Housing development, land values and the decentred state: Traditions and dilemmas in House of Commons planning debates

Edward Shepherd

To cite this article: Edward Shepherd (29 Dec 2023): Housing development, land values and the decentred state: Traditions and dilemmas in House of Commons planning debates, The Journal of Legislative Studies, DOI: 10.1080/13572334.2023.2298127

To link to this article: https://doi.org/10.1080/13572334.2023.2298127
Housing development, land values and the decentred state: Traditions and dilemmas in House of Commons planning debates

Edward Shepherd
Cardiff University, Cardiff, UK

ABSTRACT
The paper examines the narratives and traditions that converged in the debates that raged in the House of Commons in response to the UK government’s controversial proposals for planning reform in 2020. Using decentred theory, it is argued that planning is essentially decentred in that it has no essence, no fixed core beyond a general concern with the relationships between town and country, central and local government, economic development and the environment, private property and community, individual freedom and state power. This means that English planning comprises a web of contradictory traditions that can be articulated in service of various agendas. The analysis explores how the traditions in planning were interpreted through and reframed by various ideological traditions in the Conservative Party to legitimise different arguments concerning the desirability, or otherwise, of housebuilding and how planning should govern new housing development.

ARTICLE HISTORY
Received 26 July 2023; Accepted 16 December 2023

KEYWORDS
Planning; housing crisis; land; rent; ideology; conservatism

Introduction
The governance of residential development in England has long posed significant challenges to policymakers. There has been consistent pressure on successive governments to be seen to be doing something to address the apparent mismatch between the supply of homes and the need for housing, and its purported influence on the sustained increase in house prices that means it is now increasingly difficult for younger people to become homeowners (Corlett & Judge, 2017). Such is this pressure, that the Conservative Party 2019 manifesto made a pledge to increase the annual supply of new homes to 300,000 by the ‘mid-2020s’. However,
despite this, the best laid plans of Conservative Party governments regarding increasing housing supply often seem to be obstructed by opposition from its own supporters and Members of the House of Commons. This is due to the Party’s reliance for electoral support on voters in more rural locales with largely unwelcome development pressure (Matthews et al., 2015, p. 57). This was illustrated by controversy surrounding the UK government’s 2020 consultations on planning reforms that were intended to facilitate the delivery of a significant increase in the number of new homes (MHCLG, 2020a, 2020b).

This paper explores this phenomenon through the lens of Mark Bevir’s and R.A.W. Rhodes’ decentred theory. This emphasises the indeterminacy that characterises governance, such that it is ‘akin to a political contest based on competing and contingent narratives’ (Bevir, 2013, pp. 26–27). Such an approach ‘challenges the idea that inexorable or impersonal forces drive politics, focusing instead on the relevant meanings, the beliefs and preferences of the people involved’ (Rhodes, 2018, p. 5). Decentred theory therefore has a focus on agency rather than determining structure, although it does acknowledge the structuring role of traditions inherited by politicians, bureaucrats and members of the public (Bevir & Needham, 2017, p. 628). However, it also recognises that actors can question and transform the traditions they inherit, and that this is often done through encountering dilemmas that pose challenges to existing beliefs (Bevir & Rhodes, 2003). Decentred analysis therefore acknowledges the role of histories in shaping the contested conditions of the present, to which situated agents react and which they can transform.

The decentred approach is therefore well suited to thinking through the nature of the difficulties encountered by central government policymakers in planning for housing development. The argument presented in this paper contends that this is because English town and country planning is essentially decentred. This is to say, it has no single, essential core (although there are various core traditions and concepts) and is therefore subject to significant interpretive flexibility regarding its rationale, what it should aim to achieve and how it should achieve it. The paper will examine how this essentially decentred quality has two main dimensions. It is ideationally decentred due to the variety of historical traditions in planning that can combine with different ideological traditions in political parties to legitimise competing arguments. Further, it is materially decentred due to the variety of public, private and third sector actors involved in drafting national and local policy, interpreting it, and delivering housing on the ground, so that local planning and development outcomes are very far from being controlled from the centre (Clifford, 2022; Layard, 2018). When these qualities combine with the tensions of local electoral politics and national political strategy, it makes for a potent mix of dilemmas and is subject to almost
ceaseless adjustments as the proper design for the delivery of contradictory objectives is sought.

The remainder of the paper is structured as follows. The next section constitutes an historical account of some of the main traditions in English town and country planning that contribute to its essentially decentred quality. The paper then reviews the ideational context for the proposed 2020 planning reforms. It then goes on to examine the related House of Commons debates regarding planning for housing delivery in England that took place between October 2020 and December 2021 and, by doing so, traces the invocation of various traditions in planning and their combination with some of the ideological traditions in the Conservative Party to see how these have been used to challenge or support central government policy objectives. The paper ends with a conclusion that summarises the main contributions.

**Planning as essentially decentred**

In developing decentred theory, Bevir & Rhodes have in their sights the kind of thinking, dominant in political science, that favours structuralist explanations in which wider forces (such as institutions or the economy) determine the behaviours and practices of individuals (Wagenaar, 2012, p. 87). They reject structural determinism in favour of more ideational and agent-focused explanations, that examine how ‘governance arises from the bottom-up, as conflicting beliefs, competing traditions, and varied dilemmas give rise to diverse practices’ (Bevir, 2013, p. 66). However, when applied to the governance of land use and development, the kind of determinism that is the subject of critique in decentred theory risks being a straw man. This is because sociological and historical scholarship of English town and country planning (which is the policy area through which land use and development is governed) has long acknowledged its contingency and contestability.

Cherry (1979, p. 318) shows how the early ‘planning movement’ in late Victorian England was not the product of a single and coherent strategy, but rather a bottom-up convergence of ‘liberal, reformist, ‘progressive’ ideologies … welded together in local affairs by the idea of a paternal public service’. Housing, social, health and land reform movements were key elements in the maturation of the early planning movement as well as drivers of the first Act of Parliament with town planning measures in 1909. Reformers influential on early planning also objected to the growth in urban land speculation whereby land was bought, not for productive purposes, as much as for the capture of economic rent (Ward, 2004, p. 17). Indeed, the problem of private ownership of economic rent in land was a key feature of Liberal and Fabian politics of the time.

