

Alan Mace and Mark Tewdwr-Jones

Neighbourhood planning, participation and rational choice.

**Article (Accepted version)
(Refereed)**

Original citation:

Mace, Alan and Tewdwr-Jones, Mark (2017). Neighbourhood planning, participation and rational choice. Journal of Planning Education and Research. ISSN 0739-456X

© 2017 The Author(s)

This version available at: <http://eprints.lse.ac.uk/83720/>

Available in LSE Research Online: July 2017

LSE has developed LSE Research Online so that users may access research output of the School. Copyright © and Moral Rights for the papers on this site are retained by the individual authors and/or other copyright owners. You may freely distribute the URL (<http://eprints.lse.ac.uk>) of the LSE Research Online website.

Neighbourhood Planning, Participation and Rational Choice.

Alan Mace, London School of Economics and Political Science, London, UK.

Mark Tewdwr-Jones, Newcastle University, Newcastle, UK.

Corresponding author:

Alan Mace, Geography and Environment, LSE, Houghton Street, London, WC2A 2AE. UK.

a.mace@lse.ac.uk

Bios

Alan Mace is an assistant professor in the Department of Geography and Environment at LSE. His research interests include planning cultures and governance, compact cities, suburbanisation and second homes.

Mark Tewdwr-Jones is a professor in the School of Architecture, Planning & Landscape at Newcastle University. His research interests include devising foresight methods for the future of places and cities, visual methods for active citizen and business participation in cities, strategic spatial thinking and spatial governance.

The focus of this article is the development of neighbourhood planning in England, in particular its guiding principle of local people as rational actors. The article looks at neighbourhood planning in its own terms; that is, it looks at the rationality of engagement in a new system that seeks to tip the balance of rationality in favour of communities following the UK government's aims of overcoming local resistance to the development of new housing. While there is evidence that neighbourhood planning is enjoying some success this is a delicate settlement.

Key words: neighbourhood planning, institutional rational choice, London, community, governance.

Introduction

The question of neighbourhood participation within planning nestles in the midst of two sets of conflicts: between public good and self-interest, and between hard government forms and softer, more fluid, governance processes. In broad social terms the contract between the governed and those governing has changed. We live in a more individualistic and fragmented society in which people are less likely to accept as given the expertise or wisdom of politicians and those who advise them. Moreover, governments in more market-orientated states such as the UK have only fuelled this scepticism by narrating the limited competencies of the public sector when compared with the private (Lord and Tewdwr-Jones 2014). In the case of the US this is reflected in the rise of Homeowner Associations as a private alternative to local government (Nelson 2004, 2005). Accompanying the existing but weakened local state planning function, and a prominent role for the market, has been an attempt to give local citizens greater say in shaping their places, driven in part by an ideological belief by national politicians that elected local government is both inefficient and unrepresentative (Clifford and Tewdwr-Jones 2013). This has led to a suite of measures to encourage community involvement (Nadin 2007), but which do not always sit well with a neoliberal ethos for planning and complex webs of networked governance models in practice (Allmendinger and Haughton 2010), which can still deliver planning decisions but which are sometimes viewed by local communities as a distant imposition.

The challenge of delivering development that is required nationally but unpopular locally remains an imponderable. This is exemplified in England¹ by the urgent need for more housing

in London and the southeast of England but where local households, especially homeowners, often have sound rational reasons for resisting this. This balancing of the recognition/protection of local self-interest against the 'public good' is echoed internationally with some arguing that, "[local self-interest] is a poor basis for national housing policy. The proper role of [...] government is to lean against the local tendency to block new projects" (Glaeser and Gyourko 2008, 4). Planning, of course, as both the enabler and regulator of new development often sits as an unpopular referee between pro-development and community-resistance interests.

In the UK, the Conservative-led coalition government (2010-15) introduced neighbourhood planning as part of its broader 'localism' agenda after its election in 2010. This represented a range of initiatives informed by and that seek to work with self-interestⁱⁱ. This represents a fundamental shift that has not been emphasised sufficiently in the early literature on neighbourhood planning; indeed, neighbourhood planning has been criticised for its failure to anticipate the effects of self-interest (Holman and Rydin 2013). Here, rather than being regarded as an omission, the influence of self-interest is positioned as informing the very logic of neighbourhood planning. The key question we seek to address is the extent to which neighbourhood planning is likely to provide the basis for neighbourhood groups to make rational choices in pursuit of their self-interest that coincide with the wider public good that requires development. This question was addressed through work with a community as they developed a neighbourhood plan. As a neighbourhood plan has legal status any group seeking to develop one must be recognised by the local authority as a 'neighbourhood forum' (different

arrangements apply in rural locations). This article reflects work with the Mill Hill neighbourhood forum in outer London.

In the following section, the structure of neighbourhood planning and associated 'incentives' is set out. We follow this by focusing on the findings from the case study; these are structured around the rational choice criteria for participation set out by Parker and Murray (2012), assessing costs in terms of: time; the penalties of non-participation; benefits in relation to gains in human capital, and; possible planning outcomes. The case study suggests that neighbourhood planning has the potential to be successful in its appeal to rational choice but it is all too easy for subsequent actions by government to tip the balance against participation. The experience recorded here we might term as one of fragile possibilities.

