may not directly divulge their assessment of the proposed development, it would seem that the opinions of the ODA PC members were expressed implicitly during the briefing meetings whilst endeavouring to adopt a seemingly impartial, "subtle [and] legalistic approach" (*Resp9*). As a result, *Resp9* believed that this made "for better decision making" and enabled the ODA PC members to "influence at the stage which can make a difference". The briefings and meetings prior to the submission of the LCS application therefore appear to represent a collaborative approach to shape the development so to secure a planning approval.

The main problem with this approach is, however, its democratic openness and that it may diminish the possibility of challenge. *Resp3* was candid in stating that the negotiations before the application's submission were to avoid any potential disputes and what the ODA PDT "were aiming at was getting an application submitted that was acceptable enough in the first place that you probably wouldn't want to refuse it". This appears to demonstrate the commitment of the ODA PDT to managing the approval of the LCS. Indeed, *Resp11* believed that "it would have been unthinkable for the ODA Planning Decisions Team to have ever refused an ODA planning application". This was because there "was always this pressure for them to be facilitating the delivery of the Olympics, which isn't necessarily conducive to a robust consideration of every planning application on its own merits" (*Resp11*). The emphasis on delivery does not therefore provide the opportunity for opposition to burden the process. *Resp8* recognised this, explaining that the main issue with pre-application meetings in general was that, whilst they "enable councillors, through their [planning] officers, to say 'well, we don't like that, we do like that, we think that should be changed, we'd prefer it if ...', they actually strengthen the hand of the applicant when it comes to the application, and therefore weaken the hand of objectors". So the frontloading of negotiations, and their use of technical knowledge to justify a particular development agenda, "actually weights the thing even more in favour of the applicant" (*Resp8*). It is therefore easy to understand how it would be difficult for the ODA PC members to justify grounds for refusing any of the applications that were presented before them at committee.



#### 10.1.4 'Staging' critical debate with uncritical outcomes

One of the interesting aspects to the ODA PC meetings was the lack of applications that were refused. As *Resp12* notes, "I don't think they refused one scheme in four or five years of their existence, which just shows that they certainly were never set up to refuse things, however bad the scheme". This was, as *Resp6* admitted, partly "due to the fact that most things got changed after these briefing sessions", and therefore the developments approved were to an appropriate standard and technically sound. However, as noted in Section 6.2.5, a number of the decision-makers, both officers in the ODA PDT and members of the ODA PC, appear to have provided little resistance to the LCS development or demonstrated a responsibility to always offer a robust assessment of the different elements of the LCS proposals. Again, the need for efficient determination of applications was provided as a general reason for this lack of agency, with *Resp10* stating that when "you have a planning application that comes in, you have to dispose of it. Really, all we could have done was say 'no' and then look for grounds for refusal, but that would have been very messy [...], nobody wanted to do that". This was despite *Resp10* describing the LCS as being "wholly unrealistic, so what we approved was a plan that has nice aspirations in it, but actually, I don't think it will happen". *Resp1*, on the other hand, provided a frank personal response when acknowledging that the LCS was never going to be refused, explaining her support for the approval of the development in terms of her employment status: "I still needed to work a bit longer". This would suggest that the ODA were dictating compliance from employees to their objectives.

This is not to say that individuals were not aware that they could have been more rigorous with their demands of the LCS, with *Resp6* reflecting that he had felt "ashamed that I'd abstained [from the LCS decision] at the time and thinking I'd been feeble and I should have voted against it". But as *Resp12* noted, "it would be a brave [ODA PC] member to go against an [ODA PDT] officer and an officer decision" due to the extensive technical assessment they had provided within the assessment report. Nevertheless, the ODA PC members were accused of only scrutinising the LCS development agenda "verbally but, when it came to the decision, there was barely any objections" (*Resp12*). This reflected the 'staged' character of the ODA PC meeting for the LCS's assessment which, as one commentator stated with regard to the Olympic planning process in general, provided an "element of theatre" (Ward, quoted in *Planning*, 2012: 25). This 'front stage performance', to use Goffman's (1956) phrasing (see 3.2.1), is perhaps best exemplified by *Resp12*'s explanation of the contributions offered by one of the ODA PC members' during meetings:

There was always a [PC member] who always liked the sound of his own voice and kicked up a lot of discussion and debate and saying 'how dreadful this is', but then would always vote for the proposal and it did seem that they were there as a showman, to make a point and try to grill the officers, but then would always toe the line in terms of the decision.

It was, however, a member of the ODA Board who provided the most insightful comment on how the ODA PC members 'staged' critical debate and were not always autonomous decision-makers but subject to bias from their position within the ODA governance structure and the associated objective to ensure the delivery of development. *Resp6* relayed the following telling conversation with the Board member: "I was talking about what my role is and he said 'oh, you played a blinder, you were great all the way through, y'know, you provided the grumpy old man position which we wanted'".

One must be careful when drawing conclusions based upon the reflections of an interviewee who may wish to ingratiate themselves, for any number of reasons (see 4.2.2), to the interviewer through providing information that they suppose would make a perceptive comment on the functioning of the LCS planning decision-making process. Also, the fact that someone attributed an ODA PC member with a 'staged' persona during committee meetings does not make this necessarily so. However, given the views expressed above, it is clear that the ODA PC was not as robust in holding to account the OPLC and ODA PDT, or indeed in assessing the merits and supporting rationalisations of the LCS planning application, as one would have hoped for a 'normal' planning committee.

### **10.1.5 Embedding bias within decision making**

The influence of the ODA PC Chair was briefly discussed in Section 7.2.3. It is worth examining the role of the Chair further given the importance she had in shaping the discussions during the ODA PC meeting for the LCS development. Firstly, it is of significance that the Chair has authority over other members on the committee given the fact that Section 21 of ODA PC's *Terms of Reference* state that: "In the case of an equality of votes the Chair of the meeting shall have a second or casting vote" (ODA Board, 2008: 4). This establishes the organisational supremacy of the Chair, not only in leading discussions but also in decision-making capacities. Given this privileged position, the professional interests of the Chair are therefore worth highlighting even though, as noted earlier, there is a formal responsibility to ensure impartiality in the assessment of planning applications by ODA PC members and a responsibility to 'declare any interests' (see ODA, 2006). For the Chair, who is also a member of the ODA Board, these interests

are reflected in a range of positions within the financial and property services.<sup>65</sup> The appointment of members to the ODA Board with property development experience is interesting, with *Resp12* noting that they were “all very much cherry picked from the development industry, and that’s really where they wanted that expertise and nous”. According to *Resp12*, this led to Olympic regeneration

decisions [being] made rapidly and in a more professional context without necessarily appreciating the locality or the sensitivities of the local communities. So [decisions] were not being made by local people basically [...]. [They were] probably a lot more pro-development, but not I say pro-development in terms of good development, it was just pro any development, so you’d see some decisions made which you knew in ‘legacy’ terms would just be poor.

The relevance of this to the ODA PC committee was explained by *Resp10* who noted the influence the Chair had in framing discussions. According to *Resp10*, “what she wanted [was] stuff to happen, even if it wasn’t the right stuff, to have action [...]. She had opinions and she was never shy about telling us what they were”. This ‘pro-development’ position and having an ODA Board member as Chair of the ODA PC was also troublesome for a couple of the PC members interviewed. *Resp6* stated that “there should have been no representatives of the Board on that planning committee at all and the fact that one of them was Chair, I always thought was very problematic from the beginning. The Chair should have been elected from the committee”. This concern materialised further with regard to when ODA PC members would seemingly challenge issues of viability during the course of the planning for the post-Games regeneration. Indeed, *Resp7* noted the Chair’s desire to not impose any additional expenditure on the future developers of the LCS so not to affect the ‘viability’ of the proposals:

We had the financial collapse in the markets and that meant that, particularly the Chair, not the rest of us, but the Chair, was enormously sceptical about any commercial development, or private sector development, going on site and she was very much at the bare end of that, very much, and she would constantly pour cold water on any views that this was gonna take off in any way. Whereas [*Resp10*] and I were always right at the other end and we always took the view [...] that you would get an upturn and that this would just fly out of the door.

Nevertheless, the fact that the ODA PC Chair advocates a particular position should not detract from the necessity for ODA PC members and ODA PDT officers to enact

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<sup>65</sup> The ODA PC Chair, amongst other things, holds, or held, the following positions: President of the British Property Federation; Chairman of Schroder Real Estate Investment Trust Limited; Chairman of Tri-Air Developments Ltd; Chairman of London & Continental Railways; Chairman of London Thames Gateway Development Corporation; and, Executive Director of Chesterton International Plc (Bloomberg Business, 2015).

individual responsibility to ensure that a robust planning assessment of the LCS application had been undertaken. However, amongst other things, such as the unusual adjournment during the LCS committee to agree the set-back of PDZ5 (see 6.2.5) and the use of ‘slot in/out’ applications so to “cut up decision making [so the ODA PC] didn’t have to refuse” (*Resp7*) (discussed later in 10.2.1), the prominence of representatives of the development industry in the ODA does demonstrate an attempt to ensure decision making within the planning process was anchored around the objective of expedient delivery.

The exceptional governance arrangement for the assessment of the LCS application provided some interesting findings with regard to the role of power in the decision-making process. However, there are further issues that need to be addressed with regard to the manner in which the development agenda was controlled by the engaged actors. These issues have been drawn from the LCS assessment process but also have broader significance for the general functioning of the planning system.

## **10.2 Controlling the agenda**

As was detailed in Chapter 3, planners are able to exert influence through recognition of their professional ‘expertise’, with their perceived objective and technical knowledge based reasoning affording them legitimacy in planning decisions. This expert driven and technical process of decision making requires examination in the context of the LCS planning application.

### **10.2.1 An expert driven and impenetrable process**

The LCS planning decision-making process can be seen to reflect this ‘expert’ driven approach given the breadth and often arcane detail of the assessment undertaken and documented in the extensive ODA PDT assessment report. This is, in part, the result of the sheer scale of the development being proposed and the number of issues that require examination by the planners. However, it appears to also reflect the desire to ensure the efficient delivery of the LCS planning approval as it was, according to *Resp1*, “all about trying to make it JR [judicial review] proof ‘cos you can’t afford to lose time”. Indeed, the scale of LCS development undoubtedly would inhibit any lay person in their attempt to comprehensively understand, and challenge, what was being proposed and the potential impacts, with even those closely involved in the process being unable to correctly recall the details of the proposed development (see 8.2.1). Notwithstanding issues of effective

public consultation, which are not subject to examination within this thesis, the esoteric 'professional' language used within the LCS related documentation and discussions would also not have assisted in providing immediate clarity for lay people of what the LCS will deliver.<sup>66</sup> This was seemingly apparent through the almost complete absence of any consultation responses within the formal LCS planning application process from existing residents in the surrounding neighbourhoods. Indeed, the lack of engagement during formal LCS planning application assessment period was expressed by *Resp17*, who rightly noted that:

You were the only person who went to the [ODA PC] meeting and your only interest is your academic interest. Had you not gone along then there would have been zero members of the public. It was all too confusing, this big thing was just happening to people.

However, a considerable factor in the lack of engagement from lay people must surely be that there were few residents on the Olympic Park site at the time of the LCS's formal planning assessment and thus the relevance of the new development to those in the surrounding area was not obvious given their geographical separation with the site. This is something that *Resp11* noted when commenting that the LCS site was "completely removed and it takes quite a leap of the imagination to think that, potentially, in 15 years time, what's here [...] will be maybe a place that is quite important to the places where [existing residents] are now".

The dominance of 'expert' knowledge was also demonstrated by the protracted technical discussions and knowledge claims that formed the negotiations around the nature of the development, exemplified by the varying estimates of school places necessitated by the LCS that resulted from competing population modelling claims (see 9.2.2). Such discussions meant that any lay person would find it difficult to influence the LCS development without also using 'legitimate' technical knowledge that can be related to a 'professional' or 'material' considerations (see 4.1). *Resp6* articulated this view by stating that "it would have been hard, without being very knowledgeable about planning, to respond to that [the LCS] application and say anything coherent that would be taken account of [...] unless you had a planning lawyer to help you".

This was not only a problem for lay people but also for the ODA PC who assessed the LCS application. *Resp6* highlighted the issues faced in trying to comprehend a vast array

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<sup>66</sup> The difficulty of lay people understanding planning 'jargon' was reflected in *Resp17*'s suggestion to "have a look at the adverts and analyse them. The adverts say 'the Olympic Planning Application, they'll be this that and the other happening to zones A, B, C and D, and PZ4 whatever' [and its] completely impenetrable".

of technical information when assessing such a large-scale planning application as the LCS. In doing so, he commented that the ODA PC were “expected to sit down, listen to a two hour presentation about something and then make a decision about it and, although you have it in advance, you can’t read 48 folders of information in the same way that the officers can”. As such, the resources that the ODA PDT had, in terms of being able to understand the relevant technical information and dedicate sufficient time to comprehend the varying aspects of the development, afforded them with a privileged position whereby they were able to exert a degree of control over the ODA PC’s perception of the merits of the LCS development. This dynamic is perhaps best explained by *Resp6* who surmised the decision-making process as one whereby “officers come in and say ‘well, we think all this is alright’ and you take their word for it, apart from the things [...] you understand about, or that you’ve got interested in looking at”.

The transparency of the LCS decision-making process is, however, not only a problem of political ‘power defining rationality’, to borrow Flyvbjerg’s proposition (see Flyvbjerg, 1998), through the legitimacy afforded to professional expertise and knowledge. There is the further related issue that, in orientating negotiations and development decisions on this basis, the ability for citizens to challenge proposals is hindered, with any challenge to the development agenda having to engage within the frame provided by the established technical evidence. In other words, it would be hard for local residents to challenge that which is proposed in the submitted planning application given that a professionally agreed and technically robust analysis of the LCS proposals would have already taken place before the application was formally consulted upon and assessed by the ODA PDT. This issue is related to the problem of ‘closed-door’ decision making discussed earlier in this chapter.

The difficulty in understanding and challenging the development agenda is, however, not isolated to local residents as even the principal decision makers of the LCS, the ODA PC members, found it difficult to decipher the substantive nature of the proposals. A number of the ODA PC members commented on this, highlighting how the sheer scale of the proposals and the supporting technical knowledge base acted to obscure the development under assessment (see, for an example, Section 8.2.1), with the complicated planning history of the post-Games development also reducing the LCS assessment at the ODA PC meeting to piecemeal considerations of particular elements rather than strategic land use issues. This complexity, and the resulting narrowing of planning considerations, was in fact revealed by *Resp6*, who voiced his concern over the LCS’s evolution and its associated assessment when stating that:

[E]ven we couldn't understand [the LCS], it's really hard to unpick what had been determined already, what was contained within some complicated, previous consent. They'd say 'oh, you determined that back in 2007.' We'd be like 'did we?'

Thus, the complexity of the LCS meant that there was seemingly a reliance on the ODA PDT officers, supported by the respective technical expertise of consultants, to orientate the ODA PC meeting discussions and facilitate the assessment of the LCS proposals. This was, indeed, explicitly established at the outset of the ODA PC meeting when the Chair declared that:

We [...] have at the table our legal representatives and we have also in the room the ODA [PDT] advisors. Obviously, it's important from our point of view that the [PC] members have all the information available before they make the decision.

Having attended the ODA PC meeting, I understood this as a deliberate whilst subtle proclamation to emphasise the expert support that had shaped the LCS and that it was their advisory 'information' that should provide the context to any decisions made during the PC meeting. This is not necessarily a pejorative observation to suggest that technical expertise should not assist decision making but, for reasons already discussed above, there needs to be an understanding of the political objectives that are advanced by the potentially selective use of technical knowledge claims. As detailed in Section 6.2.5, the use of the viability report to influence ODA PC members during the meeting's adjournment is an example of how expert knowledge claims can have undue authority over the development agenda.

Notwithstanding this issue, one further point must be made on the transparency of the LCS planning application and how even the ODA PDT struggled to manage the complexity and evolution of the proposals contained therein. The ODA PDT and the OPLC (which succeeded the aforementioned TPPT) used what they referred to as a 'slot in-slot out' process that provided "a jigsaw approach which allowed for elements of the 2007 masterplan to be removed ('slot-out') and new replacement pieces to be put in their place ('slot-in'). This approach was agreed with the legal advisors to both the [ODA] PDT and TPPT" (Hollingsworth and Shaw, 2011a: 1). The changes that emerged between the masterplan in 2007 and the delivery of the Olympic development were therefore managed by this 'legalistic mechanism' (*Resp1*) so to avoid having to provide a completely new masterplan application for each alteration given the tight timescale for delivery as well as ensuring that an inappropriate element did not result in the complete

refusal of the whole development proposal.<sup>67</sup> However, in having a huge number of piecemeal amendments submitted for approval, which not only had an impact on the Olympic development but also the development parameters of the post-Games proposals, the complexity of the planning history for the site to which the LCS must conform made it difficult for even ODA PDT officers to understand the elements of the LCS that could be negotiated during the planning decision-making process. *Resp1* highlighted this problem when stating that

anyone trying to trace [the LCS proposals] back [would] get brain ache because you'd have to decide what the planning permission is for the Olympic Park venues and the green space [and] you'd be looking at hundreds of permissions, with lots of statements saying there was a previous one that got slotted out.

This was, however, what the OPLC and ODA PDT officers had to undertake when negotiating changes to the LCS development during, and prior to, the formal planning decision-making process. Again, this process meant that legal experts had a prominent role in setting out the parameters of negotiation alongside any potential alterations that could be made to the LCS development. *Resp3* explained that regarding

the interface between [the LCS's] potential permission and existing planning permissions that would still be in place for delivery of the Olympic Park, [the ODA PDT and OPLC had to] work through that in terms of its technical planning implications [which] is quite a headache, and so [there] was a team of lawyers on each side.

As the ODA PDT officers described the process of understanding the evolution and conformity of the LCS in relation to previous planning consents as being a 'headache', despite also having legal assistance, one can only conclude that a lay person or indeed the ODA PC members would find it extremely difficult to challenge the development proposals and parameters being placed before them. There is thus no doubt that the technical expertise of the professionals, both planning and legal, had a controlling influence in the evolution of LCS development.

However, the use of legal expertise, or other consultants, by the ODA PDT in the LCS planning decision-making process was not necessarily seen as a problem, with a number of the ODA PC members stating their support for the role of experts. The troublesome element to this is the degree to which these experts dominated negotiations for the

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<sup>67</sup> Indeed, *Resp1* stated that the "ODA should have [...] theoretically [asked for] a whole new outline [masterplan]" given some of the alterations being proposed to the Olympic development, but that it was the ODA PDT who "dreamt up, with lawyers" the slot in-out process to legally manage the 'evolution'.



different elements of the proposed development. *Resp7* clarified their influence when discussing the negotiation of viability and population projections:

It wasn't a question of just the [ODA PDT's] officers looking at it and then telling us their views, they actually had consultants working with them on it to advise them, so they were supported by just as high-profile and well paid consultants as [the OPLC's] experts, [...] so quite a lot of the negotiation on these viability studies and projections would have been done by consultants.

This approach to assessing and determining development decisions does raise the issue as to how transparent the LCS planning decision-making process was, particularly as the relevant development plans were on a number of occasions overridden - notably the LB Hackney's Core Strategy and HWAAP, the London Plan, and the LB Tower Hamlets' FIAAP (see 8.1.4 and 9.2.3 which highlight policy departures). The evidence base on which the LCS was constructed was, by account of the ODA PC, tested by consultants and negotiated by competing knowledge claims produced by these experts. This would seem to be representative of a broader 'post-political' style of decision making that *Raco and Lin (2012)* describe as a 'technical, consensual [...] exercise of project management and delivery, [whereby] democracy becomes relegated to [...] development-led ideology and leading politicians' visions' (*Raco and Lin, 2012: 205*). To this end, experts are able to rationalise development decisions using their technical knowledge to achieve political objectives. Examples of this in the LCS include the production of an 'accessibility map' to support the location of the proposed secondary school in PDZ12 as well as the submission of a design statement to reason the reinstatement of the residential parcel footprint in PDZ5. Both of these seemingly technical and expert driven rationalities are actually the result of the wider political objective to ensure viability and thus the payback of the Treasury, and provide some evidence of a willingness to allow 'experts to devise technocratic solutions to urban problems' (*Ibid.*: 195).

### **10.2.2 Challenging the agenda**

The dominant position of planners, as experts in the field and their ability to draw on the support from relevant consultants, enables them to use their 'personal policy preferences [and] institutional loyalties to [shape] their conclusions and advice' (*Innes and Booher, 2010: 157*). The advancement of a certain population model, for example, can be seen as a method by which planners are able to influence the development agenda to suit broader political and institutional objectives, with the diminution of the proposed school places reflecting the pressing viability considerations of the Treasury. However, whilst lay people may not be able to challenge such technical knowledge claims, given the complex, technical negotiations over the population modelling (see 9.2.2), other planners

can play an important part in the process, such as those within the surrounding boroughs, by providing further or alternative technical expertise to challenge the dominance of those advancing the development as proposed in an application. The agreement reached between the opposing viewpoints with regard to this issue in the LCS planning decision-making process does demonstrate that an applicant's demands can be successfully challenged from those who wish to shape the development agenda and, for example, make the proposals more socially just: a minor but not insignificant point to note.<sup>68</sup> Whether the opposition can be maintained, as remains to be seen for the ongoing population modelling review, is another matter given the potential for 'planning creep' (see 10.4.2). Without any real opposition to the OPLC's fundamental frame of 'financial viability', the 'post-political' criticism, that only the particularities of a development can ever be hoped to be altered, seems to be a fair one (examined further in 10.4.1).

### **10.3 Mobilising bias within decision making**

#### **10.3.1 Inaccessible and constraining knowledge claims**

The lack of transparency is not only the result of an inability to understand the extensive proposals and supporting evidence but also results from not having access to the technical information used to rationalise development decisions. For example, the OPLC would not share with the ODA PDT their financial agreement obligations with the Treasury that framed the viability of the LCS development (detailed in 6.2.1). The fact that this was accepted, and conceded by the ODA PDT in their assessment report, does seem to raise questions over the authority of those planning officers carrying out the assessment of the LCS application. This is further evidenced by their acquiescence to relinquishing the 'normal' approach to viability appraisal (also discussed in 6.2.1).

Furthermore, the viability assessment report that was submitted in support of the LCS planning application, as well as that which was produced by the consultancy, Deloitte Real Estate, to assist the OPLC in rationalising the reduction in affordable housing levels in the subsequent AOD application (see 6.1.2), could not be viewed by members of the public. Nor could it be viewed even by those consulted in the surrounding boroughs

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<sup>68</sup> As has been discussed throughout the thesis, planners and councillors from the local boroughs did manage to negotiate changes to the LCS development. Whilst not challenging fundamental principles, amongst other things (many of which, such as adequate health facilities, are not covered by this thesis), planners/local councillors were able to negotiate (with varying support of ODA PDT officers) minimum levels of open space and affordable housing provision (albeit with recognition that these may be reduced under further pressure from viability), population reviews to ensure adequate school places, and additional bridge connections across the River Lea in PDZ4.

without an assurance to ensure that such information would not be passed onto another party. Whilst the LB Newham did claim to have viewed the viability report, the LB Tower Hamlets refused to agree with the restrictions placed upon the supporting evidence. As *Resp12* explains:

We never saw the viability report - we weren't allowed to see it unless we signed a disclaimer saying we wouldn't share it with any other party. [...] but constitutionally, we can't do that, because we're subject to the Freedom of Information Act, so we can't not disclose anything submitted to us [...]. We made that argument constantly, that this process should be transparent, and this was again after all public land and public money that was being invested in the area and it should be subject to public scrutiny, and that was always rejected, and they advised that they were under no obligation to do so as a body.

This secrecy was surprising to *Resp12* who thought the OPLC (and the preceding TPPT) would be more responsive to consultative processes and engagement with local residents given the public nature of the development. Instead, he viewed them as taking “this quite hard-nosed developer [...] approach”. However, *Resp4* did not agree that a ‘hard-nosed’ approach had been taken, alternatively reasoning that because the boroughs had lost their respective control over the planning of the area, and because of the extra scrutiny resulting from a high-profile regeneration project, the OPLC actually “had to jump through a few more hoops than a normal developer would” in their pre-application consultation discussions and provide greater social infrastructure assurances. The fact that the OPLC has agreed to the request by the local boroughs to maintain an ongoing review of population projections demonstrates, according to *Resp4*, that they are committed to consultation and providing adequate social infrastructure for the development. This does appear a reasonable point, although as discussed further in Section 9.2.2, this does rely on the use of an appropriate population model.

Notwithstanding this stated commitment of the OPLC, the secrecy of the LCS’s viability appraisal does raise concerns over how much influence a planner, represented in the case of the LCS application by the ODA PDT, can have in shaping and negotiating development proposals. Not only did the ODA PDT not have access to the financial agreement obligations on which the viability appraisal is based, but the appraisal itself was kept away from public scrutiny under the guise of commercial sensitivity. If the objective of the ‘Legacy’ development is to benefit the existing local residents of east London, then the OPLC’s desire to withhold viability information does suggest that they believe it is in the interests of local residents that such information is inaccessible so not to compromise the delivery of the LCS. As it is likely that the LCS will eventually be built-out by private developers, this approach may be a practical way to ensuring that these

developers are financially encouraged to do so. But then it should also be clear that the use of technical information to support this political objective is not based upon a consideration for achieving a 'just' development, and that the approval of the application is very much tied in with the interests of private actors. The planners' consensual (non) role in this must therefore be accepted, and the legitimacy gained through their 'objective' professionalism should also be questioned. However, one must also be careful to acknowledge that it is the planning system that often dictates the actions of the planners and, without the power to ensure open viability appraisal, the planner is left in a somewhat tenuous position. We shall return to the role of viability, consensus and the planning system later in this chapter.

### **10.3.2 The politics of national vs. local interests**

Reflecting the backdrop narrative to the post-Games regeneration examined in Section 5.3.3, one of interesting aspects of the ODA's role as the planning authority is that it appears to have prioritised national concerns over those of the local boroughs. *Resp9* was clear in his view that the ODA was established "in the national interest" to ensure that central government priorities were fulfilled. Therefore, the retraction of the local boroughs' planning powers, which includes for the LCS site, should be seen as "part of the thinking [that] local authority people might be too responsive to local issues" (*Resp9*). Indeed, the government maintained the ODA as the planning authority for the post-Games regeneration as it did not want any interference with the efficient delivery of the LCS and "its principle remit to maximise the asset, the land, the property that was assembled there for the Olympic Games, at huge cost to the nation, [...] to pay back to the Treasury" (*Resp22*). Nevertheless, the ODA PDT were not wholly trusted with the delivery of the LCS, with *Resp1* explaining how the "DCLG [...] were like minders, they used to come to the meetings with the boroughs [because] if there'd been a real bust up before the application was submitted, or as it was submitted, they'd have reported back to ministers and then there'd have been stuff going on elsewhere, I expect". This provides an insight not only into the role of central government but also into how the ODA PDT were expected to manage the approval of the LCS.

It is therefore not surprising that the independence of the ODA PDT in shaping and negotiating the LCS development was questioned by some of the officers working in the local boroughs. *Resp11* explained his concern with the ODA PDT's close relationship with the OPLC by noting how that "on the one hand, they were the planning authority, and it's appropriate therefore that they should have managed the consultation with stakeholders, which is what we were, but nonetheless, it felt like they were protecting the

interests of the developer, which is to say the OPLC". He therefore felt that it was left to the local boroughs as consultees to protect those local residents affected by the development when "normally, you would expect the planning authority to be protecting the interests of the community".

The relationship between the ODA PDT and OPLC was particular problematic for *Resp11* when negotiating the various elements of the LCS development, noting how the "ODA and [OPLC] were always quite skilled at exploiting differences between the boroughs positions, and effectively siding with whatever borough which happened to be most closely aligned to whatever it was what they wanted to do in the first place". For example, *Resp11* believed that the LB Tower Hamlets were "never gonna be able to successfully argue the case" for more affordable housing in PDZ4 and across the LCS in general as the ODA PDT and OPLC had similar objectives, albeit with a different viability motive, to the LB Newham's political desire to encourage more affluent residents to the area. According to *Resp11*, there were only "relatively few examples [...] that we were ever successful in significantly changing the scheme, [and this] was because the boroughs were acting in consort".<sup>69</sup>

However, the OPLC considered this to be a normal process of negotiation. Whilst framing negotiations required "getting the [boroughs] to understand the bigger picture" (*Resp4*), in other words the financial constraints of the Treasury, *Resp4* acknowledged that when "we were pushing agenda items that have a higher priority [for the OPLC] than [for one of the local] boroughs' – having [another borough] also arguing your point across the table with you does help". This is obviously an understandable negotiating strategy that one would wish to seek partners who would provide rationalisations to support shared objectives, but the frustration expressed by some of the officers from the boroughs reflects a broader issue that partnership working and collaboration can, rather than achieving true consensus, marginalise those wishing to contest the development agenda when powerful actors share the same objectives. This issue becomes of particular concern when the ODA PDT supports the applicant's development agenda that privileges national interests at the expense of local residents within the surrounding boroughs, even though the LCS is a public-led development that is based upon the

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<sup>69</sup> Smith (2013) notes that there are historic territorial rivalries between local authorities within London and, notwithstanding the SRF created by the Host Boroughs, the fact that *Resp11* made reference to only a 'few examples' of co-operation does seem to suggest that inter-borough competition existed. *Resp4* alluded to this when stating that the boroughs "just operate in their administrative boundaries [and] so there is that lack of willingness or ability to accept that there's a wider picture that crosses between the administrative boundary".

Legacy objective of 'benefitting the community through regeneration' (LOCOG, 2004: 19).

Given this governance backdrop, it is not surprising that the LCS was shaped and negotiated foremostly as a unitary site rather than a series of development parcels responding respectively to each of the boroughs' planning policies. *Resp2* reasoned that "you [had] to look at it as a Masterplan otherwise you might as well have gone back to looking at it plot by plot [with] everyone fighting over what was a priority for them". This enabled the ODA PDT to manoeuvre the land uses proposed within the LCS so to "manage them strategically" (*Resp2*). For *Resp2*, it was necessary to acknowledge viability as the key determinant in shaping the LCS, as was therefore accepting that "if you want [50 per cent affordable housing], you can't deliver two primary schools, a secondary school, [...] open space – all the other stuff that it's doing that adds a cost to the scheme".

The rationalisation of the development within a site-wide context was also considered appropriate by *Resp28* who believed that it would have been impossible for the LCS to meet all the individual demands of the boroughs who "were looking to the various authorities that were delivering the Olympics to fill their [public funding] gap". Notwithstanding the limits placed on the impact of the LCS by viability, many of those interviewed did indeed express the view that the development that was approved delivered a comparatively favourable amount of social infrastructure to that which could normally be achieved in negotiation with private developers. *Resp25* stated that the amount of social infrastructure provided was "extremely rare". He later elaborated that whilst the LCS social infrastructure provision was "not an ideal benchmark [...] it's further forward than almost every other major landholder or developer in London". For example, with regard to education provision, the OPLC agreed to "meet school demand [so] it's a question of working out what is the most appropriate and valid way to measure that demand, not should they provide it in the first place". However, the under-provision of social infrastructure by private developers is not a satisfactory benchmark, as indeed *Resp25* acknowledges, from which to assess the merits of the LCS development.

