

Planning Laws, Development Controls and Social Exclusion: Lessons for Developing Countries

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SUMMARY

Implementing or revising planning laws is a booming trend around the globe, especially in developing countries. The tendency in developing countries has been to model planning laws along the lines of those enacted and practiced in advanced-economy countries. Before rushing to emulate the planning laws of advanced economies, however, developing and transition countries should ask some tough questions about the models to be adopted. Perhaps the most important is whether the enactment and implementation of planning laws has enhanced social equity in cities or exacerbated the inequities? When one examines advanced-economy countries, where planning laws and regulatory instruments have been routinely applied and enforced for many decades, the answer to this question is a mixed one. Although the initial rationale for planning regulations is to reduce conflicts among land uses and to distribute land and infrastructure resources equitably, all too often, planning regulations work in the reverse direction: They create physically – and socially - uniform neighborhoods, allocate better sites, infrastructure and public services to the more affluent, and thus exacerbated social disparities. And because regulations often cost money, the increasing number and scope of planning regulations may have prompted higher housing prices. In developing countries, where planning laws are enforced only intermittently, they are vulnerable to greater misuse. In order to preserve the essential underpinnings of planning regulations but minimize their socially unjust effects, developing countries should be critically selective about the planning regulations they wish to adopt, and should lead the way in adopting new cost-accounting criteria. The proposed paper delves into the underlying functions played by planning laws and how cities and countries have operated without them, both in the past and more recently. The paper then presents a brief history of the evolution of planning laws around the globe and a conceptual framework for thinking about the regulatory layers of development controls developed over time. I then review existing research evidence about the relationship between planning regulations and the social composition of cities and neighborhoods, with a special focus on housing prices. The evidence points out the dangers of exclusionary effects of some types of planning regulations. Finally, lessons for developing countries are discussed, with the message: what could be learned from advanced economy countries, and what should indeed be “unlearned”.