

The Governance of Land Use

United Kingdom

The planning system

Levels of government and their responsibilities

The United Kingdom is a unitary state with three devolved governments in Northern Ireland, Wales and Scotland, respectively. At the local level, 389 local authorities with varying status and powers exist. Among them are 27 county councils, which exist in parts of England and are strictly speaking an intermediate level of government because they operate above other local authorities, except where they are unitary authorities. The UK government is responsible for allocating funds to local authorities and for preparing the *National Planning Policy Framework* in England. It can also facilitate important infrastructure projects through specific legislation or by placing them under direct ministerial control. The Welsh and Scottish governments have been granted far reaching powers regarding land-use policies. They enact national spatial planning frameworks that structure the planning system in their territories. The Scottish government also prepares a *Scottish Land Use Strategy*, the only such document in the United Kingdom. Furthermore, both governments decide about appeals against local planning decisions and have the power to fast track infrastructure project in their territories.

Local authorities are responsible for local land-use planning and public housing. They also decide on planning applications. Some local authorities have contracted land-use planning out to the private sector. County councils as an intermediate level of government are – where they exist – responsible for strategic planning and for planning applications related to waste disposal sites, mineral extraction and county owned land. In London, the *Greater London Authority* has a distinct legal status as a metropolitan authority and is among other issues responsible for transport and for the preparation of the *London Plan*, a strategic plan that provides binding guidelines to local authorities in the greater London area. Other devolved authorities will also receive strategic planning powers if they wish under the Government's programme of Devolution Deals.

