

The Good, the Bad and the Ugly: Make Space for a Project-Oriented Understanding of Urban Regulation

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This paper examines the role of regulations in the production of urban form, challenging the conventional view of urban rules as external to the design process. Using the British National Model Design Code (NMDC) and the Hemel Hempstead pilot case as a framework, the article proposes an interpretative model based on three perspectives: nomopoietic, cognitive, and axiological. The first interprets design as a generator of norms; the second as a heuristic device that makes the norms intelligible; the third as

1. Introduction

In recent years, the British architectural and urban debate has seen an increasing focus on regulation as a fundamental tool for ensuring healthier, more vibrant, and high-quality ur-

ban environments (MHCLG, 2021). However, regulatory codes are still rarely recognised as the essential devices through which our values, social expectations, and governance objectives are materially inscribed into buildings and territories. From nineteenth-century byelaws to contemporary form-based codes and the National Model Design Code (NMDC), codification has been repeatedly mobilised to secure “place value”,

an expression of values translated into physical prescriptions. The analysis of the Paradise Design Code exemplifies how codification is a design act that crystallises spatial visions into regulatory infrastructures. In conclusion, the study advocates for the integration of “regulatory literacy” within architectural pedagogy, training professionals capable of designing the rules of the project while understanding their broader systemic effects.

understood in terms of health, social, economic, and environmental outcomes (Carmona, 2021). Despite this, the impact of the normative sphere on design culture has long been underestimated, with architectural circles often perceiving regulation as an external constraint, separate from the creative process (Imrie and Street, 2009). Recent research argues instead that rules actively shape design outcomes, sometimes in unexpected or perverse ways (Moroni, 2012), and that norms themselves can be considered works of design or, to varying degrees, be intrinsically embedded within them (Pisu, 2020). Even apparently neutral quantitative indices exert morphogenetic effects, influencing design decisions and unintentionally standardising spatial solutions.

To explore this tension, this paper frames codes and regulations through three complementary theoretical perspectives. The nomopoietic perspective interprets design as capable of

generating new norms, positioning design practice as a regulatory precedent.

The cognitive perspective views design as a heuristic device that renders existing norms intelligible by materialising their logic.

Finally, the axiological perspective highlights the values embedded in design decisions, challenging the assumed neutrality of evaluative criteria for urban form. This theoretical framework is tested through an analysis of the NMDC and the Hemel Hempstead pilot case, examining the mechanisms through which codes operate and the impact that a conscious management of these tools can have on architectural pedagogy and culture. The mechanisms here described apply to the broader design field in relation to the deontic sphere, although the focus of this paper is the regulation of architectural design in urban contexts. In this paper, ‘design’ is used to denote the operational and heuristic process of shaping space, while ‘architecture’ refers to the broader cultural and academic discipline within which these practices are situated.

2. Theoretical Framework: nomopoietic, cognitive and axiological

Designing and regulating, while closely intertwined, embody distinct logics: the former engages with the situated and the singular, while the latter operates on the general and the repeatable. This tension reflects the broader debate between teleocratic planning, focused on

specific goals, and nomocratic planning, which relies on general rules of conduct (Alexander, Mazza and Moroni, 2012).

The nomopoietic perspective (from *nómos*, rule, and *poiēsis*, making) denotes the capacity of design to generate norms.

In this view, rules are not created in a vacuum but result from the interpretation of a spatial *telos* embodied in a specific configuration. The Seagram Building in New York (1958) offers a paradigmatic example: Mies' decision to set the tower back from the street to create an open plaza was initially an exceptional architectural strategy, but its reception transformed this design into a normative precedent, eventually codified in the 1961 Zoning Resolution as the Plaza Bonus. This trajectory illustrates how a particular design can crystallise into a general principle, shifting from an isolated expression to a collective normative framework¹.

The cognitive perspective frames design as a heuristic device that renders rules intelligible and tests their coherence through spatial propositions. Regulations often do not have an apparent final formal configuration, and design can offer an intuitive approach to the communication of the desired final state of affairs. Luigi Snozzi's long-term engagement with the village of Monte Carasso exemplifies this phenomenon. Snozzi developed a radically simplified set of seven rules marked by deliberate indeterminacy, appealing to the "structure of the milieu" rather than prescribing specific forms.

These rules required interpretation through a design process that rendered their intent intelligible². Buildings designed by Snozzi, such as the Guidotti House, acted as normative models and heuristic devices, making the framework operational and transmissible.

Rules, therefore, achieve coherence only when mediated by designed instantiations (Pisu and Chiri, 2021).

Finally, the axiological perspective (from *axía*, value) emphasises that design and regulation are never neutral but always embed evaluative criteria. Every norm can be assessed along three dimensions: validity, efficacy, and justice. When transposed into design, these criteria acquire specific resonance: a code may be legally valid yet produce spatial configurations of little value, or it may be effective in producing compliance yet distort the *telos* it was intended to secure. Standards and metrics invariably carry implicit visions of the "good city," privileging certain forms over others. In this sense, designing and rulemaking do not differ significantly; both involve an evaluation of what is desirable. An architectural project in a regulated environment is effectively co-designed by two figures: the designer and the nomothete³. While the designer's choices are opportunistic and limited, those of the nomothete are absolute, establishing the "only possible way" to achieve a value.

