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APRILab: Regulation Dilemma in South Harbor & Aalborg East, Denmark

Hansen, Jesper Rohr

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APRILab

Action orientated planning, regulation and investment dilemmas for innovative urban development in living lab experiences

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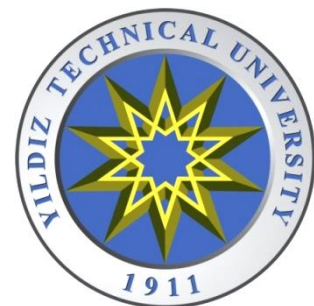
REGULATION DILEMMA DENMARK

(Editors)

Jesper Rohr Hansen

Federico Savini

APRILab

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Principal Investigator

Prof. Willem Salet
Chair programme group Urban Planning
University of Amsterdam

Scientific Partners

University of Amsterdam (Centre for Urban Studies), the Netherlands
Prof. Willem Salet, Dr. Stan Majoor, Federico Savini

Aalborg University, (National Building Research Institute), Denmark
Director of Research Hans Thor Andersen, Senior Researcher Lars Engberg, Jesper Rohr Hansen

Yildiz Technical University, Turkey
Prof. Dr. Zeynep Enlil, Doc. Dr. Iclal Dinçer, Burcu Can Çetin, Merve Çetin, Merve Çelik, Salin Özdemir

Aalto University, Finland
Prof. Raine Mäntysalo, Dr. Liisa Horelli, Dr. Aija Staffans, Sirkku Wallin,

Professional Partners

Amsterdam Municipality Project Management Office (PMB)

Contents

Introduction to this report

The Danish cases of this report have previously been described in the APRILAB report that focused on intervention dilemmas (Savini, Salet, & Markus, 2014). What this intervention-report demonstrates is that the cases vary on dimensions of maturity and market setting. The brownfield case, Sydhavn Copenhagen [in English, 'South Harbour'] demonstrates an urban periphery development that in terms of strategy formation, project development and implementation has been running since the late 1990s. Accordingly, most of the city district of Sydhavn Copenhagen has been planned for. However, despite the maturity of the case, much of the construction work is still going on: The proposed population objectives in terms of reaching an inhabitant number forecast of 15500 in 2025 is only about 1/3 completed, and so is construction work[1]. The main explanation for this slow progress in terms of construction is the financial crisis that paralyzed the development in the area in the years 2007-2011; however, as this report shows, the deployment of new regulative tools as well as an expansionist municipal growth strategy have also contributed to this slow progress, generating problems of cooperation between landowners and diverting the attention and resources of the municipal system (administratively, politically).

The suburban case, Aalborg Øst [in English, 'Aalborg East'], in the City of Aalborg, is another type of case completely. This case is immature in the sense that only the first building blocks for a strategy formation for the area have been produced by means of regionally, municipally and architecturally comprehensive plans. Therefore, the city district has been designated the role of primary growth area in this part of the region in the current years boasting of billions of DKK of investments, such as a light rail, a university hospital, university campus, social housing refurbishment and sports facilities. As such, the area is essential for the overall strategic positioning and branding of Aalborg City as a knowledge-based, international and business-attractive 'Smart City'. Further, the size of the area is gigantic in contrast to Sydhavn Copenhagen, the total plan for the area covering around 30 square kilometres. As a consequence of these factors, no consensus across stakeholders (business networks, developers, municipal administrations) has been firmly established yet in terms of which parts of these areas should be developed first, and what district function these developments should have in the years to come.

Not only the degree of strategic maturity and size distinguishes these city developments from each other, the cases also differ with respect to the strategic function on the housing market. In parallel with the development of Sydhavn Copenhagen and Ørestaden Copenhagen, or perhaps as a consequence of it, Copenhagen City has managed to transform itself into the most attractive city to live in within a national context, although disagreement exists concerning whether this transformation is due to the sort of strategic planning demonstrated in Sydhavn and Ørestaden, or whether it is due to demographic change supported by lower-scale urban regeneration and urban-space improvements[2]. Irrespective of the causes of Copenhagen's growth, the strategy of urban development generated in the late 1990's has laid the foundation for a deliberate, market-based financial strategy since year 2000 when developing new brownfield land, and political and administrative decision-makers have ever since sanctioned this strategy. The City of Aalborg faces some of the same challenges: How to strategically take full advantage of its attractive status as the main growth city in an otherwise de-growth struck rural region. Further, the City of Aalborg faces the challenge of

(re)positioning itself, through Aalborg East as medium, as a city that can utilise the currently strong momentum provided by the fact that a second wave of urbanisation is currently sweeping across Denmark and that the businesses of Aalborg are demonstrating growth despite recession[3]. The vision of Aalborg City as a 'Smart City' is the latest attempt of such strategic positioning[4], and Aalborg Øst plays a crucial role for this positioning by being part of an identified 'Growth Axis' of the region.

As is demonstrated throughout this report, the two cases are selected due to the emblematic urban-planning problems that they exemplify. Sydhavn Copenhagen is an example of market-driven urban planning which illustrates current deficits of the Planning Act: that the Danish Planning Act is highly efficient for construction work and consensual negotiations in a bilateral fashion but weak when it comes to creating urban space and urban functions in post-industrial areas within a market-driven set-up. As a result, a persistent negotiation and debate is going on concerning issues of responsibility related to the public good: segregation, public space, infrastructure, and the quality and amount of service provision. Whose responsibility is it? Who should contribute? How to assess the trade-offs concerning the long-term quality implications of development versus the short-term housing needs and the market risks conditioning urban-fringe developments? Whether these issues of importance to the public good are a municipal or a private responsibility is the centre of debate and discussions. Accordingly, Sydhavn Copenhagen is firmly embedded in denoting the most contentious planning dilemmas in a Danish context, and the case further illustrates an evolving market-based planning practice that by means of various contract and regulation tools are trying to make up for these deficits.

Aalborg Øst is an example of urban planning in a suburban context which demonstrates a number of planning challenges, related to how to enable a market-based growth on the basis of massive regional and state investments. First of all, the difficulty of creating a shared, strategic vision that can create the necessary interdependence across investment stakeholders. Second of all, the difficulty of having rather limited means for investments in the segregated parts of Aalborg Øst city district, and thirdly, the difficulty of having a large and highly fragmented area with functions that are not easily compatible with a transformation towards a semi-urban district.

Structure of report

The structure of this report is as follows. First we describe the objectives of empirical investigations as well as methods. In order to contextualise the regulative dilemmas follows firstly an overall introduction to the planning system in Denmark, followed up by a review of recent Danish debate-and profession-development projects that deals with planning regulation. This contextualisation provides the reader with an understanding of what role regulation (legislation, formal procedures) plays for generating flexibility and innovation in urban planning, vis á vis planning cultures and management. Next, each specific case is introduced, supplemented with first a description of land-use planning employed, next a description of each norm, combined with informant perspectives on controversial issues. Finally, findings across cases are summarised.

Objectives of empirical investigations

The theoretical background for the regulation dilemma is described by Savini *et al. (Savini, Salet, & Majoor, 2014).* The authors argue that a regulation dilemma occurs as material and procedural norms take, respectively, a particular or general form (ibid., p. 5). Planning practice has to deal with the fundamental tension of *'open spaces for self-management while limiting opportunist action through specific regulatory frameworks'* (p. 9). Accordingly, there is an inevitable trade-off for planning regulations that has to satisfy two needs: legal certainty in order to secure outputs and values, and on the other hand, the need to provide grounds for unplanned innovation and unexpected events.

The research protocol developed for guiding the empirical investigation of the regulation dilemma (Salet & Savini, 2014) focuses on answering the following overall question: whether and how the different norms fit the changeable conditions of different specific contexts. More specifically, the research object of the empirical investigation is material and procedural norms embedded in a network of actors, focusing on how to cope with the challenge of norm acceptance. Accordingly, the research question is a 'how'-research question: how are norms regulated? This is in contrast with the first work-package of the present APRILAB project, i.e. the Intervention Dilemma, where focus was on the 'What': what is the urban-fringe-development about.

Methods

Following the research protocol for the regulation dilemma (Salet & Savini, 2014), the description of norms consists of two elements and methods:

1. Desktop study: A mapping of norms, based on previous data and document studies.

2. Selection of the two most prevalent cross-case norms

3. Selection of case examples that exemplifies these norms

4. Qualitative interviews: Identification of acceptance and controversies around legal and procedural norms, based on interviews with key actors in norm networks

These two methods (desktop study, qualitative interviews) have been deployed in a dialectic fashion, given the fact that it not was possible to detect all information about relevant regulation in advance by means of planning documents, newspaper articles, already-conducted interviews etc.

Before engaging with mapping of norms and the identification of acceptance, the approach taken by the Danish research team has been to code existing data material and interviews by means of the qualitative coding software Nvivo. This coding resulted in the identification of norms that were identical across the two Danish cases. The identical norms across such different case contexts (size, maturity of cases, the strategic function of housing market) allows for relevant discussions concerning how different norms are mobilised, applied and negotiated. Hence this approach produces a high amount of data related to whether and how norms are accepted, conditioned by regulative aspects.

Methodology and operationalisation

The Danish team has made an interpretation of regulation dilemma and implicated research object in accordance with aforementioned theoretical outset and research protocol. The regulation dilemma entails a sociological focus on regulation (i.e. 'norms' as a social construct) that makes the research object broader than only focusing on regulation. On the other hand, the governance- and political science-aspects are also part of the regulation-dilemma, as the research object constructed by means of the operationalisation in the research protocol explicitly entails a focus on norm-related conflicts and -negotiations embedded in actor-networks.

Accordingly, the norms identified in the cases are for the present chapter defined as *contested planning intentions that are both enabled and constrained by means of substantial norms (legislation, legally binding planning documents) and procedural norms (administrative procedures, non-legal binding strategy plans and visions).* Accordingly, the research object of 'norms' are these contested planning intentions, intentions that are embedded in complex and unpredictable planning processes, conditioned by previous municipal strategies and regulative options and restraints, and municipal attempts made in order to govern at a distance ('meta-govern'(Sørensen & Torfing, 2007)) in order to make private parties contribute to urban development.

Accordingly, previous data (interviews, newspaper articles, local plans) have been interpreted in order to identify the most challenging planning intentions. Three cross-case norms stand out: segregation, urban space and market creation. However, since the third norm (market creation) generates conflicts, yet does not provoke conflicts related to specific planning legislation but instead mainly to internal municipal decision-making and problems related to strategic and political consensus, this third is not described and analysed in this report; the conflicts and challenges related to market creation and the role of public investments will be pursued in the third series of APRILab reports related to the Investment dilemma (see (Savini et al., 2014). The mentioning of the norm in the present report is to draw the attention to the fact that this norm is the most dominant norm; urban planning and urban development without some sort of market creation does not make sense, as the purpose of planning in both cases is to physically construct an area or redefine elements of an existing area by facilitating private engagement. Accordingly, the two other norms are dependent on, and constrained by, this norm.

So, the cross-case norms identified are as follow:

1. Ensuring high-quality public spaces by means of public-private negotiations, regulation and voluntary agreements

2. Countering segregation by means of tenure mix and strategic deployment of city functions

These norms are described further down below. Before doing so the planning context of the regulation dilemma is provided. The introduction to the Danish planning context and recent professional debates in this field points to the fact that regulation is highly embedded in political and strategic collaborative processes, implying that regulation in a Danish context not always is the central challenge.

Context of the regulation dilemma: The planning system in Denmark

The Danish planning system is guided by the Planning Act, consisting of three administrative levels: state, region, and municipality.[5] The Planning Act builds on a principle of Frame Management, implicating that plans are not allowed to conflict with higher-ranking plan-levels.

The Ministry of Environment produces, on the basis of the current government′s policy, National Plan Statements, an overview of state interests, National Plan Directives, and the Finger Plan, the Finger Plan being a separate plan for the capitol. The system is depicted by the Ministry of Environment in the figure below. On the basis of these national plans, the Regional Councils develop Regional Development Plans, which are strategic, yet overall plans, for the future development of the region.

Finally, the City Councils have the responsibility for producing plan strategies within the first half of their 4-year election period, and revise the municipal plan accordingly. Consequently, the municipal plan is the main regulative framework for the production of local plans.

Local plans are the specific, legally binding agreements between developers, landowners, stakeholders and municipality. The local plan is the corner stone of the Danish planning system. The municipal plan describes what should be guiding the specific local plans for specific areas in order to ensure consistency across plan levels. Accordingly, the local plan is the implementation tool for the political and strategic intentions of the municipality. In this respect, each local plan is a local law, that in detail describes zoning, conditions of roads and paths, how buildings are to be used, the size and location of constructions, etc. The local plan provides the landowner with the right to build and make use of properties in alignment with local plan provisions. A local plan only guides future conditions, and it does not provide landowners with obligations to act. A municipality is legally obliged to develop a local plan at the request of landowners; however, the cost of producing local plans can be shared between landowners and municipality. A local plan must not be in conflict with municipal plan or national plan directives. The local plan proposition must be open for public scrutiny and debate at least eight weeks before a municipal council approves of it. If the local plan conflicts with national priorities, state agencies can intervene in the eight-week public hearing period.

The four planning levels in Denmark (national, regional, municipal, local) is depicted by the Danish Ministry of Environment in the figure below, copied from an English introduction to the Danish planning system.

Figure 1: Denmark's planning system

Figure content:

DENMARK'S PLANNING SYSTEM 2007

COUNTRY

NATIONAL PLANNING
Government policy:
National planning report
Overview of national interests
Planning directives: Finger Plan 2007

Sector plans:
Water resource plans
Natura 2000 plans
Transport plans

REGION

REGIONAL SPATIAL DEVELOPMENT PLANS
A vision for the region

Regional raw materials plan

Regional economic growth forums
Business development strategy

MUNICIPALITY

MUNICIPAL PLANS
Municipal planning strategy
Regulating land use in towns and the countryside

LOCAL PLANS

The Minister for the Environment establishes a comprehensive framework for regional spatial development planning and municipal planning through national planning reports, overviews of national interests in municipal planning, national planning directives, dialogue and other means. The Minister ensures through such means as a veto that municipal planning complies with overall national interests.

The regional councils prepare regional spatial development plans that describe a vision for the region. This is a new type of strategic plan that captures the overall spatial development of the region and is closely linked with the business development strategy prepared by the regional economic growth forums.

The municipal councils summarize their objectives and strategy for development in a municipal plan, which comprises a framework for the detailed local plans and for processing individual cases pursuant to the Planning Act and numerous acts governing other sectors.

Source: Danish Ministry of Environment, Spatial planning in Denmark (2012, p. 7)

Review of recent Danish debate: planning challenges

Over the last 10-15 years, some debate has been surfacing concerning the Planning Act: Whether elements of the Planning Act are adequate for dealing with the current societal challenges, and what the future role of planning should be. The following planning-debate projects are worth highlighting, as these projects provide a context of professional planning discussions and regulative developments. Notably, these planning discussions circle around the boundaries between public-private responsibilities in urban transformation and the means of planning authorities to exercise active regulation. Accordingly, this context understanding is necessary, first of all to enable readers outside Denmark to understand the character of the planning system. Second, an overview of the recent debate is crucial in order to understand and discuss, whether or not planning in the urban fringe triggers distinct regulative dilemmas, or whether these dilemmas are of a general nature related to the Danish planning system as such.

What the following review of the planning debate projects indicates is that 'planning culture', local and governmental strategic use of planning and the implicated demands for organisational changes in terms of governance and

leadership in the respective municipalities seem to be a more defining factor for the quality of urban planning than regulative barriers.

The following projects were reviewed (my translation of titles into English):

- 'Renewal of Planning – quality in city district- and local planning'(Realdania Medlemsdebat (netværk), 2006)

- 'A negotiated solution: a case-based analysis of building plots, urban development and price formation in Denmark' (Bogason, Center for Bolig og Velfærd, & Realdania Forskning, 2008)

- 'Plan 09' (Plan09, Miljøministeriet, & Realdania, 2010)

- 'Project Innovative Planning Culture' (2011-2013)

- 'Communities in Transition' (2013)

- Current Planning Act changes and debate (2014-15)

In some of these reviews, specific legislation is mentioned. However, given the vast legislative scope triggered by planning (acts of environment, construction, roads, planning, regions, capital region, social housing, etc.), specific sections of legislation are only explained and exemplified in the specific case descriptions when necessary.

'Renewal of Planning'[6] (2002-2006)

In the period 2002-2006, six in-depth reports were prepared by the Ministry of Environment and Realdania (a national fund), about current challenges for planning, on the background of an enhancement of regulation towards more strategic planning, an increased tendency towards urban renewal and transformation instead of greenfield planning and finally because of larger municipal bodies as a consequence of a municipal reform act ('Strukturreformen'), fully legally implemented on 1 January 2007.

The project describes fundamental challenges in Danish society that have altered the preconditions for planning. Much production has moved to other countries, and other types of businesses (creative, product development, research and service) are gaining in importance. Second, the competition for well-educated labour has increased; this labour force wants to live in, or close to, larger urban environments; likewise, the competition between municipalities for attracting businesses is growing. Accordingly, the quality of the built environment is of increasing importance. Also, the quality of public services, recreational green areas and the cultural environment in the city is essential. Furthermore, the tendency is that the major cities are growing, whereas peripheral areas in Denmark are being depopulated. This implicates that non-growth municipalities face other challenges than growth municipalities.

Further, the business-structure development entails that many older business and harbour areas are being emptied. This allows increased possibilities for other functions in these urban transformation areas. In 2003, the Planning Act was altered, paying specific attention to the need of urban transformation of former

industrial areas. This allowed specifically defining areas of urban transformation in the municipal plans; in these areas, the municipality can make use of 'the Planning Order' [in Danish, rækkefølgeplanen], a map prioritizing development areas, in order to control development, demand participation in landowner associations and ensure public access to the quayside in harbour areas ((Højgaard Jensen et al., 2006) p.2-16).

On the basis of those investigations into current challenges of planning, a number of recommendations were made. First, that not only legislation, but especially the 'culture of planning' has to be developed. From a municipal planning perspective, existing regulation in terms of the Planning Act has widespread support as the Act provides municipalities with a very wide degree of freedom in terms of what methods to apply. Further, existing rules of publicity and procedures work well. However, there is much need of counselling and the exchange of experience and educational qualification amongst planners. So, in terms of planning culture, the project 'Renewal of Planning' points to the need of:

- Increasing the use of plans, design manuals, partnership agreements and architectural politics, i.e. how these other types of tools can support, and be better integrated with, the formal regulative plans (municipal plan, local plan)

- More exchange of experience concerning the local plan content, especially concerning the level of detail

- How the use of the informal mid-level 'soft' kind of plans (city district plans, master plans or dialogue plans) can be better combined with formal plans

- More transparent planning processes in order to make these more understandable for citizens and businesses

- Increased collaboration between municipal administrations, especially in terms of better integrating local planning and building applications

In terms of planning regulation, the project points to the following need for regulation changes:

- To make legal the shared financing of infrastructure and public facilities in urban renewal processes, when it comes to urban renewal and –development on privately owned land. When the project was initiated, the municipality had the obligation to build infrastructure, whereas the private landowners reaped the profits of public investments.

- Affordable housing, inspired by English planning experience, would increase municipal possibilities for ensuring that a certain amount of cheap housing is available in urban development areas.

- Urban development companies: the project demonstrated that municipalities are very uncertain with respect to the possibilities of establishing these companies, and that municipalities are in need of further guidance concerning the construction of urban development companies

- Diverse and integrated urban areas, i.e. making mixed-function neighbourhoods. A main barrier has been new legislation in 2003 that in a transitional period allowed increased noise; however, some of these transitional periods seem to be permanent, which is a problem along harbour

[13]

areas with still-active ports. When it comes to constructing dwellings in former industrial areas, a problem seems to be that municipalities also want to maintain a degree of industry. Another problem is whether local plan options concerning directions of use are adequate for today's businesses.

- The problem of rendering invalid local plans that have not been realised after 20 years, without jeopardizing private property rights.

- Environmental demands and urban ecology in local plans: several municipalities want better tools for demanding higher sustainability functions in future construction work.

The overall assessment of active-regulation challenges in post-industrial areas related to the Planning Act describes the passive/active relationship that the Danish Planning Act permits (p. 50). The overall assessment is that the passive regulative power provided to municipalities by the Planning Act is very strong and can block almost any politically unwanted private suggestions for fulfilment (Jørgensen *et al.* 2006, p. 50). However, the active regulative tools for *promoting* an public interest provide rather few possibilities, as the corner stone in the Danish planning system is that urban transformation and urban construction is in general assumed to be accomplished by means of the private initiative of landowners, developers, etc. Accordingly, public planning regulation is 'a regulative framework and process condition for private parties' realisation, more than an actual instrument' (ibid., p. 50, my translation).

'A negotiated solution' (2008)

'A negotiated solution' (Bogason et al., 2008) is an illustrative piece of work that exemplifies the financial dilemmas that Danish municipalities face when engaged in planning. The report makes an analysis of the Danish housing market in the housing-boom period leading up to the financial recession. On the basis of a massive rise in prices of condominiums from the late 1990s to 2006, it would have been expected that market demands had resulted in an increased supply of building plots; however, as the report documents, this did not happen. Accordingly, other logics than the ones related to market-explanations are dominant when analysing the housing market. Key explanatory factors are that the housing market is dominated by a few, powerful decision-makers: municipalities and developers. Often these decision-makers do not have the capacity or the incentive to increase the supply. Especially municipalities are the ones blocking the supply of building plots, because it is often doubtful whether a massive construction of new plots are attractive from a municipal investment and maintenance perspective. What is of special importance is the fact that the municipality is responsible for delivering services to all citizens in the municipality. If the construction of new dwellings is allowed, the implication is an investment in welfare institutions (kindergartens, schools), infrastructure and public transportation.

So a central challenge is to keep the municipal economy balanced, hence, having control over growth in the economy. As a consequence, four considerations have to be taken into account when making decisions about an expansion of urban development and an expansion of the amount of dwellings:

- Municipalities have to ensure the connection between institutional capacity and demographic forecasts plus the financial effect of certain types of population segments

- The municipality is bound to ensure the sale of building plots through tendering in order to ensure that a market price is obtained

- Municipalities are limited in their laying out for plots for social housing as the state regulates the maximum prices related to this kind of tenure; and further, municipalities are obliged to contribute with a fixed amount of subsidisation (between 10-14%) of the construction prize for social housing construction[7]

- Municipalities have to contribute to the preservation of nature, historic buildings, architectural traditions and the quality of housing.

Typically, municipalities and developers have opposing interests. Developers want to acquire building plots as cheaply as possible and have a large degree of freedom in the local plans, whereas in cases of ownership the municipality has an interest in high prices for plots as well as a high-quality project.

'Plan '09' (2006-2009)[8]

The 'Plan '09' project was a direct consequence of the 'Renewal of Planning' project. Whereas 'Renewal of Planning' led to changes of the Planning Act in 2007, the other crucial issue was how to improve the planning culture in the Danish municipalities. This was especially pertinent due to a municipal reform that implied the merger of many municipalities into bigger units[9]. Accordingly, Plan '09 provides an overview of the professional debates and challenges related to planning as a new wave of municipal plans were being developed in 2009.

The project focuses on the role of planning as a governance tool for enabling the intended development in the municipalities, and is mainly focused on organizing, communication and democracy (Plan09 et al., 2010) p. 6). The project highlights that huge variation exists concerning how to use municipal plans: as a strategic governance tool or as a sort of compendium. In the first instance, the municipal plan attracts high levels of political attention, receives more resources and a high degree of cross-administrative coordination is going on; whereas in the second instance, the purpose of the plan is mainly to live up to national legislative demands, implying that the administration responsible is weak, is paid little political attention and receives a low degree of cross-administrative cooperation.

What is especially highlighted as a result of the project is that top management (politicians, board of directors) has to be involved in order to ensure that planning is prioritised; this is fundamental for succeeding with the plan strategies and municipal plans, plans that municipalities have a legal responsibility for producing. What is further emphasised is the need for cross-professional and cross-administrative cooperation; this is essential for more efficient planning. Furthermore, the involvement of citizens and stakeholders has been systematised; these stakeholders are to a higher extent involved in the initial planning phases. Finally, it has been important to clarify the role of politicians in relation to citizens' involvement, as an implication of the increased active role of citizens.

The project further discusses the overall challenges of municipal planning and the future development of planning in Denmark: A tendency towards using plan

strategy and municipal plan as political governance tools and the integration of planning with the overall development and administrative work in the municipality.

In terms of historical development, planning in Denmark has in general contributed to a well-ordered and appropriate planning of areas and physical-functional connections. However, the municipal plan has often been criticised for being inflexible and fixed in terms of time. In the 1980s and 90s, this led to a type of restrictive planning, in which the municipal plan was perceived of as a strict control document. This led to the need of a more enabling and facilitative planning, responsive to unforeseen events. In the 1990s this led to an increased use of municipal-plan addendums and a more cross-sectorial way of thinking about urban planning. In the beginning of the new millennium, municipalities were to a higher extent using plan strategies, in order to enable better connections to the political level, emphasizing comprehensiveness, visions and potential related to planning; this was done in order to counter the image of planning as limiting, rule-bound and narrowly focused on land use. This has contributed to more strategic planning; however, according to the project, this push towards strategic planning is also underpinned by a growing awareness of competition both nationally and globally, that implicates local and regional actions across private and public lines of divisions. This also implicates growing awareness of efficiency, leadership and new ways of governance with the involvement of numerous stakeholders (Plan09 et al., 2010), p. 57).

However, despite the advantages implicated by means of these professional and institutional developments, these developments also create increasing demands of coordination and cross-sectorial interplay, and an increased focus on policy. Of further importance is also less standardisation and more context-sensitive solutions, which often involves other types of analyses. And most importantly, another type of planning culture, where it is important for especially politicians and planners to get an overview of their own planning culture (p. 59).

'Project Innovative Planning Culture' (2011-2013)[10]

This project is a continuation of 'Plan '09' and 'Renewal of Planning'. The purpose of this project is to find out how to make municipal planning to develop a new planning practice in municipalities, a planning practice that can be more innovative, in terms of working across professional and administrative boundaries, proactively and collaboratively. Accordingly, the focus of the project is aligned closely with Plan '09 and Renewal of Planning, as it continues to solve challenges related to planning culture, practice and professional boundaries and not so much to regulation.

In a debate statement launched by an initiative group, consisting of urban planners from different participating municipalities, researchers, building consultants, the National Association of Municipalities, and the Danish Think Tank for Urban Planning, the project identifies the following barriers, based on a survey amongst planners, municipal directors, local politicians, as well as representatives from interest organisations and from private businesses[11]:

- Many and conflicting interests

- A lack of political and administrative governance

- Locked professional cultures

- Sector-administrative stove-pipe thinking

Amongst the participating municipalities the need for a more innovative planning culture is perceived of as urgently needed. Accordingly, in order to attain this objective, four topics are perceived as necessary:

- To create disturbances in the organisation in order to create awareness of organisational mission

- The planner has to get away from the desk and solve real problems

- To assure that each planning task is staffed with the right competences and roles

- To anchor culture development projects at the management level

Factors that drive forward this demand for change in the planning culture are the increasing speed of change in society, which demands receptive and flexible planning; the tasks are becoming increasingly complex, the competition between cities and countries are increasing, the public sector is getting fewer resources, but public expectations are increasing. Further, private-public networks are increasing, different types of actors collaborate, and the content of planning has changed, from dealing with substantial plans and reforms of cities to dealing with the transformation of existing physical matters based on projects and strategies. Finally, planning authorities and their professionalism is being challenged to a greater extent than before (Skov & Landskab, 2012).

'Communities in Transition' (2013-2014)[12]

The project is based on a ministry-defined think tank whose task was to identify challenges for communities in cities. This state objective was based on statistics that indicate that the biggest Danish cities are increasingly being segregated[13]. The project sought to answer some overall questions concerning what the tendencies towards segregation imply for communities and the tradition in Denmark for having a high level of social capital. And what demands this pose for politics of urbanity and housing? The Think Tank identifies the segregated city as the main challenge for communities. On this basis, the Think Tank suggests a number of initiatives worth pursuing. Amongst those was the suggestion that cheap dwellings should be provided as a part of future development projects in cities. This suggestion has later had legislative impacts, as the Planning Act is now revised, giving the municipalities the right to demand up to 25% of social housing in unplanned, urban areas.

Current planning debate (2014-2015)

During 2014-2015, the Planning Act has been the objective of much debate. The debate is mainly tied to regulative issues in the Planning Act which is perceived as

not fit to deal with the radically different planning challenges that the urban growth-areas and the rural de-growth areas are facing. So, the debate is motivated by much frustration in the rural municipalities about how to secure the economy. Concerning barriers of growth in the rural districts, the National Association of Municipalities kick-started a debate about growth barriers and thereby established the basis for a Commission[14]. They did so on the basis of a note[15], called 'Barriers for growth in the physical planning' (my translation) which states that:

- the current Planning Act in an imbalanced way favours environmental and landscape objectives at the expense of growth creation and development;

- state bodies, such as the Agency of Nature and related judicial complaint boards make decisions that go against the local intentions of local politicians, citizens and businesses

- the Planning Act is demanding too heavy resource requirements of administrative resources

This has resulted in a proposal for a revision of the Planning Act[16] that provides new planning opportunities for rural municipalities. Another issue has been the growing prices of dwellings in the cities in Denmark and the resulting challenges of providing affordable social housing[17]; accordingly, a financial and legislative change related to planning (Planning Act, Social Housing Act) has been suggested and approved. First of all, in unplanned areas in mainly cities and metropolitan regions the municipalities have the right to demand that up to 25% of dwellings in new housing areas should be social housing; further, in already planned areas, a financial option from the state is guaranteed so that loans can be granted for social housing in a way that permits social housing organisations to construct dwellings above the legally defined maximum construction price[18].

On a more general level, politicians and planning professionals as well as experts categorise the current planning act (prior to the above suggestions for legislative changes) as too much of a "one size fits all"; this does not match the current, very divergent, conditions that municipalities are facing. Instead, the Planning Act must allow for flexibility and locally adapted solutions[19]. The Planning Act has to allow for attractive and coherent cities. Further, concerning procedures, often non-legally binding comprehensive plans are more suitable for citizen's involvement (p. 10-11). Other points of criticism are that the current planning law is tailored to new-land/greenfield construction, but the current planning these days are transformation of existing cities; accordingly, the planning act has to "allow for temporary use while we wait for the long-term [perspective to emerge]", (my translation). Another issue is that the Planning Act has to allow for non-growth and diminishing development in rural areas; and also to partially abandon obsolete local plans (ibid.).

Results: Summary of the current planning debate in Denmark in relation to the regulation dilemma

The review of the planning debates in Denmark over the last 10-15 years indicates several things.

First of all, regulative adjustments have been implemented on a running base that mirrors the expanding rural-urban growth divide and the particular planning challenges within these very different settings. Accordingly, the Planning Act and related regulations have to take into account that:

- the main part of national growth occurs on post-industrial, brownfield land in, or on the metropolitan fringe of, cities,

- municipal and developer-interests related to investments do not follow the same logic and speed, as municipalities have to take into account long-term services and infrastructure expenditure that accompanies citizen growth, and, consequently, that legislation has to enable tools that to some extent can make up for the rigidness of planning,

- the legal possibility of construction land development-companies has not been attractive for Danish municipalities due to its high-risk nature

- zoning may be too blunt a tool for enabling functional mixes in brownfield land, especially when it comes to allowing for the integration of still-running industry and dwellings,

- municipalities want more legislative tools for setting demands related to sustainability and environment,

- the consequence of urban growth makes it difficult to keep a certain amount of affordable/cheap dwellings available in areas under development, as social housing is both expensive for municipalities (10% co-financing) and sometimes even impossible due to legislative regulations concerning the maximum construction prices of such social housing (according to the Social Housing Act),

- rising prices on dwellings in cities has increased the socio-economic segregation (in terms of income, education and people receiving public benefits)

As a consequence, municipalities have been granted the following legislative options in the period described (2002-2014) in order to deal with challenges related to brownfield development, demanding more private investments as part of regulation related to local plans:

- Designating, in the municipal plan, specific 'urban development areas', implicating a chronological Planning Order of those areas [Rækkefølgeplanlægning]

- Voluntary city development agreements with developers

- Possibility of laying out up to 25% of unplanned land in specific urban zones for social housing (in order to counter segregation)

- 50-year, no-interest mortgages provided by the state in order to finance construction of social housing for specific cities with problems of growth and segregation

- Possibility that developers can co-finance public expenditures for local plans, in order to qualify the quality of those plans

- the transformation of previous industrial areas to a mixed-function neighbourhood

- Temporary repeal of noise regulation during an 8-year period in order to ensure the transition from industrial area to mixed-function neighbourhood

- Possibility of demanding that landowner associations are formed and that related public–facility construction (infrastructure, bridges, beaches, roads, traffic lights, etc.) is financed by private parties as part of a local plan

Further, in a parallel movement, the review of the recent Danish planning debate reveals ongoing development of planning as a profession and a municipal practice:

- planning as strategic and central to municipal economy

- planning as innovative, in terms of collaborating across professional and organisational boundaries

- planning as being transformed into a proactive profession, to a higher extent using informal plans as a way of including and establishing communication with societal stakeholders

- planning needs of decision-maker involvement to ensure success

- more policy-oriented and more context–sensitive planning

In conclusion, it seems that issues of planning culture as well as strategic deployment of planning within current legislative planning framework is as important for planning success as revised legislation. Further, the boundaries are increasingly blurred between the public and private responsibility for providing public goods in urban-transformation planning.

