

# The Land is Ours (Britain) - Land for Homes. Land for Livelihoods. Land for Life.

## Land for Homes

Sites suitable for housing, especially in city centres, to be reserved for low cost homes, rather than executive mansions, office blocks or speculation.

We believe that a failure to protect land for low cost housing in city centres has resulted in significant social, economic and environmental disruption. Housing is forced onto greenfield sites, far from services and shops, city centres become more and more removed from us, with collapsing retail outlets and the loss of a sense of neighbourhood. An essential component of urban revitalisation is the location of housing land. So far, it seems, commercial considerations have outweighed all others. We would like local authorities to plan in favour of more low cost housing in city centres and fewer unaffordable homes and office blocks. We would like them to put more pressure on developers to release suitable land for housing.

Planning modifications to allow a limited number of "low impact developments" in the countryside.

Low Impact Development is designed to enable a very few, very small housing developments to be established in the agricultural zone without significantly affecting landscape values. It is a means of enabling poorer rural or urban people who desperately want to live in the countryside and, in some cases, work on the land, to do so.

Low impact homes vary greatly but are characterized by being very discreet, requiring next to no infrastructure and being built from environmentally friendly materials. At its best, it is development whose foundations would be impossible to find six months after it was demolished.

The advantages are that many of those who want to participate are interested in making a net contribution to the landscape and local distinctiveness, with organic farm conversions, restoration of landscape features and a revival of rural craftsmanship. Such projects bring young people back into areas whose population is ageing.

Most importantly, they reintegrate people into the landscape. Intensive agriculture's inhospitability to the human presence has done even more to compromise rural values than its inhospitability to wildlife. With one or two such projects in every district - and there are several thousand people in Britain who are keen to participate - low impact development could bring back some of the local involvement now missing from regions whose internal economy has all but died.

Development of this kind, of course, breaks the most basic planning laws. But Section 106 of the Town and Country Planning Act enables planning authorities to establish agreements which could, for example, determine that a small low-cost house will not mushroom into a large expensive one, or that a solar powered development will not, at a later date, be connected to the national grid. Low impact development would be facilitated by a tightening up of S.106's provisions, to make it clear that a developer is firmly bound by the terms of any agreement, and removing the right of appeal to the Secretary of State.

Legitimate sites for Gypsies and Travellers, giving them authorised places to live, thereby reducing conflict with other people.

At the moment the provision of legitimate sites for Travellers and Gypsies is inadequate. There are simply not enough local authority spaces to go round, and planning permission for private sites is extremely hard to obtain, so many people camp illegally. We feel that a civilised and tolerant society is one in which a wide variety of cultures and communities can live side by side. At the moment, this is almost impossible in many places, as the failure to provide sites forces people into confrontation. We would like to see local authorities either making up the shortfall with their own sites (this, research shows, is cheaper than continued evictions, and very much cheaper than providing housing) or allowing travelling people to establish sites on their own land, in a well-ordered and regulated fashion.

## Land for Livelihoods

A definitive map of landscape features of local importance, monitored by members of the public, to protect archaeological remains, landscape beauty and wildlife habitats from continued erosion by agriculture.

At present, only Sites of Special Scientific Interest, National Nature Reserves and Scheduled Ancient Monuments are legally protected from destruction by agricultural activities. Even on these sites (which comprise a tiny proportion of the countryside), protection is inadequate. The law is full of loopholes, and monitoring and enforcement are left to understaffed and underfunded bureaucracies.

In every county there are hundreds of ancient features which are important to local people, but not of sufficient national significance to be raised to the status of an SSSI, NNR or SAM. At present most of these have no legal protection whatsoever. As a result we have suffered huge losses this century of such features as archaeological remains, chalk downland, heath, moorland and water meadow.

Protection of these features is not impossible, however. The definitive map of footpaths in Britain has succeeded in protecting 120,000 miles of path. This has been made possible by public involvement in monitoring breaches of the law. A definitive map of landscape features, with a requirement for farmers to apply for the equivalent of a diversion or extinguishment order before altering one, could allow the public a similar role. It would introduce accountability into decision making on farmland.

Re-negotiation of the General Development Order to protect landscapes from excessive intrusion by farm buildings.

The General Development Order permits the erection of any agricultural building without even informing a local authority, let alone applying for planning permission, provided that each unit is within 465 square metres and twelve metres tall. While even small modifications to human housing are rigorously assessed, you can cover your farm with concrete without notification, as long as you build at two year intervals. Battery pig, chicken or mink units within the size limit may need an environmental assessment because of the waste they generate, but, provided they are 400 metres away from human houses, do not require any process which canvasses public opinion. As silos and concrete barns blot the most pristine

horizons - National Park or Area of Outstanding Natural Beauty designations notwithstanding - and the production priorities which led to the GDO no longer apply, the exemption from planning control granted by the Order becomes ever more anomalous.

Farm subsidies to be re-oriented towards low impact, high employment uses of the land, such as smallholder organic agriculture.

The farm economy is distorted all over the world. This is something we may regret - especially in view of the profligacy of the Common Agricultural Policy - but that, for the time being, we have to live with. The trick is to ensure that the distortion delivers social goods rather than social ills. This it manifestly fails to do. Subsidies have accelerated the shedding of labour. They have encouraged the neglect and destruction of landscape quality, archaeology and wildlife which, for most people in Britain, make the countryside a place to be valued.

