

POLICY STATEMENT

TLIO AND THE RIGHT WING CAMPAIGN AGAINST THE PLANNING SYSTEM

Over the past few years, neo-liberal think tanks and right wing commentators have been mounting an assault on the planning system superficially similar to the critique advanced by Chapter 7 and The Land Is Ours. It is time that we made clear the difference. The following is a TLIO draft policy statement which is open to consultation. TLIO agrees with right wing critics that the planning system currently causes artificially high housing prices; but TLIO should distance itself from the view that the countryside can absorb suburban development without damage; and from proposals to abandon or run down agricultural production in the UK and rely on imported food. The planning system is the main way in which landless people can exert social control over the activities of landowners, and it should be reformed to promote affordability and sustainability, rather than weakened or abolished.

"What would happen to the Countryside without planning controls? A typical response might be that the whole of the South East would be covered in bungalows with quarter-acre plots and the countryside as we know it would vanish . . . But would an end to planning controls mean that every green space was covered in concrete? I think not. Currently in England, less than 12 per cent of our land is covered in bricks and mortar . . . The cost of housing would fall. Land-use planning protects vested interests to the detriment of the UK as a whole."
Linda Whetstone

The above quote comes from an article called "Land-Use Planning — A Penalty on the Poor". It sounds very egalitarian, but in fact Linda Whetstone is a dressage judge and a board member of three right wing think tanks, including the Institute of Economic Affairs (IEA). Her late father was Anthony Fisher "one of the most influential background players in the global rise of libertarian think-tanks," including the IEA, the Adam Smith Institute and the Manhattan Project Her brother Mike Fisher, is also a trustee of the IEA and her husband is a Tory councillor. It is easier to see where she is coming from when we include a further observation she makes about covering the south east in bungalows:

"Why not replace planning with resource allocation via the market, which is the system that has increasingly been used in so many other spheres, and with such obvious benefit? If this produced the predicted number of bungalows, then how could you argue that it is not as optimal an allocation of land as is possible?"

Unfortunately (or not, depending upon your viewpoint) quarter-acre plots with bungalows are perhaps not what would occur across much of the South East if we got rid of the planning system. Letting the market decide means letting people with money decide, and people with plenty of money don't want to live surrounded by bungalows. In the absence of planning controls, the wealthy would buy up large tracts of land to ensure that their dreamhouse was in a place where bungalows, pig farms, travellers camps, hippy shacks and the like could not pop up out of nowhere. The value of land would depend upon how much seclusion it offered in relation to its proximity to London

or another metropolitan centre: plum sites in greenbelts would go for phenomenal sums of money. Further out, thousand-acre estates would be gated, landscaped and given over to a handful of "country houses" for multi-millionaires. Elsewhere, plot size might aspire towards the 1-2 acres typical of wealthy out-of-town US suburbs; Large areas of the South East, and much of the rest of Britain, would become a stockbrokers' Arcadia, utterly dependent on cars and devoid of public transport. Sales of ride-on lawnmowers would rocket, and farmworkers would be replaced by cap-doffing gardeners and ostlers. Whetstone's agenda is not so much egalitarian as populist, and like many forms of populism, is, in practice, regressive.

