### Sebastian Dembski, Thomas Hartmann, Andreas Hengstermann and Richard Dunning

# **Introduction Enhancing understanding of strategies of land policy for urban densification**

There is growing interest in urban densification across the planning literature (e.g. Schmidt-Tomé et al., 2013; Charmes and Keil, 2015; Holman et al., 2015) and planning practice. The revival of the city has encountered the reawakening of the densification debate. Many European governments are responding to similar issues arising from urban population deconcentration (Dembski et al., 2019) and are now directly or indirectly promoting densification. The German federal government has set the target of reducing additional land uptake for settlements and transport purposes below 30ha per day (The Federal Government, 2016), and Switzerland revised its Spatial Planning Act to significantly limit urban expansion by forcing cantons and communes to update zoning plans if building land exceeds the objectively assessed need. The Netherlands introduced the ‘Ladder of Sustainable Urbanisation’ to prioritise development within built-up areas. In England, urban containment, reuse of brownfield land and density uplifts are stated goals in the latest National Planning Policy Framework (MHCLG, 2019). Although densification has been with us for quite a while as a policy goal to achieve compact cities (Breheny, 1992; 1997; Burton et al., 1996; Dieleman and Wegener, 2004), two macro trends have brought it back into the spotlight.

First, the resurgence of cities has resulted in new growth of metropolitan areas in Europe (Turok and Mykhnenko, 2007; Wolff, 2018; Dembski et al., 2019). The global trend of urbanisation and the claim that more than half of the world’s population now lives in cities has resulted in the assertion that we are living in an ‘urban age’ (see Brenner and Schmid, 2014, for a critical discussion). Whilst much of this urbanisation has taken place in the Global South, many European cities are also experiencing sustained and rapid population growth following decades of suburbanisation and deindustrialisation (Cheshire, 2006; Turok and Mykhnenko, 2007; Wolff, 2018). For most of the second half of the twentieth century, cities grew at the periphery. However, since the turn of the millennium we can not only observe the return of the city but also the ‘return to the city’ (Rae, 2013) in a number of countries. This phenomenon is widely known as reurbanisation and results in enlarging population concentrations in urban regions (Dembski et al., 2019). The result of increasing demand for housing in the centre combined with population and household growth in many metropolitan areas led to a process of transformation both in the central urban areas as well as in the existing suburban fabric (Charmes and Keil, 2015). These processes exacerbate the challenge of providing sufficient and appropriate affordable housing, which in rapidly growing cities with overheated housing markets increasingly affects middle-class residents – a problematic phenomenon for planning where urban housing aspirations are weakly conceptualised and in flux (Opit et al., 2020). In these market and policy contexts reurbanisation is a force for the densification of cities.

The second macro trend that triggers attention for densification is the increased awareness of an emerging climate crisis. This has highlighted the importance of sustainable urban development, as evidenced in the UN’s *Sustainable Development Goals* and *New Urban Agenda* (UN, 2015; 2016). Despite the increasing attractiveness of city-living, urban sprawl continues in virtually all European countries due to population and/or household growth (Siedentop and Fina, 2012; Haase et al., 2013; EEA and FOEN, 2016). Given the mixed results in limiting urban sprawl, densification poses a formidable policy challenge. Next to environmental concerns and landscape protection, agricultural land preservation triggers the densification of cities (Vejchodská and Pelucha, 2019). So, reurbanisation and land thrift for various reasons both support densification.

Approaches to implementing densification differ across Europe, in particular regarding urban land policies. This special issue brings together evidence and analysis of the processes and outcomes of strategies of land policy for urban densification in European countries. This editorial sets the frame for these discussions by elaborating on what densification means and the role of land policy in realising it, before elaborating on the contributions to this special issue.