Economic rent in agricultural land had been influentially analysed by David Ricardo (1772-1823), who had argued that it was a payment to the
landlord ‘for the use of the original and indestructible powers of the soil’ (Ricardo, 2000/1817, p. 55) which had no cost of production. Rent was therefore a surplus that was captured by monopolist landlords simply by virtue of their ownership of the scarce resource of productive land, thereby hindering capital accumulation and reinvestment by industrialists. J.S. Mill (1806-1873) applied Ricardian theory to the problem of urban land rents and advocated for urban land taxation based on an argument that emphasised that such rents are ‘unearned’ by landlords (Mill, 2000/1806, p. 941). Henry George (1839-1897) attacked what he saw as the injustice of private landownership, private ownership of economic rent in land, and the unproductive monopoly power of landowners (George, 1935/1879). He advocated for a single land value tax as a solution that was more pragmatic than the more radical approach of state expropriation of private property in land favoured by some socialists. Such ideas were influential on Liberals, who had an anti-landowner ideology, in part based on the Ricardian view that landed interests were the enemy of capital and labour. Fabian socialists were also influenced by rent theory in their exploration of land taxation as a means to secure socialist objectives without the revolutionary transformation of property relations advocated by Marx (Ricci, 1969).

The 1909 planning Act and the 1909 ‘People’s Budget’ ultimately contained connected provisions relating to the taxation of land and betterment (i.e. land value increases associated with the making of town planning schemes) and the valuation of land that, together, represented an attack on landed interests (McDougall, 1979).

Another key influence on early English planning was the Garden City movement, which was preoccupied with the relationship between town and country. This movement celebrated the spiritually nourishing qualities of the English countryside and sought to combine it with the industry and enterprise of the town to produce a utopian vision for a network of planned settlements that incorporated plentiful open space. The founder of the Garden City movement, Ebenezer Howard (1850–1928), developed his ideas as a form of middle way. He felt that ‘though Communism is an excellent principle, Individualism is no less excellent’ (Howard, 1902/1898, p. 95). Howard’s vision was for the land in Garden City settlements to be communally owned (rather than in state or private ownership), acquired at low near-agricultural values and owned in trust on behalf of the community. This, it was hoped, would enable increases in economic rent in land to be used to pay off the mortgage debt and fund local welfare provision for the community. Howard thus sought to combine arguments from differing ideologies and to link these to a ‘deep-flowing, Romantic tradition of rus in urbe [country in the city] that was at once … both radical and respectable’ (Hardy, 1991, p. 26).
Further Acts of Parliament with town planning measures were passed in 1919, 1932 and 1935. Despite this, there was, as yet, no vision for comprehensive national town and country planning. However, by the 1940s there was general consensus that comprehensive town and country planning (and the interference in private property rights it represented) was necessary to provide a better-quality built environment, new housing, certainty regarding the location of industry to drive economic development, and the protection of the countryside (Barlow, 1940; MTCP & SSS, 1944; Scott, 1942; Uthwatt, 1942). This resulted in a series of Acts of Parliament in the 1940s and 1950s – including the Town and Country Planning Act 1947 – which institutionalised the modern planning system. The new system made the production of plans compulsory and the responsibility of county planning authorities who would also exert a development control function. The new legislation also included provisions for the collection of betterment via a development charge payable following the grant of planning permission. This was introduced to enable the state to collect the economic rent partly generated by the national control of the supply of development land. According to the chairman of the Central Land Board that was set up to administer the charge, the ‘enemy was identified primarily as the speculative landowner who had invested his capital in undeveloped land in the hope of capital gains’ (as quoted in Cullingworth, 1980, p. 28).

We see in this brief historical sketch how the foundations of the modern English planning system were formed from a combination of various traditions that seemed to offer something that all could agree on (Glass, 1959). These traditions include a technocratic budget function in which planning serves to mediate competing claims to land use in a nebulously-defined public interest; a market-supporting function in which planning was accepted to be necessary to provide the market certainty to support planned economic and physical development; an urban containment function in which planning control was necessary to protect the countryside; a housing delivery function in which planning was necessary to guide and support the development of good quality housing; and an environmental function in which planning is needed to guide the creation of a built environment that is conducive to living a good and healthy life. For the true believers of the early ‘planning movement’, the housing delivery and environmental functions were accompanied by a commitment to the idea that planning could help deliver a wider social programme. This was coupled with the framing of speculative owners of development land (rather than all landowners, an increasing proportion of which were homeowners) as economic and social parasites whose development gains could be legitimately taxed.

However, although there was an abstract consensus across political divides in the 1940s regarding the need for planning, the system could never live up to its promise of delivering win-win-win outcomes in practice.
Contradictory objectives were built in from the beginning and these tensions would crystallise when concrete planning decisions were made. Only a decade or so after the establishment of the modern planning system, Foley (1960, p. 227) warned that if the ‘inconsistencies’ in what he called the ‘ideologies’ of planning become too embedded, ‘the chances for self-conscious efforts to work for a coherent rationale may become ever more remote.’ Indeed, the post-war experience of English planning has largely borne out these concerns, with one historical overview arguing that the development of town planning over time has been ‘subject to lurches between agendas and ideas, political ideologies and reactions’ (Tewdwr-Jones, 2012, p. 9).