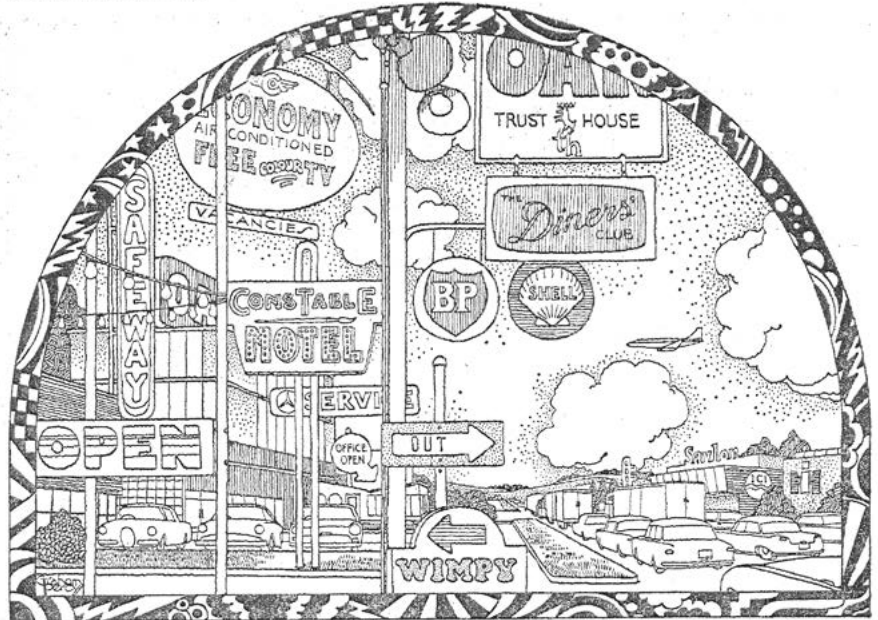
The Anti-Planning Pack

Whetstone's right wing credentials are shared by quite a few of the voices calling for the rolling back of the 1947 Town and Country Planning Act. In 1996 Mark Pennington who is on the board of four right wing think tanks, produced a paper for the IEA, which evolved into his 2001 book *Liberating the Land* — a call for planning restrictions to be replaced by "market solutions" such as restrictive covenants. When it was published, Matt Ridley, the climate-change-denying journalist, who sits with Pennington on the advisory board of the UK think tank Reform, gave it a full feature review in the Telegraph under the by-line "Planning Rules Ruin the Environment and Reward Developers at the Expense of the Poor".

In 2006, The Adam Smith Institute published a report by Mischa Balen which, citing yet another IEA report on The Rural Economy, argued "there is a strong case for the planning process to be abolished, and the useful functions it performs replaced by an increased reliance on Restrictive Covenants and Nuisance Law". Balen also proposed a less drastic "lowland crofting" style scheme, to convert three per cent of English and Welsh farms to woodland and housing estates (the houses crammed into clearings at an extraordinary density of 70 to the hectare).

Another strand of the flourishing anti-planning front, driven less by ideology than by a desire to unleash the forces of development, has roots in a famous article published in New

Society by Peter Hall and three colleagues in 1969. "Non-Plan: An Experiment in Freedom" advocated a mobile car-dependent suburbia centred around neon-lit Las Vegas style edge-of-town strips, which they claimed, "represent the living architecture of our age." Two of the four authors of "Non-Plan" were architects, and it is perhaps no coincidence that a similar approach (albeit less infatuated with neon) is articulated today by the architects associated with audacity.org — people like Martin Pawley, Ian Abbley and James Woudhuysen. Audacity's latest publication, *Let's Build: Why We Need Five Million New Homes in the Next 10 Years*, by James Heartfield, which relaunches many of the same arguments for the abandonment of the planning system, is sponsored by a building industry body called the Modern Masonry Alliance.



No Joke: the illustration to the No Plan article in *New Society* made it look like a spoof — but the text appeared to be entirely serious. The authors really did want to californicate large chunks of Britain.

Along with these two main strands there are a number of fellow travellers, of indeterminate ideological persuasion, for example Essex University professor Jules Lubbock. Another maverick is Kevin Cahill, author of the recently published *Who Owns the World*. Cahill's work is heavily larded with Fenian republicanism, but his hypothesis is based on the theories of Peruvian economist Hernando de Soto, winner of the Cato Institute's Milton Friedman Prize. Cahill is more directly concerned with land tenure issues than planning, but his views on the redundancy of European agriculture and the availability of land chime with those of the think tanks (see review p. 12).

This debate is taking place in a climate where certain forces in the Labour government are pushing for a relaxation of planning constraints. The Barker Review of Planning cites the Adam Smith Institute report, and flags up neo-liberal approaches towards land-use planning, even if it only nudges the planning system a little way in this direction (see comment p.6).

These right wing critics hold the green movement responsible for much of the pressure which keeps an unjust planning system buoyant, and not without reason. The Campaign to Protect Rural England helped steer through the 1947 Town and Country Planning Act, and Friends of the Earth is vocal in supporting its maintenance. Heartfield also blames a "Grunge-Nimby axis", emerging out of the road protests of the 1990s. Whilst he is correct in identifying an alliance between Grunge and Nimby in respect of roads, this alliance tends to fall apart when it comes to the planning system, for one obvious reason: Nimbys are rich and live in posh houses, while Grungies are poor and live in benders and caravans which tend to be subject to enforcement notices..

