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# Post Planning-Decision Process: Ensuring the Delivery of High-Quality Developments in Cardiff

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## Abstract

Housing development is a lengthy and multi-step process; starting from the initial stages of a planning permission proposal to when a proposal is realised on-site. Each stage seemingly impacts how developments are delivered; however, research is limited into why quality of development has been seen to weaken in the post planning-decision stage (i.e. the stage after a planning permission is granted). This paper uses a case study of Cardiff to explore whether the key stages of the UK development management process could be improved to influence the delivery of high-quality housing developments. Using semi-structured interviews, this paper investigates the perceptions of planning professionals towards the requirement and applicability of improved methods, covering the following issues: a) the role of key actors in influencing outcomes during the development management process; b) the factors hindering implementation of high-quality developments; and c) how involved actors can improve the delivery of housing developments. The findings of the paper show that involved actors principally perceive inadequate local authority resource, limited enforcement powers, and a lack of on-site monitoring to be key hinderances in ensuring developer compliance, which to an extent, has a bearing on the implementation of high-quality developments. Furthermore, a difference in attitudes and knowledge towards development aspirations is uncovered, which reveals to have a considerable influence on the outcome of development quality. However, where resource may be available, some mechanisms are proposed by planning professionals as potential key factors in improving the post planning-decision process.

**Keywords:** Development Management; Planning Enforcement; Post Planning-Decision Process; Housing; Cardiff.

## 1. Introduction

Good planning and design can increase the social and environmental value of housing developments, in terms of, for example, creating well-connected places, delivering development that is sensitive to its surroundings, as well as enhancing civic pride and image (CABE, 2001; Shahab et al., 2019). However, the consistent achievement of design quality remains challenged, as the development management process has demonstrated an inability to routinely add value to development, due to Local Planning Authorities (LPAs) being under-skilled, under-resourced, and too pressured for rapid decisions (Punter, 2006). Furthermore, the powers of public-sector planners have been viewed as 'blunt' instruments in meeting a number of planning objectives, as many factors influencing development quality lie outside of the powers granted to LPAs (Carmona and Sieh, 2004). Similarly, planning enforcement

regimes have continued to display features of a weak compliance mechanism (Leshinsky and Schatz, 2018). For example, Prior (2000) noted that there is major under-capacity and limited political commitment by LPAs to successfully implement the current planning enforcement model within the UK.

In recognising the inefficiencies of the development management process and enforcement instruments, studies have discussed the requirement for institutional changes within both public and private-sector approaches. Good design in future practice is considered to be a movement away from the 'commoditisation' of homes that is associated with real-estate markets (Gallent and Jones, 2007). As a result, local authorities have been recommended to go beyond the regulatory planning process and be proactive in setting 'the urban design agenda', through clear development plan policies and collaborating with private interests to achieve shared economic and design objectives (CABE, 2001). Furthermore, there is an expectation for local authorities to conduct outcome reviews to monitor design quality upon completion; an element of design review that is developed the least (Dawson and Higgins, 2009). In relation to enforcement regimes, this has led to the consideration of adopting a 'facilitative' approach as a means of fostering a willingness to comply among developers, as opposed to focussing exclusively on measures that promote 'systematic' compliance (Leshinsky and Schatz, 2018). This relates to dealing with violations of regulations using advice, flexibility, and incentives, rather than solely increasing the capacity to enforce (McKay et al. 2003).

Further research is required to identify and examine the factors associated with influencing behaviour and attitudes of actors in the development processes in order to enhance our understanding of the thoughts and actions of numerous actors in public and private sectors (McKay and Murray, 2014). Similarly, there has been limited analysis into the role of key actors and influences within the post planning-decision process and the factors that continue to account for weakened quality in development outcomes. Therefore, through understanding the perceptions of planning professionals in public and private sectors, this paper aims to bridge this gap, exploring whether the key stages of the development management process could be improved in order to influence the delivery of high-quality development in Cardiff, United Kingdom. To achieve this aim, the following research questions have been developed: 1) What role do different actors play in ensuring the delivery of high-quality developments 'on the ground'? 2) What are the factors in hindering the implementation of high-quality developments? 3) In what ways can actors involved improve the delivery of housing developments, particularly during the post planning-decision stage? To this end, the paper first reviews the existing literature on development management and its key stages and concepts. A methodology then outlines case study analysis and data collection. This is followed by a results and discussion section, discussing the results of the research findings, which concludes with recommendations for future research.

## **2. Literature Review**

### **2.1 Development management process**

Almost all forms of development, as statutorily defined in the planning systems in the UK, require permission that is sought through the submission of a planning application to the LPA, aside certain types which do not require control, as they may be considered trivial or

beneficial in nature (Cullingworth et al. 2015). The role of the LPA is understood as a system of regulation that controls development and patterns of land use that are accountable in representing the public interest (Prior, 2000). Adapted from Carmona et al. (2003) and Sheppard et al. (2017), the key stages of the development management process in the UK are presented in Table 1. In cases where permission has not been obtained for development, enforcement action may be taken. This plays a significant part in validating planning as an activity, since it confirms that action will be taken by the LPA against those who do not comply with planning regulations (Sheppard et al. 2017).

