

THE GOVERNANCE OF HOUSING LAND PROVISION IN SPAIN AND GERMANY

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Abstract

Balancing the demand for new housing land with the aim of sustainable urban development requires the harmonisation of property rights and private land use interests with urban functionality and public welfare. While the need to exercise statutory authority in regulating urban growth is generally accepted, the degree of national and municipal competence and the share of private and public regulation differ widely between states of the Western world.

Spain and Germany apply a pronounced federative system of governance. In both countries the authority for urban planning is vested in the municipalities. They differ, however, in the dynamics of urban expansion.

The paper will discuss and compare the governance of housing land provision in Spain and Germany based on empirical evidence collected in the urban periphery of Madrid and German cities.

Key words: governance, land management, housing land provision, Spain, Germany

Housing land provision and sustainable urban development

Housing is probably the single most important economic asset most households invest in, and the demand for new housing an integral factor of economic growth.

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While the supply of housing is increasingly left to the free market, the provision of housing land, i.e. the conversion of agricultural land or open space into land for human settlements, is to be regulated by the state under the participation of local political bodies. Due to financing mechanisms and vested interests involved the assignment of new land for housing generates ‘natural’ conflicts with the aims of open space protection and economic supply of services and utilities under the overarching principle of sustainable urban development.

In Europe the acreage and often the rate of land consumed for human settlements is increasing albeit with considerable regional differences. “In Europe as a whole we [...] see continuous growth in the land used for settlement and transport. Particularly in the 1970s and 1980s European cities saw a big increase in settlement areas. Accession states saw increased suburbanisation in the 1990s. Now about 70 % of all Europeans live in cities. Generally, the agglomerations in Southern, Central-Eastern and Northern Europe have grown significantly more intensively over the last 50 years than the agglomeration areas in Central and Western Europe. However, this is due to the fact that Central and Western Europe was already extremely densely populated in the 1950s and 1960s. Compared to the rest of Europe, Germany has a relatively high percentage of land used for settlement and transportation purposes, but the increase in land per capita is still relatively low” (BMVBS 2006: 25).

The cases of Munich and Madrid and the supportive brief discussion of the England case will illustrate the wide variation in the governance of housing land provision under the generally accepted principle of sustainable urban development.

Germany – myths and reality of local planning autonomy

In Germany, most of the large cities are shrinking in population, while the demand for housing land is, due to constantly decreasing household sizes and additional demand generated by increasing wealth of the population, still growing. It is expected that not before 2015 the general demand for housing land will decrease as a consequence of a continuously shrinking population.

“Settlement areas have grown steadily since the start of the Industrial Revolution, but particularly in the last 40 years. The land needed for settlements has doubled in the former West German states, with transport areas showing a growth of 40 %. Most of this development in the West occurred in the 1980s (and the same is true of most Western European countries). The population, however, has increased by only about 20 %. The land used for settlement and transport increased by 129 hectares a day between 1996 and 2000. Now this rate has decreased to a total of less than 100 hectares a day. This is mainly due to the decline in the increase of land in agglomeration areas; in rural areas, however, it has continued to increase. It

should be noted that the increase in land use in the West is significantly lower than in the East.” (BMVBS 2006: 25)

Despite of a stagnant total population the consumption of land for housing and related infrastructure is increasing unabated in German city regions. The floor space area per head could increase from presently about 40sqm to 80sqm by 2020. Although there is much grievance over this trend because it violates the paramount planning aim of sustainability, there is virtually no success in practical planning.

Sustainability – a paramount planning principle in Germany

The principle of sustainability is firmly anchored in the German planning legislation. Already the second article of the German Federal Planning Code calls for a balance of social and economic demands for space with its ecological functions. The Federal Planning Report which is published regularly by the Federal Government refers to the principle of equity (equal chances) demanding interregional and intergenerational justice. Similarly, the European Spatial Development Perspective (ESDP) is based on the principle of territorial cohesion.