The environmental movement is less homogenous than its critics like to believe. For the last ten years *The Land Is Ours* and Chapter 7 have been criticizing the perversity and inequity of the planning system, with support from the Permaculture movement, and some elements of the organic farming and sustainable forestry sectors. Certain aspects of Chapter 7's critique

of the planning system are similar to that of the think tanks — we agree with Matt Ridley that "planning rules reward developers at the expense of the poor" — with the result that the head of one top university planning department remarked that he thought that Chapter 7 had right wing tendencies.

It is therefore a matter of some importance for us to set out as clearly as possible where TLIO's and Chapter 7's critique of the planning system diverges from the right-wing critique.

A Shortage of Land?

To do so let us take a sentence from Heartfield's book — though similar sentiments are expressed in most of the works cited above:

"The reason that the argument over building houses has turned so bad-tempered is not because of an absolute shortage of land, but because the government has set out to restrict the land available for development."

The second half of this sentence is one on which TLIO and the right wing agree. The planning system restricts supply, but does not restrict demand (three quarters of the demand for extra housing comes from people choosing to live on their own); people are free to buy houses, but not free to build them. The inevitable results are scarcity, rising prices, homelessness and speculation.

It is in the first half of the statement — that there is no "absolute shortage of land" — that disagreement lies. The anti-planning pack maintain that there is plenty of land available which is not required for some other use. This a contentious statement, to say the least, not borne out either by rising land prices, which suggest that land is highly sought after, or by public disputes about developments, which suggest that the use of land is highly contested. What the right-wing actually means is that there is plenty of land around which they would like to see developed, whatever anybody else might think; and if planning controls were abolished and the market took over, this land would be developed for housing and commerce because these are more lucrative than alternative uses.

There are two major land uses which the right wing deliberately undervalues — open space and agriculture. The two often go hand in hand, but here we examine separately how they are treated by the neo-liberal anti-planners.

Open Space

Virtually all right wing commentators observe, at some point in their argument, that “urban areas account for no more than 10 per cent of the entire country” or “less than 12 per cent of our land is covered in bricks and mortar and concrete.” The Barker review cites figures of between 9.8 and 13.2. There is no danger, they tell of us, of England being “concreted over” or “paved”. Ninety per cent of the country is undeveloped and so “if as many a 10 million houses new houses, all with decent gardens were to be built . . . only a little more than 2 per cent of the land would be concreted over.”

This endlessly repeated argument is childish since none of their opponents is claiming that 100 per cent, or anything near that amount of the countryside, is at risk of being physically “concreted over”. Objections to untrammelled development are based on the entirely reasonable observation that any dwelling has an impact well beyond its physical footprint, in terms of traffic, roads, pylons, lighting, noise, infrastructure, sewage services, quarrying, wildlife impact, visual impact, need for facilities and services, and so on. The radius of urban and suburban contamination stretches a good deal further than the circumference of the urban settlement. Note how the right wing clamours for the development of the green-belt on the grounds that it is degraded, whilst at the same time including it within the 88 per cent of land that they claim is untouched by development.

Moreover a quantitative change in the amount of housing leads to a qualitative change in the community. Many natives of the south east have moved north or west, because the village where they were raised has ceased to be a village and become a suburb. Their flight is an expression of the demand for rural land. So too is the 6 figure premium that wealthy people pay for an isolated house in the countryside. What else are these people paying for if not open space? This is not some illusory demand invented by CPRE and it can't be made to go away simply by abolishing planning. As we suggested at the beginning, in a free market where open space was unsecured by the planning system, those who could afford to buy privacy and exclusion would pay as much to secure it as they do now — probably more.

In other words, the seclusion, the tranquillity and the rurality are a public good, insofar as they are controlled and preserved by the planning system. Those who want to abolish the planning system

want to see this seclusion, tranquillity and ruralness privatized and sold off to the highest bidder. The current planning system serves the interests of an élite who can afford to buy a scarce house in a countryside where development is constrained. Abolish those constraints, and the élite will be securing exclusive space in an environment where development is rampant. Houses will become cheaper, but open space, that is to say agricultural land, will become more expensive. For the commoner there is nothing to gain from a leap out of the regulated frying pan into the unregulated fire.