## **10.4 Consensus, viability and the LCS development**

### **10.4.1 A post-political decision-making process?**

The narrative provided by a number of those engaged in discussions over the nature of the LCS development emphasised the consensual nature of development decisions,

although this does not seem to reflect the opposing interests and tensions that clearly existed within the negotiations around the nature of the LCS as detailed within this thesis. As *Resp28* commented, “we didn’t really end up with disagreements ‘cos everything was worked through”. *Resp23* seconded this view when stating that “everyone, essentially, wanted what was going to happen”. *Resp1* was of the opinion that consensus was achieved through “co-operation” and in recognising that “it’s not planners and developers at war”. Ideological differences are thus seemingly absent within this narrative of the LCS planning decision-making process, exemplified by *Resp1*’s view that that “if you took the politics out of it [and] pool your resources and work together properly, [then] you can create some really good places”. The post-political critique (see 3.2.4) resonates here as the ability to set aside political differences becomes important in “getting things done” (Allmendinger and Haughton, 2009: 619). Thus, the LCS planning decision-making process was deemed successful, according to *Resp8*, because “politics really didn’t come into it”. However, there is little acknowledgement in this ‘depoliticisation’ narrative that the LCS development was ultimately constrained by the national government’s desire to recoup their expenditure on the Olympic development, a *political decision* that would itself impact on creating ‘good places’, let alone ‘just’ development.<sup>70</sup> Thus, the ideological position reflected by ‘viability’ permeating numerous decisions on the nature of the LCS, as well as the public ‘de-risking’ of the LCS through prior remediation works and effectively the securing of planning permission for private sector investment, was not recognised, or at least not challenged, by those decision-makers for the LCS development. This lack of resistance does not necessarily mean individuals are acting under false consciousness and have therefore adopted an ideological position in which they view ‘viability’ as the primary objective when making development decisions.<sup>71</sup> Amongst other things, it may be that they wanted to uphold their own professional status gained through their technical and managerial approach to assessing the LCS, and thus accept the premise of viability based upon their privileged standing within the ODA, whether in the PDT or as a PC member, which has a focus on ‘delivery’. The lack of opposition to the LCS development may also have been the result of the absence of an alternative ideological development narrative from which one could articulate a different LCS proposal. Such an issue is hard to empirically substantiate and is beyond the scope of this thesis.

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<sup>70</sup> Notwithstanding the constitution of an ideological position, given the clear political influence, the term ‘post-political’ is evidently problematic.

<sup>71</sup> ‘False consciousness’ refers here to the Marxist concept that sees individuals as ‘prisoners’ of existing social relations, institutions and ideologies that result in them, for example, undertaking development decisions which are contrary to their interests.

What is clear, however, is that when a challenge did emerge in response to the LCS proposals, it took the form of disagreement with *particular* elements of the development. Such disagreement emerged, for example, in the form of the size of the PDZ5 development parcel as discussed in Sections 6.2.3 to 6.2.5. Nevertheless, this was not welcomed by ODA PDT, as indeed *Resp17* noted that *Resp1* was “‘spitting feathers’ [...] at me turning up at that meeting just”. *Resp1* was also quite openly scornful that the LB Hackney councillors who supported the LCS should have “sorted him out [as] [*Resp17*] wanted to stick with the pure planning policy”. This provides a moment of insight into how the ODA PDT were conscious to readily acknowledge other constraints and political objectives such as ‘viability’ rather than solely assess the LCS on planning policy grounds. It also highlights the true political nature of the LCS development decisions and how true contestation was not invited by decision makers. It was perhaps only due to *Resp17*’s prominent position on the LB Hackney’s PC, and that he publically challenged the proposals during the ODA PC meeting, that he was able to achieve a small, albeit temporary, alteration to development (see 6.2.4).

#### **10.4.2 The unstoppable ‘planning creep’**

The agreed reduction in the size of the PDZ5 footprint that was sought after by *Resp17* and its subsequent reinstatement reflects a broader process that occurs within the planning system. The influence of viability, with the NPPF’s emphasis on sustainable development constituting that which is economically viable development (as explained in 3.1.2), means that developers, as expressed by *Resp12*, have got the “ears of decision makers, and they start out with great intentions and then they do get cut back and cut back and cut back and that’s a modern development unfortunately”. This phenomenon is not exclusive to the LCS development, although many of the ODA PDT officers and ODA PC members recognised it as an issue.<sup>72</sup> *Resp8* stated that this ‘planning creep’ was “very difficult to stop it [...] and we’ve had some of this already, moving around of various bits of housing, and there’s always a good reason and it would be very pleasing to say ‘we’re not gonna change anything [...] but situations change, viabilities change’”. *Resp1* even went to the extent of declaring that she was “pretty certain” that the OPLC were “looking to ditch [the affordable housing minimum levels]”. It is through such

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<sup>72</sup> Indeed, the dominance of ‘viability’ in shaping development has been a matter of broader concern and criticism with regard to the effective functioning of the planning system, with commentators arguing that developers often use ‘viability’ considerations to override local planning policy requirements and thus provide inadequate levels of social infrastructure, including affordable housing. The use of ‘financial viability assessments’ form part of this criticism given that they are commonly protected from public scrutiny, and thus challenge, due to the ‘commercially sensitivity’ nature of the information contained therein (see, for example, Wainwright, 2015).



piecemeal alterations to development, such as the potential changes to the secondary school provision as discussed in Section 9.2.4, that a scheme can end up functioning completely differently, both physically and in its social composition, to that which was previously envisaged and approved. Indeed, *Resp16* believed that the LCS development:

will be revisited one way or another as it engages with the market and different investment opportunities are being explored. [Therefore] over the next 5-10 years [the LCS] will end up being quite different to the one that was planned in 2011/2012.

It is the dominance of the market within narratives around the planning system and its (in)flexibility that poses a real challenge to the existing form of the plan-led system.

### **10.4.3 From the plan-led to a market-led system**

One of the surprising general responses that emerged from the interviews concerned the appropriateness of a plan-led system, with a number of those interviewed expressing an alternative vision for planning. *Resp18* believed that planning, as “the regulatory institutional architecture”, needed to engage with “the architecture that you find across a community, across the wider economy in the private sector because this, clearly, involves developers, it involves commercial companies”. In responding to my concern that this may lead to the loss of a plan-led system, *Resp18* used a somewhat awkward analogy when stating that any plan produced, including the LCS, should be “malleable and mouldable, like taking a lump of clay and keeping it wet over 10 years, so you are continually slightly reshaping it because that’s what happens to us in our lives”. However, *Resp18*’s elaborated and more practical vision for the planning system amounted to a significantly reduced role, where the system functioned to ensure “buildings that are built out safely – buildings that have a reasonable life, a quality threshold – all of those kinds of things – that’s absolutely where planning should be”. Effectively, planning under this vision becomes a form of building control.

*Resp22* maintained a view that conformed to *Resp18*’s, whereby the LCS should be planned with a “tight, loose fit”. This description is somewhat internally inconsistent, as was *Resp22* additional belief that the LCS plan should not be delivered “in a dogmatic and mechanistic way”. *Resp10* also believed that “planning can be too rigid” and that planning “needs to understand [...] what the needs are and what the issues are”. His statement, like *Resp22*’s, is quite paradoxical when taking the needs and issues to which he refers to as relating to the existing social, economic and environmental deficiencies of a borough as evidenced in planning policy. However, this paradox recedes if the stated

'needs' are that of the market and viability issues are that which planning must 'understand'.

There is one final concern with the loss of a plan-led system which involves the potential for individuals, whether politicians or planners, to have an undue influence over development decisions. Whilst recognising that development plans are themselves always governed by professional and political influence, one should be cautious about any retreat of the development plan (which can only be adopted after a formal and independent evidenced base assessment) as development would increasingly be determined in an *ad hoc* manner without any clear criteria to determine its merits. With pertinence to the earlier discussion of personal 'pre-packaged' views and motivations in Section 3.2.1, *Resp2* laudably recognised this, stating that the plan-led system was important to "manage any personal views, bias, prejudices [even though] you obviously will be going about what you personally, or as a team, or as an organisation, you want to achieve - you'll bring some of your own pre-disposition". This does partially present a 'professional' approach to decision making but does show reflexivity, with *Resp2* further candidly acknowledging that "some planners are predisposed to try and make stuff happen [whilst] others [find it] easier either not making decisions or resisting things". Thus, "being a town planner [still means it is] inevitable [that] of course you can't be wholly neutral [given you are] an individual". It is therefore by having a development plan in place that the possibility for individuals to have an undue influence can be somewhat limited when making particular decisions on development proposals.

This chapter has detailed numerous issues and 'tension points' relating to the negotiation and assessment of the LCS planning application, and has thus highlighted the role of power in the LCS's planning decision-making process using the various conceptions of power discussed in Chapter 3. The final chapter concludes the thesis by returning to the main research questions to address whether the LCS planning application proposals constitute 'socially just' development, as well as reflecting on the ability of those engaged in the decision-making process to influence the nature of the LCS development.

## Chapter 11. Conclusion

This concluding chapter discusses the key findings of the research in order to address the research questions as set out in Section 1.4:

***RQ1:** How can socially just planning outcomes be conceptualised within the context of mega event-driven urban development?*

***RQ2:** Within the context of the planning decision-making process, how is power mobilised by the involved stakeholders to rationalise and influence the development agenda and planning outcomes of mega event-driven urban development?*

***RQ3:** How do planners directly engaged in the planning decision-making process for mega event-driven urban development rationalise their support for a particular development agenda and planning outcomes?*

Drawing from the baseline information provided in Chapter 5, the first section of the chapter provides a comparative discussion relating to the LCS development outcomes and those that were proposed in ‘Legacy’ related documents and prior planning applications for the Olympic Park site (see Chapter 5). This discussion will provide an understanding of whether the LCS development will help to realise the ‘Legacy’ promises which were made in the build-up to the staging of the Olympics, as well as address the needs of existing local residents, and thus will contextualise the later examination of how socially just the LCS’s planning outcomes are.

The literature relating to how social justice has been conceptualised within the field of planning and urban studies was examined in Chapter 2. It is through this examination that *Research Question 1* was partially answered as it informed the construction of a normative framework, adapted from Fainstein’s ‘Just City’ conceptualisation, from which to assess whether the planning outcomes that emerge from mega event-driven urban development are socially just (see 2.4). Thus, the second section of this chapter sets out to assist in answering *Research Question 1* by using this normative framework to analyse how socially just the LCS’s planning outcomes are. This section will also summarise how those engaged in the planning decision-making process rationalised their support for a particular development agenda and planning outcomes in the LCS, and therefore answers *Research Questions 2* and *3*.

The third section of this chapter then revisits the adapted version of Fainstein's (2010) three principles of the 'Just City', which provided a 'working definition' of socially just planning outcomes for this thesis, to critically reflect on its merits and therefore to fully answer *Research Question 1*. Finally, the thesis concludes by reflecting on the examination of the LCS planning decision-making process, including the research limitations and contributions, along with providing areas for further exploration.

In order to reflect upon and compare the baseline provided and the LCS's proposals, and assist in addressing *Research Question 1*, it is first necessary to summarise the key development outcomes (relating to the four land uses discussed in Chapters 6 to 9 respectively) that were approved in the LCS planning decision-making process alongside the outcomes proposed in the Olympic 'Legacy' related documents and by previous planning applications for the site.<sup>73</sup> The below table provides a summary of these outcomes:

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<sup>73</sup> The documents provided in the table below have been drawn from the earlier baseline provided in Chapter 5. Those documents included here specifically address the four land uses that were the focus of discussions around the nature of the LCS development in this thesis.

**Table 11.** Summary of the main development outcomes proposed in the LCS planning application, 'Legacy' related documents, and in prior planning applications for the Olympic Park site

Land Use	Outcomes						
	LCS planning application	London's 2012 Candidature File (2004)	Olympic Games & Legacy planning applications (2004)	Our Promise for 2012 (2007) & Five Legacy Commitments (2008)	Before, during and after: making the most of the London 2012 Games (2008)	Legacy Masterplan Framework (2009)	Host Borough's Strategic Regeneration Framework (2009)
Housing	<ul style="list-style-type: none"> <li>Maximum of 641,817m<sup>2</sup> of residential floorspace – indicatively providing up to 6,800 residential units.</li> <li>Minimum of 20 per cent affordable housing across the site, with maximum target level of 31 per cent (previously 35 per cent).</li> <li>30 per cent of affordable housing to be allocated as 'affordable rent' tenure (with 40 per cent of the affordable provision being intermediate housing and the remaining 30 per cent being social rent)</li> </ul>	<ul style="list-style-type: none"> <li>The Olympic Park will provide local people with improvements in housing.</li> </ul>	<ul style="list-style-type: none"> <li>9,400 new residential units in the Olympic Park site during the 'Legacy' phase.</li> <li>A target of 50% affordable housing to address housing needs.</li> </ul>	<ul style="list-style-type: none"> <li>Create 9,000 new homes in the Olympic Park after 2012, many for key workers (with 4,000 homes proposed in the Olympic Village).</li> </ul>	<ul style="list-style-type: none"> <li>Build over 9,000 new homes, a large proportion of which will be affordable.</li> </ul>	<ul style="list-style-type: none"> <li>Up to 10,000 to 12,000 new homes on Olympic Park site.</li> <li>35 per cent to be affordable, with a 50/50 split between socially rented and intermediate housing.</li> </ul>	<ul style="list-style-type: none"> <li>Reduce overcrowding, homelessness and social housing waiting lists.</li> <li>Intervene for decent private homes, and better private sector provision to meet local needs.</li> </ul>
Employment	<ul style="list-style-type: none"> <li>Maximum of 121,683m<sup>2</sup> of potential employment generating floorspace – largely comprised of 'Office' (Class B1a) floorspace, 'Research, Development and Light Industrial' (Class B1b and B1c) uses, and 'retail and food/drink' uses (Class A1 to A5). Total direct end-use employment estimated at 4,421 jobs across the site.</li> <li>Represents a fundamental change in the character of the employment generated on the site - which formerly comprised of nearly 300 SME's in 'general industrial' use, maintained by local labour force.</li> <li>However, S106 agreement stipulates between 25% and 85% of the employees in retail, commercial and leisure end-use jobs are to be comprised of local residents.</li> </ul>	<ul style="list-style-type: none"> <li>The Olympic Park will provide local people with improvements in job opportunities.</li> <li>To provide new opportunities for creative industries.</li> </ul>	<ul style="list-style-type: none"> <li>Maximised employment opportunities together with obligations to link activity directly to training, ensuring that local people can be prioritised.</li> </ul>	<ul style="list-style-type: none"> <li>Benefit residents and communities through new jobs and training opportunities.</li> </ul>	<ul style="list-style-type: none"> <li>Create 12,000 new job opportunities in the area of the Park post-Games.</li> </ul>	<ul style="list-style-type: none"> <li>10,000 new jobs in and around Olympic Park site, with office and industrial uses as well as a high technology/research and development park.</li> </ul>	<ul style="list-style-type: none"> <li>Physical development providing for local economic growth.</li> </ul>
Open Space (and Connections)	<ul style="list-style-type: none"> <li>12.4 hectares of open space within LCS application boundary. All open space to be 'publically accessible'.</li> <li>Results in 112.7 hectares of open space across the Olympic Park site.</li> <li>LCS's S106 agreement establishes minimum provision of 102 hectares across the Olympic Park site, and maximum provision of 110 hectares (interestingly, this maximum figure is below the actual amount proposed).</li> <li>2.8 hectares of playing pitches.</li> <li>New bridges into park provided in PDZ4.</li> <li>Open space stated as being publically accessible, although condition of approval requires submission and agreement of 'management and maintenance principles'.</li> </ul>	<ul style="list-style-type: none"> <li>Enhancement of the amount and quality of green space.</li> <li>Create the 'largest new urban parkland in Europe'.</li> </ul>	<ul style="list-style-type: none"> <li>A high-quality new landscaped setting. This setting forms part of the 127 hectares of open space provided across the Olympic Park.</li> </ul>	<ul style="list-style-type: none"> <li>Build one of the largest new urban parks in Europe for 150 years.</li> </ul>	<ul style="list-style-type: none"> <li>Create a well-planned and well-managed environment in and around the Olympic Park which will attract business investment and promote recreational and cultural use.</li> </ul>	<ul style="list-style-type: none"> <li>New connections to give existing residents access to new and improved facilities.</li> <li>Creation of a new park that is designed in step with the urban setting and adjoining community.</li> <li>Open space amounting of 102 hectares.</li> </ul>	<ul style="list-style-type: none"> <li>Improving connectivity for the locality.</li> <li>Creating quality green and open spaces.</li> </ul>
Education	<ul style="list-style-type: none"> <li>Two primary schools (in PDZ4 and PDZ5 respectively).</li> <li>A secondary school (including sixth form) in PDZ12.</li> <li>Nine nurseries across the site.</li> <li>S106 agreement to provide £696,000 towards vocational training.</li> </ul>	<ul style="list-style-type: none"> <li>Provide local people with significant improvements in education, skills and training.</li> </ul>	<ul style="list-style-type: none"> <li>Range of new, modern education facilities at Stratford and elsewhere across the site.</li> </ul>	<ul style="list-style-type: none"> <li>Provide new education facilities that meet the needs of residents.</li> </ul>	<ul style="list-style-type: none"> <li>Provide new education facilities that meet the needs of residents.</li> </ul>	<ul style="list-style-type: none"> <li>Three primary schools, a sixth-form entry secondary school, and 300 plus 'education facility' for 14-19 year olds in Legacy Stadium.</li> </ul>	<ul style="list-style-type: none"> <li>Creation of educational infrastructure in the Olympic Park.</li> </ul>

Referencing Table 11 above, the following discussion will highlight some of the notable similarities and differences between the development approved in the LCS application, the evolving 'Legacy' promises and the planning history of the site. Comparisons will also be drawn with planning policy where it is in potential conflict with the nature of the LCS development.

## **11.1 The LCS vs. the evolving 'Legacy' baseline**

One of the noticeable characteristics of the documents examined which promote the 'Legacy' promises is that they often maintain a vague definition of development outcomes. This is problematic when trying to assess the LCS's development outcomes against the initial promises and aspirations that were promoted to support and legitimise the staging of the Games. However, it should be noted that some of the documents highlighted above, notably the Host Borough's SRF, have a wider geographical remit than solely the Olympic Park. Others also have broader ambitions that could never be solely achieved by the regeneration of the Olympic Park site. Nevertheless, these documents should be scrutinised, particularly when their stated objectives translate into quantifiable land use outcomes which can therefore be directly compared to the LCS proposals.<sup>74</sup>

### **11.1.1 Housing**

One of the most noticeable evolutions for the post-Games development is the amount of residential units that are to be delivered. The LCS proposes to deliver around 6,800 units across the site. This is considerably lower than the 9,400 units proposed in the *Olympics Games & Legacy planning applications* (2004), the 9,000 new homes proposed by the *Our Promise for 2012* (2007) and *Five Legacy Commitments* (2008) documents, and the 10,000 to 12,000 new homes proposed in the *Legacy Masterplan Framework* (2009).<sup>75</sup> This reduction in housing levels is not necessarily to the detriment of the development and could well have been the result of trying to ensure a greater mix of land uses within the development. Whilst the rationale for the evolution cannot be established fully here, what is worth noting is that, aligning with the criticism that mega events are legitimised through exaggerated claims over their potential benefits (see 1.3.2), the earlier promises

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<sup>74</sup> A detailed critical analysis of these documents is provided in Appendix 5.

<sup>75</sup> Although it should be noted that the documents produced in 2007 and 2008 both highlight that 4,000 units will be delivered in the Olympic Village, which is not part of the LCS application, and thus it is unclear as to whether the 9,000 new homes proposed account for this provision.

and objectives of the development over-estimated the number of homes that would be built.

The second important element to the housing proposals is the reduction also seen in the amount of affordable provision. The LCS proposes a minimum of 20 per cent affordable housing and a maximum target of 31 per cent. This is significantly below the 50 per cent target set out in the *Olympic Games & Legacy planning applications* (2004) and the 35 per cent established by the *Legacy Masterplan Framework* (2009). It should also be noted that these previously higher percentages were formulated with regard to the higher delivery estimates of housing numbers. Thus, the amount of affordable housing units that will be delivered by the LCS is considerably lower than previously stated.

Furthermore, the proposed minimum 20 per cent affordable housing level set for the LCS is significantly below that set out in local planning policy. With regard to developments proposing 10 or more units, both the LB Hackney and the LB Waltham Forest require 50 per cent to be affordable, whilst the LB Newham requires 35 to 50 per cent be affordable, with LB Tower Hamlets requesting a minimum of 35 per cent. However, it should be noted that each of these affordable housing policies (detailed in Appendix 9) state that proposals may deliver a lower percentage than that stated as a result of a consideration for viability. The LCS's affordable housing provision was indeed approved subject to the submission of a viability assessment report (discussed in detail in 6.2.1 and 10.3.1).

Finally, the 30:30:40 social rented:affordable rented:intermediate tenure split constituting the affordable housing provision results in a reduction of social rent provision and an increase in affordable rent when compared to the 50/50 split of social rent and intermediate housing proposed in the *Legacy Masterplan Framework* (2009). The increase in affordable rent provision in the LCS may actually result in a significant number of units being unaffordable to those on low incomes (the issue of affordability is discussed in 6.1.3).

### **11.1.2 Employment**

The LCS proposes 121,683m<sup>2</sup> of potential employment generating floorspace. Whilst the composition of this floorspace is provided in Table 4 in Section 4.1.1, it is worth noting that the main employment generating provision is comprised of 'Office' (Use Class B1a) floorspace, 'Research, Development and Light Industrial' (Uses Class B1b and B1c) uses, and 'retail and food/drink' uses (Class A1 to A5). This provision is in marked contrast to the 'General Industrial' or 'Storage and Distribution' uses, classified under the B2 and B8 Use Classes respectively, which were the predominant employment drivers

on the LCS application site prior to the staging of the 2012 Games (see 7.1.1 and 11.2.2). This change in the nature of employment generation reflects the general criticism of mega events, discussed in Section 1.3.2, that they prioritise change over continuity, with new development often being at the expense of existing employment forms and local attachments to place (Raco, 2004).

The ODA PDT assessment report states that the LCS's employment provision will approximately generate 4,421 direct end-use jobs, which is a significant reduction in the 12,000 predicted in the UK Government's *'Before, During and After'* (2008) document and the 10,000 jobs proposed in the *Legacy Masterplan Framework* (2009). However, these latter two documents referenced the area 'in and around' the Olympic Park post-Games, thus covering an area wider than that of the LCS application site. It is therefore difficult to draw any direct comparison between the LCS proposals and the evolving 'Legacy' regeneration promises and objectives.

The aforementioned 'general industrial' uses were comprised of numerous SME's on the pre-Games site, with nearly 50 per cent of these firms having the majority of their labour force drawn from the local area (see Raco and Tunney, 2010). It is therefore commendable that the S106 attached to the approval of the LCS application does also require the developer to undertake 'Reasonable Endeavours [to ensure that] between 25% and 85% of the employees in retail, commercial and leisure end-use jobs' are comprised of local residents (ODA, LLDC, and TFL, 2012: 139). This does reiterate the emphasis placed on local people benefitting from new jobs that existed in some of the Olympic-related documents produced by the UK Government, notably the *Candidature File* (2004) and the *Olympic Games & Legacy planning applications* (2004). However, it is not clear as to how many jobs this will likely represent and, furthermore, the rigour and success of such 'reasonable endeavours' in achieving these local targets is a matter that will need to be monitored and assessed as the LCS proceeds towards being developed out. The creation of the LCS's Careers Programme Group (LCSCPG), as required under the S106 agreement, has the aim of assisting with this monitoring and in helping local residents to gain employment in jobs related to the LCS development (see 7.1.1). It is, however, too early to determine the success the LCSCPG will have on meeting the local employment target.

One final matter relates to the LCS development's conformity with planning policy. The loss of 'Strategic Industrial Land' due to the LCS's housing proposals in PDZ5, results in a departure from the London Plan (2011) and both the LB Hackney's Core Strategy (2012) and HWAAP (2012), thus calling into question the ability of a plan-led system to



shape development. This departure was not, as keenly noted by *Resp17*, in conformity with the previous masterplanning that had been undertaken for the post-Games regeneration and therefore diverged from earlier employment 'Legacy' promises. Indeed, the *Olympic Games & Legacy planning applications* (2004) proposed this area of the Olympic Park to be dominated by industrial and office uses (see Appendix 17).

### **11.1.3 Open Space**

The LCS development will provide 12.4 hectares of open space within the application boundary, resulting in 112.7 hectares of open space across the Olympic Park site. With consideration for future development pressures, the LCS's S106 agreement requires that a minimum provision of 102 hectares across the Park is maintained. However, it is interesting that the S106 also establishes a maximum provision of 110 hectares, which is below the 112.7 figure proposed in the LCS. As discussed in Section 8.1.2, the provision of a maximum level is unusual, with no rationale provided by the OPLC or ODA PDT to support its inclusion.

The LCS provision falls short of that proposed in the *Olympic Games & Legacy planning applications* (2004), which provided the first masterplan for the Olympic Park post-Games. This masterplan proposed 127 hectares of open space within the Olympic Park, considerably higher than the LCS's maximum figure of 110 hectares. With regard to UK Government's evolving Olympic promises, one of the notable objectives set out at the beginning of London's Olympic project in the *Candidature File* (2004) was the creation of 'largest new urban parkland in Europe'. This objective was maintained, albeit with a slightly less ambitious claim, in the *Our Promise for 2012* (2007) and *Five Legacy Commitments* (2008) documents which provided the promise to build 'one of the largest new urban parks in Europe for 150 years'. As detailed in Section 8.2.1, this was a misleading claim with the LCS development being dominated by residential land use and actually encroaching onto existing MOL. The loss of designated MOL, as with the SIL, provided another departure from LB Hackney's planning policy and the London Plan (2011). The reduction of the proposed open space also provides another example, alongside the aforementioned housing delivery numbers, of the general criticism that mega events are often legitimised on the basis of an over-estimation of their benefits.

The *Legacy Masterplan Framework* (2009) and the *Strategic Regeneration Framework* (2009) both emphasise the need for high-quality public space that is well managed and improves connections to existing neighbourhoods. The LCS does propose to ensure that all open space is publically accessible, although a management and maintenance agreement is not fully established within the LCS planning application (see 8.1.6). The

development undertaken for the staging of the Olympics has provided improvements to the post-Games site in which the LCS development will reside, such as the comprehensive landscaping across the Olympic Park and the provision of children's play space around the Olympic stadium and near to the Velodrome. Specifically relating to the LCS application, the proposed development does also provide new bridge connections across the River Lea in PDZ4, although fails to connect the Olympic Park to the existing urban fabric in LB Waltham Forest at the north eastern end of the Olympic Park. Furthermore, whilst there are 2.8 hectares of playing pitches in the LCS application, this provision is achieved through the use of school playing fields. The recreational space for future occupiers of the development is also considered inadequate and will not help deliver the SRF's (2009) goal of 'convergence' (see 8.2.5) given that it draws off existing provision in the local area rather than providing additional capacity for existing residents surrounding the Olympic Park site.

#### **11.1.4 Education**

London's *Candidature File* (2004), submitted as part of the Olympic bid, stated that the Olympic Park would provide 'local people with significant improvements in education'. However, subsequent Olympic 'Legacy' related documents notably referred solely to 'residents' and/or 'communities' when discussing education provision, thus dropping the direct reference to locals. There is thus some ambiguity as to who is envisaged as being the benefactors of the new education facilities.<sup>76</sup>

Whilst not the subject of the LCS development, both University College London and Loughborough University are set to provide new campuses on the Olympic Park site, with the University of East London also having recently opened a new campus building in Stratford. The Chobham Academy secondary school and sixth form also opened next to the Olympic Village in 2013. The aim to provide new education facilities is thus one that has been fulfilled along with further higher-education facilities located outside of the LCS application site boundary.

However, focusing on the 'Legacy' objectives that can be specifically connected to the LCS development, the *Legacy Masterplan Framework* (2009) stated that the regeneration masterplan, whose boundary was aligned closely to what became the LCS application site, would deliver three primary schools and a sixth form entry secondary

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<sup>76</sup> *Resp8* actually noted the ambiguous use of the term 'resident' when stating that he thought it should refer to those "who already live in the borough". Instead, he believed its use, with regard to the LCS, related to "making a lovely place for incomes who can afford to live here". As such, *Resp8* concluded that "resident is just a weasel word and it can mean what you want it to mean".

school. The LCS application secures only two primary schools but does provide a secondary school and sixth form in PDZ12. There are also nine nurseries being delivered across the LCS application site. However, as detailed in Section 9.1.3 and throughout Section 9.2, the primary and secondary school provision is likely to only meet the demand created from the LCS's residential development and will not address existing shortfalls and therefore assist in the SRF's (2009) 'convergence' objective. Furthermore, given the emphasis on development viability, which may also explain the loss of a primary school proposed in the *Legacy Masterplan Framework* (2009), one of the primary schools and the secondary school that were approved in the LCS application are to be respectively located in the opposing borough to which they are needed. This need is, in part, evidenced by the proposed primary school in PDZ4 being situated on land that had been designated as a potential site for secondary school provision in the LB Tower Hamlets' FIAAP. Additionally, the unsuitably located proposed new secondary school in PDZ12 also has the potential to compromise the viable functioning of existing provision.

Having compared the approved LCS development against the evolving promises and objectives for the post-Games regeneration of the Olympic Park site, as well as various local planning policies, it is now time to turn to the analytical baseline provided by Fainstein's (2010) three principles of the 'Just City'.

## **11.2 The LCS planning application – delivering socially just outcomes?**

Returning to the conceptualisation of socially just planning outcomes provided in Section 2.4, the following table addresses each of the criteria set out in the adapted 'working definition' of a normative framework for achieving socially just planning outcomes.

