

New practices and tools for land planning in Catalonia and Spain

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During the last three decades, legislation power and decision making has been transferred from the Spanish Government to the seventeen *Comunidades Autónomas* in which Spain has been organised since 1978. This decentralisation has originated a wide diversity of laws referring to land planning, which make it impossible to study Spain as a whole.

For this reason the paper is divided into three parts. The first one presents the basic features of Spanish planning. Despite regional differences in the laws, there exists some common basis in planning at municipal level. The second part aims to establish the general framework of economic and urban growth that has occurred in Spain's and Catalonia's real estate in recent years. The third part focuses in Catalonia, on the new standards and planning practices that have developed in recent years. The main novelty is the introduction of several territorial plans, in different ways and scales, to achieve a most comprehensive approach to the urban planning. Despite the difficulty to describe the Spanish planning system as a whole, it is possible to remark some common issues:

- The lack of a national plan that ensures the coordination of physical planning with economic and social objectives. Although the Spanish 1956 Land Law made a reference to this “national plan”, it has never been done to date.
- The *Comunidades Autónomas* share some common principles. Regional planning legislation has had the tendency, until recent times, to introduce just small scale modifications to the national Land Law.
- Regional planning only has been used as a planning tool in recent years. Spatial planning still lay within the local urban planning scheme. This municipal autonomy is very complex due to the different kinds of relationships between municipalities and other institutions. With 8,000 municipalities, it is important to simplify the organisation of urban planning, but the lack of an administrative structure that gathers several towns and has competences over urban planning makes it very difficult.

1. Municipal planning: the common basis for urbanism in Spain

The municipal master plan (Plan General Municipal: PGM) is still the core document in the Spanish planning system. It is a legally binding document

formulated for the entire area of a municipality. This model is based on four main concepts.

- The distinction of four types of land with different legal status (Land classification): urban, developable, non-developable and general systems. The label given to any land will determine the level of detail provided in the document and the planning instruments which can be used to achieve the desired development.
- The existence of two basic levels of planning: the comprehensive plan for the entire municipality and the more detailed mid-scale local plans (called *Planeamiento Derivado*). The highly detailed content of the latter contributes to a considerably certainty for the developers and the public at large. Nevertheless frequent revisions and modifications are made after the official approval of the PGM. Sometimes these changes produce a lack of transparency and can cause conflicts between the stakeholders.
- The land use plan is based on the distinction between three types of implementation procedures: Expropriation of land (by public entities), collaboration (between public administration and land owners) and compensation (by land owners themselves, who become agents of development through a process of land readjustment. It is the most frequent).
- The costs and benefits of planning should be borne equitably by landowners, as well as the payment for construction of new infrastructure and the land for public facilities and social housing. The plan attributes a total value for the whole area and returns to each owner new urbanized lots for a value equivalent to the relative value of their original. That assures the equal treatment for all the owners and the existence of lots for public facilities that are passed on to the public without economic cost.

2. Urban and economic context in Spain and Catalonia

To understand the changes in Catalonia territorial planning it is necessary to consider the economic context in which it has taken place.

- The real estate boom between 1998 and 2007. During these ten years, in Spain 4.45 million houses were built, 650.000 of them in Catalonia. In both cases were well above of real needs.
- The massive arrival of foreign population led to a strong demographic increase. The Spanish population rose from 39.8 million inhabitants in 1998 to 46.7 million inhabitants in 2010. During the same time span, the Catalonia population rose from 6.2 to 7.5 million inhabitants (that means an accumulated growth of 21%).
- The demand of housing in tourist areas, especially the Mediterranean coast. The relatively affordable prices for population from other European countries meant that their “place in the sun” could be achieved, which further encouraged building in some coastal areas, like Catalonia.

- A great increase in the price of housing. This has attracted capital into speculative investment seeking for fast profit in a market where the prices were growing relentlessly. The world financial crisis that started in 2007 caused the enormous rate of estate construction in Spain and Catalonia to stop abruptly.
- From the 90s onwards has been an enormous urban sprawl that has caused unprecedented land consumption in Catalonia.

3. Recent evolution of Spatial and Urban Planning in Catalonia

In this context, the coordination between municipalities and the local urban planning has seen essential in last years. Catalonia has 947 municipalities, of which half do not reach 500 inhabitants. Therefore in the last decade several attempts have been made to introduce new regional land planning formulae to allow a more consistent management of the territory. Among them, we have to highlight specially two tools: the Territorial Partial Plans (PTP) and the Urbanistic Director Plans (PDU).

The PTPs cover the whole territory through seven plans with areas from 3,000 to 5,800 square kilometres. They are not legally binding. They only provide an integral and comprehensive strategic approach on how a territory should be planned as a whole (both in terms of land management and of sectorial planning). Their aim is to become the general framework, based on the consensus between all the territory stakeholders, for drawing up the general planning guidelines for each area. They have been built over three basic pillars: compacity, to avoid urban sprawl; complexity, to attain spaces with mixed usage and cohesion, as the basis to avoid social segregation.

In order to draw up these strategic guidelines, the system provides with the PDU (*Pla Director Urbanístic*). They don't cover the whole territory but some special areas with specific demands of supra-local coordination to solve problems beyond administrative boundaries. These plans can be classified in six groups according to their main goals: a) Key urban nodes, b) Conservation of areas with natural and cultural values, c) Transport infrastructures, d) Coast Plan and e) Strategic residential areas.

The PDU are put forward as planning tools which are legally binding and coordinate the seven Territorial Partial Plans with the 947 town plans. This is precisely where the system has its strong and weak points. The fact that this system has only been developed in recent years makes it difficult to widely assess its outcome.

The fact that every town has strong competences on land planning has often led to an autistic rather than autonomous attitude towards the neighbouring towns. Too often every town has drawn up their own industrial or residential areas, regardless of their neighbours' planning. This situation is currently even more obvious due to the importance of some emerging issues like the landscape planning, the environmental sustainability and the optimisation of economic resources that require a broader territorial approach.

The challenge ahead for PDU is not a small one. They need to organise all this land's "untidy planning" caused by town land plans. Moreover, such plans are often the point of friction between municipalities with highly expansive plans and the regional government, who try to hold their growth.

So far, the outcome of the town land plans that municipalities have drawn up during the last years is an excessive amount of land classified as developable. The temporary context of building fury helps to explain this result, but with the present huge stock of empty housing and the forecasted stagnation of the real estate sector for a rather long period, the prospects are far from encouraging.

The absence of efficient intermediate institutions between the municipalities and the regional government can compromise the project's success. The change in the governments one year ago has introduced new uncertainties in the model. But in any case, the problem will still be the same: how to reuse the land that has been overused as a way to generate speculative income and to reconvert it into a tool for the social and economic development of towns and territories immersed in a severe economic crisis, generated in part by the oversized construction and land consumption in recent years.