In the section below, we provide a description of regulation dilemmas related to land use planning, public space and segregation.

Regulation dilemmas in Sydhavn Copenhagen: norm negotiations

Introduction to Sydhavn Copenhagen: What type of a regulative case?

As I described in the section 'Context of the regulation dilemma: The planning system in Denmark', the debate concerning planning and the Planning Act has pointed to specific challenges concerning the fact that much urban planning does not deal with urban development on greenfield sites but instead on urban transformation on previously developed areas, especially older business and harbour areas (Jørgensen et al., p. 11). This raises the question of what type of regulative case Sydhavn is. In order to answer this question, I turn to the thorough descriptions in the Danish planning-debate project from 2006: 'Renewal of Planning: The Planning Act's possibilities for active regulation'[20].

According to the planning-debate project 'Renewal of Planning: The Planning Act's possibilities for active regulation'[21] municipalities can play different types of roles (Jørgensen et al., p. 5) when planning in former industrial areas such as harbours. The project identifies three primary roles:

- *The municipality as planning authority:* due to complex, private ownership to land, the municipality has few instruments available for regulating in a manner that advances its political interests.

- *The municipality as land developer:* due to municipally owned harbour-companies, the municipality has the possibility of buying the land from the harbour, develop the land, and sell it

- *The municipality as guarantor of public facilities:* some municipalities own land, and, hence, sell only those areas that are intended for construction and keep the areas intended as public-space areas (quaysides, common areas, etc.)

Ownership structures and municipal decisions that determine ownership structure are, accordingly, of fundamental importance.

Concerning the municipal role in Sydhavn, the City has played two of these roles. First as a highly pro-active municipality that created a temporary land-development company in order to kick-start the housing market in Sydhavn. Subsequently, as this market-creation objective was achieved, the City took on a more passive role of a regulative authority, as the land owned by the publicly owned harbour company was handed over to the company 'City & Harbour', which was given the authority to sell harbour areas for profit, within a defined set of public obligations, in order to finance an expensive metro infrastructure project (ongoing). As a result, the municipality does not own any land, but it does have positions on the City & Harbour board; given the fact that City & Harbour is a public limited company in which the shares are owned by municipality and the state, and given the fact that City & Harbour is tied to the long-term development of the Copenhagen harbour, City & Harbour as a landowner is more susceptible to supporting the long-term interests of the City.

Further, in the same report, a number of barriers for quality in planning are listed on the basis of Danish harbour-transformation cases, barriers that provide an important indication of the case of Sydhavn Copenhagen in accordance with the norms identified. First, the report has some recommendations for regulative change as well as for how to deal with the transformation processes (ibid., p. 8-10): to use masterplans as tools for multi-stakeholder dialogue; to further expand the regulative possibilities in transformation areas to demand the creation of landowner associations, enabling the municipality to require of those associations to co-finance public facilities as part of a local-plan process; to expand the possibility of development agreements with investors; to remove barriers for the creation of public-private land-development companies; to use the Urban Renewal Act as funding for facilitating a stakeholder-involvement process; to create an inclusive city; to move the jurisdiction from the Coast Directorate to instead being part of the Planning Act, as the role of water in urban transformation areas has changed from industry to recreation and housing, thereby making sure that water areas are accessible to the public; and finally the need for tutorials and good examples. Especially the barriers for the 'inclusive city' are relevant for narrowing down the case of Sydhavn. It is stated that most of the former industrial areas have a tendency to become mono-functional dwelling areas, targeting the affluent over-50 years-segment of the population (p. 9). Some recommendations on this basis are that dwellings are made flexible at the ground level, so that these may later be used for commercial or other purposes; to differentiate the rent on housing; to enable ways of collaborating that ensure a multitude of stakeholders; to slow down the transformation and to make use of the temporary use of vacant plots and buildings as well as maintaining current city functions.

Most of these elements described in the report mirrors the norms and the regulation dilemmas and regulation tools visible in Sydhavn Copenhagen. A great deal of these elements are part of the examples that I use to exemplify the interplay between norms and regulative possibilities in the following section. The elements are:

- The use of an architectural master plan to involve stakeholders, mainly investors, developers and municipal administrations, and to enable political and strategic consensus in order to enable future coordination

- To ensure public facilities and public space by making requirements for landowner associations as part of the urban transformation process

- To deal with noise- and pollution problems of existing industry

- To deal with a large group of landowners (around 42, according to municipal planner) and companies that differ in size and interest

- To make use of land development agreements with investors in order to speed up the transformation process in a flexible way

- The creation of a land-development company (By & Havn/City & Harbour)

- The problem of ensuring a mixed-function neighbourhood in terms of social mix and cultural facilities and urban space

- The conflicts concerning access to the water and how this recreational resource is to be utilised (privatized or made public)

Accordingly, the Sydhavn-Copenhagen case is an average Danish harbour-transformation case, but differs from such an ideal-typical case first by having experienced an increasing demand for dwellings (instead of domiciles) during the last decade; second, by the financial construction of the City & Harbour development company as a profit-oriented landowner of formerly public-owned harbour-areas and consequently making municipal purchase of land costly and finally. This binds the city planning to ensure that the debt of the City & Harbour company is reduced by means of profitable plot sale, a debt made because of City & Harbour's obligations to finance metro construction up front.

So in a Danish context, the market-driven aspects, required in order to finance the construction of a metro, make the case unusual compared with other Danish harbour-transformation cases; and so does the rather novel application of active-regulation tools – Sydhavn can be considered a test case for these tools, an aspect that has generated serious delay in developing the area. Notably, problems related to the private financing of a vital bridge, infrastructure and delay of a school is mentioned in an assessment of one of the first developed sub-areas of Sydhavn, 'Sluseholmen' (Københavns Kommune, 2013).

Land use planning in Sydhavn, Copenhagen

As described in the first APRILAB report concerning the intervention dilemma (Savini et al., 2014), data support the following phases related to the de-facto 'design', or rather, the actual progression, of the planning intervention: Political and strategic consensus and solutions of design (1999-2003); implementing parts of designed comprehensive plan (2004-2008) by means of local plans; financial crisis, economic recession and a pause in development (2008-2012); continuation of implementation of existing local plans and designated development areas (2012-2013); redefining Sydhavn as part of the 'coherent city' strategy (2013-). The local plan progression related to these phases is listed below:

Figure 2: Line of events in Sydhavn Copenhagen

Year	*Events (political and financial decisions; land-use planning)*
Late-90's	*Copenhagen close to bankruptcy, due to an overrepresentation of elderly, social disadvantaged citizens and students, and dwindling industry.*
1999	*Political decision to redefine Copenhagen City as an attractive city to live in for the middle class. Approval of housing policy; mobilising political and investor support for Sydhavn as a residential area.*
2000	*A design phase, in which a comprehensive plan for Sydhavn was produced by Dutch architects and displayed at a public event at the Copenhagen School of Architecture.*
2001	*Sydhavn is being designated as a focus area for housing in the Municipal Plan*
2002	*Development and preparation of the comprehensive plan for Sydhavn as part of Municipal Plan and local plan; developing a design manual for 'Sluseholmen'.*

2003	*Local plan suggestion for southern part of the Sydhavn, "Sluseholmen"; establishing the land development company 'Sluseholmen P/S', owned by the City and Copenhagen Harbour A/S*
2004	*Approval of Local Plan 310, with extensions 1&2*
2007	*The establishment of a new, harbour-wide land-development company, By & Havn, owned by state and the City of Copenhagen, the main purpose being land development and the sale of land along the quaysides and in Ørestad as well as running the harbour sale of building rights. The profit is supposed to finance the construction of the metro in Copenhagen. The abolishment of Copenhagen Harbour.*
2009	*Approval of Local Plan 310, with extension 3; further elaboration and development of comprehensive plan for the area 'Teglholmen Øst'*
2010-2011	*Approval of Local Plan 310, with extension 4*
2012	*The abolishment of the Land Development Company 'Sluseholmen P/S';*
2013	*Approval of Local Plan 494, Enghave Brygge*
2013, Nov.	*Requirements for an Environmental Impact Assessment ('VVM-redegørelse') for Local Plan 494, Enghave Brygge, by Coastal Directorate[22]. Civil protest, mainly organised by the Harbour Guild[23], against Local Plan 494 due to environmental issues and critique of the privatisation of the water area.*
2014	*Approval of Local plan 202, with extension 2, Fisketorvet; Hearing related to Local Plan 310, extension 5.*
2014	*Approval of Local Plan 494, Enghave Brygge; increased municipal ownership (95%) of By & Havn and change in legislation – By & Havn is mandated to finance yet another metro extension (Nordhavn, Sydhavn) and harbour tunnel, increasing the debt of the company to around 14 billion DKK (2 billion EURO)[24]*

The period from 2013-2014 has a higher level of detail because of massive public resistance to Local Plan 494, Enghave Brygge, a rather complex conflict described, but not analysed in full depth, in the sections below.

Overall, I find six different levels of plans deployed in Sydhavn, five of them required by the Planning Act, whereas the comprehensive plan (a neighbourhood design plan) in this context has market-constitutive qualities by ensuring coordinated visions amongst strategic actors and related quality-assuring functions. Further, the Planning Order, [in Danish 'Rækkefølgebestemmelser'] is highlighted by public-planning informants as an essential regulative feature of the Copenhagen planning and is for that reason also explained below:

- The municipal plan; Plan strategy

- Municipal-plan framework

- The Planning Order

- Local plan

- Municipal-plan addendum

- Local-plan addendum

- Comprehensive plan (Neigbhourhood design plan)

Description of plans

City Councils have the responsibility for producing plan strategies within the first half of their 4-year election period, and revise the municipal plan accordingly in a 12-year future perspective. Consequently, **the municipal plan** is the main regulative framework for the production of local plans, because local plans have to support the realisation of the municipal plan. In the municipal plan, citizens, businesses etc. have to be able to gather information regarding objectives and rules for the use of areas in their municipality. Every fourth year the municipal board is obliged to pass a plan strategy according to §23 a-e; accordingly, a revision of the municipal plan has to be made.

A municipal plan in general consists of three parts (§ 11 (2)): The main structure of the municipality plan, guidelines for land use, frameworks for local planning (Miljøministeriet, 2008).

Within the Sydhavn development period, four municipal plans have impacted on the area, the fifth is under preparation, presumably to be approved in autumn 2015 (for overview of plans, see Figure 6 below).

Concerning **municipal-plan framework**/overall guidelines [in Danish, 'kommuneplan-rammer'], the Planning Act (§ 11, stk. 2, nr. 3,) dictates that a municipal plan must contain frames for what can later be determined in local plans, within the 12-year municipal plan strategy. Accordingly, there is a close connection between local plan and frames, since a local plan cannot be made for areas with no municipal frames. Accordingly, frames need to be produced for all those areas where local plans are expected to be implemented. The purpose of the frames is to enable the public the option of assessing, how the municipal plan through future local planning intends to influence building and use of the specific areas. Accordingly, the frames function as forecasts/indicators, and as signals to private parties, but do not provide developers with the right to build. The function of the frames is, in this respect, to allow for the necessary specification and translation of the municipal plan so that it can be assessed, whether or not a development project/a private suggestion for a local plan is in accordance with the municipal plan. The frames need to be concise, as these are a precondition for whether the City Council prohibits certain construction or use. Hence, the municipal plan frames can be more or less detailed. A very detailed frame is a

way of prohibiting a certain construction or use, i.e. denying private parties to produce a local plan, a right that private parties with a project otherwise would be entitled to; however, such control concerning detail and future development projects comes at the cost of flexibility, since this makes it more difficult to approve of future local plans. In the latter instance, if a desired local plan is not in accordance with the very detailed frames, an addendum to the municipal plan is required ((Miljøministeriet, 2008) p.42).

To illustrate, for the Sydhavn area, 17 plan frames are active at present, each colour demonstrating a specific type of use, (see figure below) the turquoise one signifying business areas, the red ones signifying mixed business and dwellings, and the grey ones signifying technical facilities (in this case, a power plant). (accessed primo May 2015, www.plansystem.dk[25]). These frames are revised in accordance with each new municipal plan, and, accordingly, not all of these are listed in Figure 6 below, only those frames that have been altered as a result of the approval of a local plan.

Figure 3: Overview of active municipal plan frames, Sydhavn Copenhagen
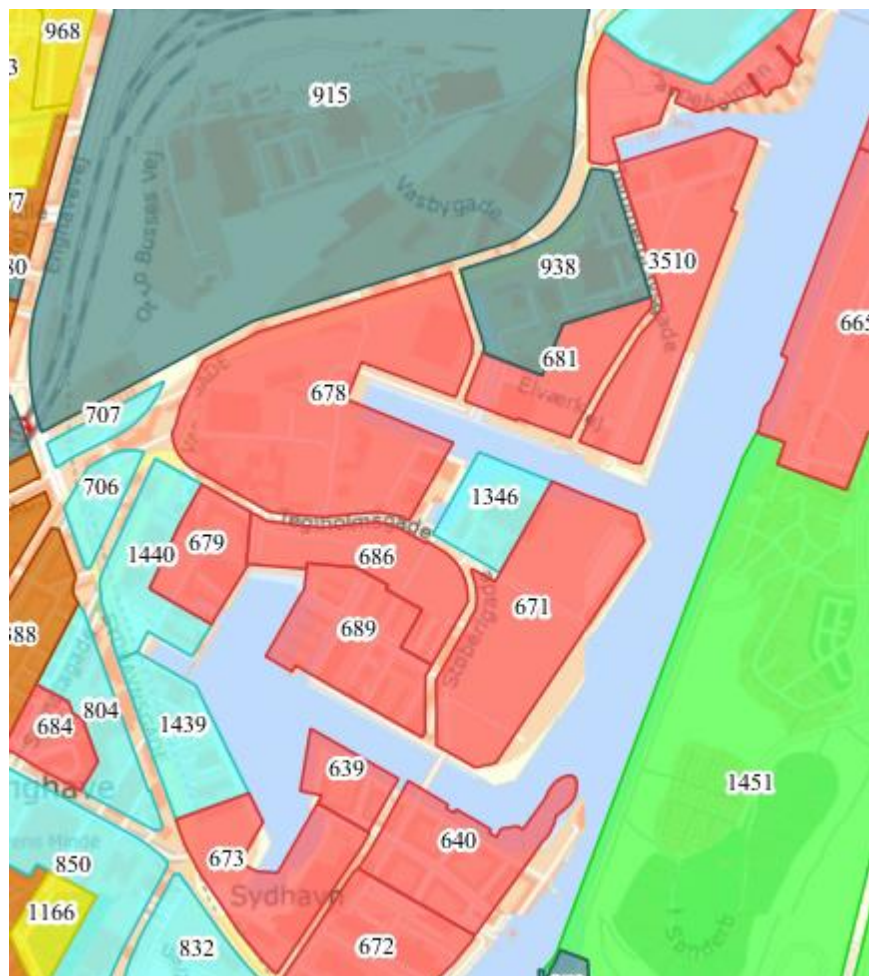
Concerning flexibility, the frames can be altered by means of a Municipal Plan Addendum ('kommuneplantillæg')(The Planning Act §23c), mainly if an Environmental Impact Assessment(§ 11 g, part 2) [in Danish, 'VVM-redegørelse']

[26]

is produced or if the approval of a local plan cannot be made in accordance with the municipal frames (since a local plan is required to support the implementation of the municipal plan).

The rule of thumb is that the municipal board has to make a public pre-hearing announcement ('foroffentlighed') for ideas and suggestions, and that this call has to be made public, allowing a minimum of 14 days to respond to the Addendum, although it is not required to provide information and processes to spur an actual public debate (Miljøministeriet, 2008). However, in case of minor adjustments, i.e. adjustments that do not go against the municipal plan's main principles, this procedure can be omitted. Minor changes include adjustments in a local plan zoning concerning the use of a specific area or minor adjustments related to maximum height or plot ratio (Miljøministeriet, 2008 p. 83). When the pre-hearing period has finished, the plan proposal has to go through the same procedure as a change in the municipal plan itself, (including announcements in local newspapers, a hearing period of eight weeks, information concerning the judicial consequences, governmental authorities and the local culture-and-environmental council (in case such a council exists) (ibid., p. 84).

In general, the Planning Act provides municipalities with the right to deny any land development not in accordance with the municipal plan, and '**the Planning Order**' [in Danish, 'rækkefølgeplanen], enhances this aspect (§11b (12)). The Planning Order describes which areas are to be developed first, and which areas that are only prospective areas; accordingly, it is a regulative option that municipalities can make use of in order to further manage private parties' interests and to direct investors and developers attention. As the official 'Guidance for Municipal Planning' states:

"the municipal board can with Planning orders to some degree control that the development of new land and the conversion of older urban areas and the priority between new and older areas take place at a pace that ensures a reasonable urban development while taking into accordance financial possibilities of municipality and investors" ((Miljøministeriet, 2008,), my translation).

The Planning Order is not only strategic, but also has regulative qualities. Importantly, the Planning Order provides the municipal board with the option of refusing to provide private parties with a local plan, if the suggestion for a project is not in accordance with the order stated in the municipal plan, despite the fact that municipal frameworks are developed. Otherwise, the municipality would be forced to provide private parties with a local plan, in accordance with § 13 (3). Accordingly, the Planning Order is a strong regulative tool for controlling urban development. Further, the Planning Order can also be used as a means to expropriate a development area in accordance with the municipal plan according to the Planning Act § 47 (1) ((Miljøministeriet, 2008).

The local plan can be considered as local law. It is crucial because a local plan is what grants private parties the right to build. The Planning Act § 13 (3) determines that the municipal board as quickly as possible has to provide a suggestion for a local plan and further the construction project as much as possible, insofar as such wishes are in accordance with the municipal plan ((Miljøministeriet, 2008). However, if such a wish is in accordance with an already existing local plan or city plan regulation, but not in accordance with the municipal plan and its principles, the municipal board can prohibit such a wish for a year(§14).

As regards flexibility, it is possible to supplement a local plan with an **addendum** which only contains those changes with which the local plan should be supplemented (By- og Landskabsstyrelsen, 2009). Another option for altering a local plan is to seek dispensation, insofar as this suggestion for dispensation is not in conflict with the 'purpose'/preamble-section of the local plan, i.e. the overall principles of the local plan (§ 19 (1)); otherwise a new local plan has to be produced (§ 19 (2)) (ibid. p. 40). As mentioned as an example in the official guideline for local planning, *"For instance, if an area is laid out as industrial area, a dispensation cannot be made to a grocery or youth dwellings"* (By- og Landskabsstyrelsen, 2009., p. 98, my translation). This also entails dispensation for the structure in the area, if, for instance a recreational area is diminished; in general, dispensation cannot be used to reduce public goods such as green areas and green recreational areas (ibid. p. 98). Insofar dispensation is given, the municipality is obliged to initiate a public hearing for the neighbouring plots involved or for other relevant stakeholders.

Below, an overview of active local plans is displayed.

Figure 4: Active local plans, Sydhavn (310-3-5, 494, 202-1).
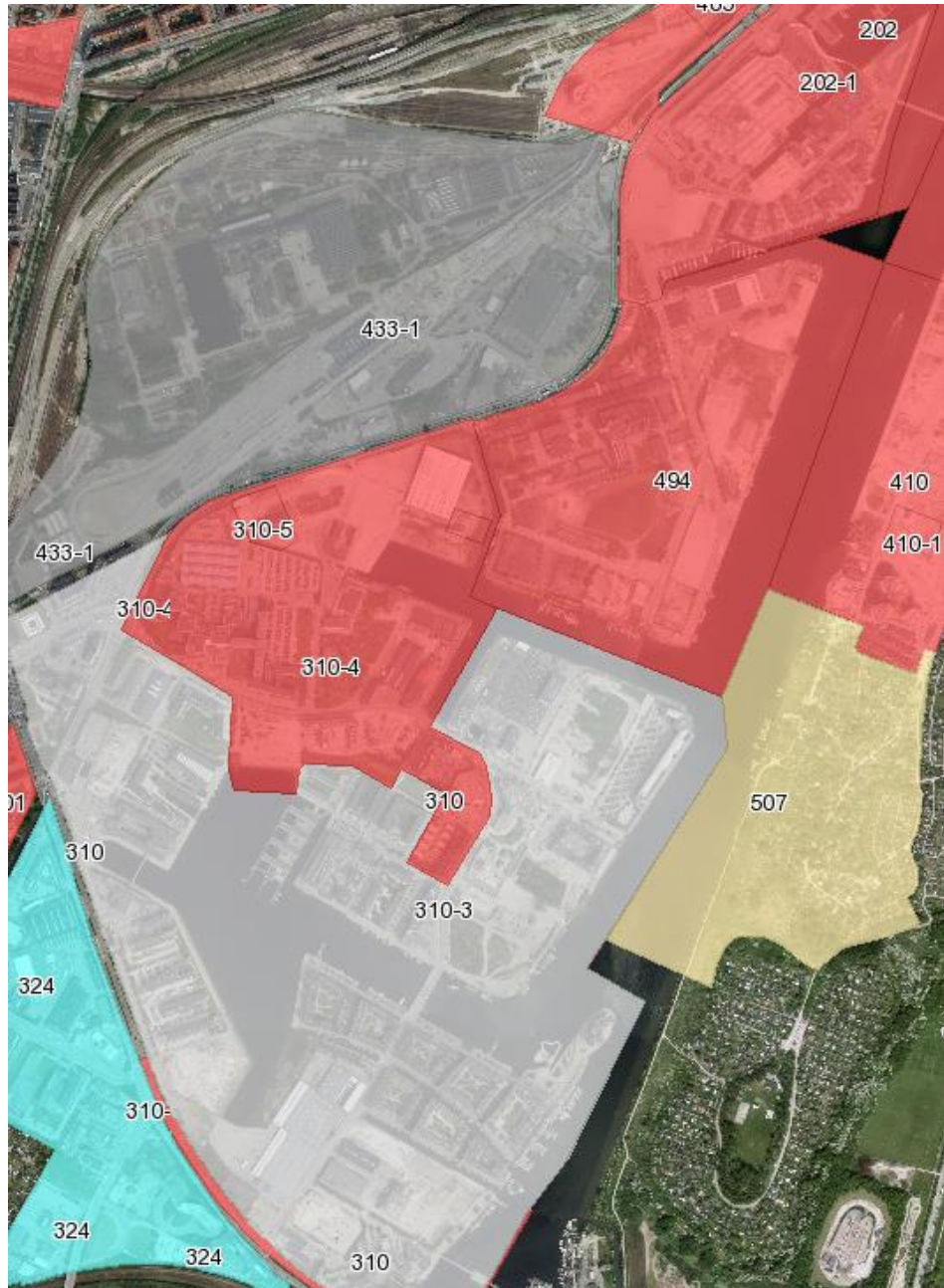
Source: Kort.Plansystem.dk

The production of a **Comprehensive plan** was initiated by the municipality and major landowners in 1998. The comprehensive plan formed the basis for Local Plan 310, approved in June 1999 (Lokalplan nr. 310 – 1&2 "Teglværkshavnen", pp. 3-4). In parallel with this, a larger-scale strategic work was initiated concerning the overall visions for Copenhagen City and the harbour areas as such. Accordingly, another comprehensive plan was produced by Dutch architects

[29]

(Soeters Van Eldonk Ponec Architechten), and was inspired by two development projects in Amsterdam, the Java Island and the Borneo Island, as well as two neighbourhoods in Denmark, Christianshavn and Frederiksstaden. This comprehensive plan was finally approved in 2002, and has had a major impact on subsequent planning and guidelines for architectural quality ((Københavns Kommune, 2013)Evaluering af Sluseholmen p. 14); however, the cooperation and further adaption of the Comprehensive Plan for Sydhavn continued beyond 2002, until 2009, where Local Plan 310, addendum 3, was approved. Soeters' concept of the 'Canal City' has inspired vital parts of the Sydhavn Neighbourhood, especially Sluseholmen, Teglholmen and the northern Local Plan 494 for Enghave Brygge (Evaluering af Sluseholmen p. 9-12) (see

Figure 5). Local Plan 310 was divided into 7 sub-areas, and so far, 5 local plan addendums have been made to this local plan (as can be seen in map above). Accordingly, the comprehensive plan has played a central role, especially in the first phases of Sydhavn development, but has also been used as an argument for the specific design of construction projects at Enghave Brygge, Local Plan 494, used by the municipality to argue for why canals have to be built[26], involving that 1/3 of that part of the harbour is to be filled up.

Figure 5: Comprehensive Plan for Sydhavn as a Canal City (2002).
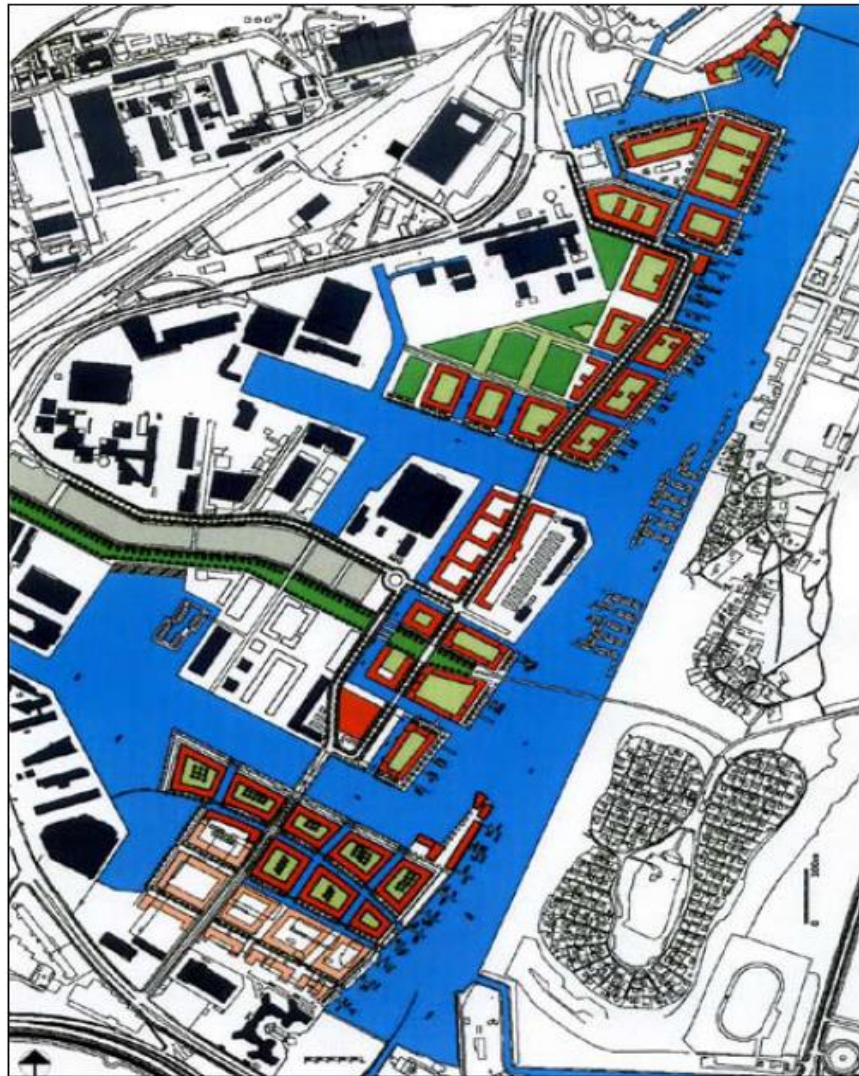
Source Local Plan 310, Add. 1&2, p. 8.

Figure 6: List of plans for Sydhavn (my translation). Source of dates and id no.: Plansystem.dk
(http://kort.plansystem.dk/searchlist.html)

ID no. [27]	Plan no. (if any)	Name of plan	Type of Plan	Status	Date of Event
2994261	4017	VVM-redegørelse for Enghave Brygge og VVM-tilladelse til byudvikling for Enghave Brygge[28]	Municipal Plan Addendum; Environmental Impact Assessment	Approved	26-mar-15
2117445	4016	Enghave Brygge with Municipal Plan Addendum 36	Municipal Plan Addendum	Approved	27-nov-14

2087070	494	Enghave Brygge	Local plan	Approved	27-nov-14
2884415	4042	Teglværkshavnen	Municipal Plan Addendum	Approved	18-sep-14
2840365	310-5	Teglværkshavnen tillæg 5	Local plan	Approved	18-sep-14
951425		The Coherent City ('Den sammenhængende by')	Municipal Plan Strategy	Approved	18-jun-14
2087071	202-1	Fisketorvet tillæg 1	Local plan	Approved	12-dec-13
2327867		Fisketorvet	Municipal Plan Addendum	Approved	12-dec-13
		Assessment of Environmental Impact-requirement concerning Local Plan Enghave Bygge 494	Coastal Directorate Decision		13-Nov-13
	494	Enghave Brygge with Municipal Plan Addendum 15	Local plan	Cancelled	25-july-13
1166714		The Thinking City ('Den Tænkende Storby')	Municipal Plan	Cancelled	15-dec-11
1378252		Green Growth and Life Quality	Municipal Plan	Approved	15-dec-11
1358781	310-4	Teglværkshavnen tillæg 4	Local plan	Approved	16-dec-10
1364098		Green Growth and life quality ('GRØN VÆKST OG LIVSKVALITET')	Municipal Plan Strategy	Cancelled	16-dec-10
1358781	310-4	Teglværkshavnen tillæg 4	Local plan	Approved	16-dec-10
1074534		Københavns Kommuneplan 2005	Municipal Plan	Cancelled	10-dec-09
1057139	310-3	Teglværkshavnen Tillæg 3, with municipal plan addendum	Local plan and Municipal Plan Addendum	Approved	29-jan-09
1057139	310-3	Teglværkshavnen Tillæg 3	Local plan addendum	Approved	29-jan-09
	310-1&2	Teglværkshavnen med tillæg 1 og 2	Local plan addendum	Approved	11-dec-03
		Comprehensive Plan for Sydhavn			2002
1072669	310	Teglværkshavnen	Local plan	Approved	16-jun-99
1072544	202	Fisketorvet	Local plan	Approved	20-feb-92

An assessment: flexibility and conflicts in Sydhavn related to land-use planning

The overall assumption for the APRILAB research project is that planning is challenged by requirements of flexibility and self-organisation in order to maximise quality of urban development. These requirements are especially pertinent in times of austerity, as demonstrated by the financial crisis 2008; those requirements are also assumed to be pertinent for urban fringe areas, as these areas pose a specific challenge for planning in terms of their physical structure related to past and obsolete use. In relation to the regulation dilemma explored in this report, flexibility is problematised through the lens of planning regulation: is land-use regulation an obstacle for natural evolution, adjustment and spontaneous innovation? Accordingly, the question to be answered is whether the different norms fit the changeable conditions of different specific contexts.

If we relate this perspective to Sydhavn and the use and administration of land-use regulation, an overall discussion is whether the planning regulations permit a type of urban planning that is able to 1) adjust to unforeseen events and 2) is able to incorporate inputs/self-organised initiatives from stakeholders.