Sustainability as the overarching principle is also strongly echoed in regional and local planning documents. In the fourth Bavarian Regional Development Programme the paradigm is linked to the “creation and maintenance of equal and safe living and working conditions” (StMfLU, 2003a). According to Faludi (2004: 1355) this tradition of balancing the development capacity of the land concerned has “naturally [...] embraced the notion of sustainability”. In the current State Development Plan (LEP) (StMfLU 2003b: 3) the protection of land is one of the eight precautionary actions: “The reduction of the consumption of land for settlement and transportation purposes is one of the central aims to the new LEP. The LEP contains objectives of the use of settlement areas through rational settlement patterns like adequate plot size and trunk infrastructure, the re-use of brown fields (military, railway, industry) and the use of readily usable land reserves instead of new land dedications – inward instead of outward development”. Identical objectives will be found in each and every preparatory land use plan on the local level.

The reality of urbanisation trends and patterns in Germany

“The protection of open space² from building activity is of crucial importance. Since the end of the 1990s Germany has pursued a strategy of slowing the increase in land used for settlement and transport purposes as one of its priority tasks. This is why the Federal government defined a quantity target in its National Sustainability Strategy, according to which the daily rate at which open space is set aside for construction was to be reduced to an increase of 30 hectares per day by 2020 (129 hectares in 2000). In many rural-peripheral areas the ratio between land used for settlement/transport and overall area is still very low, but more recent surveys have shown that increases in density lead to accelerated deterioration in large undivided open space, especially in sparsely populated areas. If large connected areas of open space are not conserved, the existence of some animal species, such as lynx or red deer, would be seriously threatened in Germany over the long term. The conservation and implementation of a large and wide-area biotope network is therefore a particular challenge for spatial planning.” (BMVBS 2006: 32)

In its latest Regional Development Report, the Federal Office for Building and Regional Planning (BBR) observed a decrease in the daily (new) consumption of land from 129 ha (2000) to 93 ha (2003) with new housing being the main factor contributing to the increase in the periphery of large cities (BBR 2006: 22) (Fig. 2). In the peripheral areas of Western Germany the sector of single and double family houses, by far the dominating house type with four out of five new dwellings, causes an over-proportional increase in land consumption.

In a trend projection the BBR expects that the area of building land consumed daily will once more increase slightly from 93 ha (2003) to 104 ha (2020). The crucial point in our context is the projection of intensified peri-urbanisation with especially high increases in the periphery of large cities extending far into rural areas (Fig. 3).

The almost exclusive dominance of single (and to a lesser degree) double family dwellings in the urban periphery causes an “almost linear density gradient between

² “Open space includes all natural and close-to-nature regions within and outside settled areas. Green fields, parks and small gardens in communities are also considered to be open space, as are agricultural land, forests, moors and bodies of water. Cultural landscapes created as a result of human use are also part of open space. These different kinds of open space all share a common characteristic: they are not built up. They are free of any ‘construction-related use’”. (BMVBS 2006: 32)

centre and urban periphery [...] with densities figuring three times higher in the centre than in the peri-urban zone” (Siedentop/Kausch 2004: 40).

The average relative increase of settlement and transport area is highest in small municipalities with low central place ranking. Its cumulative growth in small towns with low or no central function is enormous. More than half of the increase of new settlement and transport area realised between 1997 and 2001 occurred in municipalities with less than 10,000 inhabitants which for only 28% of the total population in Germany in 2000 (Siedentop/Kausch 2004: 46). Only 10% of the 13,300 municipalities in Germany account for 60% of the newly built housing and transport area during the study period. The authors conclude that the pronounced concentration of the conversion of open space on small towns at the lower end of the central place system contradicts sharply with the explicit aims of regional planning. Excessive land consumption at places with low centrality is seen as “a main driver of dispersed settlement growth with high consumption of land, energy and mineral resources” (ibid.).