*Table 1: The key stages of the development management process in the UK*

Stages		Description	
Preparation	Pre-application	Applicants considering applying for planning permission can seek preliminary advice at an early stage from the local authority, on the basis of a project brief which establishes key planning requirements.	
Submission	Submission of planning application	A planning application is formally submitted to the LPA.	
Decision-Making	Consultation, notification, publicity, and material considerations	A local planning officer takes into consideration all relevant details, conducts a site visit, undertakes consultation of relevant parties, and weighs up material considerations to each case. Discussions and negotiations take place between the developer and the LPA to ensure all requirements are met. Decisions are delegated to officers; however, the evidence can be subject to the political approval of local councillors.	
	Revisions, adjustments, and negotiation		
	Issuing a decision (delegation and planning committee procedures)		
	Planning decision: refusal or approval	A planning decision is issued to the applicant.	
Post Planning-Decision	Appeal process	Development	Applicants for planning permission are given the right to utilise the appeals process if their planning applications are refused. Approved development can proceed subject to conditions. A development project becomes realised on site.

Adapted from Carmona et al. (2003) and Sheppard et al. (2017)

Whilst the development management process evidently aims to protect environmental and community interests, previous research has emphasised the multifaceted nature of this process (Adams and Tiesdell, 2013; Birrell and Gao, 1997; Reed and Sims, 2015). It is considered developers look for certainty to guide decisions and reduce risk, whereas the public also views development management as a means of protecting their individual and collective interests (Booth, 1996). As such, the development management system has significant perceived strengths, since it encourages decision-making that formally acknowledges the political nature of decisions in relation to the manner in which land is utilised and controlled, meaning in this regard, it is responsive and flexible (Booth, 2007). However, the basis of key power relationships of involved actors determines the extent of negotiation that occurs between actors in the process. This is considered to be influenced by how crucially local authorities need to attract development or specific kinds of development to their locality and how urgently developers require planning permission (Carmona et al. 2003).

The development management process has been critiqued for many decades, due to the speed at which planning authorities deal with planning applications (Cullingworth et al. 2015). However, the concept of 'delay' is considered a highly value-laden term. This is given that critics of delays within the statutory consultation period suggest negative outcomes are produced, alongside undue financial pressures for the applicant, while delay rarely appears to be viewed as the time necessary to minimise the costs to society that may be created by quicker decisions (Larkham, 1990). In considering this, efficiency in decision-making, capability of delivering predictable high-quality outcomes, and equitability in processes and outcomes are some conceptual dimensions considered necessary for a quality planning service (Carmona and Sieh, 2004). Similarly, it has previously been considered that public-sector planners are required to work effectively and efficiently to support the development industry and private developers to progress with development objectives which conform with development plans (Sheppard et al. 2017).

Private-sector planners (or planning consultants) also play an important role in the property development process in the UK. They provide their clients (i.e. developers) with the specialist advice and knowledge on planning processes, whilst interpreting the development plans and national/local policies relevant for development projects (Calavita and Caves, 1994). Also, they act as intermediaries between developers and public-sector planners, which may result in avoiding major conflicts and non-constructive negotiations, as well as time- and cost-effectiveness in the processes (Loh and Norton, 2013; Grijzen, 2010). However, planning consultants often operate on 'client dependency', meaning they can be biased towards developments that secure future client relationships and contracts. They have an economic imperative to attract and retain fee-paying clients (Linovski, 2018). Reforms to the planning systems in the UK since 2010 have influenced planning consultant use; causing a 15% decrease in public-sector planners between 2006 and 2016 alongside a growth in the number of private-sector planners, with 44% of the Royal Town Planning Institute (RTPI) members working mainly in the private sector (Wargent et al. 2020). Some scholars argue that private-sector planners are critical in propagating the 'need for speed' to shape possibilities for future change, which is especially prevalent with public-sector planning departments being subject to over 40% funding cuts to their budgets since 2010, negatively impacting their capacity and resources (Parker et al. 2019; Linovski, 2018).

## 2.2 Design quality, control, and monitoring

Good design is defined as making places beautiful, functional, and sustainable, while helping to solve environmental problems and influence human behaviour (Plater-Zyberk, 1994). Good design should be seen in terms of "visual, functional, social and environmental dimensions" (RTPI, 2002, p. 46). The review of literature shows a changed emphasis of design quality from merely visual aspects to include broader sustainability and social considerations (Donovan & Larkham, 1996). Good design should achieve "maximum results from minimum means", since it is not an aesthetic addition that can be cut from a budget, but rather a method of solution (Scheer and Preiser, 1994 p. 7). The quality and quantity of new homes are key factors in influencing people's quality of life. Therefore, their delivery results in an impact that extends much beyond the physical environment (Carmona et al. 2003). It is considered that delivering better design is a responsibility that rests with the private sector; however, design standards and the density of new developments will be influenced through

public policy (Gallent and Jones, 2007; Gao et al. 2020). McGlynn (1993) contends that developers have the power to shape the built environment due to their ability to fund development, whereas due to their regulatory powers, the state has influence over some aspects of design. However, certain development management approaches are seen to limit development outcomes, since those which apply quantitative judgements, as opposed to qualitative, can constrain the delivery of high-quality developments (Dawson and Higgins, 2009).

The Commission for Architecture and the Built Environment (CABE), the UK government's design advisory body, initiated the Design Review process to help raise design quality of new developments in the country. The Design Review panel members (mostly independent architects and planners), appointed by government at the regional level, provide direct advice on individual major planning applications, as well as a considerable body of urban design guidance for LPAs attempting to control or influence development (Paterson, 2011). This is where design qualities of significant schemes come under particular scrutiny by, for example, the Design Commission for Wales (Cullingworth et al. 2015). Additionally, urban design codes are a tool used by either landowners or local authorities in the UK, which are partly motivated by an exploration into alternative ways the urban design professions can work more cohesively and partly due to the requirement for more effective means of delivering a more sustainable and better designed built environment (Carmona et al. 2006; Ahmadpoor et al. 2020). A design code is site or area specific (Carmona, 2017), which sets out the three-dimensional form of a development and ensures that each section contributes to the intended vision for the wider place (Adams and Tiesdell, 2013; Ahmadpoor and Shahab, 2019). As such, the consideration of these design control approaches appears particularly important in ensuring high-quality development outcomes, since 'quality' can be understood differently between involved actors and achieving enhanced design may not be a mutual objective (Adams and Tiesdell, 2011).