A key source of conflict in the system since the 1980s has been tussles between central and local government regarding the delivery of new housing, with central government seeking to adjust the planning system to enable more new housing development and some local authorities resisting such moves (Adams, 2011). It is in this context that central government has over the last decade increasingly sought to use a technocratic target-based approach to planning for housing development that has been intended to discipline local authorities into releasing more land for housing. Although it had been a feature of government circulars in 1980, this policy approach was strengthened by the Conservative-led coalition government in 2012 and has been used by speculative land promoters and developers to secure planning permission in contravention of local policy, much to the chagrin of local communities and their elected representatives. As Layard (2018, p. 197) has argued, this approach to planning for housing development has resulted in the entrenchment of quantitative market-based approaches (‘redolent with ideology’) in planning, such that ‘[n]umbers are doing profound governance work’ (see also Bradley, 2021, 2022).

Another key source of dynamism in the post-war period has been the nature of betterment mechanisms. The 1947 Act financial provisions were abolished by the subsequent Conservative government and there have since been periodic tussles over the design of national betterment and compensation policy (Cox, 1984). However, the period since the early 1980s has been more stable in this regard, linked to the rise of locally-negotiated planning obligations (now framed as a form of ‘land value capture’) that have increasingly been used to secure affordable housing from private developers (Foye, 2022b).

Indeed, the role of the state in contemporary planning is largely limited to plan preparation, development management (whereby decision-making is conducted via a discretionary process of weighing different policies and other material considerations in the ‘planning balance’) and the collection of a proportion of development value. The delivery of residential development is largely the responsibility of the private sector following the withdrawal of the state from large-scale council housebuilding from the late 1970s.
This has contributed to a contemporary environment in which approximately 80%–90% of new homes delivered annually since 1990 have been from the private sector (with the remaining share largely accounted for by housing associations), compared with broadly 50%–60% in the 1960s and 1970s (ONS, 2022). In the same period, the housebuilding industry has increasingly consolidated, such that the top 10 house building firms produce around 40%–50% of new homes annually. In the 1960s, the top 10 firms produced only 8–9% of national output (Archer & Cole, 2016, 2023).

Planning and residential development comprises a diverse and fragmentary field of different specialisms and sectors. These include secretaries of state and ministers in central government, their advisors (including civil servants as well as special advisors), think tanks, lobbyists and industry bodies, local elected politicians, local planning officers, consultees (including local communities), private housebuilders, some registered social landlords (e.g. housing associations), landowners, land promoters, development financiers, specialist consultants and legal specialists. Individuals that comprise these various groups obviously do not all share similar incentives or views regarding what planning is for, whom it should serve and how it should function. Further, national planning objectives are interpreted into development plans and development decisions at local level by local officers and political and community actors, and this acts as a further source of complexity and potential resistance that can frustrate the agenda of central government departments (Allmendinger & Thomas, 1998).

The context for the House of Commons planning reform debates

The remainder of the paper examines some of these features of the English planning system by tracing their manifestation in the arguments expressed by speakers in the House of Commons debates that surrounded the publication of the government’s controversial planning reform proposals in August 2020. The proposals were strongly influenced by reports published earlier that year by think tanks Policy Exchange (Airey & Doughty, 2020) and Centre for Cities (Breach, 2020). Policy Exchange is a centre-right think tank that has been long been critical of the UK planning system, largely on the basis that it imposes inefficiencies on development land markets and housebuilding (e.g. Morton, 2012). Centre for Cities is a think tank specialising in the economies of the UK’s largest towns and cities. Similarly to Policy Exchange, it has tended to frame the planning system as a barrier to economic growth and housebuilding – a symptom of its strong alignment with neoclassical economic theory (Foye, 2022a).

The Policy Exchange report contained a 90-page critique of the English planning system from a perspective that drew on a libertarian political
tradition that is deeply suspicious of attempts by state actors to intervene in markets other than to protect property rights and correct imperfections in price signals. The Centre for Cities report similarly analysed the perceived failings of the English planning system by comparing it pejoratively to Soviet-style planning. For the Policy Exchange report’s authors, attempts by planners to manage land markets have held back economic growth and housebuilding because they have sought to impose faulty human rationality to guide innately complex ‘natural’ market processes. Similar points were made in the Centre for Cities report, which argued that discretionary planning can never achieve ‘efficient’ outcomes. The solution proposed in both reports was a switch from a discretionary to a more rules-based zonal planning system that would enable greater elasticity in land supply.

These reports thus invoked the technocratic budget function tradition of planning combined with its market-supporting function and housing delivery function traditions, filtered through a libertarian political ideological tradition, in that it was proposing a redesign of the system that would support the market-led resolution of competing claims for land use that would produce more ‘efficient’ housing delivery outcomes. The environmental tradition was lacking, and the urban containment tradition was downplayed. As for the idea of planning being part of a wider progressive social programme, this was overtly dismissed in the Policy Exchange report as being ‘born from the utopian idea that a just and efficient society can be created through the work of planners’ (Airey & Doughty, 2020, p. 30).

By focusing on the budget, market-supporting and housing delivery functions of planning as framed in a libertarian political tradition, these reports were emphasising only one of the various ideological traditions within the Conservative Party. Although it risks oversimplification given the complex combinations of collectivist and liberal impulses that can be found in conservative thought (Seawright, 2010), Greenleaf’s (1983) identification of the ‘libertarian’ and Tory collectivist paternalistic (One Nation) traditions in the Conservative Party is a useful heuristic here. The Policy Exchange report did not pay much homage to the One Nation tradition, other than superficially through its suspicion of human rationality and ‘grand visions’ that can result in a Tory preference for an ‘organic society’. Indeed, the placelessness and threat to traditional identities implicit in the reports’ market-focused proposals for planning speaks to a long-examined tension in the Conservative Party between the libertarian and One Nation traditions, between the celebration of the power of impersonal market forces and scepticism regarding those same forces from a more localist and communitarian perspective (e.g. Gray & Willetts, 1997).

