

Burns *Brownfield urban policy in Spain*

Spain's evolving 'political' commitment to urban rehabilitation

The public policy endorsement of innovative *brownfield* planning practise

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Introduction

The international concern for the treatment of land as a unique resource worthy of preservation from unnecessary development pressures, in a similar way to the preservation of energy sources and water, has been gathering momentum in recent years. A host of policy documents has been published reflecting these concerns [1] and in some parts of world countries benefit from explicit legislative and regulatory instruments aimed at monitoring the availability of *brownfield* land to counter the uncontrolled urban expansion of development onto *greenfield* land. Great Britain and the United States are just two examples of such countries, which enjoy *brownfield* strategies and special fiscal arrangements and subsidies for the redevelopment of *brownfield* land. Spain does not have a *brownfield* strategy as such, as expressed explicitly in those terms, however it is suggested that this same concern exists, albeit in a more diluted manner, for the re-use of existing land over above development on new land. The country benefitted from new planning legislation in 2007 [2] and as a result of this a number of policy documents have followed, as well as new and proposed legislation on housing, the environment and urban sustainability. What the transversal reading of all this documentation leads to is a clear appreciation of an ever increasingly firm positioning on the part of the Central Government on *brownfield* urban policy.

This communication seeks to provide a comparative review and appraisal of the evolution of planning related legislation and guidance since the 2007 Planning Act, with a view to demonstrating that the country does indeed have a clear and ever more explicit policy position favouring *brownfield* development, in line with shared international concerns for the treatment of land as a finite resource and an ever more restrictive approach to *greenfield* urban development.

Spanish legislative and policy context

Under the 1978 Constitution, Spanish spatial planning is the responsibility of the 17 Autonomous Communities. National legislation sets the general context for planning however spatial planning is the responsibility of the 17 Regions (Autonomous Communities) under Article 148.1.3 of the 1978 Constitution. Each region has its own detailed planning legislation.

The pre-ambule to the most recent national planning legislation, in the form of the Royal Legislative Decree 2/2008, approving the 2007 Planning Act (*Ley 8/2007 de Suelo*) [2] refers to the need for sustainable urban development, making specific reference to the need for minimising *greenfield* development, encouraging *brownfield* development and outlining the clear advantages of compact rather than disperse and diffuse urban form.

Similarly the pre-ambule to the Royal Legislative Decree 2066/2008, regulating the *Housing and Rehabilitation State Plan 2009-2012* [3] vouches for the challenge of sustainability and economic efficiency and the need to optimise the use of the existing housing stock. In relation to urban rehabilitation, it endorses the recommendations of the *Leipzig Charter* (2007) [4] and the European Parliament's Resolution on the *Follow-up of the Territorial Agenda and the Leipzig Charter* [5] and provides for specific programmes for areas of integral rehabilitation (ARIS) and urban renovation (ARUS).

A decision from the Council of Ministers in November 2008 led to the proposal for the constitution of an *Inter-ministerial Commission of Work on Land*, with representation of the Ministries of Defence, Economy and the Treasury, Interior, Works, the Environment and Housing.

Such a commission would have, amongst its objectives, the dedication of Government-owned land, no longer required for public use, being turned over to other 'social' uses. This land would be destined in the majority of the cases for social housing. One of the largest sources of this Government-owned land derives from former military installations, where the use today is clearly obsolete.

At the end of 2009, the Spanish Government published a strategy on urban sustainability [6]. This *Strategy for Urban and Local Sustainability* (EESUL) makes an overall evaluation of recent territorial dynamics in Spain and focuses on a number of key areas for which a series of key guidelines are then offered.

With regard to the area of spatial development, the objectives of the strategy are aimed towards overcoming the dynamics of unlimited growth associated with urban development and control the urban sprawl of recent years, minimizing the consumption of land and protecting natural spaces and resources of important environmental value; opting for the compact model of the city, as opposed to the disperse urban model, reasonably dense and equipped with articulated urban complexity and variety, promoting the enhancement and improvement of the built heritage and urban fabric, rather than the indiscriminate use of rural land and new built form, to incorporate the urban metabolism into urban planning; promoting greater spatial integration and social cohesion, etc. (...). These objectives are then transformed into a series of specific guidelines and measures related to the urban model and planning instruments.

The first of these seeks to promote urban models that place priority upon the improvement, enhancement, **reuse and recycling of existing land**, and the management and rehabilitation of built heritage as opposed to the consumption of land for extensive new urban development and new built form.

The second one sets out to maintain and improve (...) the urban vitality and quality of life for residents in built up areas, placing priority upon **upgrading, revitalization, rehabilitation and recycling of the built up city**.

Finally the third such guidelines and measures seek to conserve, enhance the value of, and (...) increase the existing natural capital through the consideration of land as a valuable resource and also through the protection of the natural environment, ecosystems, biodiversity, land structure, traditional activities, landscape, etc.

In this developing policy context it is natural to assume that part of the proposed draft legislation concerning quality and sustainability of the urban medium will be devoted specifically to addressing and/or reiterating the importance of redevelopment the existing urban fabrics of cities as priorities to be pursued.

Urban regeneration and rehabilitation in Spain – a far from new concept

This appraisal of the policy context should not be interpreted as meaning that urban regeneration and rehabilitation are now new concepts in Spain. On the contrary the evidence is clear that many Spanish cities have been veritable leaders in terms of innovative approaches to urban regeneration and rehabilitation, reaping international awards for the originality of such approaches and the results deriving there from.

In this sense Barcelona stands out as a paradigmatic example. From the moment of the celebration of the 1992 Olympic Games, the city has maintained itself as an important international point of reference for the urban transformations carried out within the city. While the changes associated with the Olympic Games, particularly the opening up of the city to the sea, the transformation of the port area, beaches, were considered as forming part of the first urban transformation of the city, the second transformation culminating with the extended further development along the waterfront to incorporate the area completed for the Universal Forum of Cultures Barcelona 2004, the celebrations associated with the Gaudi Year (2002) and the Cerdà Year (2009-2010) all contributed to maintain the interest in the architecture and urbanism of the city.

The interest in the achievements of Barcelona from an international perspective in terms of the urban transformations and in particular those deriving from urban regeneration can be appreciated taking into account awards from the University of Harvard in 1987 and the Royal Institute of British Architects (RIBA) in 1999, as well as the direct references to the city contained in the report of the Urban Task Force [7].

Closing remarks

A formal and tangible *brownfield* ‘strategy’ as such does not exist in Spain. However it is suggested that what does exist is a solid and increasingly stronger commitment to the pursuit of public policy favouring *brownfield* development over

and above that of *greenfield* development. It is a policy area which is high on both the Central and Regional Government agendas, and supporting policy is patently clear in national planning legislation and other country-wide initiatives. Adopting the Spanish linguistic parlance, what exists is a firm commitment to the “existing city”. Some of Spain’s largest cities (Barcelona, Bilbao and Madrid) stand out on the international spatial planning arena for the exemplary practise of *brownfield* development, both in the present and more importantly for a long time in the past, prior to the notion of *brownfield* policies entering into the worldwide conventional wisdom of urban land policy.

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