Carmona et al. (2003) argue that producing poor-quality housing has been the hallmark of a commodity culture, whereby housing has been perceived merely a demand good to be thrown together wherever the price fits. The commoditisation of homes arguably appears to remain a challenging prospect for LPAs. This is due to development continuing to be speculative in nature, developers overlooking their development's contribution to the environment and being driven by short-term profit motives, as well as reliance on safe designs which lack ambition (Dawson and Higgins, 2009). This validates certain initiatives of CABE, which argue LPAs should be proactive and considerably more design vigilant, especially in relation to outline applications, planning conditions, post planning-decision amendments, and enforcement (Punter, 2007).

### 2.3 Compliance and enforcement strategies

It has previously been considered that planning authorities are seen to monopolise enforcement powers, since they are discretionary in their application and subject to availability of resource and local political priorities (Prior, 2000). Planning enforcement has traditionally focused on a 'systematic' approach, which is centred around the enhanced detection of breaches of planning controls and the stringent enforcement of rules. This approach has been challenged by an alternative focus on 'facilitative' approaches (Harris, 2011). If most non-compliance with regulations is a result of ignorance, measures intended

to enforce compliance may be limited in impact (Leshinsky and Schatz, 2018). As such, a 'facilitative' approach is based on the assumption that compliance is largely achieved through the effective distribution of information, incentive and encouragement to comply, and is thus determined by negotiated outcomes (Prior, 2000). Therefore, the use of incentives such as relaxed inspections, leniency when regulations are not met and rewarding those who make sufficient attempts to comply, are considered more appropriate methods of dealing with the challenges of compliance (McKay, 2003). However, it is advised some pro-active activity should be carried out if LPAs are to rely on the delivery of compliant schemes, since if LPAs fail to monitor the situation, a contracting party under restrictive obligations may have the opportunity to ignore those obligations (Millichap, 1995). The LPAs typically become aware of a suspected contravention of planning control through public complaints (Harwood, 2013). In this approach, the public are seen as the most extensively dispersed form of surveillance for identifying breaches of planning control (Harris, 2011). Previous studies conclude that the principal components in resolving the complexities of the enforcement process include: having sufficient numbers of technically-competent staff, thorough effective monitoring of planning conditions, availability of robust proactive leadership, and the employment of a 'facilitative' approach (McKay, 2003).

### **3. Methodology**

This research utilises a case study approach, centred around the development management process and particularly the post planning-decision processes within Cardiff; one of the fastest growing cities in the UK (Cardiff Council, 2016). With the relatively recent allocation of eight strategic sites proposed within Cardiff Council's Local Development Plan (LDP) (2006-2026), it is crucial to ensure high-quality development is being delivered within major schemes. In light of this, an illustrative example of the development project St Edeyrns Village, located within one of Cardiff's largest emerging strategic housing sites is discussed, which was informed by a number of interview responses. St Edeyrns Village is located in North East Cardiff, which covers an area of around 153 acres and will comprise of approximately 1000 homes (Cardiff Council, 2019).

Semi-structured telephone interviews were used as the primary data collection method. Conducting telephone interviews proved a reliable method as it provided flexibility for both the respondent and interviewers. Interviews were conducted with 18 participants between March and June 2020. The participants included 5 public-sector planners, 6 private-sector planners, 2 property developers, 2 planning professionals in charitable organisations, and 3 academic researchers. Interviews lasted for a time ranging from 30 to 60 minutes. The semi-structured nature of the interviews meant the key questions of interest were asked in the same manner within each interview, however allowing for some variation within the derived questions. This also provided the opportunity to prompt for further details (Farthing, 2016), whilst ensuring that responses could be aggregated (Bryman, 2016). Interview participants were recruited through purposive sampling, which is considered an appropriate strategy to utilise the opportunity to study a specific group of well-informed individuals (Etikan et al. 2016). The sampling of participants maintained a Cardiff focus, in order to provide the opportunity to identify perceptions in relation to a local context.

Open-ended interview questions were designed to address the three research questions. We first asked the interviewees about the role of their organisation in influencing the delivery of housing developments ‘on the ground’. Then, we asked several questions regarding the existing mechanisms of planning enforcement and the factors that they perceive as a hinderance in ensuring developer compliance and/or implementing high-quality housing developments. Finally, the interviewees had the opportunity to discuss the ways to which decision-makers can improve the delivery of housing developments, particularly during the post planning-decision stage. As suggested by Hennink et al (2020), the interview questions were piloted to two colleagues who have previous experience working in public- and private-planning sectors, in order to ensure the questions read coherently. All interview responses were recorded with the prior consent of the participants and anonymously transcribed. Through the process of thematic analysis, a number of substantive themes were derived from the findings and grouped into several conceptual frameworks (Farthing, 2016), informed by the review of relevant literature. This allowed for the data to be coded accordingly to ensure all relevant findings were captured and explored in a suitable context.

## **4. Findings and Discussion**

### **4.1 The role different actors play in ensuring the delivery of high-quality developments ‘on the ground’**

The key actors involved within the development management process are local authorities, private-sector planners and developers, and the public. Actors are considered to be involved in development to the degree that it contributes to achieving their fundamental objectives; meaning each actor is internally trading-off between objectives, which are also traded off between actors (Adams and Tiesdell, 2011). Previous studies consider that collective discussions between the public, developers, and public-sector agencies can assist in influencing better quality schemes and improve outcomes for communities (Cullingworth et al. 2015). As such, it is necessary to establish how well local authorities and developers advocate on behalf of communities and their interests.