Concerning the first point of adjusting to unforeseeable events, the description of the Planning Act provided above and the specific plans deployed in the Sydhavn planning suggest that several options exist for the City of Copenhagen for working with flexibility. This flexibility is attained by revision cycles of the municipal plan and plan frames covering 4 years or less. Further, if the overall objectives and the expected developments are not met, municipal-plan addendums or local plan addendums can be produced; the main problem with these addendums is that they are time-consuming to produce, often taking a bit more than a year to be finally approved.

The plan progression of Sydhavn does demonstrate a sort of flexibility, as Local Plan 310 operates with a sub-area type of development, in which the area is primarily developed from the south to the north, enabling adaption of the original comprehensive plan to fit with an area-holistic perspective and needs identified in the process - for instance, the lack of recreational areas, possibly made up for by means of a park in Local Plan 494; but also the deployment of local plan addendums.

The other side of flexibility, in terms of control and the reduction of uncertainty, is furthermore provided by the employment of first of all the legal requirements for the municipal plan to work with a 12-year strategic perspective, and as noted by Head of Planning, especially the Planning Order is valuable for controlling development. This control increases the probability that defined development areas are fully developed before new areas are designated as growth areas:

"The Planning Order is a completely essential tool as it moves the biggest financial sums in the municipality. You are changing one area from being a non-development area to a development area. So you multiply the land value by a factor 10 (…) Of course, landowners on Refshaleøen, Kløvermarken want to develop. But it exactly isn't free for us to develop such areas. Refshaleøen is perhaps the most famous example, because it's

farthest in the Planning order. Landowners are very upset about that, and we have some very tough negotiations with those people every fourth year. But we just have to say that in order for that to come about, metro and harbour tunnel are required, and when that is achieved and when there is a need for dwellings, then we can develop – but there isn't a need, a metro or a harbour tunnel, and so these land owners have invested in a piece of land they cannot activate. So these are examples of prospect areas, and before we can even begin to develop these areas, we need to have a plan for infrastructure, schools, etc." [Head of Planning, Financial Department, City of Copenhagen]

Having laid out a great number of areas for development beforehand, the financial crisis in 2008 was, however, such a challenge for the municipality, that the Planning Order had to be altered and the number of development areas decreased. This crisis implied that the 2011-municipal plan had a very strong rhetoric of implementation concerning urban development, sending a signal to private parties (potential buyers, landowners and investors) that the areas already under development were to be fully developed, including Sydhavn.

For Sydhavn, this was probably something that helped decrease the uncertainty concerning the future of the area. As a developer noted, prior to this, Sydhavn as a neighbourhood was receiving dwindling political attention because other, and new, development areas attracted the attention of the municipality, making it difficult to solve conflicts:

*"Sometimes it's just easier [to deal with problems of local-plan flexibility by means of landowner-associations] than involving local government. We saw it out here in Sydhavn, where we now have numerous local-plan addendums. Of course, part of this has to do with changes in market, but just as many of these local plans indicate that these were too locked to begin with. And out here, it shouldn't pose a problem, you could have generated some frames that would allow more flexibility. It is a completely another issue in existing neighbourhoods such as Christianshavn, where you have a lot of citizens. Of course, you ought to have ambitions for such an outskirt area as Sydhavn as well (...). But Sydhavn has been lying dead. Teglholmen was an area that became lost when you started to develop Ørestaden, because you suddenly invested all of your attention [in Danish, 'sætte alle sejl'] in that area; you made local plans [in Sydhavn] in '04-'05 or whatever, and then you jumped **straight** to Ørestaden and said, 'now **this** is the place, that the Copenhagen Municipality and By&Havn – **this** was the place where they were going to earn loads of money out there',- and so, not a penny was invested out here by local authority, a lot of things were falling apart, the bridge was five years delayed. Some of those things, these are **municipal** tasks, important if private landowners have to be able to develop something. Yes, we can make cheap, good, solid business-projects, but if no one is able to physically **access** the area because of lack of infrastructure, trains, - you just have to say that there are some prerequisites the municipality have not fulfilled, and that is something that has improved since then". (Developer)*

So, the image presented by this informant is an expansionist municipal development strategy that in hindsight proved to be highly risky, especially when this development strategy was combined with the privately financed infrastructure and devolved responsibility for coordination to landowner associations, made possible by means of active regulation tools in the Planning Act. Whether this was the case or not, the overall diagnosis of a fringe area in serious trouble is supported by another developer, describing how it became highly uncertain whether Sydhavn would ever be fully developed:

"Sydhavn is a typical area where you start out with developing for businesses (in Danish, 'erhvervsudvikling') at a certain point in time and where you deploy rather ordinary approaches. You have had, for instance, an end-investor to a business project, he wants his own plot, and he wants his building on his own plot, this is something he can manage, he has control over his parking lot. What you perhaps have forgotten is that such an area over the course of time begins to resemble a typical Danish suburb like Ballerup. It becomes very non-city like, it becomes a pancake plot with a building on top, it becomes a bungalow just writ large. It's a totally traditional approach and this is what you have to do if you want to get things start rolling, you have to give investors what they want. But during the course of time, the area starts to develop. For instance, Aalborg University comes to the area and changes the character of this part of Sydhavn. Also, the economic boom and decline have had a brutal impact. Just before Aalborg University moved in in this part of the area, it really looked as if the area was in a negative spiral – people were moving out, Nokia moved out, Dong were moving out, Gjensidige hadn't arrived [i.e. large companies], loads of empty commercial tenancy were visible, also just outside the area [Sydhavnsgade]. It looked really, really sad. But suddenly, Aalborg University enters this specific part of the area just when market conditions start to change, and now there is a positive atmosphere out here. To us, it just shows that things have to be rock solid in terms of planning, in order to adapt to such oscillations. Because no one could have foreseen what direction this part of the area would take, that a campus area could emerge, or that dwellings in such large numbers could be constructed. Many things move within a period of 10-15 years. To set a course and at the same time be able to adjust to input from the outside, this is almost impossible. Sydhavn has been able to cope with this transformation – from domicile suburb to something else, but the precondition for this transformation is to start working on landowners plots in a different way and do something else, i.e. be able, just as you say, to perceive of property lines and plots in a more liberal way."(developer)

Accordingly, this problem of finalisation was not a consequence of the Planning Act and alleged flexibility, but more a consequence of a municipal city strategy and developer plot-related strategy that did not foresee global economic recession and also a municipality with limited experience of being a growth city. Furthermore, what is also perceived as necessary is a 'Sydhavn Phase Two' in which the existing plots have to be further transformed and optimised in a more urbanised way.

To sum up concerning the material norms, it seems as if the current Planning Act does enable municipalities to plan in a flexible way that can take into account unforeseen events. This conclusion in general supports the literature review of the context of the regulation dilemma – that municipalities have a large degree of

freedom concerning the methods that municipalities can apply. The trajectory of plans and their functions in relation to the Sydhavn development demonstrates a combination of first a visionary and quality-oriented comprehensive plan, based on workshops with strategic actors, enabling the planning venture with qualities of coordination, place-making ideas and collaborative consent, and next, a specification of formal plans on different scales and at different points in time.

However, this trajectory does not imply that the planning of Sydhavn has not generated conflicts or is unproblematic, despite the possibility of flexibility. Concerning the second aspect of flexibility – the ability to incorporate input/self-organised initiatives, this aspect touches upon the procedural norms related to the Planning Act. By procedural is meant both formal hearings and how a negotiation-based planning generates project uncertainty, long-term control and democratic closure. In interviews with developers and housing organisations, what is repeated is the uncertainty of planning demands imposed on specific projects in local plans. For instance, one housing organisation has had such huge difficulties with interpreting the mixed requirement signals from the municipality that they have developed their own sort of strategy, based on thorough interpretations:

R: Our company has produced a developer strategy together with an architectural company, and this is done because The City of Copenhagen is making very extensive demands for how the social housing sector should be a part of urban-space development Here we meet a great focus on the border strips[29] [of the building; in Danish, 'kantzoner']. But often you will meet other requirements as well, for instance transparency/transillumination of the dwelling. There is a very high ambition here. The problem is that for every requirement, it costs us, meaning that we have less money to build for. So we have to consider – where to focus? A very nice apartment, but boring border strips, or, if the municipality wants the good border strips, the floorboards are going to be the cheapest ones. It's good that our construction should have a nice character, because public housing should not look like cheap cardboard housing, but we are tied on our hands and feet by the maximum amount.

I: Some respondents have mentioned the numerous, and sometimes conflicting policies and strategies in the City of Copenhagen. Is that an assessment that you recognise?

R: Yes. The City has about 124 different policies and strategies, which almost seems absurd. Of course, the intentions are good, but it's impossible to navigate in. So, you have to start by figuring out the 10 most important ones, and make an extraction. This is what our developer-strategy is trying to do. You write in your email whether regulations are too rigid or too loose. But in fact we find ourselves in a strange mix of it – an infinite number of requirements but not very exact. They remain on the level of intentions, for instance, you show up with a new drawing of these here balconies: "is it good enough, is it good enough?" – "no, we want a safeguard-fence which is semi-transparent". Alright, we show up with glass instead: "now it's transparent"- "no, we don't want glass, it's something else". So, it's a strange twilight zone between being very detailed and completely imprecise. So you are groping along. Often, many requirements in a local plan are in opposition to each other. And that is the reason for our developer strategy – identifying which things we believe will work out here in Copenhagen." (social housing organisation)"

A developer mentions a specific episode in which it seemed as though different offices within the municipality was disagreeing on what demands a specific local-plan addendum should contain with the consequence that things are being built for no reason at all:

I: have you had any regulative disputes with The City?

R: yes, many disputes, because the City is difficult compared to other municipalities, because everybody wants to build in Copenhagen, so The City can demand whatever they want and everybody is doing everything they can to please them [the City's officials]. And they make heavy use of this – you got special regulations for all kind of things, in some local plans you have to live up to energy requirements that doesn't even exist yet. So you got higher demands (...)Sometimes the different departments are warfaring(...) The City has a greater number of strategies than anywhere else. But sometimes The City wants so many things that it's difficult to succeed. For instance, waste sorting. The requirements are constantly increasing. And we are fine with that, we have a dialogue in order to prepare our construction, because it will take five years for it to be finished. However, what's the point in making waste shafts, when everything is supposed to be sorted – nothing will be put in these shafts. But the building section says that a shaft has to be made according to regulations. So now we have to spend EURO 13 Mio on shafts that we have to close; in other municipalities they are able to deal with those problems."(developer)

Consequently, the many different policies and ambitions and their internal conflicts seem to be a decisive context for how regulative requirements work out in practice in planning, although informants also point to the fact that this point is in fact ambivalent, since the national role of Copenhagen is exactly to be ambitious, setting new standards for urban development. However, the image of a municipality with numerous, sometimes conflicting, requirements for local planning does prevail.

Another aspect that developers mention is that although plan addendums can be perceived as an instrument for achieving flexibility, the fact that Local Plan 310 has five addendums is a symptom of a type of planning that is inadequate. Local Plan 310 was, according to a developer, framed in a period in which the municipality was first of all a traditional planning authority that stated demands and requirements before dialogue with landowners/developers was established, and second, that Local Plan 310 was formulated at a time during which business domiciles were a more promising investment than what is currently the situation (interview, developer).

A third aspect that is related to the development of Sydhavn as a fringe area is the specific composition of plans and the strategic and democratic closure and exclusion that this development has had. As mentioned in the previous APRILAB report, Sydhavn as a post-industrial development area was planned at a time of possible municipal bankruptcy; the former head of planning had to use various strategies to convince both developers and municipal stakeholders and politicians that the City of Copenhagen could actually be an attractive place to live for the middle class. The financial means to achieve this objective was limited. Consequently, Sydhavn as a development area has been developed in a way with a minimum of public involvement in plan formulations, only following the legal

requirements of hearings, displaying plans for the area to the public and taking into account the suggestions by the Local Democratic Committees of Kgs. Enghave and Vesterbro.

Accordingly, the combination of 1) bankruptcy context and implied lack of public involvement, 2) the long-term development of the area (prolonged by the 2008-recession), 3) the market-based set-up in which public spaces have to be provided through bargaining with developers/landowners and 4) the specific composition of plans, has implied that only until recently has the public been able to grasp the implications concerning the hitherto unplanned part of Sydhavn: Enghave Brygge (Local Plan 494 in Figure 4): that the area is going to be rather densely built, that the public-space provision is limited (in terms of an optional park) and that the only public space available, i.e. the harbour, is also being brought in as a part of the bargaining with landowners. Hence the water-area is being reduced, according to the perspective of a number of civil-society organisations[30] and a Local Democratic Committee (Interview, Vesterbro Local Democratic Committee). So, throughout several interviews, the impression is that the public has few options of actually making a change by means of direct democracy – vital financial decisions have been made long ago. For instance, as the chairman of a voluntary Harbour Guild[31] noted, the Guild managed to collect several thousand petitions in trying to influence the Enghave Brygge plan process, but to no avail:

R: first of all we see a new local plan that succeeds the Comprehensive Plan (...) So we founded the Harbour Guild, starting asking people questions about how much they knew, and whether they think it's fair. And those citizens who know a little bit about it think it's terrible. In a very short period of time we collected 8000 petitions from citizens who are against building into the water. After that we went to the politicians to ask whether this could be made otherwise (...) The politicians have been very accommodating, but they just haven't listened (...) So we had a meeting with the new Mayor for Technical and Environmental affairs [about the environment], and the first thing he says is: "the environment - what about it?", Because you [the municipality/developers] haven't investigated it, and its only now [after the Local Plan 494-approval] that someone is doing the actual Environmental Assessment Impact statement ['VVM-redegørelse']. But he just says: "I believe that we won't destroy anything and that the environment will be well taken care of". Then I asked: "How can you demonstrate that kind of trust when nobody knows what they are about to dig up down there [in the harbour]. You are a politician elected by the people, what about all those citizens? How many petitions are needed in order for you to listen?" He didn't answer that, and then he just says: "I believe that this project is a good idea"...Well, then it's difficult to engage in an argument. And this is the kind of a process we have been going through (...) When it all began we were very positive about the administration of The City. But that has been the biggest disappointment of them all. We have held a number of meetings with the Technical & Environmental administrations as well as Finance, and my personal opinion is that they have taken the decision that 'this is how it should be'. They are cold as ice.

I: So have you received any kind of argumentation from the administration?

R: yes, they are saying: "we are just the administration, and The Comprehensive Plan has been made in 2002, and we are just saying yes-yes". However, things do change, and just because a Comprehensive Plan has been made doesn't implicate

that a local plan cannot be altered. (...) So we just meet an administration who has

decided that this is how the local plan should look like, without explaining why. We are still waiting for that argument."

The quote demonstrates several important things, issues also supported by a respondent from Vesterbro Local Democratic Committee. First that it appears to the public highly difficult to have an impact on local plan development – decisions are made and no proper answer is provided. Second that the local-plan process is a very closed process with tight alliances between developers, landowners, politicians and administrations, in which no one is willing or able to explain why the project of Enghave Brygge has to be accepted in such a hurry and with a profile in which scant attention is displayed concerning issues related to the environment and the filling-up of the water area. Third, what the interview also displays is the Harbour Guild's understanding that administrations and politicians use the Comprehensive Plan of the Canal City as a selective argument for filling up the harbour, as a member of Vesterbro Local Committee mentioned also in an interview. Whether these arguments are valid or not is not the purpose of this report. However, describing the conflict, viewpoints and its probable causes is.

Accordingly, in this case, the overall impression is that the combination of legislative requirements, the specific composition of plans, the negotiable options and the bankruptcy context and strategic decisions made imply that for large fringe development areas, the decisive decisions are mainly being made by strategic actors, hence implying a highly inflexible type of planning for the public in terms of decisive neighbourhood structure, design and use.

In the next section, the norm of making public space in a market-driven context is described.

Public space in a market-driven context: public-private quid-pro-quo negotiations

Urban space in Sydhavn has been subject to debate, as noted above. However, the debate has so far not been a hindrance for the sale of condominiums after the housing market in Copenhagen City has changed course since 2013. Although critical voices are raised concerning the lack of urban space and urban functions in general, and the inclusion of the public in decision-making in the specific instance of Enghave Brygge local plan, this has so far not led to an overall change in the closed ways that negotiations are happening between municipality and developers.

Many of the discussions regarding urban space are conditioned by the fact that either the municipality has to buy the land, which is expensive, or otherwise the municipality has to negotiate in an issue-by-issue management style. The result to date is a rather mono-functionalistic area, with few green recreational areas and a lack of urban qualities, an area which some of the key respondents describe critically as suburban and characterised by haphazard planning; however, it is also an area which the national independent urban-planning think tank, 'Byplanlaboratoriet', granted part of the area 'Sluseholmen' an 'Urban Planning Price' in 2009 due to its innovative character, and an area which several people

praise on a citizen facebook page. So, no uniform assessment of the area prevails to date, but is a subject of ongoing debate.

Concerning cultural and recreational investments, a harbour bath does exist and access to some of the quay sides is possible. Furthermore, a future park is part of local plan suggestions (494), and so is a so called 'Culture Square', and in the recent budget 2015 for Sydhavn so is a water-sport facility. What both of these two first-mentioned examples demonstrate however, is the limits of planning in terms of political decision-making when it comes to a future financing of a park as well as the volatility of planning because of the re-negotiating character of local plans. Both examples provide planning with flexibility but at the expense of uncertainty concerning future recreational and urban functions.

A third example is 'The Green Wedge', a sort of green pathway that is highly praised amongst the Copenhagen population and people with interest in planning, as this green pathway, at some points an actual park in some central neighbourhoods of Copenhagen, is an attractive recreational resource. However, in Sydhavn this Wedge is described by respondents as rather meagre, the symbolic value highly exceeding its actual recreational value, and the Wedge is occasionally interrupted by unconstructed, private land. What this example demonstrates is the limitations of local plans as the main regulative tool for privately generated urban space, but also the possibilities of making use of some of the so called 'Voluntary Development Agreements' made possible by recent adjustments of the Planning Act.

A fourth example is the aforementioned case of Enghave Brygge where the Harbour Guild, a rowing club, several NGOs and citizens have launched heavy criticism of first of all the pollution risks related to the project; next to the fact that the local plan of Enghave Brygge entails a high density and construction on the water, which will narrow down the harbour with 1/3 of its current breadth. What this example demonstrates is the closedness of the Danish planning system when it comes to public involvement in long-term strategic decisions, due to the fact that the primary partners are the municipality and developers, and due to the fact that procedures not necessarily entail any judicial consequences in case of public protest. Whether public protest should have an impact on local planning is up to public authorities, a decision-making power conditioned by legislation.

The fifth example concerns cooperation within landowner associations concerning their obligation to finance public facilities, and how this way of organizing and coordinating private investments has strengths and weaknesses for finalizing public facilities.

So, the norm of ensuring quality of urban space is one that involves the following stakeholders:

- developers

- municipality

- local democratic committees

- civil society stakeholders

The following examples are used in the analysis:

- The 'Culture Square' (Local Plan 310, addendum 5)

- The Green Wedge (Local Plan 310)

- A park in the local plan for Enghave Brygge (Local Plan 494)

- The quaysides of the harbour and the building density of Enghave Brygge (Local Plan 494)

- Cooperation within landowner associations (The Green Wedge, Local Plan 310 – pre-investigation for Addendum six)

Of special importance is the following legislation:

- The Road Act

- The Planning Act

In conclusion, each of the examples demonstrates a specific aspect of municipal regulation:

- The Culture Square. Regulation by means of local plan – **the negotiation aspect**

- The Green Wedge. Regulation by means of the Road Act – **active regulation**

- The Park of Enghave Brygge. Regulation by means of:

    o   public-private partnership agreements – **active regulation**

    o   budgeting – flexible, politician-involving means to **plan realisation**

- The quaysides of the harbour and building density of Enghave Brygge. Regulation by means of:

    o   local plans – strategic, non-public involving, negotiation arena between municipality and developers/landowners

    o   local plans – mix of water- vs. land-planning authority involvement

- Cooperation within landowner associations concerning public facilities. Regulation by means of the **devolvement** of coordination, facilitation and leadership as a prerequisite for public-space enhancement

The Culture Square[32]
The example of 'The Culture Square' ['Kulturpladsen'] demonstrates the negotiation aspect of local plans, and how such an aspect over time implicates uncertainty concerning the realisation of previously accepted local plans.

The Culture Square is thoroughly described in 2011 in Local Plan 310, addendum 4, in which the square is given central attention: the Square is depicted on the

front of the addendum (see image below), and is in the local plan addendum described as "thought of as the heart of the this part of the city district and centrally located on the square a part of the existing iron-plate hall is arranged as a culture- and market hall (...) It is the intention that the square and the hall after demand is supposed to facilitate different events such as concerts, flea markets and other cultural arrangements able to attract citizens from the entire Copenhagen." (p. 33, my translation).

Addendum 4 is generated on the request of several landowners and developers, amongst others a landowner association and Nordea Ejendomme. The construction plan of the Square is a result of rather intense and prestigious efforts: an architectural competition, won by Design Group Architects, and subsequently developed and adapted by Design Group Architects, Nordea Ejendomme, Jan Gehl Architects, architect Tom Nielsen and the City of Copenhagen in a series of workshops (ibid., p. 33).

The Culture Square. Source: Front-image of Local Plan 310-Addendum 4

However, in 2014 a new addendum, addendum 5, was approved, at the request of Nordea Ejendomme. In that plan, that only entailed a minor part of the planned area of addendum 4, it was decided that the retail trade was moved away from the Culture Square, and instead moved to another industrial hall, the 'Special Steels Hall'. As a result, the previous purpose of the Special Steels Hall was altered from "'cultural purposes' to 'service businesses'" (Addendum 5, p. 6). In Addendum 5 it was maintained that despite this new placement of retail trade, the Square should still be a site in which it is "ensured that good conditions for urban life exist" (p. 6). Further, given the fact that the shared amount of allowed retail is not increased, the consequence is that the possibility of retail in connection with the

Square is reduced. Accordingly, it is stated in Addendum 5 that the ʹlocal centreʹ is moved from the Square to the Special Steels Hall. The change is suggested by Nordea Ejendomme due to the fact that the previous placement of the local centre will place a too heavy a burden on the congestion on the future main street connecting to the Square (City Council Aganda, p. 2).

Nordea Ejendomme (developer and one of the landowners of the project), describes why this change was necessary:

R: We have had the challenge that the existing local plan addendum 4 was made in those happy days where everything was possible, in which you could make money out of everything. For instance, in the old plan it was suggested to build office space, but that type of market is completely dead in Copenhagen. And those old halls were laid out to something cultural, in principle just giant facilities, that we as organisation know nothing about running, and facilities that we cannot find any tenants for. There was no content in these halls, but when we went to the municipality, they never contributed with anything. So we were left with voluminous facilities filled with intentions but with no content, but The City did not contribute with anything. So in addendum 5 the Special Steels Hall is described instead as a place for shops and commerce, instead of, for instance, a sports facility (...).

I: Why have you decided to preserve the Special Steels Hall in the first place? Couldnʹt you just tear it down? As far as I can see, it isnʹt a construction legally designated as worthy of preservation?

R: Yes, we could. But The Special Steels Hall has some very nice qualities. Even if we decided not to use it for anything it would still have a huge value just by standing there as a monument of the past..(...) (Developer, Nordea Ejendomme)

So, what stands strong in the interview is a change in market conditions: from office space to housing as the most attractive investment, and a context of austerity in which non-realised value need to be diminished in order to uphold an attractive business case.

An urban planner describes the reason behind changing the local plan in this way:

R: In the case of the cultural square, a supermarket in the back is moved to a hall, which otherwise could have been used for cultural purposes. Local committee and politicians have been asked, and I have never processed a case with so few objections. So of course, it is a relevant example of what you are pursuing because it was intended differently to begin with, because you had the cultural facilities closer to each other (...) It is always a local-municipal decision, whether plans should be altered afterwards. A fear is always present, especially shared by contractors [ʹbygherrer] and politicians, that things are struck by inertia, and that the City is being accused of not being interested in these dwellings being built [by Nordea Ejendomme]. In this case because Nordea Property is saying ʺwe cannot construct our dwellings unless we do this, our economy is bad, we made a local plan in 2010-2011, three-four years ago, so now you have got to help us. And it is a political decision whether we should do soʺ. (urban planner)

What the quote demonstrates is that the fear of inertia, and also the wide support the new project has despite the less concentrated culture facilities, are factors that makes the municipality support a change in the plan addendum.

The example of the Square demonstrates the consequences of negotiation for public space and urban qualities: a cultural option (in the Special Steels Hall) is removed and the formerly planned urban-space density around the Culture Square is reduced. Accordingly, the example demonstrates the regulative tension between developer interests and the norm of maintaining urban public space, a tension that makes it uncertain whether approved local plans are going to be realised, especially when market conditions are changing. Accordingly, the local plan is a regulative instrument of flexibility, but at the cost of uncertainty concerning future urban space realisation. However, what anyway grants the plan area with some public qualities also endorsed by the Local Democratic Committee of Enghave Brygge is the fact that the developer has a holistic approach to the area, building for 6000 people, and further, that the developer and investor is interested in a long-term investment, constructing private rental housing, thereby also being highly interested in the long-term qualities of the area:

R: We are actually building minor private rental housing (...) the reason why is that we are a pension fund, and rental housing is 'long money' – most other minor developers have a need for getting their stuff sold so that they can get some money. But we don't. We have a long-term investment horizon.

I: So you also have other interests than some other types of developers?

R: Yes exactly, we have long-term interests, and therefore we have an interest in the area. In contrast to many other developers in this area who are constructing small lumps here and there, we are actually building an entire area. We are constructing as to a minor Danish town – 6000 people. Just this number is enough to keep a shop going. So we have a lot of ideas about how to make comprehensiveness. The entire Sydhavn area is heavily marked by a 'fast-in, fast-out' approach – people don't even get the chance to see what they get before they are stuck with a condominium [that they have bought in advance]. So our dwellings have to be of a decent quality meant to last. "(Nordea Property)

The Green Wedge
The fate of the Green Wedge demonstrates the possibilities and constraints related to creating public space in a market-driven context by means of legislation, in this case, the Road Act. By means of the Road Act, the City Council can provide road rights to landowners, but also demand that landowners have to provide public access across their property.

The Green Wedge is a way of creating a coherent green-area flow adjacent to the main road in the area, thereby generating an inflow of pedestrians and bicycles, and connecting Sydhavn with the neighbourhoods of Vesterbro and recreational areas on the other side of the harbour[33].

However, the Wedge has not yet been realised. This is due to the fact that some landowners have not yet realised their plans. According to the Planning Act, local plans only concern future realisation, but cannot demand *when* the elements in the local plan is to be realised. This also means that the value of the Wedge

(recreational value for landowners; 'path-value' for pupils who want to walk to the local Sydhavn School) has not been realised yet. As a planner describes it:

"We can agree with land owners that a common green wedge is running through the area, and that it functions as their obligations concerning open space/recreational area, meaning that they don't have to lay out for open space elsewhere, open-space obligations which can otherwise be difficult for them to fulfill. With the Road Act we can even make sure that also a path runs through this open space; but it is still a privately owned, public accessible, area – and that is something completely different than a public harbor esplanade (Urban Planner)

So, a solution for creating recreational areas, despite the fact that the municipality does not own any land, is that landowners in the first place pool the recreational areas that each plot is obliged to have. However, one thing is to make an agreement and a local plan for this, another is to realise the plan. The problem of plan realisation demonstrates a constraint for such market-based approaches to recreational areas, a constraint of local plans. This is explained by the Head of Planning in the following way:

So you have the Green Wedge (...). We can do a lot by means of local plan sections dictating that landowners should either make public facilities or recreational areas on their own plots – we still do that. The problem is, though, that when it comes to something like the Green Wedge, the establishment is being triggered by either use or permission to build, and therefore the investment is being sporadic, and this is why you get a [patchy] 'green spot-gravel- green spot-gravel' kind of area. And that is a problem, as this recreational area has been branded in 10 years as a new, nice green space, generating enormous frustration politically and for the citizens. So you just have to acknowledge that locally, to public facilities, the local plan is not that efficient when it comes to conditions of several landowners. And that is why we have to use development agreements and connect those to the planning act, because then we can fix a date for when to build [these public facilities] (Head of Planning, Financial Administration, 2013)

So, the green space demonstrates the vulnerability of green-space establishment in conditions of several landowners. Private contracting between municipality and landowners seems to be a way out of this problem of synchronised investments, although this places an increased risk on developers and landowners.

The Park of Enghave Brygge[34]
The Park of Enghave Brygge demonstrates a way of utilizing the rather novel active-regulation tools provided to municipalities by means of the Planning Act. The local plan of Enghave Brygge has been approved in January 2015, and involves a power plant that within a couple of years is only meant to be used in peak periods. This allows legislatively for a reduction of the security radius for example of a power plant and, hence, a change in status, from Technical Facility

to mixed business and housing area (Local Plan 494, p. 11). This change of status will allow for a green recreational area (soccer field, park), insofar (ibid., p. 16):

- That develop agreements can be made with landowners

- That municipal financing is politically provided

- A supplementary local plan is made

The Park example therefore demonstrates the rather difficult circumstances that urban planning has in such market-driven projects, as a number of factors make it rather uncertain whether such a park will be realised: Will politicians and members of the standing Committees in the City Council agree to finance a park, buying some of the land from City & Harbour? Will elements in the local plan be realised so that the entire park can be constructed simultaneously? This is no trivial uncertainty as Sydhavn is an area that demonstrates almost complete absence of green spaces, the water being the sole source of recreation.

The quaysides and the water area of Enghave Brygge

The quaysides of Enghave Brygge demonstrates firstly that local plans in a Danish context can take on the character of a highly strategic and instrumental, non-public planning tool, by limiting the arena of negotiation as including only municipality and developers/landowners. Accordingly, the Enghave-Brygge case is by far the most contentious planning project in the Sydhavn development history.

When the local plan was first sent into hearing in 2013, citizens were highly critical and more than 8000 petitions were collected in order to alter the plans. The contentious elements in Local Plan 494 were first of all the density of the construction work, second scant municipal attention towards environmental issues (soil on both land- and water areas are highly contaminated), thirdly the fact that landowners were allowed to dig out and fill up water area and thereby expand their land area with the consequence that the harbour breadth at some points are reduced by 1/3, and fourthly, that the local communities and sites of a local rowing club and harbour boats were afraid of not being able to continue their activities. In conclusion, a heated debate in the media has been going on concerning the closedness of the process and the fact that the high amounts of petitions have not altered the minds of politicians concerning whether to finally approve the local plan. The only success that civil-society stakeholders achieved was to contribute to triggering a demand for a more thorough environmental investigation, hence delaying the construction work for a year (Interview, Vesterbro Local Democratic Committee).

The Enghave Brygge example demonstrates an element within regulation in which procedural norms such as public hearings do not necessarily have any impact on local-plan processes. Consequently the case is relevant in relation to the regulation of norms related to public space because the water area is increasingly being perceived of as public space, something that by means of local plan 494 is appropriated and privatised by landowners. Accordingly, the undefined public-private status of the water is something that for citizens generates uncertainty concerning the recreational future of these areas, as described above in the quote by the Harbour Guild Chairman.

Another issue that has generated some frustration for an art commune formerly present in Sydhavn is the privatisation of the quaysides of Sydhavn and Copenhagen Harbour: how they are regulated and how the use of urban entrepreneurs/innovators and art communes are used instrumentally and strategically in order to produce specific gentrifying symbols, spur growth and attract the middle class. The quaysides are regulated by the private company City & Harbour (By & Havn), also a major landowner in the Copenhagen Harbour.