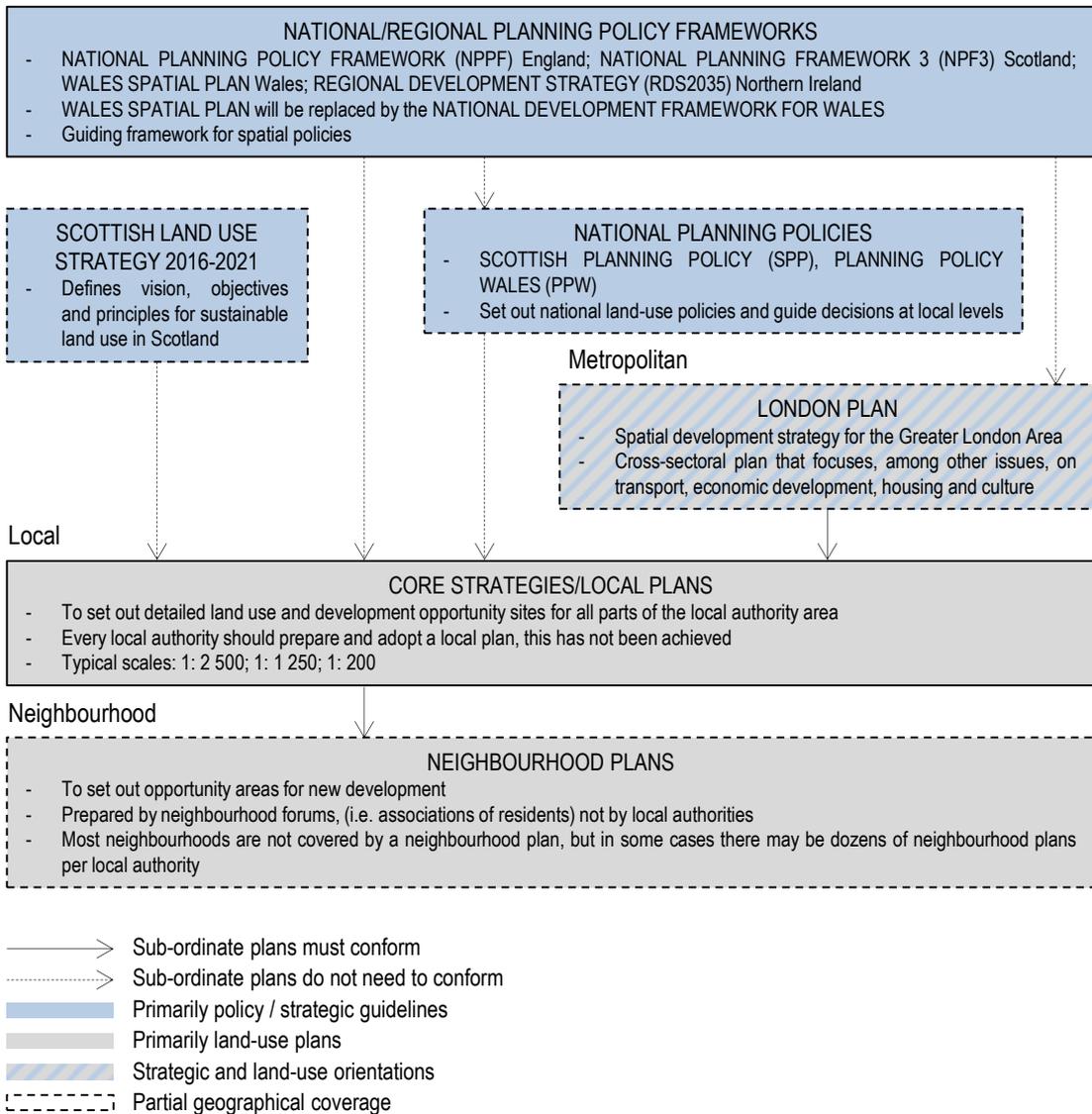
Spatial and land-use plans

England, Northern Ireland, Scotland and Wales each have separate *National or Regional Planning Policy Frameworks*. These provide long-term guidance frameworks for the spatial development in the respective parts of the country. In England, the *National Planning Policy Framework (NPPF)* sets out how government policies for England should be applied and must be taken into account by local councils and local people in the preparation of their own local and neighbourhood plans. It is accompanied by more detailed Planning Practice Guidance available on-line. In Scotland, the *National Planning Framework (NPF)* outlines a long-term vision for spatial development and investment across Scotland for the next 20-30 years. In Wales, the *Wales Spatial Plan* sets out cross-cutting national spatial policies which provide the context for the application of national and regional policies for specific sectors and different sub regions of Wales. In Northern Ireland, the *Regional Development Strategy (RDS2035)* is a long-term plan to 2035 which informs the spatial aspects of the strategies of all government departments.

Organisation of spatial and land-use planning in the United Kingdom

General framework

State



These national and regional planning frameworks formulate policy priorities for spatial development but do not allocate land for specific uses. They do not contain legally binding elements, but are material considerations that must be taken into account by local governments. The frameworks are prepared and issued by the responsible minister in each country. The frameworks do not contain specific policies for nationally significant infrastructure projects such as power stations, airports, inter-city rail and road networks which are the subject of separate legislation. Decisions on these developments are taken in accordance with other planning legislation and national policy statements for major infrastructure, which form part of the overall framework of national planning policy.

Core Strategies are the main local land-use plan. They contain a section with general policy guidelines as well as local land-use plans typically drawn at scales between 1: 2 500 and 1: 200. They are approved by regulatory decision of the local authority. In England, *Core Strategies* form part of local authority's *Local*

Development Frameworks which include *Local Plans*. These are at the heart of the English planning system and set out a vision and framework for the future development of an area, addressing issues such as housing, infrastructure, the economy, the environment and good design.

At the very local level, *Neighbourhood Plans* have existed in England since 2011. These plans are created on an ad-hoc basis by citizens from self-organising communities known as *Neighbourhood Forums*. To prepare a *Neighbourhood Plan* a *Neighbourhood Forum* must be formally designated by the local planning authority. *Neighbourhood Plans* cannot restrict development in areas where it has been approved by *Core Strategies* and *Local Plans*, but they can designate additional land for development if this is in conformity with the NPPF. Over 200 *Neighbourhood Plans* have been approved as of the time of writing.

Major laws and regulations

Due to the devolution of land-use planning, England, Northern Ireland, Scotland and Wales have their own framework legislation on planning as well as on related issues such as conservation. In England, the *Localism Act* from 2011 has granted local authorities additional powers and allowed local referenda. The *Environmental Protection Act* applies to England, Scotland and Wales, but not to Northern Ireland, which is subject to a somewhat different set of environmental laws and regulations.

Co-ordination mechanisms

The *Localism Act 2011* introduced the “Duty to Cooperate”, under which local planning authorities when preparing *Local Development Plans* must co-operate with neighbouring planning authorities and related organisations on cross-boundary strategic issues. These issues include homes and jobs, commercial development, infrastructure, health, security and cultural infrastructure, climate change mitigation and adaptation. The “Duty to Cooperate” applies to other public bodies which have an interest in a particular plan.

