



Land Use in England Committee

Uncorrected oral evidence: Land use in England

Monday 4 July 2022

3.30 pm

Watch the meeting

Members present: Lord Cameron of Dillington (The Chair); Baroness Bakewell of Hardington Mandeville; Lord Borwick; Lord Curry of Kirkharle; Lord Goddard of Stockport; Lord Grantchester; Lord Harlech; The Earl of Leicester; Baroness Mallalieu; Baroness Redfern; Lord Watts; Baroness Young of Old Scone.

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Heard in Public

Questions 204 - 211

Witness

I: Dr David Evers, Senior Researcher, PBL Netherlands Environmental Assessment Agency.

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Examination of Witness

Dr David Evers.

Q204 **The Chair:** Good afternoon, everybody. We welcome Dr Evers from the Netherlands to this evidence session of the Land Use in England Committee. You have had access to a list of interests that have been declared by members of the committee. The meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be taken and published on the committee website, but you, Dr Evers, will have the opportunity to make corrections to that transcript where necessary.

Thank you very much for coming along to this meeting and giving us your time. If I could ask the first question, which is really just for you to briefly describe to the committee the overarching frameworks for land use and planning in the Netherlands, how they are devised, agreed, delivered and monitored, it would be very helpful. Thank you very much.

Dr David Evers: Thank you very much. I am delighted to be here. It is a bit of a dream come true.

On Dutch planning and our framework, right now we have a term for spatial planning in the Netherlands—ruimtelijke ordening—which means ordering of space. That might give you an idea of how we conceptualise this. Right now, we are in a shift from spatial planning to what we call environment and planning, so we are broadening the scope to include what we would call omgeving, which means your physical surroundings. I will talk a bit more about that.

The Dutch system has been classified in terms of what they call in Europe the comprehensive integrated approach. I will now read the definition of that. It is a systematic and formal hierarchy of plans that co-ordinate public sector activity across different sectors, but focus more specifically on spatial co-ordination than economic development. We saw some movement away from this approach in the 2000s, but now the pendulum is swinging back and we are very much an exemplar of this approach.

When you look at the formal planning system, we have two types of plans. On the one hand, we have visions or strategies, where we set out long-term goals and priorities, which can sometimes be very vague: "We want to do this. We want to do that". In the Netherlands, they also contain many maps. Then we have more regulatory, binding plans, which grant or regulate development rights—for example, the zoning plan at the local level.

This is how our system functions. The priorities are laid out in the vision, and then the plans implement or work in accordance with these visions and allocate development rights on land use.

The Chair: That is very interesting. It was quite interesting for me, reading all the papers. We have obviously done a little bit of homework. There was a lot about the environment and the new environmental

concepts, but there was very little mention of food and food strategy. Is there a priority on the production of food in the Netherlands or food security as a nation, or does that not bother you at all?

Dr David Evers: I would say quite the opposite. The Netherlands is the second largest food exporter in the world, so the whole idea of food security is not much of an issue. It is about overloaded intensive agriculture, of which there is too much in the Netherlands.

The Chair: Where does the money come from for some of the changes? Is that central government?

Dr David Evers: It depends on what change you want to effect. Right now, one of the most expensive changes is what to do with intensive agriculture, because it does not comply with the nitrates directive, and how to protect habitats. A lot of that comes from central government. We have reserved about €25 billion for this transformation. Urban development usually pays for itself.

Lord Borwick: Can I just pick up something that I did not quite understand? You said that you are the second largest food exporter in the world. Is that as a percentage of total exports or in absolute levels?

Dr David Evers: At an absolute level, after the United States. We are gigantic. Part of it is the fertile land and part of it is the location, but we have a massive export sector of agricultural goods.

Lord Borwick: Congratulations, I was not aware of that.

Dr David Evers: Yet it is less than 5% of our GDP.

Lord Borwick: I was going to ask particularly about the figure given in our papers of increasing your total surface area covered by woodland by 407,000 hectares. Given that, unless I am totally wrong again, you do not have any mountains to cover in trees, where are you going to get the extra land from? What is this land being used for that will be used for trees in the future?

Dr David Evers: We are getting ahead of ourselves, maybe, because we are getting into the intricacies of planning. It is all about trying to find solutions to problems and potential synergies. The problems we are having now with too much agriculture, especially intensive agriculture, would lend themselves to finding different types of land uses—for example, renewable energy, urban development and increasing woodlands.

Lord Borwick: So you would give up agricultural land to put trees on.

Dr David Evers: Yes.

