

URBAN MAESTRO

TOWARDS A EUROPEAN TYPOLOGY
OF TOOLS FOR URBAN DESIGN
GOVERNANCE



BOUWMEESTERMAITREARCHITECTE

This project has received funding from the European Union's Horizon
2020 research and innovation programme under grant agreement
No 831704.



Towards a European typology of tools for urban design governance

Urban design governance can be defined as: *intervention in the means and processes of designing and managing the built environment in order to shape both processes and outcomes in a defined public interest*. It achieves this by intervening in the decision-making environment of development stakeholders (whether public or private) in order that their decisions have a clear place-based quality dimension.

Shaping decision-making

Throughout Europe, local, regional and national administrations have established sophisticated urban development control systems that are meant to ensure the compliance of urban development with basic urban design qualities. Underpinning these are a wide range of motivations ranging from protection of the historic built fabric to the promotion of urban areas to attract investment, and encompassing a wide range of societal, environmental and aesthetic motivations between. The systems define the rules through which development interests can express their aspirations and protect their interests through urban design. This is the realm of urban design governance, and will vary across the continent just as the motivations (values) and local processes will also vary.

For every built environment intervention, the line-up of stakeholders, the leadership and the power relationships are different, although design remains a common and constant means through which the built environment is negotiated and re-negotiated over time. It is not, however, universally prioritised. Within this context, the governance of design is primarily concerned with establishing and shaping the decision-making environment within which choices about the design of particular projects (large or small) are later made. In other words, it is not concerned with actually designing projects, but instead with setting the parameters within which others design. Normatively this would imply establishing a culture where the quality of place is routinely prioritised.

Influencing processes and outcomes

Globally, a wide range of tools and processes are deployed to steer public and private actors towards specific outcomes in terms of the design of the built environment. The choice of which tools to use is not politically neutral but instead reflects the diversity of the political spectrum, from ultra-liberal uncontrolled abdication to the private sector, to centrally-planned detailed guidance and control. Many European states sit somewhere in between. Not only do nation states have their own processes of urban

design governance, but so (often) do individual regions, cities and municipalities within each country.

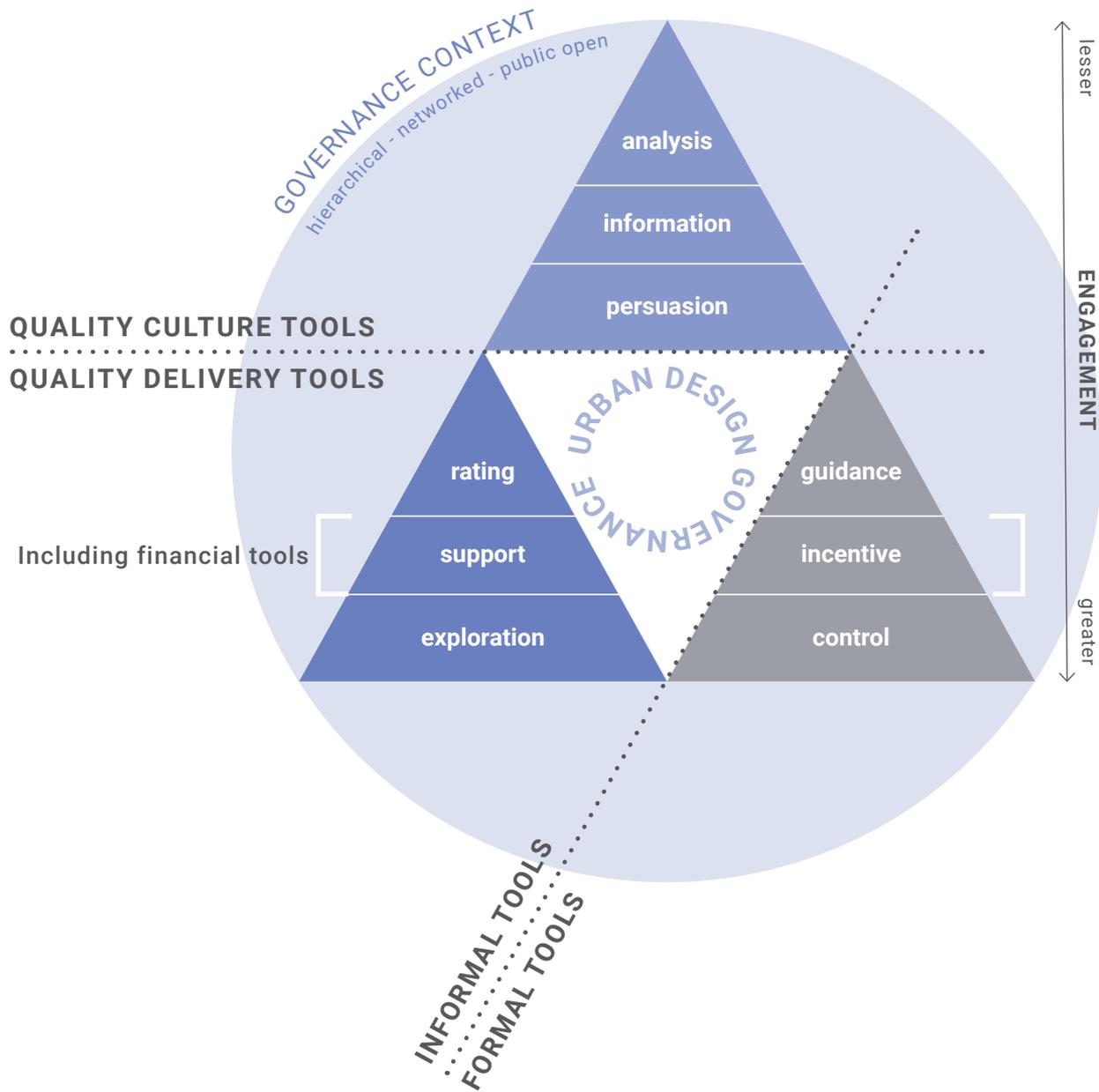
We can classify the tools of urban design governance in two key ways:

- **Quality culture** versus **quality delivery tools**: Some tools focus primarily on influencing the broad culture in which the quality of design is prioritised whilst others concentrate on shaping actual projects and places. The former seek to establish a positive decision-making environment in which consensus gradually builds that a better quality built environment delivers place value and is worth striving for. The latter steer those decision-making processes in a more focused manner, helping to ensure that from intervention to intervention, design quality is delivered.
- **Formal** versus **informal tools**: The most widely used tools focus on formally 'directing' decision-making processes relating to the design of projects and places. In doing so they use the hard powers of the state which are generally obligatory to use and to follow. Others informally 'influence' decision-making from the broad culture of design to the specifics of projects. These use the soft powers of the state to encourage and cajole development actors, but in a discretionary (non-obligatory) manner.

4

These classifications create three categorisations of tool: i) informal quality culture tools, ii) informal quality delivery tools and iii) formal quality delivery tools. A fourth – formal quality culture tools – can be envisaged encompassing the inclusion of the built environment as a mandatory topic for children in schools, but is omitted here as formal educational policy is seen as beyond the remit of built environment policy-makers and professionals.

In total this leads to nine tool types, although it is important not to be overly rigid in how the classification is used. In reality many tools have both culture and delivery implications, and the division between the formal and informal tools of the state are not hard and fast. The classification is instead a relational tool, designed to understand and relate broad types, rather than to strictly classify.



Within each category there is also a transition from lesser to greater engagement, from more passive to more active engagement with stakeholders and / or the specifics of projects and places. This implies that tools at the base of each category are more hands-on (and often more forceful) in their application. Again, whilst this may generally be the case, it will not always be so as the transition will not always be as clear cut as the diagram suggests.

Formal quality delivery tools:

Whilst there is no hard and fast division between formal and informal tools in urban design governance, and they often overlap, formal tools for urban design governance encompass a range of more conventional instruments. They include development plans, design standards, state subsidies and investment, construction permits, development consent mechanisms, urban development charges, expropriation modalities and so forth. They can be classified as forms of guidance, incentive and control.