#### **4.1.1 The role of local authorities**

Cardiff Council’s planning department, which consists of planning teams and an enforcement section, adopts a ‘plan-led’ approach through the use of its Local Development Plan (LDP) (2016-2026). This plan guides and manages development, whilst providing a basis for the determination of planning applications (Cardiff Council, 2016). Similar to the LDP, Cardiff Council has adopted a set of Supplementary Planning Guidance (SPG) which have proven to strengthen the development management process. According to one of Cardiff Council’s urban design specialists, SPGs set out to ensure professionals in all sectors are considering quality design from the outset of a development project. In their response they conveyed *“they lay out exactly what we are looking for in terms of design quality and standards.”* This conforms with certain aims of CABE (2001), which reiterate the crucial role of the public sector in encouraging the delivery of value through urban design and in being proactive in setting ‘the urban design agenda’.



According to the interviews, the service of the Design Commission for Wales is utilised in practice in relation to significant schemes. One of the interviewed public-sector planners outlined *“that is where we are trying to really make sure the developer understands design is important to us as a local authority.”* Furthermore, their response confirmed that an internal weekly design review meeting is conducted within Cardiff Council’s planning team, with the perceived goal to *“assess whether schemes are adequate in terms of getting planning consent, but also possibly make suggestions about how things may be made better than adequate to improve their quality”*. Whilst this demonstrates proactive attempts at reviewing and improving the quality of schemes before they are given planning permission, this response suggests an indicative approach, since it does not necessarily place design quality at the forefront of the decision-making process. Furthermore, the findings outline that Cardiff Council does not carry out formal outcome reviews during the post planning-decision stage, which reinforces the view that the monitoring of practical outcomes and processes is an element of design review that is developed the least (Dawson and Higgins, 2009).

#### 4.1.2 The role of the private-sector planners and developers

On balance, the findings reveal that private-sector planners outline how a significant aspect of their role in influencing the delivery of high-quality development principally relates to initial development appraisals and early pre-application discussions with the LPA. A private-sector planner summarised *“to identify those issues early on, so they are taken account of in the design process, which ultimately yield high-quality design in all senses of the word [...] adhering to the sort of design principles in TAN 12, on a national level, to local level plan policies”*. This emphasises the perceived importance of pinning down design quality during the earlier stages of the planning application process. However, also significant is how private-sector planners mutually acknowledge the purpose of their role as acting on behalf of clients and their interests, suggesting that the objectives of developers are the leading motivation behind development proposals and their implementation. This is reflected in a private-sector planning consultant’s response:

*“you are representing their [developers’] interests, where you advise them is of the nuances of the planning system and how they are going to achieve what they want to achieve. Because ultimately, they are the driving force behind it, and you are representing them. [...] but where we will be able to encourage different design or improved design would be where there is planning reasons to do so.”*

This response, which was common amongst a number of responses, emphasises the perception that private-sector planners are primarily focussed on being a facilitator in the process of gaining planning permission, rather than pushing for high-quality design. However, some inconsistency amongst actors is suggested, as one private-sector planner’s response places greater emphasis on their responsibility in advising and encouraging developers to pursue the delivery of high-quality design:

*“the key role we have is in advising the proper route to follow [...] mainly through design advice [...] but also through design guidance, master planning and working on and producing design codes, which is an important bridging point between getting planning permission and then actually having some influence upon what is actually built ‘on the ground’. We are strong advocatess of the design coding process.”*

Noteworthy, this is the only private-sector planner's response which gives reference to using design codes in order to influence how design quality is realised 'on the ground'. This suggests how this may be a valuable yet underutilised method in practice. This is in line with the previous studies that outline how design coding could be utilised to mark a continuing, gradual shift in the planning system from a reactive to a proactive model of control (Carmona et al. 2006; Carmona, 2009). As such, it is implied that the perceived role of private-sector planners differs depending on company approach, individual drive, and the individual's acknowledged responsibility to ensure the delivery of high-quality outcomes. This is clarified by the same planner who outlined, "*it is having someone who is prepared to stand up for that and take responsibility and take pride in the product and the profession. [...] I think what we are involved in is often seen as a process rather than a product, I am more concerned about what it is going to be like at the end of the day.*" This finding reiterates that although private-sector planners are primarily involved in influencing development proposals during the early stages of the development management process, there is evident opportunity and perceived benefit in these actors pushing to influence the delivery of high-quality design. However, it remains evident that achieving enhanced design amongst involved actors is not a mutual objective (Adams and Tiesdell, 2011).

#### 4.1.3 The role of the public

The general public appear to be a key actor within the development management process, given certain responses from all three sectors are seen to acknowledge their valued role. A planning engagement officer from a national NGO outlined how "*communities have a lot to offer and they have to realise they have a lot to offer, and the positives of involving them out-weigh the negatives. They are experts in a way, because they live there and they know what would work well there.*" This supports the notion that the collective involvement of the public, within developer and public sector discussions, can influence better quality schemes and deliver improved outcomes for communities (Cullingworth et al. 2015). Furthermore, one of Cardiff Council's urban design specialists reiterated the perceived importance of the public in the development management process. They outlined that "*we do a lot of consultation [...] so people get involved in planning applications, the public does monitor things for us as a local authority a lot. It's their city, they are a massive resource.*" This form of citizen surveillance appears to assist the LPA in identifying suspected breaches, which corresponds with previous conceptions of enforcement in the literature, such as how private citizens are seen to be the most extensively dispersed form of surveillance for identifying breaches of planning control (Harris, 2011). However, one of the interviewed developers expressed a rather sceptical view regarding the involvement of the public. He pointed out that people who live in the proximity of development sites might only take their own private interests into account, rather than the social benefits that a development project offers (e.g. provision of housing and employment opportunities). This is in line with Fiorina's (1999) argument that public engagement may not 'necessarily be a good thing'. According to Fiorina, people who have the time and other resources to participate in decision-making processes might not always be representative of the interests and values of the larger community.