Lord Borwick: That is very unusual.

Q205 **Lord Harlech:** The committee is considering a land use framework for England. What key lessons from the approaches to land use in the

Netherlands should we bear in mind when developing recommendations on such a framework, and what might the core components of such a framework be? Before you start your answer, I remember a geography field trip to the Netherlands where we visited—I will probably completely ruin the pronunciation—the Zuiderzee dam, to see how the Netherlands had reclaimed land from the sea. It was so entrepreneurial and inventive, not just using the land that you have but making new land to then farm or build on.

Dr David Evers: Yes, that is quite right. There is an adage here that God created the universe and the Dutch created the Netherlands. A lot of our land is built by draining swamps, building dykes and the like, and that filters down into our approach to land use. When we look at nature, it is not intrinsic; it can be produced. So if we want to remove agriculture and develop nature, we do that. Right now, the national strategy is looking at becoming implemented. One of the metaphors it is using is that the Netherlands is going through a gigantic renovation, as if it were a home.

To get to your question, I have three suggestions for the UK. The first is the way we draw up the visions or strategies; there are some lessons to be learned here. The whole process allows people, in a public consultation process as well as in a wider societal debate, to talk about how various challenges interact over the long term. By setting up this debate, you get input, of course, which can improve the quality, but you can also get stakeholders to find themselves in the vision and to gain commitment, because they co-produce the results. It also then helps with democratic legitimacy, because measures taken to implement the vision are predicated on a broad societal debate on this. We think this is a good way forward.

Lord Harlech: That sounds great when you have consensus among all the stakeholders and those who are engaged with this process. When you do not have consensus, who gets the final say? Is it government or local government?

Dr David Evers: It is a big process of give and take, but the idea is that, at some point, you have to come up with one vision. The national Government have to produce a vision, so the different ministries have to compromise at some point. Those negotiations can be a gruelling process. Some of that happens behind closed doors, and then you see the power plays at work, but in the end, once the vision has been enacted it goes to Parliament and, once it has been adopted you can start implementing the vision, so you are hoping that this consensus exists, at least as a compromise.

Visions can also be amended over time, so they are not static for the next 30 years. I see this as a good way to organise the politics of land use and also to really discuss these long-term issues, because sometimes they can get lost in the short-term immediacy of the day.

I have a second recommendation, if that is clear. I know that the UK often uses general rules and principles. In the Netherlands, we have

more of a cartographic tradition. We also use zoning. Some of that cartographic, geographical perspective might help. I am not suggesting that you switch over to zoning—that is way too radical and I would not recommend that at all—but visualise more, make maps about different challenges, and show how the challenges overlap with each other. Then you can identify hot spots where you really need some intervention.

Also, when you are talking to the public, this makes things very concrete. When you talk about where we should locate a wind farm or new housing, putting it on maps helps the discussion, because it makes it much less fuzzy. That is another point.

The third is to work with scenarios, as we have been doing since the 1980s, where you do not talk about just one future and vision, but, especially when you are working with this visioning process, you create various scenarios, including what we call environmental scenarios, where you vary things that you cannot control, such as demographic development and large economic development. You can ask, “What will we do in that case?”, and you can also make more normative scenarios, where you ask, “What happens if we, for example, promote compact development versus more polycentric or sprawled development?” Based on that, you can create future possibilities and use this as a basis for discussion.

Those are three things that I would recommend, which are all being implemented in the Netherlands.

Q206 Baroness Redfern: Land-use expectations and requirements are changing rapidly, including in relation to climate change commitments, development, food security, and nature conservation and restoration. How are these changes manifesting themselves in the Netherlands context, and how are they being responded to in relation to land use policy? What could they do better, in your view? How does the Netherlands seek to future-proof land use frameworks and policies to take account of long-term challenges? Particularly on the challenges that you mentioned with nitrates, I wonder if you could elaborate a little bit on green fertilisers and the reduction in the use of water in crops.

Dr David Evers: I am sorry, but on the bit about green fertilisers, I would have to look that up or consult. That is a bit too specific, but I can tell you a bit about how these long-term challenges are being addressed in our land use planning system. We just drafted a new environmental planning strategy. The draft version is from 2019, and now we have a final version and are already creating implementing documents.

After these challenges were first raised, we did some calculations on how much land we would need to deal with them all. Of course, you come up with several Netherlands in terms of surface area in order to do that, so you have to do trade-offs so that one gets priority, or you have to try to find smart solutions, optimisation and synergies. Of course, you are trying for the second as much as possible.