- **Guidance tools** – encompass a wide range of tools that in different ways formally set out operational design parameters to direct the design of development. Some are generic (relating to large areas e.g. whole municipalities) and some site-specific (relating to particular projects). Some are highly prescriptive (e.g. design standards, design coding, or parameter plans) and others performance based and therefore subject to a good degree of interpretation (e.g. design policy or flexible design frameworks).
- **Incentive tools** – can be more or less interventionist depending on whether they involve the state directly inputting public resources to encourage better outcomes (e.g. through subsidy or direct investment in infrastructure), or whether they are indirect and focused on rewarding defined ‘good behaviour’ with enhanced development rights (e.g. bonuses or forms of process management). Some forms of incentive focus on encouraging specific outcomes, others are process oriented, aiming to steer design-led development processes. Because they involve finance – either the giving of finance by the state or its receipt and re-investment in the public realm – typically these tools are regulated and therefore lie within the formal side of governance toolbox.
- **Control tools** – are based alternatively on fixed legal frameworks with unquestioning administrative decision making or the discretionary interpretation of policy. They encompass both development and construction related regulation and pre- and post-development decision-making (including related enforcement). They can be differentiated by to whom the benefit of the decision primarily accrues; whether a contribution from the developer to the state (the public gets something e.g. developer contributions or infrastructure adoption), or an authorization given from the state to the applicant (the applicant gets something e.g. development consents or warranting).

If formal urban design governance instruments work well at preventing the worst forms of development, they are often less successful at stimulating the best. Part of the problem may be that the sorts of tools predominantly used to guide the design of development are often limited in their scope and technical in their application. They are frequently not generated out of any designed place-based vision for a particular locality, and design quality in a holistic sense, and how quality is defined, may not be articulated.

There is a much larger toolkit available to the public sector through which to positively

shape the built environment. Research examining the period 1999-2011 in the UK identified a wide range of informal tools that were also in active use during the period¹. The research classified these tools against five categories: evidence, knowledge, promotion, evaluation and assistance tools.

Extending the analysis across Europe during the first year of the URBAN MAESTRO project revealed that the informal tools used in the UK are also common (in different forms, combinations and to different extents) across other European countries. However, the British classification which focused on the practices of the now defunct Commission for Architecture and the Built Environment (CABE) both omitted key tools and used terminology that does not lend itself to easy translation in a pan-European context.

Across Europe, many tools of urban design governance exist outside or formal legislative processes, and shape the design decision-making environment through educating, encouraging and nudging stakeholders towards better design practices, sometimes indirectly through shaping the culture of quality (the decision-making environment, and sometimes directly with a focus on the delivery of particular projects and places.

Informal quality culture tools:

- **Analysis tools** - help us understand how the built environment is shaped, through which processes and with what consequences. This evidence can then be used to underpin policy and guidance, to monitor design outcomes from the development process, or to evaluate the state of the built environment more widely.

Examples include:

- Research projects focussed on aspects of the design process or on understanding particular design-based problems
 - Audits of the state of the built environment, in order to understand the quality of the designed built environment and the challenges it presents
-
- **Information tools** - act to disseminate knowledge about the nature of good (or poor) design practices and processes, as well as related development practices, and why it matters. They help to raise design awareness and understanding amongst stakeholders. Examples include:
 - Detached and passive learning tools such as practice guides and case study libraries
 - Hands-on and active training tools involving the direct engagement of participants
-
- **Persuasion tools** - actively make the case for particular design responses in a proactive manner. Instead of waiting for organisations and individuals to seek out knowledge (for example in research or guidance), these tools take the knowledge

¹Carmona M (2017) "The formal and informal tools of design governance" Journal of Urban Design, 22(1): 1-36

to them physically or through the media; seeking to package key messages in a manner that engages attention and persuades.

Examples include:

- Awareness raising initiatives such as design awards schemes or structured campaigns focussed on changing perceptions and practices in key areas
- Targeted influence through direct advocacy to shape policies and programmes and partnership working across key actor groups.

Informal quality delivery tools:

- **Rating tools** – allow judgments to be made about the quality of design in a systematic and structured manner, usually by parties (e.g. other professionals or community groups) external to, and therefore independent from, the particular design process being evaluated.

Examples include:

- Formative evaluation tools such as indicators or informal design review process which evaluate projects during the design development phase
- Summative evaluation tools such as certification schemes or competitions which allow design proposals to be evaluated prior to their development

∞

- **Support tools** – are more directive within the design process itself as they involve directly assisting or enabling design / development teams with particular projects, or with the commissioning of projects or the preparation of design guidance and other tools. They potentially encompass a range of financial means that can be used to encourage better design outcomes, providing financial support to key initiatives / delivery organisations or the raising / steering / transferring of funding for better design

Examples include:

- Indirect support tools, notably financial support to key delivery organisations (e.g. arms-length agencies or centres with a design remit) tied to the delivery of defined quality / quality culture objectives
 - Direct support tools include the provision of hands-on professional enabling, negotiation or advice
- **Exploration tools** – engage directly in the design process through mechanisms that investigate, test out and involve the community in particular design approaches. They are hands on but exploratory in nature, either utilising temporary interventions or inputting into larger project or place-shaping processes.