Planning Inspectors from the Government’s Planning Inspectorate play an important role in examining *Local Plans* for their soundness. If an inspector has significant concerns about a *Local Plan* in relation to the “duty to cooperate” or other procedural requirements, the Inspector will inform the local planning authority and may suspend the examination process until the local authority has addressed the issue. Whilst no formal horizontal co-ordination mechanisms between different policy branches exist interested parties may co-ordinate on an ad-hoc basis as necessary.

Expropriations

Land ownership and development rights are considered separate issues in the United Kingdom. In general, ownership does not give the automatic right to develop land and all developments require planning permission. Expropriation or compulsory purchase is possible for both public and private developments, including infrastructure projects, public facilities, and also commercial projects such as retail and residential developments. Expropriations were frequent in the decades after 1945, but are used sparingly since the 1980s even though they pose few legal difficulties. Under compulsory purchase powers local authorities must

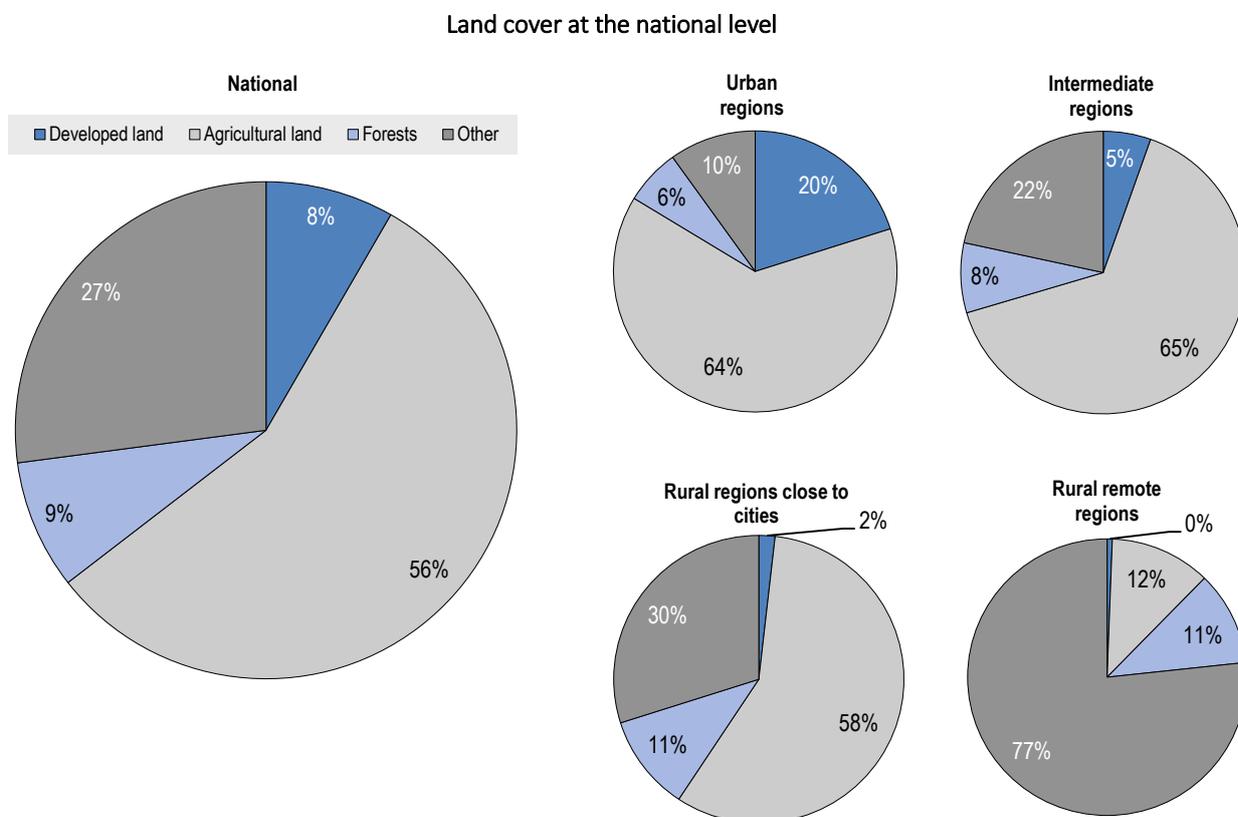
demonstrate that there is a “compelling case in the public interest” for the compulsory acquisition of land and there are strong legal compensation rights for those affected.