## 4.2 Influencing factors in hindering the implementation of high-quality developments

### 4.2.1 Time constraints and delay

According to the interviews, a perceived implication of the post planning-decision process is the presence of delays within LPA determination of pre-commencement conditions. This corresponds with the view that the speed at which planning authorities deal with planning applications is largely criticised (Cullingworth et al. 2015). A response from a director of a residential developer summarised *“we will submit our pallet of materials, send it off to the case officer and not hear from them for a long time [...] but we are itching to start on site and a lot of the times we have not had sign off of the pre-commencement stuff. And that is probably where we run our greatest risks because we start anyway.”* Evidently, deferring some planning conditions to the post planning-decision stage can result in certain approvals to become overlooked, due to an increased risk of delay, thus driving developers to start works prior to receiving LPA approval of technical details. This appears particularly problematic, since a Cardiff Council’s enforcement officer outlined how *“some would argue the planning system is relatively weak”*, given that developers have opportunities to regularise development through retrospectively applying for applications or amendments to schemes. Given that the actions taken to rectify minor aspects of non-compliance appear to be relatively weak, this arguably justifies the conception that LPAs should enhance their responsiveness through effective decision-making (Carmona and Sieh, 2004), whilst also reiterating the significance of pinning down important design details during the pre-decision stage, such as through the use of design codes.

As such, this strongly reflects the contention that delay can result in the production of negative outcomes (Larkham, 1990). Whilst this same conception further highlights that delay rarely appears to be viewed as the time necessary to minimise the costs to society that may be created by quicker decisions. In contrast to the former point, the latter is particularly acknowledged from a local authority perspective, since interview responses suggest that a focus on quantitative measures both in terms of LPA performance and outcome of development is a perceived constraint in regard to monitoring and influencing the approval and delivery of high-quality developments. The response of a Cardiff Council’s policy officer summarises how a major focus of performance monitoring is centred around the extent to which timely decisions are made. They further outlined that the LPA development monitoring process largely focusses on *“how many approvals do you get through and how many get built [...] I think a lot of it is all numbers rather than quality. When that is probably what is more important, that we’re building the right things rather than just the number of things we are building.”* This strongly supports concerns of Dawson and Higgins (2009) that consider quantitative judgements to have a constraining influence on the delivery of quality developments. Thus, since both the LPA and private-sector voice conflicting concerns with regard to delay and time pressures, it is further suggested that more qualitative measures during the earlier stages of the development management process should be considered in order to guide appropriate and high-quality development.

#### 4.2.2 Value-engineering

The interviews suggest that the profit-driven aims of developers were implied to result in the dilution of design quality 'on the ground'. One of Cardiff Council's principal planners perceives that *"they [house builders] know the rate of return they need from a site and they know the timeframe they need. [...] Sometimes once approval has been given, they submit other applications to value engineer the design through cheaper materials or adding additional units"*. This conforms with the view that the commoditisation of homes has resulted in poor-quality housing that have been perceived as merely a demand good (Carmona et al. 2003), since it is implied design quality is considered as a net cost, despite that design could be seen as a value-adding activity if undertaken at the right stage of the process. This suggests how inopportunistly the commoditisation of development still exists. This is an aspect that proves to become evident upon delivery, since one of Cardiff Council's principal planners contends that *"the application on site is where it breaks down [...] they will try and get the development in principle agreed, high spec development and then they will come back in with other applications to try and dilute that quality"*. This reinforces the view that the nature of development means objectives within the development process are traded-off (Adams and Tiesdell, 2011), which was further reflected in a Cardiff Council principal planner's interview response in relation to the St Edeyrns housing development:

*"the landscaping is the key issue there that has not been resolved and it was an important feature. It was a greenfield that had ecological corridors [...] this is not a matter the LPA can control but I think the workmanship is poor. The pointing of the bricks and how it is all been put together."*

Evidently, the value-engineering present within a number of design aspects of the St Edeyrns development, has proven to cause both environmental and aesthetic detriment to the site. This reinforces the view that developers continue to overlook their development's contribution to the environment, due to being driven by short-term profit motives (Dawson and Higgins, 2009). Significant to note, the interview response suggests local authority planners can recognise and anticipate this, thus this could evidently be counteracted earlier on in future practice. However, this finding also aligns with the literature, given several factors influencing the quality of development lie outside of the powers granted to LPAs (Carmona and Sieh, 2004). Therefore, this further supports the notion that planners should look to incentivise developers in order to facilitate a willingness to comply (McKay, 2003).