The place-based paternalistic tradition in the Conservative Party was instead invoked in a third report that was influential on the government’s 2020 proposals. This was the Living with Beauty report by the Building
Better, Building Beautiful Commission (BBBC, 2020), that was chaired by the late conservative philosopher Roger Scruton. The report was commissioned by the government as part of a refocus on ‘beauty’ in planning to try and secure more local support for new development. This represents a deployment of the environmental paternalistic tradition in planning with a particularly Tory emphasis, wherein a conservative conception of beauty is necessary for a healthy, happy and moral life. Here, beauty is connected with settled community identities and the sense of place that is a feature of civic Tory tradition, in the hope that beauty and good design will resolve the contradiction between the need for more housebuilding and political resistance among middle-class communities.

Cutting across these ideological traditions in the Conservative Party is the tradition of the ‘property-owning democracy’. This idea became dominant in Conservative Party thinking in the 1950s (Lund, 2013) and was ‘actively tied to a desire to significantly expand home ownership, in which mass owner-occupation would become enmeshed within a democratic ideal of providing the electorate with ‘a real stake in the country’’ (Davies, 2013, p. 424). The tradition of the property-owning democracy can be interpreted through a libertarian political tradition, through which it is a means by which individuals can be absorbed into the financial system to become stakeholders in capitalism, as well as through a One Nation tradition, in which home ownership is framed as a means by which individuals are rooted in, and become stakeholders in, local communities. However, in the latter tradition there arises a dilemma between the acceptance of the value of home ownership and the challenge to the interests of existing homeowners that arises from new housing development – which the beauty agenda seeks to resolve.

The government’s August 2020 White Paper (titled Planning for the Future) included some of the rhetoric and many of the recommendations in the Policy Exchange and Centre for Cities reports, including a radical simplification of local plans, an end to detailed land use allocations and a proposed move away from a discretionary to a more rules-based, zonal system of planning, whereby land use changes would be predominately market-led rather than plan-led. It also proposed to replace negotiated planning obligations with a new Infrastructure Levy that was intended to create greater certainty for developers. The White Paper also included a chapter on ‘planning for beautiful and sustainable places’ that proposed measures to strengthen design quality requirements for new developments. However, an accompanying consultation also proposed revisions to the ‘standard method’ for calculating housing need for planning purposes, which had a greater focus on affordability and areas with high household growth projections, with the express objective of ‘boosting supply’ (MHCLG, 2020b, p. 8). The proposed changes would have increased the national annual housing need figure to approximately 377,000 – a 42% increase from the national
annual need figure of around 266,000 produced by the original standard method when it was adopted in 2018 (Lichfields, n.d.). The most significant increases in the figures produced by the revised formula were concentrated in London and the south-east of England, affecting various local authority areas under Conservative Party control.

Changes to the standard method had not been proposed in the Policy Exchange or Centre for Cities reports because housing need calculations smack too much of faulty human rationality and state interference. Their inclusion in the government’s proposals speaks to an ongoing mistrust of local authorities by central government and a nervousness that without a strong top-down policy requirement to identify and plan for housing need, not enough land would be released for housebuilding, regardless of the effects of the proposed switch to a more market-led system.

**Analysing the House of Commons planning debates (2020-2021)**

According to the online Hansard record, there were two key debates in the final months of 2020 on the White Paper and housing need proposals, followed by three further significant debates in 2021 in which the topics of planning, affordable housing and local involvement in planning decisions were discussed. Due to the coronavirus pandemic, provisions for hybrid (online and in-person) proceedings were in place for two of these (21 June and 15 July 2021). Participation in the remaining debates was limited to those who were able to attend in-person.5

The debates selected for analysis are summarised in Table 1. They were chosen because they were focused primarily on planning for housing development and were related to the introduction of, and political fallout from, the *Planning for the Future* White Paper and the accompanying consultation on changes to the standard method for calculating housing need discussed above. As we shall see, these documents engendered significant opposition from the government’s own supporters. The government formally responded to its consultation on changes to the standard method in December 2020. Seemingly in acknowledgement of the resultant political backlash, the consultation response acknowledged concerns that ‘the distribution of need was not right’ and that ‘too much strain was being put on our rural areas and not enough focus was on the renewal of our towns and cities’ (MHCLG, 2021).

The government therefore confirmed that the housing need formula would remain unchanged, but that it would impose a ‘35 per cent uplift … to Greater London and to the local authorities which contain the largest proportion of the other 19 most populated cities and urban centres in England’ (MHCLG, 2021). This political fix enabled the government to defuse the political controversy by concentrating increased housing
Table 1. Summary of key House of Commons planning debates 2020–2021.

<table>
<thead>
<tr>
<th>Debate Name, Date, Forum and Debate Type</th>
<th>Frequency of Conservative Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Labour &amp; Co-operative Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Liberal Democrat Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Other Speakers (no. &amp; % of total)</th>
<th>Debate Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning and Housebuilding Thursday 8 October 2020 (vol 681) Commons Chamber Debate on planning reform and house building targets. Motion put by Bob Seely MP (Conservative backbencher).</td>
<td>36 (75%)</td>
<td>11 (23%)</td>
<td>1 (2%)</td>
<td>0 (0%)</td>
<td>Question put and agreed to. Resolved, That this House welcomes the Government’s levelling up agenda and supports appropriate housing development and the Government’s overall housing objectives; further welcomes the Government’s consultation, Planning for the Future, updated on 6 August 2020, as a chance to reform housing and land use for the public good; welcomes the Government’s commitment to protect and restore the natural environment and bio-diversity; and calls on the Government to delay any planned implementation of the changes to the standard method for assessing local housing need proposed by the Government’s consultation, Changes to the Current Planning System, published on 6 August 2020, and Proposal 4 of the Government’s consultation, Planning for the Future, on a standard method for establishing housing requirement, until this House has had the opportunity to hold a debate and meaningful vote on their introduction.</td>
</tr>
<tr>
<td>Planning for the Future Tuesday 15 December 2020 (vol. 686) Westminster Hall Debate on the 2020 White Paper ‘Planning for the Future’. Motion put by Sarah Olney MP (Liberal Democrat).</td>
<td>11 (65%)</td>
<td>4 (24%)</td>
<td>2 (12%)</td>
<td>0 (0%)</td>
<td>Question put and agreed to. Resolved, That this House has considered the Planning for the Future White Paper.</td>
</tr>
</tbody>
</table>