Agriculture

The other main reason why people value land is for its productive use — growing, rearing or extracting a product for sale, for subsistence use, or just for fun. Once again this requirement for land is glibly dismissed by most of these right-wingers (the notable exception being the dressage lady). There is “a tremendous superfluity of agricultural produce which has left a huge surplus of agricultural land,” say the Audacity crew. Lubbock talks of “land no longer needed for agricultural production on the post-war scale.”

This is the impression of the countryside given by newspapers turned out in Wapping and members of London's chattering classes generally. The trouble is that it is not true. Where is this huge surplus of land? If it is so useless and unwanted, why aren't the bastards sitting on thousands of acres of it selling it off? Why is agricultural land fetching such high prices — up to £10,000 per acre for woodland, and £20,000 for pasture when sold in small acreages?

Clearly none of these right-wingers, (again with the probable exception of the dressage lady) have been to a land auction here in the West Country recently, where they would see surviving dairy farmers anxious to expand their business, young locals seeking a foothold for their stock, horsey people looking for grazing, rich urban refugees after a hobby farm, house-owners securing their own private green belt, hippies and organic smallholders, community woodland planters and animal sanctuary managers all prepared to bid above the guide price for a precious few plots of land — whether or not they benefit from entitlements to Single Farm Payments.. The urban pundits have obviously not read the recent report from estate agents Strutt and Parker, which states that arable land prices have risen yet again over the last year, grassland has gone up even faster, and “both farmers and lifestyle buyers are having to contend with a continual shortage of land for sale”. Nor can they have seen Savills' latest advertisement in the farming press which trumpets: “The 2006 farmland market: STRONG DEMAND + SHORTAGE OF SUPPLY = INCREASED LAND VALUES.” Stags'



Five million new homes, 5 billion more concrete blocks is the message on the cover of the latest manifesto from the advocates of untrammelled development. James Heartfield's book, *Let's Build*, is worth reading for its critique of Richard Rogers' urban renaissance and his cappuccino drinking “creative class”, even if it is one dog set to catch another. Published by Audacity, www.audacity.org; 8, College Close

viewing figures have nearly doubled in two years, while the volume of sales has halved over the last decade. We could go on piling on the evidence that rural land market is in great demand, but is there any point because this is obviously not what townies want to hear?

The “surplus of agricultural land” is not a phenomenon that any of these neo-liberals have actually observed, but rather an expression of what they would wish to see, and hope that the WTO trade rules will bring about, by the production of food in foreign countries so that we in Britain can devote our land to the more lucrative business of building houses. This is Mischa Balen:

“Rather than continuing to produce food for ourselves, we should be prepared to buy foodstuffs from other countries. We would benefit from lower food prices as a result of lower labour costs in these nations, and they would benefit from receiving money in return for their produce.”

Kevin Cahill agrees:

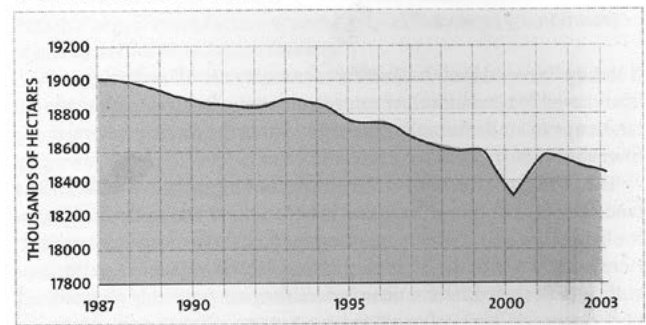
“As cheap Eastern food production replaces expensive Western production, the vast acreage of already redundant Western agricultural land . . . will have to be allocated to housing, complete with gardens.”