The value-engineering that is evidently present during the delivery of development proposals appears to be both recognised and justified by private-sector professionals. A residential developer's land director summarised:

*"what happens is people like me design in quite nice stuff, [...] But when we buy a site [...] we make assumptions on lots of stuff and all we ever do is find problems later on. [...] what happens is we always encounter an increased cost, so the result of that is the nice stuff tends to get whittled down a bit. Particularly when the quantity surveyors get involved, they are like the accountants of the industry. [...] That is when everything gets sort of detuned."*

This developer's response gives an indication of failing to learn and build in contingency plans, despite the indication that problems could also be assumed to limit the dilution of high-quality design. However, from the perspective of developers, it is implied a level of practically

must be taken account of during the design and delivery of a scheme, to ensure the development is economically viable and deliverable. The interview response further emphasises the cost and risk of development, particularly given the competitive basis at which the land is considered to be sold in the UK. Their response outlines that the bidder with the highest value buys the site, meaning sufficient coverage must be achieved on site to recoup the direct and indirect costs (Shahab and Viallon, 2019, 2020). This arguably supports the notion that planners rarely have possession of all the required information necessary to make fully informed decisions, such as the price of land (Carmona and Sieh, 2004). Therefore, it could be disputed that alternative, more effective methods of dealing with development land purchase could be key to influencing quality, since good design is considered to constitute “maximum results from minimum means”, given it is not an aesthetic addition that can be cut from a budget, but rather a method of solution (Scheer and Preiser, 1994 p. 7).

#### 4.2.3 Limitations within development management

Almost all the interviewed professionals mentioned limited resources as a major hinderance for LPAs to ensure the delivery of high-quality schemes. Interviews with Cardiff Council professionals outline this as particularly problematic due to their limited capacity to monitor compliance with regulations. One of Cardiff Council’s principal planners outlined that *“it requires complaints for us to react to. This has been a major problem on the strategic sites where we have not had the resources to monitor.”* This coheres with the perceived weaknesses of Cardiff Council’s enforcement powers, since a Cardiff Council enforcement officer outlined *“we have got restraints on staff so there is three of us, but we also have to determine planning applications [...] it is quite hard for us to sort of monitor at all. So currently we are reactive, so we are not proactive in doing enforcement.”* This demonstrates how even LPA professionals reiterate that enforcement is frequently criticised for its ‘reactionary’ approach (Harris, 2011). This supports the contention that a lack of resources is as a major restriction in influencing the delivery of design quality (Punter, 2006), which suggests an alternative approach to fund monitoring activity is required, particularly for large-scale developments.

However, resources aside, Cardiff Council interview responses reveal that development outcomes are threatened by enforcement regimes being limited in their impact to deter breaches of regulations and planning conditions. A Cardiff Council’s enforcement officer perceives that it could be argued the planning system is relatively weak, given that in cases where enforcement action is taken against a breach of planning permission, *“enforcement tools are quite light and even if it did get to prosecution, the fines they get charged are small so it is not really a deterrent.”* An example of this weakness can be seen in the outcomes of the St Edeyrns development, since the break-down of design quality on site lead to implications in relation to the enforcement action that could be imposed on the developers. A Cardiff Council’s principal planner outlined that *“they knew that by the time we’d got up there and checked, that they’d sold the houses and then it became an enforcement nightmare to try and get them to do what we want, because then we have to serve notice on the homeowners and then it all becomes a bureaucratic nightmare and they know that”.* These findings strongly support the view that enforcement regimes in the development management process continue to display features of a weak compliance mechanism (Leshinsky and Schatz, 2018). Furthermore, since non-compliance with landscaping

conditions was only realised once the properties had been sold, this supports the idea that thorough monitoring of planning conditions is necessary to resolve the complexities of the enforcement process (McKay, 2003), whilst also reinforcing the cruciality of regular monitoring of planning conditions which are particularly likely to be contravened (Millichap, 1995). This could also suggest that certain developers could be characterised as needing higher or lower levels of inspection based on their track record of compliance.

#### 4.2.4 Weaknesses in knowledge and approach

To some extent, relationships between public- and private-sector actors appear to influence both the objectives and outcomes of a scheme. For example, private-sector interview responses demonstrated an agreeance towards how a lack of shared approach and consistency within local authority agendas can result in inconsistent design expectations, which in some cases causes, frustration for developers. One consultant stated “...where you have got disparate voices and disparate views that becomes a problem. The message becomes blurred and developers do not like uncertainty and inconsistency so generally speaking it all starts to crumble.” This therefore aligns with the literature that there is concern for the way in which LPAs have been seen to behave towards applicants and as a result, developers look for certainty to guide their decisions and reduce risk (Booth, 1996). Whereas conversely, findings from a director of a residential developer indicate a lack of sufficient knowledge between private-sector actors can result in detrimental impacts during the delivery of a scheme:

*“a lot of stuff like landscaping and trees and hedgerows, we are always getting trouble. Because [...] through the planning process we negotiate with the local authority [...] So we will get a scheme with retained hedgerows and trees and then first week on site a construction worker will just go and put a machine through it. We get into so much trouble and it’s genuinely, it’s not malicious, [...] what you have got though is people on site that do not realise the importance of this stuff.”*

Therefore, the break-down of development quality often apparent on site can be due to uninformed knowledge and decisions, which reinforces the notion of poor compliance to be a result of incompetence (McKay, 2003). This is particularly significant, since when discussing a problematic landscaping matter apparent within the outcome of the St Edeyrns development site, a Cardiff Council’s urban design specialist suggests the inefficiencies to be resultant of the level of knowledge and skill within the organisation. In their response they stated, “I would suggest that when they overlaid all of the plans together somebody missed it and just made a bad decision about where to put the surfacing [...] It was not something that we could have dealt with, it was something to do with the organisation that is doing the implementation. The planning process dealt with it as well as it could.” This suggests a requirement for further cooperation and education within private-sector departments, which corroborates previous studies which advise informally educating developers to gain their compliance (Leshinsky and Schatz, 2018).