(Continued)
<table>
<thead>
<tr>
<th>Debate Name, Date, Forum and Debate Type</th>
<th>Frequency of Conservative Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Labour &amp; Co-operative Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Liberal Democrat Party Speakers (no. &amp; % of total)</th>
<th>Frequency of Other Speakers (no. &amp; % of total)</th>
<th>Debate Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Decisions: Local Involvement  Monday 21 June 2021 (vol. 697) Commons Chamber (hybrid session) Debate on local involvement in planning decisions – relating to a proposal in the 2020 White Paper. Motion put by Steve Reed MP (Labour/Co-operative Party).</td>
<td>9 (53%)</td>
<td>5 (29%)</td>
<td>2 (12%)</td>
<td>1 (6%) (Independent)</td>
<td>Question put and agreed to. Resolved, That this House believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes; and therefore calls on the Government to protect the right of communities to object to individual planning applications.</td>
</tr>
<tr>
<td>Planning Thursday 15 July 2021 (vol.699) Westminster Hall (hybrid session) Debate on a motion on the future of the planning system. Motion put by Bob Seely MP (Conservative backbencher). Affordable Housing: Planning Reform Tuesday 7 December 2021 (vol. 705) Westminster Hall Debate on access to affordable housing and planning reform. Motion put by Derek Thomas MP (Conservative backbencher).</td>
<td>5 (42%)</td>
<td>5 (42%)</td>
<td>1 (8%)</td>
<td>1 (8%) (Democratic Unionist Party)</td>
<td>Question put and agreed to. Resolved, That this House has considered the future of the planning system and the upcoming Planning Bill.</td>
</tr>
<tr>
<td>TOTALS</td>
<td>85 (60%) (61 unique speakers)</td>
<td>44 (31%) (27 unique speakers)</td>
<td>9 (6%) (4 unique speakers)</td>
<td>4 (3%) (3 unique speakers)</td>
<td></td>
</tr>
</tbody>
</table>
numbers in less politically sensitive parts of the country. However, this could not prevent the Conservative Party subsequently losing a local by-election in Chesham and Amersham – a previously safe Conservative seat – in June 2021. The loss was widely reported to be driven in part by local dissatisfaction regarding the government’s proposed planning reforms and concerns about housebuilding (e.g. Gye, 2021).

Due to this political fallout, many of the other more controversial ideas in the White Paper have since seemingly been dropped, although planning reform and the Infrastructure Levy form parts of the Levelling-up and Regeneration Act 2023 (a major piece of legislation promoted by the central government department responsible for planning) which received Royal Assent on 26 October 2023 (it was given its first reading on 11 May 2022). There have therefore been various debates in relation to the passage of this legislation through Parliament that have incorporated discussion of the role of housing targets and exhibit significant internal political struggles in the Conservative Party regarding housing development. However, these do not form part of the analysis presented here, which focuses on debates that were specifically associated with the 2020 consultation documents and planning reform proposals. This paper therefore provides a snapshot of the dilemmas that shaped debates at that time. However, some of the developments via the Levelling-up and Regeneration Bill debates that have occurred since are reflected upon in the conclusion to this paper.

House of Commons debates are highly performative and do not necessarily give insight into the important back-room discussions, negotiations and decisions that drive politics – what McNulty (2018, p. 93) calls the ‘procedural, cultural and unacknowledged ghosts in the machine’. However, the debates examined here provide data regarding the range of perspectives in the House of Commons on the nature of the problem of the governance of residential development. Indeed, these debates offer an opportunity to examine the discursive ‘back and forth’ between different perspectives and, in doing so, help reveal the nature of the dilemmas that shaped the political contestation at the time.

The analysis presented here is not exhaustive, but focuses on three of the main dilemmas for the Conservative Party that manifested in these debates: (i) the tension between local and national political priorities regarding housing supply; (ii) the disconnect between results of the standard method and the spatial distribution of electoral risk; and (iii) speculative landownership and the suppression housing supply as a legacy of the prior policy decision to give responsibility for housing delivery to the private sector. By focusing on these dilemmas, the analysis illustrates the essentially decentred nature of planning for housing delivery by demonstrating the struggle for interpretive control over the issues and the possible solutions that fragmented the narrative from central government and challenged and subverted its
programme of reform. Further, it examines how the various historical traditions in planning were interpreted through, and combined with, various ideological traditions in the Conservative Party to legitimise arguments and seek to resolve dilemmas and contradictions that are variously rooted in the pragmatic realities of local and national electoral politics.

Traditions and dilemmas in the House of Commons debates

Local and national political priorities and the property-owning democracy

At the heart of the House of Commons debates is the dilemma that arises from the mismatch between the longer-term strategic objective of central government to deliver more housing for home ownership, and the shorter-term pressures of local electoral politics in many Conservative seats in the south of England. Linking these contradictory imperatives is the tradition of the property-owning democracy. Due to worsening affordability, the proportion of owner-occupiers in the UK declined from 69.1% in 2001 to 64% in 2020 (Stephens et al., 2022) and it is increasingly difficult for younger people to buy their first homes. Therefore, while house price growth is in the interest of Conservative Party voters who are existing homeowners and participants in the property-owning democracy, it also presents a significant strategic political problem for a Conservative Party that promotes the idea of property ownership in an environment where a main route to wealth (home ownership) appears closed off to many younger voters. Conservative politician David Willetts (2022) frames this as an issue of fairness and obligation of older generations to younger that, if not met, could prove fatal to the long-term electoral fortunes of the Conservative Party. It is for this reason that he has argued that: ‘Spreading property ownership to the younger generation is, therefore, key to the future of the Conservative Party’ (Willetts, 2022, p. 435).