Picture of the workplace of the art commune, Illutron, an old navy vessel

Source: http://www.illutron.dk/About-illutron/solo (accessed medio-2015)

Illutron is an art commune that has bought an old military boat which they have rebuilt as a working place for an art commune called 'Illutron'[35]. Illutron was formed around 2005, a couple of years before the financial recession (Interview, Illutron). The commune initially called themselves Half Machine, inspired by the American 'Burning Man'. At that time, every property was very expensive in Copenhagen, and the commune was searching for a place to work. The art commune is doing art experiments involving technology and innovation, and is also concerned with sustainability issues such as upcycling, meaning that old technology is not being put through resource-demanding recycling processes but instead transformed to contain new functions. The commune found an old ship, and contacted City & Harbour, bargaining for a place to put their boat and obliging the commune to generate art events and happenings as a sort of floating culture house. This was at a time in which nothing was fully constructed in South Harbour. Illutron was granted a five-year lease contract with the expectancy of another five-year lease afterwards. As the area became increasingly built up and people started moving in, Illutron experienced an increasing pressure of 'residents who the one hand had the opinion that [Illutron] was a strange mess of art people down there on the quayside and at the same time people who were very curious and who thought it was really exiting when we held workshops and made our annual Midsummer Night's party [Danish bon-fire tradition with fire, singing and

the burning of witch-dolls], where we had fire cannons and bonfires that were ignited by cableways and rockets. That was really an attraction". According to Illutron, they had wide support by the Local Democratic Committee of Kgs. Enghave, especially because of the poor culture provision in Sydhavn, who hired them to make events. Afterwards, the contract with City & Harbour was abolished and not prolonged, and the commune was told that the harbour had no vacant sites for their boat, forcing the commune to move further up north of the harbour, to Refshaleøen, tripling their lease expenses, increasing the expense of the commune by around EUR 26 500 yearly. Afterwards, the commune has received some financial support by the Administration of Culture and Leisure. Illutron also contacted different landowners or tenants, including Aalborg University, who would not support the project due to the expenses of establishing a place for the boat. So, despite being a highly innovative art commune, Illutron finds themselves at the mercy of developers and landowners who only support the project as long as it supports the objective of gentrification:

I: Why did City & Harbour permit your presence in Sydhavn in the first place?

R: Purely cynicism. It was a question of gentrifying the area. They knew very well that at that time it [Sydhavn] was not a place where you wanted to live and build a condominium.

I: So you were just something that provided extra attraction which they needed?

R: Yeah, they needed that (...) we were a cultural offering in an area in which they wanted to sell. We were a billboard supposed to gentrify the area and when that process was finished they wanted us gone.

So, as also demonstrated in the interview with the Illutron spokesperson, is the wider image of Copenhagen as a city which does not invest in innovative art communes, even though the Culture and Leisure Committee in the City Council is doing what they can to support the commune. Overall, private stakeholders have the main say in development areas, implicating that urban entrepreneurs and self-organizing art groups are only allowed in abandoned industrial areas as a means to spur a gentrification process As a consequence of the private ownership of the quaysides, communes using boats as a place to produce innovation have a hard time surviving. Obviously, the tale of Illutron is a part of larger discussion and conflict concerning what type of area new development areas should be: rather serene, undisturbed, new-established neighbourhoods marked by suburban functions - or areas more characterised by (sub-)culture. As the entire development story of Sydhavn demonstrates, the latter image is difficult to combine with market-driven processes in highly attractive development areas as the prices on land is high and the amounts of municipal investments are sizeable due to public service provision and infrastructure.

Cooperation within landowner associations
As demonstrated in the context chapter of this report ('**Error! Reference source ot found.**'), municipalities have been granted the regulative option in urban development areas that land associations are to be formed as a precondition for a local plan and building rights.

Such a means of active regulation has also been deployed in Sydhavn Copenhagen implicating both the advantage of self-organisation and synergy amongst landowners, but also problems of progression in terms of lack of consensus amongst landowners. This has implications for the realisation and coordination concerning public space and coherence in terms of infrastructure.

The advantage of self-organisation can be demonstrated by looking at the Green Wedge. According to one of the major developers in the area, the landowners/developers in this landowner association around the Green Wedge were given an additional amount of building rights by the municipality to distribute amongst themselves as a compensation for the municipal ambitions of having the Green Wedge running through Sydhavn. So, the landowners in the association distributed the building rights amongst themselves, according to consensus around calculations of profit losses for the land lost to the Green Wedge. Furthermore, landowner associations also, according to the developer informant, makes it natural to have conversations with one's neighbour for instance on whether one can share facilities or vacant land during construction phases. According to this informant, landowner-associations contribute with flexibility that the somewhat rigid planning and uncoordinated infrastructure construction have not been able to deliver, as noted above.

However, even though landowner associations can contribute with flexibility, the opposite is also the case. The problems of progression and consensus around a shared blueprint of the joint land of the association is also present, even in landowner associations that demonstrate a track history of being able to reach consensus. For instance, as described above, in the association around the Green Wedge, a tele company cooperation (TDC) decided not to develop their piece of land due to other developments going on in the area closer to their own area, and, consequently, this part of the Green Wedge has not been developed, reducing the value of this green recreational area as a consequence. So, landowner associations by themselves do not implicate a solution to haphazard plan realisation of public spaces in pure market-based urban development, a fact also realised by the City.

Another problem of landowner associations is inertia and lack of plan realisation due to problems in reaching consensus, as the 'Local Plan 310 – Addendum 6, Initial Report' [in Danish, 'Start-redegørelse] demonstrastes. A Landownerassociation (involving the landowner PFA Pension (institutional investor), the present tenant (Aalborg University), MT Højgaard (developer), various small associations (a warehouse, environmental organisations, a parking house)) has been unable to come up with a joint solution for optimizing infrastructure, public facilities and better utilisation of a parking lot as well as a more comprehensive design of the area in terms of sidewalks and trees and new dwellings. This has taken place despite the efforts of MT Højgaard to push forward a new joint infrastructural solution that will enable the developer to construct on its own piece of land. Despite investing time in facilitating this process, MT Højgaard has not been able to create consensus around the local plan Addendum. Consequently, the area of the landowner associations has the appearance of a barren parking lot and a construction site now used for storage of construction material, not fully making use of the potential of the improved housing market and the fact that Aalborg University is able to attract several thousand students to the neighbourhood, potentially creating a market for youth apartments and groceries. So, what is the obstacle driving such development?

According to one of the developers, a central problem is that first of all the many different stakeholders, who vary across size, experience and perspective of the

area makes it difficult to reach consensus. And second of all, that even if this was possible, as soon as a local plan is approved, the landowner associations have to pay property tax:

"And for people who now pay zero in property tax, and who are suddenly granted a right to build that you do not know when is being utilised – that is something you cannot understand as a private owner association (...) suddenly you do not have just expenditures only to maintain the public facilities of the landowner association, but also property tax related to a building right" (developer).

Another problem related to landowner associations and the shared financing of public facilities is that it is highly uncertain what the cost is going to be in the future concerning these public facilities; and this makes it very difficult for developers to sell a project to an institutional investor, implicating slow progress:

*"There is a number of problems related to the finances of public facilities, for instance on Area 9, the Ford Foundation. Here landowners should establish shared infrastructure with canals, quaysides, bridges and what have you, in which the scope was impossible to define in advance – and that is a complete showstopper. Because what it means is that if we want to sell these dwellings to an investor, he doesn't know what the future expenses are going to be - it's a complete no-go. Consequently, we made an adjustment to the local plan, in which we were allowed to establish a sub-landowner-association, in this way cutting ourselves loose from this site-preparation circus, but we still have some obligations concerning bridges – we have had to accept that. So that, shared public facilities, that is a **hopeless** instrument, **utterly** hopeless (...) no one knows what the future will bring of expenses when some of the other landowners start to realise their part of public facilities. "*

What the quote demonstrates is that the devolvement of the responsibility for financing public infrastructure makes it very difficult to establish a business case, because public facilities expenditure generates massive uncertainty concerning amount of future expenditure and when this expenditure is going to affect the actors in the landowner associations. So the very uncertain, unsynchronised development is a serious barrier for development.

Accordingly, landowner associations can be perceived of as a new type of organisation generated by active regulation tools of the Planning Act. In terms of organisational functions such as leadership, coordination, decision-making power and facilitation, landowner associations in urban-fringe development can be perceived of as a municipal devolvement of these organisational functions. This implicates challenges of decision-making based on consensus, but also challenges of legitimate leadership and conflict resolution when disagreements arise. Consequently, landowners in Sydhavn Copenhagen seem to be forced to further develop and adapt these new sets of competences, such as leadership, facilitation, negotiation and a wider geographical perception of the strategic and functional

environment of one's land. However, due to legislation, these landowner associations are borne with problems of progression and uncertainty of finance in relation to public facilities.

The absence of municipal involvement in solving this conflict may have its reasons but it does seems that the present set-up in the City of Copenhagen has a functional deficit as no legitimate change agent with facilitative capacities exists to mitigate conflicts related to the new roles within landowner associations. As described above in relation to land-use planning, a developer assesses the planning in Sydhavn as something that has demonstrated a robustness in terms of being able to move away from an initial suburban character of dwellings and domiciles, to a more urban environment with an university campus and even more dwellings; but also that active regulation tools has been deployed in a way that acts as barriers due to the fact that it is impossible to foresee future expenditure. Further, a new possible urban future is possible, something that requires working in more detail with each landowners property in order to fulfil the 'turn' in Sydhavn from a suburban area with business condominium to a more urban environment with retail and a higher quality in terms of public space.

So, the use of active regulation tools has had some rather severe consequences for the plan realisation of Sydhavn, notably because this area has a lot of infrastructure needs: roads, canals and bridges. Although the municipality is able to impose some of the expenditures for these infrastructural needs on private parties, and, hence, being able to finance development in an increasing number of city districts, the downside is the slowing-down of plan-realisation.

Results

In market-driven fringe developments public facilities have to be co-financed by developers. This happens by means of negotiations between the owner of the land, the developer and the municipality. The result of these negotiations is sanctioned in local plans, which is subsequently made the subject of public hearings.

The aim of the norm of negotiability in local-plan development is to allow for private initiative and enrichment of planning ideas; further, the aim of the norm is to allow for consensus between municipality and developers, which in a Danish context often has contrary interests (i.e. quality and public facilities vs. maximisation of profit)[36].

In Sydhavn Copenhagen, all land is owned by either the land development company 'City & Harbour' or private investors/landlords. Consequently, the municipality does not have the 'luxury' of first developing, then selling, the land, in accordance with an already-developed idea. Instead, private landowners and developers present suggestions for projects. This makes the game of negotiation much tougher, since the municipality is split between two opposed specific objectives: enabling the construction of dwellings when the market is ready for it while at the same time meeting an objective of quality and public facilities.

The norm of public-space and the issue of negotiability is a two-sided actor-constellation:

- Strategic partners versus civil society

- Municipality versus landowners, investors and developers

In the first instance, the norm has met heavy civil-society resistance due to the fact that the 'dark side' of negotiability is volatility and uncertainty. This is demonstrated by the examples of the Culture Square and the Park of Enghave Brygge. As the housing market and/or the strategic objectives of the municipality changes, negotiations can be re-opened. Consequently, former local plan decisions can be undone. This is the case in Copenhagen, Sydhavn, where the 'Culture Square' was abandoned. This makes it very difficult for citizens to figure out whether municipal local-plan promises of much needed public facilities, such as a park or recreational area, are actually worth anything. However, in this case, criticism of the altering of local plans was not raised, in fact, the Local Democratic Committee of Kongens Enghave was supportive of the change; most likely because developer and investor engaged in the area owns a big plot and is building dwellings for tenants. Hence, these two actors have a financial interest in working comprehensively and in a long-term perspective. More serious was the resistance towards the Local Plan 494: Enghave Brygge, as this local plan process was perceived by some citizens as democratically illegitimate due to its exclusionary nature and a narrow financial objective at the expense of urban space and environment. Accordingly, local plan decisions as a regulative tool in market-based fringe development can be used tactically in order to reach the aim of constructing profitable images of a residential area and to sustain an otherwise uncertain housing market, a highly relevant issue in relation to Sydhavn as this area has so far been alternating between being perceived as a market failure or success.

The other instance of this norm is the negotiations between landowners, investors and developers by which the municipality is deploying the full range of regulative means in order to secure the aim of at least achieving an acceptable level of public space. This is demonstrated by the examples of the Green Wedge and the Park of Enghave Brygge. Accordingly, the aim is rather straight forward: to make as high a quality of urban space as possible, despite the lack of means to buy land from developers. The administrator of this norm is mainly the municipality, especially the Technical and Environmental Administration as it is the authority responsible for the quality of planning. Further, citizens and civil-society representatives also have an interest in as much public space as possible, and so are residents. Further, some of the major developers and landowners in the area also to some extent perceive of themselves, and is perceived as such by the municipality, as having special, long-term responsibilities for the area. Hence, the lack of Planning Act possibilities for active regulation combined with the lack of municipal investment in land do position the municipality as a rather regulative, yet ambitious, authority that tries to regulate by means of combination of soft and hard tools. Accordingly, as the municipality is rather passive and regulative in terms of conflict resolution and facilitation, responsibility of the norm is devolved to major developers and landowners, who by themselves are trying to unite the minor landowners and businesses in landowner associations towards common, value-adding interests, thereby ensuring a realisation of public-facility requirements, such as a coherent physical design across plots of land.

The application of the norm has, according to some developers, changed over time: from a traditional, passive and demanding municipal approach (before the 2008 recession) towards a more proactive approach. New tools of dialogue, 'Early Dialogue', has been introduced, in which the municipality in a more proactive manner is trying to come up with solutions that can satisfy both municipality and developers before local plans are made. In this way, the plans are more adapted to

developer's needs. In the sections above I have highlighted some dilemmas related to the regulation of the norm of making public space within a pure market-driven context. These are listed below, and so is their possible solution:

Figure 7: overview of regulative dilemmas related to the norm of generating public space on market-based conditions

Regula-tive examples	Regulative aspect dominant	Regulative dilemmas	Assessment of regulative problems (if any)	Solutions (if any)
The Culture Square	Regulation by means of local plans – the negotiation aspect	To maintain original blueprint at the expense of plan realisation	Too rigid local plans can be resource- and time-demanding later on as addendums has to provide the necessary flexibility	Early dialogue, in which municipality take on a more pro-active role
The Green Wedge; public facilities related to the Ford-plot	Regulation by means of the Road Act – active regulation	Public space is partly financed by private parties but plan realisation is vulnerable to landowner/stakeholders divergent market interests and differentiated developer roles	Massive uncertainty concerning the expenditure coordination of landowner-financed public facilities, hampering plan realisation and comprehensiveness	Thorough work in crafting land-owner-associations; Sub-plotting of landowner-association's public-facility obligations
The Park of Enghave Brygge	Regulation by means of 1)public-private partnership agreements, 2) active regulation, 3) budgeting as flexible, politician involving means to plan realisation	To achieve future municipal and political budget flexibility at the cost of increased public uncertainty of public space	Residents carry the risk related to cancellation of recreational areas/urban space	
The quay-sides and building density of Enghave Brygge	Regulating for public-accessible recreational areas by bargaining with the building-right percentages Regulating by upholding the design-visions of the original comprehensive plan for the area	To achieve low public expenditure of public space at the cost of increased density Maintaining a shared identity of the 'canal'-neighbourhood at the cost of decreased water area	Lack of public involvement and transparency in density- and pollution-issues Lack of public involvement in comprehensive-plan implementation	
Cooperation within land-owner associa-tions	The consensus of landowners as a prerequisite for a new municipal-plan addendum	Devolving self-organizing responsibility and private co-financing of infrastructure at the cost of a severe delay of plan realisation as well as a lack of comprehensiveness across plots	Undefined responsibility for facilitation and conflict-resolution	

[54]

In the next section, the norm of countering segregation is described.

Countering segregation: Tenure mix and social-class balance by means of social housing and functional integration across neighbourhoods

In Copenhagen, countering segregation has been accentuated for the last 15 years. Area-based programmes of different intensity and type (social, physical) have been launched in disadvantaged neighbourhoods, both by municipality and by social housing organisations. In 2011, an ambitious 'Policy for Disadvantaged Areas' was approved, but has ever since received dwindling support and lack of implementation. So currently, segregation in disadvantaged areas is primarily dealt with by means of sector-divided attempts from the respective administrations, mainly the Technical and Environmental Administration and Finance Administration, the area-based programmes (Områdefornyelsen; helhedsplaner) and partnership with the social housing sector playing a central role.

Since the former Lord Mayor in Copenhagen, Ritt Bjerregaard (2005) voiced political ambitions for cheap accommodation, this objective has been pursued. This agenda has been difficult due to the concurrent development of new urban neighbourhoods able to attract affluent residents (Sydhavn, Ørestaden) and increasing housing and condominium prices; however, the rising prices have also made more visible the increasing economic segregation in Copenhagen[37]. However, for several reasons this has been difficult to accomplish, first of all for financial reasons. The high land prices have made it impossible to construct dwellings that are cheap enough. Secondly, the only places where it would have been financially possible are in vicinity of already disadvantaged city districts, an idea not feasible due to the fact that such construction of dwellings would only exacerbate segregation problems. Thirdly, the City of Copenhagen has a history of having produced many social housing dwellings in the 1980s and 1990s, which had the effect of attracting non-affluent residents, (elderly, students, people on social benefits), being one of the main reasons of the close-to city bankruptcy in the 1990s, had the state not intervened. Accordingly, this failure of a previous housing strategy has ever since made the city council unreceptive to accelerated social housing construction. Fourthly, due to legislative restraints (such as municipal co-financing and maximum amount) and private ownership structure in development areas (Sydhavn, Ørestaden, Nordhavn), the amount of social housing in these areas has been minimal.

However, recently a change has occurred in policy discourse, ranging back to an agreement made between social housing organisations and the municipality in 2011[38]. The current leftist, social-democratic-dominated city council has articulated the need for maintaining social housing at a level of 20% city-wide. Social housing in new development areas[39] is necessary in order to ensure first of all that affordable housing is provided for middle-income families; this is important to counter trends detected in other cities in which low-to-middle income households are forced to commute for several hours each day, implicating a loss of work supply and productivity. Second of all, the ambition of 20% is to ensure that the city is not further segregated. This ambition has been made possible by a recent suggestion for a Planning Act revision as part of the financial negotiations at state level to be accepted in 2015. Here, it was accepted by the leftist government and its supporting parties that municipalities in the biggest cities should have the legislative possibility of requiring that up to 25% of dwellings on privately owned, unplanned property can be laid out to social housing. Further,

specific municipalities have been provided with the privilege of obtaining favourable state loans in order to subsidise social housing.

Accordingly, the norm of countering segregation in Copenhagen, involving Sydhavn Copenhagen, is of recent date, but the development history of the area reveals the flexible strategic function that the discourse of countering segregation and social housing have had. This is due to the fact that those two entities can be combined and strategically emphasised in different fashion over time. Concerning the function of social housing construction, in the kick-start period of Sydhavn Copenhagen, it was important for the municipality to convince developers that the municipality meant serious business when communicating that Sydhavn Copenhagen should be a new and prosperous residential area for the middle class. Accordingly, the construction of social housing dwellings was co-financed and supported by the municipality in order to do so. In the subsequent housing boom period, it became increasingly unattractive for developers to construct social housing, and the cost of social housing dwellings became high. During the recession, however, it became attractive again for developers to either rent out condominiums, or to allow a part of their plot to be used for social housing construction. And now, during the growth period in the City of Copenhagen and the rising demand for housing, it has once again become unattractive for developers, and too expensive for the municipality and social housing organisations, to construct social housing. However, due to the change of the Planning Act allowing more social housing, social housing is both a politically and financially viable strategy for countering segregation.

The counter-segregation norm also involves social housing organisations just outside Sydhavn Copenhagen. An adjacent neighbourhood to Sydhavn is the neighbourhood of Kongens Enghave, identified as one of the disadvantaged neighbourhoods in Copenhagen. As described in the 'Intervention Dilemma report'[40], much debate and planning attempts since the 'birth' of the new Sydhavn has been going on concerning how to better integrate the disadvantaged neighbourhood of Kongens Enghave and the affluent neighbourhood of Sydhavn. Concerning planning attempts, it is within the last 2-3 years that specific attempts have been made in order to better integrate these parts of the city. Accordingly, the City Council discourse of the 'coherent' (or 'connected') city in the municipal plan strategy (2014) is what provides strategic momentum for these recent planning attempts, adding an additional layer of political discourse to the countering-segregation norm.

The neighbourhoods of Sydhavn and Kgs. Enghave share a potential common fate. They are located closely to each other, each having some facilities that the adjacent neighbourhood can benefit from. This requires, however, a sort of functional intergration. For instance, Kongens Enghave has recreational areas and cultural facilities, but is in dire need of more customers that can support the frail and dwindling business -infrastructure of the neighbourhood (groceries, pharmacy, etc.); these businesses are particularly important for the elderly residents of Kongens Enghave. Conversely, Sydhavn has a harbour bath, a new school and some residents who live in a neighbourhood devoid of city functions, such as recreational and cultural facilities. However, Sydhavn is also a neighbourhood with expensive dwellings and no dwellings for young people who want to live or consume in the vicinity of Aalborg University located in Sydhavn. Accordingly, business infrastructure integration, infrastructure projects (bridges, paths around/across heavy-trafficked roads separating the neighbourhoods), and the conversion of senior homes to social-housing youth residences in Kongens Enghave are all means in a strategy for countering segregation.

Urban-fringe development triggers the need for a more detailed and strategic housing policy in order to counter segregation. Part of this, qualifying the role of social housing organisations seems central in order to attain strategic objectives. That being said, the norm of including the social housing organisations as strategic partner in planning can have different strategic aims, dependent on city context. In Copenhagen, the aims of the norm are the following:

- To make a mixed-tenure neighbourhood in order to ensure a mixed-*income* neighbourhood

- To ensure that the rising housing prices in Copenhagen in general are supplemented with cheap rental apartments[41]

On a city-wide level the norm is hampered by existing planning regulation, according to which land has to be sold to market prices. Tenure mix is impossible in the growth areas of Copenhagen as rental apartments will be far too pricy. As a result, the social-mix aim would not be met. Further, it is difficult to convince developers and investors to subsidise this type of tenure, since this reduces the revenue. Consequently, attempts are being made to change legislation as this planning regulation has the unintended consequences of increasing the inequality in growth-city regions. In November 2014, the planning legislation was altered, enabling the municipality to sell land to social housing organisations to market prices by means of a state-guaranteed, favourable type of loan. [42]

This change in legislation has created some uncertainty especially amongst landowners and developers, concerning how hard the City of Copenhagen is going to enforce the new 25% rule. For instance, one developer argued in an interview that a way of avoiding triggering this rule is to make small addendums to existing local-plans in order to avoid a new local-plan process (interview, developer).

The indicator for the particular outcome of the norm is a fixed percentage. The objective of the City of Copenhagen is that 20% of dwellings on a city-wide basis should remain as social housing (Kommuneplan København 2011). The implication is that also development areas should have social housing. In the proposals for Municipal Plan 2015 ('Forslag til kommuneplanstrategi 2014') this objective is also 20% (p. 45). In planning, the City is making running assessments at small-scale levels ('rode-niveau') in order to ensure, that the 20% is achieved when making local plans and when deciding where to locate social housing dwellings.

The main 'owners' of the norm is the municipality, the social housing organisations and the local committees of Kongens Enghave/Sydhavn. The City has a financial interest in maintaining Copenhagen as a mixed-income city, able to attract a productive labour force, and further has an interest in reducing the geographical concentration of low-income, unemployed residents. The social housing organisations (Lejerbo, Domea, KAB) have an interest in construction in new development areas, such as Sydhavn and Nordhavn, in order to expand their portfolio of the dwellings that they can offer. Hence, being able to offer residents dwellings in highly attractive areas is a cornerstone for a housing-career as tenants in social-housing organisations: you spend some years in non-attractive dwellings

and areas while you gain in seniority, consequently being able to apply for an apartment in a more attractive neighbourhood. Further, those housing organisations located in Kongens Enghave close to Sydhavn (KAB) has an interest in supporting the integrationist strategy of these neighbourhoods by transforming some of their existing senior dwellings into youth residences targeted at rather massive influx of students in Copenhagen, including Aalborg University CPH in Sydhavn.

The local committee of Kongens Enghave has several interests in supporting the counter-segregation agenda. For years, Kongens Enghave has held a very poor status as a disadvantaged neighbourhood, but now has the opportunity to influence the strategies of *how* the neighbourhoods of Kongens Enghave and Sydhavn is to be integrated, such as:

- infrastructurally (bridges, safe-school paths, traffic-light construction)

- business-related (attracting customers for the dwindling business-life)

- service-related (better balance of pupil-composition in the local schools; maximum utilisation of the culture-house/library 'Karens Minde')

- attaining status as an individual neighbourhood (Kongens Enghave + Sydhavn); as it is now, Kongens Enghave-Sydhavn is part of the hyphen-neighbourhood of Kongens Enghave-Vesterbro in terms of district-definition. This is an uneasy relationship due to the fact that Vesterbro is one of the most expensive and attractive neighbourhoods to live in, and further, because Vesterbro geographically has few common interests with Kongens Enghave as this neighbourhood and its residents are oriented towards the centrally located neighbourhoods of Copenhagen. By attaining the individual status of a district, the hope is thereby to be gaining more appropriate provisions of services.

Some elements trigger conflicts related to regulation, others do not, as these are more related to strategy than regulation. In the section below, the regulative challenges related to social housing is described.

Constructing social housing in Sydhavn
In terms of counter-segregation by means of social housing, each of the actors involved has different interests in this agenda. The social housing organisations have an interest in attracting a variety of customers by means of a diversified portfolio of dwellings; being able to build in the new development areas in the city (Sydhavn, Carlsberg, Nordhavn) is therefore important, as these areas are attractive to live in. By pursuing this goal, the housing organisations should be able to provide cheaper dwellings than privately offered dwellings due to the fact that social housing is subsidised. Hence, it should be possible for less-affluent residents to acquire a dwelling in the new areas under development in Copenhagen. As a respondent noted, "our key mission is that it should be possible for people living in social housing to live in all parts of the city" (social housing organisation).

However, this objective has so far been difficult to achieve. As already mentioned above, both municipality and developers have had fluctuating incentives in pursuing this agenda. The City has an objective in pursuing this agenda in times of sustained growth and when facing the threat of increased segregation; but since

2011 this intention has been modified by other objectives such as having the financial means to subsidise social housing and further, paying attention to the 'implementation' agenda visible in the Municipal Plan 2011 – that areas selected as development areas in the Planning order'[rækkefølgeplanen]' should be completed. Accordingly, the ambition of initiating hard negotiations with developers in Sydhavn is somewhat dampened by the objective of finalizing Sydhavn; one should remember here that the area has attracted planning attention for over 15 years, and only since the final approval of the Enghave Brygge Local Plan 494 has the area been fully planned for. And still, the area is only 1/3 developed in terms of achieving the objectives concerning number of residents.

For developers, social housing is attractive when the market is highly uncertain and if you have a plot of land that is the least attractive, as the quote below demonstrate:

I: How do you negotiate with developers or landowners concerning social housing?

R: We ask them if we can buy building rights and construct our house (...) often the situation is that they have an area, which they cannot make anything out of in a construction process (...) perhaps this area lies in the somewhat boring north-eastern corner. Then we say 'fine', here it's possible for us to join. We can pay a price which is not that high, but on the other hand, they don't have to worry about that area any more, and the rest of the area can then be sold to a pension fund, or for sale etc. (interview, social housing organisation)

However, developers are different, and, for instance, some developers who are also institutional investors, with longer-term investment strategies, have intentions of producing their own privately rented apartments. So, within this field of market-based interests and political fluctuations, the social housing organisations navigate.

Based on interviews with two major social housing organisations operating in Copenhagen, Lejerbo and KAB, the overall impression of the housing sector is that it is highly regulated. Some of these regulations make it difficult to build good housing in the first place, and second, to construct housing that also can contribute to the surrounding neighbourhood in terms of public spaces. What is mentioned as barriers (or conditions) are both legislation and local law based on political and strategic municipal objectives, i.e. local plans.

On a European level, each constructing work by a social housing organisation, above a certain threshold, is subject to tendering, because this type of construction is publicly subsidised. Construction of social housing is subject to both national and EU rules. If the calculated value of the tender, including the value of maintenance work, is above EU thresholds, an EU tender has to be made. Currently, the threshold is DKK 38.624.809 (approx. EUR 5.2 Mio), and, consequently, most construction work is therefore subject to EU Tendering (EU Commission Regulation no. 1336/2013/EU of 13 December 2013)[43].

The implication of this EU tendering is lack of flexibility, more expensive construction work, and difficulties in maintaining business relations and contracting over time, because tendering prolongs the contract phase:

"No doubt the social housing sector is subject to numerous demands: tendering, EU tender, something the private sector isn't a subject of, we are subject to public demands, so we get a more expensive piece of construction, because we haven't got the same bargaining options as private developers. Private developers, most of them don't make tender at all, they negotiate a price with the building contractor, and that option is something we haven't got, so we get a more expensive construction. Furthermore, this also blocks when we try to buy plots, because those developers typically will demand that they can secure the building contract, because they've got the land and a building company, but that yield is something we have to invite tenders for" (interview, social housing organization)

Another restraining condition mentioned in one of the interviews is the so-called 'maximum amount'. The maximum amount is based on national law no. 1226 of 14 December 2011 regarding the Subsidisation of Social housing, §13 (2); this amount is differentiated across geography and housing type and is regulated once a year on 1 January[44]. The maximum amount regulates the maximum price for one square meter of one type of social housing.

The implication is that in Copenhagen, a City with many political ambitions and demands concerning construction projects, the maximum amount has some very specific consequences concerning the specific qualities of construction:

"The problem is that every requirement costs us, meaning that we have fewer money to build for. So we have to consider – where to focus? A very nice apartment, but boring edge zone, or, if the municipality wants the good edge zones, the floorboards are going to be the cheapest ones. It's good that our construction should have a nice character, because public housing should not look like cheap cardboard housing, but we are tied on our hands and feet by the maximum amount (social housing organisation)

The maximum amount also fixates how much the social housing organisations can build and by for, making bargaining with developers straight forward, because the maximum price is known in advance:

"Well, we got the maximum amount which we can build for (...) when you have a maximum amount to build for, and when you have to make sure that all expenditure is kept within that frame (...), well, then it's very defining for what you can pay for your building rights. The private actors know it, and we know it, so we got some ground rules there"

Another restraining condition mentioned by the social-housing informants is the maximum size of dwellings, which is 110-115 m2 for family dwellings, based on national law no. 1226 of 14 December 2011 regarding the Subsidisation of Social housing,§15 (2). The implication is that in dense sites, such as the ongoing developments in Nordhavn, Copenhagen, it is difficult both to live up to municipal demands of lighting, when the maximum square meter-size is fixed,

[61]

especially when the building density is high. Furthermore, due to the fact that the City of Copenhagen has fixed the overall volume of social housing to only 120 dwellings, in order not to create pockets of disadvantaged areas, the maximum size of social-housing dwellings makes the overall supply of social housing somewhat uniform:

"I: Now, if we think of Sydhavn as emblematic for social housing in development districts – it seems as if the social housing organisations are pacified, at least compared to our case in Aalborg Øst, where the social housing organisations are much more entrepreneurial?

R: Well, we can try to make architecture that contributes to the area, but that about giving something in return to the city/['giving gifts to the city'] – that can be difficult, because we work with other volumes. The City doesn't want volumes above 120 dwellings, based on an experience that social problems become lumped together. This implicates that it is small volumes we are contributing with. As a result, bigger areas developed by one actor? - we do not have that kind of option. And the size of dwellings is a maximum of 115 m2, a demand that probably originates from the time in which large rental apartments were difficult to rent out. However, that [fixed size amount] also generates a lack of diversity in the dwellings. For instance, you can see in the municipal plan frames for Sydhavn back in the days, that the square meter size was 95, and that creates bottlenecks [on the housing market], so presumably, you probably want to aim for greater dwelling diversity in the new development districts in the future, both in terms of tenure, size and functions" (social housing organisation).

The quote demonstrates that regulation in terms of size of dwellings is well-grounded due to former Copenhagen experience with large social housing apartments that turned out to be a financial failure for some housing organisations. However, such demands contribute to a uniform area, which Sydhavn also displays, implicating that it is difficult for families with more than one child to stay in the area. Accordingly, Sydhavn (and social housing) is somewhat marked by being designed in a time in which current trends of urbanization were not that dominant, and in which it was highly uncertain for cities whether middle-class families would want to live in cities. The quote also demonstrates that the regulation of social housing in terms of volume makes it difficult for those organisations to contribute to the city in terms of city functions or urban space.