**Table 12.** Assessing the LCS development against a ‘working definition’ of socially just planning outcomes adapted from Fainstein’s (2010) three principles for a ‘Just City’

<b>Criteria</b>	<b>Type of planning outcome</b>	<b>LCS planning outcomes – addressing the social justice criteria</b>
<b>Equity</b>		
1. All new housing development should provide units for households with incomes below the median, either on-site or elsewhere.	Development	Minimum 20 per cent affordable housing but concerns over affordability and further reduction in the number delivered. LCS will also deliver less affordable housing than required in local planning policy.
2. Households or business should not be involuntarily relocated for purpose of obtaining economic development or community balance. Adequate compensation provided so dislocated can occupy equivalent dwelling or business site. Reconstruction of neighbourhoods conducted incrementally so interim space can be created for displaced households to remain in same location.	Process	Clays Lane Estate, a purpose built housing cooperative, and nearly 300 SMEs were compulsory purchased by the LDA, although compensation was paid for relocation costs. The Clays Lane Estate residents were offered alternative housing, although issues were raised that this housing was substandard (see Cheyne and Baxter, 2008) There are also concerns over the ‘blank slate’ narrative that assumes there were no uses on the pre-Olympic Park site or those that did exist were undesirable (see 5.3.1). No provision is offered for previous residents/uses to return to the site.
3. Mega projects should face scrutiny, benefitting those on low wages in the form of employment provisions, public amenities and a living wage.	Development	Creation of approximately 4,421 direct end-use jobs with S106 stipulating that between 25% and 85% of the employees in retail, commercial and leisure end-use jobs are to be comprised of local residents (whilst the successful implementation of this target is uncertain, it is to be supported by the creation of the LCSCPG - see 7.1.1). Concerns raised over the loss of SMEs, with 50 per cent of these firms maintaining a majority local labour force (see Raco and Tunney, 2010). Provision of various social infrastructure, including new schools and open space, although concerns were raised over the new provision only meeting the demand created by the LCS and not that of existing residents (see 9.2.1).
4. Planners should take an active role in deliberative settings in pressing for egalitarian solutions and blocking ones that disproportionately benefit the well off.	Process	As discussed through Chapters 6-9, there are various examples of ODA PDT officers ensuring minimal levels of provision of social infrastructure (e.g. affordable housing, local employment percentages, open space, no restrictions on school places for existing residents). Such provisions were sometimes the result of lobbying from planners in the local boroughs. However, viability was at the forefront in shaping the nature of the LCS development, thus guaranteeing a predicted level of financial return for any future developer. Planners in the ODA PDT were accepting of the viability arguments presented by the applicant despite being unable to scrutinise the figures on which they were based. However, the problem of viability is an issue that is currently faced across the planning system in general, and thus criticism of this should not be solely placed on the planners within the ODA PDT. It should also be noted that the emphasis on viability inhibited the ability to address socio-economic need and existing social infrastructure shortfalls, and thus restricts the SRF’s (2009) goal of ‘convergence’.
<b>Diversity</b>		
5. Households should not be required to move for purpose of obtaining diversity but neither should new communities be built that further segregation.	Development	The Clays Lane Estate was compulsory purchased to make way for the Olympics. Whilst the tenure spread has yet to be established within each of the various PDZs, given that they organised at the point of each ZMP submission, the LCS does propose a minimum level of 20 per cent affordable housing. However, the minimum level secured is below that required by local planning policy and, furthermore, there are questions over affordability. Thus, existing local residents may not be able to move into the new residential units. This raises concerns over the possibility for the LCS to result in gentrification and thus segregation with existing communities. It should be noted, nevertheless, that nomination rights for the allocation of the socially rented provision are to be spread across the local boroughs, although exact details of this are not established in the LCS application.
6. Allocating land uses should be undertaken to foster inclusion.	Development	Whilst not part of the LCS development, the Olympic-related facilities, such as the Aquatics Centre and Velodrome, constitute new infrastructure for public usage that maintains pricing levels comparable to those in the local area. <sup>77</sup> The proposed schools in the LCS will also not restrict access to only those inhabiting the new development, although the population projections and resulting school place numbers may be prohibitive to inclusion of children from the surrounding boroughs (see 9.2.1). As noted above, with regard to affordable housing provision, the tenure spread has yet to be established within each of the various PDZs of the LCS.
7. Boundaries between districts should be porous.	Development	Two new bridges within PDZ4 were secured during the negotiation of the LCS. Furthermore, improvements to connections were provided during the creation of the Olympic Park, notably at the southern entrance from Stratford High Street, on the western side in the LB Hackney, and on the eastern side leading into the Westfield Shopping Centre. However, connections into the Park from the surrounding urban fabric, particularly at the north eastern end, remain somewhat limited (see 8.2.6).
8. Ample public space should be widely accessible and varied; where public space is provided by private entities, political speech should not be prohibited within the property.	Development	There is comprehensive landscaping across the Olympic Park and the provision of children’s play space around the Olympic stadium and near to the Velodrome. The LCS does propose all of its open space to be publically accessible, although a management and maintenance agreement is yet to be fully established. This research has highlighted concerns with the amount of open space provided by the LCS development, alongside the specific provision of local recreational space.
9. To the extent practical and desired by affected populations, land uses should be mixed.	Development	There is a mix of land uses within the LCS development, although the LCS proposals are clearly dominated by residential land use. The loss of general industrial uses does raise concerns over the degree to which those who previously worked on the site are able to find employment within the proposed employment generating uses. However, as noted above, the LCS’s S106 stipulates that between 25% and 85% of the employees in retail, commercial and leisure end-use jobs are to be comprised of local residents. Other uses throughout the site, such as the Olympic-related facilities, will be open for usage to residents in the surrounding boroughs.
10. Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education and employment.	Development	There is affordable housing proposed in the LCS, although the amount is below that required by local planning policy. This lack of policy compliance is also relevant to the LCS’s employment and education provision (see 7.1.2 and 9.2.3 respectively). Whilst ‘reasonable endeavours’ are to be made to ensure local people are able to access the jobs directly created by the LCS, there is ambiguity as to what this constitutes. The LCSCPG will hopefully achieve some success in facilitating local employment (see 7.1.1). It should also be stated that, with regard to this criterion, this thesis has not established historical discrimination but relies on planning policy to determine existing need within the borough.
<b>Democracy</b>		
11. Groups not able to participate directly in decision-making processes should be represented by advocates.	Process	Many of the local borough planners were conscious of the needs of local residents as evidenced in planning policy. There was a mixed response from local councillors with regard to representing the views of local people. This was also true of planners at both the ODA PDT and within the local boroughs. This was stated as being the result of the absence of existing residents on-site at the time of the LCS application, with local politicians therefore not focused sufficiently on the outcomes of the LCS development..
12. Plans should be developed in consultation with the target population if the area is already developed.	Process	There was a lack of formal consultation responses within the planning decision-making process for the LCS. Furthermore, not one member of the public attended the ODA’s planning committee for the assessment of the LCS planning application (see 10.2.1 and also outcomes addressing <i>Criterion 13</i> ).
13. In planning for as yet uninhabited or sparsely occupied areas, there should be broad consultation that includes representatives of groups currently living outside the affected areas.	Process	As noted within the above response for <i>Criterion 12</i> , there was a deficiency in the engagement of local residents with the LCS development. Whilst this thesis does not detail the consultation of local residents over the LCS development, there was the view that the LCS lacked public interest given that few people resided on the site at the point in which the application was being considered and that the planning decision-making process was ‘expert’ driven (see 10.2.1). Further points that were raised related to the LCS being too large for members of the public to meaningfully envisage their influence on the development, alongside a perception that any Olympic-related development was a <i>fait accompli</i> .

<sup>77</sup> At present, the price for an ‘adult swim’ at the Aquatics Centre does in fact range from £4.95 to £5.20 compared to £5.20 at the other three local leisure centres in LB Newham (see GLL, 2015; LB Newham, 2015).

Whilst not the intention to repeat the information conveyed in Table 12, which assists in addressing *Research Question 1*, it is worth highlighting a few key points relating to some of the main thematic issues that were relevant throughout the LCS planning decision-making process. In doing so, consideration shall be given to how the LCS development aligned with the 'working definition' of socially just planning outcomes offered in this thesis, with reflections also provided on the LCS's development and planning decision-making process with regard to the earlier critique of mega event-driven development (see 1.3.2) and the role of various actors in negotiating and rationalising the planning outcomes.

Addressing *Research Question 2*, the following thematic discussion highlights how power is mobilised by those stakeholders who were involved in the LCS's planning decision-making process to rationalise the planning outcomes they desired from the LCS. All stakeholders involved in the planning process utilised, to varying effect, various technical knowledge claims to support their desired outcomes. However, the scale at which the LCS development was rationalised was not consistent across stakeholders. Local authority planners and councillors often, although not always, rationalised their desired outcomes around their local impact and with regard to local planning policy, whereas planning and regeneration officers within the OPLC frequently rationalised the LCS development at a broader spatial scale and in relation to national government objectives. Accordingly, the issue of viability, which was commonly raised by OPLC officers due to the agreement to repay the Treasury's Olympic expenditure, was the dominant rationality that often bounded decisions on the nature of the LCS development.

With regard *Research Question 3*, the planners in the ODA PDT who were directly engaged in the decision-making process often rationalised the planning outcomes and development agenda of the LCS in a manner that aligned with the OPLC officers. This reflected the fact that they shared a similar institutional position, as part of an exceptional governance arrangement, which placed an emphasis on delivering a 'viable' Olympic related development. They therefore endorsed the OPLC's desire to rationalise the LCS at a broader scale to that of the local borough context, and thus did not demand a strict appliance of planning policy. In doing so, the failure to comply with policy was often accepted on the basis of technical rationalities advanced by the OPLC. As the English planning system cannot enforce the delivery of infrastructural improvements other than to meet the demand created by a particular development proposal, the ODA PDT could only secure modest contributions through the LCS with regard to achieving socially just planning outcomes and, furthermore, accepted a development agenda that does not align with the objective of 'convergence'.

The thematic issues that address the main research questions, as summarised above, require further examination given their importance and complexity.

### 11.2.1 Viability

The issue of viability was omnipresent within the LCS planning decision-making process, with viability claims often being used by the OPLC, and accepted by the ODA PDT, to rationalise the nature of the LCS development. The consensus between a number of the engaged stakeholders, notably within the OPLC and ODA PDT, around viability as a key consideration in development decisions is discussed in Section 10.4. However, there are a couple of issues regarding viability that need to be highlighted here relating to the LCS achieving socially just planning outcomes and the broader role of mega event-driven urban development.

The LCS's affordable housing provision, discussed in detail in Chapter 6, will constitute a minimum level of 20 per cent of the overall residential units delivered within the LCS development. Given that the LCS proposed affordable provision was supported by the submission of a viability appraisal, as detailed in Section 6.2.1, the ODA PDT officers were satisfied with the 20 per cent figure proposed. The viability of the LCS development, however, was based upon a financial agreement between the OPLC and the Treasury that would require a certain level of return on the development so to reimburse the UK Government's expenditure on the Olympics. However, the ODA PDT officers did not have access to the information contained within this agreement and therefore could not challenge any of the viability appraisal's base assumptions. The secrecy surrounding the viability appraisal is detailed in Section 6.2.1 and shall not be repeated again here. However, the impact of viability on achieving socially just planning outcomes must be highlighted.

The 20 per cent figure amounts to 1,360 affordable housing units when calculating against the indicative total of 6,800 homes proposed. This affordable provision therefore meets a literal reading of the general principle set out in *Criterion 1*. However, any interpretation of this must note that, notwithstanding the Clays Lane Estate which was compulsory purchased back in 2004 (with its occupants not allowed to remain on-site - contrary to *Criterion 2*), there was no existing housing on-site at the point of the LCS application's submission and thus an absence of any immediate affordable housing comparison.<sup>78</sup> Furthermore, the LCS does not provide sufficient levels of affordable housing to meet local planning policy, although such policy does suggest that the

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<sup>78</sup> The Clays Lane Estate was a housing cooperative consisting of 107 homes.

required 35 to 50 per cent provision is subject to viability considerations (see Appendix 9). There are also concerns over the affordability of such provision (see 6.1.3).

The planning officers located within the LB Tower Hamlets were frustrated with the dominance of viability shaping the LCS's affordable housing proposals (see 6.2.1), whilst the ODA PDT and planners within the other host boroughs, notably LB Newham, expressed little discontent with the amount of affordable provision. The respective position of the borough officers thus, interestingly, appeared to reflect the broader political position of the councillors within their own borough. In fact, both the planners and regeneration officers from the LB Newham highlighted the political position of the councillors when rationalising their ambivalence to affordable housing (see 6.2.1). This is despite the LB Newham's planning policy stating that all new housing developments should contain 35 to 50 per cent affordable provision (see Appendix 9). As such, the LCS presents an example of the common criticism of mega events that the resulting regeneration often involves the gentrification of deprived areas.<sup>79</sup>

Viability also played a key role in shaping the open space provision within the LCS application. Indeed, the desire to ensure adequate recompense for the Treasury led to an increase in the size of the residential development, notably in PDZ5, and thus a significant reduction in open space from what was originally conceived in the Olympic Games & Legacy planning applications in 2004. Chapter 8 details the nature of the open space provision, with the conclusion being that the LCS development does not provide 'ample public space' as required by *Criterion 8*. The in-depth analysis conducted in Chapter 8 is important because it provides a potential contrasting view to that of a current visitor to the Olympic Park who would, at present, likely be rightly impressed with the general parkland design and landscaping that has been undertaken. This, however, somewhat masks the future evolution of the site as the LCS proposals become developed out. Indeed, whilst there is considerable open space, alongside play facilities, provided within the wider Olympic Park, the provision associated with the LCS development can be considered inadequate and deficient in recreational space. Notwithstanding the loss of MOL, also in PDZ5, and thus the contravention of planning policy, the LCS development also draws from provision already in the local area to legitimise the sub-standard level of that proposed. Thus, rather than acting as a

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<sup>79</sup> Given the aforementioned absence of housing on-site when the LCS application was submitted, gentrification refers here to an extended definition which includes 'new-build gentrification', characterised by the production of urban space for middle-class consumers through 'new-build' housing on vacant land (Davidson and Lees, 2005).

progression towards 'convergence', the open space provision is contrary to the fulfilment of this principle. The issue of 'convergence' shall be turned to later in Section 11.2.5.

The location and nature of the education facilities (discussed in detail in 9.1.3 and throughout 9.2) are considered inappropriate, with viability considerations seemingly also shaping the proposals rather than the need expressed by the local boroughs and in local planning policy. The LCS's education provision provides two primary schools, in PDZ4 and 5 respectively, a secondary school in PDZ12 and nine nurseries across the site. *Criterion 10* requires public authorities to assist in ensuring those who have been historically discriminated against are provided with access to opportunities to education. Whilst this objective has the potential to be partially addressed within the proximity of the Olympic Park by the new higher-education facilities proposed in and around Stratford (see 11.1.4), it may also be partially achieved by ensuring that the new schools provided in the LCS are accessible to existing local residents. Indeed, the local area is characterised by above-average levels of deprivation, notably with sub-standard GCSE (secondary school) educational attainment (see 5.1.1). However, the education facilities are only proposed to meet the demand created by the LCS development. This means that, whilst existing residents are not prohibited from accessing the new education facilities, the new school places will not address current shortfalls within the surrounding boroughs and therefore will provide limited assistance in the achievement of 'convergence'. The LCS therefore seems to fall short in fulfilling the principle set out in *Criterion 10*.

Whilst planners played a differing role in the determination of the LCS application to that under a normal planning decision-making process, given that some were consultees to the application rather than a key decision maker, it is clear that their views were all influenced by their immediate political context. That is, the ODA PDT officers felt political pressure to accept the OPLC/Treasury's financial agreement, with the rationalities advanced by the borough planners, whilst informed by planning policy, often being aligned with that of their respective borough councillors.<sup>80</sup> As shall be highlighted later, the technical knowledge of planners within the process played a key role in the rationalisation and negotiation of the LCS development, represented by the influence of viability considerations. However, the governance structure under which the planning decision-making process was undertaken exercised control over access to the crucial

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<sup>80</sup> The alignment between the views expressed by borough planners and councillors also includes the ambivalence shown to the LCS proposals, with the limited engagement from the LB Waltham Forest's planners seeming to reflect the disinterest of the borough's councillors to the LCS development (see 8.2.6).



knowledge claim (i.e. the viability appraisal and its base assumptions) on which the LCS was shaped. The exceptional governance arrangements shall be discussed further in Section 11.2.4.

The impact of viability shaping development is that the nature of that proposed is less responsive to the needs of local people with, for example, the diminishing affordable housing provision resulting in an increase in residential units for private sale. This will likely result in the gentrification of the site and the surrounding area through an influx of more affluent residents and an increase in land values, and thus reaffirm the general criticism of mega event-driven development strategies that they do not benefit existing local disadvantaged communities. This issue of scale is important and requires further consideration.

### **11.2.2 Scale**

The employment provision proposed within the LCS planning application will approximately create 4,421 direct end-use jobs. This is a considerable number with the S106 stipulating that 'reasonable endeavours' must be made to ensure that between 25% and 85% of the employees in retail, commercial and leisure end-use jobs are to be comprised of local residents (see 7.1.1). Whilst a significant disparity between the two targets, and no information provided on what constitutes 'reasonable endeavours', this is a laudable objective that could go some way to achieving, as recommended by *Criterion 3*, 'employment provisions' for those on low wages. However, the compulsory purchase of nearly 300 SMEs on the Olympic Park site prior to the staging of the 2012 Games, many of which being of general industrial use, is a notable consideration when providing a comparison with the new employment uses and whether they will be accessible and provide opportunities for local people. This concern is particularly significant given that nearly 50 per cent of the SMEs that existed on the site claimed that either 'all' or 'more than half' of their staff were composed of local residents who lived in the neighbourhoods around Stratford, with these workers coming from 'relatively low to middle-income households' (see Raco and Tunney, 2010: 2082). It is too early to understand the success the LCS will have in achieving the S106 target and, furthermore, it is unclear as to how many jobs this target will eventually entail. With regard to its employment element, *Criterion 3* can therefore only be concluded as being partially fulfilled by the LCS proposals. This partial success is also true with regard to *Criterion 2* given that, whilst compensation was paid to both businesses and residents who inhabited the Olympic Park site, many were involuntarily relocated through the compulsory

purchase process.<sup>81</sup> Whilst not part of the LCS planning application, it is worth highlighting the previous uses on-site given the tendency of interviewees, as noted in Section 5.3.1, to describe the pre-Olympic Park as a 'blank slate' and therefore conceal the fact that local people were displaced to make way for the Olympic and 'Legacy' related development. Furthermore, given this narrative, it is not surprising that no provision is provided within the LCS application for previous residents or businesses to return.

The tendency to view the Olympic Park site as a 'blank slate' also disassociates the new development from the previous land uses and the lower density built environment that existed prior to the Games. As such, the large-scale nature of development that can often result from staging a mega event may, as Smith (2012) notes highlighting the example of Sydney's Olympic Park regeneration, create and encourage a built environment that is out of proportion with the future use of the site. This thesis has not sought to analyse the density of the proposed LCS and Olympic Park related development but has highlighted a couple of interesting characteristics of the development that has occurred, and is proposed, on site. The majority of the LCS development consists of residential use, yet the existing Olympic Park provides an amenity space that could be defined as a 'destination' (see 8.1.3). This is reinforced by the expansive bridges within the site which were only supposed to be temporary additions during the Olympics but have subsequently been made permanent given the future occupancy of the Olympic Stadium by West Ham Football Club (*Resp1*). With the busy Westfield Avenue and Waterden Road dissecting the Olympic Park, the monolithic IBC and media centre (which were also proposed to be reduced in footprint but whose scale will be maintained), and the power station initially built for the Games to the south of PDZ5, the resulting character of the LCS development and its setting is one that does not lend itself to a fine grain neighbourhood design. As *Resp12* noted, these pieces of infrastructure are "not necessarily great neighbours [for] high-density residential development". The success of the compatibility of the various land uses will remain to be seen as the LCS is developed out. However, what should be noted is that this issue of scale provides an example of the criticism of mega events that they prioritise change over continuity and development in, rather than of, host cities (see 1.3.2).

Finally, scale was also an important issue with regard to the manner in which certain land uses were rationalised during the negotiation and assessment of the LCS. For example,

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<sup>81</sup> One notable exception saw the LDA pay for both the relocation costs and a new site for the H. Forman & Sons salmon factory in Fish Island (Kvist, 2012).

the employment proposals for PDZ5, the development parcel in LB Hackney, were rationalised at a broader spatial scale than the application site (see 7.1.2). However, this rationalisation for the loss of industrial land, given the departure from local planning policy, should not be taken at face value and instead seems to have been primarily governed by the need to repay the Treasury through increased land sale receipts created by the proposed housing as well as commercial uses that are more suited to residential areas. These proposals were accepted by the planners in the ODA PDT who, as noted above, were constrained by their acceptance of the OPLC's viability claims. This consensual acceptance of viability also inhibited any attempt to counteract the proposed employment uses on planning policy grounds during the LCS's planning decision-making process (see 7.2.2).

### **11.2.3 Technical rationalities**

The OPLC's negotiation and rationalisation of the LCS development was primarily driven by the use of technical knowledge claims. A number of examples resulting from the privileging of technical knowledge exist within the final form of the LCS proposals such as, *inter alia*, the ODA PDT's acceptance of the Viability Assessment Report as the primary constraint on the LCS's affordable housing provision (see 6.2.1), the creation of an 'accessibility map' to rationalise the location of the proposed secondary school in PDZ12 (see 9.1.3), and the advancement of a particular population model to predict the residential occupancy of the LCS development and thus the number of school places required (see 9.2.2).

However, the latter issue regarding the use of population modelling within the LCS does also highlight how, as explained in Section 3.2.3, technical knowledge can be used to resist as well as support a particular development agenda. Indeed, local borough planners successfully promoted an alternative population model, subsequently leading to the OPLC revising their population forecasting so that school places were not underestimated (see 9.2.2). However, it is important to note that the four local boroughs were all aligned in their concern at the population model used by the OPLC, thus helping to legitimise their opposition to the development agenda and its supporting knowledge claims. On other occasions, the boroughs themselves held competing viewpoints, thus making it easier for the OPLC to rationalise their development agenda to the approval of the ODA PDT through aligning with a borough whose position most closely reflected their own (see 10.3.2).

Notwithstanding negotiations between planners, the dominance of technical knowledge in rationalising development decisions can also be problematic for those stakeholders

who are not professionals working within the field of planning. Indeed, it was often argued that the technical knowledge claims on which decisions were made meant that local residents and other lay people found it difficult to understand and therefore engage in the shaping of the LCS development. Thus, with regard to achieving socially just planning outcomes, notably *Criterion 11 to 13*, the LCS planning decision-making process had a rather limited impact in successfully enabling local residents to either participate or be represented by advocates. Whilst the 'expert' driven nature of the planning decision-making process for the LCS application was documented in Section 10.2.1, it should be noted that a number of the local borough planners were conscious of, and expressed an interest in, the needs of local residents but only as evidenced in planning policy. The limited number of residents residing on the LCS site at the time of the application's submission was also said to have resulted in some councillors affording little attention to the outcomes of the LCS and how they would benefit their constituents. As *Resp11* noted, there "is hardly any voters in that part of the borough, which is always likely to limit politicians' interest". Two local councillors, *Resp13* and *Resp17*, did speak at the ODA PC to object to the LCS application, but their concerns were predominantly raised with reference to the proposals being non-compliant with planning policy rather than specifically articulating the views of their local constituents. Thus, whilst the views they expressed could be seen as representing the needs of local residents, inasmuch as they are embodied in planning policy, the two councillors' involvement could not be specifically defined as a position of advocacy. It would therefore seem that the stakeholders engaged in the LCS's planning decision-making process had limited adherence to the social justice principle of 'Democracy' as expressed in *Criterion 11 to 13*. Furthermore, as a number of the interviewees thus noted, without 'expert' representation it would have been difficult for a local resident to comprehend and respond effectively to the LCS application proposals given their scale and the primacy afforded technical knowledge in the planning decision-making process. Given that mega events are often staged in areas most commonly home to disadvantaged groups (see 1.3.2), as indeed is the case with the LCS development (see 5.1.1), it is likely that local residents will have limited resources to acquire 'expert' representation and thus contest the mega event-driven development agenda. The role of power is therefore somewhat reflected in the ability to obtain, understand and deploy technical knowledge within the planning decision-making process.

The problem of understanding the LCS development proposals was an issue not solely faced by local residents, however, with even members of the ODA PC having trouble in understanding the nature of development being placed before them at the committee

meeting for the assessment of the LCS application. One example of this is highlighted in Section 8.2.1 whereby one of the councillors sitting on the ODA PC restated the incorrect claim that the LCS development would help create the 'largest urban park in Europe for 150 years'. Given the technical nature of discussions, alongside the scale of the LCS application, it is understandable that a lay person may have difficulty in comprehending the complexities of the open space provision with its various and evolving parcels and, for that matter, the details of any of the proposed planning outcomes. Indeed, a lay person would find it challenging to technically assess the appropriateness of the open space provision in relation to the size and occupancy of the LCS development and, consequently, to influence the amount delivered and its location. However, it was surprising that an ODA PC member maintained the erroneous claim regarding the size of the open space given that the members were involved in a number of briefing meetings where the development proposals were explained to them (see 10.1.3). This seemingly demonstrates the effectiveness of the rhetoric regarding the 'Legacy' benefits that would accrue.

In Section 1.3.2 it was noted that the benefits of mega events are often over-estimated, and this thesis has highlighted how the resulting open space does not meet the amount that was initially promised, both at the bid stage and in the initial planning applications in 2004, and nor does it comply with planning policy. Planners do have a role in ensuring the achievement of *Criterion 8*, which makes reference to the delivery of 'ample' public space, as they are able to understand and utilise what is considered legitimate knowledge and therefore unpack the various rationalisations and supporting technical knowledge claims used to support the LCS's open space provision. In sum, planning professionals have an important role in realising, and indeed contesting, 'Legacy' claims. As noted in Section 3.2.3, the use of technical knowledge in argumentative exchanges should not in itself be seen as problematic, but rather the political objectives and their potential impact, which may be concealed by such knowledge claims, need to be understood and scrutinised. With regard to ensuring adequate open space within the LCS development, the planning professionals, within the OPLC, ODA PDT and a number of local boroughs planners, approved of the sub-standard provision, contrary to *Criterion 8*, on the basis of achieving the political objective to pay back the Treasury by ensuring the delivery of 'viable' development. The consensus around development decisions in the LCS planning decision-making process is discussed in Section 10.4. Only one councillor, *Resp17*, was vociferous in challenging the viability claims, both in formal written correspondence and during the ODA PC meeting. This was undertaken indirectly, however, through addressing the loss of open space on planning policy grounds rather

than trying to falsify the viability knowledge claims. Whilst being the Chair of LB Hackney's Planning Committee afforded him legitimacy, it appears that *Resp17* was resolute in his challenge given his knowledge of planning policy and the need for development to comply with it. However, his objection to the LCS application was also a reflection of his character in that he was willing to uphold a principled position on an issue in which he felt he was correct. This was confirmed by *Resp15*, a planning officer at LB Hackney, who explained how *Resp17* "was involved right from the beginning and he remembers the promises that were made at that stage, and he feels that people are breaking their promises". As such, *Resp17* "had his personal views [...] and was not worried about upsetting the ODA" (*Resp15*). The LB Hackney planners did not share his view "on balance" (*Resp15*) regarding the open space provision in PDZ5, but nevertheless provided the planning support for *Resp17* to articulate and frame his objections. This does demonstrate the role politicians can play in influencing the development agenda. Nevertheless, *Resp17*'s success was ultimately limited given that the increase in open space resulting from his intervention at the ODA PC meeting was later rescinded under subsequent viability claims (see 6.1.2 and 8.1.5). As such, his public intervention was only effective until subsequent technical knowledge was produced which provided the overriding and determining factor.

#### **11.2.4 Exceptional governance arrangements**

As discussed in Section 1.3.2, exceptional legislation and institutional arrangements are often imposed so to ensure the delivery of the necessary infrastructure and development for staging a mega event, resulting in planning procedures being undertaken within what has been termed a 'state of exception' (see Agemben, 2005). Additionally, foregoing normal governance arrangements has been criticised for reducing public transparency of development decisions.

The unique governance arrangement under which the LCS planning decision-making process was undertaken has been argued, in this thesis, to have resulted in 'closed-door' decision making with the main development agenda agreed prior to any formal consultation or the planning decision-making process. Not only does this reduce public transparency and democratic accountability, and thus the ability to fulfil *Criterion 11*, but it also inhibits the opportunity to challenge development decisions (see 10.1).

Mega events have also been criticised for treating local government similarly to other institutions and individuals trying to represent their interests within the planning decision-making process. With regard to planning, the exceptional governance arrangement, with the ODA as the planning authority, did see planners within the local boroughs treated as

formal consultees, thus overriding their normal position as decision makers. However, the borough planners evidently did discuss and negotiate the LCS development with the OPLC and the ODA PDT so to shape the nature of the planning outcomes. As such, they were engaged with, and able to influence, the LCS development proposals more than local residents, as somewhat indicated by the lack of consultation responses from the latter. Nevertheless, their ability to shape the overall nature of the LCS was ultimately inhibited by the close relationship maintained between the OPLC and ODA PDT (see 10.1).

Given that planners were situated within the OPLC, ODA PDT and the local boroughs, the LCS development was primarily negotiated between various actors who all had access to technical expertise. As noted in the preceding section, the use of technical knowledge claims was effective for those challenging the OPLC's development agenda when there was a consensus with other actors in opposition (i.e. population modelling) or where the challenge led to a proposal that did not compromise the overall delivery and viability of the LCS development parcels (such as the improved bridge connections in PDZ4). However, the OPLC, given that they were able to focus their resources on the rationalisation of their development agenda, with the assistance of expert consultants, often held the upper hand in negotiations with the local boroughs who were not all able to view the viability report on which the LCS development was rationalised by the OPLC (see 10.3.1) nor dedicate adequate time to fully challenge the OPLC's development agenda. As *Resp23* stated with regard to attending meetings to comment on LCS development, it was often difficult for planners from the local boroughs, as consultees, to devote sufficient time to engaging with the development given that they "often had a lot going on [with] other applications". This reiterates the general concern, as noted in Section 3.2.3, with how development agendas can be controlled through the amount of time and financial resources that can be utilised to support a particular position. Furthermore, as the planning officers within the ODA PDT also maintained an emphasis on delivery, given in part that this had been necessary for the timely construction of the development to host the Games, they too were keen to avoid any potential compromise to the approval of the LCS. This is perhaps best reflected by *Resp1*'s statement when responding to the possibility of the LCS being delayed and therefore being assessed by the successor to the ODA, the LLDC: "I didn't really want to give up all that hard work [...]. Sod that for a game of soldiers, I wanna follow it along and make sure it happens". However, as this quote demonstrates alongside a number of other comments that emerged from the interviews, the ODA PDT officers were not only keen to ensure that the LCS secured a planning approval for political reasons concerning delivery but also

because of a personal sense of responsibility and achievement in realising what is a highly 'visible' regeneration project.

As highlighted earlier in Section 11.2.3 with regard to the LB Hackney councillor's objection, the role of individual responsibility is an important consideration when trying to understand the actions of those engaged in the LCS's planning decision-making process. It is clear that the ODA was set up to deliver the Olympic Games infrastructure and that those individuals employed within the ODA PDT have maintained this focus on delivery for the post-Games regeneration planning. This has, to a large extent, framed the negotiations and assessment of the LCS development and helped constitute the prominent narrative which emphasised a 'pragmatic' approach to development decisions (see 6.2.2). This 'pragmatic' approach was maintained right the way through the planning decision-making process to the ODA PC meeting where members, despite outwardly challenging the LCS development, voted to approve the application (see 10.1.4). Upon being questioned in the interviews regarding the LCS decision, it was quite striking that a number of PC members commonly adopted a passive tone that provides a misleading impression that they had little involvement in the decision-making process. Indeed, when *Resp10*, for example, was questioned regarding the ODA PC's decision to have an adjournment to discuss the housing parcel in PDZ5 (see 6.2.5), he stated that if "that had been any committee I'd ever chaired [...] we wouldn't have done that, we would have deferred the application [...] rather than doing it on the hoof. [T]hey just wanted to have a [planning approval] for the Games opening". However, he raised no objection at the point in which this adjournment was suggested during the ODA PC meeting, and was happy to approve the resulting set-back of the PDZ5 development parcel. Thus, if this was his true opinion, it demonstrates a personal lack of responsibility to uphold what he believed was the correct course of action. As such, as with the other ODA PC members, he therefore maintained the primacy of the 'delivery' ethos that those working within the exceptional governance arrangement [the ODA and OPLC] had consistently adopted. What may have therefore been unusual or inappropriate during normal planning procedures, as reflected in *Resp10*'s above quote, becomes an accepted course of action within the 'state of exception'.

The management of the LCS application, which sustained a focus on delivery and ensuring 'viable' development, can therefore be seen as a reflection of national political objectives (see 10.3.2). These objectives required the 'Legacy' development to be approved before the staging of London's Olympic Games and that the Treasury's payback demand was met. This is not to say that planning policy was ignored as the LCS maintains compliance with policy across a number of issues. However, as detailed



throughout the thesis, the broader political objectives often impeded the achievement of socially just forms of development as detailed in Table 12. It is difficult to empirically determine whether the officers within the ODA PDT were focused on delivery and ensuring 'viable' development because they personally believed these objectives desirable or whether they indeed internalised the objectives given that they were employees of the ODA's unique governance arrangement. However, as they surely understood the nature of the ODA as a 'delivery authority', it is unlikely that a planner would have ever chosen to seek employment at the ODA unless they wanted to play a part in successfully delivering the Olympic related development.

The political and institutional arrangements under which a professional planner functions can therefore guide our understanding of the objectives that they pursue. Indeed, the arguments pursued by the local borough planners, as well as those councillors who challenged the LCS's development agenda, were predominantly aligned with the planning policies of the borough in which they functioned.<sup>82</sup> It is not surprising that therefore, given the OPLC and ODA had broader concerns, the local boroughs planners were often frustrated with the issues concerning departures from local planning policy. In turn, these policy issues often reflected the tension between trying to deliver more socially just forms of development and ensuring 'viable' delivery. Indeed, with regard to *Criterion 1, 3, 4, 6, 7, 8, 9, and 10*, planners within the local boroughs tried to ensure, and helped partially achieve, more socially just forms of development to that which was proposed in the OPLC's initial LCS planning application submission. However, this was not true of all borough planners, with some taking a more relaxed view regarding compliance with planning policy, highlighted by the LB Newham planner's ambivalence to ensuring policy compliance with regard to affordable housing provision. This position seemed to reflect the boroughs political viewpoint in general, which was not replicated in planning policy, that the 'Legacy' development should be attracting more affluent residents to the borough.

