DEVELOPMENT PLANNING UNIT
University College London • The Bartlett
A DPU

Working Paper No. 57

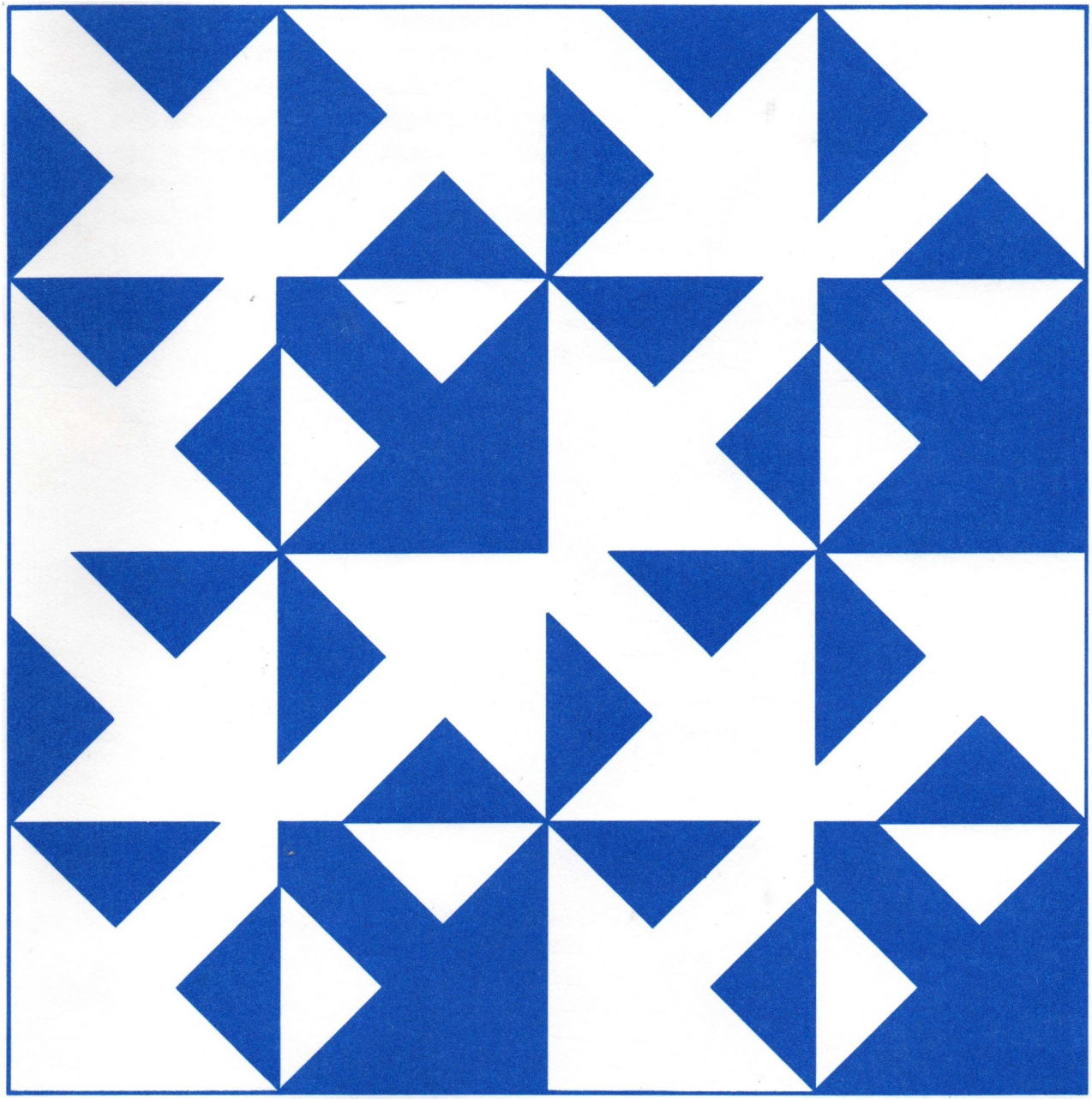
Cities and People: Can we plan the future?

