INTRODUCTION

This Chapter and the following one form a pair. They do not deal just with plans but with the entire operation of the respective planning systems. Both are written with the effectiveness of planning procedures in aligning policies, plans and regulations with operational decisions in mind.

The presentation of the two systems will be found to be unequal. This is because, on the level of principles underlying planning procedures, they are very different. As will become evident in this and subsequent chapters, it is the Dutch system which, in our view, faces the more fundamental problems. Current responses seem to run contrary to the principles on which Dutch planning is based. Consequently, there is reason to speak in terms of inherent contradictions. We did not discern similar contradictions as far as the procedural principles of English planning are concerned. This does not mean that English planning is not faced with problems. The solutions, however, appear to lie more at the level of improvements to the existing system than with resolving contradictions within it.

The specific case studies of local planning in Leiden in Part II bear out the point made earlier that the bestemmingsplan can be regarded as synonymous with a development project. Several smaller schemes were implemented quickly and efficiently by the local authority acting in close co-operation with developers. Such situations suggest that the bestemmingsplan can sometimes serve as an adequate project brief for the development of new areas. Generally, however, the case studies have led to the conclusion that the bestemmingsplan is an inappropriate instrument even for guiding projects of any size over several years of development (let alone for policy making) because of its inability to respond to change. The detailed making of plans and regulations which culminates in a bestemmingsplan might still be justified if legal certainty were provided in the way intended by the law. Evidence suggests, however, that this is not the case. Instead, the attempt to safeguard individual rights through unrealistic blueprint plans leads to opportunism, reduces public control over the process of development and encourages a disregard of the law on the part of municipal officers who find such plans incompatible with the requirements of administration. The following sections explore these conclusions in more detail.
PROBLEMS OF DUTCH LOCAL PLANNING

The time taken to implement development proposals

The major expansion schemes studied in Leiden varied in the length of time which elapsed from their inception to their completion. Morskwartier and Merenwijk were both completed in less than a decade, while South-West Leiden, begun in 1950, only now nears completion. All retain features of the original design proposals in their present form, but all have also been modified during implementation to such an extent that major differences exist between the initial plan and the completed or almost completed development. Thus, as emphasised before, Merenwijk, despite being built fairly quickly, took a sufficiently long time to complete, allowing significant changes to occur in the aims of the municipality, in its financial circumstances and in design fashions during the years of implementation. Merenwijk today is a fairly expensive, low-rise area making little contribution to Leiden's housing problems, even though the original plan contained more subsidised housing and high-rise development which, by providing moderately priced modern accommodation, was meant to initiate a filtering process and thereby ease the severe shortage of cheap housing in the old town. Merenwijk also has one main shopping centre, instead of the three planned, and other elements of the original scheme like pedestrian tunnels, a swimming pool and various other community facilities have never been built.

Such changes with time are almost inevitable, and indeed, are desirable if they represent adaptations during implementation to meet changing needs and demands. Nevertheless, they conflict with the legal principles of the bestemmingsplan, whose regulations are intended to control not only implementation of the initial scheme but also any subsequent changes which may be proposed.

The difficulties caused by the nature of municipal involvement in the process of development

The process of land acquisition and servicing in the Netherlands creates further difficulties for the municipality which aspires to implement a bestemmingsplan in the form approved by the council and legitimised by the preceding period of public consultation. Municipalities are normally responsible for acquiring land and preparing it for development. This can be an expensive responsibility, particularly in the west of the country where large-scale drainage operations are invariably a necessary prelude to development. Dutch municipalities are dependent on short-term loans for a significant part of the finance for development projects. At the same time, their financial transactions are closely scrutinised by provincial and central government, with penalties being attached to even short-term budgetary deficits. Therefore, they attempt usually to recover the capital invested in preparing land for development as quickly as possible through the resale of the land. During the early years, a major project is highly susceptible to difficulties