Neighbourhood planning as rational choice

In this section the localism agenda of the Conservative-led coalition government is set out, including the introduction of neighbourhood planning. The broader changes under localism seek to offer a range of incentives to make it rational for local residents to accept development. However, part of localism - neighbourhood planning - has also to make it rational (or worthwhile) to participate actively in planning for development. The two are not unrelated but neither are they identical. Therefore, the narrow-interest economic rational choice modelⁱⁱⁱ of localism is set against a wider model of 'institutional rational choice'. Where the former focuses on government signals that seek to make it rational for residents to accept development the latter looks at the wider 'Action Situation' (Ostrom 2007) that renders participation relatively more or less rational. This approach stands in contrast to approaches of the previous New

Labour administrations of 1997-2010, which drew on the principles of collaborative and communicative planning (Healey 2005; Clifford and Tewdwr-Jones 2013), where the assumption was that providing space for dialogue would create the conditions for agreeing on the public good that would take precedence over self-interest. The Conservative opposition was able to depict this approach as top down because it failed to overcome the perception that housing targets were being forced on local communities (Mace 2013). Rather than seeking to persuade people to recognise the common good over self interest, as the previous system had, a more prominent role was given to fiscal incentives.

In addition to neighbourhood planning, communities have been offered incentives to plan for and/or accept new development. The New Homes Bonus and the Community Infrastructure Levy both provide fiscal incentives/compensation for development. Under the New Homes Bonus central government matches the local property tax (Council Tax) raised from new households for six years and this additional funding can be used to reduce Council Tax or provide more funding to services^{iv}. The link between local development and a revenue stream going to and controlled by the local authority is remote and might not tip the rationality of communities accepting new development; however, this is only one of a suite of incentives. A local authority can develop a charging schedule for a Community Infrastructure Levy (CIL). This is based on a calculation of required infrastructure, widely interpreted, and moderated by testing whether the charge would negatively impact the viability of development in a given area. Where charged, a proportion of CIL is ring fenced for local community use and where a neighbourhood plan is in place, the proportion of CIL allocated locally increases from 15% to 25%. Therefore establishing a neighbourhood forum and developing a neighbourhood plan

provides a direct link between development and a fiscal benefit. With CIL, the UK government is signalling the logic of accepting the principle of development and incentivising participation within local neighbourhood planning.

In addition to fiscal incentives, a series of other initiatives are also available to bodies engaged in neighbourhood planning. The overriding character of these is that they offer a nudge to take a pro-active role in development in the neighbourhood. Summarised from government documentation (CLG 2012), these are:

- Neighbourhood Development Orders allows a forum to grant planning permission;
- Community Right to Build lets a forum develop small-scale projects including local shops under a relaxed planning regime;
- Community Right to Bid allows a community to seek a pause in the sale of recognised community assets (eg pubs, cinemas – as listed by the Local Authority), the community then has six months to make its own bid.;
- Community Right to Reclaim Land allows a community to make a request to central government to require a public body to sell land that is under-utilised;
- Design support for communities, in its early stages seeks to provide design guidance to communities.

These incentives are modest in the face of longstanding opposition to development, especially prevalent in the relatively densely populated southeast of England. Moreover, they are not freely gifted to a community; rather, to be achieved they require considerable organising and input – especially if a community is to develop a neighbourhood plan. In developing a

framework for institutional analysis, Ostrom (2007) usefully identifies an 'Action Area' bringing together both 'Actors' and 'Action Situations' where the former focuses on the characteristics of participants and the latter on conditions. Reflective of this approach Rydin and Pennington (2000), in their work on community engagement, list four elements that a member of the public will take into account before deciding, whether, on balance, it is worth becoming involved; these are reframed by Parker and Murray (2012) as rational choice questions. These are used to structure the empirical section below and are: costs in terms of time and other resources; personal human capital gains; penalties of non-participation, and; the likelihood of making a difference. From this perspective we look at how the government has sought to engineer the planning system to incentivise economic rational choice in favour of development but how, in so doing, communities are also required to make a series of rational choices as to whether it is worth engaging with the new institutions of localism including neighbourhood planning. The article now goes on to report on a single case study of a neighbourhood forum as it progressed through its first year.

The case study and methods

The case reported here is that of the Mill Hill Neighbourhood Forum (MHNF). In the summer of 2014 the chair of the MHNF approached one of the authors to ask if a group of planning students might be identified to produce a preliminary report as part of the process of developing a neighbourhood plan. Therefore, the relationship with the MHNF was not simply one of researcher/researched, as over the course of a year there was involvement with a number of the interviewees beforehand as the supervisor of the student group. This produced a greater awareness of the narratives that interviewees developed over time and rehearsed in

interview situations. The research comprises interview material from a set of key experts.