The House of Commons debates therefore exhibited consensus that more homes need to be built, but dissensus regarding the volume and location of delivery. For Conservative Members of Parliament (MPs), the acceptance of the need to build more homes was often connected to the property-owning democracy via the One Nation tradition of the Party. For backbench Conservative MP Derek Thomas, ‘[t]o own a home is an amazing thing; it gives a sense of security, builds community and provides opportunity, so we should absolutely continue to do all we can to ensure that people can own a home’ (HC Deb 15 December, 2020, c.86WH). The ideological importance of home ownership was further articulated by Conservative MP Sir John Hayes:

Homes form the heart of a property-owning democracy, one that Britons want and deserve. Ownership kindles individual fulfilment and communal
wellbeing, as it fosters feelings of responsible pride … Yet fewer people own homes now as a proportion of the total than did 20 years ago … Owning capital is the heart of capitalism and homeownership is a vital milestone to communal enfranchisement. (HC Deb 21 June, 2021, c.633)

Conservative MP Jack Lopresti went as far as to argue that ‘the housing crisis is shredding the social contract … condemning an entire generation of young people to a huge amount of student debt and no prospect whatsoever of ever owning their own home’ (HC Deb 21 June, 2021, c.653). He was therefore broadly in support of the government’s proposals. We see here how the property-owning democracy tradition was combined with the paternalistic Tory tradition and the planning tradition of housing delivery to support the idea of more housebuilding.

However, others were more sceptical. Despite accepting the kind of paternalistic arguments summarised above, they voiced objections that were linked to the shorter-term electoral risks to the Conservative Party at local level. This speaks to the mismatch between central and local political pressures and objectives, with some local political contexts shaped by community concerns regarding loss of local amenity for existing homeowners and harmful impacts on the countryside. Some Conservative members in the House of Commons debates objected to the fact that the proposed increases in housing numbers were produced by an ‘algorithm’ that was blind to local context, and produced results that would be undeliverable ‘without significant urbanisation of the suburbs, encroachment on the green belt, or both’ (HC Deb 15 December, 2020, c.79WH). While this may not have been the express objective of the White Paper, this criticism does speak to the perennial anxiety in some suburban and rural communities regarding the threat to local character and identities that are perceived to be represented by housebuilding. Indeed, the Conservative communitarian tradition was invoked by Conservative MP Theresa Villiers who claimed that: ‘our suburbs … are often underappreciated, but the people who live there form the bedrock of much our economic and civic life … let us junk that algorithm and scrap much of the White Paper, so that we can save the suburbs and defend our local environment’ (HC Deb 15 December, 2020, c.80WH).

The power of the planning system to prevent unwanted development in the countryside was even praised by Conservative MP Jeremy Hunt: ‘People sometimes say that the Town and Country Planning Act 1947 was a sort of mistake in planning policy, but we should be incredibly proud that we can drive in virtually any direction from this place for an hour and be in the most beautiful countryside … One of the best things about our country is the beauty of the English countryside, and we lose that at our peril’ (HC Deb 8 October, 2020, c.1064). We see here how the urban containment tradition in planning was invoked to argue against planning reforms aimed at promoting more housebuilding, thus downplaying the
market-supporting and housing delivery traditions in planning and emphasising the needs of existing participants in the property-owning democracy at the expense of potential participants.

**Disconnect between the outcomes of the standard method and political priorities**

The focus of such objections was the technical and technocratic housing needs formula (the ‘standard method’). However, the House of Commons debates reveal a mismatch between the distribution of development that would result from its application, and the political landscape the Conservative Party then needed to navigate. The 2019 Conservative general election victory had been secured partly thanks to a change in voting preferences in parts of the North Midlands and the north of England and north Wales – so-called ‘red wall’ seats that had previously reliably voted for the Labour Party.

Voters in these areas had turned away from a Labour Party that they felt had become overly preoccupied with the concerns of its well-educated and urban voter base and had lost touch with the priorities of its core working-class voters in areas of the country that had fallen behind after years of underinvestment. These were also areas of the country that had voted to leave the European Union in the 2016 referendum, apparently in protest against a system that they felt had not served their interests and had left them behind, such that the 2019 election results in these areas are ‘impossible to disaggregate from the Brexit vote and the socioeconomic and cultural factors underlying it’ (Cooper & Cooper, 2020, p. 752).

However, as the Economist newspaper (Economist, 2021) has pointed out, these areas also include places such as Pegswood and Cramlington in Northumberland (which swung to the Conservative Party) where residents live affluent middle-class lifestyles despite modest incomes, due to relatively low living and housing costs. Indeed, areas that switched from Labour to Conservative in the 2017 or 2019 general elections have tended to have higher rates of home ownership and lower average house prices than areas that continued to support Labour (Cooper & Cooper, 2020, p. 757).

These red wall areas at the time seemed to represent a significant political opportunity for the Conservative Party, which appeared keen to secure their long-term political loyalty. This was partly represented by the government’s so-called ‘levelling up’ agenda (HM Government, 2022). Closely associated with then-Prime Minister Boris Johnson, this was the latest in a series of attempts by policymakers to address entrenched regional imbalance in economic development and which had at that time acquired acute political importance thanks to the new electoral landscape.

However, the point was repeatedly made in the debates that because the revised standard method focused on areas with the worst affordability and
highest household growth projections, the largest increases in housing figures were concentrated in London and the south-east of England. Some Members warned that this would have the effect of ‘sucking economic activity into the south’ (HC Deb 8 October, 2020, c.1063) where there was most risk of local political resistance, rather than driving it into areas which are most in need of new investment. The government was urged by its backbenchers to ‘stick to the levelling-up agenda; if not, shire Tories will be furious and red wall Tories betrayed’ (HC Deb 8 October, 2020, c.1049).

