



Incoherence of urban planning policy in Bucharest: Its potential for land use conflict



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ABSTRACT

Bucharest is a city in transition from its communist past to a market economy, but poor urban planning in is impacting adversely on contested spaces. Lack of effective and strictly enforced regulation and public sector indecision, mixed with problems inherited from the Ceausescu regime, generate many examples of poor urban planning and management. One such example concerns the uncertain future of Văcărești “Lake”, our in-depth case study, which is an encapsulated 184 ha wetland whose management has been particularly poor. Employing a mixed methodology of mapping the evolution of the area in question and conducting interviews with surrounding residents and experts in the urban planning or public administration, we demonstrate how lack of an effective planning system and appropriate policies serves to exacerbate conflict between interested parties. Initially there was a conflict between former land owners and authorities, after which developers, surrounding populations, urban planners and ecologists were added. Worse still, the juridical owners of the site are unresolved! Many government agencies and the Bucharest municipality have also compounded the problem by failing to take a lead in future planning and conflict resolution by adopting a passive management approach, which is a recipe for inaction in a poorly regulated land market. Thus, incoherent land use policy has greatly amplified individual and professional conflict both at the local level and city-wide.

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1. Introduction

The collapse of communism in Romania voided previous land use planning legislation, but was accompanied by failure to replace it with an adequate new regulatory system, overwhelmed in part by the turmoil of social, economic and political change. The situation was worsened by a flawed system of land restitution to previous owners, insofar as they could be identified, and the fragmentation of society into contesting groups of self-interested citizens (Olson, 1971). Outcomes included greater mixing of different of urban land use types and increased residential densities in most built-up areas (Marcinićzak and Sagan, 2011). Such urbanization also contributed to environmental problems as aggressive urbanization consumed forests, agricultural land, water bodies and public parks, generating in the process complex and multilateral environmental conflicts (Petrisor et al., 2010; Ianoș et al., 2012; Kamruzzaman

and Baker, 2013; Popovici et al., 2013; Salvati, 2014; Tudor et al., 2014; Németh and Langhorst, 2014). The combination of weak local planning instruments, lack of synoptic vision and vigorous contests between urban development protagonists, significantly disturbed the structure and health of many local ecosystems (Demiroz Kiray and Yildizci, 2014).

Thus, during the more than 25 years of transition from communism to a free-market economy, Romania saw in effect largely uncontrolled urban development (Pătroescu et al., 2010) without guidance from regulatory legislation at a national level. Adverse effects were mitigated partially in some cities which learned the art of planning themselves by self-administered trial and error (Ianoș, 2004). During this process, similar conflicts to those found in most developed societies inevitably arose between urban policies and private land owners (Jones, 2014). But faced with weak, inconsistent and incomplete urban planning legislation and poor conflict resolution procedures (Niță et al., 2015), the property market exploited the regulatory vacuum to generate rapid and chaotic urban restructuring. Notable impacts on the urban landscape, apart from those already mentioned, included: (i) a concentration of new

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buildings in some suburban areas with very narrow streets leading to excessively high residential densities; (ii) a large rise in brown-fields sites in the wake of deindustrialisation; (iii) an assault on green spaces (Ianoş et al., 2016); and (iv) conservation of valuable wetlands for urban use (Šabić et al., 2013). Such changes have placed considerable stress on many aspects of existing economy, society and environment.

So, dysfunctional urbanism often reflects such key elements as short-term profit imperatives, an element of corruption, and uncertainty about future development strategies and options (McNeill, 2005), coupled with the inability of many residents, commercial enterprises, community groups, technologists and environmental activists to have a considered input into the future configuration of urban space. Avoidance of such outcomes therefore likely requires well considered and enforceable planning strategies developed by specialists in the field, and to which the numerous of conflicting parties can contribute. This is, of course, a potentially complex task involving many variables themselves subject to people's values, expectations and preferences (Ioja et al., 2014). In addition, urban plans typically operate simultaneously at different spatial scales – local, metropolitan, or national and over different time frames ranging from the short- to long-term, all of which require some consistency of outlook to be effective. Nor can the content of plans be separated from such national issues as likely industry structure, fiscal and expenditure strategies, infrastructure investment, and demographic trends.