Another condition for building social housing is the municipality's local requirements for subsidizing social housing in the first place. According to the Social Housing Act, the municipality has to approve, since 2012, to co-finance 10% of the construction sum, a sum also called the 'basic capital'. [45] Since 2003[46], the City of Copenhagen has been tendering this basic capital, in order to achieve the best bid from social housing organisations, assessed on criteria of high architectural quality, contributing to a sustainable city socially, environmentally and financially[47]. Up till now, despite subsidizing, the maximum amount cannot be maintained in attractive areas such as new development areas, including Sydhavn, Nordhavn, etc. However, due to change in legislation in 2015 in the Social Housing Act, specific municipalities now has the opportunity to offer a certain 'Basic buy mortgage' (in Danish, Grundkøbslån) (Social Housing Act, §119, LOV nr 221, approved March 3 2015).[48] So, as a precondition for the

subsidisation, the social housing sector (and all construction in which the City is the builder/developer or involved), has to live up to certain demands, especially related to Environment in Construction and Facilities (Miljø i Byggeri og Anlæg, Københavns Kommune 2010, Introduction); further, additional requirements are stated by the City of Copenhagen in relation to size of family dwellings, for instance that on average, the dwellings have to be 95 sqm, and 20% between 50 and 70 sqm[49].

Side-activity regulation: a barrier for functional contributions
A final regulative restraint assessed by the social housing organisations interviewed is the limitation of the so called 'side activities', a part of The Social Housing Act that defines which activities that are defined as the core activities of a social housing organisation, and which activities that are not allowed, as these non-core activities either pose too big a financial risk for organisations to engage in or is defined as practices that distort market competition.

In Denmark these regulations typically have been subject to discussion in urban planning, especially in disadvantaged neighbourhoods in which social housing organisations launch social and physical comprehensive plans/area based programmes. As a consequence of side-activity regulation, these socio-cultural activities are limited to involving only residents within a specific housing organisation and on the plot of the organisation. This makes it difficult for social housing organizations to be engaged in broader city activities, such as infrastructure, inclusive activities for youth or the public in general, as well as the establishments of companies with a social-economic profile. Certain adjustments have been made, though, in 2013, so that housing organisations that figure on the Ministry's official list of the 'most disadvantaged neighbourhoods' are allowed wider degrees of freedom in terms of deviating from legislation concerning market-based rent ('balancelejen', BEK nr. 451,§3 (5), plus BEK §4, (2, 3, 4) in order to spur development and activity in these areas by means of the establishment of business, such as socio-economic businesses, start-up businesses and minor grocery store[50].

So what are exactly the core activities of the social housing sector? According to current ministry guidance[51] the main activities are regulated according to business areas, institutions, administrative facilities, course rooms, buying of property, engagement with energy-supply companies, etc. As noted by social housing respondents, these restrictions concerning side-activities may have justifiable reasons. However, in contrast to those social housing organisations in disadvantaged areas typically having large stock of flats, social housing in new development areas such as Sydhavn Copenhagen are, due to the high land prices and municipal restrictions on the size of each social housing section, rather small, making it difficult to play an active role in the city district. For that reason, as one respondent notes, it would be easier to provide something to the neighbourhood if these housing sections also had more liberty concerning side activities:

*We in the social housing sector are limited by side-activity declarations, part of the Social Housing Act that defines that we are allowed to build dwellings. Dwellings financed according to the Social Housing Act. So we are not allowed to build shops, condominiums and corporate housing [in Danish 'andelsboliger', only subsidised corporate housing (...) we also have limitations concerning contributing to communities. For instance, in Sydhavn you've got this amazing house, and that's actually a community house. One **might** think that it was a*

*community house for the entire building complex – but it's not. It's a community house for every **second** block [i.e., the social housing blocks], but the owners of the condominiums are not allowed to use it, because it's subsidised by means of a subsidised mortgage [in Danish 'realkreditlån]. It seems pointless, but that's how it is. So, we have difficulties when it comes to engagement with other tenure types* (social housing organisation).

Results

Does the regulatory frameworks and norms related to planning intentions open spaces for self-management in Sydhavn Copenhagen? What conflicts and challenges are produced? How are these conflicts solved? These are the main questions guiding the regulation-dilemma research of the APRILab project. Concerning land-use planning, the assessment made in this report is that several options exist for land-use planning to adapt in a flexible way in relation to sudden events, such as the 2008-recession. These options are: mandatory 4-year revision of the municipal plan; municipal plan- or local-plan addendums. These are flexible, yet time-consuming instruments. Further, working with a sub-area divided local plan, development the area in a step-by-step fashion, does grant such a planning an additional flexibility, as mistakes of the past can to some extent be remedied by current planning adaptions, such as the lack of recreational areas. The other side of flexibility and adaption, i.e. control, is guaranteed as the municipal plan is required to work in a 12-year perspective; further, by employing the regulative option of the Planning Order grants the municipality control of which areas are to be developed, hence targeting development towards specific areas/districts.

However, despite these advantages of the Danish planning system, the Sydhavn trajectory is also assessed by some informants as being seriously marked by the wider development context of Copenhagen. Sydhavn was soon competing with other development areas (such as Ørestaden) with regards to the attention of municipality and land-development company, a competition that removed focus from the tricky challenges of Sydhavn: a massive infrastructure need that was supposed to be financed by private parties by means of regulated land-owner associations. Accordingly, this sort of self-organization in terms of land-owner associations is a concept that warrants further development: although a better distribution of expenditures is attained across municipal and private parties, such land-owner driven self-organization impedes plan-realization due to the different market-objectives and –positions taken by developers and landowners. Consequently, all parties (land-owners, residents, developers, municipality) loose something in such prolonged planning-processes towards planning implementation. Land-owners and developers have higher risks related to market fluctuations, and further, the value of development projects is decreased due to the insufficient provision of infrastructure and the haphazard realization of those public facilities that land-owner associations are bound to produce. Obviously, such neighbourhood characteristics isn't exactly selling points for future costumers/buyers. Further, as land-owner associations complete their construction projects at different speed, potential customers, such as institutional investors, have a hard-time figuring out what the future costs of joint public facilities are going to be in terms of upkeep and financial contribution to such facilities. Residents, definitely not a central part in these self-organizing processes, lose in

terms of access to recreational areas, infrastructure, public transportation and service provision; all of these crucial area-bound resources are dependent on plan realisation. Further, the 'dark side' of flexibility for residents is the uncertainty related to the planned provision of area-bound resources: a local culture centre planned for in non-crisis years is culturally diminished in austerity-times; the glittering images of future recreational areas, such as a future park of Enghave Brygge, is no guarantee for implementation in the future, as local plans are adapted to market conditions and the will of politicians, including yearly budget negotiations. Hence, moving into such development areas involves some risk for residents. Finally, municipality lose political credibility and income, as the fulfilment of Sydhavn is delayed, promises of public facilities not (yet) kept.

On this basis, the planning-intention norm of creating public space has a hard time – especially since all land in Sydhavn is privately owned across numerous, diverse landowners, making municipal intervention costly. Sydhavn Copenhagen as post-industrial, harbour-development case demonstrates a development in which several functional aspects of Danish planning intersects, having the above-mentioned general consequences for parties involved. These functional aspects are negotiation, novel regulatory instruments of active regulation, politician-involving budgeting, non-public involvement and mix of water vs. land-planning authority. The consequences of this intersection, amplified by the 2008-crisis, is the exclusion of the public from the overall strategic visions of the neighbourhood, uncertainty concerning quality and realisation of public space, and, hence, the risk of a dense neighbourhood with few recreational areas and prolonged planning realisation in terms of service provision and infrastructure.

In terms of conflict resolution, the City has over time changed practice in Copenhagen, so that voluntary development agreements are made with private parties in terms of financing vital infrastructure, and, further, making flexible budgeting options so that plots for public facilities are kept vacant for a certain period of time, insofar as the political committees want to prioritize such facilities. These changes in practice reduce the coordination problems within landowner-associations in terms of realising public space facilities and infrastructure.

Concerning the second planning-intention of countering segregation, social housing and affiliated housing organizations play a central role. Furthermore, another cornerstone in such intention is the functional integration across Sydhavn and the adjacent disadvantaged neighbourhood Kongens Enghave. In the first instance, social housing has played different roles in the development of Sydhavn: first as a means to kickstart the transformation of post-industrial Sydhavn, next as a means to ensure that Copenhagen overall maintains 20% social housing, having the implication that different income groups are mixed within same neighbourhood. With regard to the second instance, functional integration is a means to ensure a sort of trickle-down effect from the investment area of Sydhavn on Kongens Enghave, in terms housing students and increasing consumption, supporting local business and central business functions in this adjacent neighbourhood (such as a pharmacy); however, the two neighbourhoods may also supplement each other, as, for instance, Sydhavn has few cultural and recreational functions, whereas these exist in Kongens Enghave.

Constructing social housing in development areas are, however, not easy, as social housing is a highly regulated sector, subject to EU legislation related to tendering, and having to keep construction costs within a certain maximum amount per square meter. These two central regulative constraints limit social housing in terms of innovativeness and cost-efficiency in their relations with developers, and

only enables social housing in austerity times when the price on land is low. What furthermore makes social housing difficult and resource demanding to construct is the numerous municipal demands that such housing organizations have to live up to, sometimes making conflicting requirements concerning building standards. What seems to impede self-organization is first of all the size of social housing units and the regulative constrains related to what activities such organizations can undertake. The cap on size (about 120 dwellings per housing unit, required by the municipality) is based on the rationale not to make too big social housing areas, as these over time could generate pockets of poverty and social distress; this also, however, makes it difficult to contribute to the public in terms of functions. Regulation concerning side-activities furthermore blocks for public use of social-housing facilities, such as creative use of communal rooms related to social housing.

Recently (year 2015), changes have been made in terms of regulation, so that 25% of unplanned land can be laid out as public housing, supplemented with an option of municipalities to obtain a sort of Basic Buy Mortgage, thereby financing the gap between costly plots in development districts and the maximum amount.

Regulation dilemmas in Aalborg Øst: Norm negotiations

Introductory remarks to Aalborg Øst: What type of a regulative case?
Eastern Aalborg ['Aalborg Øst'] was planned in 1963 in response to rapid urbanisation in the 60s.[52] The suburb, established 5 km southeast of the city centre separated by a new highway, was planned with a housing capacity for 20.000 people, an industrial district of 500 ha, and access to a harbour in Limfjorden. Inspired by garden city ideas, the vision was that families could move from small inner-city apartments to more spacious dwellings closer to nature in Aalborg Øst. In the early 1970s, it was decided to situate the new Aalborg University in that area. The area consists of four sections: A large residential area with social housing, some single-family dwellings and small businesses and public institutions; an industrial district; the university campus; and some small towns located towards the east. Today it has a population of about 15.000. Social housing accounts for two-thirds of all housing units; the rest is owner-occupied housing and housing for students.

In the regional plan from 1986, Aalborg Øst was designated as a business area for businesses with special location demands, and the plan advocates expansion of public and private service functions, i.e. campus development. The regional strategy plan 1989-2001 emphasises a growth strategy focusing on business location and campus development. The 2001 regional strategy plan introduces a local rail service. In 2014, the Danish Parliament decided to support a light rail in Aalborg, expected to be in operation by 2021[53]. The light rail will connect the western part of Aalborg with the university area. The business location argument is repeated in municipal plans in 2006 and 2009; due to the proximity to the highway the area is attractive to businesses with special transport requirements. The municipal plans introduce a new focus on urban regeneration. Aalborg Øst is in need of physical and social upgrading, and the 2009-plan suggests construction of an ethnic bazaar. The 2009 municipal plan introduces a new university hospital, and the 2011 plan further expands on the role of the hospital that is envisioned to speed up urban development in eastern Aalborg. Currently, a 134,500 m2 university hospital is being developed next to the university set to finish in 2020[54].

In 2011, Aalborg City participated in a national campaign 'Suburbs of the Future' supported by the Danish Ministry of Environment and Realdania, a large philanthropic fund that invests in the built environment[55]. The parties initiated an international architectural competition for eastern Alborg - City-in-Between - to invite ideas for a shift in the planning approach to the district[56]. The city planners formulated the main challenge as one of integrating the four sub-districts in Aalborg Øst socially, organisationally and physically:

"The overall focus is to obtain qualified proposals describing how to promote cohesion within and among the areas of the suburb - physical, social, societal and organisational. The challenge is also to create synergy among the future investments. In the next 20 years, investments for more than DKK 10 billion have been planned in the competition area. Large investments includes extension of Aalborg University and the sports and leisure centre Gigantium, a new University Hospital, redevelopment of the Kildeparken residential area, as well as 400 new youth apartments near Aalborg University. Parallel to these investments, it has been decided to establish a high-class public transport link connecting the
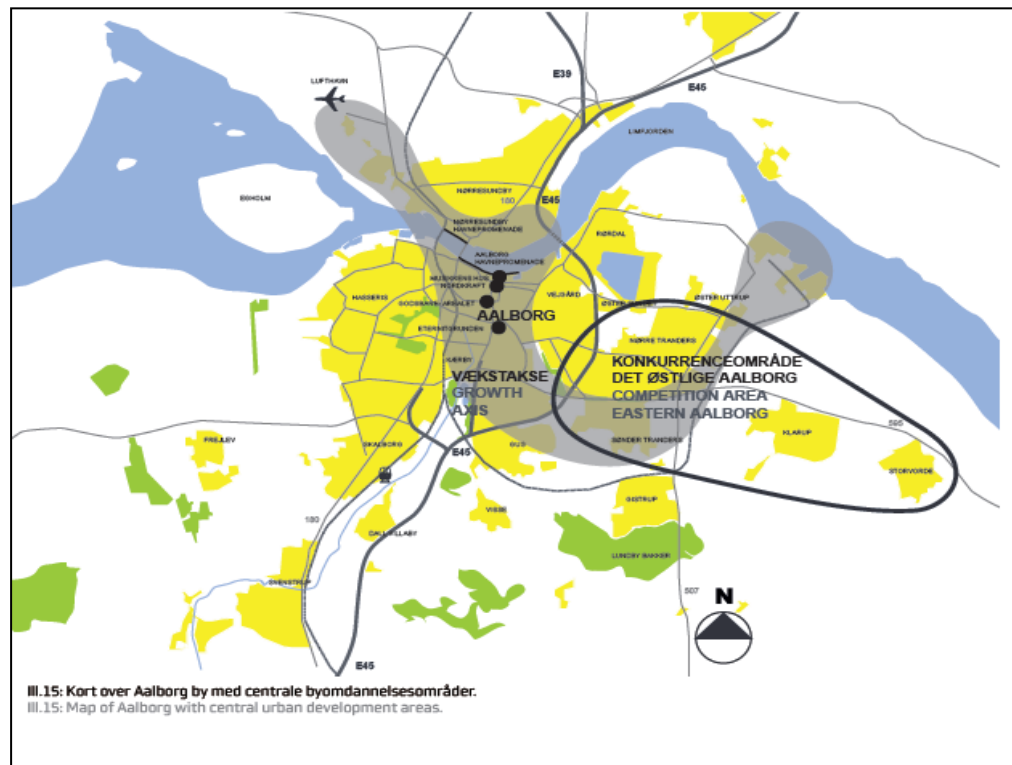
competition area, Eastern Aalborg, with the city centre, and to launch initiatives to promote bicycle traffic."

Source: team Vandkunsten (2012): City-in-between, winning project

The City-in-Between competition identified the Astrup path [Astrup stiforbindelse] as the priority area to promote sustainable urban development in Aalborg East. The Astrup path is envisioned to be a future main street linking the social housing settlements in the north with the University area and the new university hospital to the south. A municipal 'masterplan' was formulated, outlining the key ideas for the area's development: housing construction/densification, new public meeting places/urban space qualities and access to the future light rail via electrified bus. The masterplan is coordinated with a masterplan for the renovation of the social housing district, 'Kildeparken2020'[57]. When the City of Aalborg approved its new planning strategy in 2011[58], it introduced the notion of the city's 'growth axis' ["vækstaksen"] as a new 'reality' in the city. All infrastructure development is centred along this axis, and the planning idea highlights the synergistic effects of investments in the axis that goes from the airport in the north to the Aalborg Øst district.

Figure 8: the Growth Axis of Aalborg City (grey area)

III.15: Kort over Aalborg by med centrale byomdannelsesområder.
III.15: Map of Aalborg with central urban development areas.

Source: City-in-Between contest program

The Growth Axis has ever since been crucial in policy documents; however, the City-in-Between area of Aalborg Øst has later been redefined, in the sense that it is now the Growth Axis that guides development, including Aalborg Harbour to the north-east of the Growth Axis; in contrast, the City-in-Between contest area (marked in bold in the above figure) includes the minor rural satellite villages (the yellow areas) to the South-East in a suggested development. These villages have currently been disconnected from the Aalborg Øst development.

To some extent, the Aalborg Øst district manifests the multiplicity of planning challenges associated with the traditional Danish suburb. Despite its population density and size, the district is mentally and physically a 'satellite' decoupled from the city of Aalborg. As a product of the 1960's planning system, the area reflects the strength of the grandiose modernist planning culture as much as the challenges of today's planning apparatus to remedy past mistakes and push for a fundamental urban restructuring. The housing market is segmented in the sense that few alternatives exist to the existing building and urban pattern that retain the divided structure.

Accordingly, although the case can be regarded as a typical suburb in terms of history and infrastructure patterns, the case is extreme due to its size. The case is also unusual due to its regional importance and the character of major investments. These investments both inspire and enable municipal planning and place-making strategies related to the Growth Axis. The character of investments (i.e., university hospital, university campus, light rail, energy upgrading of the social housing dwellings of Kildeparken) are *public* or *funds* investments, guaranteed by regional and governmental budget decisions as well as legislation[59]. Furthermore, in contrast to some other Danish suburbs in which industrial areas are being abandoned and in need of being redefined functionally, Aalborg Øst

contains a highly entrepreneurial and expanding port (Aalborg Port)[60] and business network (Business Network 9220[61]). These market actors are demonstrating growth potential, containing industries and businesses, some of these demonstrating expanding business activities and strengthening of relations to Aalborg University, even during the 2008-recession[62].

To sum up, the Aalborg East case is huge, has decisive strategic importance on both municipal and regional level, has attracted rather large public- or fund-guaranteed investments, is experiencing growth, and is in a process of implementing existing strategies and visions into regulated plans.

So, in the sections below, the challenges related to the above-mentioned land-use planning context is elaborated. Following this section, two norms related to urban planning are described – the norms of public space strategies and countering segregation.

Land-use planning: Aalborg Øst

Figure 9 below lists the events and plans that are central for urban development. The list demonstrates the importance of strategies in order to transform political and administrative decisions into more specific land-use plans that can be used to regulate development; but also of using parts of the municipal plan, especially the 'Main Structure', to set a cross-sectoral and joint political agenda for the City as such. Accordingly, this approach is highly inspired by the recent Danish debates concerning planning, especially to use planning strategically (see review above).

Hence, what the figure and interviews indicate is that the regulative challenges of Aalborg Øst are related to the political, strategic and substantial phases necessary *before* actual land-use plans can be produced. Accordingly, Aalborg Øst is at the time of writing (year 2014-2015) in a transition phase, moving from a suburban type of regulation (a type of regulation which is now obsolete) towards a more urban, sustainable, integrated and dense type of large-scale city district. In order to move through this transition phase, several strategies and plans have to be produced. Furthermore, trajectory-generating political and strategic decisions have to be made, in order to simply generate a solid basis for starting to make plans. As the description below demonstrates, infrastructural decisions made (light rail, Astrup Path), adapted to current and future assets of the area (Gigantium, University, Hospital, the Port), form this basis for planning. In the section below the table, I describe in more detail the trajectory of plans and their function in this transition process towards a new regulative set-up.

Description of events and plans related to Aalborg Øst history
In 2007, most municipalities in Denmark were merged into larger units. Strategic attention was on how to create a necessary political and democratic stability in the new Aalborg Municipality, merging four municipalities into one. In the next 2-3 years, attention centred on ensuring that the smaller municipalities merged with the larger Aalborg Municipality were granted proper attention. In 2009, Region of Northern Jutland decided to locate a new hospital in Aalborg East. Furthermore, in 2009-2011, the global economic recession also had its impact on Aalborg Municipality, generating political discussions concerning how to actual spur

growth. Analyses were made of Aalborg, identifying a corridor running through the city in which most growth was taking place. This development corridor was coined the 'Growth Axis', an agenda which united City Council, and a planning strategy was made to enhance this 'Growth Axis', especially in relation to Aalborg East. A national suburban competition was made, Aalborg Øst was selected as one of the competition suburbs, and the 'City-in-Between'-competition was launched. In 2013, the Main Structure of the municipal plan was revised by means of the political and strategic 'Physical Vision 2025', a vision that for the City Council was crucial in defining the future developments necessary in the decades to come. The unfolding and specification of Physical Vision 2025 began, and the City Council in 2013 likewise approves the co-financing of an expensive light rail service running from the City Centre through the Aalborg Øst district, ending at the future University Hospital. On this basis, the light rail and the Astrup Path were identified as the main investment corridors in the Aalborg Øst area, now including the Harbour, and partly disconnecting from this planning the minor surrounding satellite towns identified in the City-in-Between competition. Furthermore, dialogue is made between the finance and planning administrations and the welfare-service administrations, trying to involve these otherwise non-planning administrations in the future planning and investment strategies for Aalborg East. Currently (2014-2015), a so-called 'structure plan' is being made for Aalborg East, having the status of a municipal plan addendum that enables local-plan approval and provides the municipal-plan frames necessary for project or local plan approval.

Figure 9: Central events in the planning of Aalborg Øst as a coherent planning and investment entity

Year	*Events (**political and financial decisions; land-use planning**)*[63]
2007	*Merger of municipalities in Denmark; regional decision of making one super-hospital in northern part of Jutland.*
2008	*Process of producing new municipal plan for the now merged municipalities of Aalborg, Nibe, Sejlflod og Hals*
2009	*Joint municipal plan for merged municipalities; new City Council. The region of Northern Jutland decided to place the new super-hospital in Aalborg East.*
2010-2011	*Reframing planning strategy in a political sense. Plan-strategy approval 2011: "Plan Strategy 2011 "Northern Denmark's Growth Dynamo", as part of municipal-plan revision focusing on creating growth due to the recession.*
	Identifying the 'Growth Axis' in Aalborg City. New understanding of planning as a pertinent, cross-administrative agenda.
	Joint political understanding in municipal council. Identifying The City of Aalborg as the growth engine in the region of Northern Jutland.
	Launching the 'City-in-Between' competition as part of a national context, suburbs of the future. Identifying Aalborg Øst as crucial part of the Growth Axis.

2012	*Announcing the winner of the City-in-Between competition*
2013	*Revision of main structure of municipal plan: Physical vision 2025 [Fysisk Vision 2025]; initiating the process of unfolding Physical Vision 2025, specifying the vision in more detailed plans, triggered by specific building and development activities.*
2014	*City Council approves of the light rail. Government decides in the Budget to co-fund the light rail in Aalborg with 40% of the total cost (DKK 840 million).*
2014	*Focus on involving the welfare administrations in the planning process. Identifying the Light Rail and The Astrup Path as the main infrastructural components that are to be connected and that are vital sites for future development and municipal investments.*
2015	*The production of a 'structure plan' for Aalborg East, having status as municipal-plan addendum; beginning the process of supplementing the growth perspective of previous plans with more strategic emphasis on sustainability, smart cities, integrated solutions and the human/welfare dimension. Strategic investments across municipal administrations.* *Adapting the City-in-between focus, excluding the smaller up-land towns and instead including the business harbour in the city-district of Aalborg East.*

So, the dilemma for regulation in Aalborg Øst is to facilitate as fast, flexible and coherent type of planning as possible, and at the same time upholding political and strategic momentum, ensuring cross-sector coherence. The following types of plans are employed in a specific way to achieve this purpose:

- The municipal plan (Municipal Plan 2009)

- The main structure of the Municipal Plan (Physical Vision 2025)

- Structure Plan Aalborg Øst (municipal plan addendums, being drawn up medio-2015)

- Mid-level plans (city- and city-district plans)

- Local plans

- Local-plan addendums

The following legislative options are essential in order to enhance flexibility:

- §14 prohibition

- Cancellation of obsolete municipal plans

- Developing local plans and municipal-plan addendums in parallel, in concord with the main structure

-

Below follows first a description of plans, including an assessment of how far planning has progressed in relation to plan-regulate Aalborg Øst. Next follows two sections. The first explains Aalborg-City problems related to planning in Aalborg Øst; the second describing some of the implications these problems generate for land-use, in terms of a leader/laggard-role division.

Description of plans

Now, concerning the specific legislative sections of the Planning Act mentioned above, most of these have already been explained in the Sydhavn Copenhagen chapter, in the paragraph dealing with 'Description of Plans'. The only legislative option not explained is the section concerning the cancellation of obsolete local plans, without being required to produce a new one. The City of Aalborg uses this section of the Planning Act in order to achieve flexibility; otherwise the City would be forced to produce a new local plan (time consuming), insofar as a development project would go against the principles of the existing plan, according to §19, 2 in the existing Planning Act. Now the City can abandon an inappropriate local plan; however, without a local plan, the only way to control a development project is the overall principles in the municipal plan as well as the municipal frames and municipal plan addendums, combined with a 1-year-lasting §14 prohibition[64]. In 2012, it was made possible to abandon local plans and city-plan statutes (in Danish: 'byplanvedtægter') without having to generate new local plans[65]. Until 2012, this was only an option that could be used if an area were to be re-zoned into land zone, or if a local plan for a land zone area was assessed as unnecessary. Now this opportunity is expanded to holiday cottage areas as well as city zone areas. This legislative change was made in order not to violate rules of dispensations, i.e. providing the municipalities with other options than the §14 prohibition or a dispensation[66].

As discussed below, it has been a huge challenge for municipal planning to figure out how to engage with such massive district development, as this exercise has major implications for city and regional economy in future decades. Accordingly, this type of planning potentially activates a lot of stakeholders across societal sectors. In the light of these challenges, how far has the municipality gone concerning implementing and unfolding the Aalborg East/City-in-Between/Growth-Axis/Physical Vision-2025 ambitions, that is, ambitions concerning densification, mobility, synergy across investments, transformation towards a more sustainable and urban area, ensuring growth, ensuring local plans for large-scale developments and ensuring that the area does not become further segregated? The Aalborg Øst district is huge covering more than 30 km2 of area. If we assume that local plans are indicative of an urban development plan at the maturity-level of a specific project, an assessment of the Aalborg Øst city district shows that the area consists of around 131 local plans, including city plan statutes from the 1960s and 1970s, according to the municipal homepage.[67] The small table below (*Figure 10*) illustrates the approval year of local plan- and city-plan-statutes (the table does not display any information about the joint area of these local plans).

Figure 10: Distribution of local-plan approval decade of Aalborg East

Decade of local plan/city plan statute approval	Number
60s	8
70s	12
80s	31
90s	13
00s	47
10s	20
2007+ - Aalborg Øst as emergent strategic entity	28
Local plans relating to the strategic agenda of Aalborg East	13-15

 If we assume that the Aalborg Øst suburban development as a meaningful, novel strategic entity (or discursively constituted social object) emerges from 2007 and onwards, the possible number of related local plans from 2007 and onwards (after the national municipal merger) is around 28. Of these, 13-15 can be considered as falling within this strategic agenda, although only few of them relate explicitly to the above-mentioned strategies and visions. These 13-15 local plans mainly relate to the facilitating of the construction of the university hospital, enabling the further industrial activities in the business harbour, to the enabling of the expansion of knowledge-based companies with an interest in relations to the university, dwellings for university students, refurbishment or construction activities in the social housing neighbourhoods, transformation of old industrial facilities into subcultural/entrepreneurial activities ('Eternitten'), a local plan for the new large-scale university hospital, and dwellings/areas related to the new possibilities of the future light rail.

If we assume that municipal-plan addendums are indicative of the Aalborg City planning practice of setting up strategy-informed frames for development within the planning period covering the Municipal Plan 2009 and onwards, the image below of plan addendums more clearly illustrates that the planning activity takes place along the west-east axis of Aalborg Øst (light rail, university hospital, redevelopment of the entire university park area, university campus) as well as the north-bound part of the growth axis (tenure mix, harbour/business expansion).

Figure 11: Municipal Plan Addendums, Aalborg Øst
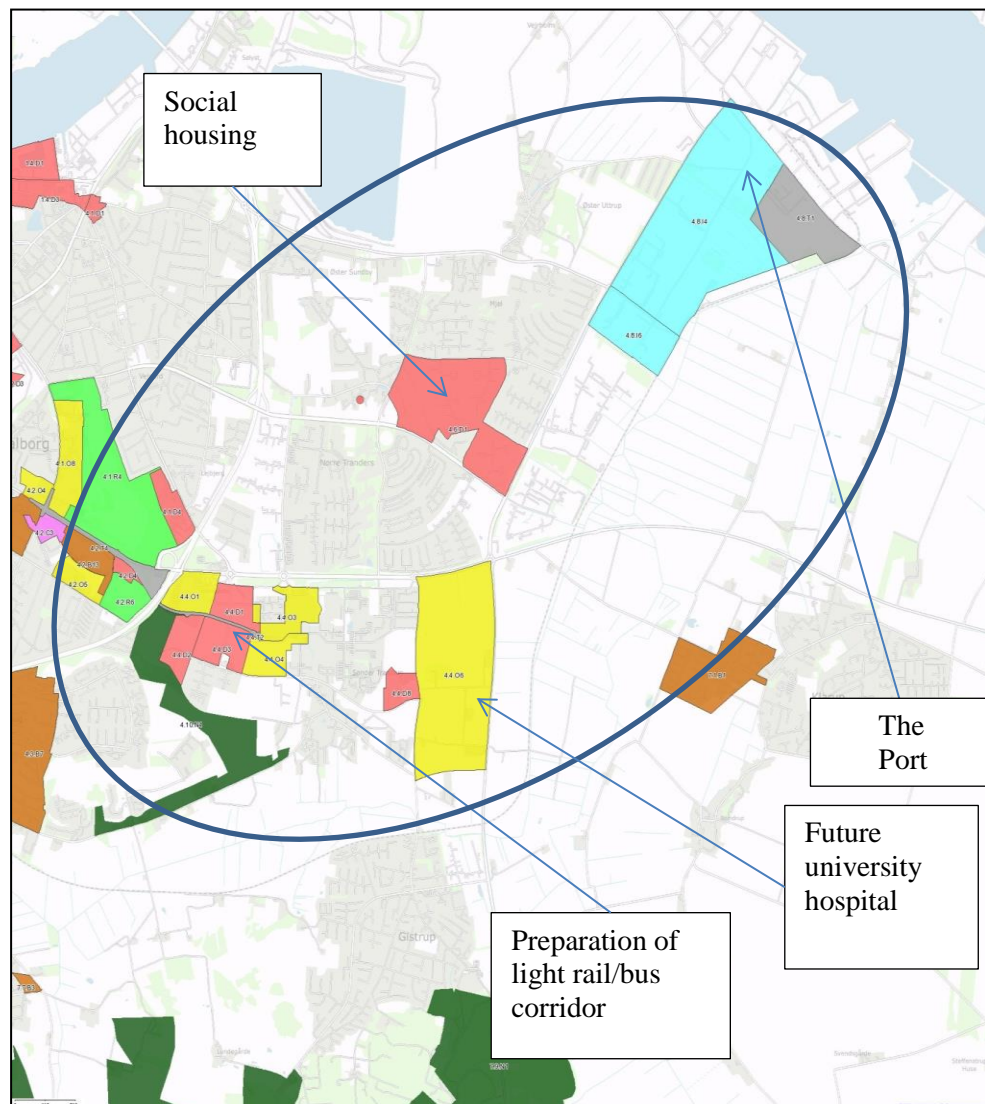
Source: plansystem.dk, arrows and boxes and ellipse added

To the north, the addendums 4.8.16/14/T1 (turquoise) denote the 'end point' of the Growth Axis, emphasizing further port expansion, business improvement and making possible heavy industry in connection with the port expansion, all in order to support the objective of sustaining momentum in relation to the 'growth axis'. Addendum 4.6.D1. (red) enables the social housing area, Kildeparken, to build dwellings more densely in the area as well as enabling a more varied physical expression in terms of 8-storey buildings (vs. the prevalent 2-storey buildings that dominate the area). 4.4.06 (yellow field central) enables the construction of the university hospital, 4.4.03 (yellow, to the west of future hospital) enables dwellings (as stated in a 'structure plan' for the university park, see description below). The rest of the plan addendums in the west of the district enables a public transportation point of access in relation to the highway.