Although these are modest in number (ten), each interviewee offered considerable insight into the area as they possess a variety of expertise with regard to local politics, planning and the working of the forum. Interviewees comprised politicians; the Member of Parliament, the Greater London Authority (regional) assembly member and a local councillor. Local officers; a local planner and a commissioning official. And representatives of civil society; the chair of the forum, other members of the committee and the chair of the local preservation society. All interviews were semi structured following a similar set of themes but with some questions reflecting the particular experience and expertise of the interviewee. The interviews were recorded and coded following a series of themes. Most of the themes were developed in advance of the interviews but others emerged in the course of reviewing the interviews.

The forum covers the Mill Hill Ward^v and NW7 postcode (ZIP code) addresses within the neighbouring Hale Ward, all within the London Borough of Barnet in outer London. With more than 13,000 dwellings the area also contains a high proportion of open space including golf courses and sports fields. As selected data in Table 1 indicate, Mill Hill is relatively privileged even within the suburbs. Home ownership is relatively high and social renting low. The proportion of residents in the higher socio-economic categories is high and the proportion of residents in the lower socio-economic categories low.

“Table 1 here”

Notwithstanding the differences between neighbourhoods in outer London, there is a set of common issues impacting most suburbs: poorly performing high streets; the loss of

employment including a declining office market, and; dependence on the car as a means of transport. All of these issues are to be found in Mill Hill alongside the London-wide need for more housing, including affordable housing. The MHNF has focused on the poor state of the local high street and, relatedly, a declining sense of community that is now less focused on the neighbourhood as people increasingly socialise elsewhere, including via social media. The forum's concern for the high street produced affirmation of the government's attempt to produce a positive response to development by stressing the benefit to existing communities. The military had sold a former barracks to developers; currently under development with 2,000 new dwellings to be provided over the next 10 years. The future of this site was determined before the forum was established but, reflective of its entrepreneurial stance, the forum sought to make the development an asset by thinking of ways to encourage new residents to become patrons of the shops and services in Mill Hill. With regards to the local economy, the concern locally is not unemployment (residents commute elsewhere), but rather the loss of local employees' spending. The closure of a medical research centre, located in Mill Hill since the 1950s, led to 600 jobs being relocated to central London. This underscores the weakness of the suburbs in the knowledge economy that favours face-to-face interaction.

The rationality of participation in neighbourhood planning

This section is structured using the four tests for participation that Parker and Murray (2012) employ.

Costs in terms of time and other resources.

The neighbourhood planning process does not enter an empty organisational or institutional space. The Norland Conservation Society, established in 1969 in Kensington and Chelsea, developed the first neighbourhood plan adopted in London. This group reconstituted itself to become recognised as a neighbourhood forum. This would have been an option in Mill Hill too, as the Mill Hill Preservation Society (MHPS) is a longstanding organisation established in 1949 and there is also an active Mill Hill Residents' Association dating from 1909. The area, therefore, hardly comes new to local activism but the leaders of the most obvious candidate to become a 'forum', the MHPS, decided they did not want to assume this role. The volunteers of MHPS already commit considerable time to reviewing planning applications for the area and have access to a range of technical skills including those of architects; extensive alterations have been made to planning applications as a result of representations. They have a close working relationship with local politicians and have represented themselves at committee hearings of the national legislature. The group did not want to dilute their available resource and mission by becoming a forum, but they facilitated a discussion of the development of neighbourhood planning which led to one member deciding to form the Mill Hill Neighbourhood Forum; he now serves as its chair.

The process of developing a neighbourhood plan requires a considerable commitment over a period of time. It takes at least two years to complete a plan, which has to meet a set of legal tests before it can be adopted as a planning document for use by the local authority. Given this and the existence of the MHPS and the Residents Association, research interviewees were asked what they thought the neighbourhood forum added to the present arrangements.

Interviewees were in agreement that, overwhelmingly, the forum was drawing on the existing

pool of active residents in the area with only a few new people being drawn in. Therefore, the forum is in danger of stretching more thinly the existing community resource. A key question was whether the additional commitment was viewed as worthwhile. Nearly all respondents were clear it was, with the appeal of neighbourhood planning being the opportunity to be proactive in setting out a future for the area rather than being reactive to proposals for new development. Although there is a substantial crossover between membership of the MHPS and the MHNF, the two organisations were constantly contrasted. Fairly or not, most interviewees noted the preservation focus of the MHPS was inscribed in the society's very title. It was therefore seen as having a particular and specialist remit that was contrasted time and again to the more open remit of the neighbourhood forum.

The proactive role of the neighbourhood planning process was seen as providing a space where local people could think in the long term about the area. Here the government's policy appears to have tapped into a powerful desire to move beyond simply responding to proposals for change. This is reflective of wider survey work that has found a broadly positive response from participants to neighbourhood planning (see for example Parker et al. 2014).