The Dutch acronym for our strategy is NOVI. It sets priorities and gives a framework for how to balance some of these interests. It is still rather vague in many ways, so that is why we are switching from the stated priorities to implementation measures. We are starting to draw up what we call programmes, which are packages of measures to implement things, including billions of euros to buy out farmers in order to change that land to forestry or other habitats. How and where we build new housing—it has been calculated that we need about a million new houses—and how we deal with renewable challenges also come under the programmes.

We are also using the planning hierarchy to do this. The NOVI, which is the national framework, moves down to provincial level and they create their own frameworks, which have to be in conformance with the national framework. They have until, I believe, 1 October this year to bring their plans into conformance, and then that goes to the local level, so there is a hierarchical aspect to this as well.

To see the idea of this synergy, we have problems with Natura 2000, the water framework directive, and the nitrates. The solution is less agriculture, so we look to whether we can build, say, a wind farm or a solar park in the meantime, as we transition to an urban development in the future. We look at time as well as land use, but this is hard.

I use words such as “optimisation” and “synergy”, yet as we speak there are farmers blocking highways with their tractors. It would have been impossible to come to the UK right now. There are various vested interests involved. This is a delicate balancing act in any planning system.

Q207 Baroness Young of Old Scone: You have answered my question pretty well, which was about how you make these decisions about competing priorities. Perhaps I could ask you something slightly different. If you were to ask the average man in the street where the power really lies in land use decisions in the Netherlands, would it be at national, regional or local level, or would it be in the hands of the individual landowner?

Dr David Evers: If an individual were to care about this, they would probably say the local level, because that is where they see things. Of course, it is the local level where most of the zoning plans occur, which grant development rights, so that is what people really see. You can then talk about the hidden powers—the ones that academics or people in government are very aware of. Of course, those zoning plans are bound by rules and regulations that work up the chain of hierarchy, so to a certain extent that is invisible, except when it comes to some of these major issues right now with the nitrates and this push for 1 million houses. That is seen as a national problem.

The provinces do quite a bit in spatial planning. Since decentralisation in the 2000s, they have become much more important, but that is also pretty much off the radar for local citizens.

Baroness Young of Old Scone: In terms of getting agreement on the competing priorities in the national vision, is there some sort of mechanism that makes government departments talk to each other and come to some consensus, or are there any thoughts you could offer us on the way in which, at national level, these competing needs for land are rationalised?

Dr David Evers: Silo thinking is everywhere, no less in the Netherlands than anywhere else, but the requirement to draw up a spatial plan for the entire Netherlands—this plan has important implications—means that the other ministries really have to get on board with this. It does have that power in a sense, so they at least have to talk to each other and come to some sort of agreement.

Behind closed doors, maybe some ministries were very powerful and were able to just dictate what they wanted, which became part of the plan, but the idea that we have the national framework itself, which is mandated by law and has a certain status, helps at least bring people together to discuss this.

The Chair: What body is charged with bringing this framework together and promoting it? Is it one department? Is it some central body of government? Who bangs the heads together?

Dr David Evers: It is generally the ministry that deals with planning. It was infrastructure and environment. The Government got reshuffled, like in many cases, and now it is at the Ministry of Internal Affairs. They created a special department to deal with the strategic vision, which was, apart from the spatial planners, just to show that they were a bit more open and interdisciplinary. It is done in this way.

Q208 **Lord Watts:** Can I just take the extremes? You talked about the Government's aim of a million houses, and you said that there is opposition at a local level. How do the Government drive that through at a local level? Can they override the local decision-makers and landowners?

Dr David Evers: There is not much opposition at the local level. In contrast to the UK, you can earn a lot of money as a municipality from urban development, so many times it is the local level that really welcomes this new development. They are saying, "Please plan in our municipality". That being said, you do get very thorny issues and, of course, every locality is different in this. There are mechanisms to push unpopular land uses through, one being wind farms. That is one where there is often local opposition and the municipality does not want it. In our current system, the national Government can also create a zoning plan, if they say that their interests are at stake, and impose that upon a municipality. They would have to go through all the public consultation and do all the homework. For wind parks and infrastructure, they have done this. You do not make very many friends this way and they are now trying a more collaborative approach, but the statutory planning system allows for this.

Lord Watts: How is spatial and development planning integrated with the wider land use policy in the Netherlands, and what are the challenges in respect of this?

