WHICH URBAN PLAN FOR AN URBAN HERITAGE? AN OVERVIEW OF RECENT PORTUGUESE PRACTICE ON INTEGRATED CONSERVATION

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Abstract

This paper presents an overview of how integrated conservation of urban scale heritage is managed in the urban rehabilitation practice in Portugal and its relation with local urban planning. The central argument is that the safeguard of urban scale heritage is mainly a question of urban management and urban planning, which necessarily implies a framework that results from conciliation among the culture and the land use administrations. For that purpose, we consider that special attention to a cultural debate concerning the urban heritage concept itself plays a key role, once it can lead to a focus on urban rehabilitation practice, commonly spread and diffuse in its objectives. We also believe that integrated conservation practice doesn’t belong exclusively to one of the several land use plans of our top-down planning framework and therefore requires a cross-management strategy – top-down and bottom-up – and urban management skills to take advantage of each of those land use plans.

Key words: Integrated conservation; urban heritage; urbanistic heritage; urban planning

1. Urban heritage1 in doctrinaire documents: a limited debate.

As in many western European countries, the “Portuguese adventure” concerning urban heritage conservation began when the debate considering the corresponding ideological and cultural meaning had already ended in Europe. After the “theoretical enchantment” along the nineteenth century and the first half of the twentieth, ideological and doctrinal elaborations were progressively supplanted by technical and methodological researches, focusing the debate on a supposedly scientific scope that fits better in practice, than in theoretical reflection. The fact that, in the last three decades, “urban rehabilitation” and “urban heritage conservation” became synonymous under cultural and urban policies is a symptom and a consequence of this lack of reflection.

Unbelievably, one of the last international contributions on a so to speak “cultural scope”, was Brandi’s Teoria del Restauro of 1963, published one year before the Venice

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1 Despite the fact that we use this concept along this paper without explaining what we understand of it, our line of reasoning is based on the valuing of the elements of urban form through history, that is, to urbanism. As we will try to demonstrate in the end, the need to clarify the object of urban conservation is more than a question of semantics. It involves the need to found conservation theories in the “urbanistic” concept instead on the “urban” one.
Charter was adopted at the Second Congress of Architects and Specialists of Historic Buildings. Nevertheless, it is important to mention that Brandi’s book does not deal specifically with the instruments, methodologies and principles that should be observed in the conservation of urban heritage. Since then, cultural elaborations are being discussed and adopted as an “international doctrine” in the form of conventions, charters or recommendations, with the support of international organizations such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Council on Monuments and Sites (ICOMOS) and the Council of Europe (CE).

As Graham et al. refer, this knowledge tends to a standardization of urban conservation skills and principles towards a “best practice” that contributes to reduce local diversity and therefore to fade one of the traditional pillars of cultural heritage: identity (2000:217-9). But more significant than the goals that can be achieved with this “best practice”, is its contribution to obviate cultural debate concerning the meaning of some key concepts related to the urban heritage.

Considering that nowadays urban rehabilitation plays a central role on urban policies, it is a paradox the fact that very little attention is paid to clarify what the object of those policies is and, above all, what its role in modern and contemporary urban planning is.

We know that in the first decades of the twentieth century urban heritage meant something quite different from what we now understand of it. However, some of the most intriguing elaborations regarding more than the conservation of monuments and their surroundings date back from that time. Moreover, it was not until the 70’s that special attention was given to the role of the heart of the cities in the global urban development. It was the case of the well-known example of Bologna’s historic center restoration and the European Charter of the Architectural Heritage (CE, 1975). The former, as Cervellati et al. stated (1977:13), didn’t aspire to be a universal doctrine while the latter did. However, the following contradictions can be found in this charter:

a) First, despite the fact that integrated conservation is on its basis, it supports the idea that a monument or a group of lesser buildings can be considered apart, that is, “unintegrated”.

b) Secondly, the way that it describes the integration of urban heritage in the dynamics of urban development is contradictory. On the one hand, it gives special attention to historical attributes of urban fabric: “(...) architectural heritage is an expression of history and help us to understand the relevance of the past to contemporary life” (Art. 1). That means it accepts change. On the other hand, it states that “This heritage should be passed on to the future generations in its authentic sate and in all its variety as an essential part of the memory of the human race.” (Art. 2), which means it attends to timeless attributes.

c) Finally, although the preamble refers the importance of “(...) regional and town planning and development schemes”, integrated conservation is described in a generalist manner, referring that it is “(...) achieved by the application of sensitive restoration techniques and the correct choice of appropriate functions” (Art. 7), which means the charter focus on architectural scale interventions.