An alternative rationality for the commitment of time came from a local councillor. One might expect the forum to be treated with suspicion by councillors, as it could become an alternative means of representation for local people with the emergence of participatory politics at the expense of representational politics. However, the local councillor welcomed the forum's role because it provided an additional means for capturing concerns and priorities in the area. The councillor was clear that, in the absence of organisations like the forum, it would be necessary

to set up alternative mechanisms. Committing time to local organisations such as the forum meant the councillor was rarely surprised at official political meetings by the strength of feeling towards a local issue since the forum (along with other local organisations) was effective in airing 'up and coming' issues. For the councillor participation is an efficient use of time as it reduces transaction costs by providing a composite, and possibly more balanced, view of community concerns; lobbying by individuals could focus a councillor on more personally emotive but less representative concerns.

Personal human capital gains

While Parker and Murray (2012) reference human capital, in practice the wider literature on involvement and planning segues between human and social capital and, therefore, both are referenced here. Justifications for greater community engagement in planning and governance more generally are often based in a deficit model where participation is seen as a means to top-up inadequate levels of capital (Cochrane 2007). Members of the Mill Hill forum are rich in human and social capital and it is not evident that potential gains through involvement would be a rational reason for participating. However, an alternative focus on social capital as an aspect of 'network power' (Booher and Innes 2002) is helpful here for several reasons. It refocuses on social capital as a means to influence and to get things done. In theoretical terms, it focuses us away from Putnam's (2001) use of social capital, which conceptualises flows of capital from one person to another, and onto Bourdieu's usage where it is conceived of as being held and employed by individuals seeking particular outcomes (Bourdieu 1986). Network power focuses squarely on the exercise of power in participation: "Self-interest and rational choice drive network power. Stakeholders very rarely participate in collaborative efforts

because they are selfless altruists or because they are searching for the common good.

Participants become involved because they have learned their interests are interdependent in some way on the action of others” (Booher and Innes 2002, 227). Viewed through this lens, participation in a neighbourhood forum is rational as a way of deploying social capital rather than as a means to address a lack of it. Put bluntly, people participate because, “[t]hey hope to achieve something together that they cannot achieve alone” (Booher and Innes, 227; see also Sager 2006).

In these terms, the creation of a neighbourhood forum has increased the ability of participants to engage their existing human and social capital effectively. While other means are possible (including, in this case, the existing MHPS), the process of neighbourhood planning has opened up the possibility of new conversations with local government, regional bodies including Transport for London (TfL), and the UK government’s planning department (Communities and Local Government). This is an example of the importance of loose ties (Granovetter 1973) in allowing the forum to draw other significant organisations into dialogue about the future of Mill Hill. The chair of the MHNF stated: “We are engaging Highways England, Network Rail, Govia-Thameslink, TfL [public transport providers] and Barnet Council in a project to make Mill Hill Broadway Station fit for purpose, which is something that would never have happened without our intervention and drive” (Chair MHNF 2015)^{vi}. This at least hints at the ability of neighbourhood groups to scale up from thinking and planning ‘local’ (Benner and Pastor 2015), to begin to deal with multiple organisations that operate across political jurisdictions and so to cope with the fuzzy spaces of planning (Allmendinger and Haughton 2010).

One hypothesis informing the research was that because a completed neighbourhood plan would become a statutory document within the planning system, this would provide leverage to the community in its engagement with others. Interviewees were asked about this and while a few agreed, most disregarded the idea, possibly because they already felt empowered. Several reframed the question in terms of the forum benefitting from being an early adopter, the first in the London Borough of Barnet. This was supported by council officers who described how they had given more time and attention to the forum than they would likely give to any later ones as they were 'on a learning curve'.

Penalties of non-participation

The possible penalties of non-participation have an group and an individual perspective. The group could have chosen not to create a forum and not to develop a neighbourhood plan. The risks of not doing so can be framed in terms of a missed opportunity to extract CIL from the local authority and to use other 'localism' related options described previously. Of course, the decision to seek to exploit these opportunities rests on the fourth rationale for involvement: the likelihood of making a difference, which we turn to later. However, it became evident that the risk of non-participation works on two levels. In addition to the risk of not setting up a forum and so not participating in the government's 'offer', the second risk was for an individual not to participate in the forum once it was established. Here, the rationale for committing time to involvement was that the forum was an unknown entity and some had an interest in seeing how it would develop. The forum might develop a plan and role with which individuals are perfectly content but some interviewees reported a decision to participate in order to challenge the direction of travel if they disagreed, including members of the Mill Hill Preservation Society.

The MHPS and forum have members on each other's board and there is regular and close contact between the two. However, both are aware that they may come into a more adversarial relationship as the plan develops.

One member of the forum described taking part primarily to offset the potential penalties of non-participation. He described himself as not normally being involved in community organising. However, on hearing of the development of the forum and plan, he reported a concern that this might lead to policies that unintentionally might do more harm than good, especially for the high street. Therefore, he saw his role as keeping the forum focused on modest and achievable interventions that would have more predictable, positive outcomes. Others were less direct in expressing their role in these terms but still were aware of the importance of having their perspective represented within the forum as a counter to others with differing views. This is not to suggest a forum riven with internal divisions as at this early stage the different parties appeared to be working together effectively. Rather, it is to acknowledge the dynamics of any group of people where there will be competing objectives and views.