Papers presented at a Conference held in London

25th-27th September 1989

Edited by

Sheilah Meikle and Michael Safier



Why planning has made no significant impact in ensuring access to land.
Mr Geoff Payne

I. Introduction

This paper is not a balanced critique, but is intentionally partial. It argues the case that planning, on balance, has not made a significant impact on providing access to land, especially for the poorer majority, and demonstrates that in several cases it has actually made matters worse.

The effect of planning on access to land is not a subject which can be summarised simply. Similar approaches may have widely different outcomes in different locations, and to most planning interventions there are both positive and negative features. Together with the provision of clean water, however, access to a plot of land - in the right location, at an affordable price and with adequate security of tenure - is probably the single most important element in the whole field of human settlements development. For this reason alone it is therefore one of the most politically sensitive, and as the extent of competition for accessible land intensifies, so land moves out of the technical and into the political arena. In this context, the political dimension should not be seen as exclusively a problem of capitalist countries; problems of access to land are as common in socialist economies where demand is greater than officially approved supply.

The professional learning curve over the last two decades has exerted considerable influence on government policies in the sector and most are now more progressive and realistic than ever before. Despite this, however, the situation facing many low-income households trying to find a place to live in rapidly expanding cities, appears daily to be getting worse rather than better. This is due to the extent of demand which is so great that even the most progressive innovations appear as a drop in the ocean and to the nature of demand which is changing as an increasing proportion of this population is unable to meet the costs of officially sanctioned plots in suburban locations. Every day, therefore, the demands placed upon the public sector increase dramatically, while the resources available - financial, human and technical, remain static or are in relative decline.

II. Planning has not generally sought to increase access to land, but to maintain control over it.

Papers submitted to the International Workshop on 'Planning and Management of Urban Development in the 1990s' at Birmingham, provide considerable evidence that planning to date has been more concerned with controlling rather than increasing access to land. Three particular aspects are cited repeatedly.

1. Planning Methods

Master plans have been, and generally remain, the most common means by which planning is effected in rapidly urbanising countries. Wekwete (1989, p8) has succinctly explained their underlying rationale in the case of Zimbabwe: "The State (and municipal local governments) intervene in the land allocation process to ensure 'efficient' use and create conditions to ensure faster reproduction of private capital The State provides through planning a 'lead' in terms of where capital should locate and through zoning regulations protects the future viability of capital." Interestingly, this logic is held to be as applicable in socialist Zimbabwe as it is in most capitalist countries. Under such conditions, the options for access to land by groups unable to compete in the market for land are inherently limited, even when the State itself provides a 'safety net'.

The forms taken by such master plans apparently remain strongly influenced by their colonial legacy. Mabogunje (1989), Lufadeju (1989) and Wekwete (1989) all show how land was used to dispossess traditional owners in favour of an emergent elite and segregate races and social classes to benefit this minority. Such a legacy is argued to remain largely in place, to the clear disadvantage of lower-income groups. Lufadeju (1989) goes so far as to claim that town planning practice has "maintained a form of closed city policy - a form of short term ad hoc negative actions which are directed towards stemming immigration into the city. The target groups are the poor urban immigrants, unemployed and petty traders from the informal sector." He continues: "In enforcing the above policy, (Nairobi's) informal sector and squatter residents have encountered periodic offensives, demolitions and firing of shanties. It could therefore be concluded that the garden city concept does not wholly welcome the urban poor."

It is hardly surprising that such vested interests are presented under the guise of objective and technically neutral proposals. McAuslan's paper (1989, p6) illustrates how a hidden agenda, or 'reasons behind the reasons' ensured that urban law accorded with the view and attitudes of the ruling elite. Planning itself was entrusted to engineers or young architects, sociologists and economists, often based in the capital cities, who had no knowledge whatsoever of local conditions, economics or politics (Bolaffi 1989, p6). Furthermore, such plans were prepared in blissful ignorance of any assessment of the resources available to implement them, and D'Souza states that there was hardly a single city plan he saw during his time in India's civil service that gave any idea of how funds for implementation would be found (D'Souza 1989, p15). Where the plans could not fit the local reality, reality was modified to fit the plans and D'Souza (1989, pp4-5) shows how the engineers responsible for planning Bombay selected a 'target' population figure for Bombay of 9.87 million out of estimates ranging between 12-19 million!