In order to agree with different sensibilities and to fit into different administrative, political and legal frameworks, this charter, as well as other doctrinaire documents, tends to be so generalist that we are forced to question its usefulness. This is more pertinent if we take into account how much we can benefit from other type of elaborations concerning, for instance, the urban heritage conservation and its relation to an overall
planning framework, such as *Bologna: politica e metodologia del restauro nei centri storici* (Cervellati and Scannavini, 1973), published two years before that charter.

In this particular matter, Giovannoni’s *Vecchie città ed edilizia nuova* (1931) is a kind of “swan-song” in which the Italian author developed a consistent essay concerning the meaning and the means of urban heritage conservation and its relation to modern urban planning. The most important thing on his elaborations though, is his global theory of urban planning and management of the existent city, according to which the old city was not merely historically and culturally valued, but as a reality that cannot be separated from all other urban attributes.

In a way, he considered the old city as a historic monument, which made him invoke timeless values to undertake urban restoration actions, even if they required some demolitions such as those under the *diradamento* theory (Giovannoni, 1931:248-80).

However, he also believed that there is no such thing as an old city separated from a contemporary city since the whole urban phenomenon is contemporary. Yet, according to his thought, urban heritage was committed to urban planning because the actions and policies regarding conservation and change belong to a single process of urbanization.

Also important is that he predicted that this urbanization process would lead, in the future, to the end of the traditional and mononuclear urban model and therefore to a new frame of reference for the old city. This is, as he stated, the main concern of his masterwork (1931:66).

After Giovannoni’s elaborations, something like an epistemological regression took place and urban heritage and urban planning doctrines followed separate paths and rooted detached policies and cultural debates: the former based on the listing of monuments and the establishment of their protection areas, the latter mainly concerned with urban growth and urban renewal. In a certain way, 1931 and 1933 Athens Charters can be seen as the headers of this detachment.²

It was not until recently that a convergence emerged from the theme of the “management of the existent city” (Portas, 1986) and the consciousness that “the conditions changed” (Secchi, 1984). In fact, the “return to the center of the city” and the urban rehabilitation are some of the most important issues on urban planning policies since the 70’s, mainly since the 80’s with the European Campaign for Urban Renaissance promoted by the CE in 1981.

By that time, the weakened cultural debate on urban heritage conservation encountered an urban planning policy founded on a functionalist and technocratic Land Use Legislation framework, according to which the city is reduced to zoning, rules, formulas and indexes. That means the establishment of protection areas, either the surroundings of monuments, old urban districts or historic centers, was included in an urban planning framework that conceives the city in a fragmentary manner. Furthermore, this framework respects mainly to a legal system that fits better in expansions than in the demanding management of the existent city. Public intervention was therefore reduced to the control of permits of private initiatives. This is particularly pertinent in the Portuguese framework of urban planning.

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2. Urban heritage and the “collective forgetfulness” in Portugal

The conservation of urban heritage as a pre-established principle in the Portuguese framework of urban planning acts was first stated in 1934 under the tutelage of the Ministry of Public Works, by a ministerial decree on the elaboration of Local Plans. According to this document, specific regulation considering the safeguard of historic, picturesque, architectural and aesthetic character of towns should be part of the Local Plan proposals. In 1932, under the same tutelage, the first decrees that recognized the importance of controlling changes on the surroundings of monuments and public buildings were passed.

By the end of 1960, 216 Local Plans were passed, although 150 only partially passed (Lobo, 1995:273-8). Urban heritage was at that time approached in contradictory perspectives, mostly regarding the picturesque and aesthetic attributes of the old city. These attributes were interpreted above all according to the convictions of the Local Plans’ authors and to some diffuse cultural policies of the Estado Novo, focused on the affirmation of a national identity. On the one hand, there was a will to preserve the historic character of old cities, old quarters or picturesque settlements; on the other hand, many demolitions were perpetrated during that period regarding the enhancement of monuments.