Likelihood of making a difference

A striking feature of setting up a forum, and returning us squarely to institutional rational choice, is the extent to which it is an exercise in the unknown for the communities concerned. The process of engagement and negotiation described will not provide a certain outcome. This said, assessing the likelihood of making a difference depends on the extent of the difference sought. The members of the forum appeared to accept the extent of their remit as set out by

central government. In particular, the Chair was robust in communicating this to local people – change is inevitable, development will take place and the neighbourhood planning process was, therefore, a means to seek more positive outcomes, but not to seek to stop or substantially lessen development^{vii}. Beyond engaging on the government's terms of managing new development, any forum has to decide on the extent of its ambition within this context. As we have seen, during the course of the first year, forum members engaged in network power to test for possibilities and to make, or further relationships with other organisations that might help them define the extent of their aims and then to realise them. In the case of the closed medical centre, for example, a key question was whether the forum should lobby for the retention of some employment uses on the site. At the beginning of the forum's life, the possibility of promoting the area for employment uses was mooted – where the forum envisaged capturing some of the commuters that pass daily through the area as they travel between Central London and the authorities neighbouring Greater London. This aim, while laudable, would seek to reverse more general trends in employment in London and the wider region. Although the forum maintains the broad ambition, they have come to accept that the former medical research site will become housing and is unlikely to provide any significant future employment.

A second example, and a core reason for the formation of the forum, was the desire to arrest the decline of the high street at Mill Hill Broadway. While high streets are subject to external economic forces, there are a series of interventions that are within the gift of the local authority and where the forum is seeking to exert pressure. This includes: parking charges; better management of the public realm (including enforcing regulations on the location of

waste bins and de-cluttering street signage and furniture); developing a public break out space, and; tree planting. Using the wider localism laws, the forum is also seeking to take over a building in a local park as a 'community asset', to be run as a community facility including a café and possibly also serving as the local library – the current library is under threat from spending cuts. Improvements to Mill Hill Broadway and running a 'community asset' look more achievable than influencing the fate of the former medical research site. But even on the high street the forum is considering larger capital projects including the development of an existing ground level car park into offices. More ambitious projects led to objections from one interviewee, (GLA Member), who expressed general opposition to neighbourhood planning, as it has been constituted, holding the clear view that it would make little or no difference. Worse still, in his view, was that the process would be damaging as it would raise expectations in the local community that could not be realised, reinforcing electorate cynicism of politics more generally. It remains to be seen whether the forum constrains or expands its ambitions and how this impacts members' assessment of its effectiveness and their future commitment.

A final aspect of making a difference is that neighbourhood planning depends on many actors, on network power. The uncertainty of outcome is highlighted by the extent to which the long-term effectiveness of neighbourhood planning depends on, among others, central and local government and the legal processes of planning (Homan and Rydin 2012). All of these have a direct and on-going influence, as they will be significant in determining the weight given to the Mill Hill Neighbourhood Plan. As the UK system is plan-led (and not zoned), there is much room for discretion (see Tewdwr-Jones 1999).

Discussion

Despite neighbourhood planning only being in existence since 2011, central government in England is already embarking on a series of reforms about the future of the planning system and related localism matters that threaten to undermine the rationality and the significance of neighbourhood planning. A few early and prominent examples include financial arrangements and changes of use. In London, the focus of this paper, the New Homes Bonus has been top-sliced with some of the funding going to Greater London planning and economic development interests. This further distances the bonus from local communities so undermining the rationality of accepting new housing development in a neighbourhood in return for a financial incentive. More generally, it casts doubt on the durability of policies intended to signal the rationality of accepting new development, since benefits are clearly liable to be reapportioned by central government. Furthermore, CIL has been the subject of a series of rulings requiring local authorities to revise or suspend their schedules as developers argue that in the current (ongoing) economic climate, the charge makes development unviable. In an attempt to accelerate the development of new housing, central government has also altered planning law to allow for the conversion of offices to residential use with minimal planning intervention. In and near to the Mill Hill area, this is leading to a number of conversions where neither a neighbourhood plan nor the borough's local plan will have any influence. While central government may believe there are compelling reasons for making these and other interventions, they have the potential to undermine the rationality of neighbourhood planning^{viii}.

Moreover, the role of local government will also be important as local authorities remain the primary agents determining planning applications and there will be significant scope for them to give more or less weight to neighbourhood plans. Once a neighbourhood plan is in place it will require an on-going relationship between the forum and the council (local authority), that could easily become fractious. The GLA member, opposed to neighbourhood planning, questioned the likely commitment of the local authority (London Borough of Barnet), to interpreting strongly policies in the future plan where these make demands on developers. While this is speculative, the point stands that the future plan will depend on the commitment of the council to realise the neighbourhood plan's full potential.