In a comparative analysis of 20 years of suburbanisation in seven German agglomerations, Schönert (2003) observes that on average all agglomeration centres experience an annual net loss of 0.5% of their population to their periphery which total about 20% over the period under study. The author concludes that there is a strong need to coordinate building land policy between centre and periphery in the large agglomerations, for instance through joint preparatory land use plans. The main obstacle he observes are the fiscal effects caused by urban-peri-urban migration which are expected by both planners and politicians.

The failure of local growth control: Urban sprawl in the Munich Region

The city of Munich is the centre of a mono-centric region with about 2.5 million inhabitants, one of the few German agglomerations with continued population growth. It comprises of 186 municipalities of which 80% have less than 10,000 inhabitants. The settlement dynamics are increasingly shifting to the small peri-urban communes. This pattern of regional growth contradicts the aims propagated by the regional planning authorities sharply.

The region of Munich provides a perfect case to study the contradictions embedded in the German regional and local planning systems. It was, therefore, selected as one of the case studies to investigate the differences in regulating peri-urban growth in four European countries, England, France, Spain and Germany, in a study funded by the European Commission (Bertrand/Kreibich 2006). The following discussion of selected findings is largely based on two sections of the final report (Kraemer 2006; Kreibich 2006).

The outstanding characteristic of the German planning system is the strong local autonomy in urban growth regulation. Andreas Faludi characterised the German approach as “comprehensive integrated planning” (Faludi 2004: 1355).

In line with the federative structure of the German state, the system of spatial planning is highly decentralised based on the principle of subsidiarity. Municipalities are equipped with near absolute planning authority enabling them to counterfeit regional planning objectives especially in the dynamically growing peri-urban fringe. This privilege subjects them, however, to continuous competition with their neighbours. “They are permanently forced to maintain their competitiveness as they want to score high in the inter-municipal competition for inhabitants, employees and companies. In this regard, the municipal production of building land is essential” (Einig 2003: 111).

Kraemer observes that at the interface of regional ‘spatial’ planning and local ‘land use’ planning the high degree of decentralisation and the real meaning of subsidiarity become most obvious. “Here, regulation switches from the comprehensive approach to ‘simple’ land use zoning based on the supply of and demand for land” (Kraemer 2006: 165). Especially in peri-urban areas with their high pressure on urban growth this system places considerable responsibility on local authorities.

They are expected by their constituencies to implement zoning plans which provide sufficient building land for detached single-family homes, the preferred house type, with plot sizes ranging from 200 to 600 square metres. While the target group consists mainly of young couples hailing from the same community (‘local demand’) and access for outsiders is restricted, the municipalities are often interested in opening up the local land market to attract new residents who will increase their tax base and the ensuing revenues. Most peri-urban municipalities use their zoning privilege to ‘communalise’ the local building land market. The gains from developing building land are invested into infrastructure development. This combination of privileges acts as a ‘peri-urban growth engine’ which supports on one hand the high quality of life in peri-urban communes but, on the other hand, puts the local authorities under continuous pressure to finance infrastructure costs through marketing of new building land.

These procedures and the plans they produce are mostly legitimate and technically coherent. However, “they prove incoherent in a political sense of sustainability” (Kraemer 2006: 168). The instruments of regional planning in place are in principle coherent because they are being derived from each other and coordinated by the super-ordinate planning authorities, but their evaluation is not consistent. Kraemer thus observes that “the freedom of weighing up can lead to contradictions which disrupt this logic and undermine sustainable planning

principles” (ibid.). What is even more counterproductive is the weak implementation of regional plans in an environment of fierce competition between quasi-autonomous local authorities.

Kraemer summarises that “the blame for non-conformity of local plans to regional provisions is clearly on the gaps in implementation which can be explained by a combination of missing awareness and political reluctance” (Kraemer 2006: 196). With the high municipal autonomy in land use planning and a high demand for building land – as is the case in the peri-urban fringe of many German agglomerations – there are few incentives for inter-municipal co-operation. Competition within the region is a zero-sum game and today’s short term wins might later return as high costs, not least in a deterioration of the present high quality of life through uncoordinated urban sprawl.