Structure Plans, part of the main structure of the municipal plan, likewise indicate strategic progression. Of importance is the already approved structure plan for the university area as well as the commissioned structure plan for Aalborg Øst (2014-2015), still not approved. The former dating back to 2009 (as incorporated into the

current municipal plan) emphasises that the University Park should further enable the expansion of the university as well as business and dwellings. The objective of The University Park should stand out as a city district on its own, with an 'urban corridor' (with higher buildings, teaching facilities etc.), highlighting the university park area as a distinct neighbourhood.[68]

The latter structure plan for Aalborg Øst (not yet finished) is of vital importance, as its function is to deduce some overarching principles across investments, strategies and political visions. The commissioning for the plan emphasises that it is of vital importance to make an overall plan for the Aalborg Øst area, as many activities are going on: light rail, university hospital, refurbishment of Kildeparken, East Harbour/Aalborg Port expansion etc. [69]. The purpose of the structure plan is to *'clearly define an identity, structure and cohesion'*, thereby *'ensuring synergy and comprehensiveness for future initiatives in the area'* (ibid., p. 1, my translation). The structure plan should, as noted in Physical Vision 2025, emphasise a denser building structure related to dwellings, especially when in close proximity to the light rail, as well as ensure new sustainable types of tenure; meeting places with a mix of urban functions; emphasise public service, i.e. using public institutions for underpinning density and meeting places; business structure, especially developing campus area, East Port, and University Hospital; mobility; green structure; order-of-provision planning, i.e. stating needs concerning developments in the city district.

So currently, the overall strategic and political visions are being translated into a design masterplan for the district, the purpose being both to allow for the initiatives already taking place, and on this basis, combined with the strategic plans, to develop a design plan for the future development of the area, a design plan that has status as municipal plan addendum including municipal-plan frames and related local plans.

The problem of coordination and timing

According to the municipality, the current challenge for the City of Aalborg in developing Aalborg Øst is that a lot of things take place at the same time, and that several large projects have to be coordinated and synchronised. This is not necessarily a problem related to regulation as such, i.e. that the existing Planning Act is too rigid or demanding:

"Actually, I do not perceive the regulative tools as a barrier in any sense (...) The challenges are not related to the [regulative] tools, they are related to timing. It is insanely difficult to get everything timed because each project has different time dimensions etc. (...). So timing really is a challenge" (Urban planner with responsibility for strategic planning)

The City has managed to involve politicians and formulate succinct, short visions and strategies (Plan strategy 2011; Physical Vision 2025). In order not to jeopardise this political and strategic momentum and at the same time not blocking ongoing development needs, the City accepts a high level of discrepancy between the newly formulated visions and the formal regulative frameworks in the municipal plan (i.e. obsolete municipal-plan frames and obsolete local plans).

In 2014, the City Architect explained this planning logic in a debate note as follows:

"It is a challenge that the tool, 'The municipal plan', has developed into a highly complex tool (...) The list of demands concerning the content of guidelines and frames has become longer and longer as new sector interests are joining in (...). The process for the development of plans has become lengthy and rigid – for the sake of the good cause. The political ownership disappears in this bureaucracy. And it is difficult to be innovative and creative without losing outlook and comprehensive considerations (...) In Aalborg we chose to call the new main structure [of the municipal plan] "Physical Vision 2025 for The City of Aalborg" (...)Physical Vision 2025 lacks a wholesale revision of guidelines, city- and city-district plans and specific frames. But the strategy is firmly fixed and is known. New projects and implementation of the strategies require our attention [in Danish: presser sig på] (...) Very intentional The City accepts a long period of discrepancy between the content of the overall strategy/vision and the specific plan implemented in guidelines and frames. In this period, until all discrepancies are dealt with, the existing regulative frames are those of municipal plan 2009. However, new plans/projects must not go against Physical Vision 2025 – that is, the main structure [of the municipal plan]. Therefore, The City Council is prepared to develop minor municipal-plan addendums and even making use of the § 14-prohibition in order to work focused with intentions of the vision. The transformation of vision and strategy to specific planning will, accordingly, happen gradually - no matter how many municipal-plan addendums this [practice] will result in. Hitherto, the §14 prohibition has not been wanted. The vision is known and accepted as the strategy of the new Aalborg. " (Nielsen, Peder Baltzer (2014), p. 12-14, author's translation)

Accordingly, the City is making use of all the flexible regulative tools that The Planning Act provides in order to manage urban development according to the new visions and strategies, while not violating the existing frames and guidelines in the existing, and partially obsolete, municipal plan 2009; these flexible regulative tools are municipal-plan addendums and local-plan exemptions. Further, in order to control the location and type of development that is acceptable in accordance to the new visions (but not necessarily according to the local law of the municipal plan), a §14 prohibition can be used. Concurrently with this practice, planning officials produce new local plans.

According to the City Architect, the problem with obsolete local plans is the preamble (Baltzer Nielsen 2014, p. 15). According to existing law, if a project goes against the principles of the local plan (mainly the objects clause and the use clause of the local plan), the project cannot be given dispensation and consequently a building permit[70]. As a consequence, a new local plan has to be produced, and a public hearing is required. In order to speed up the process, the City has been using a new legislative option, that of cancelling old local plans and granting a project the permission to build, in so far as the development project does not go against the municipal frames for the area. The downside of this strategy is that when a local plan is cancelled, all of sudden you as a planning authority lose the control over which kind of development you want to stimulate; because you do not have the detailed requirements for future projects as specified in a local plan, it is the much more general municipal plan frames, or principles in

the municipal plan, that defines whether projects can be realised. This is a vulnerable position, which leaves the municipality only with the option of using the §14-prohibition if a developer comes up with a project that goes against the principles of the municipal plan. So, according to the City Architect, a problem with existing planning law is that it is impossible to cancel only minor parts of a local plan, and that the altering of local plans has to be made more flexible.

As a planner notes, this current practice also necessitates the production of several mid-level plans that functions as a means of translating the visions and strategies in order to facilitate the production of concordant local plans:

I: "That structure plan [for Aalborg East] that you in the municipality are working on right now, are you postponing the production of local plans until the structure plan is finished?

R: No, they are developed in a parallel fashion (...) the local plans that are under development are not in accordance with existing provisions. So, we stand ready with the municipal-plan addendum (...) The structure plan has status as a municipal-plan addendum (...) We operate with different kinds of mid-forms plans/mid-level plans [in Danish "mellemformsplaner], that is, we have a city- and city-district level between the main structure in the municipal plan and our municipal-plan frames (...). And because our main structure [of the municipal plan] has become much more general and strategic, it has become even more indispensable that we have those mini-municipal plans for some larger, coherent [physical] units"

I: "But these mid-forms plans have to be so binding that you as an external actor believe in it, i.e. not 'just another short-term strategy paper'? It has to be a sort of governance tool?

R: It is a governance tool and is in fact what actually explains the [municipal] frames. Otherwise, the gap between main structure and frames would be huge, you would really need some explanations. (...) So, we end up with a municipal- plan addendum containing a city-district description for Aalborg Øst plus affected change in municipal-plan frames and also guidelines (...) For a limited period of time, this [package of plans] generates the necessary requirements for the local plans to come". (interview, urban planner)

In contrast to the case of Sydhavn, Copenhagen, no systematic pattern of specific regulative conflicts as such concerning the Planning Act and land-use planning is to be found in the interviews analysed. In fact, almost no criticism at all is voiced against the Planning Act or other type of regulation. The only systematic criticism to be found is the City Architects's discussion paper, quoted above, identifying the challenge that Aalborg City faces when trying to develop one consistent and comprehensive strategic approach towards planning in such a huge and diverse area as Aalborg East, encompassing multiple activities occurring at the same time. In such a case, the two lowest levels of planning (i.e. the local plan and municipal plan frames) are too inflexible as a planning tool; a planning medium is required that can both obtain and constitute the simultaneous processes of municipal strategizing, master design plan (i.e., the 'Structure Plan') and specific

projects/activities/investments. Accordingly, investments, spin-off opportunities, planning suggestions and political strategizing inspire each other in an iterative fashion; for instance, expansion of University and University Hospital (investments) trigger political and strategic ambitions of being a growth engine for the region; which informs City-in-Between and a focus on sustainability and the creation of Business Networks; which provides Himmerland Housing Associations with the self-generated possibility of branding their massive energy-refurbishment as sustainable and more urban, and which also inspire the new mayor with ambitions of Aalborg as a Smart City, clustering discursive elements of knowledge, sustainability, growth, heavy industry, and technology development. Obviously, these shifts in discourse and the successive attempts at fulfilling the quest of figuring out *what* the Aalborg Øst development is *really* all about makes it difficult for planning to distil fixed planning and design principles.

However, Aalborg City has found a solution in terms of working on all plan levels simultaneously, abolishing inconsistent local plans, abandoning a total revision of the municipal plan and simply make a municipal plan addendum, consisting of the addendum to the municipal plan, a new municipal plan frame and local plans and a city district description (structure plan). Potentially, this move makes the City vulnerable to project proposals that are consistent with old municipal plan frames or local plans, but inconsistent with the newly approved Plan Strategy; however, §14 (The Planning Act) can be used as a one-year safeguard in case such a project proposal is made. So, even though this has not been a straightforward exercise for the City of Aalborg, the Planning Act does permit such a planning practice, and, hence is not in itself a barrier for flexibility or a source of conflicts.

Implications of land-use planning practice developed in Aalborg: leaders and laggards or professionalised public-authority/lobby-relations?

Even though the Planning Act and specific sections do not in themselves pose a problem, it does seem that the practice of working simultaneously on all planning levels is time consuming. The impression is that such a planning exercise depletes most of municipal planning resources when planning for numerous activities and investments at the same time. This is especially so since such a type of suburban planning has also made it necessary to concurrently build political and administrative consensus and ownership before implementing plans and activities.

Furthermore, The City Architect has deliberately employed a new type of strategic and policy-driven planning, which is more facilitative, more political, less 'top-down' and whose physical form consist of short, easy-to-grasp policy documents. This has positioned planning as a highly relevant municipal activity for other municipal stakeholders. This new type of strategic planning has furthermore relieved the City from making cumbersome revisions of the Municipal Plan, possibly avoiding producing planning frameworks already obsolete when produced; this type of strategic planning has also to a large extent been a driver for unifying the City Council, involving the administrations providing welfare services to citizens to a degree never seen before.

However, this approach may also have the consequence of producing disappointment, confusion concerning objectives and impatience. This is especially so amongst the local leaders mentioned above as these want to contribute and make use of the new leitmotifs of Physical Vision 2025 and City-in-Between: enhancing growth, making a denser and more urban and sustainable

environment, contributing to the positive development of Aalborg East. As also noted in 2013 -interviews, the municipality encounters difficulties with communicating and engaging citizen networks activated in 2011 (City-in-Between contest), because inspiration and activities have to be translated into an implementable and solid form in terms of a municipal plan addendum. Accordingly, strategy papers and the high profiled City-in-Between competition have indeed succeeded in activating numerous stakeholders, including citizens, but the impression of informants is that not much really happens outside the planning offices.

So, what is relevant is to assess how this type of planning practice (i.e. how regulation is deployed in terms of different kinds of plans) affects planning as such in Aalborg East. What *does* seem to be a source of professional frustration and disappointment is that the City by some parties, especially the University and the Himmerland Housing Association, are presented as laggards, whereas these two stakeholders present themselves more as change agents or local leaders, having numerous ambitions and project ideas that they hope can gain more support by the City. However, giving the multiple and interwoven attempts of discursively framing Aalborg Øst development, this support is somewhat wanting. Technical Manager of Aalborg Port Co., Mette Schmidt, who is also Vice-Chairman of the active, Aalborg Øst based 'Business Network 9220'[71], presents Aalborg Port Co. and business network 9220 as highly innovative stakeholders and actors and as vital partners for the City of Aalborg. Although the facilitative planning practice deployed by the City could as a result be interpreted as a somewhat passive City leadership, it is an open question whether the new planning practice and the Aalborg Øst development could also be interpreted as a driver for enhancing the professional roles of public-authority/lobby-relationship amongst strategic stakeholders.

So, the downside of this planning practice is the speed and the uncertainty it generates; this may result in the lack of enhancement of private project activities, such as those of the University of Aalborg:

" I just feel that we are pretty far ahead when it comes to our forecasts and our activities but it's difficult for the City to be on the same level....They have the best of intentions, but that being said, they are pretty foot-dragging...For instance, The City In Between-competition. Think about how much time it took to prepare and implement the competition...And what I think is the first thing to do after a winner has been announced is to make an action plan and get the plan incorporated in the municipal budget (...) I mean, think about all the resources and the expectations generated among citizens and business, I mean, get on with it, City of Aalborg, nothing really happens" (Planner, Aalborg University).

So, what the quote shows is that although the City has spent time on strategizing and building political consensus the last three to four years, the cost has been disappointment amongst some stakeholders. What also causes some frustration for this representative from the University is the transformation of Aalborg Øst from suburb to more urban and dense area. This is a process that the City itself is slowing down by means of local plan requirements concerning low building

percentages and a large number of parking lots, all symptoms of a time of planning belonging to a now obsolete, suburban type of planning:

: You know, Aalborg Øst has a poor reputation (...) what we are saying is this: if we can contribute with our jobs and our dwellings in the campus area, as a peace of the puzzle of Aalborg East, then we can be part of that locomotive in that development (...) so we are more than happy to contribute and play along, if we could only find out what things we together should create (...) we have to be a compact and dense city, and come on City of Aalborg (...) our roads are still like gravel roads, and we ask the City to asphalt and make sidewalks, to make some streetlights and establish some urban environment(...) the say they want to make urban development, well, then do it, show us instead of us having to ask for it again and again" (Planner, Aalborg University).

What this actor calls for is specific planning initiatives and budgets concerning what the next steps of urban planning are, in order to create synergies amongst plans. However, although some impatience can also be detected in interviews with Himmerland, the trajectory of the University, Himmerland's and Business Network's relation with the municipality demonstrate several successful attempts of influencing the planning agenda of Aalborg East; the bewilderment of city officials, planners and politicians concerning the exact future for developing Aalborg East also makes the City as an actor receptive towards innovative ideas.

For instance, the Himmerland Housing Association's ambition is to be part of, and influence, the development in Aalborg Øst in order to ensure that the social housing area is also going to be a part of the developments in the area:

" We have around half of our 7000 dwellings located here in Aalborg East, so it is in fact an entire city district which we are responsible for (...) It is simply such an important part of our foundation as company that this district develops in a healthy way" (interview, Director of Development, 2013)

Accordingly, Himmerland is highly proactive in, for instance, business networks and in initiating various initiatives on their own land, using the massive energy refurbishment and the construction of private dwellings on their land as driver for another kind of place-making and in order to increase the social mix in the area (see norm sections below). So, as a change-oriented organisation, how does this association perceive of the municipal planning practice? First of all Himmerland is highly dependent on other stakeholders in order to succeed:

"we are deeply dependent on whether our initiatives are supported by others; that investments are made – public, private etc. The task is so challenging, that we are highly dependent on whether other stakeholders wants to contribute to develop the city (...) if we are going to actually have a city, a number of preconditions have to be in place: Schooling, jobs, a mix of people, urban environment and a lot of other things in order to make a sustainable result (...) The whole area was planned as a housing area. So, one of the challenges is the huge amount of empty space – a lot of these areas generate insecurity amongst our residents (...) the main challenge is mobility (...) We aim at connecting our area Kildeparken to a path system [The Astrup Path] of bikes and buses, linking down south to the university and the future light rail (...) so our challenge is how we can hook up our residential area with the developments taking place along the light rail. "(ibid.)

[81]

Therefore, the main challenge is to get the municipality involved and making the municipality develop the municipal land in the area linking up to the Astrup Path, which is extremely difficult since the land is owned by different administrations; the already existing public institutions do not create synergy (interview). Accordingly, attempts of influencing the planning discourse can be perceived as an entrepreneurial leadership; such leadership produces concepts and ideas that is sometimes obtained in planning discourse. As a result, strategies are informed and qualified, adapted to local needs.

As an example: According to the Himmerland informant in 2013, the main challenge was to influence the municipality and to make them support Himmerland's ideas of urban development because the former mayor was more concerned with developing central parts of the city. Further, a challenge was also to change the perception of this part of the Aalborg Øst District, because the area has had so many difficulties that it seemed to be pointless for some politicians to invest in the area (informant, 2013). However, in 2015, several of these attempts at influencing seem to have been a success, as the new mayor, Thomas Kastrup-Larsen, has paid Himmerland and this part of the district notable attention, exemplified by the symbolic gesture of moving the Mayor's Office into Himmerland's Community and Health House for a week[72], as well as speaking positively about the housing associations' innovative ambitions of having condominiums built on their plot[73].

In the same vein, Aalborg Port Co. also speaks of the highly dynamic environment that the collaboration with the City generates. Business Network 2011 was initiated in 2011, founded by Aalborg Port Co. and the Region Laundry Business ('regionsvaskeriet'[74])[75] and now has around 130 business-members. A week after its founding, the network was invited to the City-in-Between contest and since then, the Aalborg Port Co. and the Network have had intense contact with the City:

"So this is how we entered [City-in-Between], we have been part of decisions, we have been part of the Think Tank that was formed, and the Astrup Path as well (...) I would say that there are a lot of subjects/places where I [as Port and Vice-Chair of business-network] where I can be in contact with those issues, also the current Smart-City initiative (...) So all of those subjects, I have a lot to contribute with (...) All the effort and initiatives we make, I think this has contributed to make us [the Port] becoming central in the Aalborg Øst development (...) for instance, in the future Aalborg Smart City-strategy, one of the strategy light towers is called Zero Waste. One of my employees came up with that name, so I think the municipality has realised how much drive we got and how much we as a district-based business network want to develop this district " (interview, Aalborg Port).

The quote demonstrates the rise of a formal business network and the influence such a network has in terms of contributing with strategy and business development; accordingly, the business network has a keen interest in contributing to developing the area into a full city district with a wide range of attractive facilities:

"My key word typically is harmony. A harmony that we as an area embrace business because that is what we live from: University, hospital, dwellings, roads, institutions, associations – that taken together we make that unit that makes you want to be here – that is actually our goal".

(interview, Aalborg Port).

Summing up regulative challenges, it seems as if the City of Aalborg has faced some challenges related to adapting regulative deployment of the planning act to the numerous activities in the Aalborg Øst District. The solution has been a strategic capacity building politically, administratively and collaboratively, by means of a facilitative and politician-involving approach. This strategic capacity building and the establishment of a new planning practice has prolonged the implementation of plan strategies, creating some disappointment and impatience amongst activated stakeholders, and also some uncertainty concerning what to expect of the City in terms of investments. However, entrepreneurial leadership has simultaneously emerged, obviously influencing and qualifying policy and planning discourse.

Results

Regulative challenges are strikingly absent when interviewing stakeholders in Aalborg Øst. All stakeholders interviewed display an obvious interest in the success of the Aalborg Øst planning initiative, displaying genuine excitement (and minor frustration) related to the vast amount of growth-, investment- and influence-opportunities. The involvement and activation of citizens is postponed to later stages. Absence of conflicts could first of all be a consequence of the negotiations taking place as part of the Danish planning practice; the stakeholders in Aalborg Øst display strong sentiments of interdependence, everyone having as their main objective to make the development of the area succeed, generating as much spin-off as possible in these formative stages of strategizing. Further, the networks in the Aalborg Øst district are rather dense and have been so increasingly the last four years. Business Network 9220, Aalborg Port, Aalborg University, Himmerland Social Housing Association, the Region of North Jutland and municipal administrations and politicians all interact and influence each other in search of solidifying investments and political decisions, trying to create synergy (new business areas, bilateral coordination) wherever possible. The interaction between those local, entrepreneurial leaders and a strategizing and facilitating municipality seems to be core ingredients in creating mutual adjustments, thereby aligning projects and stakeholder strategies.

As a result, developing a planning practice which can function as mediation between already-running initiatives and investments ('bottom-up') and on the other hand, taking into account that the political and strategic visions for the area ('top-down') have been the main planning challenge. In this respect, Aalborg City has made use of several flexible options made possible in recent adjustments of the Planning Act. First of all, in year 2000, it was made voluntary whether municipalities should revise the entire municipal plan or only revise sections of it;

however, it is still a requirement that within the first half of the election period (i.e. 2 years), the municipality has to announce a strategy for municipal planning. Aalborg City makes use of this option of flexibility, enabling the emergence of strategic fields concerning investments, infrastructure, sustainability, smart city and the involvement of welfare administrations in the planning process. Further, the City of Aalborg makes use of the option of abolishing obsolete local plans without having to produce a new one, regulating in areas without local-plan by means of municipal plan frames, having the §14-prohibition as a safeguard against conflicts between projects that goes against the planning strategy but is in accordance with the (unrevised) municipal plan frames.

In the next chapter the norm of place-making strategies is described.

Sustainability-inspired place making strategies: Re-developing the suburban character on the east-west Growth Axis

The identification of Aalborg Øst as being part of the main 'growth axis' in the region combined with the costly public investments of a light rail and a university hospital in the area has had the implication that two main infrastructure lines form the future development in the area. First of all, the light rail running through the district in a west-east fashion, with the end-stop at the future University Hospital. Second of all, the Astrup Path that runs from the university campus in the south to the north of the area (see pictures below, first of the growth axis, next of the planned light rail, thirdly of the Astrup Path).

*Figure 12: Growth Axis running through Aalborg Øst District*

Source: Letbanesekretariatet/COWI (2012), p. 6

These two lines of mobility are what determine where to start the densification process. As one planner notes, the planning in Aalborg Øst is challenging due to the fact that many different projects have to be synchronised, and it is the light rail that sets the rythm for the Aalborg Øst area (interview, planner); it is also along this west-east mobility line that local plans and larger comprehensive plans are now being redeveloped in order to adapt to this future scenario. This entails a remaking of the local plan of the Gigantium area, now being transformed from a public sports facility to form the core in the construction of an actual neighbourhood. This also entails a remaking of the entire area between Gigantium and the future University Hospital, i.e. The University Park, including the future expansion of the Aalborg University Campus area. Here, the challenge is to remake the entire physical and infrastructural lines in the suburban area,

[85]

developed decades ago for people with cars, but are now in the process of densification and more sustainable public transportation.

Figure 13: Light rail running through Aalborg Øst, Aalborg Øst located in the eastern ellipse
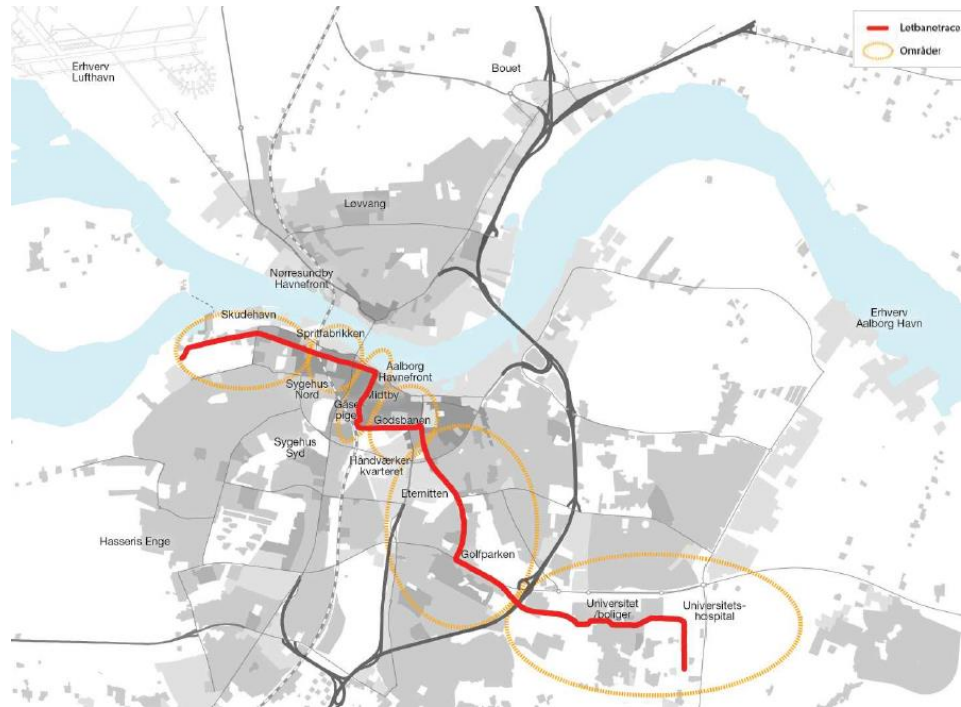
Source: Letbanesekretariatet/COWI (2012), p. 18

A third implication of densification and opening up is at the University Campus area, a place where the light rail and the Astrup Path are supposed to intersect.Another line of mobility is the south-north going Astrup Path, where a so-called 'structure plan', having status as an internal working document, according to a planner, is being developed at the time of writing (April-May 2015).

Figure 14: Astrup Path going from the University in the South through former ill-reputed housing area, pointing towards the Port in the north
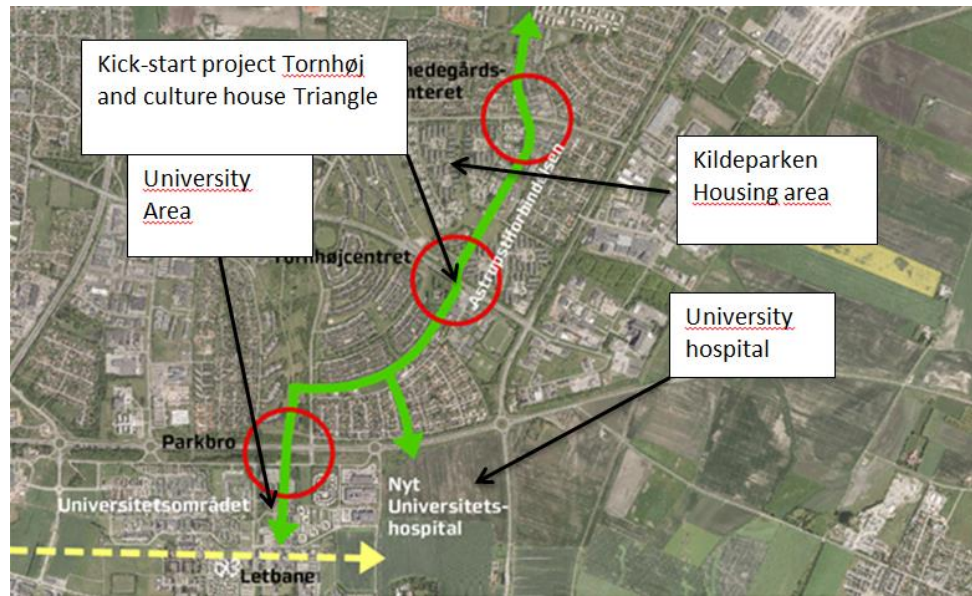
Source: Adapted from the Municipal Plan, Aalborg. Textboxes and arrows added.

In this structure plan, several hubs of density have been identified in order to increase mobility and kick-start investments in this area, an area of Aalborg Øst otherwise not included in the 'Growth Axis' (see images further down below). One of the most high-profiled projects in the 'counter-segregation norm' in Aalborg East is the 'Kickstart Tornhøj-project'. One of the biggest national philanthropic funds, 'Realdania', has contributed with a modest amount of seed money, around EUR 3 million (DKK 25 million), as well as running a collaborative involvement process across stakeholders (municipalities, developers, social housing organisations), in order to revitalise a city centre around a tunnel and a rather modest mall. Being a physical and collaborative project having a substantial, yet modest, impact (around EUR 6 million for the physical project + decisions of placing several public institutions in the area + decisions of maintaining public funding for a local library and culture house, called the 'Triangle' (Trekanten)), this project is intended to spur more private investments in the future; it has the full support by the City Council, including commitments to maintain and increase public investments and functions in this area.

Figure 12 display an image of Aalborg City and the Growth Axis (yellow), The Aalborg Øst District encompassing the eastern part of the Axis, from the water to the east ('Erhverv, Aalborg Havn', i.e. Aalborg Port), to the south towards the University Hospital ('universitetshospital'), to the west through the university campus area and the university part ('Universitetsboliger'). *Figure 13* shows the future light rail (red line), running through city centre and ending at the University Hospital to the South-East.

Figure 14 is showing how Aalborg Øst is conceptualised in an infrastructural fashion by means of the west-east axis (the light rail) and the north-going axis, the Astrup Path from the university, through the formerly ill-reputed, disadvantaged housing area.

Figure 15 shows the current urban development along these infrastructural axes identified by the City.

Figure 15: Current Urban Development (red) and industry/business (blue)
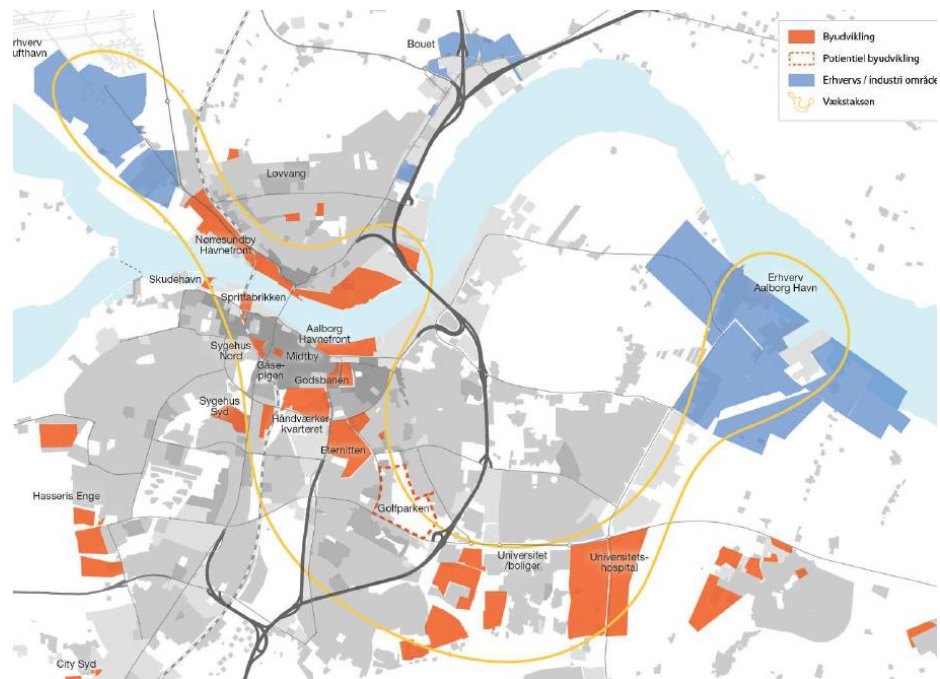
Source: Letbanesekretariatet/COWI (2012), p. 8

In Aalborg East, the public space norm has another expression than in Sydhavn Copenhagen. First of all, it is pertinent in Aalborg Øst to *generate* density (of functions, workplaces, dwellings, infrastructure) in order to make more urban-like spaces. Second of all, the public-space norm and the planning intentions of generating place-making are informed by discourses of sustainability, relating back to both the-City-in Between competition, the winner of this competition, the Himmerland Housing Association's refurbishment of 'Kildeparken', as well as the overall, detailed, ambition of City of Aalborg to be sustainable[76]. Consequently,

informants were asked whether this public-space norm (creating density hubs, opening up city functions, sustainability) has generated any challenges or conflicts, either related to specific types of regulation or to the strategic interaction between stakeholders.

The informants were planners with knowledge of ongoing developments along the light rail from the city centre towards the end station, the University Hospital, but also a representative from the Region of North Jutland as well as the Development Director from the Social Housing Organisation Himmerland.

The specific developments along the light rail are increased development surrounding the Gigantium area (new neighbourhood, new office space), developments along the University Boulevard and the University Park as well as the University and also the University Hospital. When exploring (regulative) conflicts related to this norm, the assumption guiding research was that especially sustainability-ambitions could generate some specific conflicts.

The Sustainability Strategy of Aalborg consists to date of the following components:

- an overall strategy from 2013-2016

- an implementation catalogue in which strategic objectives, department responsible and indicators of success is stated

- a description of the strategy

- how the strategy is employed in specific places of construction development

- a description of what is called 'the sustainability flower' (see image below) and a 'broad' concept of sustainability, touching upon the dimensions of the social, local values, environment, economy, nature

As can be seen in *Figure 16*, the sustainability concept is a broad sustainability concept, having five dimensions: social sustainability, local values, economy, nature and environment. In relation to planning, these sustainability dimensions of the 'flower' and specific implementation objectives are stratified across the level of building project, local plan or municipal plan, and are used to assess all such projects. In the case of Aalborg Øst these dimensions are used to assess some of the post-2011 local plans on a number of these parameters, such as describing how much the plan contributes to implementation strategy objectives, and in some local plans specifying which of the 'sustainability flower' dimensions that the plan supports. For instance, in the large construction work of Local Plan 4-4-109 (University Hospital) a separate sustainability report is made, and the local plan lists the aspects that relate to sustainability dimensions, such as how the plan supports local values etc. For each objective and each level of planning, specific means are used, such as how nature is preserved, recreational options, whether the construction work is using locally produced goods, etc.[77] Accordingly, the same objectives and demands are not strictly pursued in each given local plan or development project, instead it is assessed on which sustainability dimensions and on which objectives the local plan can contribute (ibid.).