In 2015 in cases elsewhere in England, in Milton Keynes and Aylesbury Vale, councillors backed applications to extend a shopping mall and to build new houses (respectively), against objections that the applications were contrary to neighbourhood plans. These are early examples of the possible limits of neighbourhood planning where those who have developed the plan have no direct say in its application. Such decisions can be appealed to the national Minister for planning. During 2010-15, the Conservative-led coalition government minister gave substantial weight to neighbourhood planning when considering appeals. On several occasions, for example, the minister ruled against planning applications on the basis that a decision would be premature because a neighbourhood plan was in preparation. This sent a clear signal that the minister considered neighbourhood plans as significant (Johnston, 2014). However, the initiative was new and so it was logical to signal its presence and significance by making such decisions, this may not endure. In some instances Ministerial decisions can be challenged through the courts. Already a number of decisions refusing proposed development

have been challenged by developers in the High Court arguing that too much weight has been given to a neighbourhood plan (Carpenter 2015) when deciding a refusal. Government cannot always predict how the weighting of neighbourhood plans will ultimately be interpreted through the courts.

Neighbourhood planning, therefore, sets up a potentially adversarial relationship between local government and those communities developing neighbourhood plans. This is further complicated by other provisions under the Localism Act 2011. This includes the Community Right to Challenge, permitting community groups to require a local authority to consider a tender to run a part or the whole of a local service. A further example of how the process could intervene in existing relationships is the 'Neighbourhood Development Order' where a forum can grant permission for a specified development that overrides the need for planning permission from the local authority. This tiers the granting of permission down to the forum although it does require a period of local consultation, a referendum and the permission is only possible if it is in conformity with policy in higher-level plans. As part of the localism agenda, these powers hint at the part-privatisation of local governance with echoes of Homeowner Associations in the US (Nelson 2004, 2005). They are readily viewed through the lens of New Public Management with the rationality of engagement becoming to act as a check on local public authorities. In the case of Mill Hill, the chair of the forum was clear that they would progress the cause of Mill Hill by working with, not against, the local authority, describing the approach to date as one that positions the forum as a critical friend to the council:

“We are looking strategically at our area and joining up the dots between the different silos within the council and other public bodies. Our approach has been to be constructively challenging rather than controversial in our discussions with the council and all other stakeholders, and this style has been most appropriate in getting them to work with us. We are expressing what is needed locally without being prescriptive about how it will be achieved... Overall MHNF, through our actions and lobbying, is bringing focus, perhaps even priority, to Mill Hill that might otherwise drift to other parts of the Borough, where Barnet Council might perceive greater need.”

However, the move to repurpose a building in a park as a community facility and discussion of the local high street has led to questioning of the local authority. A view was expressed that, in the long term, the local community might run parks more effectively than the local authority because there would be a better understanding of local needs and a greater commitment to the park on the part of residents. Similarly, the state of the high street gave rise to questions about the local authority’s parking policies, and its enforcement of street management (especially making sure that commercial waste is managed properly).

Conclusions

The focus of this paper has been the development of neighbourhood planning in England, in particular the way in which the system has been engineered around rational choice. This marks a significant shift from earlier formulations of the planning system. Although focused on recent UK experience, the issues raised have much broader application as governments seek to

employ planning systems to manage the, often contrary, forces of the market and local preferences and interests. Previously, New Labour's institutional reforms were a hybrid of collaborative planning and a hierarchical planning system, where the collaborative strand opened up discussion and encouraged participation, while the hierarchical element was effective in closing down debate and arriving at a decision. It was assumed that, within this system, fuller participation would lead to resolution around an identified public good (in the context of the market). However, this did not happen and the post-2010 Conservative-led coalition government produced a system with a very different understanding of human motivation. Broader questions can be asked about who is participating in neighbourhood planning, but the aim here has been to critique neighbourhood planning in its own terms. We have done so in the context of the wider localism agenda to ask if this makes accepting development rational for existing residents and, relatedly, if it is rational to be involved in the related activity of neighbourhood planning.

In the case of Mill Hill's forum, members have evidently decided that, at present, the costs of preparing a plan are worthwhile^{ix}. The clearest case for devoting time to the forum, alongside existing community groups, is the desire to take a proactive role in the planning process. Along with other studies of neighbourhood planning (e.g. Parker et al 2014, 2015), this research finds that government has successfully tapped into a desire to proactively plan at a sub local authority level. The process has provided a space to think about the neighbourhood and what change is desired. It has led to opportunities for members to network with professional groups and networks of governance that influence broader change in the area. The crucial question for rationality remains to be answered: how much of a difference will the neighbourhood planning

process make? The answer to this question is uncertain because it rests on two very variable elements. First, the expectations of neighbourhood planning that the forum comes to establish; too high an expectation to influence events will lead to disappointment, too low an expectation may generate disinterest. This is a delicate balance for a forum to manage. Secondly, and related, the possibilities of neighbourhood planning rely on many external actors, including central and planning law but, crucially also, individual relationships with local government. These are fragile foundations.