Dr David Evers: I found this question a bit difficult, because we do not make a distinction between spatial and land use planning. We have spatial planning. That is our system, so, yes, it is all in harmony. That is what we strive to do. I want to emphasise, though, that spatial planning is already very broad, but we are making it even broader. We are implementing this new law, where planning law is being integrated with environmental and water law. About 20 sectoral laws will be incorporated in this new law.

It has been a very difficult process, but it aims to make this integrated assessment even broader. That is at least one of its goals. Just to give you an idea, the draft version for public consultation was published in 2013 and is still not in force.

Lord Watts: You say that, unlike us, they are not two separate issues but are dealt with as one. What are the advantages of that?

Dr David Evers: The advantage is that you look at what challenges will happen in the future, which I guess is the spatial approach. Then you look at your zoning plan and see how you can create a land use that helps deal with these challenges by putting the right function in the right place. Once you have that, you propose that in your vision at, say, a local level. If people are in agreement, you make your zoning plan, put it in stone and allocate development rights. That is different from the UK, where you have planning permission.

Q209 **Baroness Mallalieu:** Can you help us a bit on data? How do you collect and use it in order to support the development and implementation of your policies and your framework? Do you have some advice that you could give us on ways in which it works well and that we might consider adopting?

Dr David Evers: We were once called a planners' paradise by Andreas Faludi, but we might be a data paradise, because we have a lot of data, quite a bit of which is open to the public. We have, for example, an "atlas of the region" website, where you can make online maps showing all sorts of different challenges such water and flood risks versus population development and prognoses. There is even a layer on land ownership, so you can see whether a developer or the municipality owns the land. This is all made publicly available, so it can also act as the basis.

We have all the plans online, so any citizen can click on any particular place on the map and call up all the plans in force in that place, plus all the visions, which show the priorities as well. Our institute also has an environmental data compendium, so you can look at all sorts of issues and find background data on noise pollution, air pollution or water quality, for example, but also things about the built environment, such as

economic development, the development of business parks and that sort of thing.

We are starting a new monitor for plans, and we will look at the implementation of the national strategy—the NOVI—and monitor not only whether it is achieving its goals but all the developments that are happening on the road and whether they are providing headwind or tailwind for these developments, so that we can change course if need be. These are all things that we are doing in data monitoring. I might have just scratched the surface.

Q210 Baroness Young of Old Scone: One of the debates in England is whether we should zone or whether we should envisage multifunctional land use. For example, a farmer might have some of his land for agriculture, a little bit here and there for biodiversity, and the odd bit of affordable housing tucked away somewhere. How does zoning help with that? How does it cope with that multifunctional, rather fine-grain land use?

Dr David Evers: This raises a fundamental issue, not only in Dutch planning, but in planning in general—the balance between flexibility, the rule of law and legal certainty. If things are very detailed, you have that legal certainty, but you do not have much flexibility. In the 1980s, we adapted our planning law to allow what we call global zoning, so you can create a zone that different types of land use are put inside.

Often, our city centres are covered by a centre function zone, which accommodates all kinds of land uses. It could be housing, a hotel or a pub. That is one way to deal with it, but you do not have the certainty. Somebody buying a house there does not have the certainty that the house next door will not be converted into a pub.

Every system has its drawbacks and there is always a balancing act between the two. We are also trying to vary not only zoning but time, because zoning is for ever, in a sense. Once it has been zoned residential, this high, it remains that way for eternity, unless it is changed. We are experimenting with the idea of temporary zoning, so an area can be a solar field or whatever you call it—solar panels harvesting the sun—for, say, 15 years, but afterwards it has to return to agriculture or become nature.

In cities, you can experiment with temporary land uses. For example, it cannot be housing for permanent residential use until certain environmental qualities are improved, but there can be businesses until the environmental quality is improved and then it can be residential. These things are going to be possible in the new law, but we have not really had much experience with them yet.

Lord Curry of Kirkharle: This is very interesting. Can I go back to your comment about nitrates and the fact that reducing nitrate pollution seems to be a catalyst for action? You have stated the Netherlands' success in exports. What I have not heard is how the measures that you

have identified and are actioning will reduce those nitrate levels and the extent to which you are willing, as a country and an economy, to reduce your food production, knowing that that will have an economic impact.

Dr David Evers: It is, of course, all about the balancing of interests. It is also about the balancing of interests within other regulatory frameworks. The Netherlands is part of the European Union. We have also signed up for Natura 2000 to protect certain habitats, and some of the nitrates and ammoniac have been undermining certain habitats. We have done studies on this for many years, so we knew it was coming, and these things collide.