Levelling up was described in debates as a moral, economic and ‘political imperative for the Government’, but that the planning reforms could ‘undermine that levelling-up process’ (HC Deb 15 July, 2021, c.190WH reference). Similarly, it was argued that: ‘When it comes to levelling up, I believe that the standard method is still a problem at the heart of this matter, and many red wall colleagues are beginning to realise this’ (HC Deb 21 June, 2021, c.643). Whatever the economic literacy of objections that would seek to focus more housebuilding into areas of the country where there may not yet be sufficient economic opportunity to attract viable numbers of occupiers (social housing notwithstanding), it remains the case that this new political context was deployed against the government to add political weight to opposition to housing need calculations.

This illustrates starkly how central government’s focus on the budget function tradition in the 2020 White Paper, combined with the desire to enable the market to deliver ‘efficiently’ in accordance with demand, produced outcomes that were blind to the political imperative to enable development in areas with less market demand. Indeed, ‘levelling up’ these areas would arguably need to be delivered via a strategy that incorporates a planning tradition that acknowledges its role as part of a broader social programme and progressive strategy, rather than merely to mediate competing demands for land use and release land for development. However, such a programme would require a more active state and more significant, coordinated and progressive programmes of public investment than is acceptable politically in the contemporary Conservative Party and would, in any case, be anathema to the libertarian tradition.

Policy legacies of speculative landownership and suppressed housing supply

Over the course of the debates, some old and familiar critiques of the planning system were voiced, concerning delays in preparing local plans, slow decision-making and consequent lack of housebuilding. However, there was also much discussion regarding the structure of housing delivery, land ownership and how this relates to rates of development. A key area for discussion was the reliance on the private sector to deliver most new homes, and
the inability or unwillingness of private developers to increase rates of house-
building significantly above current levels.

Conservative MP (and former Prime Minister) Theresa May argued: ‘We
do need … to build more homes, but we will not do that by forcing local auth-
orities to grant more planning permissions to developers so that they can build
more homes to bring the price down, because developers simply will not do it’
(HC Deb 8 October, 2020, c.1051). This represents a growing acceptance that
the perceived housing crisis is not caused merely by constraints in the supply
of land and the regulatory ‘delays’ imposed by the planning system, but that
there is a significant industry supply-side factor as well. Backbench Conserva-
tive MP Bob Seely (a particularly vocal critic) used this as part of his argument
against the government’s proposed changes to the planning system:

The 10 largest developers control 70% of supply.7 They withhold land to inflate
value; while 80% of residential permissions are granted, half remain unbuilt
and 900,000 permissions … are outstanding8 … That raises two critical ques-
tions. First, is the problem with the system, or with the building firms that
are abusing it, maybe because of the foolish laws being put in place? Secondly,
do we need to scrap the current system and potentially face the law of unin-
tended consequences, or do we need to reform it? (HC Deb 8 October,
2020, c.1046)

Conservative MP William Wragg argued: ‘The land-banking disgrace must
be remedied and rectified quickly’ (HC Deb 8 October, 2020, c.1073). Con-
servative MP Richard Fuller argued: ‘deliverying houses is essentially a con-
tract of trust between the state, nationally and locally, and the developers
who build the houses. If the developer does not fulfil its part of the contract,
trust is broken and therefore we need some remedy in the form of penalties
for not building planned homes when given approval’ (HC Deb 8 October,
2020, c.1082).

These points are made within the general land reform tradition in plan-
ing, in that they exhibit a suspicion of housebuilders (particularly volume
housebuilders) as speculative landowners. The accusation is being made
that such housebuilders are land speculators who are withholding land
from development in order to inflate the land component of house prices.
In this framing, volume housebuilders are land portfolio business, with the
housebuilding function merely the means to realise the value of the land
(see Foye & Shepherd, 2023). This kind of rent-extracting behaviour is
demonised in the land reform tradition that contributed to the formation
of the early planning movement and has been a feature of subsequent adjust-
ments to the betterment and land value capture mechanisms in planning.
While betterment and land value capture tools were not a significant
theme in the House of Commons debates, the focus on seeking to force
housebuilders to build out their planning consents more quickly and so
lessen inflationary pressure on house prices draws from this tradition.
Summary
The preceding account has explored three of the key dilemmas that shaped the House of Commons planning debates that took place in the aftermath of the publication of the government’s planning reform proposals in August 2020. These dilemmas arose from tensions between different beliefs and traditions in the Conservative Party, particularly as they related to the political, symbolic and economic characteristics of housing development and its governance via the planning system. In particular, there was tension between an abstract and placeless consensus that more housebuilding for homeownership is needed (partly in service of a strategy secure long-term electoral support among younger people), and the attendant local political risk that arises from the perceived harm that new housing development poses to local character and embedded identities in some parts of England, particularly those that have traditionally voted Conservative.

The debates also reveal tensions between the myopic framing of planning as a technocratic institution for the release of development land (via its budget function – as exemplified by the standard method), and the reliance by the state on private entities to deliver housing on that land to meet government targets. These targets are generally not met because housebuilders (particularly the volume housebuilders that dominate supply) are incentivised to maximise profits rather than significantly increase volumes (Foye & Shepherd, 2023). While planning may be essentially decentred, the housebuilding sector is now essentially centred around a small number of powerful housebuilders on whom the state relies to meet housebuilding policy objectives. This exposes the tension between policy and parliamentary debates concerning the extent and geographical distribution of housing targets and the structural conditions and concentrations of power that prevail in local land markets and in the housebuilding sector.

Decentred theory tends to invoke the concept of the dilemma to explain institutional change. By paying close attention to how tensions between ideas are navigated by individuals thinking and acting from different traditions and webs of belief, decentred forms of analysis seek to show how such dilemmas can result in changes in traditions and practices as new beliefs are incorporated. However, because the analysis presented in this paper is based on a series of snapshots of the discursive deployment of beliefs and traditions in House of Commons planning debates at particular moments in time over a relatively short period, it is not possible to trace whether or how the beliefs of individual politicians shifted. Such questions are beyond the scope of this paper.