Financing urban growth – myths and promises

The system of financing urban growth is very complex indeed in Germany. The municipalities receive 15% of the income tax generated in each federal Land according to their population size. A growing population will, therefore, increase the share, albeit with a time lag of 6 to 8 years. Another important source of transfers are, in the context of local financial adjustment, key assignments, which are based on the specific task load and the respective financial need of the municipalities. In addition, they collect a property tax and fees for communal services.

The municipalities can charge the plot owner with the costs for servicing of new building land with up to 90%; investors will have to come up for the remaining rest when they have joined into urban development contracts.

In a study based on a household survey of traffic behaviour, on an analysis of regional house building rates and on a fiscal impact analysis, J.-M. Gutsche (2005) investigated the assumption that the German fiscal system has a traffic-generating effect by animating the municipalities through a financial surplus to generate new housing. The results show that “the signals sent out by the fiscal system towards municipal zoning policies are not in direct contradiction with the planning goal of a traffic-avoiding spatial structure. Their guiding effects are, however, not strong enough to prevent a traffic-intensive sprawl in urban regions” (Gutsche 2005: 142). Similar to the region of Munich, in the region of Hamburg the most dynamic expansion of new housing land takes place at locations where the generation of new traffic is highest, i.e. in the peri-urban belt and in the interstitial areas between the arterial axes.

The author of the study concludes that “the widespread assumption that new housing areas will be profitable for a municipality” is more often than not a “myth” and the growth renouncement costs much lower than assumed among regional planners and decision makers (Gutsche 2005: 152).

The author admits, however, that his calculation is based on the assumption that the municipality is not generating so-called planning profits (ibid.: 148) from active participation in the local market for housing land. Our experience in the region of Munich as in other German agglomerations has, however, clearly proven that it is a common practice among quickly growing peri-urban municipalities to monopolise their planning authority. They offer owners of land which is only zoned for agricultural use a deal which will allow them to sell it at a favourable price to a development corporation under municipal control. After re-zoning, parcelling and servicing, the corporation will offer the developed plots on the local market for housing land. The net balance is usually channelled into the municipal budget to finance social services. As one interview partner in a municipality observed: “Development land procurement does not exhibit serious problems. The fact that property owners do not want to sell is bypassed by the fact that the land use plan always includes more than is needed.”

This common practice, which is not fully in line with planning legislation and administrative norms, enables those municipalities with land reserves to support land prices which are highly competitive in the city region context and to develop a greatly attractive service quality which compensates their traffic-generating location. Our studies in the region of Munich revealed that some municipalities apply this mechanism to strike a controlled balance between revenue obtained from housing land expansion and costs generated by population growth. Others in coalitions with smart investors underestimate the long-term costs of rapid growth and isolated housing nuclei.

Spain – local polity matters

Spain experienced accelerated urbanisation since the 1950s, with several decades of delay in comparison with western and northern European countries. Its urban growth was mainly caused by internal migration, with people moving from agrarian regions to the fast growing metropolitan areas of Madrid, Barcelona and Bilbao (Arias/Heitkamp 2000). Today, however, international migration has become the major factor contributing to urban growth. During the years 1998 – 2006 the population of the Municipality of Madrid increased sharply by 910.000 inhabitants, 647.000 of them being foreigners.

In Spain, two unique instruments are used to co-ordinate building land supply and urban development: *convenios urbanísticos* (urban planning conventions) and

consorcios urbanísticos (urban planning consortiums). They provide the municipalities with comprehensive tools to acquire building land and to finance follow-up costs.

Unregulated urban sprawl in the Region of Granada

The Spanish spatial planning system, which has been developed over the past 25 years, now contains a complex and detailed set of normative instruments. Spatial development policies and administrative structures are, however, not yet suitable for meeting the challenges of rapid urbanisation. Based on case studies in the city-regions of El Ejido and Granada in Andalusia, a region with extensive urban sprawl, Francisco Entrena (2006) identified a severe implementation deficit. Usually plans specify only norms and priorities and do not contain any terms for implementation.