A specialist literature abounds in studies highlighting various strategic, creative, pro-active, or reactive approaches to environmental management, with adaptive management standing out in terms of frequency and breadth of applicability. Explicitly defined by Holling (1978), the concept of adaptive management was further developed by McLain and Lee (1996), Schreiber et al. (2004), Gregory et al. (2006). Alternatively, it has been applied to new circumstances (Walters, 1986; Smith, 2011). In both theory and application, adaptive management is regarded as a way to handle uncertainties, which spring from four generic sources: (i) variability in the physical environment, which is largely uncontrollable; (ii) poor data, which may be incomplete, inaccurate or dated; (iii) the partial controllability of some variables; and (iv) inadequate understanding of dynamic environmental processes – both variables and their mutual interactions (Allen et al., 2011).

Williams (2011) shows that adaptive management is able to handle complex and uncertain circumstances efficiently and effectively by learning through trial and error processes. In addition, two kinds of adaptive management have been identified: active and passive (Bormann et al., 1996; Salafsky et al., 2001). Unlike active adaptive management, which seeks to reduce uncertainties in the dynamics of socio-economic systems, passive adaptive management focuses on keeping the initial natural resources as its goal. It seeks to preserve or even exploit rationally the quantity and quality of local resources by taking into account the type of environmental processes and frequently unpredictable behavior of social-ecological systems. A performant urban management seeks to find the most appropriate land use policy in terms of such indicators as efficiency, equity, or environmental amenity (Kusuluoglu and Aytac, 2014; Boromisza et al., 2014; Simić et al., 2014), but current settings in Bucharest are way off target.

2. General context and study area

This article seeks to demonstrate how the lack of formal and inclusive urban planning strategies contributes to passive-adaptive urban management which can, in turn, generate large-scale conflict (Bouzarovski et al., 2011).

2.1. From urban planning megalomania to a possible land use conflict

In our case, this approach started with the incapacity of government authorities, whether local, metropolitan or national, to integrate their inheritance of many large and unfinished communist era city-shaping projects that are often inconsistent with contemporary development needs. Such projects included the demolition large neighbourhoods to build egomaniacal buildings like the Parliamentary Palace or hydro-technical works including the Morii and Văcăreşti Lakes shown in Fig. 1. We focus here on the future of the partially completed and artificial Văcăreşti Lake, whose future has been in abeyance for over a quarter of a century.

Such massive public works have changed dramatically the natural trajectory of the Dâmboviţa River, as shown in Fig. 2, and they were enabled by state ownership of land previously confiscated from individual owners, albeit with limited compensation. After the collapse of communism, former land-owners were provided with a legal framework to regain their properties with freedom to determine their future use. However, in our study area, Văcăreşti lake, the compensation of land owners whose former land holdings will be inundated by the proposed lake has yet to be decided despite the lapse of a quarter of a century. Besides property rights, issues of public health have now arisen from proposals to develop utopian environmental projects like the proposed Bucharest “Delta” (Ianoş et al., 2014). In this case, completion of the lake or wetlands could confer public disbenefits like the increased risk of disease since wetlands can provide a good breeding environment for mosquitoes which are vectors for West Nile and Dengue fever viruses, and for different tropical parasites. In such situations either of two types of management is usually applied: proactive or reactive. And both can lead to speedy and informed decisions. But in the present case passive adaptive management prevails, characterised by non-intervention, which favours the area's natural self-organisation.

Passive adaptive management can then become the source of community conflict. For example, ecological NGOs strongly affirm the importance of natural self-organisation in the Văcăreşti Lake area and attempt to intimidate the local municipality against organizing meaningful public debates. These interests also intersect with the issue of granting property titles to particular pieces of land sought by former owners or their descendants, and when that occurs they will have a demonstrable interest in decisions about the area's future use. Simultaneously, existing and prospective residents or industries in the region also have individual and community interests. So, once the titles issue is resolved, it would then be appropriate for all parties to be involved in drawing up developing a master-plan for the area and taking into account most appropriate uses. Thus the key element is the negotiation between the rights of individual owners and the wider community – including ecologists – to maximize benefits to all parties.

This stage also has a time dimension as the wider public interest may vary over the course of time and, as far as possible changing perspectives should be anticipated. Moreover, ideas about the future might differ not just among local urban residents but also between them and residents of the entire city. Alas, the present-day reality is not unlike a game of “cat and mouse” between the former owners, municipalities, environmentalists, central authorities, and existing residents or businesses, but with little prospect of a resolution until the issue of land titles is resolved and effective planning structures are put in place to facilitate discussion and resolve conflict.

Our first task is therefore to explore the origin and form of conflicts over land use in the Bucharest region resulting in part from the lack of land use policy for contested spaces. The second is to

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