Figure 16: The five dimensions of 'the sustainability flower', being applied in a contextual manner in order to assess sustainability potentials in each and every plan and project
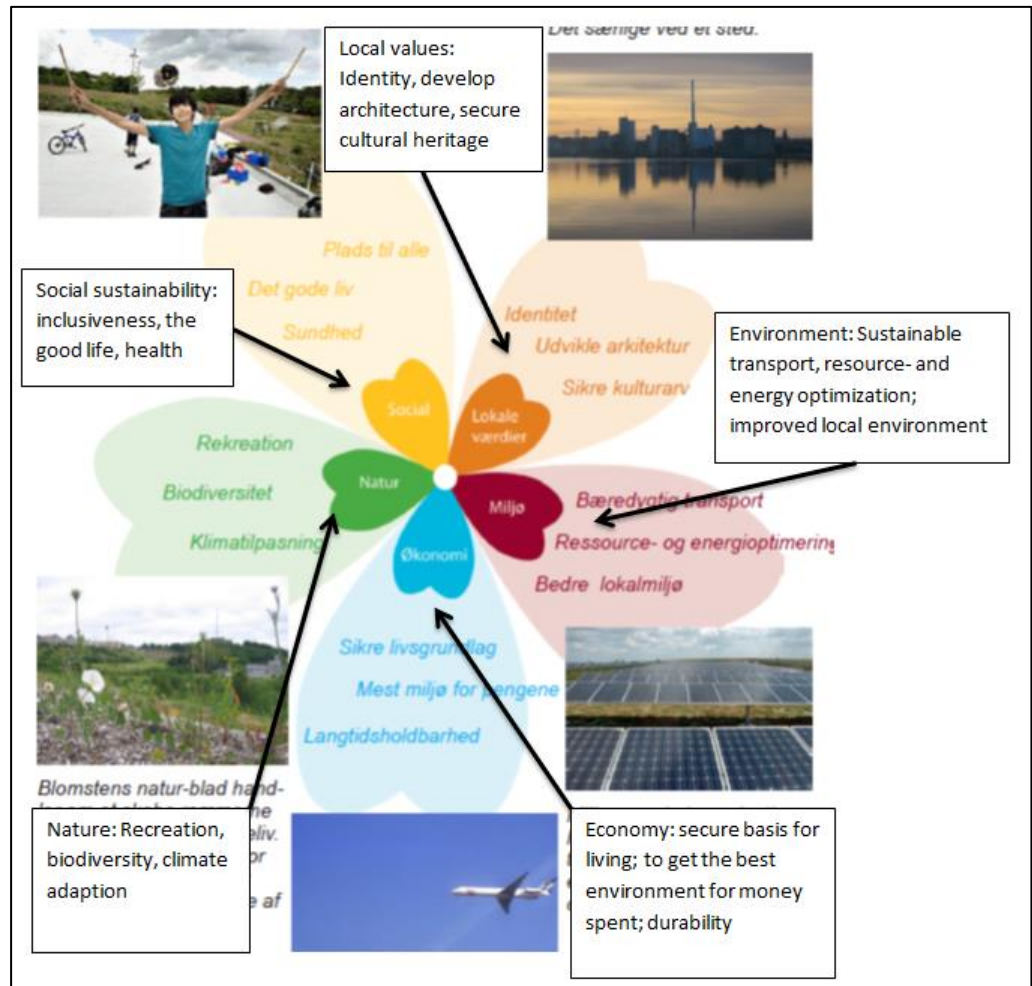
University Hospital

When interviewing a planner (City of Aalborg) and the person responsible for the construction (Region of Northern Jutland), both parties mention the very efficient and good cooperation relations. As a result, neither issues relating to city functions nor sustainability have been a conflictual issue. However, due to the funding of the project, the governmental 'quality-fund money'[78], the spending of the money is subject to a high degree of regulation, which means that for instance the Region could not support some of the municipal ambitions of contributing to green the area, in terms of planting a lot of trees at the hospital area. Another subject in interviews was concerning establishing city functions and urban space in the area, for instance whether the plans of making a kindergarten inside the hospital area posed a problem or whether the City would demand urban space within the hospital facility; however, this was quite uncontroversial since such a facility is required for the people working at the hospital. So according to planners, neither part of the sustainability and place-making norm has created any challenges.

A main obstacle, the absence of which could have contributed with more functions for the hospital, is that when public authorities in such projects are developers, such as the Region, the money that is not used has to be deposited in a closed account. This makes it unattractive to make public-private-partnerships, by, for instance, 'making things that are nice to have around a university, but not part of the project, such as a Patient Hotel, Hospital Pharmacy' (Responsible for construction, the Region). Accordingly, the spending of state/regional funds are very fixed and difficult to adapt or activate in order to create additional spin-offs.

Thirdly, the municipality recently has become quite adamant in how waste water should be purified, relevant because of the high degree of medicine in hospital water. This would require a two-stringed sewage system, one for the critical water and one for the regular waste water; consequently, the Region is considering purifying the water themselves, not having to use municipal sewage facilities.

However, besides these issues, the project has been a very smooth process, most likely because all politicians involved at both regional and municipal level have an interest in a successful project (interview, the Region, ibid.).

The University Campus

Concerning the redevelopment of the University, some of the challenges of transforming the campus area into a more urban and high-profiled area have been touched upon in the above sections. What a representative from the university is a bit disappointed about is that the City is not that proactive in terms of redeveloping university roads and sidewalks and updating their requirements in local plans for less parking lots and a higher building percentage, i.e. the transformation of suburbia towards urbanity.

Besides these issues, the University itself has proposed to contribute to the actual re-branding of the Aalborg Øst district as a dynamic and non-segregated area by designating their name to the district; before, the University actually was part of a minor, rural village district, 'Sønder Tranders'. So this rhetorical move has been approved by the City. Accordingly, the University is now a part of the city district of Aalborg East. Furthermore, the University has proposed a project as part of the University Park called the 'urban corridor'[79], a corridor running parallel with the

future light rail, contributing as such both with a more urban character to the district and university, but also trying to support the future economy of the light rail in terms of more customers (Planner, Aalborg University).

In addition, the University has, in cooperation with the Himmerland Social Housing Association, owner of university buildings the Governmental Building Agency ['Bygningsstyrelsen'], and the municipality, made a comprehensive plan for the area, in a way that supports urban development, thereby creating an open, urban facility corridor, useful for the public, as shown below (blue-lined box, draft version of Comprehensive Plan)[80] : This urban corridor thereby connects the sports-facility 'Gigantium' in the bottom of the image (i.e. the western part of Aalborg Øst) with the university and university hospital.

Figure 17: Development Plans for a more dense, urban and open university - the Urban Corridor (blue-lined box)

Gigantium[81]

In the Gigantium area of Aalborg East, the main challenge is to develop a sustainable light rail neighbourhood. The Gigantium neighbourhood is in a transition phase due to an obsolete planning foundation going back to 1987. Landowners in the neighbourhood have owned their plots for around 10 years, and now the future developments for the neighbourhood along the lightrail and Gigantium have to be in alignment with the new investments, such as the light rail and the University's ambitions of making a campus area. So currently, planning is taking form not as making actual plans, but instead making a process with landowners, to formulate a vision and sub-visions and creating political ownership to the process.

Former plans emphasised so-called 'city fingers' with areas of parking in the middle and business on each side; this is a model that is highly monotonous concerning use. This ideal is not compatible with a mixed-city ideal. Furthermore, earlier plans did anticipate a high-class public transportation system, but anticipated a bus-road instead of light rail, having the consequence that stations were not part of the planning, and, hence now these stations have to be used as a means to create density and functions:

"what we want to avoid is a traditional planning process in which we first make municipal plan and then a local plan based on some architectural sketch plan. That's what we want to avoid. Instead we combine an investigation of market conditions, we enter a dialogue with estate agents and with city stakeholders: What kind of dwellings are demanded? Further, we have an internal process about types of dwellings, exploring future dwelling type needs and how they develop, especially here in the Gigantium neighbourhood. For instance, concerning dwellings for the hospital, doctors. Gigantium is a sports and culture function that may spur some different types of dwellings" (interview, planner)

Obviously, such an open development process generates some uncertainty concerning trade-offs between profitability and development, something that the Gigantium-neighbourhod stakeholders have not discussed yet:

"I: If you are a developer, you most likely would want that your dwellings all look alike, i.e. standardised projects. So how do you get profit-oriented landowners to develop something more context-sensitive and which match more progressive types of housing concepts?

R: Well, you have just used some of the words very much relevant in this dialogue-based process. We are still searching for models of how to do it. At the moment, we are in a an unsettled phase, we haven't discussed such thoughts with landowners yet, but what we aim at is to come up with a suggestion for how to make a process that enables us to develop something together (...) the main objective is to make visible the added value especially concerning real estate value, the rent, to develop some solutions across plots, for instance by reducing some costs if landowners wants to develop cross-plot solutions – but we are not there yet. For now, it's all about making a good process and hopefully avoiding parcel-narrow solutions."

So currently, the planning process for the Gigantium neighbourhood is focused on how to best match the demand for dwellings, to make cross-plot solutions in

order to make a coherent area with progressive types of dwellings, and to explore how the neighbourhood could be connected with the surrounding environment. Concerning sustainability, making a mixed, compact and mobile district without having to use cars as a means of transportation are core elements in such a sustainability strategy. Furthermore, sustainability is also to have a green city, something that people in Aalborg demand.

Himmerland refurbishment: Urban Living Lab approach

The Danish social housing sector is managed by private, non-profit housing associations governed by a system of democratically elected tenants. The democratic component is strong in the model: Tenants' representatives decide on day-to-day management decisions at estate level. Large-scale refurbishments have to be approved by an absolute majority of tenants at a general meeting in the housing estate. Tenants' representatives constitute the ruling majority of the housing council that elects the executive board of directors, and they hire and fire the housing CEO.

Inspired by a smart city agenda, Himmerland cooperates with the Danish Building Research Institute (DBRI, Aalborg University) to set up a series of urban innovation labs to explore green solutions in relation to the current refurbishment of Kildeparken. Himmerland and the Danish Building Research Institute organise a public-private *energy partnership* supported by a grant from the national government to analyse and test all relevant 'future proof solutions' in relation to the refurbishment. The strategy is to optimise on green solutions exemplifying the smart city approach in relation to the actual building process to improve the quality and attractiveness of the estate. Ultimately, the Himmerland strategy is to push for a fundamental improvement of the district and stimulate a shift in the ways in which public, private and civil society actors perceive and interact in relation to Aalborg Øst:

"Our 'smart' strategy in the refurbishment of Kildeparken is to make a partnership formation that works over time, that works continuously with changing technical solutions, coordinate synergies, follow up on experiments, talk to residents, arrange temporary building applications and so on. In this way the partnership assists the dynamic and evolutionary approach in an urban development process, to us it stands for a sustainable organisation of the district that supports the living process" (Head of development, Himmerland)

As a stakeholder in developing Aalborg Øst, Himmerland pursues the 'smart' approach to influence decision-makers and local institutional stakeholders, trying to stimulate cross-sectoral thinking and action and engage actors in new 'smart' and integrated projects. Himmerland has a strategic interest in exploring whether the many public and private investments currently underway result in better integrated and more efficient solutions benefitting the social housing district. By 'smart' the association refers to[82]:

- An integrated systems approach

- A strategic bottom-up approach that interacts with existing and emerging urban policies and strategies concerning the area

- Systematic optimisation of energy efficiency

- Building on existing resources

- Smart infrastructure

- Shared use and joint solutions

- Inclusive, experimental and innovative

At the outset of the urban lab process in 2013 the main objective was to upgrade to comply with the provisions in the *Danish Building Regulations 2020* and to implement architectural and urban design solutions of a high standard to attract new residents to the area[83]. A secondary objective of the partnership is to analyse the energy efficiency aspects of the actual refurbishment in relation to macro analysis of the long-term energy provision system in Aalborg Øst and the region in order to find a balance between optimisation at building level and optimisation at energy system level in terms of energy efficiency.

Results

Sustainability, place-making or an intersection between those have so far not generated conflicts in the this part of the district; the main challenge seems to be that the planning process takes time due to coordination and synchronizing plans. The main reason for this lack of conflicts seems to be that everybody has an interest in the success of Aalborg Øst district, and hence making regulative conflicts fewer, as these are negotiated as part of the planning process. However, concerning sustainability, the research has been explorative on this part, and perhaps further dilemmas would have come to the fore if a more narrow focus on sustainability had been pursued. Further, what is also revealed in the interviews, for instance concerning the Gigantium neighbourhood, is that the decision concerning the light rail is of recent date, and consequently specific projects have not been launched until now. Instead, much effort is put into establishing dialogue and processes in order to collaborate with landowners and politicians, so that obsolete suburban types of local plans can be adapted to the new Aalborg Øst district (sustainable, dense, mobility by means of light rail). Thirdly, the overall sustainable strategy of the City of Aalborg is highly flexible. It consists of central-administrative and political goals, combined with a 'broad', multidimensional sustainability concept at the local plan and project level; hence, the logic seems to be that sustainability is pursued in all projects, but the type of sustainable dimension pursued depends on the project. Arguably, this sustainability provides flexibility at the local level in the planning process, enabling most projects to contribute in some way or another to sustainability.

In the next section, the norm of countering segregation is described.

Countering segregation by means of development and investments

Like Copenhagen, Aalborg has been engaged since the end of the 1990s in countering segregation. First by means of the biggest state-funded area-based initiatives ('Kvarterløft'). Next, in 2009, by means of a new comprehensive social plan launched by the social housing organisations in the area, funded by the Danish National Fund of Social Housing Organisations (in Danish 'Landsbyggefonden', my translation)[84] [85]. However, despite these rather ambitious comprehensive programmes, the social housing area of Aalborg Øst still has a bad reputation[86], especially concerning crime, and the average socioeconomic characteristic of the residents in the area is significantly below city average in terms of income, number of single households, employment rate and education.

Small-scale strategic steps and large investments are key for changing the disadvantaged neighbourhoods of Aalborg Øst. Based on the City-in-Between competition and the regional and municipal announcements, efforts are being made in order to make sure that the entire Aalborg Øst city district is part of the main growth axis in the region. These efforts could provide the ill-reputed social housing areas with a chance for countering segregation by means of supporting and utilizing this growth agenda.

As in the Copenhagen Sydhavn (growth area) and the adjacent Kgs. Enghave Neighbourhood (disadvantaged area), the challenge is how to enable the massive investments in the Aalborg Øst District to have a spill-over effect for the social housing areas. In this process, the proactive role of the Himmerland Social Housing Organisation and the strategic priorities of the municipality are of vital importance. Himmerland is engaged in most networks in the area, including the Business Network of Aalborg Øst and former 'Suburban Thinktank'. Furthermore, an ambitious health-and community house has been completed. Further, a massive 'green' renovation of the social housing dwellings are being implemented, and a contract with the developer company MT Højgaard has in March 2015 been signed for the construction of condominiums in the area in order to increase tenure and social mix. And finally, the housing organisation is engaged in a 'culture hangar' in order to make more activities for young people, and is in addition trying to develop a new housing concept focused on entrepreneurship.
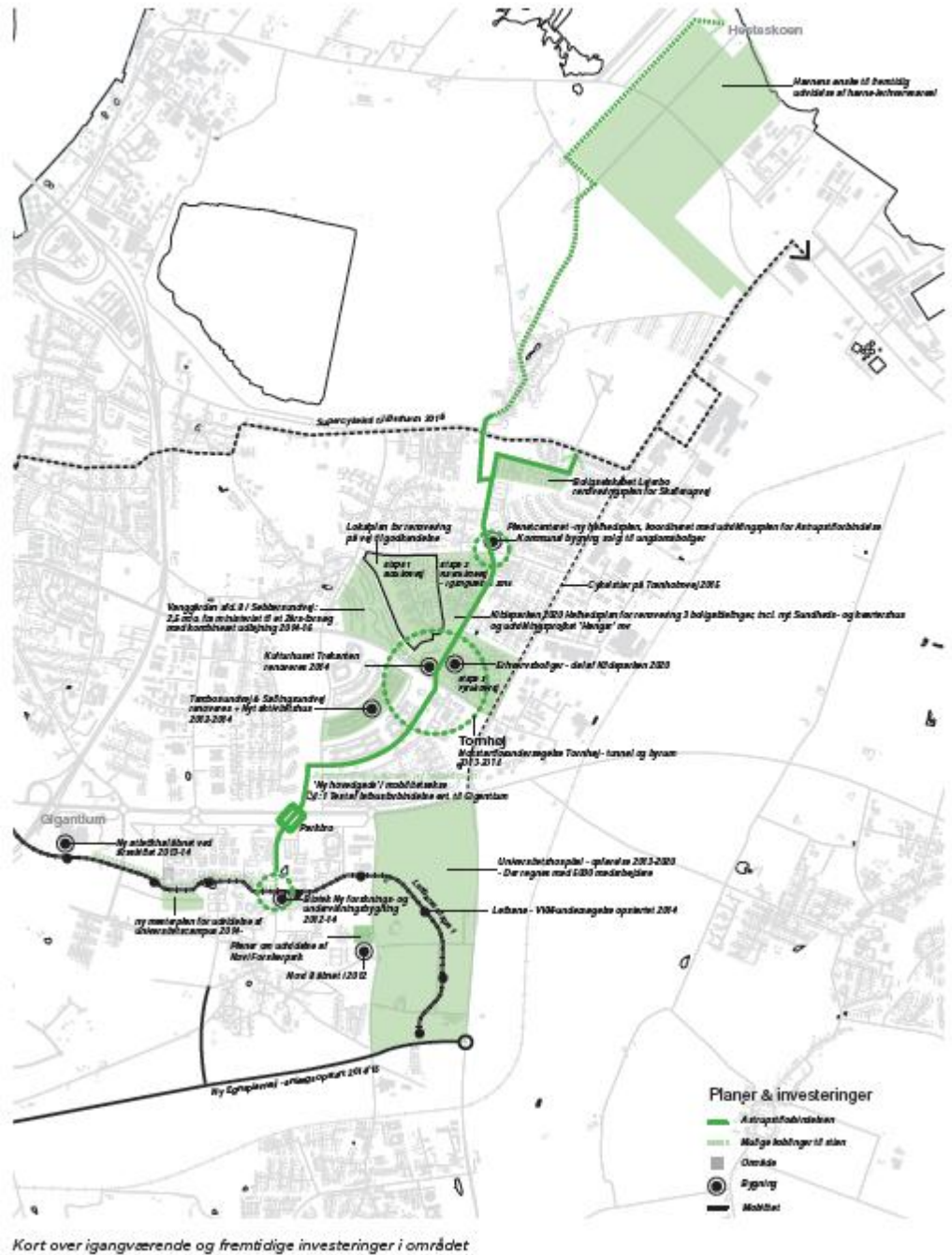
The municipality's role in this counter-segregation agenda is first of all to make a structure plan for the entire Aalborg Øst district that will create certainty concerning infrastructure, and consequently enable local plan development. Of importance here is the North-South going Astrup Path, on which a new city centre (Tornhøj Centre) is planned, located close to the social housing areas of Himmerland (the 'Kickstart Tornhøj'-project), connecting vital functions in the city district and hopefully facilitating investment in the area. Secondly, the City has made budget priorities along the Astrup Path (a 'light-bus'), especially close to the future Tornhøj Centre, in terms of upgrading a culture house ('Trekanten), and placing public workplaces in the area (a day care institution, a dementia nursing home and a handicap home), as well as maintaining the running of the local school in the area – all in order to increase mobility and increase the number of activities and city functions in the disadvantaged and/or non-growth areas of the city district. Municipal resources for collaborative commitment and physical construction projects are supplemented with funding (Realdania).

On a grass-roots level, a citizens network, Borgerforum (Citizens Forum) is applying funding for socio-economic/social innovative projects, and temporary activities related to youth is made on a running basis (http://givrum.nu/en/), and further, a community activity facility is located in the Community Health House ('Kvarterværkstedet').

Figure 18 shows a detailed geographical image of the Astrup Path and the points of mobility that is supposed to be strengthened. In the south (green rectangle) is the future university hospital and from the west (black curve) is depicted the future light rail. The green line running from the south to the north is the Astrup Path, connecting the northern part of Aalborg Øst (the Port) with the light rail, and through that, making it possible for citizens to connect with hospital, university, Gigantium (sports and culture facilities) and central Aalborg.

Kort over igangværende og fremtidige investeringer i området

Source: Kickstart forstaden – Aalborg Øst, forundersøgelsen. Realdania, (2014), p. 31

So, countering segregation in Aalborg Øst by means of growth, mobility, collaborative commitments on various levels of engagement and facilitating investments involves the following stakeholders:

- Social housing organisations

- Municipality

- A national Fund (Realdania)

- Stakeholders related to Tornhøj

    o Welfare service administrations (schooling, day-care, disability, elderly, culture)

    o Local businesses

The following examples of public regulation related to the counter-segregation norm in connection with the City-in-Between/Aalborg East development are as follows:

- Developing Kildeparken, a social housing area (master-plan level)

- Constructing a community health house in a disadvantaged social housing area; Step 1 in the development of Kildeparken (Local Plan 4-6-102: Sundhedshus, Fyrkildevej, Smedegård)

- Refurbishment of Kildeparken; Step 2 in the development of Kildeparken (Local Plan 4-6-105: Bolig, Ravnkildevej. Smedegård)

- Constructing condominiums and other experimental housing types in a social housing area in order to increase the social mix (Local Plan 4-6-104: Boliger, Blåkildevej, Smedegård)

- 'Kickstart Suburbia'-project: Ensuring the future financing of a local community centre (Local plan in process), Tunnel improvement and re-defining a local culture centre, the 'Triangle'.

Developing Kildeparken
Kildeparken is a social housing area consisting of around 1050 dwellings, owned by Himmerland Social Housing Association. Several plans are relevant for the development of Kildeparken: Local Plan 4-6-102, being the first part of the overall development of Kildeparken, consisting of an innovative Community Health Care Centre with a wide range of functions; Local Plan 4-6-104, describing the second stage of the development, which is refurbishment of the dwellings in one of the departments in Kildeparken, 'Blåkildevej'; Local Plan 4-6-105 (in hearing), describing the renovation of a second part of Kildeparken, 'Ravnkildevej'. Besides these plans, a comprehensive plan exists, dating back from 2012 ('Kildeparken 2020 – foreløbig helhedsplan, parts 1 and 2), and another minor publication/brochure from 2015.

What ultimately has permitted Himmerland to influence planning in the first place is investment, entrepreneurial leadership. Concerning investment, a large sum of

money has been provided by the National Fund of Housing Organisations, subsidizing both renovation and the placement of a 'culture hangar' in the area; the social comprehensive plan for the area is part of this Fund application, describing how the refurbishment can lead to a general regeneration and development of the housing area. Ultimately, the refurbishment alone is estimated to around DKK 1. 3 bn, around EUR 180 m. The overall approach of the comprehensive plan is to employ recommendations from previous national disadvantaged neighbourhood discussions (Programbestyrelsen, Arkitektur Der Forandrer). These nine recommendations focus on mix of functions and types of dwellings, integrating infrastructure and mobility flows through the housing area, functionally define green wasteland, create identity through powerful architecture, and place locations/functions in the area in order to attract people from the outside (Kildeparken 2020, p. 3).

Community Health House

Local Plan 4-6-102 allows the construction of the Health House, the purpose being a cross-disciplinary health house, involving doctors, special physicians, dentists, physiotherapists, training facilities and network café as well as other community functions (p. 5). One of the backgrounds for the health house was the lack of doctors in Aalborg Øst as well as the lack of functions in the area; the health house is 'one of the first steps towards an open and active neighbourhood' (comprehensive plan, p.5). Furthermore, the Health House is located along a central road and has a distinctive architecture, marking a noteworthy break with existing monotone architecture, as the two images below exemplify

Figure 19: The old, two-storey buildings. Below the new Community Health Care Centre

Source: Images copy-pasted from resident-involvement programme concerning refurbishment of Kildeparken ('Ekstraordinært afdelingsmøde afd. 50, 51, 52. Renovering, p. 3,8)

Refurbishment of Kildeparken

In Local Plan 4-6-104 permission is granted to densify and refurbish the existing building stock along Blåkildevej. The purpose is to continue implementing some of the leitmotifs from City-in-Between and the Kildeparken Comprehensive Plan for developing the social housing area, thereby radically altering the expression of the buildings, allowing for different housing typologies and ways of living in Kildeparken (p. 4). The purpose is to increase quality, aesthetics and the functionality of housing area. Further, the local plan allows for parcelling out foundation plots for condominiums or garden-courtyard houses, usable for co-operate dwellings. The image below depicts delineates the area be renovated in this first refurbishment phase (white line); the Astrup Path ('Astrupstien') is to the east, and to the south Tornhøj Shopping Centre ('Tornhøj Centret'), i.e. the Kickstart area:
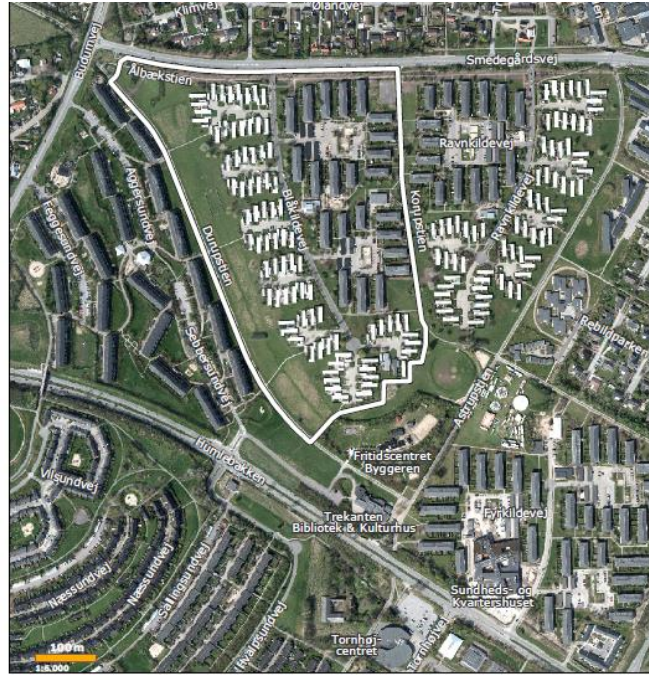
Source: Local Plan 4-6-104, p. 3

In Local Plan 4-6-105 (under consultation), the permission is likewise granted for second part of the refurbishment, emphasizing the variation of buildings in the area (image below).

Source: Local plan 4-6-105 (under consultation, p. 13)

The first image below from the local plan (*Figure 20*) depicts the housing area to be renovated in Local Plan 4-6-105 ('Ravnkildevej'), an area located just east of

the first-phase refurbishment of 'Blåkildevej' described above; the next image (*Figure 21*) locates this area in connection with the Astrup Path (red dotted line), the expected bus-line running on the Astrup Path from the North and down to the University Campus Area in the bottom (red S-stops) and the Tornhøj Centeret, i.e. components in the 'Kickstart Tornhøj'-project (follows below):

Figure 20: second part of refurbishment - 'Ravnkildevej', housing section located east of Blåkildevej, The Astrup Path running adjacent to the area to the east

Source: Local Plan 4-6-105 (in consultation, p.4)

Figure 21: mobility and public transportation lines

Source: Kildeparken Comprehensive Plan, p. 18.

Constructing condominiums and other experimental housing types

A central part of developing Kildeparken is tenure, not only difference in type of dwelling and architecture. One of these types of tenure is condominiums in architecturally distinctive small tower blocks, as can be seen in the images below. The first image is from Local Plan 4-6-105, showing how the private condominiums in a tower-block fashion (4, 5, 7 or 8 stories, still not decided) are intended to alter the physical expression of the area; the other image from Local Plan 4-6-104 likewise demonstrates this shift. The objective is about 200 condominiums/privately owned dwellings; currently, a developer has been found for the first four tower blocks, around 80 dwellings.[87]Obviously, just like the architectural distinctiveness of the Community Health House, the distinctiveness of the tower-blocks is a powerful symbol of novelty.

Figure 22: The tower-block concept in Kildeparken
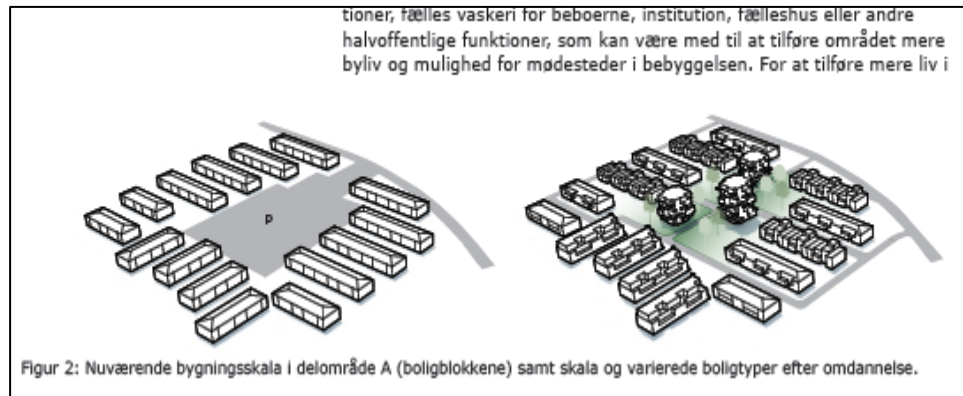
Source: local plan 4-6-105

Figure 23: The Tower-block concept in landscape, visualised. Left side visualises current situation, right side visualises the post-tower-block situation


Source: local plan 4-6-104

Kickstart Tornhøj

The final part of the strategy against segregation is the so-called 'Kickstart' project related to an area called Tornhøj', a project which is being currently (2015) developed (Kickstart Forstaden (2014): Aalborg Øst).[88]

Tornhøj is an area located just south of Kildeparken and north of the university, as depicted in figure below (green, dotted circle). The purpose is to create a local centre for this part of Aalborg Øst, and is the first step in order to implement a strategic use of the Astrup Path as a mobility function intended to integrate the different functions along the Path, from light rail in the south to the Port in the north. As the image further down below indicates, the area consists of a culture house called 'The Triangle', a worn-down, small mall, the new Community-Health House, , and a school. The image below shows the Astrup Path (Green line) and the Kickstart-Tornhøj area (large green-dotted circle in the middle. To the south is the future hospital (green rectangle) and Aalborg University west of the hospital, demonstrating how the Astrup Path links to University and future light rail station (small green-dotted circle in the bottom, the black dots and line symbolising light rail and stations):

Figure 24: The Kick-start area - Tornhøj
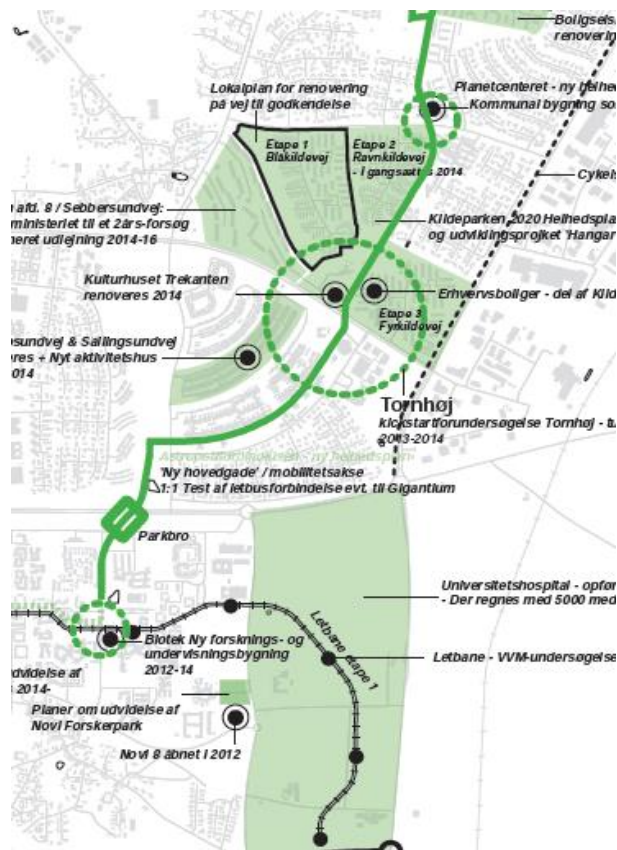
Source: Kickstart Forstaden (2014): Aalborg Øst, p. 31

The content of the project is to make a more attractive urban space, including dwellings and business, so that an otherwise gloomy tunnel and a worn-down mall can be revitalized; further, the tunnel has to be reconstructed in a way that permits an electric bus to run along the Astrup Path. Accordingly, the project is part of a more long-term strategy, in which the Kick Start project is a so-called 'opening

[107]

move', intended to 'kickstart' further investments and developments. The means to do so is to create certain points of functional density along the Astrup Path, hopefully slowly increasing the mobility along this Path. The overall aim is to facilitate the likelihood of business cases (Kickstart Forstaden 2014: Aalborg Øst).