3. The National Model Design code: Norms are Back

The evolution of planning in the United Kingdom has been characterised by alternating impulses between tight regulation and market-led freedom. In the nineteenth century, prescriptive byelaws addressed public health and minimum standards, resulting in successful architectural types like the Victorian terraced house.

However, the post-war discretionary system established by the 1947 Town and Country Planning Act eventually faced criticism for producing monotonous, alienating environments. This led to a period of deregulation and a “light-touch” ethos that prioritised economic efficiency over design quality, often resulting in spatially poor suburban growth.

By the late 1990s, the limitations of *laissez-faire* approaches prompted a call for an “urban renaissance” grounded in design quality.

Following years of political debate regarding the “beauty” of the built environment, the Building Better, Building Beautiful Commission (2018–2020) recommended the systematic adoption of design codes to make expectations transparent and enforceable. The National Model Design Code (NMDC), published in 2021, emerged as the culmination of this trajectory: a model framework intended to guide local authorities in preparing their own codes.

Although stemming from a public debate often focused on aesthetic categories—often influenced by public figures such as the Prince

of Wales’s (1989) call for a return to traditional urbanism, the NMDC represents a significant shift towards rule-based design governance. It reframes the code as a synthetic grammar intended to guide place-focused outcomes. By establishing a “wireframe” of components and parameters, the NMDC attempts to balance discretionary judgement with verifiable frameworks.

This move reflects a recognition that the *nomothetes*—the rule-makers—are effectively designing the city even when drafting abstract rules, shifting the focus back to the importance of the design process itself.

4. The Three Perspectives in Paradise Design Code

Selected as a NMDC pilot and documented in the national pathfinder case studies (Dacorum Borough Council, 2021), the Paradise Design Code addresses a 2.9ha fragmented industrial site on the edge of Hemel Hempstead’s New Town centre. As a first-generation New Town, Hemel Hempstead was originally conceived by Geoffrey Jellicoe as a “city in a park,” though it has since struggled with fragmented connectivity and a dispersed urban form. The Paradise pilot sought to reimagine this area as a high-density, mixed-use “gateway neighbourhood” using clear numerical and graphical parameters.

The Hemel Hempstead pilot makes explicit the *nomopoietic* capacity of design: rules were not derived from pre-existing statutory frameworks

proposition that, having demonstrated—synthetically as opposed to systematically—its capacity to resolve competing objectives, is elevated into rule.

The Paradise Design Code operationalises a cognitive function by turning otherwise indeterminate prescriptions into shared, legible expectations through key plans, typology sheets, and material palettes. On their own, abstract injunctions such as “respond to local character” admit a wide spectrum of interpretations; the code therefore couples text with graphics to narrow the interpretive bandwidth. On page 48, the Identity Key Plan explicitly states that “the key identity parameters for the site are illustrated on Figure 4.1” (Fig. 1), distinguishing between formal and informal frontages of the new buildings. While the distinction consists of a rigid taxonomy and the keyplan acts as a normative drawing, imposing obligations to the designers, it needs further specifications, that are offered through visual examples in the following pages. When dealing with balconies, for instance (p. 60) the code employs three images of balconies describing (i) external balconies, (ii) inset balconies and (iii) partially inset balconies (Fig. 2). The images chosen do not just display *any* building, but are considered for their value as exemplars, showing homogeneity and consistency in materials, geometry and solid-to-void ratio: “this is how I want you to design”.

The same logic structures the Open Space Strategy.

While the normative apparatus maintains an abstract and indeterminate level “Therefore, the identity of the site must respond to the importance of open space and greening as character drivers for the town” (p. 49) or “The placement of [hard landscaping materials, seating and potential outdoor tables and chairs] must be designed with the intention of encouraging social interaction” (p. 53), defining unverifiable design attitudes, the images on page 53, although still open to improvement, offer a concrete and verifiable example.

A similar, but different character of the illustrations can be found on page 50, describing the “Stacked Open Space strategy” where a scheme ties green spaces’ hierarchy to typological qualities embodied by a definite built form, driven by the practical necessity of integrating design and rule-making (Fig. 2). As noted by a practitioner involved in similar projects:

You have to test designs while writing to make sure what works and what does not, treating design and guidance as a single, holistic process. Then you should take a step back, establish clear and effective principles that work well while making sure you leave enough room for other designers to come with their input too (Carassai, 2025)⁴.

The axiological dimension of the NMDC and the Hemel Hempstead pilot emerges from the way in which broad societal values are declared and then translated into specific spatial prescriptions. At the general level, the NMDC asserts that “codes should be based on a clear understanding



External balconies are permitted on rear façades.