The belief of neo-liberals in the sanctity of the market is so complete that, 200 years after the abolition of slavery, they find nothing morally repugnant about paying people in Third World countries slave wages to uproot their forests and exhaust their soils in order to produce food and commodities for people who swan around on thoroughbreds and dig swimming pools on grade 1 agricultural land. The only conceivable justification, as Balen remarks, is that people in poor countries “would benefit from receiving money in return for their produce.” Up till now, the export of agricultural commodities has conspicuously failed to improve the lot of most Third World peasants. But if ever they are allowed to become as rich as we are, and eat as much meat as we do, then their produce will no longer be cheap, and we in Britain will need our farmland to grow our own food.

Besides, there is no evidence that this neo-imperialist abdication from home food production has resulted in any drop in the use of agricultural land at home — much as all the vultures waiting to develop it would like there to be. Look at the DEFRA graph reproduced in *Let's Build*, showing the decline in agricultural land over a period when UK food self-sufficiency dropped by about 10 per cent. Pictorially, it looks as though the agricultural area has dropped by nearly half, but this is a deceit. The left hand column shows that in fact the agricultural area has declined from 19 million hectares in 1987, to 18,650,000 ha in 2003 — a drop of 1.84 per cent in 16 years, during which agriculture underwent the worst crisis it had seen for over 60 years. The slight slack is no doubt more than taken up by the rise in organic agriculture, horseculture, woodland planting, nature conservation, animal sanctuaries and a host of other activities. As Joan Thirsk's book *Alternative Agriculture* shows, “farmers have worked over this ground at least three times before in our documented history”: every time there is an agricultural crisis new crops appear, and new entrants replace farmers who drop out.

A graph showing agricultural land values over the same period would show a considerable rise in demand for land. No

TOTAL AGRICULTURAL AREA, UK



Source: Department for Environment, Food and Rural Affairs, posted on www.defra.gov.uk

doubt the price is partly held up by European subsidies and set-aside. But if EU and North American subsidies for grain were removed, the world price for grain would rise, so there would not necessarily be that great a drop in agricultural production in the UK, unless we accepted imported UHV milk. Arable land in the East of England supports higher yields of wheat than virtually anywhere in the world, so it is unlikely that it would be abandoned.

On top of that, with a move away from fossil fuels in order to address climate change, any spare arable or set-aside land is likely to be required for renewable energy crops — which are very extravagant on land. In 20 or 30 years time, we may need to make use of every scrap of agricultural land we can find — do we really want to encourage wealthy homeowners to buy it up to secure their own private green belt?

TLIO's Position

In summary, the right-wing assault on the planning system propagates the fib that rural land is unwanted, and uncontested, in order to justify the buy-out of farmland by developers. Countless farmhouses, farm buildings and rural workers' cottages have already been sold off for market housing; but not content with that, the developers now want to subdivide farmland, no doubt in the most charming parts of the countryside, to provide homes and gardens for people with inflated urban incomes who have no particular reason to be there, other than to enjoy the open space which is claimed to be in such abundant supply. This programme would create a vast and pointless suburbia. It would erode the public's access to open space; and diminish working people's access to productive agricultural land. It would undermine a land resource which in years to come we may very well have to rely on. And it is being advanced duplicitously as a way of eliminating a “penalty on the poor” when in fact it introduces further licence for the rich.

This is an agenda which TLIO and Chapter 7 should unambiguously reject. The planning system is now the main means the public have of limiting what would otherwise be the absolute right of landowners to do whatever they pleased on their land, at the expense of society as a whole. In a sense it has replaced the customary and usufructory rights which, before enclosure, mitigated the property rights of owners of common land.

It is true that current planning policies act perversely, to exclude poor people from access to resources, and to secure the rural environment for an elite — just as the benefits of common land were mostly enjoyed by wealthy landowners. But that does

not mean that the abolition or undermining of the planning system would help underprivileged people, any more than enclosure of the commons helped the landless. Weakening the planning system would simply leave landowners and developers free to do whatever they wanted with our country.

Instead, there are ways in which the planning system can be overhauled so that it is less regressive, and the main role of Chapter 7 has been to examine and propagate these options. They revolve around a shift in stringency from allocational to criteria-based policies — in other words development should be permitted in more places but only if subject to much stiffer control over environmental impacts, particularly those associated with the motor car. Mechanisms that can be employed include Simplified Planning Zones, a new use class for low impact development; greater locational options for car free developments, better public access to the rural exceptions site policy, an overhaul of the agricultural tie system etc.