Although the project is rather modest concerning financial scope (around EUR 7 m), the stakeholder-constellation sponsoring the development project is important and somewhat intriguing in an Aalborg context, demonstrating attempts of combining growth, disadvantaged neighbourhoods and collaborative involvement across societal sectors (business, fund, full range of local governmental administrations) – all stakeholders activated in order to develop a business-case concept in a piecemeal way. First of all, the philanthropic fund, Realdania, who also sponsored the City-in-between competition, co-finances the project and is running the process; furthermore, local stakeholders, including Himmerland, but also the welfare administrations have ambitions of supporting the project by means of placing public institutions in the area. So, although a rather modest project, the Kickstart-Tornhøj project is the first specific physical plan-expression of the concerted action across members of city council and the growing strategic consensus across municipal administrations. It could also be decisive in the future in terms of exploring opportunities of synergy between planning and welfare, including investment dilemmas for stakeholders belonging to these municipal sub-systems.

In the next section, I describe the challenges related to the project, identifying whether the attempts of countering segregation implicate any conflicts concerning regulation or of the 'norm' as such.

Conflicts related to the countering-segregation norm
Introduction

The conflicts related to the norm of anti-segregation are in general not regulative in nature, according to municipal planners, social housing representatives, and representative from the local culture house, 'The Triangle', located next to the 'Kickstart Tornhøj' area. Instead, they are associated with how to cooperate and of figuring out how collaboration can generate synergy, how to make use of each other. Of course, a major aspect of the project is how to develop business cases for future investors or developers; however, this aspect is not part of this report. Concerning this intervention, a consensus can be identified across all stakeholders, also business network and university, in terms of commitment to a growth- and –development agenda. The norm of countering segregation is linked to this broader agenda. However, this has not happened by coincidence, but is to a high extent created by the social housing organization Himmerland, subsequently supported by business network, municipality (administratively, politically) and university, and, hence, improved cooperation between municipality and social housing organisations.

Past cooperation problems between social housing organizations and municipality
In start-2000, cooperation between municipality and social housing organizations were almost non-existent as a result of poor cooperation in relation to the rather massive neighbourhood-revitalization program 'Neighbourhood Lift' (in Danish, Kvarterløft'); the municipality was managing the state funds, but had little

knowledge of the social housing organizations and how they perceived of the challenges in the area (according to interview, Himmerland informant). According to a municipal planner, this historical narrative is obviously somewhat different, indicating a somewhat reluctant and rigid housing sector. When the National Fund for Social Housing Organizations by means of governmental housing agreements were dictated to fund social comprehensive plans, Himmerland Social Housing Organizations used this opportunity to engage in a new dialogue with municipality and engage in municipal networks; here, municipal challenges and objectives were communicated, such as municipal responsibility for preventive health care, formerly a regional task; this was an inspiration that first of all resulted in a social comprehensive plan as well as The Community Health House.

Health House and testing out new legislation
The Community Health House was made possible by means of new legislation; hitherto, regulation concerning which activities social housing organizations were permitted to be engaged in were limited. However, new legislation concerning side activities (see Copenhagen section above: Side-activity regulation: a barrier for) makes it possible for social housing organizations operating in those disadvantaged neighbourhoods figuring on a governmental list to engage in wider activities. Himmerland made use of this new regulation in order to facilitate business in the neighbourhood. So, blocks were demolished and a Health House was constructed, permission granted by Housing Ministry. However, due to EU regulation related to tendering, the financing had to be part of such; this created some commotion, as one of the finance institutes involved created working groups on the matter, attracting the attention of Housing Ministry, who u-turned and now perceived of the demolishing of building blocks as illegal. However, the National Fund of Social Housing and Himmerland had a different interpretation of the Act, and further, the blocks had already been demolished, and so the regulative conflict concerning side activities faded out. So, this conflict demonstrates a conflict related to what side-activities social housing organizations are permitted to be engaged in, and also, what role this type of housing sector should play in society. Housing organizations want liberty to pursue ideas; but on the other, past experience (according to informant) also demonstrates that in the 1960-1970s, social housing organizations were very expansionist, constructing large malls, a sort of activity which ended in bankruptcy and huge debt in the social housing sector. Accordingly, the housing sector has since then been more tightly regulated by government.

Entrepreneurial housing organizations: what are the regulative limits?
The leadership and entrepreneurial activity of Himmerland Social Housing Association constantly challenges and tests the regulation of the social housing sector, as the Health-House case demonstrates. One the on hand, Himmerland is engaged in a project that seeks to improve the health condition of residents; on the other hand, government representatives may fear that such a project may jeopardize the economy of the housing association. This implies that a potential regulative and political conflict is enacted concerning the future role of housing organizations in disadvantaged neighbourhoods related to how to counter segregation and improving the quality of life for citizens by means of dwelling-related opportunities and services.

Another example that triggers such conflict is provided by Himmerland. The existing building regulations ('Byggeloven';'Bygningsreglement 2010') also

[109]

concerns the social housing sector, in which the sector is subject to regulation emphasizing energy efficiency in new construction. In case the social housing association wants to construct housing of a higher energy standard than the 2010-standard, such as the voluntary 2015 and -2020 standards, City Council can allow for this even though the housing organizations violates the maximum amount concerning construction of social housing ('Lov om Almene Boliger m.v. §115a'; 'MBBL: Alment nybyggeri lever op til højere krav end forventet'). However, as housing organizations do not have lucrative funding methods, it is difficult for organizations to pursue such sustainability objectives while also not putting a too heavy burden on the resident's rent. And furthermore, related to this, housing organizations are due to 'side-activity' regulation in The Social Housing Act not permitted to produce energy on their own plot that could benefit other building owners; and to implement minor energy-producing solutions, such as solar panels, could easily be in vain if not coordinated with energy-supply companies. As the housing stock is renovated to higher energy standards, loss of heat in the energy supply pipes take on a relatively higher percentage of the costs, making it difficult to achieve as big an energy saving as possible if a solution is not found in collaboration with energy-supply companies[89]. As a result, Himmerland and DBRI, Aalborg University, have engaged in a project to spur dialogue with supply companies in order to address this issue, i.e. an Urban Living Lab. A third example is obsolete dwellings. According to Himmerland, it would be 20% more cost-efficient to tear down the buildings and construct new ones; however, in doing so, you cannot apply for funding at The National Association for Social Housing and, as a result, parts of these buildings have to preserved. However, a demolishing would provide greater flexibility for altering the obsolete, physical structure of the neighbourhood.

As the example demonstrates, housing organizations such as Himmerland has difficulties in being a driver in an urban-fringe area due to The Social Housing Act, limiting dwelling-related business-and service provision (Health House), limiting also ambitious sustainability objectives, also a re-branding attempt for the city district of Aalborg Øst. However, the specific regulative options concerning side-activities in disadvantaged neighbourhoods have to some extent had the intended effects, allowing Himmerland to construct a Health House and also to develop a new housing concept ('Erhvervsboligen i Aalborg'), so-called 'business-dwellings', (see image below) in which one-person businesses (university students with a good idea, bicycle repair-shop, etc.) can acquire a combined dwelling- and business. This project is made possible by means of collaboration between municipality, business network 9220, Fokus Folkeoplysning (concerned with social innovation) and the philanthropic fund Realdania. Such project would not be allowed if those regulative changes had not been made.

*Figure 25: Image of business-dwellings, intended to spur city-functions, business
and small-scale innovation in social housing area*

Source: Erhvervsboligen i Aalborg. Det gode boligliv, p. 1. [90]

Supervisory authority of the social housing sector
Several examples by Himmerland Social Housing Organization demonstrate that
the relation between state, municipality and social housing organizations has
changed during the last decade. In 2010, the supervisory authority of social
housing organizations were moved from state to municipal level, the so called
'Governance Dialogue', the purpose being increasing the cooperation platform
municipality and housing organizations, thus providing an increase of method
options, such as improving the initiatives in disadvantaged neighbourhoods.
However, as the Himmerland examples demonstrate, small-scale entrepreneurial
activities, for instance, running a fitness centre in the Health House, typically runs
counter against blurry state legislation (The Social Housing Act), making it
difficult for government officials to figure out what is legal or not. Accordingly, a
regulative dilemma exists between having state legislation with some general
restrictions in order to control and focus the core-activities of the social housing
sector on the one hand side, and, on the other, the demand for more flexibility and
liberty at the local level in order to make changes in disadvantaged
neigbhourhoods. The current assessment of the 'governance dialogue' is that the
increased dialogue between municipality and social housing sector is successful,
but also, that cross-administrative capacity building and the supervision requires
many municipal resources[91]; if further responsibility is transferred to the
municipal level, this resource burden would be increased, implicating an increased
risk of municipalities not being able to properly supervise the housing sector.

Involving welfare-service administrations
Although some welfare-service administrations are currently involved in the
Kickstart Suburbia/Tornhøj-project, this involvement hasn't come easy.
According to a planner, the respective administrations have different traditions for
short term or long term-strategizing, planning administrations typically operating
with up to a year-2050 forecast, whereas welfare-service administrations, such as
schooling and family & employment deploy short-term forecasts (interview,
planner). However, planning projects may provide welfare-service departments
with opportunities for additional finance and service-improvements, and these

[111]

opportunities make it attractive for welfare-service administrations to support planning projects in Aalborg Øst. The following synergy examples have been mentioned by interviews as welfare-administrative advantageous, although in rather broad terms:

- The culture house, the Triangle, was about to be shut down. Politically, however, things turned out differently, and City Council decided to maintain the Triangle in Aalborg East. For the Culture Administration running the Triangle, it turned out that by supporting the Kickstart Tornhøj-project by maintain the Triangly, the philanthropic Fund, Realdania, would double up this municipal investment. Accordingly, this example illustrates a budgetary advantage for the Culture Administration (interview, planner and city official)
- The Elderly & Handicap Administration could place handicap dwellings in Aalborg East close to the Astrup Path; in this way these citizens could use the sports- and café facilities already operating in the area, thereby saving some money. Currently, this housing project for people with minor disabilities is being developed, exploring how local stakeholders could utilize and contribute to such new dwellings and related services to the fullest[92]
- The school administration running the somewhat ill-reputed local school located in Aalborg East, Tornhøjskolen, may use the urban development of the district to modernise and re-brand the school, hence increasing its popularity[93] .

However, these examples are rather few in number. Their scarcity most likely indicate that growth approaches for countering segregation may be successful as a slow gentrification process, perhaps resulting in increased social mix and a higher attractiveness of the city district, and, hence, lower area stigma and less social segregation over time. Despite this, the net contribution of such urban planning for addressing more complex social problems has at the time of writing not been fully neither developed nor voiced in the Aalborg East development. As urban development in a suburb as Aalborg East is dependent on the joint administrative support, how growth can enhance the efficiency of social policy is an issue that warrants further inquiry, especially for suburbs who do not experience the same amount of growth.

Co-financing and co-maintaining urban space: how to establish a 'BID'-like model

According to a planner responsible for the 'Kickstart' project related to Tornhøj, a main problem is that so called 'BID's, (Business Improvement Districts), are not allowed in Denmark. This makes it difficult to construct and maintain a public space in the long run in relation to the Tornhøj area along the Astrup Path. BIDs are private-public cooperation concerning the co-financing and co-maintenance of urban public space. Related to the section of this report describing the new active regulation tools in a Danish context, planning in Denmark has slowly moved towards involving private parties in creating urban space (see 'Context of the regulation dilemma: The planning system in Denmark' above). Currently, The City of Copenhagen, a private company (Jeudan) and the philanthropic fund Realdania have pursued an investigation concerning what the potential is for such concept in a Danish context[94]. This investigation displayed that two types of legislation have to be changed in order for BIDs to be established in Denmark, the Planning Act and the Urban Renewal Act ('byfornyelsesloven'). The Urban Renewal Act emphasizes that state funding can only be granted to municipalities in relation to activities in distressed cities and city districts; accordingly, well-

functioning, but not thriving, city districts would need to be included in such legislation. The Planning Act further does not grant municipalities the right to make BIDs part of local plans (Business Improvement Districts, p. 49). Accordingly, the City of Aalborg is considering how to combine the new active regulation tools related to landowner-associations with elements of the Urban Renewal Act, in order to enable co-financed urban-space interventions in disadvantaged neighbourhoods, despite weak business cases.

Results

The approach taken to counter segregation in Aalborg Øst is by means of development and investments. These include first of all refurbishment and re-branding of social housing area, including novel types of architecture, new types of social-housing dwellings, new types of tenure (condominiums, 8-storey tower blocks), and a general upgrading of existing building stock. Furthermore, a social-housing driven community health house, containing several functions related to health. Accordingly, the social-housing leadership demonstrated is significant, especially in terms of influencing planning discourse in a way so that the disadvantaged neighbourhoods of Aalborg Øst also benefit from the regional and municipal growth-ambitions concerning Aalborg Øst. Furthermore, a philanthropic fund has initiated a small-scale local-center development, paying much attention to a collaborative process. As a result of this fund-driven process and municipal engagement, most municipal administrations are involved in this project, demonstrating for the first time a concrete example of concerted municipal action across municipal sectors – the involvement and inclusion of welfare-service administrations in urban-planning processes are noteworthy. As a result of cross-administrative support, public functions are maintained and upgraded in the city-center area, especially a library- and culture house; further, functions related to nursery, schooling, elderly and disabled people are placed in vicinity of the center-area. This is the first step in a strategy towards creating increased mobility in this part of the area, enabling a north-south mobility that both includes the Port and enables people to connect to the future light-rail in the south, implicating easier access to sports- and culture facilities in Aalborg Øst and Aalborg City center.

What types of conflict has such an emerging norm triggered? First of all, the norm has been created mainly a social housing organizations, thereby overcoming disagreement in the past between social housing organizations and community, a result of a large-scale area-based program initiative in the 90s. A joint agenda concerning sustainability, health, mobility, and a more diverse portfolio of dwellings (types, tenure, architecture) is a cornerstone for improving these bilateral relations. In terms of regulation, a less restrictive state-legislation concerning side-activities of the social housing sector located in disadvantaged areas has likewise enabled the construction of a community health house in the area, although regulation still restrain the social housing sector company from developing initiatives. As a result, small-scale collaborations with different stakeholders are means to overcome such barriers. In a broader national context, these examples of regulative conflicts also mirror where to locate the supervisory authority of the social housing sector; much of this authority has been transferred to municipal level by means of a social-housing reform in 2010. However, due to past experiences of too experimental housing organizations, state supervision interprets regulation in a restrictive manner, conflicting with local experimenting in disadvantaged neighbourhoods. A further line of conflict, or barrier, has

hitherto been the involvement of welfare-service administrations in planning. However, initiative taken by planning and financial administrations to include these welfare administrations have contributed to this involvement. The result is increased public functions in the disadvantaged city-area, and also expected service-efficiency. Finally, in relation to the fund-and municipality driven kickstart-process related to a worn-down, local city center, a process is initiated concerning conceptual development: how to make attractive urban space in areas with no apparent business-cases for private investment. Combining elements of the Urban Renewal Act and The Planning Act may result in a BID-like model (Business Improvement District).

Results: Discussion of cross-case findings

If comparisons are made across the 'results'-sections above, some similarities exists that warrants further investigation concerning research in the urban fringe. These are related to issues of financing public space; the role of civil-society driven self-organization; disadvantaged neighbourhoods; and place-based leadership.

Financing public space is central in both cases, a condition that may seem as a surprise given the fact that both cases are located in growth-regions. In both cases, developing concepts on the basis of current regulation that allow for business cases to be developed and public facilities and −space to be collaboratively financed, implemented and kept up is a challenge. In both cases, combining legislation- and intervention forms from first of all the Urban Renewal Act and The Planninc Act is central. The Urban Renewal Act is mainly used to intervene physically and socially in a comprehensive area-based-initiative fashion, demonstrating functional aspects of cross-sector and −stakeholder collaboration and facilitation, in a context-sensitive fashion. Such an approach is pursued in Aalborg, but could also be pursued in Sydhavn Copenhagen as a means to facilitate interaction within and across land-owner associations, especially due to the emerging 'urban turn' needed in order to transform Sydhavn into a more urban neighbourhood. However, as the Urban Renewal Act is mainly being used in dysfunctional areas (physically, socially), regulative barriers exist. Currently, it seems as the exploration of the 'BID'-concept is a source of inspiration in both cases.

The role of civil-society driven self-organization is strikingly absent in both cases. The explanations provided is that in the case of Sydhavn, a post-industrial site doesn't have a public to involve to begin with, that the land is privately owned, and that temporary initiatives aren't a part of the Planning Act. Concerning Aalborg, the strategic confusion on all levels of planning and the numerous spin-off initiatives and attempts of influencing policy- and planning discourse likewise pose a barrier for involving citizens − what is there for them to be involved in? However, the strength of having different cases to scrutinize in the present report also makes it obvious that an approach of not providing civil society with the required institutional capacities for strategizing most likely will result in a civil-society that only may contribute in an 'add-on'-fashion. As can be seen in Sydhavn, this capacity-building strategy was never pursued fully; local-democratic committees have been formed since 2006, subsidized by the municipality. However, their strength appear rather humble, and obviously, their

role is at best as giving council if strategic partners permit these local-democratic bodies to enter negotiations. One might reflect on whether the same might happen in Aalborg Øst, as new twisting and turning of planning is taking place – now sustainability, next Smart-City, then industrial symbiosis, etc. – there never may be a right time or a pause to involve citizens/civil society stakeholders in a strategic way.

Disadvantaged neighbourhoods in both cases present a context for the growth-related development of the fringe-areas studied. In both cases, this context condition is reflected upon in terms of planning: can the disadvantaged neighbourhood support growth? Could synergy be created so that a trickle-down effect is happening in the segregated areas? Accordingly, in both cases, such growth-based planning logics could prove to be new avenues for regenerating disadvantaged areas in a more socially sustainable direction, supplementing former area-based, short-term perspectives. However, the extent and character of such trickle-down synergy is far from being fully developed. Hence, it is doubtful whether case-related attempts of countering segregation prove to be anything but a slow gentrification process; whether such slow gentrification is good enough for urban planning and for residents; and what the impact of such counter-segregation planning norm has in terms of targeting social problems – for instance, can synergy in terms of employment, education, stigma-improvement or service-improvement be acquired?

Finally, in both cases, local leadership is emerging when planning and regulation paralyse development. In Aalborg, specific place-based leadership is demonstrated by University, Social Housing Organization Himmerland, Aalborg Portland, Business Network 9220 and, in lower scale, the Culture House 'Trekanten', having the implication that planning discourse is gaining in detail, ownership, adaption, targeting and spin-off. This is a sort of discursive self-organizing, driven forward by leadership, enabled by a less top-down municipality. In Sydhavn, major developers take upon them this role in order to finish their businesses in the area, having a financial interest in improving the different land-owner parcels of the area; in such a market-based planning case, developer-leadership and public interest for having public facilities implemented go hand in hand. Although such types of self-organisation perhaps has a less romantic aura related to them in contrast to current emphasis on civil-society driven self-organization, these forms of self-organization seems to be the most viable ones to further refine in cases similar to the ones analysed in this report.

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University of Amsterdam
Project Management

Federico Savini
f.savini@uva.nl

Maarten Markus
m.p.markus@uva.nl

[1] Københavns Kommune (2014): Årlig handlingsplan for Sydhavn. Københavns Kommunes vedtaget budget 2015, p. 2

[2] The argument of strategic planning is promoted by former head of planning, Holger Bisgaard (2010): Københavns genrejsning, whereas Peter Hartoft-Nielsen (2011 'Faglig debat om Københavns genrejsning' promotes the latter argument of demographic change and urban regeneration (p. 59)

[3] Based on interview with, and analysis made by, Aalborg Port

[4] See the following homepage (Danish only), describing how sustainability, digitalization, development of new technology, industrial symbiosis etc. are linked: http://www.aalborg.dk/om-kommunen/strategisk-vaekst/smartaalborg.

[5] The following description is based on the following sources: (Naturstyrelsen, 2012).

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[7] This municipal obligation was reduced to 10% in 2012, as the 14% demand for subsidisation resulted in a decreasing amount of social housing construction: http://www.mbbl.dk/nyheder/nyhed/billigere-kommunerne-bygge-almene-boliger;

[8] This review of Plan '09 is based on the following publication: (Plan09 et al., 2010)

[9] http://www.byplanlab.dk/plan09/www.plan09.dk/Om+Plan09/Vision/index.html

[10] http://www.byplanlab.dk/node/815; (Skov & Landskab, 2012)

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[18] Social Housing Act, §13; (Ministeriet for By,Bolig og Landdistrikter, 2013. 18. juni)

[19] (Meyling, 2014), p. 11.

[20] Karsten Jørgensen, Jakob Klint, & Michael Tophøj Sørensen. (?). *Delprojekt 1: Planlovens muligheder for aktiv regulering - og samspillet med partnerskaber og byudviklingsselskaber.* (No. 1).Realdania; Miljøministeriet ved Skov- og Naturstyrelsen.

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[22] Kystdirektorat, 20-01-2014, Documentnr.: 12/00636-150: Krav til VVM-redegørelse for projektet Enghave Brygge, p. 1

[23] http://havnelauget.dk/

[24] Årsrapport 2014, Udviklingsselskabet By & Havn I/S, p. 4; 'Året der gik 2014' (http://www.byoghavn.dk/presse/nyheder/2015/rekordregnskab+2014.aspx; accessed June 2015)

[25] http://miljoegis.mim.dk/cbkort?&profile=plansystem

[26] Lokalplan 494 (19. Januar 2015), p. 3-4.

[27] Number according to Ministry of Environment's search engine http://kort.plansystem.dk/

[28] Københavns Kommune 2015, Documentnr. 2014-0237291-1: VVM-tilladelse til byudvikling på Enghave Brygge.

[29] The border strip is the space between the building and the outdoor public space, for instance, benches, strips of greenery, interactive facades of the building, small gardens close to the front-entrances of the building etc.

[30] Hearing notes submitted to Local Plan 494

[31] The Harbour Guild is an umbrella organisation for a wide range of organisations with an interest in preserving public, environmental and cultural interests in Copenhagen, such as

[32] The example description is based on the following planning documents: Local Plan 310, addendum 4; Local Plan 310, addendum 5; the municipal website for public hearings 'be heard' (http://www.blivhoert.kk.dk/), accessed February 12 2015; City Council Agenda, 13 March 2014: 13 forslag til tillæg nr. 5 til Lokalplan 310 (2013-0266127).

[33] Local Plan 310

[34] The example description is based on the following planning documents: Local Plan 494, 2015-edition

[35] http://www.illutron.dk/, accessed May 2015; see also a publication in which Illutron member Mads Høbye has written a chapter:
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[37] See section 'Communities in Transition' (2013-2014) above

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[39] The City of Copenhagens homepage, accessed February 16 2015:
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[40] Savini, F., Salet, W., & Markus, M. (.). (2014). *APRILab: Intervention dilemma descriptions.* (No. Deliverable 2a). Amsterdam, University of Amsterdam: Urban Europe joint programming initiative.

[41] Kommuneplanstrategi 2014, p. 5

[42] http://byensejendom.dk/conference/almene-boliger-for-40-milliarder-i-kobenhavn---nyeste-udvikling-425; http://mbbl.dk/nyheder/nyhed/nyt-lovforslag-sikrer-billige-boliger-i-hele-byen;

[43] Based on information from http://www.udbudsportalen.dk/Ret-og-regler/Tarskelvardier-for-20122013/, accessed ultimo May 2015;

[44] http://www.mbbl.dk/bolig/almene-boliger/regler-om-almene-boliger/etablering-af-almene-boliger/maksimumbeloeb-stoettet, accessed Ultimo May 2015.

[45]
https://www.statstidende.dk/default.aspx?pg=35.1.5.2144684&index=1&p=5,y&date1=21.02.2007&date2=21.02.2012&SearchType=1&mode=2&c=0&r=0&SearchTerm=alment+byggeri, accessed ultimo May 2015

[46] Source: Udmøntning af grundkapital til almene boliger (Københavns Kommune 2015), p. 3.

[47] http://www.kk.dk/artikel/nye-almene-boliger,

[48] See the following homepage for a Danish description of the regulative changes:
http://www.bl.dk/bl-informerer/2015/3/1515-fire-aendringer-af-almenbogligloven-vedtaget-i-folketinget/

[49] Udmøntning af grundkapital til almene boliger (Københavns Kommune 2015), p. 16

[50] Ministeriet for By, Bolig og Landdistrikter (2013): Udsatte boligområder – de næste skridt

[51] Vejledning nr 116 af 06/07/1998 Gældende) and promulgation (BEK nr 451 af 13/04/2015)

[52] http://www.aalborgkommuneplan.dk/planredegoerelse/ost_aalborg/redegrelse-st-aalborg.aspx?altTemplate=OmraaderevisionPrint

[53] http://www.aalborg.dk/trafik-pas-og-transport/trafik/aalborg-letbane

⁵⁴http://www.rn.dk/SundhedOgSygehuse/Sygehuse/NytUniversitetssygehus/SeNytAalborg Universitetshospital/FaktaOmNytAalborgUniversitetshospital

⁵⁵ http://www.forstaden.dk/fremtidensforstaeder/Pages/default.aspx

⁵⁶http://www.aalborgkommune.dk/om_kommunen/byplanlaegning/byomdannelse-og-byudvikling/cityinbetween/sider/city-in-between.aspx

⁵⁷http://www.kildeparken2020.dk

⁵⁸http://www.aalborg.dk/planstrategi

⁵⁹ For instance, the refurbishment of Kildeparken is funded by the Danish National Fund of Social Housing Organisations ('Landsbyggefonden'), whose funds are generated by social-housing organisations, as these organisations in a redistributive manner contribute to the Fund when the specific housing departments have paid their mortgages, thereby keeping less affluent departments functioning. These funds are regulated by governmental Housing Act, describing how much of the funds are going to be spent on physical and social comprehensive plans as well as rent subsidization.

⁶⁰http://aalborghavn.dk/forside.aspx

⁶¹ http://nv9220.dk/

⁶²According to the business analysis made by Aalborg East's Business Network ('Erhvervsnetværk 9220). Erhvervsnetværk 9220 (2013): Det østlige Aalborg – virksomhedernes forventninger til fremtiden, p. 10-11.

⁶³ The table is based on interviews with planners, the City Architect, and the City Architect's, Peder Baltzer Nielsen's debate paper: Baltzer Nielsen, Peder (2014)"Fra Dispositionsplaner til digitale kommuneplaner. Eller planlovens dilemmaer – og muligheder". Byplanhistorisk Udvalg under Dansk Byplanlaboratorium, seminar 2014.

⁶⁴ §14 in the Planning Act is a prohibition tool that planning authorities can make use of: if a developer/project is in accordance with an already existing local plan, city plan regulation or municipal plan framework, but not in accordance with the municipal plan and its principles, the municipal board can prohibit such a wish for a year(§14).

⁶⁵ lov nr. 579 af 18. juni 2012

⁶⁶ P. 4, in Naturstyrelsen (2014): *Ophævelse af lokalplaner og byplanvedtægter uden tilvejebringelse af en ny lokalplan. Vejledning*. Miljøministeriet.

⁶⁷ http://apps.aalborgkommune.dk/images/teknisk/PLANBYG/lokplan/oversigt.html#4

⁶⁸ http://www.aalborgkommuneplan.dk/kommuneplanrammer/oest-aalborg/universitetsomraadet/default.aspx

⁶⁹Kommissorium for udarbejdelse af ny strukturplan for det østlige Aalborg. 2013-20118, p. 1-2. Aalborg Kommune, 2014.

⁷⁰ Vejledning om lokalplanlægning, Miljøministeriet 2009, p. 39-40. Planning Act §19, section 1 and 2.

⁷¹ http://nv9220.dk/

⁷² http://www.tv2nord.dk/artikel/347298:Hvad-nu-Nordjylland---Borgmesterkontoret-i-Aalborg-flyttes

⁷³ http://www.tv2nord.dk/artikel/343698:Erhverv--Ejerboliger-skyder-op-i-lejeboligomraade-i-Aalborg-oest

⁷⁴ http://www.dfd.dk/d/dfd

⁷⁵ This description is based on interview with Head of Technical Affairs, Aalborg Port, Mette Schmidt.

⁷⁶ Several policy documents describe and specify this ambition: 'Det brede bæredygtighedsbegreb' (Plan & Byg 2011); 'Bæredygtighedsstrategi, Bilag 1' (Aalborg Kommune 2013); 'Bæredygtighedsprofil – med udgangspunkt i stedet' (Year Unknown); 'Introduktion til bæredygtighedsstrategien 2013-2016' (Aalborg Kommune 2013); 'Implementeringskatalog – Bæredygtighedsstrategi 2013-16, Bilag 2', (Aalborg Kommune 2013); Fysisk Vision 2025 (Aalborg Kommune)

⁷⁷ 'Det brede bæredygtighedsbegreb', p. 13-15.

⁷⁸
www.fm.dk/nyheder/pressemeddelelser/2008/06/~/media/Files/Nyheder/Pressemeddelelser/2008/Kvalitetsfond.ashx

⁷⁹ Local Plan 4-4-107; Municipal Plan Addendum 4.4.03-04.

[80] Video of the project here: http://www.bygst.dk/viden-om/campusudvikling/; Bygningsstyrelsen (2014): Helhedsplan for Aalborg Universitet 2013-2022, Draft Version, p. 14

[81] Based on interview with planner, City of Aalborg

[82] Himmerland & DBRI (2013): Application to Nordic Council of Ministers

[83] Notes, First workshop

[84] http://issuu.com/9220/docs/helhedsplan

[85] For more information on the Aalborg Øst Kvarterløft: file://sbi.aau.dk/Users/jer/Downloads/10_years_of_urban_regeneration.pdf; SBi 2003: "De syv første kvarterløft"; http://www.kvarterloeft.dk/uk_version/aalborg.htm

[86] City-in-between competition program; Aalborg øst: Forstædernes Tænketank: Baggrund for afrapportering til forstædernes tænketank marts 2012, p.

[87] https://www.abhim.dk/media/pdf_filer/nordjyske2632015.pdf

[88] Aalborg Kommune og Realdania (2014): Aalborg Øst. Fortætning af bydelscenter og opgradering af tunnelforbindelse. Kickstart Forstaden.

[89] Engberg, Lars A. (Aalborg University). Status over projektet Smart Grid 2020. Policy note. Ministry of Housing, september 2015.

[90] http://www.detgodeboligliv.dk/media/165166/projektrealisering-3b-16-2_erhvervsboligen.pdf; http://detgodeboligliv.dk/media/59861/120305_2c-01.pdf

[91] Ministeriet for By, Bolig og Landdistrikter (2013): Evalueringen af Styringsreformen i den almene boligsektor, p. 6-7

[92] http://referater.aalborgkommune.dk/Pdf.aspx?pdfnavn=16455440-13748162-1.pdf&type=bilag&id=35936

[93] Kickstart Forstaden, Aalborg Øst, p. 34

[94] Realdania 2015: 'BID I Danmark?' and Københavns Kommune, Jeudan, Realdania, Realdania By (2015)'Business Improvement Districts: Nye samarbejder øger livskvaliteten I byerne'.