Partially inset balconies are considered a more sustainable option to inset balconies whilst maintaining a clean and simple façade.



Inset balconies are an option on south facing units, or units overlooking Paradise or Wood Lane.



Figure 4.2: Stacked open space strategy. Note: illustrative, code compliant scheme shown.

Stacked Open Space Strategy and Balcony Typologies.

The diagram illustrates how the hierarchy of green spaces is tied to specific typological qualities, using visual exemplars to render the normative intent intelligible.

Source: Dacorum Borough Council (2023), pp.50,60.

Fig.2

of the defining characteristics of an area and aim to create healthy, sustainable and beautiful places” (MHCLG, 2021, Part 1, p. 6). Such statements foreground values—health, sustainability, beauty—yet they do not entail a unique spatial form. They provide an “ought” without a necessary “is,” in an inversion of Hume’s law: there is no direct logical path from normative statements to specific formal configurations.

The Hemel Hempstead code demonstrates this tension in practice. The declared value of Integrated neighbourhoods is stabilised through formal requirements for “continuous active frontages” on Paradise and Wood Lane and the use of courtyard blocks to structure density (Dacorum Borough Council, 2023, p. 38). Likewise, Greener design is tied to, again, the “stacked open space strategy” with roof gardens and

podium courtyards (p. 50), while Identity is translated into a material palette mandating brick façades and pitched roofs, rejecting rendering as unacceptable (p. 61). These rules embody the values in concrete form, but the relationship is not necessary. Courtyard blocks, for example, may deliver integration and green amenity if well designed, but equally risk creating unsafe or impermeable rear spaces if poorly executed outcomes that contradict the very values they are meant to guarantee.

Similarly, sustainability might be pursued through alternative spatial logics—linear ecological corridors, dispersed low-rise housing with gardens—none of which are captured by the specific typologies mandated here.

This exemplifies an intrinsic feature of coding: every axiological process requires the reduction of plural values to singular forms. The move from value to form cannot be deduced; it must be posited. This act of judgement—grounded in context, culture, and material reality, that may be termed *phronesis*—is fundamental to design: it represents the synthetic operation of reducing multiple possibilities into a single form. In this sense, every design code that deals with form is a design project. The responsibility, therefore, is not only administrative but profoundly design-based: in choosing which forms will stand for values, the authors of a code perform a design act. The Paradise Design Code clarifies both the necessity and the fragility of this process: by translating values into rules, it makes them

actionable and enforceable, yet it also reveals the contingency of that translation, underscoring that any axiological operation in design is inseparable from its responsibility. It may be said, from this point of view, that this is the very essence of design acts—a deliberate act whose responsibility lies ultimately in the designers' understanding of society.

5. The National Model Design code:

Norms are Back

Coding, in the NMDC framework, as exemplified by the Paradise Pilot is a practice that entwines design, cognition, and value. Viewed synthetically, the three perspectives highlight that codes are complex intentional dispositifs: at the nomopoietic level, they transform projective gestures into binding rules; at the cognitive level, they reduce interpretive indeterminacy through visual benchmarks; and at the axiological level, they stabilise social values while revealing the contingency of their translation into form. Design Codes, in this framework, can provide a common language for communities and developers, although they carry the risk of a stiffening formalism. When codes naturalise specific forms as the only embodiment of values, they risk reducing design to an act of compliance, rather than risk-taking and Personal, professional responsibility. Professionals must thus be capable of operating across all three dimensions. Current architectural curricula often underemphasise regulatory frameworks, leaving

graduates equipped for compliance but unprepared to use these frameworks as generative design instruments.

If society requires practitioners capable of crafting sensitive and effective regulatory frameworks, schools of architecture and planning must train students to be designers of rules, not just designers of objects. Integrating codification exercises and regulatory scenarios into the design studio can help students grasp the limits and possibilities of normative processes. Regulatory literacy should be viewed as integral to design education, treating codes as generative diagrams—projectiles that “throw forward” a family of possible forms rather than prescribing a single solution. Ultimately, if the “Good” in regulation is to prevail over the “Ugly,” the normative aspect of design must be embraced as an essential responsibility of the designer.

Note

¹ This regulatory mechanism, established in the 1961 New York Zoning Resolution, remains one of the most significant examples of how a singular architectural innovation (the open plaza) was codified into a general incentive for developers, effectively trading floor area for public space.

² In Snozzi’s pedagogy, this concept refers to the underlying spatial logic and historical character of a site. It serves as a non-prescriptive guide that requires the designer to interpret the context through a projective act rather than following rigid morphological rules. See Snozzi (2014).

³ The term is used here to describe the authority (often a planning officer or consultant) who, by drafting the rule, exercises a form of “co-design” over the final urban form, often establishing the only permissible way to interpret a specific value.

⁴ The quote is a personal communication with Franca Carassai, Architect and Urban Designer at Levitt Bernstein (2025).

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