# **What densification?**

Densification is not a clearly defined concept (Boyko and Cooper, 2011; Forsyth, 2018). Generally, density refers to a ratio of any unit within a given area. Thus, densification in planning means that land is used more intensively. However, for determining which uses and which land, two distinctions are crucial. First, density can be related to population or dwellings (Boyko and Cooper, 2011). Both variables can be influenced by land use planning, but the planning system ultimately regulates land uses and building densities, not the occupancy rates of buildings (Bibby et al., 2020). Planning for densification does not necessarily lead to higher population densities, as declining household sizes and increased per capita living space can counteract land thrift via densification and foster land consumption (Haase et al., 2013). Second, a distinction needs to be made between urban densification and expansion. Both can result in higher densities within, for example, the territory of a local authority. Clearly, urban expansion increases the built-up area and therefore counteracts land thrift. However, while urban expansion might in some cases also contribute to sustainable development by delivering new homes in the centre of the urban agglomeration, the planning challenges are completely different than for the densification of the existing built-up area. For this special issue, we therefore define densification as a ‘net increase in housing units’ within some or all of the pre-existing built-up area (Broitman and Koomen, 2015, 34).

Densification can take a variety of forms, of which location is a key factor. Traditionally, densification is more likely to be associated with inner-city transformation, in particular the redevelopment of brownfield sites as part of concerted regeneration efforts. There is, however, an increasing interest in the transformation and densification of suburbia, often referred to as post-suburban densification (Charmes and Keil, 2015). Others have distinguished the types of physical change, distinguishing soft and hard forms of densification, the former referring to incremental changes of the built environment and the latter to large-scale urban development projects (Touati-Morel, 2015). A well-known example of soft densification includes garden development (or ‘grabbing’) (Sayce et al., 2012). In the UK and elsewhere, conversions from office to residential spaces have become a factor in densification, which are found predominantly in central locations (Clifford et al., 2019). Cumulatively, soft densification makes a significant contribution to housing delivery, which over time may result in significant neighbourhood change too (Pinnegar et al., 2015; Bibby et al., 2020).

We are also interested in the role of planning policy in shaping densification, whether and how it is planned, whether the intended outcomes emerge and what tensions arise through the planning of densification. The fact that densification happens ‘under the radar’ (Bibby et al., 2020) suggests that it may be unplanned. The argument that much development, particularly in the urban fringe ‘takes place both beyond the gaze of urban theory and outside the regulatory ambit of planning systems’ (Pinnegar et al., 2015, 279) is true to the extent that no ‘positive’ planning is undertaken, yet this does not necessarily imply that these places are not subject to planning regulations. Densification is the result of planning policy and the application of instruments to regulate land use, which can be a deliberate strategy, an unintended consequence of planning policy or the lack of enforcement.

# **Strategies of land policy for urban densification**

This special issue explores how planning authorities engage with instruments of land policy strategically to control and achieve densification. As outlined above, densification is a fundamentally different process from urban expansion as it is sited within and not beyond the existing built environment and its property rights. Influencing such existing rights, in particular in the built-up area is challenging (Hartmann and Needham, 2012). The effectiveness, efficiency, legitimacy and practicability of amending and working with these urban property rights to shape densification depends on the specific way instruments of land policy are used to implement planning goals (Needham et al., 2018).

Implementation of land policy reflects a certain relation between the state and landowners, as the target group of planning interventions (Gerber et al., 2018). This relation has been described by planning scholars in a number of dichotomies and typologies. This needs to be seen against the backdrop of a wider shift from the positive towards the regulatory state, whereby there is a shift in emphasis from the state being a ‘producer’ of public goods through public ownership, subsidies and direct service provision, towards an ‘umpire’ overseeing the delivery of public objectives through private actors (Majone, 1994, 1997). The distinction between a productive state and a regulatory state is implicitly also incorporated in Touati-Morel’s (2015) work on densification, distinguishing the use of incentives and direct intervention. In a similar vein, Hartmann and Spit (2015) compared the active Dutch and passive German approaches to land policy, based on the degree in which the state was prepared to take on financial risks in order to achieve its policy objectives. Buitelaar (2012) distinguishes between conservation plans, development-led plans and steering plans, the latter two being oriented towards change but implying a very different public sector role: development plans facilitate a concrete project put forward by the state directly or by any other party, while steering plans are far less connected to concrete projects and therefore less prescriptive and interventionist. Gerber et al. (2018) classify policy instruments according to the degree of interference in property rights, ranging from no impact, via regulation, redefinition to redistribution (see Table 1).