### 4.3 Ways to influence the delivery of high-quality developments during the post planning-decision stage

#### 4.3.1 Enhanced public engagement

It has become apparent that increasing community involvement particularly during pre-application could prove to strengthen the outcome of developments during the post planning-decision stage. Findings from an NGO planning engagement officer's response outline how they strongly advocate early engagement with the public and are particular supporters of the Place Plan process; whereby communities have a greater say within development proposals, resulting in outcomes of development to be delivered as expected. Their response concluded *"from my experience, where developers have communicated and engaged well and listened, the outcome was better"*. This demonstrates that developers have greater scope to enhance public engagement in future, since their response further outlined that although this is part of the pre-application process, issues will be reduced for all involved actors during the post planning-decision stage, through increasing the delivery of development that is appropriate and expected within a certain context. This further supports the view that shared discussions between the public and both developers and public-sector agencies can assist in influencing better quality schemes and improve outcomes for communities (Cullingworth et al. 2015). In considering this view, it is also apparent that as part of improving engagement with the public, the LPA could ensure the public are informed of the intended quality of a development proposal during the early stages of the development management process. This would allow them to judge development quality and notify the local authority should quality on-site become diminished during the post planning-decision stage. As such, this would support the continuing promotion of better compliance with approved details and conditions. It is worth noting that to avoid the problems of unrepresentativeness (Fiorina, 1999), it is important to ensure that everyone is engaged, and participation is not solely the domain of minority viewpoints.

#### 4.3.2 Strategic land acquisition

According to the director of an interviewed residential developer, the extent to which schemes essentially become value-engineered can be influenced by the competitive basis of which land is acquired. Whilst this relates to the initial stages of the development process, their response outlines that in order to ensure development is economically viable, housebuilders are seen cut costs on delivering certain design elements during the post planning-decision stage. Their response acknowledges that as an alternative approach, strategic land acquisition provides a long-term vision for development sites through promoting land with the help of the planning system, rather than acquiring land on the open market. Their response summarises that an advantage of acquiring land strategically is the discounted rate that is received on land purchases. As such, they summarise how this can positively influence the outcome of developments, since *"it means we can do a better job on design and maintain a better profit for ourselves [...] so there is added value in the strategic approach"*. Thus, these advantages suggest this process to be an effective long-term approach for housebuilders to ensure greater value is invested into the design outcomes of development. The benefits of this approach therefore relate to the concept of good design as

a movement away from ‘commoditisation’ of homes sustained within real-estate markets (Gallent and Jones, 2007).

#### 4.3.3 Enhanced monitoring through qualitative measures

According to the interviews, enhancing LPA monitoring of building works on site is suggested by a number of professionals within all three sectors. This is evident within a Cardiff Council’s principal planner’s response which summarised “*we could ideally have a team whose job it is just to go around and look at these sites as they are developing and the key thing is to deal with those nagging issues before they leave sites.*” Evidently, this view implies that having compliance officers regularly checking works on site could prove to prevent non-compliance issues escalating to the point where enforcement action may become restricted. However, scope to incorporate this method may remain limited, since greater resource may be required, which remains a limiting factor for LPAs (Punter, 2006). Therefore, in order to address this issue, in cases where development schemes require monitoring to assure quality, charges could be levied to the developer. Furthermore, while a Cardiff Council’s urban design specialist outlined that a post-completion design review is not currently conducted within the council, they evoke an optimistic response in relation to incorporating this method in future practice, “*we do not monitor outcomes in design review. I think it is something you could say we probably should [...] So I think that is quite a good idea, I might suggest that [...] I think it is worth doing.*” Whilst this response confirms a current lack of formal exploration into design outcomes of past decisions, it also highlights that regular monitoring of design outcomes could be realistically incorporated in future practice. Thus, this would support the objectives of CABE (2003), which advise that the design quality of development outcomes should be monitored, in order to provide improvements to policy and practice (Dawson and Higgins, 2009).

#### 4.3.4 Revised compliance and enforcement mechanisms

Findings indicate that for Cardiff Council planners, firmer enforcement regimes are strongly advocated as a means of ensuring greater developer compliance during the delivery stages of schemes. One of Cardiff Council’s principle planners stated that “*it is the enforcing of the agreed details is key and for me, the easiest way is through fixed penalty notices...*”. The suggestion implies that enabling enforcement officers to issue one-off fines to developers in future practice could act as a more robust mechanism in enforcing against breaches of planning control. This suggestion accords with Prior’s (2000) understanding of a ‘systematic’ approach, which involves enforcing punitive measures as a means of deterring potential violations of permission. However, previous studies have implied that enhancing ‘systematic’ legislative efforts of this nature to enrich enforcement regimes would require high levels of resourcing and political will to ensure compliance with the law (Leshinsky and Schatz, 2018), which have been lacking to date. This suggests that both monitoring capacity and the ability to evidence failure in order to issue fines will need to be present. Thus, to account for monitoring capacity, where a development scheme may require monitoring to assure quality, charges could be levied. For example, this could be introduced through supplementary fees alongside planning application fees to monitor compliance.



In contrast, interview findings have suggested that Cardiff Council has proven supportive of a more 'facilitative' approach in prior practice, which involves enhancing the commitment of developers to voluntarily conform to regulatory provisions (McKay et al. 2003). A Cardiff Council's principal planner discussed a scenario of this nature, which they suggest worked successfully in favour of both Cardiff Council and the developer. In their response they summarised:

*"they started off with 14 units and we said no because it was overdevelopment, so they reduced it down to 11 [...] which then got approved. They then started building and said we want another 3 units and they did actually get permission for that. But I think the reason they got that permission is because the actual building quality on site was better than what the plans had shown so I think in that case that is where the build quality worked in their favour."*

Evidently, this perception suggests that the demonstration of leniency through essentially rewarding developers who endeavour to conform or demonstrate added value to development quality on site could improve compliance and incentivise the delivery of higher-quality future development. This could also imply the potential for developers to be rewarded with additional development on site that might otherwise be refused, if they commit to funding of resources to ensure quality outcomes on site, such as funding compliance monitoring. But on the downside, such an approach might increase the uncertainty of property development process for developers, whilst raising concerns regarding the equity of the process. In addition, former analysis has proven that the willingness of developers differs, as some developers appear less inclined or able to justify this commitment toward enhancing build quality. This is reiterated by the view that achieving enhanced design may not be a mutual objective of involved actors (Adams and Tiesdell, 2011).