This means that those perspectives were present in both policies of urban planning and urban heritage conservation of the Ministry of Public Works. For instance, the Local Plans of Braga (1945) and Évora (1947) by Etienne de Gröer or Tavira (1954) by Raul Lino (IMAGE - 1), acknowledged a historic value or a touristic interest of the old city and so their authors pre-established their global conservation. These cases fit in the path of the 1931 Athens Charter, though with some significant differences.

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3 Decreto-lei n.º 24802, Diário do Governo, 21-12-1934.
4 Decreto n.º 2985, Diário do Governo, 07-03-1932 and Decreto n.º 21875, Diário do Governo n.º 271, 18-11-1932. The former established that either buildings or sites within 50 meters around a listed monument couldn’t be alienated without Governmental approval, the latter authorized the Government to designate “protection areas”, that is to say, administrative servitudes in which non aedificandi areas could be designated and the approval of new buildings was dependent on the observance of Local Plans disposals.
5 For an overview of these Local Plans and their relation to its administrative and legal support see Lobo (1995).
7 To use Choay’s words (1992), these differences set apart one position affiliated in the “propaedeutic role” of the “historical figure” represented by the old city (that can be seen in the proposals for development areas), from another in which the acknowledgement of an heritage value of the old city is compatible with interventions regarding hygienical concerns and others regarding its integration on urban development.
The Local Plan of Faro (1946) by João Aguiar or the one of Mafra (1946) by Jacobetty Rosa consisted mainly of urban renewal proposals which only preserved monuments. These cases fit in the path of the 1933 Athens Charter.

Although they were elaborated piecemeal and their influence on urban development was limited (Lobo, 1995:48-9), those Local Plans still represent the first structured attempt to control urban development in Portugal from a legislative and an administrative perspective. In fact, few changes took place on Land Use Legislation between 1934 and 1971, and the Master Plan level of the local planning framework was foreseen by law only in 1977, when the three levels of the Portuguese local land use planning system were established.

Despite their limited influence, those Local Plans significantly contributed for a “collective forgetfulness” of urban heritage in the way it was integrated in urban planning framework. This is something that both the conservative and renewal positions have in common. Actually, they have the same conceptual basis: the isolation and sublimation of monuments and the isolation and “freezing” of protection areas, whether they are the surroundings of listed buildings, old urban districts or historic centers.

Most of the precincts of historic centers were delimited on this basis and submitted to restrains regarding their protection, which led to an unbalanced urban development disregarding the effects of transforming the old city in the future city center.

Also as to this, the predictions of Giovannoni came true:

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“(…) the wish to transform the old central urban area (...) in the business center of the modern city is in most cases a huge, definitive and irremediable error (...)” (1931:157).

Once subjected to the pressures of migration from rural to urban areas since the 60’s, major and middle-size Portuguese cities saw their old urban areas agonize, as Portas described:

“(…) real policies must have in account that those areas are the arena of conflicts of interests that, if left to themselves, will mine the cells of the organs and nerves of urban life and, as a cancer, lead the body to agony.” (1981:158)

This “agony” was inherited by the democratic regime in 1974 and explains why social concerns prevailed during the last 30 years in urban rehabilitation as well as the promotion of technical, administrative and financial support for direct assistance to residents in old urban areas.

That was the case of the Comissariado para a Renovação Urbana da Área Ribeira-Barredo (CRUARB), an office created in 1974 to assist the urban rehabilitation of degraded quarters of the historic center of Porto, inspired in the experience of Bologna’s historic center restoration (Portas, 2005:143). That was also the case of the creation of the first subvention program called Programa de Recuperação de Imóveis Degradados (PRID)9 in 1976.

The aim of CRUARB was the urban rehabilitation through the improvement of the residents’ life conditions with financial support of the City Council and other bodies of the Government. Since the beginning this office comprehended a multidisciplinary team of architects, engineers, historians and social care workers, which make it a reference for the establishment of similar local offices called Gabinete Técnico Local (GTL), under the 1985 governmental program called Programa de Reabilitação Urbana (PRU)10. This was the first program specifically dedicated to urban rehabilitation. Later, in 1988, it was amended and renamed as Programa de Recuperação de Áreas Urbanas Degradadas (PRAUD)11 and is still active today.