Examples include:

- Proactive engagement tools such as design led community participation
- Professional investigation tools such as research by design and testing and on-site experimentation

Within a governmental context

Adding to the complexity, whilst the traditional view of public power was one of command and control, where authority was centralised and exercised hierarchically by government, today governance starts from the notion that governments are severely limited in their ability to effect change when acting alone and consequently power is dispersed. Instead, public power acts through different tiers of government, through a wide range of government and pseudo-governmental agencies, and through the resources and activities of the private sector. Arguably, the most successful places come about through effective coordination between the many different actors involved in their production.

Different forms of governance exist simultaneously, even in the same territory, as different problems and different contexts will give rise to different local relationships and therefore to varied forms of governance. Three broad types are apparent in the literature:

- Hierarchical governance: is top down and centralised and operationalised through different levels of government – national, regional, local. Governance at this level will tend to rely on the more formal tools of design governance, and on quality delivery (however defined).
- Networked governance: has become increasingly widespread across Europe where decision making is distributed across a more decentralised network, including to arms-length agencies, private actors and the third sector. URBAN MAESTRO partner: BMA² – which supports the delivery of urban quality in the Brussels region – might be seen as an example of this form of governance with the Bouwmeester position independent but appointed and funded by the City of Brussels. Networked governance will tend to foster a more diverse range of governance tools because of the wider range of organisations involved, many of which don't have direct access to hard powers. Various organisations within the network will use different combinations of formal / informal quality culture / quality delivery tools
- Public open governance: deliberately facilitates individual and group dialog and engagement in more collaborative ways whereby groups and citizens can themselves advance and initiate discussions. Sometimes facilitated by state actors and sometimes the result of bottom-up action attempting to fill a gap in leadership, URBAN MAESTRO partner UCL hosts such an actor in the form the Place Alliance³, a loose network of interested parties with a mission to campaign

² <https://bma.brussels/en/homepage/>

for place quality in England. Given the absence of hard powers, actors in this sort of governance will deal almost exclusively with informal tools and will impact on the quality culture whilst influencing quality delivery.

Incentivising high quality with financial tools

Urban design does not work in isolation. High quality design solutions will be of little value if economic systems do not allow for their implementation and long-term maintenance. For this reason, urban design governance outcomes and processes are shaped by the availability of economic resources and the nature of financing instruments for projects.

Whichever mechanism is selected, there is the potential to use financial tools alongside or as part of the urban design governance toolbox in such a way that ‘good behaviour’ is rewarded – including the delivery of high quality design – and ‘poor behaviour’ discouraged. The critical task is not simply to incentivise development, but to incentivise high quality development.

Financial means can be linked to, encourage the production and use of, or otherwise promote the aspirations contained within both the formal and informal tools of urban design governance – typically as part of formal incentivisation process, but also within the informal support category. In other words, to ensure financial tools are used to deliver high quality design, they need to be used in conjunction with the tools of urban design governance.

It is not the aim of URBAN MAESTRO to map all innovative development finance tools, but instead to understand which tools have the potential to engage directly with and enhance urban design outcomes and processes. Whilst any financial tool might, in theory, be used for that purpose, in practice some are far more likely to be used than others.

They encompass not only tools that in some way raise or transfer funding, but also those that shape the economic case for development, for example by managing the regulatory process in order to streamline it and achieve faster permissions in exchange for better design, or which encourage developers to make a greater investment in design quality.

These fall into six categories:

Raising or transferring funding (subsidy and direct investment):

1. Direct financing instruments: used to help to deliver urban quality (e.g. loans or subsidies for well designed development, direct public funding tied to quality thresholds, etc.)
2. Direct public investment: to reduce developer risks associated with the upfront investments in place quality (e.g. area improvements, land transfer, infrastructure