Central government has, since 2010, made numerous changes to the planning system, not all of which sit well with localism. The tendency to impose top-down solutions is always a temptation, but could very easily undermine a forum's belief that they are able to make a difference. Even where the government is supportive of neighbourhood planning, the courts can interpret planning law in ways that are not supportive and central government is unlikely to respond rapidly to legal challenges not least because the desire to promote neighbourhood planning is only one factor weighing into national planning policy that often promotes neoliberal agendas. A further key element is the relationship between the local authority, the forum and the neighbourhood plan. Crucially, once the plan is adopted it is the local authority that will, in the first instance, have to weigh the plan alongside other material considerations when determining applications for development. The continuing rationality of involvement is, therefore, closely linked to the local authority having due regard to neighbourhood plans. This and other aspects of localism may only serve to make for factious relationships, including that central government has built aspects of community control into localism that suggests a New

Public Management agenda. In the case reported here, relations have been good to date but are not without ambiguity.

Neighbourhood planning has enjoyed some success, measured in terms of public commitment. However, at present participation appears to be as much about faith as rationality. If central government is to keep rational choice on the side of participation *and* development, it will have to nurture the system, including reining in any desire to resort to quick fix centralised impositions, and being attentive to the emerging relationship between local authorities and forums.

ⁱ Planning in the UK comprises of four subtly different systems of legislation and policy in England, Wales, Scotland and Northern Ireland. Each of the devolved administrations outside England can initiate their own planning arrangements. There is no English parliament; the UK government initiates planning for England.

ⁱⁱ The planning system is a function of a dual polity, between central government and local government. With no written constitution, central government is very powerful in the UK and can reform local government more or less at will. English planning has been subject to recent

legislative reform in 2004, 2009, 2011, 2013, 2015 and 2017. This article is concerned with Neighbourhood Planning, and applies to England alone.

ⁱⁱⁱ Neighbourhood planning rests on the premise that the individual will make decisions based on self-interest. While this has its roots in 19th century economics, the idea has also come to be used by some social scientists to explain human behaviour. This raises a series of issues that are not within the scope of this paper; for example, does the individual have sufficient information to establish which decision/choice is in their best interest. Will a new housing development suppress property values (an important self-interest consideration for owner occupiers), or will it lead to overall improvements that push up values?

^{iv} Over 70 per cent of taxation in the UK is collected by central government and then returned to local government in a block grant settlement each year that is variable. Local government is able to raise local taxation on property through the Council Tax but taxation rates are fixed nationally. Since 2010, the UK government has been reducing the size of block grant to local government as part of so-called austerity measures/spending cuts.

^v A ward is a political sub-division of a London Borough and is the level at which councillors (representatives) are elected.

^{vi} The range of organisations and agencies responsible for rail services and stations is indicative of the privatized rail network in the UK: stations and train services are owned and managed separately, and are not necessarily integrated with other public transport services.

^{vii} This is a legal condition of the neighbourhood planning process established by the UK government through the Localism Act 2011: neighbourhood forums cannot unilaterally block or prohibit new development, but can seek to influence the form of development. In reality, this

exposes the government's concern that local community groups could use localism to be anti-developer.

^{viii} This is a very fluid situation as currently a series of pending and proposed legislation has implications for the status of neighbourhood plans. This includes the Neighbourhood Planning Bill 2016-17 (Bill 61), which seeks to facilitate the faster delivery of new housing development and a ministerial statement (12 December 2016 and which has legal weight) outlining that neighbourhood plans should be upheld, in some circumstances, where the Local Authority plan is out of date. At present an out of date plan makes it much harder to refuse speculative applications for planning permission (which may not be in line with policies in the out of date plan)

^{ix} As of April 2017 the plan is still being prepared reflecting the significant commitment of time required to produce a neighbourhood plan.

References

- Allmendinger, P. and G. Haughton. 2010. "Spatial planning, devolution, and new planning spaces." *Environment and Planning C* 28 (5): 803–818.
- Benner, C and M. Pastor. 2015 "Collaboration, Conflict, and Community Building at the Regional Scale: Implications for Advocacy Planning." *Journal of Planning Education and Research* 35 (3): 307-322
- Booher, D.E. and J.E. Innes. 2002. "Network Power in Collaborative Planning." *Journal of Planning Education and Research* 21 (3): 221–236.
- Bourdieu, P. 1986. *Distinction: A Social Critique of the Judgement of Taste*. London: Routledge.
- Carpenter, J. 2015. Pickles Suffers Third Neighbourhood Plan Legal Setback. <http://www.planningresource.co.uk/article/1346198/pickles-suffers-third-neighbourhood-plan-legal-setback>, accessed 11 April 2017.
- CLG. 2012. Policy paper 2010 to 2015 government policy: localism' <https://www.gov.uk/government/publications/2010-to-2015-government-policy-localism>, accessed 11 April 2017.
- Clifford, B., and M. Tewdwr-Jones. 2013. *The Collaborating Planner? Practitioners in the Neoliberal Age*. Bristol: Policy Press.
- Cochrane, A. 2007. *Understanding Urban Policy: A Critical Introduction*. Chichester: Wiley-Blackwell.