There are now few people who would dispute that farm subsidies need to stop favouring land uses which have a high environmental impact yet employ next to no one, and start assisting low impact, high employment practices. Yet, while £71 million is spent each year in Britain on Environmentally Sensitive Area, Nitrate Sensitive Area, Habitat, Countryside Stewardship, Moorland and Organic Aid schemes, over £2 billion is spent on policies which achieve the opposite. No subsidy of any kind reflects the number of people employed on the land. Were this misspent money to be redirected towards treating all of our farmland as an environmentally- and employment-sensitive area, subsidies would rapidly deliver the social goods we have cause to expect of them.

## Land for Life

The protection or reclamation of common spaces in both towns and the countryside. An end to the continued enclosure of playing fields, city farms, parks, allotments, informal relaxation and play areas.

While new common spaces are successfully being defined in some counties, and this is welcome, in many areas there has been a significant net loss. Common spaces are of enormous importance in maintaining community and the sense of belonging - your life can extend into your surroundings, and your surroundings into your life. We would like to see counties make a real commitment to the protection of these critical places.

A right of access to uncultivated land in the countryside.

Opponents of a right to roam claim that access would destroy the very resources that visitors value. The hidden beauties of the countryside, exposed to the unkempt and ignorant mass of humankind, would rapidly wither away. It is true that there are places, like Derwentwater and Dovedale, where the pressure of numbers does damage the land, and there are others where the fauna or flora is so vulnerable that it can tolerate no intrusion, but these conditions are rare and localized. They fail to justify our exclusion from uncultivated land in the rest of Britain. Indeed, looking at most of the places in which access is allowed, it is hard to escape the conclusion that public participation protects wildlife and archaeological sites, rather than destroying them. If damaging change takes place where people walk, there is a public outcry. But what no one sees, no one grieves - or not, at any rate, until it is too late.

Our physical exclusion from the countryside lies at the heart of our loss of a sense of belonging, and if we do not belong there, we will not fight for it. It is pertinent, therefore, to look at the other reasons given for keeping us out. Landowners often claim that access to their land would represent an intrusion on their privacy. Gamekeepers will confront trespassers with this argument even when they catch them out of sight of the house, or on an estate owned by an absentee landlord. Why some people's privacy should extend across a substantial proportion of Britain, while most of us are content for people to be walking past our front doors, is never adequately explained.

Visitors, it is claimed, do not understand the countryside, and will therefore cause chaos to farming,

forestry and field sports. It is true that some visitors do, as landowners suggest, damage hedges or frighten livestock. But restricting these activities (and there are plenty of laws with which to do so) surely does not necessitate excluding the harmless majority, any more than stopping people from spraying graffiti or breaking shop windows means keeping everyone off the pavement. If people are ignorant of the countryside it is surely because they have been so successfully kept out.

We are told, moreover, that we have an adequate network of footpaths, from which there's no need to stray. Regrettably, many of the most charming and intricate corners of Britain are wholly inaccessible by public path. Perhaps more importantly, one visits the countryside to escape the constraints of dedicated space, the narrow regimentation imposed by the pavement, the office or ten square metres of garden. Keeping to the footpath does little to relieve our sense of confinement.

We feel that Swedish law offers a good model for an access policy in Britain. There, the Right of Common Access, or *Allemansrätten*, gives everyone the right to cross another person's land on foot, provided no damage or disturbance is caused. The landowner or tenant does not have to give permission. Carefully defined exceptions ensure that walkers are not allowed to enter the private land surrounding a house, or cross newly planted woodland, growing crops or other land likely to suffer damage.

Swedish local authorities may prosecute landowners who obstruct access or erect signs to deter people from using their right of common access. On the other hand, people who leave litter in the countryside may be fined or sent to prison for up to six months.

Some areas used by the armed forces continue to be barred to the general public; in addition some nature conservation areas are also excepted from the right of common access. However, hunting and shooting in the countryside (and shooting pheasants is common in southern Sweden in late summer) take place without any suspension of *Allemansrätten*.

A reform and updating of the planning and public enquiry processes, so that local people's interests are defended as staunchly as those of developers.

We feel that many of the problems of inappropriate development, which delivers more gains to developers than to ordinary people, arise from distortions in the planning process. Developers have a right of appeal if

a planning decision goes against them; local people do not. They can also re-submit almost identical applications as many times as they like, until they wear down the resistance of local communities or exhaust their resources, as legal fees swallow up people's fighting funds.

We'd like to see the same rights of appeal for local people as for developers. We'd like an end to the re-submission of similar applications and other means by which developers can exert undue pressure on both communities and councils. We would also like to see an end to the use of off-site "planning gain". As DoE Circular 28 makes clear, this is unlawful, but it continues to be widely and openly used. While we are aware that councils are short of funds, we feel that planning decisions made on the basis of what developers can offer in the way of external incentives are unlikely to be as balanced as those judged on the merits on the scheme alone.

A freely-accessible public registry of land ownership, leading to community ground rents.

According to the Land Registrar, up to 50% of the land in England and Wales is not recorded in the registry. Only properties sold since 1925 are on the list, and even these are often inadequately recorded (landowners have escaped proper registration by, for example, "renting" their land to themselves. It is often impossible to find out who owns the land on our doorsteps. As many landowners are receiving significant amounts of taxpayers' money, there is a desperate need for an open and comprehensive registry. This would help bring land use practices to account.

A further advantage of a comprehensive registry of ownership could directly benefit local authorities and government. At present the increases in land value which result from both zoning and nearby infrastructure projects all accrue to the landowner. This both hugely increases the price divide between agricultural and residential land and means that potential returns to a local authority or to central government are foregone. With a partial taxation of these gains (land tax or community ground rent), some of the unearned increment would be returned to the community.

---

[http://www.tlio.org.uk/tlio\\_aims](http://www.tlio.org.uk/tlio_aims)