It is hard to discern what position ODA PDT officers took on a number of issues within negotiations with the OPLC, given the absence of first-hand experience of these discussions, but the ODA PDT officers generally appeared to be sympathetic to the various aspects of the development agenda advanced by the OPLC. Nevertheless, it

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<sup>82</sup> Although the local borough planners consultation responses, whilst referencing planning policy, worked with their councillors to ensure that certain issues were emphasised. For example, the affordable housing issue with regard to the LB Tower Hamlets (see 6.2.1) and the open space and loss of SIL with regard to LB Hackney (see 7.1.2 and 8.2.3). The concern with the loss of open space within LB Hackney was an issue particularly driven by a local councillor (*Resp17*).

should be noted that the LCS does provide, if often only partially, development that aligns with a number of the social justice criterion as expressed in Table 12. Thus, one should not assert that the ODA PDT, as well as the OPLC, were completely blinkered by the broader national objectives. Indeed, in expressing and analysing any normative position, one must be conscious of what would have been delivered under the 'normal' functioning of the planning system. The LCS development does deliver a significant amount of social infrastructure which, as noted by *Resp25* and expressed in Section 10.3.2, can be viewed favourably when compared to many schemes that receive planning approval. In fact, *Resp25* asserts that the LCS provides social "facilities [and] schools [which] is massively much more positive than the likes of Berkeley Homes or other ones that we deal with". It is inherently difficult to predict the 'counter-factual' development that may have emerged under the functioning of the 'normal' planning system, but the claims made by *Resp25* and others interviewed, as well as my professional planning experience of large-scale development, enables one to conclude that the LCS application does not offer any less than what many developments across London are providing. Indeed, in terms of affordable housing provision, whilst by no means aligning with the recommended policy targets, the agreed 20 per cent minimum is a more generous offer than many schemes that are currently gaining approval under viability considerations. This is perhaps to be expected given that the LCS is being delivered on public land and by public agencies. It should also be recognised that, as individuals, many of the OPLC officers were aware of the compromises that were sometimes made in the LCS development. As *Resp4* stated, ideally the LCS would "see everything delivered [but] if we don't pay back [the] Treasury and [the] Lottery, then we'll get criticised [and] if we don't do more regeneration, then we'll also get criticised, so we're in this no win situation".

The ability of development to meet local objectives is a broader issue currently facing the existing planning system, and a problem that was heightened in the LCS application given that it was a highly visible and political development assessed under an exceptional governance arrangement. Whilst the planning policies relevant to the assessment of the LCS application often embodied, through the evidencing of local need, a number of the principles established within the 'working definition' of socially just planning outcomes, they could never have hoped to achieve the wider transformation of the socio-economic fortunes of the local area or 'convergence' without broader political will. It is worth turning here to a brief discussion on the relevance of the LCS to the current English planning system and its capacity to deliver the regeneration of deprived areas.

### 11.2.5 Realising ‘convergence’ and wider regeneration through the planning system

Whilst the previous section noted that the LCS does provide a significant amount of social infrastructure, this thesis has detailed that this is not sufficient to align with the objective of ‘convergence’ (see 9.2.2). Any comparisons to other developments, or potential counterfactual outcomes, must not cloud the overall assessment of the LCS proposals against the earlier ‘Legacy’ promises, planning policy for the area, and a conceptualisation of what would constitute socially just planning outcomes. The fact that the LCS is a public-led development on land in public ownership, which may be delivering more than what would be achieved by a private developer, is not sufficient to relieve it of an obligation to fully address such objectives, and if anything makes a focus on the benefactors of the regeneration ever more pertinent. Indeed, the staging of a mega event is often rationalised on the ability to deliver urban regeneration and community benefits for existing disadvantaged residents (see 1.3.1). The limited nature by which the LCS addresses the ‘convergence’ objective thus needs addressing.

One main problem with the LCS application attempting to achieve ‘convergence’ and the ‘regeneration of an entire community’, the stated objective of the post-Games regeneration as promised in London’s 2012 *Candidature File* (2004), is that the English planning system cannot ensure wider regeneration benefits when assessing individual planning applications and development sites given that it can only address the delivery of social infrastructure that meets the needs of the development proposed. Indeed, as noted in Section 6.2.2, planning obligations, also known as S106 agreements, can be appended to planning permissions to only ensure that that a developer provides, or monetarily pays *in lieu*, for an appropriate level of social infrastructure to meet the demand directly created by their development proposal. Such obligations cannot, however, compensate for of an existing shortfall within the local area. The Community Infrastructure Levy (CIL) does enable the enforcement of a standard charge upon developers, providing a financial contribution for a range of community facilities to meet existing and forecast demand within a borough.<sup>83</sup> However, the ODA PDT’s assessment report for the LCS application only reference to the CIL charge is in stating that it supports

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<sup>83</sup> The CIL is a planning charge that was introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area (Planning Portal, 2016). The use of planning obligations and land value capture is a matter that cannot be done justice here and is beyond the remit of this thesis. It is, nevertheless, an important issue facing the English planning system and is recommended for further study.

the provision of the secondary school in PDZ12 (ODA PDT, 2012a: 365). This school, however, only addresses the demand created by the LCS development.

One of the other problems with achieving ‘convergence’ through the planning system is that this requires the concept to be specifically defined so that it provides a benchmark from which a particular development proposal can be evaluated. However, the *Convergence Statement* that must be submitted as part of a planning application for a development with over 100 residential units or 1,000 square metres of new floorspace, as governed by the OLSPG policy document, must only state how the development will ‘help close the deprivation gap between the Olympic host boroughs and the rest of London’ (GLA, 2012: 111). Whilst the OLSPG’s ‘Convergence’ policy does make reference to the general outcomes that need to be met, drawing from the SRF, there is a lack of sufficient detail in prescribing how a planner may assess how a development proposal contributes sufficiently. For example, the desire to ensure that there are ‘120,000 more residents in jobs’ (*Ibid.*: 111) within the host boroughs is so detached from the scale at which a particular development is assessed that any development which is employment generating could be said to be assisting in meeting this target. This is not to say that such a laudable objective will not provide a position from which to anchor discussions over the proposed development outcomes, but rather that it leaves some ambiguity over how ‘convergence’ can be defined and practically enforced within the context of the assessment of a planning application and, indeed, its relationship with existing planning policies for the area.

Notwithstanding its efficaciousness, the OLSPG’s ‘Convergence’ policy had only been formally adopted shortly before the ODA PC meeting in which the LCS application was assessed.<sup>84</sup> Furthermore, it was noted in Section 9.2.1 that the OPLC only submitted a *Convergence Statement* at the request of the ODA PDT once the LCS application had already been submitted. Thus, there is some uncertainty over the importance that the OPLC gave to the ‘convergence’ objective and therefore the degree to which it was central to the formulation of the LCS’s proposals. An ODA PC member, *Resp9*, corroborated this view when stating that the LCS “was already well underway before any thought was given to developing this [with regard to] convergence”. Further still, *Resp12* declared that he was unsure as to “how much [...] weight [convergence] ever really had”. This ambiguity as to the role the ‘convergence’ objective played in the shaping and assessment of the LCS development is further highlighted by *Resp6* claim that those

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<sup>84</sup> The ‘convergence’ objective was adopted in the GLA’s OLSPG policy document on 20 June 2012, only six days prior to the formal approval of the LCS planning application at the ODA PC meeting.

engaged in the planning decision-making process were “not very clear [...] about what ‘legacy’ should be”. *Resp6* goes on to elaborate that ‘convergence’ was “a political position rather than a real position”. The uncertainty that therefore seems to exist around the concept of ‘convergence’, which to an extent parallels the opening comment to this thesis which highlights the absence of a consensus as to how ‘legacy’ is constituted, appears to have impeded its practical implementation and enforcement within the LCS planning application.

As the ‘convergence’ objective was therefore not something which could be effectively enforced within the planning decision-making process, given that it is not defined by precise outcomes embedded in planning policy, it was unlikely to be delivered through political will alone. This is clear given the national government’s political emphasis on delivery and viability. It was highlighted in Section 4.1 that the planning decision-making process for the LCS development was ‘atypical’ and ‘extreme’ but that there was a principle of normality due to the need to abide by normal statutory processes. In turn it was noted that, as a case study, the LCS can thus act as a ‘magnifier’ for wider trends and features in urban governance and planning. The acceptance of the ‘viability constraint’ is an example of a wider trend as it has become a common feature faced by those involved in the planning system in general when dealing with the negotiation and assessment of urban development (see 10.4.2). The issue of viability is both omnipresent in the LCS and in ‘normal’ planning decision-making processes and, whilst acknowledging the specific nature of the requirement to pay back the Treasury, the emphasis on the LCS’s viability reflects a national political focus on ensuring development that is ‘viable’ so to ensure plans are ‘deliverable’ (see 3.1.2 which discusses the UK Government’s NPPF and its emphasis on viability and delivery). This potentially hinders the attainment of more socially just planning outcomes as seen, for example, through the decline in affordable housing provision in the LCS from what was initially envisaged (see 6.1.2).

This last example of the LCS’s affordable housing provision leads onto one final point regarding the achievement of socially just planning outcomes within the English planning system – that incremental changes to an approved development, through the submission of modifications to an application, can fundamentally change the nature of the development that was originally envisaged. As has been shown with regard to PDZ5 (see 6.1.2 and 8.1.5), not only did the housing proposals in the LCS see a decrease in the amount of open space from that approved in the ‘Legacy’ application in 2004, but subsequent AOD and VAR applications have reduced the amount of affordable housing provision delivered by the LCS development. The LCS is not unique in facing this

problem, which I have referred to as ‘planning creep’ throughout the thesis, as it is quite common for S106 agreements to be altered by viability claims through a *Deed of Modification* application so long as it is undertaken within the customary allotted five years from when the original S106 was agreed. Furthermore, planners are finding it difficult to challenge requests to modify S106 agreements on viability grounds given that the NPPF asserts that

to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for Affordable Housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable (DCLG, 2012: 41).

The loss of social infrastructure provision, and therefore more socially just planning outcomes, is thus hard to resist given the political acceptance of viability appraisals as providing an appropriate basis from which to rationalise developer contributions. As noted by the Planning Officers Society (POS), this ultimately results in the planning policy requirements being ‘squeezed where a viability gap is claimed by a developer’ (POS, 2016: 1). The legitimacy afforded to viability at national planning policy and government level has therefore encouraged ‘development industry gaming as they know the market can be manipulated to suppress affordable housing provision’ (*Ibid.*: 3). Indeed, the dominance of viability and its accepted legitimacy is such that even the public bodies delivering the LCS development on publically owned land were not deterred in consciously applying, on more than one occasion, viability claims to reduce the affordable housing burden despite their stated loyalty to ‘convergence’.

### **11.3 Re-visiting the ‘working definition’ of socially just planning outcomes**

Section 11.2 discussed the main thematic issues relevant throughout the LCS planning decision-making process so to provide an analysis of how socially just the LCS planning outcomes are. The discussion also examined the role that various actors played in negotiating and rationalising the LCS’s planning outcomes, and therefore attended to the three main research questions. It is now time to re-visit the adapted version of Fainstein’s (2010) three principles of the ‘Just City’ which produced the ‘working definition’ of socially just planning outcomes for this thesis, in order to fully address *Research Question 1*.

One of the first issues that must be addressed is the degree to which a general definition of socially just planning outcomes can be used by planners when assessing development

proposals. Indeed, one of the problems with judging whether an outcome is socially just is that the planning system deals with the particulars of development. As such, one of the notable findings from examining the research data is the difficulty in precisely comparing the specific nature of the LCS development and planning decision-making process against the more general criteria provided in the normative framework for socially just planning outcomes. For example, it is hard to provide a definitive viewpoint as to whether a boundary is 'porous' or a development has an appropriate 'mix' given that there is no agreed qualitative or quantitative measure or standard by which one could absolutely determine whether a development had achieved this. The appropriate 'mix' of land uses on one site, for example, may be completely different to that on another depending on the specific deficiencies and requirements of the area in which they are situated and the compatibility with existing land uses in the locality. Also, any ambiguity may enable the most powerful actors to shape the nature of the development in the absence of a more prescriptive position. This should not, however, detract from the need to establish desirable planning outcomes *per se*, as the criteria which draw from Fainstein's 'three principles' are sufficiently distinct to assist a planner in understanding the general character of the planning outcomes that are considered desirable to achieve more socially just outcomes. Without such criteria, it would be difficult to steer negotiations and orientate development decisions.

The LCS development includes a number of proposals that broadly align, if often partially and not wholly conforming to planning policy, with the socially just planning outcomes criteria. These LCS planning outcomes include: a minimum level of affordable housing; the assurance of education facilities being open to existing residents in the surrounding boroughs; the securing of a minimum number of employment opportunities for local residents, assisted by a specially created employment agency (the LCSCPG); an increased number of connections into the Olympic Park; a minimum level of open space provision and an assurance in principle that such provision is publically accessible. At various points in the planning decision-making process, planners within the local boroughs argued for these outcomes, as did local councillors, most notably *Resp17*. The ODA PDT officers did also play a part in this given that a number of the outcomes are established and supported through various planning conditions and S106 clauses. However, ODA PDT officers also worked to ensure that an approval of the application was secured for the OPLC, often accepting certain knowledge claims and rationalisations that were based on, and constrained by, broader political objectives. Thus, the role of the planners often reflected the institutional and political context in which they functioned. Local boroughs planners were often keen to uphold local planning policy, but OPLC and

ODA PDT officers were particularly conscious of delivering a 'viable' post-Games development to ensure the Treasury's financial reimbursement and meet the political objective of securing a planning approval for the 'Legacy' prior to the opening of the London 2012 Olympics. It is the tension between the scales at which the objectives for the planning outcomes are constituted that reflects the broader criticism, discussed in Section 1.3.2, that the regeneration aims of mega events are established by 'non-local agents'.

However, London's 'Legacy' development has arguably achieved some of its successes as a result of maintaining public ownership of land alongside incorporating some dialogue between the ODA PDT and the local boroughs during the planning decision-making process. This has enabled the aforementioned planning outcomes to partially reflect the criteria established as a 'working definition' of social justice within this thesis. One further aspect that must be considered when noting the public-led nature of the LCS development is, however, that the OPLC have effectively secured a planning approval that will enable private developers to have certainty over the viability and thus likely financial returns that will accrue from the future development of the site. Indeed, a developer will not have to face the costs and possible problems of negotiating the planning system. As Smith notes, this effectively sees the 'socialisation of risk' (Smith, 2013: 14), with private companies potentially being the main beneficiaries of public intervention and investment.

For Fainstein's principles of the 'Just City', the LCS planning outcomes and the public-led nature of planning process raises a couple of key issues. Firstly, that one could reasonably argue that the planning system and role of the planner within the LCS development was, as Harvey would contend, to 'mitigate the worst outcomes at the margins of an unjust system' (Harvey with Potter, 2009: 46). The second related issue is thus: such 'mitigation' may result in the delivery of affordable housing or increased employment opportunities for local people. Such outcomes may be modest, but they are meaningful in that they are materially beneficial to those who have access to such provision. Thus, whilst not structurally transformative, a normative position that embodies a principle of social justice is important as it provides planners with something to work towards and therefore orientate development discussions and decisions. Fainstein establishes her three principles on the ability of urban and city governance to play a role in redistributive processes, and it is the contention of this thesis that planners can make decisions that are more or less favourable to justice. The LCS development modestly and partially establishes this although, as demonstrated by the emphasis on viability, Fainstein is correct in highlighting that 'only power mobilized at the national and



international level is sufficient to force major transformation' (Fainstein, 2010: 36). In other words, within the capitalist system there is a tension between the national government's current focus on economic viability, as emphasised in the NPPF, and achieving more social just planning outcomes, and thus a re-evaluation of the desirability of the former may increase the possibility of the latter.

## **11.4 Reflections on the examination of the LCS planning decision-making process**

### **11.4.1 Limitations of the research**

Conducting a detailed examination of a case study does indeed require a focused research approach that inevitably leads to the exclusion of certain important related elements. This thesis does have a number of empirical limitations and, whilst it is not possible to examine all delimiting factors, it is worth highlighting some key ones here. Firstly, the thesis does not extensively explore the development that is occurring on the periphery of the Olympic Park site, notably within the Stratford and Hackney Wick areas. The ever evolving nature of the development proposals coming forward within the locality will impact upon the success of the LCS. These developments may offer additional provisions that compensate for any infrastructure or land uses that are deficient in the LCS development. Alternatively, they may well place a further burden on, and be detrimental to, the LCS development and the existing infrastructure within the locality. The impact of future development plans on decision making within the LCS planning process is, nevertheless, difficult to ascertain and explore within the scope of this thesis. However, the increasing scale of development activity within this part of East London will undoubtedly impact on the future functioning of the LCS and the achievement of the 'convergence' objective.

A second associated issue relates to how this thesis does not explore any agreements that have been made outside of the LCS planning decision-making process with regard to the land within the Olympic Park and in the locality. These agreements may include such issues as the future ownership of land and development uses, and the responsibility for their upkeep, as well as matters pertaining to the control of public access to facilities and open space outside of the LCS development parcels. However, it must be noted that the detailed analytical focus on the LCS planning application is also a positive aspect of the research given that, as I have noted in seminars regarding the Olympic 'Legacy' proposals, there are a number of misunderstandings over what the main development proposals on the Park consist of. Exploring the LCS planning decision-making process

has enabled the examination of the future development agenda for a large area of the Olympic Park, and in the process of doing this exposed the various rationalisations and objectives that have shaped the proposed regeneration.

Finally, the thesis does not address broader governance issues within the ODA, such as the relationship between the ODA Board and the ODA PDT. This would have greatly assisted in understanding the relationship between broader political objectives and the views of the ODA PDT officers, and thus potentially highlighted the argumentative exchanges and tensions that influenced the manner in which the LCS planning decision-making process was undertaken. Nevertheless, there are some practical considerations when undertaking a doctoral thesis that restrict what is addressed. Not only would it have been difficult to gain access to authentic information with regard to what would surely have been sensitive discussions between the ODA Board and PDT, but addressing every potential aspect of influence in the shaping of the LCS development was impractical, especially when trying to establish key themes within over 300,000 words of interview and meeting transcriptions.

#### **11.4.2 Research contribution**

This thesis has furthered our empirical understanding of the role of mega event-driven development in urban regeneration. It has developed our understanding of their impacts, drawing comparison with observations of previous academic work as discussed in Section 1.3.2, by providing a ‘thick description’ and analysis of how mega event-driven development is rationalised and negotiated in the planning decision-making process. As such, it has examined how competing knowledge claims were advanced in an effort to shape the development agenda. Often criticisms of mega event regeneration highlight the development that has been achieved without understanding the argumentative exchanges and rationalisations that ultimately shaped such development. The role of the planning decision-making process is thus an often overlooked element in mega event literature despite it being extremely important given that it is the point at which the essential character of regeneration proposals are solidified.

This thesis has also contributed to theoretical discussions regarding the development of normative approaches that planners may adopt to establish more socially just planning outcomes. In doing so, one such approach was adopted through adapting Fainstein’s three principles of a ‘Just City’ conceptualisation in order to evaluate an actual large-scale development project and understand the various tensions and constraints that are faced in the delivery of more socially just planning outcomes within the planning decision-making process. This was not without problems, particularly given the difficulty in

establishing policy principles from theoretical concepts, and in turn applying the resulting socially just planning criteria to the specific circumstances of a particular development. Nevertheless, whilst structural obstacles may have existed, with national political objectives having a dominant influence on the 'viable' delivery of the LCS, some positive planning outcomes were documented. This thesis has hopefully provided a balanced account of this, acknowledging that planners can assist in securing more socially just planning outcomes whilst recognising that there are obvious limits to what can be accomplished at both the local level and within the contemporary capitalist system.

#### **11.4.3 Areas for further research**

Building on the work undertaken in this thesis, the temporal dimension of any understanding and analysis of the LCS development against a conception of socially just planning outcomes is important. The LCS development, and other Olympic 'Legacy' related development, will continue to evolve and be developed out over the coming years. This will necessitate continual monitoring to ensure that the proposals approved, and promises made, are upheld. Moreover, and relating to Fainstein's normative framework for the 'Just City', the proposals will need to be considered in accordance with the nature of more socially just planning outcomes. This monitoring will need to include the scrutiny of, amongst other things, the population review mechanism for the LCS, the number and percentage of actually affordable housing units built, the amount of open space delivered, and the take-up of places in the new education facilities by existing local residents.

It would also be fruitful to undertake further comparative research with regard to other similar schemes and events within the UK, such as the 2014 Commonwealth Games in Glasgow, as well as with international events like the 2016 Olympic Games in Rio de Janeiro. Whilst there is substantial academic literature relating to the role of mega events in urban regeneration, the comparative functioning of different planning systems in the delivery of mega events and in negotiating socially just outcomes appears to be insufficiently investigated. It is through providing contrasting perspectives and experiences that a deeper understanding may be gained of the how different actors, including planners, may be able to secure benefits for existing local residents and, furthermore, illuminate possibilities for mobilising and transporting successful planning and development strategies.

The third important area relates to the issue of governance and the scale at which mega event-driven development objectives are envisaged. It has already been documented within mega event literature that the aims and objectives of such events are often

established by powerful, non-local agents rather than within existing local communities. The analysis of the LCS proposals within this thesis provides support for this observation, albeit acknowledging some of the modest benefits for existing local residents that were secured. In order to align with more socially just planning outcomes, new ways in which normative development objectives actively consider the voices and needs of existing local communities, upon which the staging of a mega event is often legitimised, must be articulated and promoted so to be captured within the governance structures for mega event planning. As a consequence of such pressure for local inclusion and just outcomes, the potential lies for incremental change that, whilst not structurally transformative, would hopefully result, as Fainstein states, in 'a more humane system' (Fainstein, 2010: 6). An example of such an outcome, drawing from Fainstein's *Criterion 2*, would see existing local residents and businesses offered the right to remain on-site rather than being displaced.

One key issue that should be the focus of both further academic and policy-orientated research is, as we have seen with the LCS development, that of the diminishment of the possibility for securing more locally sensitive planning outcomes due to viability. An issue that is applicable to the English planning system in general, viability appraisals are often protected from public scrutiny by reason of 'commercial sensitivity', with the LCS surprisingly being even less transparent given that ODA PDT officers were unable to view the baseline assumptions on which the viability appraisal was formulated (see 10.3.1). The protection of private interests in this manner is problematic for achieving more just outcomes. Thus, the current system by which the value created by development is captured for public good must be revisited given the current problems in ensuring adequate payments to offset the impacts of development (see Wainwright, 2015). A definition of value and its distribution is a philosophical issue that requires academic address that cannot be sufficiently discussed further here. However, in contrast to the current planning obligation arrangements there are alternatives that do exist, such as a Land Value Tax. Furthermore, there have been some practical inroads made in tackling the problems of the manipulation and transparency of viability appraisals. For example, the LB Islington adopted their *Development Viability Supplementary Planning Document* in January 2016 which, as a formally adopted planning policy, requires developers to be fully transparent in their appraisals, thus allowing borough officers to continually interrogate every variable on which a viability appraisal is based. Furthermore, the document addresses issues regarding profit levels, assessment methodologies, and assumptions on land value (LB Islington, 2016). Whilst this is effectively working within the current constraints of the system, and therefore is a

pragmatic and short term strategy, it is of some merit and further work needs to be done to understand and implement robust measures to stop viability from undermining the plan-led system.

Finally, there is the issue of individual responsibility and motivation in decision making. Whilst many are critical of orientating any analysis around individual responsibility, commonly Marxist commentators who are wary of the assessment of individual action given that it accepts 'bourgeois virtues' (see Harvey with Potter, 2009), I am of the opinion that it is an important consideration when trying to understand how development agendas are realised. It is an empirically difficult task, as discussed in Section 3.2.1, to document an individual's thought processes when faced with the uncertainties and dilemmas of undertaking a decision on a particular planning outcome. But as noted earlier in this chapter, there were examples within the LCS planning decision-making process whereby personal responsibility and motivation were explicitly expressed by actors as playing a part in the realisation of the LCS development (see 11.2.4). The individualistic dimension of planning, as Tewdwr Jones notes (2002), needs to be more sufficiently developed within planning theory. Whilst not wishing to prescribe categories prior to any interrogation of the subject, the degree to which a planner, or any decision maker working within the planning system, is guided by their personal, social, political, or professional values is an important factor in the practice of planning and understanding what motivates individuals to take certain decisions. Additionally, knowledge of the manner in which decisions are framed will assist in understanding how planners can be more reflexive of their motivations and the value they place on certain outcomes, and encourage them to critically engage with, for example, the rhetoric surrounding the benefits accruing from mega events and the imagined planning outcomes of an Olympic 'legacy'. In sum, and to end where we began, it will help planning decision makers to accept that a 'legacy' can be both negative and positive and that they can play a determining role in securing more socially just planning outcomes.

## **Appendix 1. Fainstein's values for a 'Just City' – a normative framework to assess socially just planning outcomes**

### ***Equity***

1. All new housing development should provide units for households with incomes below the median, either on-site or elsewhere, with the goal of providing a decent homes and suitable living environment for everyone.
2. Housing units developed to be affordable should remain in perpetuity in the affordable housing pool or be subject to one-for-one replacement.
3. Households or business should not be involuntarily relocated for purpose of obtaining economic development or community balance. Adequate compensation provided so dislocated can occupy equivalent dwelling or business site. Reconstruction of neighbourhoods conducted incrementally so interim space can be created for displaced households to remain in same location.
4. Economic development programmes should give priority to the interests of employees and, where feasible, small businesses, which are generally more locally rooted than large corporations.
5. Mega projects should face scrutiny, benefitting those on low wages in the form of employment provisions, public amenities and a living wage, and, if public subsidy is involved, should include public participation in the profits. If at all possible, they should be developed incrementally and with multiple developers.
6. Fares for intra-city transit (but not commuter rail) should be kept very low. Low income people are disproportionately reliant on public transit. Local government thus has the power to affect income distribution through collecting tools and taxes on automobiles and designating proceeds for transit support. Low income people with no choice but to commute by car should receive rebates.
7. Planners should take an active role in deliberative settings in pressing for egalitarian solutions and blocking ones that disproportionately benefit the well off.

### ***Diversity***

1. Households should not be required to move for purpose of obtaining diversity but neither should new communities be built that further segregation.
2. Allocating land uses should be undertaken to foster inclusion
3. Boundaries between districts should be porous.

4. Ample public space should be widely accessible and varied; where public space is provided by private entities, political speech should not be prohibited within the property. Groups with clashing lifestyles should not have to occupy the same location.
5. To the extent practical and desired by affected populations, land uses should be mixed.
6. Public authorities should assist groups who have historically suffered from discrimination in achieving access to opportunity in housing, education and employment.

### ***Democracy***

1. Groups not able to participate directly in decision-making processes should be represented by advocates.
2. Plans should be developed in consultation with the target population if the area is already developed.
3. In planning for as yet uninhabited or sparsely occupied areas, there should be broad consultation that includes representatives of groups currently living outside the affected areas.

Source: Fainstein (2010: 172-175)

**Appendix 2. The planning decision-making process as undertaken by a local planning authority**



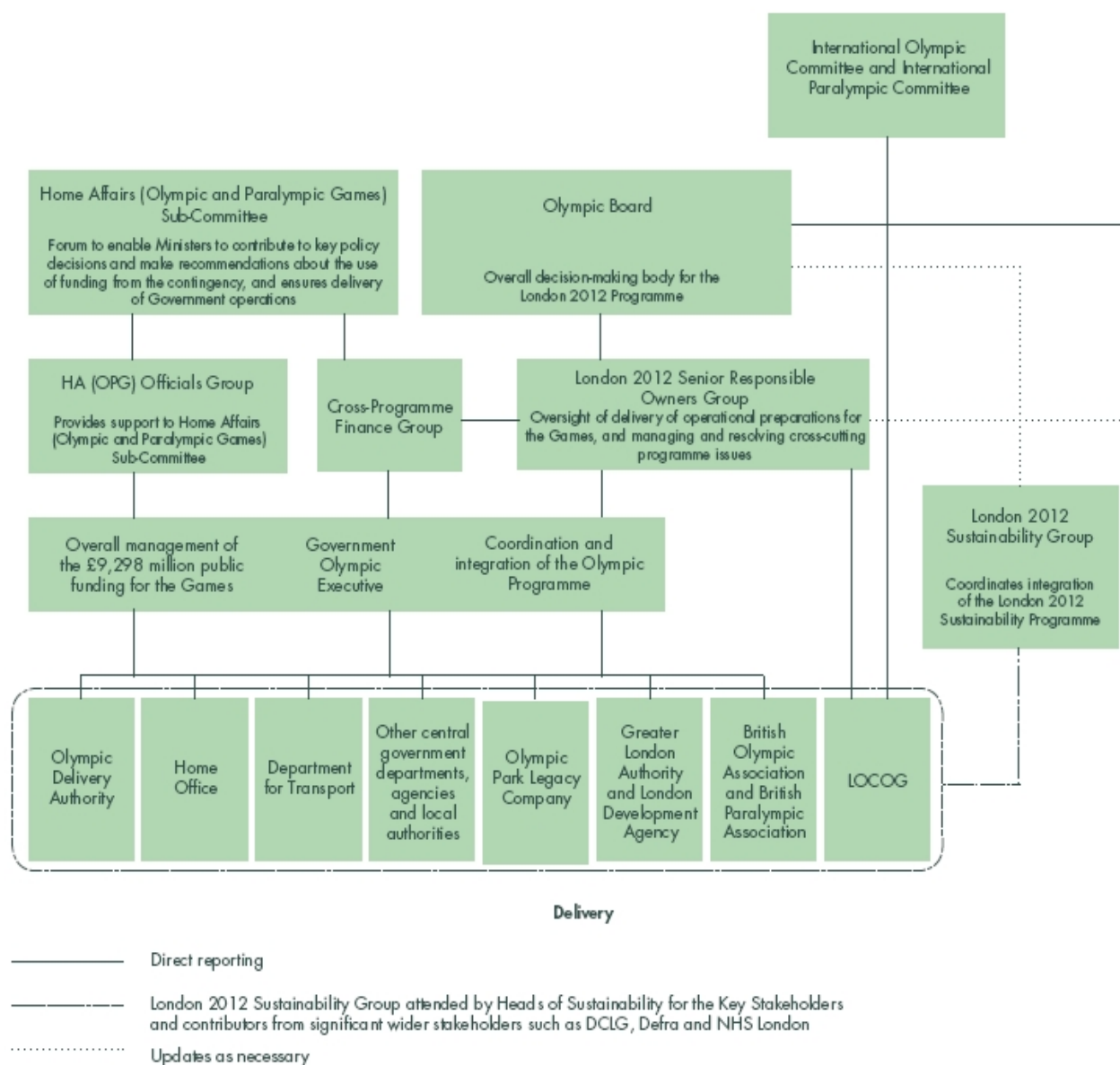
Source: [http://www.planningportal.gov.uk/uploads/plan\\_flow\\_chart\\_eng.gif](http://www.planningportal.gov.uk/uploads/plan_flow_chart_eng.gif) [last accessed 23 September 2015].



**Appendix 3. List of research interviewees, including their respective position/organisation**

<b>Interviewee Respondent</b>	<b>Position</b>	<b>Organisation</b>
Resp1	Senior Planning Officer	ODA PDT
Resp2	Senior Planning Officer	
Resp3	Senior Planning Officer	
Resp4	Senior Planning Officer	OPLC
Resp5	Senior Planning Officer (former)	
Resp6	ODA PC Member (independent)	ODA Planning Committee
Resp7	ODA PC Member (independent)	
Resp8	ODA PC Member (LB Hackney Councillor)	
Resp9	ODA PC Member (LB Waltham Forest Councillor)	
Resp10	ODA PC Member (LB Newham Councillor)	
Resp11	Senior Regeneration Officer	LB Tower Hamlets
Resp12	Senior Planning Officer	
Resp13	Councillor	
Resp14	Senior Planning Officer (former)	LB Hackney
Resp15	Planning Officer	
Resp16	Senior Regeneration Officer	
Resp17	Councillor and LB Hackney planning committee member	
Resp18	Councillor and LB Hackney Member for Regeneration	
Resp19	Councillor	
Resp20	Senior Planning Officer	LB Newham
Resp21	Senior Planning Officer	
Resp22	Senior Regeneration Officer	
Resp23	Planning Officer	LB Waltham Forest
Resp24	Regeneration Officer	
Resp25	Senior Planner	GLA
Resp26	Regeneration Officer	Host Boroughs Unit
Resp27	Regeneration Officer	
Resp28	Senior Planner	EDAW Consultancy

## Appendix 4. Governance arrangement for the delivery of the London 2012 Olympic Games



Source: Adapted from Commission for a Sustainable London 2012 (n.d.)