Recent and planned reforms to the system of land-use planning

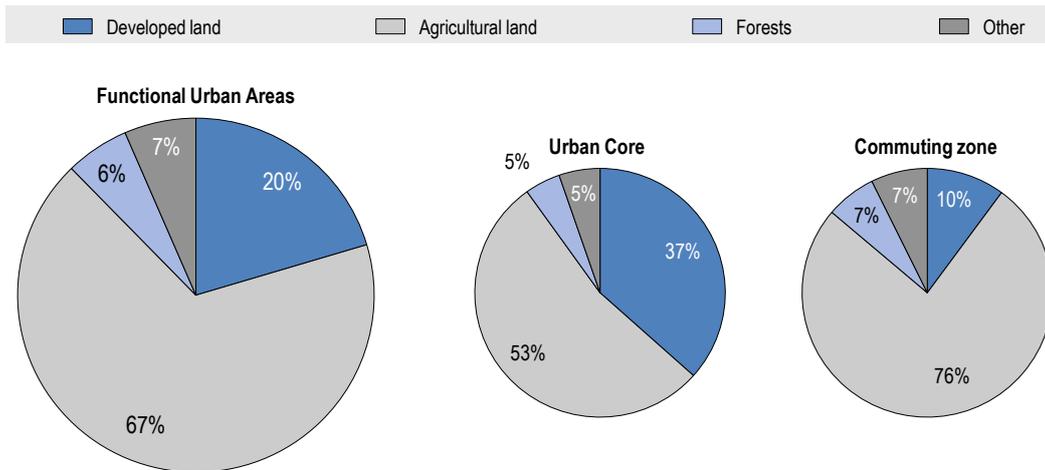
The current land-use planning system in its broad outline has been in place in the United Kingdom since 1947. Since then, it has been very frequently reformed and updated. Currently, reforms are on-going to give large cities more powers and responsibilities under *Devolution Deals* and plans for *Combined Authorities*. These reforms will most likely also have effects on land-use planning in large urban areas, but no concrete measures had been decided as of the time of writing.

The *Neighbourhood Planning and Infrastructure Bill 2016-17* has provisions to strengthen neighbourhood planning by making the local government duty to support neighbourhood groups more transparent by improving the process for reviewing and updating plans. It is also due to make changes to the compulsory purchase system to make the system clearer, fairer and quicker. The bill will also put the *National Infrastructure Commission* on a statutory footing. The Commission was set up on an interim basis in 2015 to look at the United Kingdom’s future needs for nationally significant infrastructure to maintain the country’s national competitiveness.

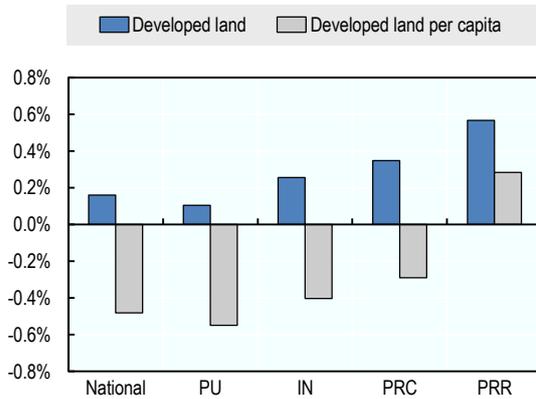
Land cover in the United Kingdom



Land cover in functional urban areas (FUAs)

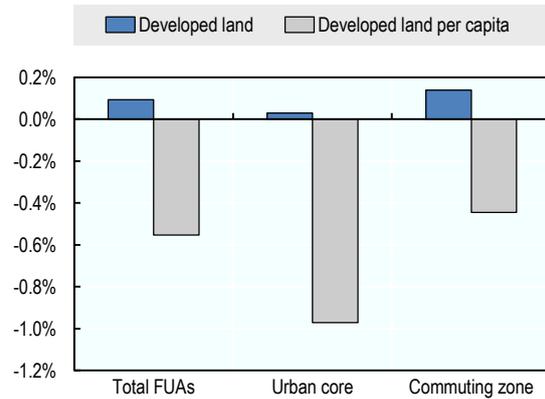


Annual change in developed land, 2000-12



Note: PU: urban regions, IN: intermediate regions, PRC: rural regions close to cities, PRR: rural remote regions.. Changes in per capita land use refer only to regions for which population data is available for 2000 and 2012.