Although not committed to develop urban plans, the majority of the existent Detailed Plans regarding the rehabilitation and the safeguard of historic quarters or historic centers have been developed by these offices for the last 20 years. However, since they have to attend both to generic social and cultural aspects, their motivations and aims are diffuse and thus their results too.

The influence of these Detail Plans on urban heritage conservation and in urban rehabilitation is very limited due to the lack of dedicated financial and administrative support. These local offices have a two-year contract in the end of which they are dismantled. However, some of their technicians can still be integrated on the administrative structure of the City Council. This usually means that even if a Detail Plan is passed, there will be no dedicated office to implement it.

9 Meanwhile this program was extinguished and few others were created regarding the rehabilitation of residential buildings: RECRIA (1986), REHABITA (1996), RECRIPH (1996), SOLARH (1999), PROHABITA (2004). Further information about these programs is available at http://www.inh.pt/

10 Local offices created under this program comprise multidisciplinary teams financially supported by each City Council and the Directorate for Land Use and Urban Development.

11 Established by the legal document Despacho n.º 1/88, Diário da República n.º 16 II Série, 20-01-1988, this program supports two distinct approaches for urban conservation: the direct financial support to restoration works or the financial and technical support of GTL.
To understand the limitations of these Plans and their share in the “collective forgetfulness” of the urban heritage, we should consider two more aspects.

First, they are not the answer to any specific demand concerning the conservation of urban heritage and its integration on global urban development: urban heritage concerns occur because their intervention areas coincide with historic centers, rural villages or other settlements to which some heritage value was previously acknowledged. This also explains why the meaning of urban heritage is not questioned and why it is taken for granted that its conservation can be achieved with the control of building permits and public space improvement.

Secondly, their proposals are limited to the perimeter of their intervention areas, which means that cross-management strategies – *top-down and bottom-up* – are hard to carry out with local urban plans that are developed separately following their limited goals.

Although those Detail Plans make these historic urban areas seem to be planned, the fact that they are “unintegrated” makes us claim the opposite and therefore state this is one of the most important expressions of the “collective forgetfulness”.

### 2.1 The conservation of urban heritage in the legislation framework

The Portuguese legislation has two frameworks for the conservation of urban heritage:

- Urban planning and management – under the land use policies;
- The listing of buildings or urban areas – under the culture policies.

The way urban heritage is understood in both frameworks is an outcome of an overvaluation of the “image of the city” as if it had a timeless value and therefore leads to an overprotection of historic centers and to casuistic interventions under urban rehabilitation programs.
The key instrument for the urban heritage safeguard is the Safeguard Plan and was foreseen for the first time in 1985 in the Cultural Heritage Law\textsuperscript{12}, which is in accordance with the Convention for the Protection of the Architectural Heritage of Europe (CE, 1985). Although this law has never been regulated and therefore the contents of the Safeguard Plan are still undefined (which is also true for the amended Cultural Heritage Law in 2001\textsuperscript{13}), the land use planning law has been supporting many Detail Plans which aim at the safeguard and rehabilitation of old urban areas.

However, these Plans have a defensive and conservationist nature and have therefore been used mainly as building codes to rule physical restraints. In a certain way we can say that their passive nature contrasts with the concept of integrated conservation.

Such passive nature is also present in culture policies, based in the listing of real estate assets of cultural value, according to the three categories established by the present Cultural Heritage Law (Art. 15\textsuperscript{o}):

1) National Monument (meaning it has a National Interest);
2) Public Interest;
3) Local Interest (Town-Hall listing).

For each listing, three different instruments of safeguard are foreseen:

1) Protection Area (Art. 43\textsuperscript{o}) - an administrative servitude with a perimeter of 50 meters automatically established with the listing and in which no changes can be made without the approval of the body of the Government committed to the safeguard of Architectural Heritage;

2) Special Protection Area - similar to the former, but with a perimeter obeying to studies to be carried out by the same body;

3) Detail Safeguard Plan (Art. 53\textsuperscript{o}) for each Protection Area or Special Protection Area.