- Dunton, J. 2015. What recent decisions imply for the weight given to neighbourhood plans. Planning Resource.
<http://www.planningresource.co.uk/article/1363308/recent-decisions-imply-weight-given-neighbourhood-plans>, accessed 11 April 2017.
- Glaeser, E. L. and Gyourko, J. (2008) *Rethinking Federal Housing Policy How to Make Housing Plentiful and Affordable*. Washington, D.C.: The AEI Press/American Enterprise Institute.
- Granovetter, M.S. 1973. "The Strength of Weak Ties." *American Journal of Sociology*. 78 (6): 1360–1380.
- Hall, P. and Tewdwr-Jones, M. 2011. *Urban and Regional Planning*. London: Routledge.
- Healey, P. 2005. *Collaborative Planning: Shaping Places in Fragmented Societies 2nd edition*. Basingstoke: Palgrave Macmillan.
- Holman, N. and Y. Rydin. 2013. "What Can Social Capital Tell Us About Planning Under Localism?" *Local Government Studies* 39 (1): 71–88.
- Johnston B. 2014. Comment - Neighbourhood Plan Weight is Increasing.
<http://www.planningresource.co.uk/article/1313481/comment-neighbourhood-plan-weight-increasing>, accessed 11 April 2017.
- Lord, A. and M, Tewdwr-Jones. 2014. "Is planning "under attack"? Chronicling the deregulation of urban and environmental planning in England." *European Planning Studies*. 22 (2): 345–361.

- Mace, A. 2013. "Delivering local plans: Recognising the bounded interests of local planners within spatial planning." *Environment and Planning C: Government and Policy*. 31 (6): 1133–1146.
- Nelson, R.H. 2004. The Private Neighborhood. *Regulation*. 27(2): 40-46.
- Nelson, R.H. 2005. *Private Neighborhoods and the Transformation of Local Government*. Washington, DC: Urban Institute Press.
- Ostrom, E. 2007. Institutional Rational Choice: An Assessment of the Institutional Analysis and Development Framework. In P.A. Sabatier (ed) *Theories of the Policy Process*. Cambridge, MA: Westview Press. 21-64.
- Nadin, V. 2007. "The emergence of the spatial planning approach in England." *Planning Practice and Research*. 22 (1): 43–62.
- Parker, G., and C. Murray. 2012. "Beyond tokenism? Community-led planning and rational choices: findings from participants in local agenda-setting at the neighbourhood scale in England." *Town Planning Review*. 28 (1): 1-28
- Parker, G., T. Lynn, and M. Wargent. 2014. User Experience of Neighbourhood Planning in England Research - My Community. Locality.
<http://mycommunity.org.uk/resources/user-experience-of-neighbourhood-planning-in-england-research/> accessed 11 April 2017.
- Parker, G., Lynn, T., & M. Wargent, M., 2015. "Sticking to the script? The co-production of Neighbourhood Planning in England." *Town Planning Review*. 86 (5): 519–536.

October

Putnam, R. 2001. *Bowling Alone: The Collapse and Revival of American Community New edition*. London: Simon & Schuster Ltd.

Rydin, Y. and M. Pennington. 2000. "Public Participation and Local Environmental Planning: The collective action problem and the potential of social capital." *Local Environment*. 5 (2): 153–169.

Sager, T. 2006. "The Logic of Critical Communicative Planning: Transaction Cost Alteration." *Planning Theory*. 5 (3): 223–254.

Tewdwr-Jones, M. 1999. "Discretion, flexibility and certainty in British planning: Emerging ideological conflicts and inherent political tensions." *Journal of Planning Education and Research*. 18(3): 244-56.

Table 1. Selected Census* & House Price Data** for the Mill Hill Ward compared to London and England

Selected tenures 2011 (% households)	Mill Hill (ward)	Barnet (borough)	London	England
Owned; outright	30.3	28	21.1	30.6
Owned; Owned with a Mortgage or Loan	34.1	29.6	27.1	32.8
Social Rented; Rented from Council (Local Authority)	5.4	8.6	13.5	9.4
Selected National Statistics Socio-economic Classification (% persons)	Mill Hill (ward)	Barnet (borough)	London	England
Group 1; Higher Managerial, Administrative and Professional Occupations	16.5	14.8	13.2	10.4
Group 2; Lower Managerial, Administrative and Professional Occupations	24.9	23.7	23.1	10.4
Group 6; Semi-Routine Occupations	8.2	9.1	10.4	14
Group 7; Routine Occupations	4.4	5.9	7.4	11
Median house price (£)	Mill Hill (ward)	Outer London	All London	England
2002	239,950	168,500	181,500	114,000
2006	293,500	230,000	245,000	168,500
2010	348,500	250,000	287,000	185,000
2014	520,000	318,000	365,000	198,000

Source: *2001 Census Key Statistics.

www.neighbourhood.statistics.gov.uk/dissemination/LeadDatasetList.do?a=7&b=13688564&c=Mill+Hill&d=14&g=6318530&i=1001x1003x1032&m=0&r=1&s=1481708538188&enc=1&domainId=62

** Land Registry/GLA. *Average House Prices, Ward, LSOA, MSOA*

<https://data.london.gov.uk/dataset/average-house-prices-ward-lsoa-msoa/resource/886afe00-41d7-4986-80ff-f571805d85>