#### 4.3.5 Improved knowledge and shared agendas

Findings indicate that from a private-sector perspective, the uniting of local authority attitudes could improve consistency within the development management process and improve relationships amongst key actors. Responses from public- and private-sector professionals mutually contend that planners' ability to challenge developers to improve future design outcomes, is dependent on the drive of individual officers and support from senior influences. A Cardiff Council's urban design specialist stated *"if I have a senior officer who really gets in and says take this on, then they'll support me with that process. If there is a breakdown internally and the senior officers are like 'get the houses built' then we are undermined and we can't push."* Therefore, it is implied that LPAs should be consistent in their objectives, which would further support the aims of CABE (2001), which reiterate the crucial role of the public sector in encouraging the delivery of value through urban design and in being proactive in setting 'the urban design agenda.' Also, important to acknowledge, is how certain local authority views assert that improving the design quality of outcomes, in some respects, requires a more sophisticated starting-point. A Cardiff Council's principal planner stated *"we're chasing investment and we need the housing numbers, [...] are we getting the right design quality and standard [...] I'd suggest not. We're getting something that's acceptable [...] and the reason why is because the numbers and the leadership doesn't*

*strive for that.*” As such, the objectives of political leaders within Cardiff, support Carmona et al.’s (2003) view that negotiations for development appear to be dictated by how crucially the local authority need to attract development to their locality. This demonstrates that influencing high-quality design through political leadership and the local authority as a whole is important for future development outcomes, which requires to be strengthened in future practice. This strongly reinforces the view that to resolve the complexities of developer compliance, the presence of robust and proactive leadership is required (McKay, 2003).

## 5. Conclusions

The delivery of high-quality development is essential in ensuring the creation of prosperous places, which enhance economic, social, and environmental values. Developing new homes results in an impact that extend much beyond the physical environment. As a result, once planning permission is granted, the post planning-decision process has great importance in ensuring new schemes are compliant with regulatory measures and add widespread value to an area. This paper addresses a key knowledge gap concerning the factors associated with influencing the behaviour and attitude of key actors involved in the post planning-decision process (i.e. the stage after a planning permission is granted) and how this impacts upon the outcome of developments. In addition, a lack of analysis into the current approaches of public- and private-sector actors, and the scope to which these approaches could be improved is addressed. The primary objectives of this research were to identify the role of different actors involved in influencing the delivery of high-quality developments, the influencing factors in hindering the implementation of high-quality developments, and the ways in which involved actors of the development process have greater scope to influence the delivery of high-quality developments.

The findings of this study show that the role of Cardiff Council in influencing the delivery of high-quality schemes proves to be a generally perceived strength for the post planning-decision process, given its plan-led approach which sets out clear design expectations within the Cardiff LDP (2016-2026) and adopted SPGs. This approach appears to act as a facilitator for private-sector professionals to promote the submission of high-quality design from the outset, thus minimising design implications during the post planning-decision stage. However, there is evident recognition that both Cardiff Council and private-sector planners have greater scope to become more proactive in influencing the delivery of high-quality development in future practice. From the perspective of LPA, this could be achieved through introducing regular outcome monitoring reviews, whilst ensuring the drive for high-quality design is consistently enforced through proactive political leadership.

Furthermore, the differing attitudes of key actors appears to play a significant role in determining the objectives prioritised for a scheme and thus, the extent to which high-quality elements are invested into the delivery of a scheme ‘on the ground’. Overall, LPA attitudes are largely concerned with advocating the delivery of high-quality development, whilst there is a recognised need for enhanced and consistent support from senior influences. Whereas, private sector aims appear to differ, largely based on influencing factors such as cost and individual drive of actors, which was an equal perceived hinderance towards LPA approach.

Most responses consider enhanced LPA resource as a necessary measure to increase the quality of outcomes on-site, to enable regular compliance checks, and monitoring of

planning conditions. Though, it is acknowledged that availability of resource remains scarce, thus introducing a form of supplementary fee levied to developers may enable greater capacity for monitoring of developments. However, it was implied that enhancing these measures could prove limited in effect, without revising approaches towards adopted enforcement regimes. Cardiff Council professionals emphasise the requirement for firmer and more 'systematic' regulatory enforcement instruments, such as the introduction of fixed penalty notices to deter developers from breaching regulations. Furthermore, findings suggest that 'facilitative' enforcement approaches could supplement these measures, through incentivising and rewarding developers who endeavour to comply or demonstrate added value towards development quality.

This research further establishes a requirement for enhanced enforcement regimes to support planners in ensuring greater developer compliance during the post planning-decision stage. For the future consideration of policy makers, it is concluded that implementing a combination of additional 'systematic' and 'facilitative' approaches within practice would increase the scope to which planners are able to influence the delivery of high-quality developments. Thus, it appears the effectiveness of these measures could be tested in future practice, particularly the arguably less ambiguous measures, such as fixed penalty notices. Further research could be directed towards how 'facilitative' approaches could be adopted to ensure effective outcomes are achieved by all developers, despite their arguably differing attitudes towards compliance.

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