We also call upon other environmental lobbies who value the planning system, such as the CPRE and Friends of the Earth, to stop putting all their money into “compact cities” and stop burying their head in the sand. It is an undisputed fact that large numbers of people would prefer to live a more rural existence, and this is an understandable aspiration. The aim of environmental organizations should be to find ways of accommodating more people in thriving land-based rural economies, without degrading the environment or undermining the public good. Frustrating people’s desires and shoring up the privileges of an élite, by cramming the people against their will into cities, undermines the credibility of the very planning system which CPRE and FoE ought to be supporting, and plays into the hands of right wing advocates of profligate, car dependent, suburbia.

SOURCES

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Joan Thirsk, *Alternative Agriculture: A History*, Oxford, 1997

For J. Heartfield, and K. Cahill, see boxes in text.

Nice Facts, Pity about the Ideas

Who Owns the World, by Kevin Cahill, Mainstream, Edinburgh, 2006

Kevin Cahill’s follow up to *Who Owns Britain*, is two books rolled into one. The last 375 pages list details of the ownership of land in all the world’s countries. These details include acres per person, urban/rural population, the land tenure system, number of agricultural holdings, major landholders, area of forest land and

other relevant items of information when available. One potentially useful figure which Cahill doesn’t provide is sample prices of land — a pity, since alongside income per capita it would give a better idea of what access to land is like in different countries. Nonetheless Cahill’s listings are a monumental undertaking for an individual writer and, assuming they are reasonably accurate, provide a valuable source of reference.

The first 260 pages, devoted to Cahill’s views on landownership, are a very different matter. Cahill is like a cocky, bar-room pundit who for the first five minutes comes over as witty and knowledgeable, but soon betrays dodgy views, and strange hobby-horses. Cahill’s main obsession is the Queen. Why does it matter that this figurehead is nominal owner of 6 billion acres spread around the globe when her title does not prevent *de facto* ownership and transfer of land by others? Cahill never explains, but he goes on and on and on about her feudal powers, as if suffering from psychological scarring dating back to the Battle of the Boyne.

Another of Cahill’s targets is farming — not just large farms, but all of them — which he wants to see phased out in Europe.

“The real ownership of Europe’s farmland is concentrated in the hands of about 7.3 million people, less than 2 per cent. Those 2 per cent either directly or indirectly, get a handout of \$48 billion, for simply owning valuable assets. And running an inefficient business. Well if it were inefficient, it would not need a subsidy, would it?”

This is ignorant tosh. Whatever their sins, the last thing that UK farmers are is inefficient: they have been driven, by a race towards lower prices, to absurd degrees of overefficiency, to the point that in England there is now one farmworker for every 80 acres, which is why farms are big, and less than 2 per cent of people own or work land. Farmers in Europe need financial support to survive, not because they are inefficient, but because foreign competition benefits either from cheaper land prices and economies of scale, or else from obscenely low wage rates and conditions.

Cahill continues his invective against farmers: “Over ten years this small group of people have had the current equivalent of €450 billion, enough to build 1,800 hospitals at €250 million.” So what? Hospitals are paid for through a system of taxation, as are education, waste disposal, policing and transport — what is so wrong and so “inefficient” about taxpayers supporting food production?

The answer is that Cahill is a Thatcherite with a republican hat on. His hero is the little man, the Irish bungalow builder, the Peruvian shop-keeper, who stakes out his postage stamp of property, secures its tenure, and turns it into a capital asset which he can use to borrow, speculate and eventually acquire wealth, the passport to modernity. “Prosperity,” in Cahill’s view “is based on the possession of property.” It bears little relationship to the production of food, fibre and energy, and the person who has secure access to these resources either as a commoner or as a leaseholder remains poor. Common land is barely mentioned, and the pros and cons of land taxation, not at all.

Once you understand Cahill’s ideological stance, it is easier to see why he is so enthusiastic about land registration, cadastral mapping, and his own research. His work is performed in the same spirit as Thatcher’s ruling that local authorities should publish an inventory of all land that they own. Very welcome, but one questions the motives. S.F.