The inescapable conclusion is that urban planning has tended to place a higher priority on ordering land development than on improving access to it and that the methods adopted are consistent with this. As a result, the impact of planning - and planners - is widely held to have been irrelevant or even counterproductive. Although moves towards more flexible and multi-sectoral urban management approaches held out hope for improvement, Mabogunje (1989, p13) advises caution since "although the stated task of the urban planning agencies has been changed, their institutional framework and their staff remain largely unaltered in terms of professional preoccupations and training.

Moreover, the 1940s planning and building regulations under which these agencies operate have not been revised in any significant manner, leaving an unclear relationship between their new terms of reference and their persisting, though less relevant, legislative base."

2. Planning Standards

These are another example of planning's preoccupation with order rather than needs. Plot sizes, road widths, density levels and infrastructure provision are all the subject of detailed attention in planning practice and minimum acceptable standards are generally enshrined in law and regarded by their professional defendants as sacrosanct and therefore not open to discussion.

Unfortunately, such standards are generally derived from some abstract and well-intentioned notion of what individual households require, irrespective of what they can afford. It is assumed that any gap in affordability can and will be met by the state. This is fine in theory, but when compared to the level of demand on public purse strings is clearly unsupportable. Even many sites and services schemes impose standards which people may not need or be able to pay for initially and attract higher income groups into schemes intended for the poor - further restricting access to land by the latter.

The failure - or refusal - to fully relate standards to needs and resources has had the inevitable impact of restricting the scope of both private and public sector land development programmes, though the extent varies from one country to another.

3. Planning Regulations

The problem with planning regulations lies not so much in their intentions, but their outcome. Restrictive use of regulations makes it considerably more difficult for people in planned developments to meet loan repayments, stifles badly needed economic initiative, restricts the level of services available in a new locality, reduces the amount of housing available to the very poorest and inhibits housing and land improvements.

Few planners responsible for formulating or enforcing planning regulations would consider these outcomes desirable, yet (as McAuslan (1989, p30) shows in the case of Madras), it has proved immensely difficult to waive or even relax them. As a result, as he shows, 'Jaws were not being observed or enforced, illegal and unauthorised development was widespread and plans were not being followed'.

McAuslan goes on to claim that the legal regulations in Madras also Jack consistency and the more complex they become the more likely this is to happen. By attempting to control all aspects of land development, particularly land use, both access to land and the options for those who do gain access.

Such regulations also have a more pernicious aspect. Their obtuse language, complexity and comprehensiveness inevitably load the dice in favour of professionals and their

political masters, and against the uninitiated layman. In practice, therefore, regulations serve to increase control over land rather than increase access to it, unless the burden of regulation is such that even control collapses and people are forced to fend for themselves.

4. Planning Procedures

Planning procedures have a significant impact on preventing access to land. The most critical are those related to the processing of official permits for land subdivision and building construction.

For private sector developers operating in a climate of high interest rates, time is money. It is therefore clearly in the interest of officials to delay the process in order to increase leverage - both professional and financial - over the developer. The more the steps that they impose, the greater that leverage becomes. As with planning standards, the outcome is inevitable; the costs of developing land are dramatically increased and passed directly onto plot purchasers, restricting those able to participate.

For individual households hoping to gain access to land in public sector projects, the problems are no less daunting. In Tanzania, for example, applicants for plots in sites and services schemes have to go through over twenty separate steps before being able to legally occupy their plot and construct a dwelling. Simply to complete the forms is beyond many, whilst the need to take days off work and travel to different city planning offices is out of the question for many more. The prospect of repeating this process and paying additional sums to move their file to the top of the heap, without any guarantee of success, provides yet another barrier for applicants to surmount. Such planning procedures can hardly be said to increase access to land and professional resistance to simplifying them is often considerable.