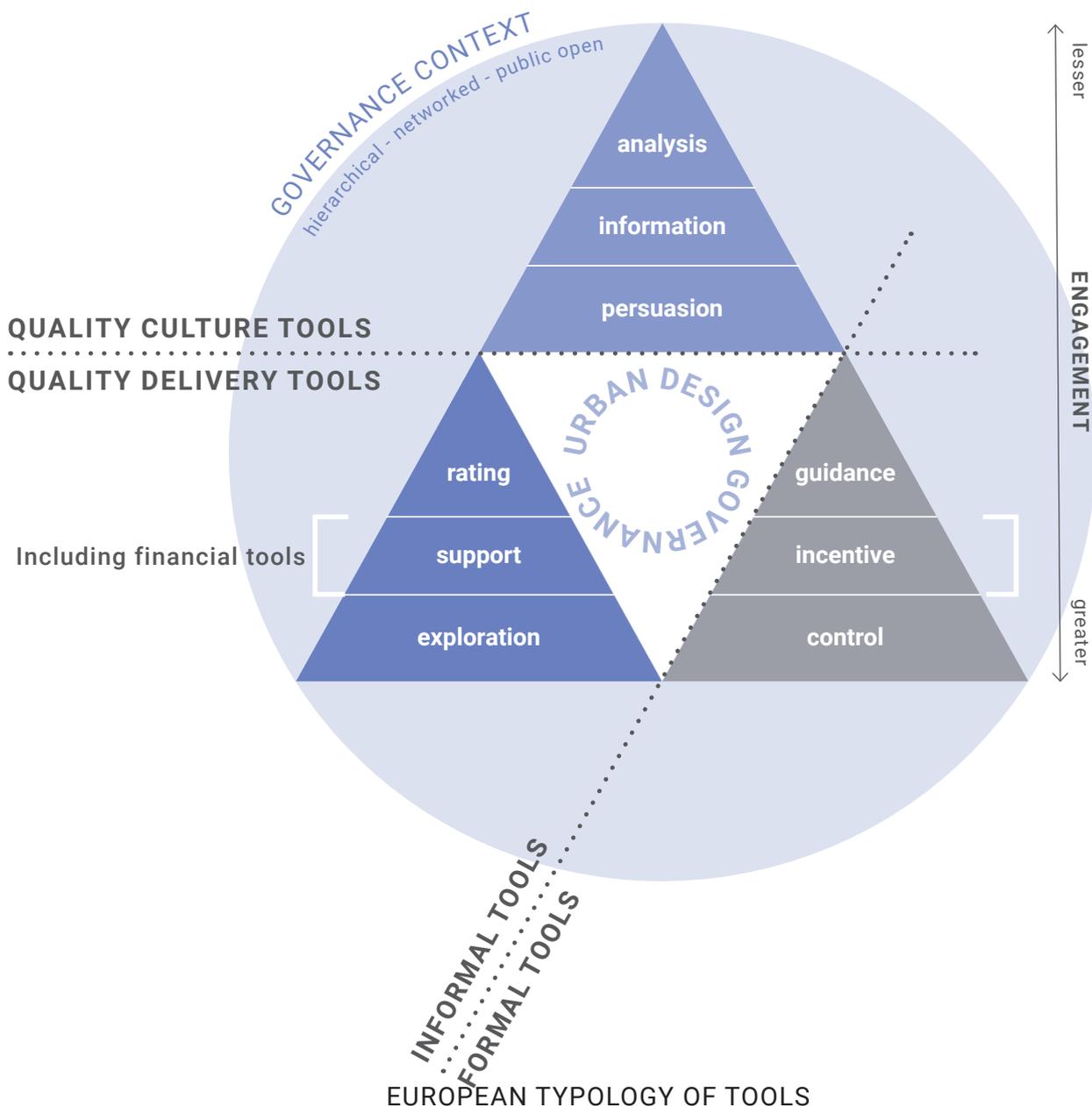
³ <http://placealliance.org.uk>

provision, etc.)

3. Local taxation supplements: to raise finance for direct investment in the quality of places (BIDs / tax increment financing / planning gain (betterment) charges / development impact fees, etc.)

Encouraging or managing investment processes (process management and bonuses):

4. Indirect financing instruments: used to encourage the delivery of urban quality (e.g. tax incentives, zoning bonuses / enhanced development rights, etc.)
5. Steering tools: designed to encourage good design through the direct involvement of the public sector in the development process, or even through the voluntary imposition by development consortia of guidance on themselves (e.g. public/private partnerships, exemplar schemes, etc.)
6. Regulatory management tools: designed to reduce the formal regulatory burden in exchange for better design (e.g. fast tracking architect designed schemes, streamlined regulation zones tied to design parameters, etc.)





info@urbanmaestro.org

WWW.URBANMAESTRO.ORG