As far as we know, there are no passed Detail Safeguard Plans foreseen by the Cultural Heritage Law. Therefore, we have to ask: is there any accordance between the Detail Plans developed under the Land Use Legislation and this cultural policy for urban heritage?

IMAGE - 3 shows there is not.

The intervention areas of each Detail Plan under development in Santarém do not correspond to the perimeters of Protection Areas and vice versa. This is common to all Detail Plans, but the most important thing is that both policies look at the city as a sum of parts that can be considered and planned separately.

2.2 Recent approaches on urban heritage conservation in Portugal

Despite the efforts carried out during the last 30 years for urban conservation with the mentioned subvention programs and with special urban rehabilitation programs, the State itself recognized recently the need for new and proactive approaches.

\textsuperscript{12} Lei n.º 13/85, Diário da República n.º 153 I Série, 06-07-1985.
A new program called POLIS, strongly supported by the European Union and involving 40 cities, was created in 2000 for a six-year period with an investment of €1.200 millions. It aimed at the improvement of urban environment and revitalization of urban centers. In 2004, an exceptional juridical regime was instituted for the rehabilitation of historic urban areas. It allows the creation of municipal agencies or anonymous societies with public funds called Sociedades de Reabilitação Urbana (SRU), with simplified administrative procedures as to promote and coordinate proactive urban rehabilitation interventions.

One of the goals of POLIS is to reinforce the role of urban centers in the polycentric urban system according to the principles of sustainable urban development. The conservation of urban heritage is of utmost importance in cities with interventions on their historic centers. That is, for instance, the case of some middle size cities such as Bragança, Castelo Branco, Viana do Castelo, Vila Nova de Gaia or Vila Real. For SRU agencies the intervention areas are those established as “historic urban areas” in Master Plans, Local Plans or Detail Plans and its aims can be as diffuse as those of local offices under PRAUD.

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15 The program had four different components: 1) Integrated interventions for urban and environmental improvement; 2) Interventions on cities with World Heritage listed areas; 3) Interventions for urban and environmental improvement for rehousing areas; 4) Complementary measures for urban and environmental improvement. The investment in each city varied depending on the component in which it took part. Further information at http://www.polis.maotdr.gov.pt
However, contrarily to previous urban planning experiences, both approaches have a proactive nature, making the cultural debate concerning the meaning of urban heritage and its integration on urban development more pertinent.

On the one hand, POLIS is spreading the model of urban renewal administrative procedures of EXPO 98, suitable for interventions in public space. On the other hand, SRU agencies can force building restoration, substitute owners and even expropriate them, making this exceptional juridical regime suitable for the restoration of urban fabric.

Interventions under POLIS were preceded by Local or Detail Plans as they are foreseen in the Land Use Legislation. The most significant difference to previous experiences was the possibility to harmonize urban plans and the existence of dedicated administrative and financial support. In Viana do Castelo, for example, besides the investments in the construction of cultural buildings and the improvement of public space, a new scheme for urban mobility is being developed in order to promote urban cohesion and the integration of the historic center in its surroundings (see IMAGE - 4).

On its turn, SRU agencies can decide whether to develop a Detail Plan or not and a policy based on a sequence of interventions – a block, a square, a street or even a building – can be undertaken.

SRU activities are in the beginning and those under POLIS are recent and their impact is still to come. Nevertheless, we should bear in mind the contradictions between the “best practices” pursued by POLIS when regarding the harmonization of urban plans and the possibility of “unintegrated” actions under SRU agencies.

![Image - 4: Viana do Castelo: New scheme for urban mobility in the historic center under POLIS, 2000.](image)

- Traffic ring
- Streets to reopen / Pedestrian Overcrossing
- P – Parking/Underground Parking
We shouldn’t even refer to interventions under SRU agencies as “urban rehabilitation”, since their understanding of the urban phenomena is no more than a complex sum of blocks and buildings.

The instruments, methodologies and objectives regarding of a building or a block restoration are quite different from those of urban rehabilitation. Obviously, they are complementary, but the success of the former is widely dependent on the latter. The restoration of a building or a block requires a building or an urban project and can be accomplished in a short period of time. Urban rehabilitation on its turn requires urban planning and management tools and its objectives are timeless or, at least, respect a long period of continuous actions.