III. When planning has sought to increase access to land, particularly for the urban poor, results have generally been counter productive.

Two initiatives, the first in Delhi in the late 1950s, (D'Souza, 1989, p6) and the second in Lagos in 1979, (Lufadeju, 1989, p5), demonstrate the critical influence of the land market. Even when governments legislate to take public control of land with the intention of controlling speculation and reducing prices to a level which would enable low-income groups to obtain land at affordable prices the results are unsatisfactory. In the first case a land price freeze was imposed, about 60 square miles were designated for acquisition, development and allocation by the Delhi Development Authority (DOA). In the second, land in Lagos, Nigeria, was nationalised in 1979 in an attempt to improve access to it by increasing the legislative powers of the planning authorities. The result in both cases was that land prices rose dramatically as the public sector was unable to develop and allocate plots quickly or in sufficient quantities to meet demand.

In Tanzania all land has been under public ownership for many years and market mechanisms do not apply in the conventional sense. The state agencies responsible for land development and housing do not have to acquire sites at great expense, so that the effective cost of public sector projects is reduced, and the potential for increasing access improved. Unfortunately the over-centralisation of the urban sector, as noted by Walton (1989, p4), together with bureaucrative inertia and a preoccupation with high individual standards of provision and complex procedures, has failed to capitalise on these opportunities.

The situation is exacerbated by the people's over-dependency on government land, services and housing for all, raising effective demand still higher. The government's inability to supply land in line with demand has produced a situation not dissimilar to that found in Delhi and Lagos.

Many other examples of ineffective interventions in land markets could be cited. In housing markets, rent control legislation has had a similar effect of reducing supply and therefore accessibility. Less dramatic, but occasionally as negative, has been the consequence of using subsidies to increase low-income access to land.

In theory, the principle of state action bridging the gap between what households need and what this costs in an inflationary market, is fine. The case weakens, however, if it is used to support standards which are unrealistically high and leads to higher income groups competing for the same goods and services. Where such competition exists, the increased purchasing power of the better off will inevitably win the day. At a larger scale, reliance on subsidies serves to reinforce inflationary cycles of land prices, whilst restricting the number of projects the public sector can undertake. While there are numerous cases for which subsidies form a justifiable option, their indiscriminate application can also prove counter-productive. Not all planning authorities, however, even estimate the full extent of such subsidies.

The conclusion that emerges from this evidence is that the public sector has not proved itself sensitive to the nature - or power - of the changing relationship between the demand for, and supply of, urban land. Because of this, it has tended to exaggerate its ability to restore a balance through the use of legislation and policy.

Direct public sector interventions to develop and allocate land have revealed an equally limited success when compared to the achievements of both private sector, non-governmental organisations and local communities. The pre-eminence given to roads and open space in public sector projects frequently leads to low proportions of total site areas allocated for plots; in many cases, less than 50% of the site area. Conversely, sites developed by the residents or informal developers routinely achieve proportions of 65%, and arguable more acceptable environments, at least in the long term. Delays in issuing titles (McAuslan, 1989) and compensating landowners (D'Souza, 1989) are other factors which make it difficult for the public sector to bring land into planned urban use or to improve those developments which are executed.

IV. Even when planning has succeeded in increasing access to land, successful approaches have not generally been replicated

Of all the measures adopted by planning agencies to increase access to land, sites and services have been the most widely adopted. Many countries, of all political persuasions, have adopted this approach. However, of seventeen surveyed by Hardoy and Satterthwaite (1981, p254) only two had made them a central part of urban housing policies. Those, which advance beyond the level of pilot or demonstration projects, are rarely expanded into large scale, long-term, locally financed programmes. Why should this be?

A major consideration has to be that the planning and housing staff responsible for the previous generation of subsidised housing projects remain responsible for sites and services. As a result, the challenge of replicability, which involves addressing urban land market behaviour and powerful vested interests, is never addressed. Sites and services remain as housing projects without the houses.