## **Appendix 5. The evolution of the post-Games Olympic Park ‘Legacy’ development (extended critical analysis version)**

The discussion in Section 5.2 highlighted the evolution of the stated promises and purported benefits presented in Olympic related documents in support for London hosting the Olympic Games. It therefore helped unearth the objectives and planning outcomes that were envisaged, providing a context for comparison with those secured by the LCS planning application. The following discussion, however, additionally highlights the omissions, contradictions and notable assertions that were made in the documents explored in Section 5.2. The analysis provided below therefore is offered in acknowledgement that the contextual baseline provided by the ‘Legacy’ promises should itself be open to examination and critique, and, as such, further establishes the context from which to understand the LCS development.

### ***London’s 2012 Candidature File (2004)***

A Candidature File is submitted by each Candidate City to support their bid for hosting the Olympics, and therefore is required to outline how the city plans to stage the Games which, for the 2012 bid, related to 17 themes (see IOC, 2004). These themes include such aspects as the budget, venues, security, and environmental issues. London’s Candidature File for the 2012 Olympic Games was submitted to the International Olympic Committee (IOC) in November 2004. It is common for the Candidature File to maintain a focus on the event itself, with considerable attention given to the how the Candidate City is equipped to stage a successful Games. However, whilst one of the IOC’s themes addressed the issue of ‘Legacy’, what was particularly unique in London’s bid was that it emphasised ‘Legacy’ throughout their bid document. As Evans notes, the bid placed a great emphasis on ‘the legacy and after-effects of the Olympic leverage opportunity, rather than the event, its content and purpose’ (Evans, 2011: 361). This emphasis is highlighted by the bid’s four main themes that were said to underpin the vision for the London Games: Delivering the experience of a lifetime for athletes; Leaving a legacy for sport in Britain; Benefiting the community through regeneration; and, Supporting the IOC and the Olympic Movement (LOCOG, 2004: 17).

With regard to the regeneration objectives, the key theme of the bid is ‘Benefiting the community through regeneration’, with LOCOG seeking to emphasise that the ‘most enduring legacy of the Olympics [will be] the regeneration of an entire community for the direct benefit of everyone who lives there’ (*Ibid.*: 19). With pertinence for understanding the context from which to analyse the LCS development, this vision set the Olympic Park

as the new 'hub' of East London that would be a 'model for social inclusion' (*Ibid.*: 19), providing local people with 'significant improvements in health and well-being, education, skills and training, job opportunities, cultural entitlements, housing, social integration and the environment' (*Ibid.*: 23). Furthermore, the post-Games Olympic Village would see the establishment of a 'new, desirable and sustainable residential community with 3,600 new housing units' (*Ibid.*: 23), although no reference is made to who constitutes this residential community, whether the housing units will be affordable, or therefore how this would be of 'direct benefit' to everyone. Finally, London's Candidature File not only highlighted the new opportunities for creative industries (*Ibid.*: 23), but also the creation of a 'high-quality environment for the neighbouring mixed-use communities [through the enhancement of] the amount and quality of greenspace' (*Ibid.*: 23).

Whilst elevating the idea of 'Legacy' within the Candidature File, the bid is nevertheless careful to maintain a superficial explanation of the nature and form of any post-Games regeneration, and thus it hard to grasp a true understanding of the nature of the planning outcomes that were potentially, if at all, envisaged. Nevertheless, on one level, the potential for benefits to *the* community does sound like a laudable objective; what is important to question, however, is *who* that community would consist of and to whom and how the benefits would therefore accrue. In the absence of any answer to this question within London's bid, it is hard to envisage the basis for any meaningful opposition to such regeneration claims.

### ***Olympic Games & Legacy Planning Applications (2004)***

At a local level, running concurrently to preparations for the bid, the London boroughs of Hackney, Newham, Tower Hamlets, and Waltham Forest formed what was to be known as the Joint Planning Authorities Team (JPAT). Each of these boroughs' areas of jurisdiction met in the site at which the Olympic Park was proposed to be located, and it was therefore deemed that a joint planning team could best coordinate the various and complex planning considerations that would need to be assessed so to ensure the Olympic Park development could be effectively delivered whilst conforming to the needs of the boroughs as set out in their respective planning policies.

The Olympic Games and Legacy phases of development were divided into five planning applications under the organisation of the London Development Agency (LDA). The development proposed was then formally assessed by planning officers from each of the four boroughs who were seconded to the JPAT. Officers subsequently recommended

approval at the final JPAT planning committee held on 9 September 2004 for the Games and Legacy applications, with committee members supporting the recommendation.<sup>85</sup>

The approval of these planning applications provided support to the vision set out in the Candidature File and London's formal submission of its Olympic bid in November 2004. Securing planning permission for the main Olympic Park, which also included the Athlete's Village as well as the Main Press Centre and International Broadcast Centre (MPC/IBC), prior to the end of the bidding process provided assurances to the IOC that London was ready to stage the Games with a deliverable plan already in place. This was indeed considered important to the IOC who was aware of the problems, and subsequent time pressure implications, that can emerge during the planning stages for large-scale development of this nature. It also demonstrated that the post-Games use of the Park had been given considerable thought – something that has been problematic for previous host cities who have failed to find viable post-Games uses for many of the venues (see 1.3.2). Furthermore, this preparation for 'Legacy' corresponded with the IOC's growing discourse of establishing a laudable and wider purpose for staging the Games, a matter detailed perceptively in MacAloon's ethnographic research into the discursive constructions of the Olympic movement (see MacAloon, 2008).

The 2004 Olympic Games and Legacy planning applications did enable a degree of understanding of the type of development that was likely to occur on the Olympic Park after the Games. However, as consistent with any large development proposal of this size, the planning applications sought to obtain *outline* permission only, with reserved matters including such aspects of development as appearance, means of access, landscaping, layout, and scale.<sup>86</sup> Nevertheless, there are a number of proposed planning outcomes that did emerge as a standard by which to analyse the future development, with such outcomes being formally established through the approval of the applications. The outcomes specified that are of particular note to this study include:

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<sup>85</sup> The approval of the Olympic applications was undertaken on the 9 September 2004 by the JPAT planning committee. This arrangement saw four separate borough planning committees, using their existing planning powers, to assess the proposed development according to their respective planning policies. Following these four meetings, a final planning committee was conducted to provide a coordination of each boroughs position with regard to the merits of the applications, resulting in their determination and the subsequent granting of approval.

<sup>86</sup> Applications for outline planning permissions are generally used to find out, at an early stage, whether or not a proposal is likely to be approved by the planning authority before any substantial costs are incurred. This type of planning application allows fewer details about the proposal to be submitted under agreement that a further 'reserved matters' application will be required at a later stage. Once outline planning permission has been granted, a 'reserved matters' application must be made within three years of the consent (or a lesser period if specified by a condition on the original outline approval). The details of the application must be in accord with the outline approval, including any conditions attached to the permission.

- 9,400 new residential units in the Olympic Park site during the 'Legacy' phase. This residential provision will include a broad mix of residential units with a target of 50% affordable housing to address housing needs.
- Provision of a range of world class sporting, health, education and other facilities developed within a high-quality new landscaped setting.
- Creation of a high-quality modern mixed use development in the 'Legacy' phase would play a valuable role in the attraction of inward investment.
- Maximised employment opportunities together with obligations to link activity directly to training, ensuring that local people can be prioritised.
- Range of new, modern education facilities at Stratford and elsewhere across the site.
- New on-site modern healthcare facilities for the benefit of both new on-site residents together with existing adjacent communities.
- Comprehensive network of new transport infrastructure including new and improved provision for public transport, walking and cycling. Design to incorporate full 'accessibility for all' considerations (LDA, 2004a: 16-17).

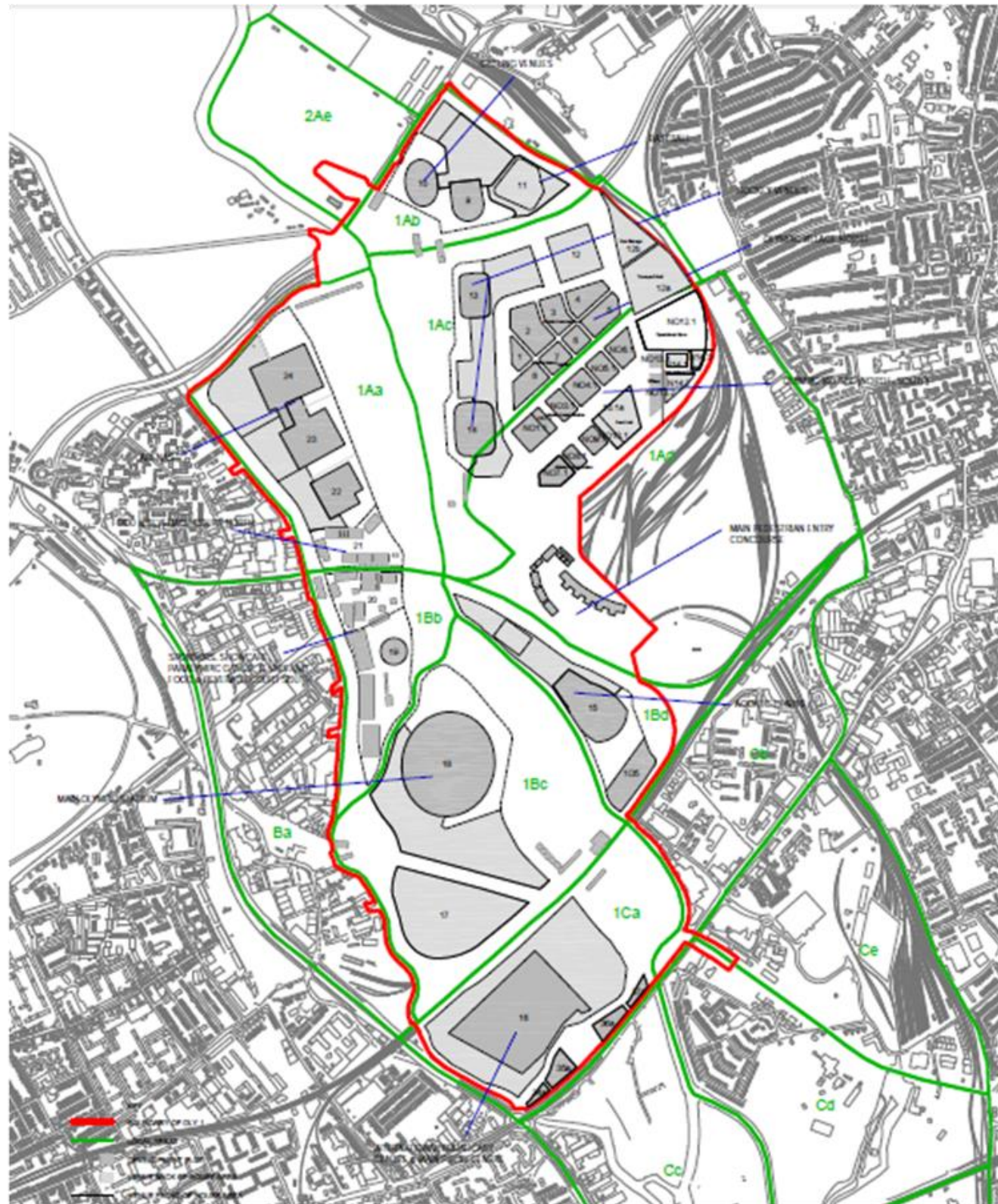
The approved proposals within the 2004 planning applications did, however, raise some concerns amongst the four London boroughs at the time regarding departures from their respective local plans. Both Hackney and Newham Councils highlighted the loss of designated Metropolitan Open Land due to the development, with Hackney also concerned about loss of open space. Newham and Tower Hamlets raised concerns regarding the loss of designated employment land on what was to become the Olympic Park site. Furthermore, Tower Hamlets raised the issue of transport impacts, the loss of protected trees, the loss of residential units, and a higher density than normal for the housing being proposed. Finally, Waltham Forest noted the loss of designated playing fields. Notwithstanding these concerns, it was concluded by the boroughs that, taken as a whole and subject to further discussions at a later date, the benefits of the development proposed in the Olympic and Legacy applications would offset any departures from local planning policy and thus should be approved (see JPAT, 2004).

The figures below show the schedule of development plot parameters provided within the 2004 planning applications for both the 'Games time' and 'Legacy phase' of development. This is not intended to impart a full comprehension of the development being advanced at this point in time but rather simply to highlight the proposed land uses

and their location, alongside the size of the development parcels. The later evolution and change to these proposals shall be discussed within the context of the development promoted in the LCS planning application.



Plot parameters proposed for 'Games time' development. Source: LDA (2004b: 122)



Plot Nr	Maximum Height AOD (m)	Maximum Floorpace (m <sup>2</sup> )	Predominant Uses	Plot Nr	Maximum Height AOD (m)	Maximum Floorpace (m <sup>2</sup> )	Predominant Uses
<b>Area Aa</b>				<b>Area Bc</b>			
22	27.0	12,900	9000 Seat Handball	17	-	-	Main Stadium Warm up
23	33.0	19,100	10000 Seat Basketball	18	64.0	59,257	Main Stadium
24	41.0	23,414	15000 Seat Volleyball	Concourse	16.0	1,554	Spectator Services
21	26.0	7,538	Food and Beverage	-	16.0	2,594	Mag & Bag
Concourse	15.0	1,415	Spectator Services	<b>Area Bd</b>			
<b>Area Ac</b>				15	30.0	29,035	Swimming Pool
1	50.0	12,370	Residential / Athletes Accommodation	106	18 (5.5 stack)	1,440	CCHP
2	50.0	34,385	Residential / Athletes Accommodation	<b>Area Ca</b>			
3	50.0	18,424	Residential / Athletes Accommodation	16	31.0	108,904	Int. Broadcast Centre & Media Press Centre
4	50.0	28,218	Residential / Athletes Accommodation	-	11.0	524	Spectator Services
5	50.0	31,208	Residential / Athletes Accommodation	34a	40.0	5,670	Office
6	50.0	16,606	Residential / Athletes Accommodation	35a	40.0	16,965	Office
7	50.0	17,558	Residential / Athletes Accommodation	36a	40.0	16,020	Office
8	50.0	27,647	Residential / Athletes Accommodation	37a	40.0	4,118	Office
12	28.0	6,400	Tennis Training	<b>Area Bb</b>			
13	22.0	10,072	Second Hockey	19	29.0	19,244	Sponsors Showcase Area (inc 5000 Seat Arena)
14	25.0	15,684	Main Hockey (part in area Ad)	20	23.0	9,097	Food & Beverage
Concourse	20.0	1,377	Spectator services	-	16.0	1,093	Staff Accreditation
<b>Area Ad</b>				<b>Area Ab</b>			
N07.1	50.0	18,190	Residential / Athletes Accommodation	9	22.0	8,363	BMX
N02.1	50.0	6,072	Residential / Athletes Accommodation	10	34.0	9,492	Velodrome
N03.1	44.0	12,190	Residential / Athletes Accommodation	11	-	-	Baseball Training
N04.1	44.0	21,152	Residential / Athletes Accommodation	Concourse	20.0	814	Spectator Services
N05.1	44.0	16,206	Residential / Athletes Accommodation	-	20.0	1,076	Mag & Bag
N06.1	44.0	26,672	Residential / Athletes Accommodation	<b>Area Ac</b>			
N07.1	50.0	23,656	Residential / Athletes Accommodation	12a	-	-	Temp. Transport Mall
N08.1	50.0	14,632	Residential / Athletes Accommodation	12b	-	-	Temp. Bus Storage
N09.1	50.0	15,656	Residential / Athletes Accommodation				
N10.1	20.0	2,009	Temp. Food Hall				
N11a	20.0	7,995	Temp. Food Hall				
N12.1	31.0	4,660	Temp. Operational Zone (inc. Polyclinic)				
N13.1	70.0	14,794	Operational Offices				
N13.2	70.0	25,018	Operational Offices				
N14.1	42.0	5,744	Temp. International Zone				
N14.2	42.0	4,656	Temp. International Zone				
N14.3	42.0	1,800	Temp. International Zone				
Concourse	16.0	5,172	Spectator Services				
-	16.0	5,890	Mag & Bag				



Floor No	Maximum Height ASCT (m)	Maximum Floorpace (m²)	Predominant Users
<b>Area 1d</b>			
64	18.0	10,806	Community leisure + complementary retail (A1 & A2)
67	15.0	847	Industrial
63	15.0	1,060	Industrial
55	35.0	20,736	Residential
56	35.0	11,624	Residential
57	35.0	6,159	Residential
58	35.0	8,857	Residential
59	35.0	16,577	Residential
60	35.0	36,734	Residential
61	35.0	11,574	Residential
16	50.0	18,707	Swimming Pool
105	18 (6.6 stack)	1,460	CCIP <sup>2</sup>
<b>Area 1e</b>			
35a	49.0	5,670	Office
35a	49.0	18,986	Office
36a	49.0	16,028	Office
37a	49.0	4,118	Office
15	37.0	108,624	Industrial
69	34.0	20,279	Residential
70	27.0	11,479	Residential
100	27.0	14,890	Residential + complementary retail (A1 & A2)
101	27.0	12,200	Residential + complementary retail (A1 & A2)
102	27.0	27,427	Residential
<b>Area 1f</b>			
104	40.0	11,350	Office
95	42.0	13,571	Residential
103	-	-	Tennis Centre (open courts)
50	21.0	10,678	Residential
57	32.0	47,939	Residential
67	32.0	27,032	Residential
53	19.0	15,264	School
<b>Area 1b</b>			
9	22.0	6,250	DMX
10	34.0	11,830	Velodrome
11	18.0	16,965	Baseball
<b>Area 1c</b>			
128	-	-	Screening Films part in AQ
129	-	-	Screening Films <sup>2</sup>

### ***London Olympic Games and Paralympic Games Act 2006***

Following from London's successful bid for the 2012 Olympic Games, announced on 6 July 2005, the UK Government produced the London Olympic Games and Paralympic Games Act 2006. This Act, which received Royal Assent on 30 March 2006, was created to facilitate the organisation of the Games, including the establishment of the Olympic Delivery Authority (ODA) as a corporate body, and fulfil the government's obligations to the IOC. The Act contained four main provisions that related to the following: The Olympic Delivery Authority; Transport; Advertising; and, Trading. Within the 'Olympic Delivery Authority' provision resides Section 5, containing the most important element to this study: Planning. Section 5 states that, with regard to its planning functions, the ODA must have particular regard:

- (a) to the desirability of making proper preparation for the London Olympics,
- (b) *to the desirability of maximising the benefits to be derived after the London Olympics from things done in preparation for them,*
- (c) *to the terms of any planning permission already granted in connection with preparation for the London Olympics,*
- (d) to any guidance issued by the Secretary of State (which may, in particular, refer to other documents), and
- (e) *to the development plan for any area in respect of which an order is made under section 149 of the Local Government, Planning and Land Act 1980 (c. 65) by virtue of subsection (1) above, construed in accordance with section 38 of the Planning and Compulsory Purchase Act 2004 (c. 5) (London Olympic Games and Paralympic Games Act 2006: s5(5), author's emphasis).*

In accordance with point (b) above, the 'Legacy' of the Olympic-led development is therefore to have statutory regard as a material consideration in the assessment of all planning applications received within the Olympic Park and the designated immediate area by ODA Planning Decisions Team. Furthermore, with reference to point (c), the planning permissions achieved prior to the Olympics must also be a material consideration in the assessment of future planning applications. This corresponds to the normal arrangement under the English planning system, and means that the aforementioned 2004 Olympic Games and Legacy planning applications, alongside the 2007 Olympic, Paralympic and Legacy Transformation planning applications (see below), must be given due consideration when determining the merits of the LCS

planning application. Finally, point (e) bears relevance to the study as, at the time of the determination of the LCS planning application, the GLA (with assistance from the ODA and other partners in constructing the policy) had just formally adopted its Olympic Legacy Supplementary Planning Guidance (OLSPG). However, it should be noted that at the point of determination, that is the LCS Planning Committee Meeting held on 26 June 2012, this supplementary guidance had only been adopted for six days and therefore may have been given limited weighting in the assessment of the merits of the development proposed in the LCS planning application. Understanding the true extent to which the points raised in the 2006 Act had material weight in the assessment of the LCS planning application, particularly considering the role of power in the decision-making process, is an important issue that relates to the main themes and objectives of the study. Accordingly, the relevance of provisions within the 2006 Act must be considered when examining, and understanding the importance of, the documents discussed in this appendix.

### ***Our Promise for 2012 – DCMS (June 2007)***

The Department for Culture, Media and Sport (DCMS), the lead government department responsible for the Olympics, were conscious to promote the idea of 'Legacy' and set out a broad articulation of what it constitutes and their commitments to its achievement. The *Our Promise for 2012* (2007) publication demonstrated this, rationalising 'Legacy' as five promises to be implemented. These five promises were as follows:

- (1) To make the UK a world-leading sporting nation
- (2) *To transform the heart of East London*
- (3) To inspire a generation of young people
- (4) To make the Olympic Park a blueprint for sustainable living
- (5) To demonstrate the UK is a creative, inclusive and welcoming place to live in, visit and for business (DCMS, 2007: 1-5, *author's emphasis*).

Whilst all of the promises do refer to wider objectives than hosting a successful Olympic Games, the most pertinent to this study is promise 2, 'To transform the heart of East London', as this relates to the proposed post-Games development in and around the Olympic Park site. Promise 2 is elaborated within the publication, with the DCMS detailing their plans to achieve it. These plans were to:

- build the new Olympic Park – one of the largest new urban parks in Europe for 150 years providing major sports venues for elite and community users.
- create 9,000 new homes in the Olympic Park after 2012, many for key workers.
- improve the transport infrastructure including the railways, road, bridges, waterways, footpaths, cycle routes and towpaths (DCMS, 2007:2).

The promises expressed by the DCMS do provide a few more details as to how ‘Legacy’ is to be envisaged, with promise 2 suggesting a reduction of 400 residential units from the figure proposed in the 2004 Olympic Games and Legacy planning applications (see above). Some of this new housing is described as being available for key workers, although there is no statement as to how many will be affordable or reiteration of the 50% figure proposed in the 2004 planning applications. Another notable claim is of providing one of the largest urban parks in Europe for over 150 years. As shall be seen from the analysis of the LCS development, both the housing and open space propositions have been greatly altered from those expressed in promise 2. It is also worth briefly mentioning that promise 4 does allude to providing a benchmark for sustainable development. However, whilst it is laudable to propose an environmentally sustainable Olympic village that will ‘provide a template for eco-towns’ (DCMS, 2007: 4), there is no further details as to what this would entail. Perhaps more importantly for this study, there is no mention of how this addresses the socio-economic aspects of development, nor around how this may be of benefit to local people residing in the adjacent Host Boroughs. These omissions, as shall be discussed later, may well reflect upon whom the proposed post-Games Olympic Park development has been created for.

### ***Olympic, Paralympic and Legacy Transformation planning applications (2007)***

In 2007, the *Olympic, Paralympic and Legacy Transformation* (OPLT) planning applications were submitted as part of the next phase of the planning process for Games. The OPLT consisted of two applications, with their subsequent approval superseding the 2004 approved planning applications as the primary planning permission for the area. The OPLT’s two applications dealt with different aspects of the development: the first application was comprised of the enabling works for the Games, covering such aspects as land remediation, earthworks, and the stockpiling of materials, whilst the second application referred to the development for the Games and post-Games transformation phases, such as the sports venues, open space and circulation areas, bridges, utility structures and the future development platforms. However, unlike the 2004 permissions, they did not explicitly deal with any proposed Legacy developments.

There was one document of note, however, that accompanied the two planning applications. This was the ODA's and LDA's *Commitment to Sustainable Development*, which set out to 'demonstrate ongoing ODA and LDA commitment to apply sustainable development principles to emerging proposals for the regeneration of the area and its communities' (ODA/LDA, 2007:4). The principles that are said to underpin this commitment, nevertheless, appear to be somewhat evasive. This is highlighted in some of the more relevant principles to this study, which are as follows:

- Maximising the beneficial use of urban land, ensuring that well considered, sustainable and comprehensive proposals evolve to deliver physical, economic and social change;
- Providing infrastructure and utilities platforms to create the backbone for future legacy communities;
- Strengthening local community cohesion, bringing people together and building civic pride through celebrating socio-economic, cultural and ethnic diversity; and thereby
- Establishing sustainable communities with mixed and balanced population profiles and appropriate provision of community and social infrastructure (ODA and LDA, 2007: 6).

It is understandably difficult to predict the particular nature of a development that will be delivered a number of years in advance as the needs of any particular area are always evolving, as are broader economic conditions. Nevertheless, the commitment principles do not express a direct link between the future post-Games development on the Olympic Park site and the socio-economic needs of the area. There is concern here that, as discussed in Section 1.3.2 regarding previous mega event-driven regeneration, this could result in the endorsement of development *in* rather than *of* host cities (see Raco, 2004). As such, a successful 'Legacy' may be promoted as meeting these open natured principles, even if the prior intention of these principles was to improve the life chances of local residents is not understood or realised. This is expressed further by some of the wording that is employed. For example, 'celebrating socio-economic [...] diversity' does not read as explicitly recommending a reduction in inequality. Similarly, the focus on 'future legacy communities' does not clearly advocate that existing communities should benefit. This is not to say that the development will not be favourable to existing local residents; rather that there are no definitive guarantees to be found at this stage when some of the guiding commitments are scrutinised.

Nevertheless, a commitment to an idea of Legacy was advanced by the ODA and LDA, and it is reasonable to briefly highlight one particular section within the document to suggest that the proposed after-Games development on the Olympic Park may provide some socially just outcomes. In section 4 of the *Commitment to Sustainable Development* document, the ODA and LDA provide an assurance to prepare, with inclusion of community and stakeholder consultation, a *Legacy Masterplan Framework* (LMF). This LMF will set out the character of six 'distinctive, interconnected neighbourhoods' (ODA and LDA, 2007: 22). These areas are located in and around the Olympic Park, with their nature to be articulated in the LMF with reference to a series of detailed strategies relating to, amongst other things, social infrastructure, housing, employment, leisure and culture, transport, energy and climate change. The LMF will be detailed further below.

The ODA and LDA also stated in Section 4 that the proposed post-Games Olympic Park development would take 'the Development Plan Policy, pertaining at the time, and prevailing social, economic and market factors as a starting point to determine' such as elements as affordable housing, unit size mix, housing density (*Ibid.*: 29). Yet, there is also an understanding that the shaping of these elements will take the 2004 permission 'as the baseline' from which to assess proposals (*Ibid.*: 29), with a condition being referred to in the OPLT's *Planning Explanatory Statement* stipulating that '[a]ppropriate provision for affordable housing will be included in the Legacy Communities planning application' (ODA, 2007c: 20).

However, even though the ODA and LDA set out to provide assurance that they have an ongoing 'commitment to apply sustainable development principles to emerging proposals' (ODA and LDA, 2007: 4), they also acknowledge the *Commitment to Sustainable Development* document is 'not a statutory document' (*Ibid.*: 4). It is therefore difficult to ensure compliance to such assertions within the context of the planning system as it is only materially weighted as a supplementary rather than a requisite document to the main OPLT planning applications. Moreover, the condition attached to the 2004 permission appears to be deliberately ambiguous in stating the need for 'appropriate' provision of affordable housing. It is therefore important for this study to endeavour to understand which 'prevailing factors' were most influential in determining what is 'appropriate' and thus in shaping the nature of the LCS development.

### ***Five Legacy Commitments – Mayor of London (January 2008)***

The Mayor of London's *Five Legacy Commitments*, published on 9 January 2008, mirrored the promises of the DCMS's *Our Promise for 2012*, although understandably



possessing a London focused agenda. Thus, it is only worth highlighting one additional piece of information contained within the document related to its Commitment 3 - 'Transforming the heart of East London'. Within Commitment 3, there is the statement that the 'Olympic Village [...] will leave an immediate post-Games Legacy of around 9,000 homes, of which at least 30 per cent will be affordable' (GLA, 2008:15). However, this is somewhat misleading as the Olympic Village, to which the 9,000 homes are attributed to in the document, only consists of 2,528 homes of which 1,204, or 47.6 per cent, are classified as affordable (GOV.UK, 2014). It would therefore appear that the 9,000 homes, in line with numbers expressed elsewhere, is in fact the amount to be provided across the Olympic Park site as a whole post-Games, which would mean that at least 3,000 of them, taking the minimum 30 per cent, will be classified as affordable. It is difficult to say whether the purported 9,000 homes provided as a 'Legacy commitment' of the Olympic Village was a deliberate manipulation of the figures or a genuine error, but nevertheless a 30 per cent minimum provision of affordable housing for the overall post-Games Olympic Park development is, as detailed in Chapter 6 definitely somewhat optimistic.

***Before, during and after: making the most of the London 2012 Games (June 2008)***

Building upon the earlier five promises made within the *Our Promise for 2012* (2007) document, the DCMS provided an action plan, *Before, During and After: Making the Most of the London 2012 Games* (2008), to detail further the objectives for the regeneration brought about by the Games. The regeneration objectives relevant to the aforementioned promise 2 to 'transform the heart of East London' included:

- Transforming place: create a well-planned and well-managed environment in and around the Olympic Park which will attract business investment and promote recreational and cultural use for years to come;
- Transforming communities: build over 9,000 new homes, a large proportion of which will be affordable; and provide new sport, leisure, education and health facilities that meet the needs of residents, business and elite sport;
- Transforming prospects: help 20,000 workless Londoners from the 5 Host Boroughs into permanent employment by 2012; and create 12,000 new job opportunities in the area of the Park post-Games (DCMS, 2008: 37).

Whilst the document does discuss the context to these regeneration objectives, it is too general from which to provide a clear picture of the likely proposed post-Games development. Furthermore, whilst a number of development claims are made in the three

regeneration objectives provided above, they are not too dissimilar from those provided in the DCMS's 2007 document, and thus there is still a lack of detail regarding the nature and spatial character of the regeneration to be undertaken on the Olympic Park.

What is also worth briefly noting is that, despite the OPLT planning applications being determined in between the publication dates for the two DCMS documents discussed above, the OPLT planning applications did not appear to include any of the regeneration figures or development output information that were provided to support the DCMS's promise 2. As already mentioned, this would probably be due to the exact objective and nature of the planning applications, to facilitate the enabling works for the Games and transformation phases, and the difficulty in predicting the nature and precise location of development to be undertaken so far in advance. However, this did not stop such figures being included by the DCMS in their publications, and further still, means that no formal planning application document has been created which includes these development outcomes. As such, the absence of these development claims from any approved planning application means that they have limited weight as a material consideration in the assessment of any future planning application, such as the LCS development, as they are not present so to constitute part of the planning history for the site.

### ***Legacy Masterplan Framework (2009)***

The *Legacy Masterplan Framework* (LMF), published by the LDA in 2009, provided the first real spatial vision for the Olympic Park area post-Games since the Olympic Games & Legacy planning applications back in 2004. Seeking to describe the key spatial and land use features, the LMF was produced in conjunction with a number of supporting draft strategies relating to social infrastructure, housing, employment, leisure and culture, transport, energy and climate change. Alongside this, the LMF was also stated as being the result of a collaborative process with 'Legacy partners and stakeholders' (LDA, 2009a: 1), although no mention is made within the document as to who this actually constitutes. The purpose of the LMF is to set out the parameters of the development whilst leaving 'elements open and flexible for later stages of implementation' (*Ibid.*: 1). Thus, it does not appear to be presented as a definitive formulation but rather represents a 'preferred scheme [that] clearly articulate[s] the overarching ambitions and vision for a place' (*Ibid.*: 1).