Nevertheless, the analysis shows how the government’s planning proposals were riven with dilemmas that arise from the tensions that the proposals revealed between different beliefs and traditions in the Conservative Party and planning itself, as well as the material legacies of past policy decisions.
such as to rely on market forces to deliver most new homes. Because of the political risk posed by these dilemmas, the government’s planning reform programme was largely unsuccessful – at least for the present. So, while it is not possible to robustly claim that the government’s ideas about desirable planning reform changed, it is possible to claim that there was an evident shift in understanding regarding what kinds of policy ideas for planning reform and housebuilding would be accepted by backbenchers and the electorate.

**Conclusion**

The paper has explored how the ideological indeterminacy of English planning is well understood in the sociological and planning academic literature, and how this has its roots in the variety of traditions that coalesced in the early planning movement. The analysis of the House of Commons debates surrounding the government’s controversial 2020 planning reform proposals has shown how these traditions in planning have been interpreted through and reframed by various ideological traditions in the Conservative Party to legitimise different arguments concerning the desirability, or otherwise, of housebuilding and how planning should govern new housing development. These arguments connect to the pragmatic realities of local electoral political and longer-term national electoral strategy for the Conservative Party, the structure of land markets and the housebuilding sector, and different framings of the role of home ownership and housing development.

A key (but not the only) reason for this interpretive flexibility is that planning has no ideational essence, no fixed core beyond a general concern with the relationships between town and country, central and local government, economic development and the environment, private property and community, individual freedom and state power. These various concepts and traditions can be articulated and arranged in different ways in relation to different traditions in planning, as well as political traditions, to support competing positions regarding the distribution of urban development, without undermining the consensus for the need for some form of planning (see Shepherd, 2020). The result is a system that has been through many rounds of reform as dominant ideas about its objectives and the proper distribution of planning powers across scales of governance have adjusted over time.

The argument presented here is therefore that English town and country planning is essentially decentred. It is ideationally decentered by virtue of the variety of planning traditions that can be invoked in different combinations and articulations to support contradictory agendas. These invocations may be in service of political ideological traditions that have an interest in one or more of the traditions of planning in terms of how it threatens, or can
support, political priorities. Planning is also *materially decentred* due to the dispersed networks of actors with different sets of interests and motivations that are involved with setting national agendas and then interpreting, or potentially subverting, them at local level. Planning is therefore subject to ongoing tussles between the centralising instincts of Westminster, the localist instincts of local government and the distribution of electoral risk at national and local levels.

Because planning is essentially decentred, it is unlikely that it will settle into a form that can secure common consent *in material practice*, even though it continues to secure consent *in the ideational abstract*. Indeed, similar objections from Conservative Members of Parliament as those discussed here have gone on to shape and frustrate the passage of the Levelling-up and Regeneration Bill through Parliament (Brown, 2022). Even though these dilemmas now appear to have been settled via a range of government concessions, including some aimed at reducing the power of housing targets in planning (HC Deb 6 December, 2022, c.415WS), which have now been crystallised in an update to national planning guidance (Betts, 2023), this is surely a temporary settlement that will only displace the debate until the next political rupture. While such ruptures are inevitable when a policy area is so intimately connected with the tensions between private property rights, community interests and the environment, there is an opportunity for visionary political leadership to shape a more inspiring agenda for planning that could secure wider support.

**Notes**

1. This is not to suggest that there was a single Fabian theory of rent, or that these theories led to the same kinds of conclusions regarding Parliamentary gradualism. Bevir (1989) has shown how the leading Fabians of the time had differing theories of rent leading to different political theories regarding the role of state ownership of the means of production versus taxation of the unearned increment.

2. Due to limitations of space, the historical account presented here only covers certain aspects of the various influences on English planning. For example, the heritage conservation, sustainability and public consultation traditions are not covered here. There are many more comprehensive accounts of the historical development of English town and country planning, one of the best of which is Ward (2004).

3. This typology draws on and develops that set out Foley’s (1960) early analysis of the tensions and inconsistencies in the ideologies of the early planning system.

4. It should be noted here that there has over the last few years been somewhat of a resurgence in municipal housebuilding, although nowhere near the levels prior to 1979 (Morphet & Clifford, 2021).

6. In British politics, a ‘backbench’ MP (or ‘backbencher’) is a Member of Parliament who is not a government minister nor an opposition spokesperson. All the quoted speakers in this paper were Conservative backbenchers at the time of the relevant debate.

7. The ten largest housebuilders tend to contribute more like around 40%-50% of annual housing supply (Archer & Cole, 2016, 2023).

8. The accuracy and relevance of available data regarding unimplemented planning permissions has been disputed by the housebuilding and developer lobby (Lichfields, 2021).

Acknowledgements

I am grateful to Matt Beach, Mark Bevir, Chris Foye and the participants at the symposium Interpreting UK Legislatures held at UC Berkeley in September 2022 for providing helpful comments on an earlier draft of this paper. Any errors or omissions remain the sole responsibility of the author.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Funding

This work was supported by the Economic and Social Research Council (grant ES/W001675/1) and the Center for British Studies, University of California, Berkeley. No new data were created during this study.

Notes on contributor

Edward Shepherd is a Senior Lecturer in Planning and Development at the School of Geography and Planning at Cardiff University. He is interested in the politics and ideologies of land ownership, land value capture, housing development and planning reform.

ORCID

Edward Shepherd http://orcid.org/0000-0002-8711-5542

References


Barlow, M. c. (1940). Report of the royal commission on the distribution of the industrial population, Cmd 6153, Barlow report. HMSO.


Cullingworth, J. B. (1980). Environmental planning volume IV: Land values, compensation and betterment. HMSO.


MTCP & SSS (Minister of Town and Country Planning & Secretary of State for Scotland). (1944). The control of land use, Cmd 6537, White Paper. HMSO.


Uthwatt, A. A. chair. (1942). Final report of the expert committee on compensation and betterment, Cmd 6386, Uthwatt report. HMSO.