Some authors have approached the issue of state–society relationships more normatively asking how much state intervention is desirable. In a special issue in this journal over a decade ago, Buitelaar and Needham (2007, 1) explored alternatives to customary land use planning, asking whether the ‘general goals of land use planning [can] be retained and achieved but with a less direct involvement from public bodies?’ The question of how to best manage our cities is also central in the work of Webster and Lai (2003) and, more recently, discussed under the terms of nomocratic (grown order) and teleocratic (made order) planning (Moroni, 2010; Slaev, 2016), placing a cautious note on when and how the state needs to intervene. Such views are also reflected in the recent interest in self-organisation as an emerging paradigm in planning (see for instance the special issue in this journal by Rauws et al., 2016). This brief overview is far from complete but illustrates the richness of different notions of the relation between the state and society in determining land uses and planning outcomes.

**Table 1.** Policy instruments according to the degree of interference in property rights (based on Gerber et al., 2018)

|  |  |  |  |
| --- | --- | --- | --- |
| **No impact** | **Regulating** | **Redefining** | **Redistributing** |
| Reference land values, added value capture, land taxation | Land use plans, urban growth boundaries, land readjustment, building obligations | Pre-emption rights, tradable development rights, time-limited property rights | Land banking, expropriation, nationalisation |

This relationship is linked to the way instruments of land policy are applied to pursue public policy objectives such as urban densification. There is large variety in instruments at the national, regional and local scale and their application and combination in concrete cases of densification strategies is thus more than an administrative functional choice, but a normative and political one (Gerber et al., 2018). Subsequently, strategies for densification imply and require the use of certain instruments of land policy – such as taxation, zoning, land readjustment or even expropriation, but also negotiation or collaborative instruments. In other words, a certain use of instruments of land policy complies with certain strategies.

# **A special issue on instruments of land for urban densification**

This special issue brings together contributions exploring the application and combination of instruments of land policy and planning to facilitate densification in urban areas. The papers show the variety of densification strategies between public policy-led and property-led approaches.

Strong state interventions lay at the base of the densification strategies in the Frankfurt Rhine-Main region, Germany, and in two Dutch cities. Mathias Jehling, Robert Hecht and Thomas Hartmann (2020) analyse the regional land use plan as a densification strategy in the Frankfurt Rhine-Main region. Looking at both the instrument and the regional pattern of densification since the publication of the plan, the authors highlight the different and at times contradictory logics of justice that can be applied. Rick Meijer and Arend Jonkman (2020) show how contextual factors such as landownership shape the strategic use of land policy instruments in two comparable Dutch municipalities. While one municipality opts for densification, the other goes for extension.

The contributions of Gabi Debrunner, Andreas Hengstermann and Jean-David Gerber (2020) on the Swiss national policy on densification and Sebastian Dembski (2020) on a Dutch densification project in Amsterdam are examples of mixed strategies. With the recent radical reform of the Swiss Planning Act, densification became a legally binding policy objective. The implementation, however, is largely left to the market. Combined with other policies pushing for the ecological renewal of buildings, it seems to result in a ‘business of densification’ benefitting property owners while tenants bear the brunt. The case study of the Buiksloterham in Amsterdam shows a novel approach to densification in the Netherlands with a more passive role of the public sector than in the past. Moving away from traditional masterplans towards a more flexible and open-ended approach, which is commonly referred to as ‘organic development’, the case study of the Buiksloterham area in Amsterdam demonstrates an inherent tension between planners desire to be less prescriptive and the requirement of legal certainty, which proves particularly demanding in mix-use development. Given these challenges, organic development strategies are unlikely to become a panacea for urban development in the Netherlands.

The contributions by Richard Dunning, Hannah Hickman and Aidan While (2020) on the case of suburban densification in two English cities and Helén Elvestad and Terje Holsen (2020) on negative contracts in Oslo, Norway are examples of the prevalence of private property rights. In England, the government has relaxed development control in a series of reforms, particularly promoting soft forms of densification. Such a strategy is not without its problems, in particular the cumulative impacts of small-scale changes in urban areas. Density is not a problem as such – on the contrary it is a central policy objective to meet housing need – but a more strategic approach is needed, including regaining control in the planning process. In Oslo rulings of the Norwegian supreme court have negative covenants forbidding high-density and mix-use development of land, creating a conflict between municipal land use planning and private property rights. The potential of these covenants being enforced through private law poses a risk for developers.

By exploring how urban densification is implemented in different planning contexts with different strategies, this special issue contributes to both a better understanding of the strategies of land policy and the way densification is defined and pursued as a policy goal.

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