Thirty-two years ago the European Charter of the Architectural Heritage (CE, 1975) stated that the “(...) restoration [of the heart of towns] must be undertaken in a spirit of social justice and should not cause the departure of the poorer inhabitants” (Art. 7). The question today is not how to avoid the departure of inhabitants but rather how to bring inhabitants to the depopulated historic centers. As these thirty-two years prove it, this will not be achieved only with building restoration. Urban planning and urban management are imperative. However, changes in urban rehabilitation towards a proactive nature make the debate about founding concepts a pertinent issue. In a certain way, the doctrinaire documents are counter to the present need of creativity in the changing urban rehabilitation paradigm. Practice cannot be apart from theoretical reflexion.

3. Is urbanistic heritage a useful concept?

1. Expressions such as “historic center” or “urban heritage” unify diverse temporal and morphological urban realities. When we say “historic center”, time somehow vanishes. Walled edges, Jewish and Moorish quarters, extensions, streets or squares are compacted in an expression that overshadows diverse spatial, cultural and social values. Moreover, the expression “historic center” concentrates history in a restricted area, as if we could consider that there are urban areas that have no history and never will. Just because modernists believed in rejecting history it doesn’t mean it is true. DOCOMOMO17 proves it.

2. “Urban” is a diffuse concept: “(...) «urban» refers to everything related to the city, namely the relations that each inhabitant establishes with others and with the surrounding environment” (Rossa, 2000:15). This diffuseness explains, at least in part, the frequent overvalue of memory attributes and the “vaguely aesthetic feelings” (Gonzáles-Varas, 1999:39) related to the “antiquity value” (Riegl, 1903) now extended to urban heritage conservation.

On its turn, “urbanism” refers to urban space and to the processes of its changes along history. Social and cultural attributes are obviously part of it, but the most important is that the comprehension of the city phenomenon through “urbanism” is deflected towards a “rational domain”, instead of a diffuse understanding that gives equal importance to what is spontaneous and to what is not.

The marks of a city wall endure through time either in its integrity or shaping urban growth. A square or a street persist through time even if urban fabric changes occur. An extension usually results from an urban plan and its accomplishment is easily

recognizable due to its coherence. These are examples that have in common the fact that they are easily identifiable. Which means that “urbanistic heritage” is close to the idea of identity supported on rational attributes, rather than in memory or aesthetic ones.

As Rossa stated (2000:15), urbanism is “(...) the most persistent material expression of a community’s culture (...)” and that is a key aspect to read cultural values of the urban phenomenon in order to focus on urban rehabilitation. In other words, we consider “urbanistic heritage” a more suitable concept for proactive urban rehabilitation processes.

3. “Urbanistic heritage” merges the idea of identity with the notion of city as an endless changing process. Identity can be managed as a criterion to establish a concept or a theme for urban rehabilitation, as well as to determine the area(s) subject to intervention. To use Rogers’s words (in Ranelluci, 2003:69), the endless changing process means that:

“In urban planning, to build and to preserve are moments of the same act of consciousness. Both depend on the same method: to preserve has no sense if it is not understood as an updating of the past and to build has no sense if it is not understood as continuing the historic process. It is a question of clarifying our sense of history.”

“Urbanistic heritage” can be worked out as a catalyst for urban rehabilitation involving both cultural and urban policies; residents and non residents’ interests; private and public interests. A city wall, for instance, can be managed with strategic plans aiming at urban cohesion throughout their peripheral impact, instead of local interventions based on building or block restoration.

The notion of the city as an endless changing process concentrates us on the tensions between new interventions and the existent city. The conservation of “urbanistic heritage” is also about the establishment of new tensions between neglected urban areas and their surroundings in order to integrate them in the global urban development. Cross-management strategies are therefore required.

The option to establish interventions based on the idea of “line” (streets or extensions, for example) is, in theory, closer to the idea of integrated conservation than the idea of “area” (surroundings of monuments, for example).

In conclusion, why do we insist on relating integrated conservation to “urban heritage”? Wouldn’t be more advantageous to relate it to the influence of historical formative elements of the city instead?

References


* Free translated quotations.