The proposals contained within the LMF are stated as being the result of five 'key drivers': Capitalise on 2012 investment; Promote adaptability and longevity; Maximise connections; Activate public realm and waterways; and, Encourage diversity (*Ibid.*: 29). Furthermore, it is said to embody six spatial concepts: 2013 Olympic inheritance;

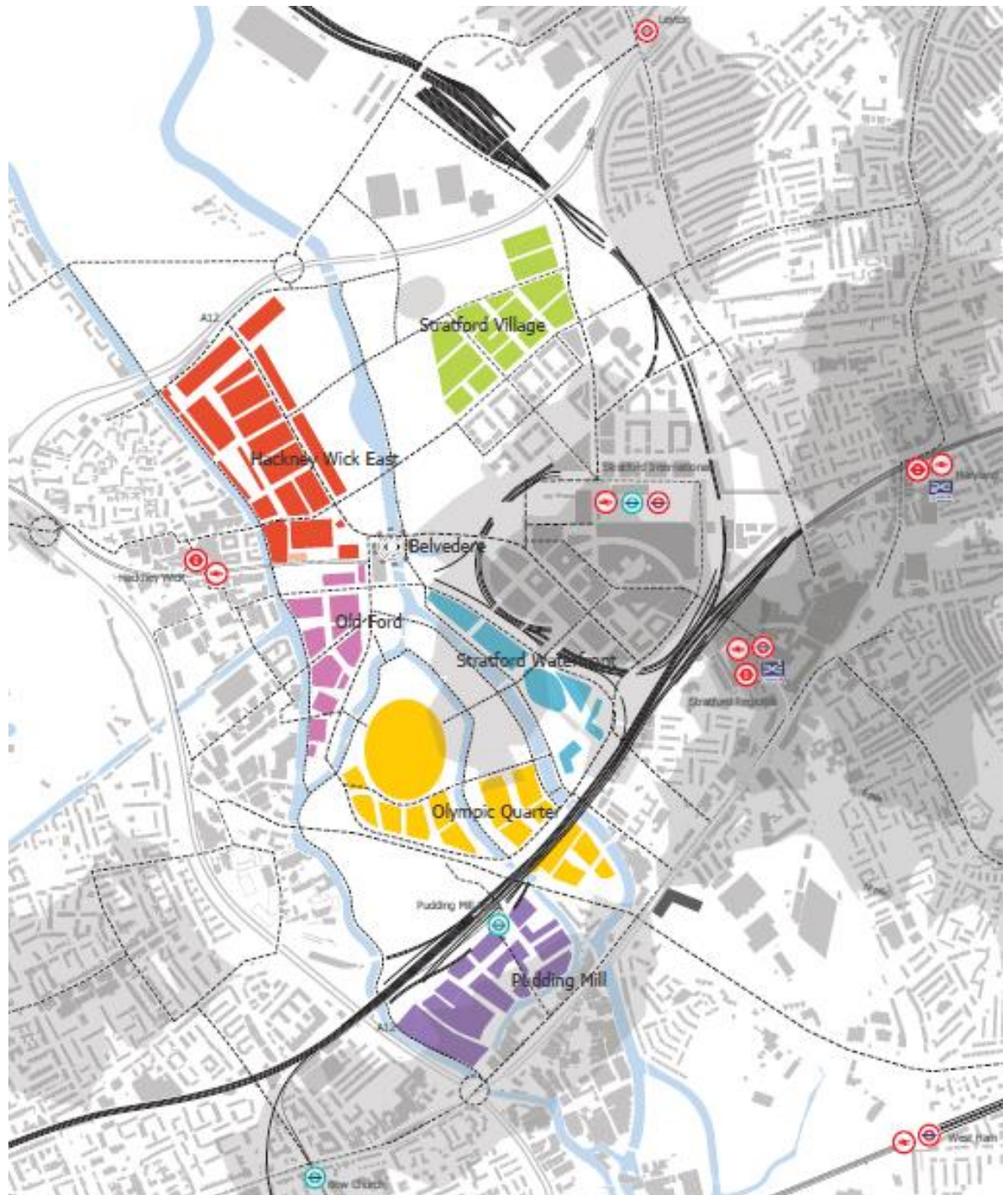


Neighbourhoods and centres; Connections; Open space and parklands; Water city; and, Field evolution (*Ibid.*: 44-98). Drawing from these drivers and concepts, the LMF provides six Area Briefs within the Olympic Park site, each explained as having their own distinctive character. These are described as follows:

- *Stratford Waterfront* – a distinctive waterfront location adjacent to Waterworks River and Stratford City.
- *Olympic Quarter* – a focus for sport, education and housing around the Main Stadium
- *Old Ford* – a family housing area focused on the waterways of the Hackney Cut
- *Hackney Wick East* – a learning, living and working neighbourhood
- *Stratford Village* – a family neighbourhood area to the north of Stratford City
- *Pudding Mill Lane* – a mixed employment and housing area in a unique waterfront setting (LDA, 2009b, 4).

The figure below shows the proposed development sites associated with the LMF's six Area Briefs:

Proposed development sites associated with the LMF's six Area Briefs. Source: LDA (2009b: 13)



Across these six areas, the LMF states that it hopes to deliver up to 10,000 to 12,000 new homes, with 35 per cent proposed to be affordable housing (LDA, 2009a: 35). This affordable housing provision, stated as delivering 3,500 new affordable homes (*Ibid.*: 35)

on what must be consideration of the lowest estimation of the overall housing delivery, will consist of a 50/50 split between socially rented and intermediate housing, with up to 42 per cent of the affordable units being family-sized homes (*Ibid.*: 35). The LMF proposals also include education provision, with three new primary schools 'located in close proximity to the LMF family housing and in areas that connect to the surrounding communities' (*Ibid.*: 35). A sixth-form entry secondary school is proposed in Rick Roberts Way catering for 'the majority of the 11-16 year olds within the LMF area' and a 'bespoke' 300 plus education facility for 14-19 year olds is proposed in the Legacy Stadium (*Ibid.*: 35). In addition, a higher education proposal is stated as being under consideration in connection with the 'Legacy' employment proposals for the Olympic media and broadcast facilities.

The LMF also provides a range of other social infrastructure provision, including a 'one-stop' primary care centre and two walk-in GP/dentist centres, alongside a community centre and other smaller community spaces (*Ibid.*: 35). The LMF also projects to deliver up to 10,000 new jobs in and around the Olympic Park site, with office provision and industrial uses as well as a high technology/research and development park. There is a further desire to diversify the economic base of the area by attracting creative industries, media, retail, sport, and green collar industries, alongside business and professional services and a visitor economy (*Ibid.*: 35). However, it should be noted that many of the above land uses are not allocated particular development plots within the LMF, with their location being broadly described in the development visions provided by the Area Briefs. A summary presented in the LMF of the proposed land uses and their intensity is provided in the table below.

**Summary of development range and proposed land uses within the LMF's Area Briefs. Source: LDA (2009b: 12)**

Area	Land use (Gross floor space in sqm)						
	Residential (Homes)	Education (E.g. primary, secondary, academy and higher education)	Social Infrastructure (E.g. Safer Neighbourhood Teams, child care nurseries, medical clinics & community meeting spaces)	Employment Space (E.g. office, light industrial, research and development)	Retail (E.g. shops, cafés, restaurants)	Leisure & Culture (E.g. libraries, galleries, entertainment)	Car Parking (E.g. covered car parking within buildings)
Stratford Waterfront	1,800-2,160		650-780	5,000-6,200	8,000-10,000	500-1,000	1,100-1,200
Olympic Quarter	2,700-3,240	Primary School & Academy	1,100-1,320	6,000-7,500	3,000-4,000	1,500-2,500	1,800-1,900
Pudding Mill	800-960		1,100-1,320	59,000-64,000	2,500-3,500	400-900	200-300
Old Ford	1,200-1,440	Primary School	2,800-3,360	15,000-17,000	6,500-7,500	400-900	500-600
Hackney Wick East	2,000-2,400	Higher Education / Research & Development	1,000-1,200	65,000-67,000	11,000-12,000	40,000-42,000	1,700-1,800
Stratford Village	1,500-1,800	Primary School	500-600	1,000-2,000	3,000-4,000	2,000-3,000	500-600
Rick Roberts Way -DZ 12		Secondary School					
Total	10,000-12,000	3 Primary 1 Secondary 1 Academy Higher Education / Research & Development	7,150-8,580	151,000-163,700	34,000-41,000	44,800-50,300	5,800-6,400

\*Measurements are approximations and have been rounded.

\*\*Excludes Olympic Legacy Venues

The table above, alongside the aforementioned Area Brief descriptions, provides a useful indication as to the character, through both the type and intensification of land use, of the development envisaged in each of the specified areas of the Olympic Park site. However, it is worth highlighting what appears to be an error with regard to the 'Residential' category, as although the table refers to gross floor space in square meters, the total figure of 10,000 - 12,000 provided at the bottom of the column would seem to refer to the number of homes rather than a reflection of their proposed floor area coverage. Despite the LMF stating that it was in line with previous permissions, this does represent a significant increase in the number of housing units compared to the 9,400 proposed in the *Olympic Games & Legacy* planning applications approved in 2004, as well as the 9,000 anticipated by DCMS in their aforementioned documents published respectively in 2007 and 2008. Moreover, no explanation is offered as to the reasons why there has been an increase in the projection of the number of units provided. It was this lack of justification that subsequently carried through into the LCS planning application, as discussed in chapter 6, with even a proposed reduction in unit numbers not satisfying some of the Host Boroughs who were concerned with the dominance of housing and its detrimental impact on the provision of an appropriate mix of land uses.

In terms of drawing further comparisons, specifically to prior spatial representations of the 'Legacy' development proposals such as the plot parameters provided in the planning applications approved in 2004, it is worth expressing here that it is difficult to reconcile an examination into the development of proposals given that land uses are broken down into Area Briefs in the LMF rather than particular development plots. It is not until the LCS planning application that details regarding the designation of land uses to plots again emerge.

There are a further couple of broader points that merit attention. The LMF document is referred to as a 'framework for consultation' and that, following consultation, 'the scheme will be assessed to see how it meets the expectations of the 'Legacy' partners and the wider London community' (LDA, 2009a: 1). However, as discussed in Chapter 5, no further framework was produced in response to the LMF consultation process until the actual submission of the LCS planning application in late 2011. Thus, given that no final iteration of the LMF materialised, there is an absence of any expressed process by which the post-Games Olympic Park proposals were meaningfully discussed and therefore shaped through consultation with local residents and the Host Boroughs until the actual planning submission of the LCS development. Furthermore, reference is also made to the Host Boroughs' work on the *Strategic Regeneration Framework* (SRF) (see below), although its relationship to the six Area Briefs created in the LMF is unclear with no purposeful articulation offered as to how they complement one another. Considering the requirement for any proposed development to have regard to the Local Development Framework of the local authority in which the development site exists, as necessitated under the plan-led approach of the English planning system, it is also remarkable that there is absolutely no mention as to how the planning policies of the respective Host Boroughs have informed the LMF. The LMF therefore appears to be deficient in demonstrating a strategic planning approach with regard to how the proposals it advances reflect, and therefore address, the local socio-economic context in which it is situated and, as such, how it will directly contribute to the Host Boroughs' objective of 'convergence'.

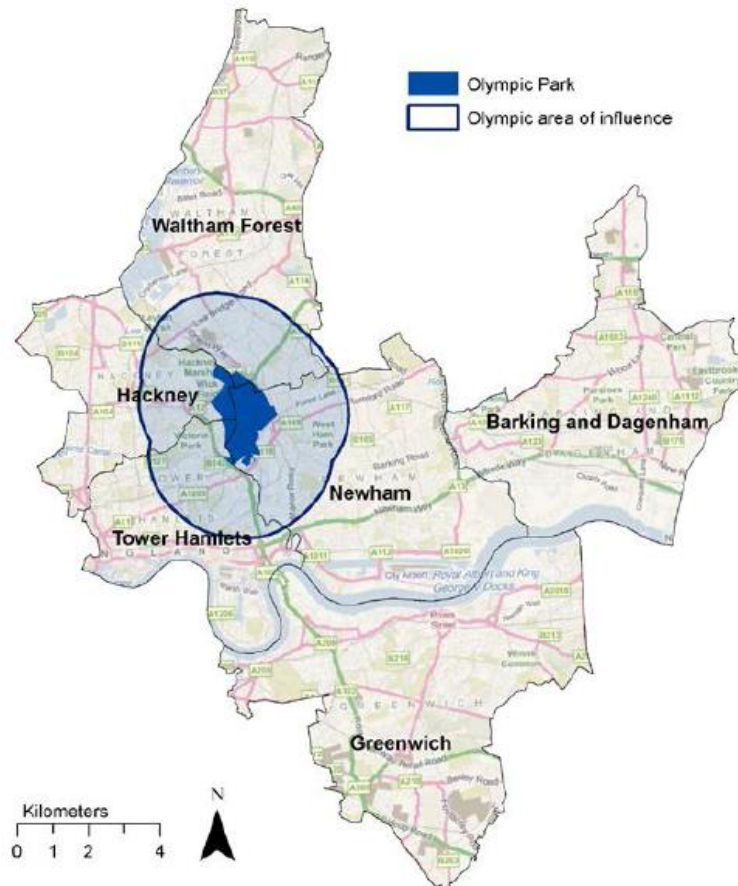
### ***Host Borough's Strategic Regeneration Framework (SRF) – October 2009***

The London Boroughs of Newham, Hackney, Tower Hamlets, Waltham Forest, and Greenwich provided the main geographical focus for the staging of the 2012 Olympics. It is these boroughs, along with the later addition of Barking & Dagenham, which formed the partnership known as the Host Boroughs in an attempt to help secure any potential wider regeneration benefits for East London that could be captured from holding the

Games. The figure below shows the location of the Host Boroughs with regard to the setting of the Olympic Park and as such, with particular relevance to this study, where the LCS development will take place:

**Map showing location of the Olympic Park and surrounding Host Boroughs.**

**Source: DCMS (2011: 57)**



In 2009, the Host Boroughs published their *Strategic Regeneration Framework (SRF)*.<sup>87</sup> The SRF, which gained approval from the Secretary of State for Communities, the Mayor of London, and the Mayors and Leaders of the Host Boroughs, was produced as a means to improve “the coordination and delivery of socio-economic interventions linked to the Olympic Games Legacy” (Host Boroughs, 2009: 6), with the organising principle of the document being that of ‘convergence’. The objective of this ‘convergence’ principle was to “achieve socio-economic convergence between the Host Boroughs and the London average for key indicators of deprivation within a 20-year timeframe” (*Ibid.*: 14). This ambitious vision was translated into seven specific outcome objectives:

<sup>87</sup> It should be noted that the London Borough of Barking & Dagenham became a member of the Host Boroughs after the publication of the SRF in 2009.

1. *Creating a coherent and high-quality city within a world city region.*
2. Improving educational attainment, skills and raising aspirations.
3. Reducing worklessness, benefit dependency and child poverty.
4. *Homes for all.*
5. Enhancing health and wellbeing.
6. Reduce serious crime rates and anti social behaviour.
7. Maximising the sports legacy and increasing participation (*Ibid.*: 18, *author's emphasis*).

A number of 'deliverables' are also provided to help realise 'convergence' for each of these outcomes. It is not appropriate to detail them all here as they are quite broad in nature and, whilst all of the seven outcomes do have a degree of relevance to the future success of the post-Games Olympic Park development, many contain a number of inapplicable topics to the focus of this study. Nevertheless, outcomes 1 and 4 are of a most pertinent nature, and thus it is worth detailing them below.

Outcome 1, *Creating a coherent and high-quality city within a world city region*, states that the Host Boroughs will 'ensure that physical development supports convergence by':

- the world-class development of the Olympic Park delivering a focus for the legacy in the host boroughs;
- the arc from the Lea Valley to the riverside providing a heart for the area;
- improving connectivity for the locality;
- all our places becoming high quality;
- delivering high-quality social infrastructure;
- physical development providing for local economic growth (*Ibid.*: 18)

The SRF lists that the main challenge to achieving these objectives, and thus 'convergence', is the relative dissatisfaction of existing locals with their area compared to the London average (*Ibid.*: 18). However, this appears to be something that is not directly problematic, or indeed necessarily relevant, when considering the objectives of



outcome 1, and perhaps hints at an undue focus on managing perceptions. Nevertheless, outcome 1 culminates with an expressed desire to ensure that 'physical development contributes to the social and economic outcomes locally and that investment in social infrastructure keeps pace with housing growth' (*Ibid.*: 18).

Outcome 4, *Homes for all*, states that the Host Boroughs will:

- reduce overcrowding, homelessness and social housing waiting lists;
- increase and keep prosperity in the boroughs;
- intervene for decent private homes, and better private sector provision to meet local needs;
- ensure that we secure the highest quality of housing, inside the homes and in the neighbourhoods (*Ibid.*: 32)

With regard to achieving outcome 4, the SRF states that the main challenges, given the outlook for public funding, are 'raising the delivery of affordable homes above the levels achieved in previously flourishing markets', and secondly, 'maintaining levels of affordability to meet local needs' (*Ibid.*: 32).

Both of these outcomes are laudable and do represent an acknowledgement of a need for achieving more socially just outcomes as a result of staging the Olympics and from the post-Games development. However, there is one issue that seems conspicuously problematic - how are these objectives going to be practically implemented so to be able to influence development? The absence in the SRF document of any stated mechanism to meaningfully link its objectives to the planning process is problematic, and represents a missed opportunity given that the SRF does not have any statutory status within the planning process. This raises a further issue with regard to the aforementioned degree to which the SRF has, even if not through intention, acted with greater emphasis on managing a perception to show a strategic vision to improve the fortunes of local people rather than a mechanism to actually achieve socio-economic change. This does not negate the intention or future potential of the document, as it does have objectives that are geographically wider and with a broader timescale. Furthermore, it does not mean that its existence has not been without impact, as a 'convergence' led supplementary policy was included as Appendix 1 to the OLSPG. But as this OLSPG was only formally adopted six days prior to the approval of the LCS application, there is some uncertainty as to the degree to which the 'convergence' objective was considered in the formulation of the LCS's proposals. Indeed, the adoption of the 'convergence' objective into planning



policy at an earlier stage may have enabled it to have had more influence in the shaping and approval of the LCS application. Formally embedding it within the LCS proposals is important as all development that occurs on-site would be bounded by the nature of the development approved in the LCS application. There may be scope for further changes to be made to the 'Legacy' development but, as will be all too familiar to planners, this would often be revisions to building mass, *de minimis* alterations or changes to mix of land uses as a result of viability issues for the developer, all of which are unlikely to act as spurs for achieving socially just outcomes.

## **Appendix 6. Interview template: a representative list of questions**

The following provides a range of questions that were posed during the research interviews. A number of these questions have been configured to one specific interviewee's role (made anonymous here) but this list includes all general topic areas that were discussed during each interview.

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N.B. Reiterate before starting that interviewee anonymity is upheld if desired.

- 1. Please could you tell me a little about yourself with regard to your role as [role title] and involvement with the Legacy Communities (LCS) Scheme Planning Application?**

*(Reason for question: to establish connection of interviewee with subject matter)*

### **Addressing 'Outcomes'**

- 2. Firstly, I would like to understand what were the key benefits that you would have liked to have seen from the regeneration proposed in the LCS planning application?**

*(Follow up with question to confirm whether his/her views represent his/her personal or their organisation's position – and whether they in fact differ and how)*

*(Reason for question – to understand the benefits the stakeholder desired from the LCS regeneration, and how/if they are sensitive to, and reflect, the socio-economic needs of local residents of the area).*

- 3. With regard to the key benefits that you would have liked to have seen, why do you believe (highlighting possible sources of evidence for support) the LCS development should be trying to achieve such benefits?**

*(Reason for question: to understand what knowledge/data stakeholders use when supporting (rationalising) their aims for the LCS regeneration)*

- 4. Why have you used this [particular source of] knowledge and/or evidence in support for what you believe the regeneration should deliver?**

*(Reason for question: to understand what the stakeholder perceives as being the most useful knowledge/data to use in order to gain influence/power in the shaping of the LCS*

*development. In other words, to understand how stakeholders strategically act to assert their influence/power).*

5. **Why do you think the development has been shaped as in the LCS planning application, and who/what do you believe to be the issues/actors responsible for the LCS development turning out the way that it has?**

*(Reason for question: to gain insight into what the local stakeholder's perceived as having the biggest influence on the shaping of the LCS development – both actors and material issues).*

6. **[Question regarding the consultee response submitted by the stakeholder – which is summarised back to the stakeholder at beginning of this question]**

**I'd like to go through each issue of concern in your consultation response and if you could elaborate a little on each in terms of why this is an issue for [organisation name], as well as reflect upon why you think the OPLC/ODA have shaped the LCS process/outcomes in such a manner for each issue? *I apologise if there are any overlapping issues and please just try to address things you have not already mentioned.***

*(Reason for questions: to get an idea of the respective position of the ODA and [ORGANISATION NAME] with regard to the development proposed and to understand how/why their views differ/conform)*

7. **Could you explain the role of the Joint Planning Authorities Team with regard to the 2004 Olympic regeneration planning application?**
8. **Are there any other issues/promises that you feel the 2004 application made which are not kept in the LCS planning application?**
9. **[Depending on response from question 8] Reference was made at the planning committee to the issue that the LCS did not keep the promises made by the approved 2004 application – as the 2004 planning application was approved by the Joint Planning Authorities Team, why do you think there not more stringent protection of such promises? E.g. through S106 legal agreements on affordable housing and conditions on location of land use footprints etc**

*(Reason for questions: to understand why institutional powers were not utilised to ensure local residents' needs were met by the LCS planning application).*

**10. [Specific question raised regarding the stakeholder's objection to the application]**

*(Reason for question: to understand the different types of rationalisation advanced in objection to the LCS planning application).*

**11. [Specific question raised regarding the stakeholder's objection to the application]**

*(Reason for question: to understand why certain issues were raised in the public arena over other; to understand what stakeholders believed to be most important with regard to the regeneration, as well as the strategic use of argumentation with regard to utilising certain issues*

**12. [Specific question raised regarding the stakeholder's objection to the application]**

**13. Why do you think the ODA committee members saw justification in the proposal diverging from the planning policy?**

**14. Do you believe that this justification is an acceptable approach to resolving the concerns that are raised with regard to the development in the assessment of the LCS planning application? Why?**

*(Reason for questions: to gain insight into what stakeholders perceived as the reasons for approving the development and what is considered acceptable; to understand how developments are rationalised by both decision makers and stakeholders).*

**15. Why do you think that the ODA planning committee members approved the development as proposed within the LSC planning application? Do you think that, as local councillors were sitting on the committee, a greater sensitivity to the needs of local residents could have been gained?**

*(Reason for question: to gain insight into what the rationality behind decision making was; to understand the workings of the governance structure and the local representative nature of the views supported by ODA planning committee members).*

**16. If yes, how would a greater sensitivity to the needs of locals be reflected in the LCS development and what support would they have for acting in such a manner (for local interests)?**

*(Reason for question: to make explicit what the stakeholder believes to be the most desirable outcome for local residents)*

- 17. Do you believe there is a danger that the LCS application as approved, with a number of viability clauses, could result in a further loss in proposed affordable housing provision or is it likely to remain consistent? Do you feel this is a necessary method of dealing with housing provision considering economic constraints facing developers? If not, with regard to the LCS, is there any alternative way of dealing with this housing issue?**

*(Reason for questions: to understand stakeholder's views with regard to the nature and delivery of the approved development)*

**Engagement with wider governance structure (ODA PDT and the applicant (OPLC))**

- 18. Why do you think it is important that [organisation name] is formally consulted upon the LCS planning application?**
- 19. Do you feel that you/local planners/local residents were able to influence the nature of the development proposed by the LCS planning application?**
- 20. Do you think the ODA and the OPLC should have engaged with you, local planners or local residents more in consultation with regard to shaping the development proposed in the LCS application, or are you happy with the level of engagement?**
- 21. If you feel they could have engaged you more, how do you feel they could have done this - e.g. should they have engaged with local residents within the formal consultation of the application or enabled Councillors or local planners more opportunity to influence the nature of the development?**

*(Reason for questions: to understand how stakeholders rationalise the legitimacy of the borough's/their personal influence on the shaping of the LCS development; to understand if the stakeholder was happy with the level of influence they had on the development as well as the level of engagement from upper levels of governance structure; to understand the stakeholder's opinion on their role within the engagement process and whether they are better suited to understanding the needs of local residents than local planners and the residents themselves if they were to be directly engaged with).*

- 22. Do you feel that presenting opinions at the Planning Committee meeting for the LCS is an important way in which to influence the nature of the legacy development and the outcome of the LCS planning application?**

*(Reason for question: to understand how stakeholders can influence the outcome of the LCS planning decision committee; to understand the appropriateness of the meeting in enabling alternative visions to shape the development)*

- 23. How did other stakeholders in the process, notably the [organisations' names], support you with your concerns with the LCS? In your relationship with these stakeholders, did they function as they would have done normally or do you believe that, due to the unique nature of the ODA PDT being the local planning authority, they acted differently? If not, what were the main influences/pressures do you believe for them acting differently?**

*(Reason for questions: to understand how stakeholders cooperated/negotiated with each other; to understand who had the greater influence over the outcome of the LCS development through the different agendas that they endorsed)*

### **Process**

- 24. Did you work with [organisation's name] planning officers when shaping a formal consultation response to the LCS planning application? How did you do work together? Why did you feel it was necessary for [stakeholder's positions] to work together in this process?**

*(Reason for questions: To understand the how decisions were made on behalf of the consultee organisation – e.g. who had influence and what type of rationalisation (e.g. technical/political) was used in deciding a particular course of action)*

- 25. Do you think that being a [stakeholder's position] gave you a greater influence over the development than (1) a local planner and (2) a local resident? Why (what capital – knowledge/information could you or these other stakeholders use to influence the LCS development)? Also, how were you able to use your position as a [stakeholder's position] to influence the shaping of the LCS development – for example, did being part of the formal consultation process help?**

*(Reason for question: so to understand if stakeholder's position (political and institutional capacities) allows for a more influential role in shaping the LCS development than local planners (and their institutional position) or local residents (effectiveness of political and*

*institutional capacities); to understand how the customary local planning decision makers influence the ad hoc governance structure, that being the ODA Planning Authority (PDT); to understand what knowledge/information is considered to wield the most influence over the planning process and thus LCS development).*

- 26. [Organisation's name] suggested a number of informatives within their second consultation that were absent from the first round of consultation. Why did [organisation's name], having objected to the application in both rounds of consultation, decide to take a more cooperative approach with regard to the second formal consultation response? Was this a deliberate strategy to help influence the final nature of the approved development?**

*(Reason for question: to understand why [organisation's name] chose to take a more cooperative line with regard to the formal consultation process)*

- 27. Was there an alternative method to the cooperative approach within the second formal consultation response that could have been taken? If yes, why was this not taken?**

- 28. Did you try to establish other ways of opposing the application within the formal consultation process, such as through negotiation in meetings? Was there ways in which you did not engage with the OPLC/ODA PDT at all but rather other stakeholders to try and influence the nature of the LCS development? If yes, what was this approach and did you achieve any success in doing this? Why do you think this was (not) successful?**

*(Reason for question: to understand how stakeholders perceived the possibility of influencing the LCS development through alternative approaches within the formal consultation process, such as negotiation in meetings; to understand what influence over the shaping of the LCS development that resulted from engaging with other stakeholders within the process; to understand the nature of consultation/negotiation and how various strategies/information/knowledge is used to achieve the desired ends).*

- 29. Outside of formal consultation process for the LCS planning application, were you able to influence the nature of the LCS development or the decisions made by the ODA? If, yes, how did you seek to influence the process outside of the formal process and what knowledge/data/evidence did you seek to use when trying to help shape the development?**

*(Reason for question: so to understand if informal engagement by local stakeholders with decision makers helped to shape the development; to understand how the customary local planning decision makers used different methods to influence the shape of the LCS developers; to understand how those outside of the process may have been included/excluded by the very nature of the knowledge/data that they rely on to achieve their desired ends/as well as the nature of the ends themselves; to understand the issues that were raised by stakeholders and how they differed to those raised through the formal consultation responses; to understand what stakeholders perceive as being the most useful knowledge/data to use in order to gain influence/power in the shaping of the LCS development; to understand how stakeholders strategically act to assert their influence/power and achieve their goals).*

**30. Why did you feel it was necessary to engage outside of the formal consultation process?**

*(Reason for question: to understand how stakeholders perceived the formal consultation process in terms of being a true consultation exercise that allowed for alternative opinions/ideas to be voiced and subsequently shape the LCS development).*



## **Appendix 7. E-Mail request sent to potential interviewees (example template)**

Dear [INSERT NAME],

I am a PhD researcher at the Bartlett School of Planning at University College London where I am currently looking into the planning process for the Legacy regeneration occurring on the Olympic Park. As part of my research I am trying to speak to various stakeholders who have an interest in this Legacy regeneration, with my primary focus being on the development that was approved in the Legacy Communities Scheme (LCS) planning application back in June 2012.

As the [JOB TITLE], I understand that you have been particularly interested in the development of the Olympic Park and have been keen to harness its regeneration for the benefit of the [NAME OF LONDON BOROUGH]. Having played a role in representing the needs of [NAME OF LONDON BOROUGH] residents throughout the LCS planning process, I would therefore be extremely grateful if you could spare some time to meet me in order to have a semi-structured interview with regard to your experiences?

The interview would ideally last for around 45 minutes/1 hour (or whatever time you could afford), and I would be keen to understand further your opinions on such issues as: what you feel should be delivered for [NAME OF LONDON BOROUGH] residents; the success that you had in engaging with the ODA with regard to shaping the Olympic regeneration/LCS development; how you were able to influence the regeneration of the Olympic Park; and whether you feel the Olympic regeneration will be significantly beneficial to the borough. I have attached a briefing note of my research aims to this e-mail so to provide some further information on my research.

With regard to the interview procedure, in order to uphold good research practice, the interview will be anonymised if you so wish. The information gathered as part of the interview will be used in confidentiality for the sole purpose of my PhD thesis.

Please do let me know if this is possible; I have a relatively free diary over the next couple of weeks and will meet you at a time of your convenience. Do not hesitate to contact me if you have any questions or require any further clarification about my research.

Thank you for taking the time to read this e-mail and I look forward to hearing from you.

Kind regards,

David Farndon

## **Appendix 8. Research briefing note sent to potential interviewees**

### ***Planning for London's Olympic Regeneration – the Legacy Communities Scheme Planning Process***

**Research project carried for a PhD in Planning Studies, University College London, The Bartlett School of Planning (2011-2015)**

by **David Farndon**

**E-mail:** david.farndon.11@ucl.ac.uk

**Supervisors:** Dr Claire Colomb and Dr Claudio de Magalhaes

Having worked as a **Planning Officer** within a Development Management department for a Local Planning Authority in London, I have always been curious as to how and why certain decisions are taken within the assessment and determination of planning applications. Of particular interest is the reasoning behind why certain courses of action are prioritised over others within the planning decision-making process, and the various influences upon the thought processes of individual planners and stakeholders alike as they seek to balance various considerations and influence the development process. I am now carrying out a **PhD in Planning Studies** at the Bartlett School of Planning, University College London, in order to investigate those issues further.

The opportunity for **regeneration within the Lower Lea Valley** presented by the hosting of the **London 2012 Olympics** provides an excellent case study of the multitude of **competing demands** upon the rationale used by **planners and consultation stakeholders** when decisions are made about the nature of the development that is to occur. The **focus of my research** is on the **planning process** for the **Legacy Communities Scheme planning application** which sets out the long term vision for the regeneration of the Olympic Park in 'Legacy' phase, that being the post-games development.