Given the intended reduction in unit costs, however, why have such projects not been replicated - even as projects? One reason has to be the overwhelming concern with planners not to create planned slums. To prevent this, it is common to find road reservations, plot sizes and infrastructure standards of a considerable higher standard - and therefore cost - than can be justified in low-income projects. When this is added to the subsidies on land costs and interest rates etc., the savings achieved are significantly lower than those projected, with an inevitable impact on the numbers, which can be provided. By imposing high standards of construction and short loan repayment terms for the same reason, such projects also end up serving the needs of higher income groups than those originally intended.

Among other options for increasing access to land, land readjustment and land pooling are currently receiving considerable attention. These avoid direct public sector land acquisition, though the state may assume responsibility for servicing areas involved. According to Durand-Lasserve (1988), however, the procedural and financial benefits they provide usually exclude the urban poor.

Whilst success stories do exist, it would appear from the evidence that planning agencies have generally failed to replicate even the successes or to ensure that the intended groups are reached. As Lee (1989, p4) states, "We are taking a fire fighting approach, but the fire is spreading".

V. Access to land has generally been achieved in spite of, rather than because of, planning

From what has been described above, it may appear that the vast majority of urban populations have been prevented, by government action or inaction, from gaining access to land. Despite this, the majority (which collectively means tens of millions of people), have somehow managed to find themselves somewhere to live. Households, or more commonly agents and developers, come to private agreements with landowners to purchase sites for developments which simply by-pass government policies, regulations,

standards and procedures.

Whereas organised squatting was the most dramatic demonstration that people were capable of usurping the role of planners to achieve more affordable and appropriate development, this has now been replaced by quasi-commercial developers who act as middle men in targeting likely sites, subdividing for sale at prices lower-income groups can afford and often pressuring local authorities to regularise their status and provide services. A large proportion of such land developments are contrary to tenets of planning policy and practice, but they have succeeded where the public sector has failed in reconciling affordability and replicability without any recourse to subsidies or other advantages (Payne, 1989).

Occasionally, circumstances have forced planners to set aside their plans and regulations and to respond pragmatically to needs. This was the case in Ankara in the mid-1970's where as a result of an ineffective plan, lack of resources and a rapidly growing population. Many migrants occupied public land or purchased plots from private landowners and built houses without planning permission.

A form of ad hoc planning practice emerged as a result (Payne, 1982) in which communities seeking new access roads or services, etc, could petition the local authority with their councillor's support. The relevant department would then prepare a technically viable solution and return it to the local community leaders for consideration. If the community approved the proposal, or came up with technically viable alternatives - it was put up for funding and implementation. Given the shortage of funds, however, the only way to accelerate action was for the community to contribute labour or even materials to complement municipal resources.

This approach to urban land development ensured that: a) no plans were forced onto local communities - all proposals originated "from the bottom up"; b) the municipality concentrated on the technical aspects of planning for which it was best suited and; c) planning for needs replaced planning by theory.

Such an approach was far from perfect, but enabled most poorer households to obtain land, housing and services relatively quickly and cheaply at a time of rapid urban growth. It was, however, a success in spite of formal planning rather than because of it.

VI. Conclusion

1. The secondary role of the public sector

The formal and informal private sectors commonly account for 80% of urban land development in developing countries (UNDP, 1989). As I have described elsewhere (Payne, 1989), a large and increasing proportion of this is accounted for by the informal sector, mostly in the form of informal land subdivisions. The degree to which such processes are legal or illegal varies considerably, but usually involves the purchase of land and its unauthorize subdivision and development.

Governments and planners may condemn such processes, but they are powerless to stop them and have so far failed to evolve viable alternatives. As a consequence, planning follows rather than initiates development.

This relegation of urban planning to the sidelines has been due in large measure to the preoccupation with control rather than the needs referred to above. Public sector planners have for far too long been insulated from local realities. They are not required to assess the impact of delays, standards, or subsidies on development costs, yet any developer who fails to do this - and relate each to needs and affordability - would be out of business within weeks. Similarly, the social gap between professionals and the urban poor makes it difficult for planners to fully understand what people need and are willing to pay for.