One way to conform with the harder requirements is to transfer land use from one to the other. You can move, say, an intensive livestock company from a place near a habitat to somewhere else in the Netherlands, so a relocation, or you can buy it up and change the land use. That is what we are doing at present. In GDP terms, it is not a huge blow to our economy and there is really no issue in security terms.

Q211 **The Earl of Leicester:** It sounds like quite a huge blow to the individuals who are being told to lift all their farms and move 40 or 50 kilometres to a different location.

Dr David Evers: It absolutely is.

The Earl of Leicester: One of my forbearers over 400 years ago was a great defender of common law against the divine right of the monarch and, indeed, came up with the saying that an Englishman's home is his castle. It seems that life in the Netherlands is very different from that now.

How do you ensure that practitioners—the people on the ground—are engaged in this? At the moment, it sounds like they are blocking the roads and demonstrating. How are they able to influence land use frameworks and policies? It sounds like the urban communities, which get a bit of development and are able to share in the wealth that comes from this, probably buy into it, but perhaps not the rural communities, which might seem rather agin it.

Dr David Evers: The agricultural sector is certainly opposed to this. That is because it is costing a lot of money, but it is also a very sensitive political issue, precisely for the reason that some of these farmers have been there for centuries and are being told to somehow reduce their environmental pollution levels or to buy into this relocation strategy or whatever. It is going to disrupt their way of life and how they have been doing things.

The Earl of Leicester: So as long as farmers, in this instance, do manage to change their practices, heading towards a more regenerative agricultural route or something like that, they can still remain engaged. You mentioned a lot of billions of euros to buy land from farmers and turn it into forestry. I presume that, if a farmer says, "You're not going to buy my land. I'll grow the trees myself and get grants", that is acceptable.

Dr David Evers: Yes, it is all about reducing the environmental damage. Farmers producing organic products do not have this problem at all. It is the farmers mainly dealing with intensive livestock farming who are going to require a major shift in operations.

The Earl of Leicester: I would imagine that, with the Netherlands being one of the most heavily populated and therefore urban-dominated countries, this environment-led planning policy is pretty popular.

Dr David Evers: You would think, but there is quite a lot of support for the farmers as well. Right now, public opinion on this is quite divided.

The Earl of Leicester: Can you confirm that in the Netherlands, if a landowner or farmer's land is zoned for, say, taking it out of agriculture and putting it into industrial or residential, there is no uplift in the agricultural value of the land that has been bought?

Dr David Evers: It depends on how it is zoned. If it is going to urban development, it goes way up in value. Most would very much welcome this zone, because then you also get the right to self-realisation. If you decide to develop it yourself, you get the profits, so this is very welcome. In fact, many farmers who are having problems with their operations try to develop a little bit on their land, maybe a hotel or a shop, which will increase the land values.

If it goes down to nature, which is usually worth less than agricultural land, you have to pay compensation, because you are damaging property rights. The Netherlands is one of the most generous countries in the world—this is from a study on compensation—in how much it gives. We compensate, and we do so relatively generously in monetary terms. These protests are also symbolic and have to do with things that cannot be quantified, perhaps.

Redfern: Following that question on housing, NOVI states that in areas where freshwater shortages threaten now or in the future, you will not undertake any new developments that demand freshwater supply.

Dr David Evers: It sounds like a hard criterion, so that will also affect how the balancing of interests would work. Our organisation has been arguing for more heed to be paid to below ground and the ecological system, so this was in line with that as well. There is a lot of talk now about where to locate new houses and whether, in terms of climate adaptation, it should be outside the built-up area, the Randstad. That is where the market wants to build, so there is a bit of tension there too.

Lord Curry of Kirkharle: I know that you have explained this, but I need to be slightly clearer in my mind. Who handles the change of land use—the purchase of farms and converting to forestry or lower levels of agricultural production? Where are the decisions taken and where are the funds? Who provides the funding? Is it at national level?

Dr David Evers: This is now being set up. A large amount of money has been allocated towards it. Some are arguing that an agency should be set

up to co-ordinate this, but we are still in the implementation stage of trying to figure out how to deal with this and whether to use these funds to get the farmers to change their operations to practices that are more in line with the environmental regulations, or to set up a fund for relocation or purchase in very extreme cases.

The Chair: That brings our questions to an end, Dr Evers. I hope that you have enjoyed it as much as we have. Thank you very much for giving us your time. It has been a really interesting session.

Dr David Evers: If there are any questions that I could not answer completely, I would be happy to look them up and provide written answers.

The Chair: That is very kind. Thank you very much. We may well take you up on that.