The research is carried out with reference to the context provided by the **Legacy regeneration commitments** contained within the supporting documents for the hosting of the Olympics. These commitments include the promise to "*transform the heart of East London [so to] meet the needs of residents*" (DCMS, 2008: 37). I would like to understand not only the **individual thought processes** that occur for planners and stakeholders involved in the planning decision-making process for the Legacy Communities Scheme, but also the **varying material considerations** that must be taken into account, as well

as the **constraints** that make it challenging to achieve **outcomes** that will satisfy all stakeholders and fully meet the regeneration commitments.

The research involves a number of **semi-structured interviews** to engage with the **stakeholders and planners of the Legacy Communities Scheme** so to appreciate the pressures and demands upon decision making. This will include endeavouring to understand:

- What outcomes planners and stakeholders would like to see from the Olympic regeneration, and therefore how they engage in the planning process to help shape the nature of the Legacy Communities Scheme development;
- How planners and stakeholders manage competing demands and differences of opinion, and why certain courses of action were reasoned over others;
- What governance processes were deemed most appropriate for shaping the development and engaging with stakeholders, and what the key drivers are for shaping the Legacy Communities Scheme development.

In bringing these factors together, it is hoped that conclusions will be drawn as to how and why certain development outcomes were chosen and therefore promoted in the approved Legacy Communities Scheme planning application.

## **Appendix 9. Table detailing planning policies relevant to the LCS planning application**

Whilst this thesis does not have the primary focus of examining the LCS development against planning policy, a number of the relevant local planning policies are detailed below to assist in establishing the planning context under which the planning decision-making process was undertaken. The following policies detailed below are not a comprehensive list of all planning policies within each of the local boroughs or the GLA. Rather, alongside their significance to a number of the socio-economic issues discussed above, the policies listed are notably those referenced in the LCS planning application report, and furthermore include those most relevant to assessing the principal nature of development occurring within the Olympic Park site and the subsequent main issues explored within the thesis. Thus, whilst there are many other planning policies that also have some relevance, it is not possible to detail them here given the sheer number of them and the breadth of issues that they cover. Similarly, it should also be noted that, due to their extensive nature, not all policies have been reproduced in full, with any unrelated elements deleted. Finally, the policies listed are those that formed part of the GLA's and each of the local boroughs' development plans during the period in which the LCS planning application was assessed and formally determined. Whilst there are other national planning policies to consider, these have been omitted because they are too extensive to document here and would not provide a lens from which to further understand the socio-economic needs of residents living within the Olympic Host Boroughs.

It is the responsibility of each local planning authority to maintain up-to-date local development plan, consisting of a range of planning policies, so to manage and control the development of land within their jurisdiction. It is these policies that therefore provide the basis from which to evaluate the desirability any proposed development in the assessment and determination of planning applications. Each local planning authority's development plan, now termed the Local development Framework, must go through an 'Examination in Public' before it can be fully adopted. This entails providing all relevant evidence to support the proposed planning policies to the Planning Inspectorate who, alongside assessing consultation responses, must decide whether such evidence, and thus the development plan, is 'sound' and therefore supported for adoption. This process is therefore one of rigorous assessment through the analysis of substantial evidence bases. However, the substance of particular policies inevitably reflect both local and national political biases and preferences and thus any reading of the nature, and

perceived objectivity, of the planning policies listed below must be conscious of this.<sup>88</sup> Nevertheless, considering the extensive consultation process and substantial evidence provided, the planning policies do offer an additional account from which to understand the needs of the local area in which the Olympic Park is situated and consequently assess the LCS development outcomes and their ability to meet such need.

The table below highlights the planning policies relevant to this study and the assessment and determination of the LCS planning application:

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<sup>88</sup> It would go far beyond the capacities and focus of this study to provide a full analysis of the appropriateness of, and potential biases within, these policies here.

**The GLA's and local boroughs respective planning policies relevant to the assessment and determination of the LCS planning application**

Issue	Greater London Authority	LB Hackney	LB Newham	LB Tower Hamlets	LB Waltham Forest
<b>General Policy and Area Plans</b>	<p><b><i>The London Plan (2011):</i></b></p> <p><b>Policy 2.4 – The 2012 Games and their Legacy Strategic</b></p> <p>Deliver economic, social and environmental change within east London, and close the deprivation gap between the Olympic host boroughs and the rest of London.</p> <p><b>Policy 3.1 – Ensuring life chances for all</b></p> <p>Development should protect and enhance facilities that meet the needs of particular groups and communities. Proposals involving the loss of facilities without adequate justification or replacement provision should be resisted.</p> <p><b>Policy 3.9 – Mixed and balanced communities</b></p> <p>Communities mixed and balanced by tenure and household income through small and large-scale developments. Supported by effective and attractive infrastructure and an enhanced environment. A more balanced and mix of tenures should be sought in all parts of London, particularly in some neighbourhoods where social renting predominates.</p> <p><b>Policy 3.16 – Protection and enhancement of social infrastructure</b></p> <p>Development proposals that provide high-quality social infrastructure will be supported in light of local and strategic needs assessments. Proposals that result in loss of social infrastructure in areas of defined need without realistic proposals for re-provision will be resisted.</p> <p><b>Policy 7.1 – Building London's neighbourhoods and communities</b></p> <p>(A) People should have a good quality environment with best possible access to services, infrastructure and public transport to wider London. (B) Development should have a layout, tenure and mix of uses that interface with the surrounding land and improve people's access to social and community infrastructure, local shops, employment opportunities, commercial services and public transport. (C) Development should maximise opportunity for community diversity, inclusion and cohesion.</p> <p><b><i>Draft OLSPG (2011):</i></b></p> <p><b>Overarching Development Principles</b></p> <p>Convergence. This seeks inclusion of a “Convergence” statement with major planning applications identifying how scheme proposals help meet the “Convergence” principles outlined in the Host Boroughs Strategic Regeneration Framework.</p>	<p><b><i>Core Strategy (2010):</i></b></p> <p><b>Policy 5 - Hackney Wick New Community</b></p> <p>The Olympic Legacy will bring regenerative change, not only shape Hackney Wick as a place for digital media and creative industry but also a new integrated and sustainable community. The Area Action Plan (AAP) will involve investment in employment led mixed development and connection to Stratford and Hackney Central, taking account of strategic industrial and priority employment designations, the Olympic Legacy opportunities, including provision of new open space and a linear park adjacent to the river Lea as well as strategic industrial and priority employment designations. Key features of development proposals are 87,000 sq m of employment space, upgraded station and access improvements, with commercial development and approximately 620 net additional new homes. Other uses would include retail, creative industry, new park and Legacy facilities.</p> <p><b><i>Hackney Wick Area Action Plan: (Pre-submission Document) January 2012)</i></b></p> <p><b>Policy 06 – Land Use Principles</b></p> <p>For employment: (a) the range and types of uses in Strategic Industrial Locations should be in accordance with those prescribed in the London Plan; and (b) in Other Industrial Areas, existing industrial capacity will be protected. Mixed use development is permitted subject to industrial needs and demands being met. New development should provide a range of employment space (type, size, affordability). For residential: (c) development should demonstrate exemplar design quality; (d) affordable housing should be provided in accordance with Core Strategy Policy 20; (e) Opportunities for family housing should be considered in the southern area of the Creative Media City. For Community: (f) new and improved community uses and facilities will be encouraged in Hackney Wick North, in the Hub and the southern area of the Creative Media City.</p>	<p><b><i>Core Strategy (Jan 2012):</i></b></p> <p><b>Policy H1 – Building Sustainable Mixed Communities</b></p> <p>Ensure that quality neighbourhoods are created which fit the existing urban character and scale, provides a balance of housing sizes and tenures and is delivered with supporting infrastructure and community facilities.</p> <ul style="list-style-type: none"> <li>• Aims to provide 2,500 or more additional quality homes a year from a range of sources.</li> <li>• Seeks 39 per cent of new homes to be three bedroom for families.</li> <li>• Densities to reflect local context and character and be appropriate in relation to availability of open space, transport, retail, community and other supporting facilities.</li> </ul>	<p><b><i>Core Strategy (2010):</i></b></p> <p><b>Policy SO2 – Maximising the benefits of Olympic Legacy</b></p> <p>Maximise the benefits and opportunities offered by the 2012 Olympic and Paralympic Games and its legacy through: regenerating Fish Island.</p> <p><b>Policy SO3 – Achieving wider sustainability</b></p> <p>Achieve environmental, social and economic development simultaneously. Where trade-offs between competing objectives are unavoidable, this will be realised by: planning for high-quality housing, access to employment, access to open space and to shops and services; mitigating and adapting the built environment to climate change; ensuring the capacity of existing and new infrastructure is adequate.</p> <p><b>Policy SO11 – Creating healthy and liveable neighbourhoods</b></p> <p>To ensure the timely provision of social infrastructure to support housing and employment growth</p> <p><b><i>Saved UDP Policies (not replaced by Core Strategy)</i></b></p> <p><b>Policy DEV1 – Design Requirements</b></p> <p>All development proposals should:</p> <p>2. Be sensitive to the development capabilities of the site, not result in over-development or poor space standards; be visually appropriate to the site and its setting;</p> <p><b>Policy DEV2 – Environmental Requirements</b></p> <p>All development proposals should:</p> <p>1. Protect the amenity of residential occupiers.</p> <p>2. Ensure that adjoining buildings are not adversely affected by the loss of privacy, or a material deterioration of their daylighting and sunlighting conditions.</p> <p>3. Ensure that there is no loss or damage to sites of metropolitan or borough significance for nature conservation, and take into account the need to protect and enhance sites of local importance.</p> <p><b><i>Submission draft Fish Island Area Action Plan (Feb 2012)</i></b></p> <p><b>The Vision</b></p> <p>Fish Island will develop as a great place to live, work and visit, with new homes, affordable housing and space for business, innovation and industry. Fish Island will benefit from linking together the Olympic Park and the Legacy opportunities to the east with the existing communities to the west. Fish Island will be well connected to its surroundings with a neighbourhood centre at Hackney Wick, with schools, health facilities and open spaces.</p> <p><b>Policy FI 6.4 Fish Island East</b></p> <p>Seeks comprehensive residential led re-development of Fish Island East with high-quality, sustainable development that includes significant family and affordable housing. Development should deliver a network of walking and cycling routes, good public transport access that extends the existing streets of Fish Island North and Fish Island Mid. Seeks building heights of predominantly 4–6 storeys. Requires the inclusion of high-quality, useable, flexible open space along the</p>	<p><b><i>Core Strategy (March 2012):</i></b></p> <p><b>Policy CS3 - Providing Infrastructure</b></p> <p>The Council will ensure that while encouraging housing and economic growth in the Borough, appropriate infrastructure is provided to cater for the needs of existing and future populations, by:</p> <p>A) promoting the enhancement of existing social infrastructure and, except where justified by other Core Strategy policies, resisting its unsubstituted loss where population growth and change requires its provision; where population change reduces demand, managing its loss by reference to the quality of community facility provided, its ability to meet modern requirements (such as soundproofing, disabled access and external smoking areas) and other criteria set out in the Development Management Policies DPD, such as the incidence of recorded crime associated with the premises;</p> <p>B) maximising opportunities to deliver additional facilities as part of new developments, particularly on surplus employment land in line with Policy CS8;</p> <p>C) encouraging multi-purpose facilities that provide a range of services;</p> <p>D) ensuring that new facilities are located to cater to the communities they serve and are accessible by walking and cycling;</p> <p>E) requiring new developments to contribute towards the provision of social and other necessary infrastructure, with contributions being either on-site, or through planning contributions, or through any applicable Community Infrastructure Levy; and</p> <p>F) ensuring that physical and utility infrastructure is provided where it is required by new development.</p>

				waterfronts and strong linkages to Victoria Park and the Queen Elizabeth Olympic Park.	
<b>Housing</b>	<p><b><i>The London Plan (2011):</i></b>  <b>Policy 3.3 – Increasing housing supply</b>            Ensure identified housing need is met consistent with at least an annual average of 32,210 net additional homes across London so to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.</p> <p><b>Policy 3.8 – Housing Choice</b>            New developments to offer a range of housing sizes and types, taking account of different groups and the changing roles of different sectors, including the private rented sector, in meeting these; provision of affordable family housing.</p> <p><b>Policy 3.10 – Definition of affordable housing</b>            Affordable housing includes social rented and intermediate –at a cost low enough for them to afford, determined with regard to local incomes and local house prices; include provision for the home to remain at an affordable price for future eligible households (N.B. February 2012 proposed ‘Early Alterations to London Plan’ introduces reference to “affordable rented” housing within the definition of affordable housing).</p> <p><b>Policy 3.11 – Affordable housing targets</b>            Maximise affordable housing provision. Seeks a split in affordable housing provision of 60 per cent social rented and 40 per cent intermediate rent or sale (N.B. February 2012 proposed ‘Early Alterations to London Plan’ indicates that 60 per cent of new affordable housing should be for “social/affordable” renting rather than simply “social” renting).</p> <p><b>Policy 3.12 – Negotiating affordable housing on individual private residential and mixed use schemes</b>            The maximum reasonable amount of affordable housing should be sought when negotiating individual private residential and mixed use schemes. This should take account of the individual circumstances of the site including development viability and public subsidy, the implications of phased development, including provisions for re-appraising the viability of schemes prior to implementation, and other scheme requirements (N.B. February 2012 proposed ‘Early Alterations to London Plan’ proposes that affordable housing should normally be provided on-site but in exceptional cases may be provided off-site).</p>	<p><b><i>Core Strategy (2010):</i></b>  <b>Policy 19 - Housing Growth</b>            Hackney will seek to ensure proposals for new residential development and residential conversions including changes of use, incorporate a mix of dwelling types and sizes that reflect and respond to Hackney’s current and future housing needs. Hackney will seek promote the provision of new family accommodation (3 bed or larger) of all tenures as well as mix of housing to meet the identified.</p> <p><b>Policy 20 – Affordable Housing</b>            Affordable housing will be sought from developments that incorporate residential use. Where exceptional circumstances, provision of off-site affordable housing may be considered. Affordable housing will be sought on developments comprising 10 residential units or more. New housing should meet a borough-wide target of 50 per cent of all units subject to site characteristics, location and overall scheme viability. The required tenure split will be 60 per cent social rented and 40 per cent intermediate (by unit).</p> <p>For new social rented and intermediate homes, the preferred affordable housing size mix will include an element of three bed or larger family. The preferred affordable housing mix on individual schemes will be determined through negotiation, scheme viability assessments and driven by up to date assessments of local housing need.</p>	<p><b><i>Core Strategy (Jan 2012):</i></b>  <b>Policy H2 – Affordable Housing</b>            Ensure that communities are places where residents can afford to live and are adaptable to their changing economic circumstances and will achieve this by:</p> <ul style="list-style-type: none"> <li>seeking all new development on sites with a capacity for 10 or more residential units provide between 35 and 50 per cent affordable housing, with 60 per cent of this as social housing (subject to scheme viability, availability of subsidy, existing housing mix of the area, individual circumstances of the site, availability of required infrastructure and community facilities); and</li> <li>exceptionally, considering off-site provision or payment in lieu.</li> </ul> <p><b><i>Saved UDP Policies (not replaced by Core Strategy)</i></b>  <b>Policy H17 – Housing Design and Layout</b>            Planning applications for new residential development will be assessed where appropriate in terms of:            A) The design and relationship of the development to the character of the surrounding area;            B) A satisfactory level of privacy, outlook and natural lighting, appropriate provision of private amenity space and the provision of off-street parking as an integral part of the development;</p>	<p><b><i>Core Strategy (2010):</i></b>  <b>Policy SO8 – Urban living for everyone</b>            Ensure housing contributes to the creation of socially balanced and inclusive communities by offering housing choice reflecting the Council’s priorities for affordable and family homes.</p> <p><b>Policy SP02 – Urban living for everyone</b>            Deliver new homes in line with the targets set out in the London Plan.            (a) focusing new housing in the eastern part of the borough including Fish Island;            Ensure new housing assists in the creation of sustainable places by            (a) optimising the use of land;            (b) corresponding the distribution and density levels of housing to public transport accessibility levels and wider accessibility of the location;            (3) Sets an overall strategic target for affordable homes of 50 per cent until 2015 by (a) requiring 35–50 per cent affordable homes on sites providing 10 or more new residential units (subject to viability);            (4) Require an overall strategic tenure split for affordable homes from new development as 70 per cent social rented and 30 per cent intermediate.            (5) Secure a mixture of small and large housing by: (a) requiring a mix of housing sizes on all sites providing new housing; (b) requiring an overall target of 30 per cent of all new housing to be a suitable size for families (three-bed plus), including 45 per cent of social rented.</p> <p><b><i>Submission draft Fish Island Area Action Plan (Feb 2012)</i></b>  <b>Policy FI 4.5 Affordable and Family Housing</b>            For schemes of 10 or more homes seeks a minimum of 35 per cent affordable housing with a split of 30 per cent intermediate and 70 per cent social rented housing. Affordable rented accommodation only considered acceptable where social rented provision would render the proposals unviable. Seeks a provision of a range of housing types and sizes.</p> <p><b><i>Submission draft Managing Development DPD (Feb 2012)</i></b>  <b>Policy DM3 Delivering Homes</b>            Seeks provision of affordable housing in accordance with the Core Strategy. Affordable rented housing will be accepted where provision of 70 per cent of affordable housing as Social Rented is demonstrated to be unviable, achieves affordable housing of 35–50 per cent alongside Social Rented housing and family housing is prioritised for Social Rent.</p>	<p><b><i>Core Strategy (March 2012):</i></b>  <b>Policy CS2 - Improving Housing Quality and Choice</b>  <i>Affordable Housing</i>            B) maximising the number of quality affordable homes in the Borough by:            i) maximising the number of quality affordable homes in the Borough by aiming to provide at least 50% (5,700 homes) of homes as affordable over the plan period. A balance of tenures between social rented, affordable rent and intermediate housing should be provided;            ii) assessing the level of affordable housing on a site by site basis. In order to deliver the maximum amount of affordable housing, developments proposing less than 50% will need to demonstrate a viability case, in the form of a viability assessment. Where a viability case is used to justify an affordable housing offer below policy requirements, the Council will require the shortfall to be treated as a deferred contribution. The Council will then require a subsequent viability assessment to be undertaken when the scheme is completed and largely occupied and should viability have improved, the Council will seek a further payment up to a maximum of the deferred sum.</p> <p><b><i>Mixed and Balanced Communities</i></b>            C) creating an economically mixed and balanced community by seeking a range of home sizes and tenures in new development. The Council will prioritise the need for larger homes (3 bedroom or more) in new developments.</p>
<b>Open Space</b>	<p><b><i>The London Plan (2011):</i></b>  <b>Policy 7.17 – Metropolitan Open Land</b>            Supports current extent of Metropolitan Open Land (MOL), its extension in appropriate circumstances, and protection from development having an impact on the openness of MOL. The strongest protection should be given to MOL and inappropriate development refused except in very special circumstances, giving the same level of protection as in the Green Belt.</p>	<p><b><i>Core Strategy (2010):</i></b>  <b>Policy 26 – Open Space Network</b>            Where appropriate, new open spaces will be created. There will be no loss of open space within Hackney’s network of public and other designated open spaces unless: there is contemporary replacement of better or equivalent quantity and quality; replacement is in location with better or equivalent public access; the quality of the</p>	<p><b><i>Core Strategy (Jan 2012):</i></b>  <b>Policy INF6 – Green Infrastructure</b>            Seeks to protect and strengthen green infrastructure over the plan period and address deficiencies in quantity, quality and access to open space in the borough. Key priorities include proposed new Metropolitan Open Land (MOL) in legacy at the Queen Elizabeth Park, improving access to the Lea Valley Regional Park, improvements to natural and semi-natural open</p>	<p><b><i>Core Strategy (2010):</i></b>  <b>Policy SO12 – Creating a green and blue grid</b>            To create a high-quality well connected and sustainable natural environment of green and blue spaces that are rich in biodiversity and promote active and healthy lifestyles.</p> <p><b><i>Submission draft Fish Island Area Action Plan (Feb 2012)</i></b>  <b>Policy FI 6.5 Open Space Provision</b></p>	<p><b><i>Core Strategy (March 2012):</i></b>  <b>Policy CS5 - Enhancing Green Infrastructure and Biodiversity</b>            The Council will endeavour to protect and enhance green infrastructure and biodiversity and to maximise access to open spaces across the Borough by:            A) protecting Green Belt and Metropolitan Open Land (MOL) and improving access where appropriate;</p>

	<p><b>Policy 7.18 – Protecting local open space and addressing local deficiency</b></p> <p>The loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless up-to-date needs assessment shows this would be appropriate.</p>	<p>remaining and replacement open space is not eroded by the proposed development.</p> <p><b>Saved UDP Policies (not replaced by Core Strategy)</b></p> <p><b>EQ21 Metropolitan Open Land</b></p> <p>The Council will seek to ensure that Metropolitan Open Land remains in predominantly open use. Any built development should be associated with the open space, nature conservation and/or recreational use of Metropolitan Open Land, and will be subject to the following requirements:</p> <p>(A) That it's prime function should be ancillary to the maintenance or use of the adjoining open land;</p> <p>(B) That, wherever possible, new buildings are sited close to existing built development or on the periphery of the open land;</p> <p>(C) That it has a high standard of design and landscaping.</p>	<p>space and addressing gaps in access on foot and cycle to open spaces.</p> <p><b>Saved UDP Policies (not replaced by Core Strategy)</b></p> <p><b>Policy OS7 – Green Space Protection</b></p> <p>The Council will safeguard green space by permitting only suitable development for recreation, leisure or nature conservation purposes. Exceptions may be considered where:</p> <p>A) An equivalent or improved replacement facility can be provided in the locality; or</p> <p><b>Policy OS8 – Green Space in New Development</b></p> <p>The Council will negotiate with developers of housing schemes of 100 dwellings or more to provide an area of open space within the site to meet the demands generated by the development.</p>	<p>Seeks to achieve a network of local open spaces in Fish Island as sites are redeveloped.</p> <p><b>Submission draft Managing Development DPD (Feb 2012)</b></p> <p><b>Policy DM10 Delivering Open Space</b></p> <p>Development on areas of open space will only be allowed where this is essential to ensure the function and enjoyment of the open space or results in an increase of open space and is of a higher quality.</p>	<p>B) enhancing the green infrastructure network through better connectivity and the creation of new open spaces whilst also conserving their historic value;</p> <p>D) improving the quality of, and access to, open spaces especially in areas of deficiency;</p> <p>N) ensuring the adequate provision and quality of play and recreational spaces, outdoor sports facilities and parks, for all sections and age groups of the community.</p>
Education	<p><b>The London Plan (2011):</b></p> <p><b>Policy 3.18 – Education facilities</b></p> <p>Support provision of early years, primary and secondary school and further and higher education facilities adequate to meet the demands population and enable greater educational choice. Proposals for new schools should be given positive consideration and only refused where demonstrable negative local impacts outweigh the desirability of a new school. Development proposals which maximise the extended or multiple use of education facilities for community or recreational use should be encouraged. Development proposals that encourage the co-location of services between schools and colleges and other provision should be encouraged in order to maximise land use, reduce costs and develop the extended school or college's offer</p>	<p><b>Core Strategy (2010):</b></p> <p><b>Policy 9 - Investing in Education</b></p> <p>The Council will work with the Learning Trust and other appropriate educational providers to meet the needs of Hackney's population so children and young people have access to a high-quality education and learning environment through:</p> <ul style="list-style-type: none"> <li>Favourably considering proposals for new educational facilities especially in growth areas and areas where evidence demonstrates greatest need.</li> </ul>	<p><b>Core Strategy (Jan 2012):</b></p> <p><b>Policy J3 - Skills and Access to Employment</b></p> <p>Proposals which address the following will be supported:</p> <p>1. Improvements to education, skills and training provision, in particular those directed at the growth sectors in the local Economy.</p> <p><b>Policy INF9 - Infrastructure Delivery</b></p> <p>Broadly, priorities that accord with the Core Strategy's objectives include:</p> <p>3. Education provision.</p>	<p><b>Core Strategy (2010):</b></p> <p><b>Policy SP07 – Improving education and skills</b></p> <p>(3) Increase both primary and secondary education facilities to meet an increasing population by: (a) identifying three areas of search for a new secondary school in Fish Island, Mile End and Bromley by Bow; (c) using the Sites and Placemaking DPD to identify the most suitable sites; (d) using the Pupil Place Planning process and the Population Growth and Change Model to identify the future needs for additional school places; (e) developing a network of Children Centres that combine childcare and nursery education, alongside family support and health and well-being services. (4) Ensure school facilities and Children Centres are located to maximise accessibility for pedestrians, cyclists and public transport users, and ensure that they promote inclusive access for all. (5) Support the wider skills training and education of residents within the borough; (d) support developments that promote local enterprise, and the employment and training of local residents.</p> <p><b>Submission draft Fish Island Area Action Plan (Feb 2012)</b></p> <p><b>Policy FI 4.6 Education</b></p> <p>Residential development in Fish Island should contribute towards provision of additional school places. Seeks to work with OPLC to deliver a secondary or primary school in Fish Island East. Seeks to work with landowners in Fish Island Mid to safeguard a site for a three form entry primary school.</p>	<p><b>Core Strategy (March 2012):</b></p> <p><b>Policy CS9 - Promoting Better Education</b></p> <p>The Council and its partners will ensure that all residents, especially young people in the Borough have access to high-quality educational facilities by:</p> <p>A) providing enough primary, secondary and further education places so that all young residents in the Borough can be educated to a high standard;</p> <p>C) providing access to play spaces, local playing fields and sporting facilities;</p> <p>D) requiring new school proposals including extended schools to be developed as community hubs whereby they are accessible to the general public outside school hours; and</p> <p>E) safeguarding land in the identified key growth areas of Blackhorse Lane, Northern Olympic Fringe, Walthamstow and Wood Street and at other opportunity locations identified in the Site Specific Allocations Document.</p>
Connectivity (inc. Transport)	<p><b>Core Strategy (2010):</b></p> <p><b>Policy 2.4 – The 2012 Games and their Legacy Strategic</b></p> <p>(C) The Mayor will and boroughs should:</p> <p>(c) establish new and enhanced north-south and east-west connections (particularly cycling and walking) within and to the Olympic Park;</p> <p><b>Draft OLSPG (2011):</b></p> <p><b>Connectivity and Transport – overarching development principles</b></p> <p>To ensure that existing and new communities across the OLSPG area are linked by a network of strategic and more fine grained local connections.</p>	<p><b>Hackney Wick Area Action Plan: (Pre-submission Document) January 2012)</b></p> <p><b>The Vision</b></p> <p>Sees Hackney Wick as a diverse and well connected area on the edge of the Olympic Park.</p> <p><b>Creative Media City</b></p> <p>Ensure that walking and cycling are the most convenient and first choice for movement in the area; Provide safe and convenient access to the green and landscaped open spaces and waterways.</p>	<p><b>Core Strategy (Jan 2012):</b></p> <p><b>Policy INF 2 – Sustainable Transport</b></p> <p>Supports development proposals that:</p> <ul style="list-style-type: none"> <li>addresses linear and other physical barriers providing connecting public routes within new development and to public transport nodes;</li> <li>completing, adding, maintaining and improving defined routes for walking and cycling, including the London Cycle Network, Cycling Superhighways, the Lea River Park and the Olympic Cycling and Walking Network;</li> </ul>	<p><b>Core Strategy (2010):</b></p> <p><b>Policy SO19 – Making Connected Places</b></p> <p>Deliver an accessible, efficient, high-quality, sustainable and integrated network to reach destinations within and outside the borough.</p> <p><b>Policy SP08 – Making Connected Places</b></p> <p>(1) Provide for a hierarchy of integrated transport interchanges that offer access to a range of public transport modes by: (a) improving and maximising access to Stratford International Station through improving strategic and local connectivity to and through Fish Island and High Street 2012.</p>	<p><b>Core Strategy (March 2012):</b></p> <p><b>Policy CS7 - Developing a Sustainable Transport</b></p> <p>The Council will facilitate growth and regeneration in a sustainable manner and promote sustainable travel by:</p> <p><b>Sustainable Transport Network</b></p> <p>E) actively encouraging walking and cycling by providing an attractive public realm and safe, convenient and accessible routes and facilities throughout the Borough.</p>



			<ul style="list-style-type: none"> <li>providing safe, high-quality measures to encourage and facilitate cycling;</li> <li>major development proposals that generate/attract large numbers of trips should be located in areas of good public transport accessibility.</li> </ul>	<p><b>Submission draft Fish Island Area Action Plan (Feb 2012)</b></p> <p><b>Policy FI 3.1 Key connectivity and transport principles</b></p> <p>Significantly improve strategic connections, including across the A12, providing bridge connections across the waterways and enhancing the Greenway, creating new routes to the Olympic Legacy area.</p>	
Employment	<p><b>The London Plan (2011):</b></p> <p><b>Policy 2.17 – Strategic industrial locations</b></p> <p>Where appropriate protect strategic industrial locations (SILs). Development proposals in SILs should be refused unless they fall within the identified broad industrial type of activities.</p>	<p><b>Core Strategy (2010):</b></p> <p><b>Policy 18 - Promoting Employment Land</b></p> <p>Council will protect employment land and floorspace last used for employment purposes anywhere in borough.</p>	<p><b>Core Strategy (Jan 2012):</b></p> <p><b>Policy J1 - Investment in the New Economy</b></p> <p>4. Promote employment as an important component of sustainable mixed use neighbourhoods, supporting local services.</p>	<p><b>Core Strategy (2010):</b></p> <p><b>Policy SO16 – Delivering successful employment hubs</b></p> <p>Support the growth of existing and future businesses in accessible and appropriate locations.</p> <p><b>Policy SP06 – Delivering successful employment hubs</b></p> <p>(1) Seek to maximise and deliver investment and job creation in the borough, by: (supporting, maximising and promoting the competitiveness vibrancy and creativity of the Tower Hamlets economy, the three economic anchors (including Stratford) and their role in delivering job growth;</p> <p>(b) promoting the creation of a sustainable, diversified economy by ensuring a sufficient range, mix and quality of employment uses and spaces;</p> <p>(c) ensuring job opportunities are provided in each place, in and at the edge of town centres.</p> <p>(2) Support the provision of a range and mix of uses and spaces in the borough including encouraging and retaining provision of units suitable for small and medium enterprises.</p> <p>(3) Ensure a managed approach to industrial land through: (a) safeguarding and intensifying industrial land in areas that include Fish Island; (b) for Local Industrial Land, intensification through mixed use development will only be accepted where there is no net loss of employment floorspace, no detrimental impact on the quality and usability of that floorspace, has appropriate access arrangements, and mitigation of environmental impacts has been considered from the outset; (c) continuing to implement the consolidation and managed release of industrial land in identified places; (d) working with the GLA and partners to coordinate managed release of strategic industrial land in Fish Island North and Fish Island Mid, only once the Fish Island Area Action Plan is in place to deliver the wider regeneration; (e) work with partners to deliver a phased, managed, coordinated release of 20–50 hectares of industrial land over the lifetime of the plan.</p> <p><b>Submission draft Managing Development DPD (Feb 2012)</b></p> <p><b>Policy DM15 Local Job Creation and Investment</b></p> <p>Development of new employment floorspace will need to provide a range of flexible units of less than 250 and less than 200 square metres size.</p>	<p><b>Core Strategy (March 2012):</b></p> <p><b>Policy CS8 - Making Efficient Use of Employment Land</b></p> <p>The Council will facilitate sustainable economic growth by:</p> <p><i>Borough Employment Areas</i></p> <p>B) intensifying and upgrading existing employment land in the Borough Employment Areas set out in Table 8 to secure more jobs for local people. Within the key growth areas this could include the provision of jobs as part of a mixed use development. In such cases, priority will be given to education, health, or social infrastructure before considering other uses such as residential;</p> <p><i>Mix of employment uses</i></p> <p>D) encouraging a mix of employment facilities and types, including the provision of employment spaces suitable for small and medium sized enterprises, and creative/ cultural industries, particularly in Borough Employment Areas.</p> <p><b>Policy CS10 - Creating More Jobs and Reducing Worklessness</b></p> <p>Maximise employment opportunities for its residents by:</p> <p>A) promoting the delivery of additional educational and training facilities, either as new development in town or district centres or within established locations or elsewhere in accordance with the Development Management DPD;</p> <p>C) supporting infrastructure improvements that enhance residents' access to employment areas via public transport, foot and bicycle;</p> <p>Opportunities for the most vulnerable sections of the community will be enhanced through focusing employment growth in the Borough's key growth areas.</p>

**Appendix 10 . Photographs provided within the OPLT planning applications (2007) of the 'existing conditions' of Olympic Park site prior to Olympic-related development**



*Severance caused by the Infrastructure*



*Poor Quality Physical Environment*



*Steel Pylon Towers*



*Limited access to parts of Application Site Area*



*Poor Quality Open Space*



*The River Lea Close to City Mill River*

Source: ODA (2007b:29)

**Appendix 11. Conditions LCS0.49 and LCS0.290 attached to the approval of the LCS planning application**

**LCS0.49.** There shall be no variations to the Outline Site Wide Phasing Plan save where any application made pursuant to this Condition is approved in writing by the Local Planning Authority. No application for approval to a variation shall be made unless either:

- the application demonstrates that the variation is unlikely to give rise to any new or different significant environmental effects in comparison with the development as approved and as assessed in the Environmental Statement; or
- the application is accompanied by environmental information assessing the likely significant environmental effects of the Development having regard to the proposed variation

and such application must be accompanied by a report setting out the reasons for the variation and identifying how the variation would impact on any Conditions and Obligations

Reason: To prevent piecemeal development and to facilitate the orderly approach to construction of the Development in accordance with London Plan policy 2.4; London Borough of Hackney Core Strategy policy 5; London Borough of Newham Core Strategy policy SP1 and London Borough of Tower Hamlets Core Strategy policy S02..