Against this background, an alternative approach of urban land management (which is the subject of the next paper) has evolved with the combined support of the World Bank, UNCHS and UNDP.

2. A new role for planners

It has been asserted in this paper that the forces generated by urban population growth and the increased demand for land have proved too strong for governments to control. This is hardly surprising. European governments took many decades to manage such processes, even though the numbers involved were less and the resources available were greater. It is generally accepted that planning theories and methods derived from that European experience are inappropriate to the circumstances applying to developing countries today. Many would claim, incidentally, that they are equally inappropriate in Britain!

Today's planners in rapidly urbanising countries have the added disadvantage that investment in land has commonly become more attractive than in commerce or industry and the relative weaknesses of administrative structures in preparing and maintaining urban land records, regulating land titles or implementing land taxation procedures, enables land investors to operate with relative impunity, thereby further increasing profit margins and reducing risk. As a result, land markets have become impossible to control and even a burden on urban and national economies.

Attempts to reduce these problems to more manageable levels by restricting the size of cities or their rate of growth have demonstrably failed, though they continue to be advocated. Attempts at direct land and housing supply by the public sector have also received, at best, mixed results.

If planning is to play a leading role in future, it can only be by basing policies upon a better understanding of the changing relationships between the nature and extent of demand on the one hand and the combined resources of people and government on the other.

Much is being written at present of the need for 'enabling' and 'facilitating' approaches in urban development. We urgently need to operationalise such concepts. Then comes the task of encouraging all the professionals involved in urban planning to work more effectively together and develop the specific skills to put such new approaches into practice.

References

Bolaffi, G, 1989, *'Urban planning in Brazil*: *Past experience, current trends'.* Paper presented at International Workshop on 'Planning and Managing Urban Development in the 1990s at Birmingham University, UK, 19-23 September 1989.

D'Souza, J B, 1989, *'Will Bombay have a plan? Are planners and their plans irrelevant?'* Paper presented at Birmingham International Workshop.

Durand Lasserve, June 1988, *'Vers un renouvellement des techniques - La gestion fonciere urbaine - Potentialite des limites - Experience des villes d'Asie',* paper presented at a seminar organised by the Special American Mission of Economic and Technical Corporation, Lisbonne, unpublished.

Hardoy, J and Satterthwaite, D, 1981, *'Shelter, need and response'* John Wiley.

Lee, M, 1989, *'Urban planning in the developing world: A personal, tangential note'.* Paper presented at Birmingham International Workshop.

Lufadeju, E O, 1989, *'Protecting and enabling the urban poor: Resources support approach to planning*: *the cases of Lagos and Nairobi'.* Paper presented at Birmingham International Workshop.

Mabogunje, A L, 1989, *'New initiatives in urban planning and management in Nigeria'.* Paper presented at Birmingham International Workshop.

McAuslan, P, 1989, *'Law in development*: *A review of experience'.* Paper presented at Birmingham International Workshop.

Payne, G, 1982, *'The Gecekondus of Ankara'* in Ward, P (ed) *'Self-help housing*: *A critique'* Mansell.

Payne, G, 1989, *'Informal housing and land subdivisions in third world cities: A review of the literature'* Centre for development and environmental planning, Oxford Polytechnic, for Overseas Development Administration.

UNDP, 1989a, *'Synthesis Report'* World Bank and UNCHS urban management group. Paper presented at Birmingham International Workshop.

UNDP, 1989b, *'Urban management programme*: *Appropriate forms of urban spatial planning'.* World Bank and UNCHS urban management group. Paper presented at Birmingham International Workshop.

Walton, D, 1989, *'Urban planning the developing world: Review and experience'.* Paper presented at Birmingham International Workshop.

Werkwete, K, 1989, *'Planning and managing urban growth in the 1990's*: *The case of Zimbabwe'.* Paper presented at Birmingham International Workshop.