Annual change in developed land in functional urban areas from 2000 to 2012



Note: Values for urban cores and commuting zones refer only to FUAs with more than 500 000 inhabitants.

Land-use trends in the United Kingdom

Land use in the United Kingdom is characterised by strong differences between the very densely populated south-east that is dominated by developed and agricultural land and sparsely populated areas in the north with little developed or agricultural land. Urban areas have experienced strong and sustained population growth since 2000, but have seen only very small increases of developed land. In fact, a very pronounced inverse relationship between the growth of developed land and population growth exists among the four types of regions along the OECD urban-rural classification. The greater the population growth in a type of region has been, the smaller the growth rate of developed land in the type of region. This disparity between population growth and land use is likely to explain the sustained pressure on housing prices in parts of the United Kingdom.

Source: OECD calculations based on Corine Land Cover dataset.

Land cover at the national level in the United Kingdom

Land cover (km ²)	National	Urban regions	Intermediate regions	Rural regions close to cities	Rural remote regions
Total area	245 019	67 689	109 829	33 440	34 060
Total developed land	20 324	13 612	5 905	617	189
Percentage of total	8.3%	20.1%	5.4%	1.8%	0.6%
Annual change in developed land, 2000-12	32.1	14.1	14.8	2.1	1.0
Annual percentage change in developed land, 2000-12	0.16%	0.10%	0.26%	0.35%	0.57%
Agricultural land	137 674	43 053	71 412	19 232	3 978
Percentage of total	56.2%	63.6%	65.0%	57.5%	11.7%
Annual change in agricultural land, 2000-12	-32.1	-13.3	-14.0	-4.6	-0.1
Annual percentage change in agricultural land, 2000-12	-0.02%	-0.03%	-0.02%	-0.02%	0.00%
Forests	20 555	4 361	8 835	3 607	3 752
Percentage of total	8.4%	6.4%	8.0%	10.8%	11.0%
Annual change in forests, 2000-12	-96.7	-9.0	-34.8	-29.7	-23.3
Annual percentage change in forests, 2000-12	-0.46%	-0.20%	-0.38%	-0.78%	-0.60%
Land cover per capita (m²)					
Total developed land per capita	320	291	399	411	559
Annual percentage change in developed land per capita, 2000-12	-0.48%	-0.55%	-0.40%	-0.29%	0.28%
Agricultural land per capita	2 168	927	4 918	12 807	11 751
Annual percentage change in agricultural land per capita, 2000-12	-0.66%	-0.68%	-0.68%	-0.66%	-0.28%
Forests per capita	324	99	619	2402	11 082
Annual percentage change in forests per capita, 2000-12	-1.09%	-0.86%	-1.04%	-1.41%	-0.88%

Land cover in functional urban areas (FUAs)

Land cover in FUAs (km ²)	FUAs	Urban core	Commuting zone
Total area	66 337	25 741	40 596
Total developed land	13 526	9 418	4 108
Percentage of total	20.4%	36.6%	10.1%
Annual change in developed land, 2000-12	12.5	5.8	6.7
Annual percentage change in developed land, 2000-12	0.09%	0.06%	0.17%
Agricultural land	44 668	13 766	30 902
Percentage of total	67.3%	53.5%	76.1%
Annual change in agricultural land, 2000-12	-13.2	-6.9	-6.4
Annual percentage change in agricultural land, 2000-12	-0.03%	-0.05%	-0.02%
Forests	3 837	1 190	2 647
Percentage of total	5.8%	4.6%	6.5%
Annual change in forests, 2000-12	-9.2	-2.4	-6.8
Annual percentage change in forests, 2000-12	-0.24%	-0.20%	-0.25%
Land cover per capita in FUAs (m²)			
	FUAs (50 000+ inhabitants)	Urban core (only FUAs 500 000+)	Commuting zone (only FUAs 500 000+)
Total developed land per capita	291	222	390
Annual percentage change in developed land per capita, 2000-12	-0.55%	-0.97%	-0.44%
Agricultural land per capita	962	152	1 856
Annual percentage change in agricultural land per capita, 2000-12	-0.67%	-1.05%	-0.61%
Forests per capita	83	12	179
Annual percentage change in forests per capita, 2000-12	-0.88%	-1.10%	-1.09%

Note: Changes in per capita land use refer only to regions for which population data is available for 2000 and 2012.

Source: All land cover statistics for the United Kingdom are based on OECD calculations based on *Corine Land Cover dataset*.