**LCS0.290** *Notwithstanding the details in the Parameter Plans for SPDZ 5B and the design code for PDZ 5, the building line of the ground and upper floors along the eastern edge of SPDZ 5B shall be set back by not less than 15 metres from that shown on the drawings submitted.*

Source: ODA PDT (2012c)

**Appendix 12. Plan showing the extent to which the LCS's development parcels in PDZ5 encroach onto the open space envisaged in the 2004 'Legacy' planning application and a 2010 'slot in' application**



Source: Adapted from ODA PDT (2012a: 418)



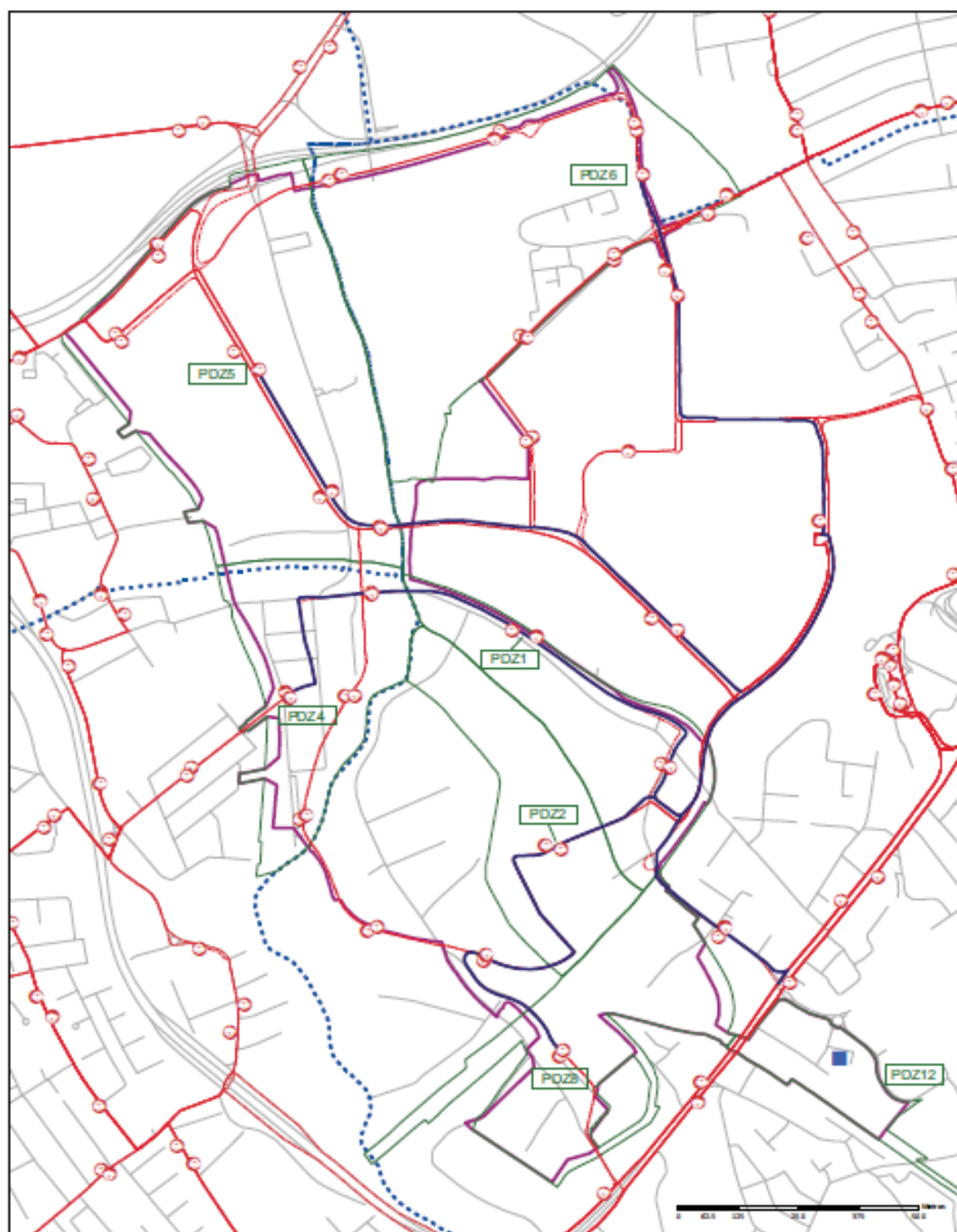
## Appendix 13. The Town and Country Planning (Use Classes) Order 1987 (as amended)

TCPA Use Class	Use/Description of Development	Permitted Change
<b>A1:</b> Shops	The retail sale of goods to the public: Shops, Retail warehouses, Hairdressers, Undertakers, Travel and ticket agencies, Pet shops, Sandwich bars, Showrooms, Domestic hire shops, Dry cleaners, Informal cafés.	A2 "deposit-taker" C3 <sup>1,2</sup> Mixed use of A1 and up to 2 flats for C3 use A2, A3 or B1 (up to 150 sqm; for up to 2 years) <sup>3</sup>
<b>A2:</b> Financial & Professional Services	Financial services: Banks, Building societies, Bureau de change Professional services: Estate agents, Employment agencies Other services: Betting shops, Pay day loan shops	C3 <sup>1,2</sup> A1 (where there is a ground floor display window) Mixed use of A2 and up to 2 flats for C3 use A1, A3 or B1 <sup>3</sup>
<b>A3:</b> Restaurants & Cafés	Places where the primary purpose is the sale and consumption of food and light refreshment on the premises	A1, A2 or B1 <sup>3</sup> A1 (where there is a ground floor display window)
<b>A4:</b> Drinking Establishments	Premises where the primary purpose is the sale and consumption of alcoholic drinks on the premises: Public house, Wine bar or other Drinking establishment.	A1, A2, A3 or B1 <sup>3</sup> A1, A2 or A3
<b>A5:</b> Hot Food Take-away	Premises where the primary purpose is the sale of hot food for consumption off the premises	A1, A2, A3 or B1 <sup>3</sup> A1, A2 or A3
<b>B1:</b> Business	a) Offices, other than a use within Class A2 (Financial services) b) Research and development of products or processes c) Light industry	B8 (up to 500 sqm) D1 (State-funded Schools and Nurseries) <sup>2</sup> C3 (B1(a) only; exemption areas apply; until 30/06/2016) <sup>1</sup> A1, A2 or A3 <sup>3</sup>
<b>B2:</b> General Industrial	Use for the carrying out of an industrial process other than one falling in Class B1	B1 or B8 (B8 up to 500 sqm)
<b>B8:</b> Storage & Distribution	Use for storage or distribution centre	B1 (up to 500 sqm)
<b>C1:</b> Hotels	Use as a Hotel, Boarding house or Guesthouse, where no significant element of care is provided	D1 (State-funded Schools and Nurseries) <sup>2</sup>
<b>C2:</b> Residential Institutions	Provision of residential accommodation and care to people in need of care: Hospital, Nursing home, Residential school, College, Training centre	D1 (State-funded Schools and Nurseries) <sup>2</sup>
<b>C2A:</b> Secure Residential Institution	Use for a provision of secure residential accommodation: Prison, Young offenders institution, Detention centre, Secure training centre, Custody centre, Short term holding centre, Secure hospital, Secure local authority accommodation, Military barracks	D1 (State-funded Schools and Nurseries) <sup>2</sup>
<b>C3:</b> Dwelling Houses	Use as a dwelling house (whether or not as a sole or main residence) by a. a single person or by people to be regarded as forming a single household b. not more than six residents living together as a single household where care is provided for residents c. not more than six residents living together as a single household where no care is provided for residents (other than use within C4)	C4
<b>C4:</b> Houses in Multiple Occupation	Use as a dwelling house by 3-6 residents as a 'house in multiple occupation' Large HMOs of more than 6 people are unclassified, i.e. sui generis	C3
<b>D1:</b> Non-residential Institutions	Clinics, Health centres, Crèches, Day nurseries, Day centres, Museums, Public libraries, Art galleries, Exhibition Halls, Law court, Non-residential education & training centres, Places of worship, Religious instruction, Church halls	A1, A2, A3 or B1 <sup>3</sup>
<b>D2:</b> Assembly & Leisure	Cinema, Concert hall, Bingo hall, Dance hall, Swimming bath, Skating rink, Gymnasium, Area for indoor or outdoor sports or recreation, not involving motor vehicles or firearms	D1 (State-funded Schools and Nurseries) <sup>2</sup> A1, A2, A3 or B1 <sup>3</sup>
<b>Sui-Generis*</b>	A use on its own to which any change of use will require planning permission: Theatres, Scrap yards, Nightclubs, Patrol stations, Laundrettes, Taxi businesses, Amusement centres, Casinos, Large HMOs	No permitted change, except casino to D2
<b>Other Changes of Use</b>	Agricultural Buildings	D1 (State-funded Schools & Nurseries) <sup>1,2</sup> (up to 500 sqm) C3 (except in National Parks) <sup>1,2</sup> (up to 450 sqm) A1, A2, A3, B1, B8, C1 or D2 (up to 500 sqm) <sup>4</sup>

Source: <http://www.gva.co.uk/planning/> [last accessed 17 September 2014].

## Appendix 14. Accessibility of proposed secondary school in PDZ12

Bus accessibility to the secondary school in PDZ12 (Source: OPLC, 2012c)



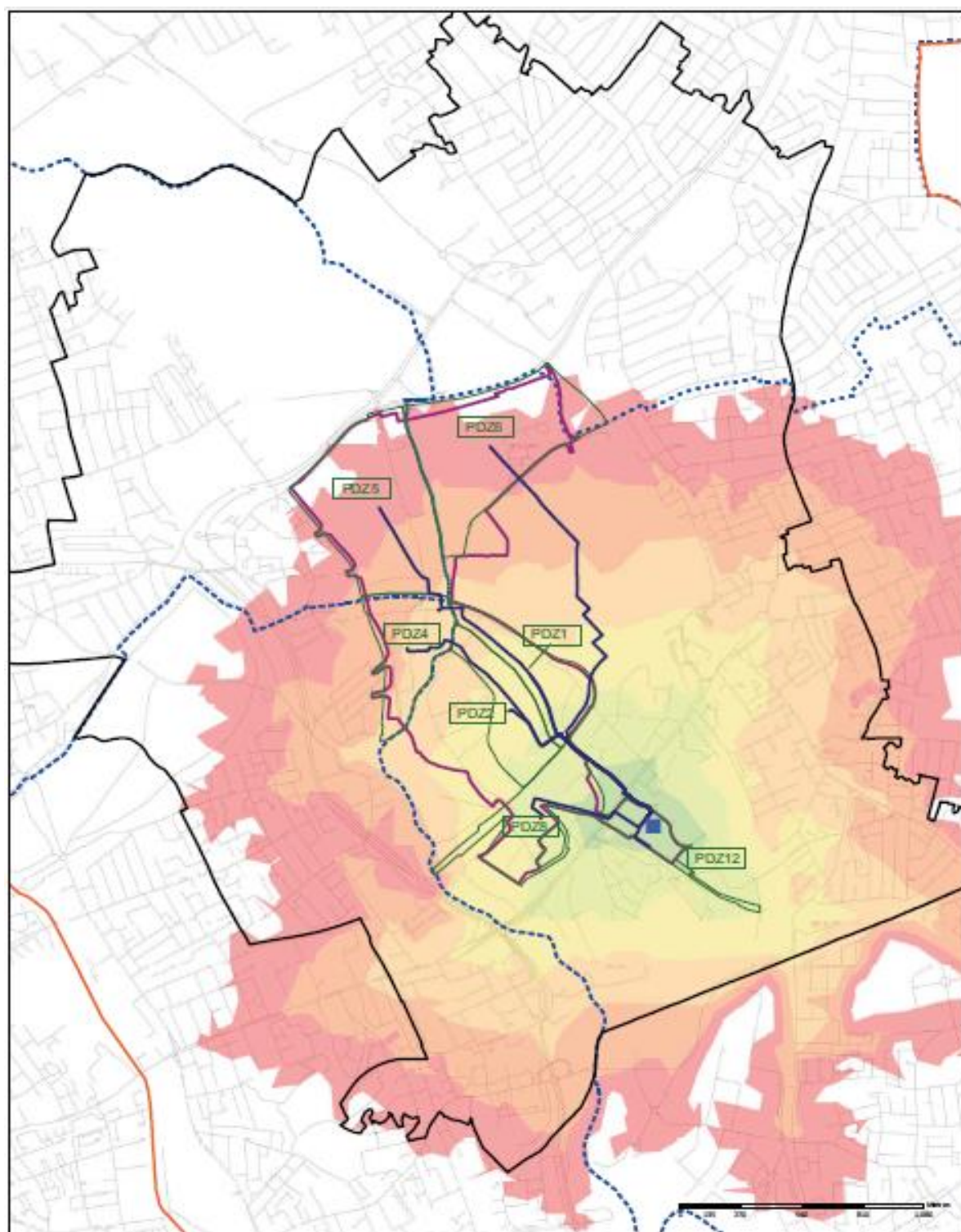
Legacy Communities Scheme  
Bus Route Accessibility to Secondary School  
12 JAN 2012

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**Key**

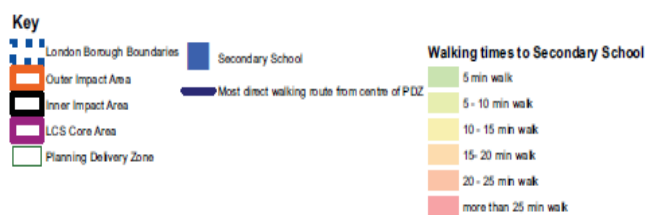
- London Borough Boundaries
- Outer Impact Area
- Inner Impact Area
- LCS Core Area
- Planning Delivery Zone
- Secondary School
- Most direct bus route from centre of PDZ
- Bus Route
- Bus Stops

Walking accessibility to the secondary school in PDZ12 (Source: OPLC, 2012c)



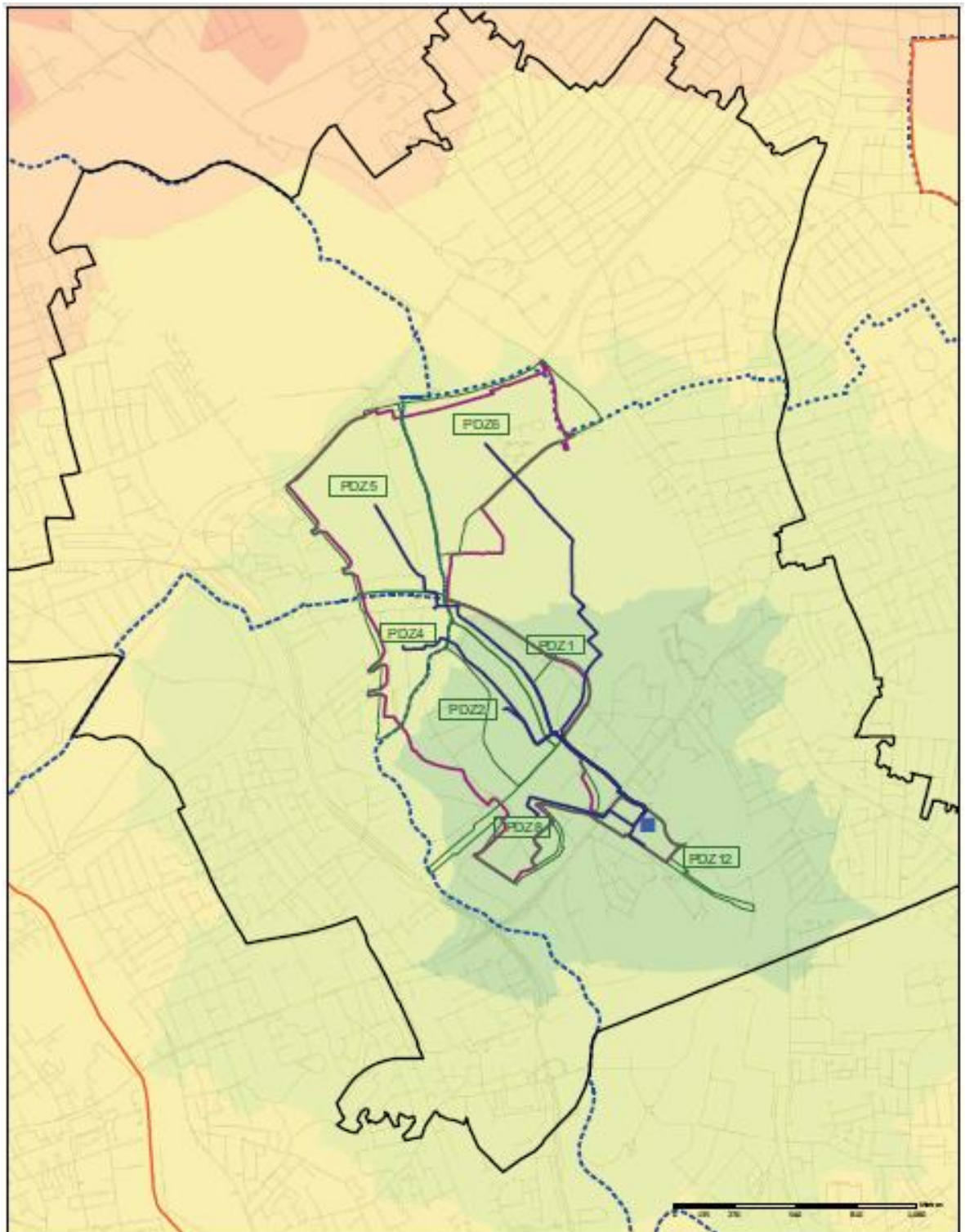
Legacy Communities Scheme  
Walking Accessibility to Secondary School  
12 JAN 2012

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Cycling accessibility to the secondary school *in* PDZ12 (Source: OPLC, 2012c)



Legacy Communities Scheme  
Cycling Accessibility to Secondary School  
12 JAN 2012

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#### Key

- London Borough Boundaries
- Outer Impact Area
- Inner Impact Area
- LCS Core Area
- Planning Delivery Zone

- Secondary School
- Most direct cycling route from centre of PDZ

#### Cycling times to Secondary School

- 5 min cycle
- 5 - 10 min cycle
- 10 - 15 min cycle
- 15 - 20 min cycle
- 20 - 25 min cycle
- more than 25 min cycle



## Appendix 15. The four 'Character Areas' and associated land use designations of the Fish Island Area Action Plan

Plan showing the names and location of the four 'Character Areas' of the Fish Island Area Action Plan

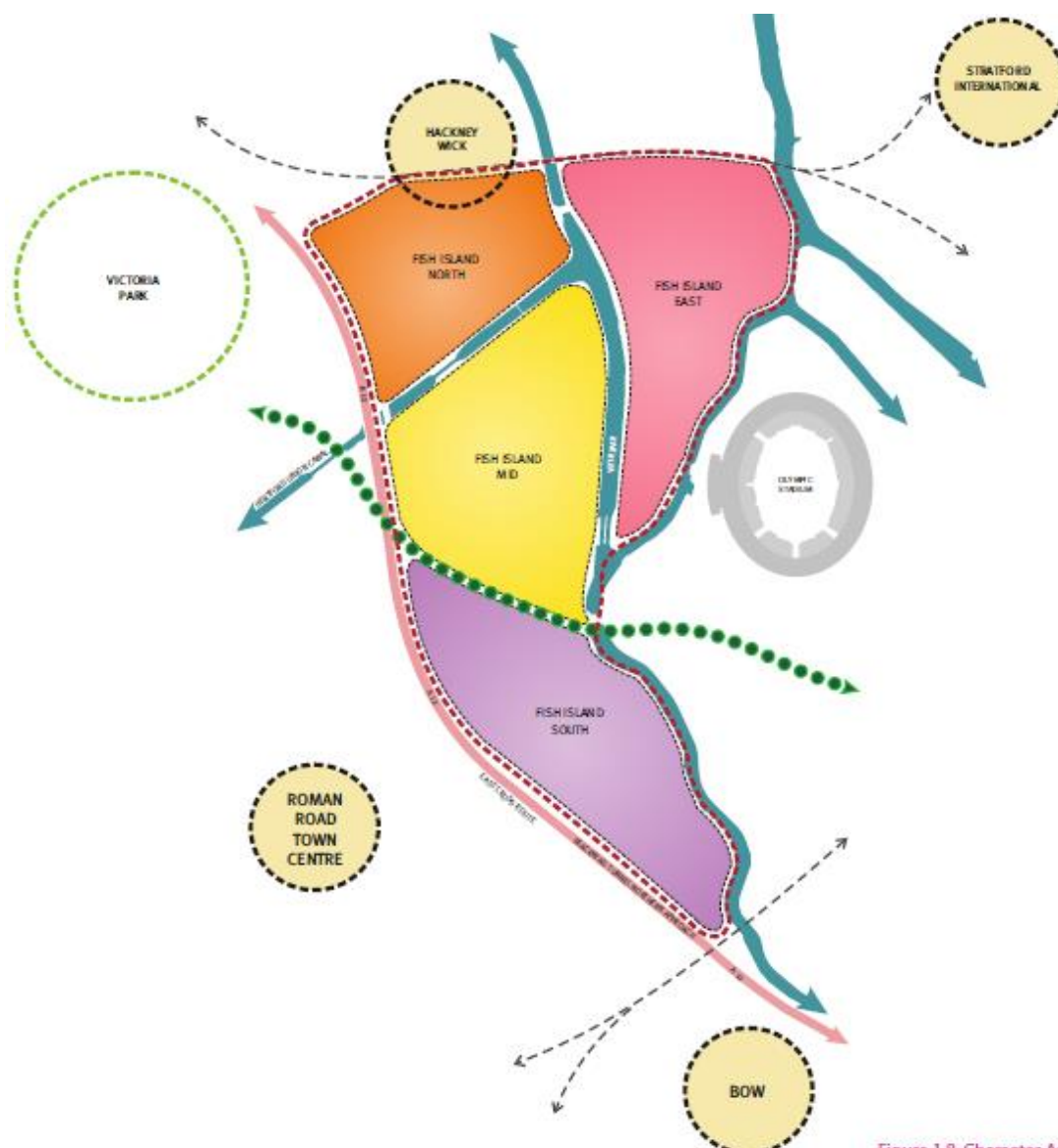


Figure 1.8: Character Areas

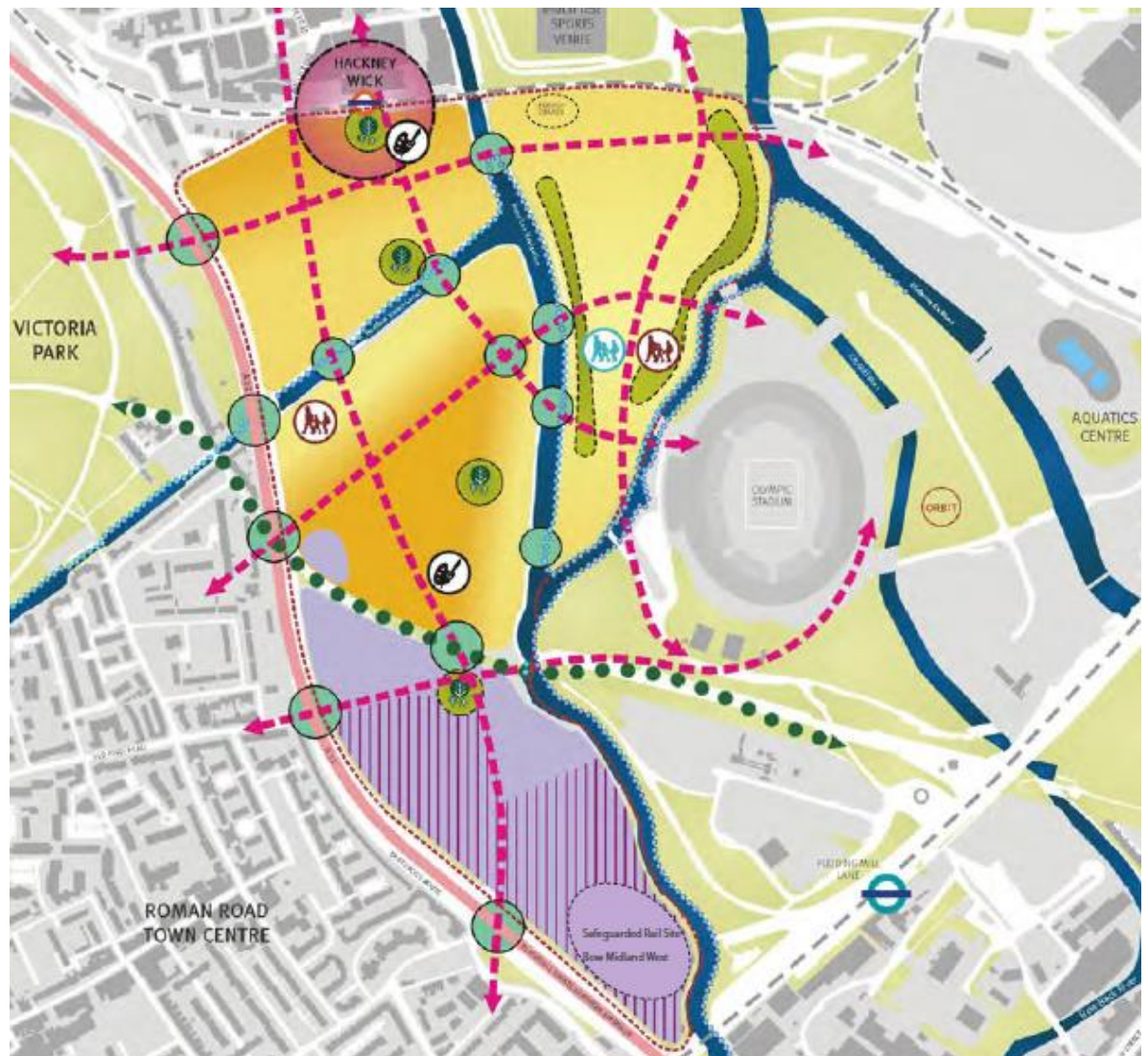
- Key**
- Fish Island Area Action Plan Boundary
  - Fish Island North
  - Fish Island Mid
  - Fish Island Area East
  - Fish Island South
  - ←...→ The Greenway
  - Rail
  - A12
  - Waterways

### CHARACTER AREAS OF FISH ISLAND

**1.46** The existing characteristics of Fish Island have helped to identify four character areas, which benefit from four different place making responses, which have influenced the AAP.

Source: Adapted from LB Tower Hamlets (2012: 13)

*Location of the four 'Character Areas' in the Fish Island Area Action Plan showing land use designations, including the primary school in 'Fish Island Mid'*

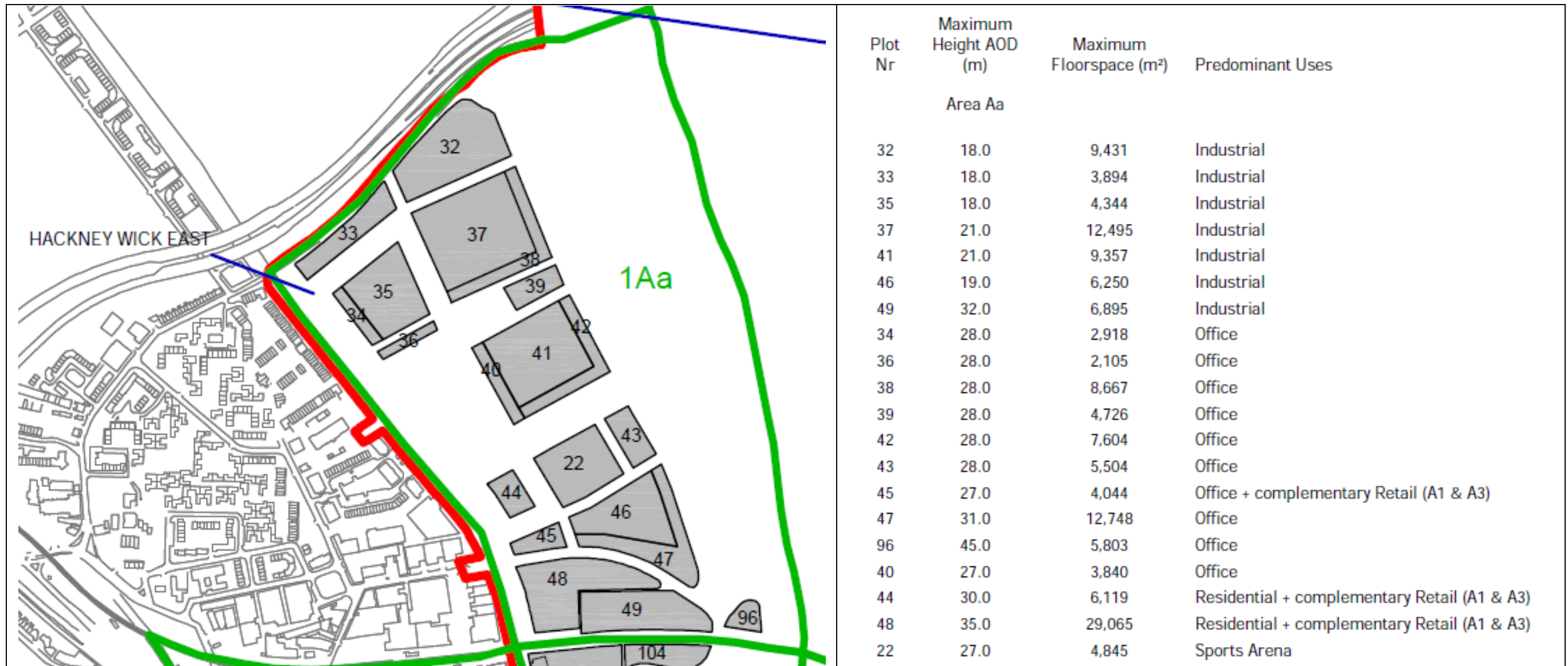


#### Key

- Mixed use regeneration
- Residential led regeneration
- Employment led regeneration
- Strategic Industrial Location (SIL)
- The Hub
- Location for primary school
- Location for primary and/or secondary school
- Focus for creative industries
- Proposed Open Space

Source: Adapted from LB Tower Hamlets (2012)

Appendix 17. Proposed plot parameter and land uses for LB Hackney section of Olympic Park site in 'Legacy' phase as proposed in the *Olympic Games & Legacy* planning applications (2004)



Area '1Aa' corresponds to PDZ5 in the LCS planning application

Source: Adapted from LDA (2004b: 122)



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