Provisions for the resolution of conflicts arising between administrative entities are still underdeveloped. The need for mediation and negotiation will grow with ongoing decentralisation which is devolving more responsibilities upon local authorities. These are yet to accept the fundamental paradigm shift from inter-municipal competition for new housing estates and industrial parks to regional co-operation. While this change in attitudes is overdue, it is still delayed by an inappropriate fiscal framework. A severe shortage of revenues makes municipalities dependent on private investors and vulnerable to excessive competition.

The relatively weak participatory component in the Spanish planning system contradicts the growing influence of civil society groups on environmental issues and urban growth policies. Environmental organisations play an instrumental role in ecological protection and in the formulation and implementation of urban planning documents. They even influence the issue perception and decision making practice of public authorities to a degree that negotiating and co-operative planning procedures are being increasingly accepted and applied.

Francisco Entrena can, therefore, detect a “growing awareness about the need to foster strategic and integrated approaches to the conception and implementation of territorial policies” (Entrena 2006: 149). He also observes that “both literature and the collective Spanish conscience have broadly internalised the objectives of the ESDP (which) are key pieces in legitimating the present national discourse on territorial planning” (ibid.). In his conclusion he feels, however, forced to characterise the current state of Spanish spatial planning with a phrase borrowed from Andreas Faludi as “unfinished business” (ibid.).

Successful urban growth control – Fuenlabrada, Region of Madrid

The municipality of Fuenlabrada (200.000 inhabitants in 2008) is situated in the south-western metropolitan periphery of Madrid. It can be considered as an outstanding example for successful urban development, since it succeeded in switching from processes of unregulated urban sprawl to highly successful processes of urban growth control. Back in the year 1987 Fuenlabrada was labelled as the “most untypical Spanish city in terms of urban development” (El Periodico de Catalunya: 1987). In only 17 years its population increased about 740%, from 18.400 (1975) to 155.000 inhabitants (1992), with a density of up to 320 residential units per hectare. About 62.000 residential units in large housing areas were finished in the period from 1971 to 1979, almost all of them on grounds not classified as building land. “The only controlling parameter was the right to build” (Heitkamp 1997: 101). The living conditions did not offer a secure livelihood: the provision of adequate social and technical infrastructure was not granted, workplaces were far away, public transport was almost inexistent. Borrowing the words from Gans (1967) the dwellers “... were bored and lonely, alienated, atomized and depersonalized”.

The change in local housing policy was preceded by a change in local polity. In 1979, in times of political transition from autocracy to democracy, when the first municipal elections were held, the city’s future urban development was one of the main political topics. The first task to be assumed was the spatial organization of the city by organizing the future use of derelict land and of the many interstices left by former unplanned development. For that purpose the first Urban Development Plan was elaborated (1980 – 1987), aiming at three main tasks: first, to detect the possibilities of the local planning authorities to adapt the old, now obsolete planning measures to the new ideas and goals of local development; second, to reduce the quantity of future housing units to be build; and third, being the most important aim, to obtain sufficient public properties to be able to equip the municipality with basic infrastructural facilities (parks, street, places, but also social, health and educational centres, etc.).

The municipality’s aim was to involve the private developer in an agreement which leads to real progress in urban development. Only the private developers had the financial power to tackle the task of completing the town, the Central State still was not very reflective on the problems of the metropolitan peripheries. To speed up the whole process the local government decided to adopt an aggressive and interventional attitude towards the detected problems of urban development, basing it mainly on the execution of political pressure and the introduction of new planning instruments.

The main and most successful instrument was the *convenio urbanístico* (urban planning conventions). Public and private stakeholders (mainly developers and landlords) discussed every detail of the new Urban Development Plan already during its elaboration, leaving no space for ambiguous interpretation. Local authorities initiated a simple but very effective process of political pressure: landlords and developers were notified that their existing building permits are legal but that they do not accord with the actual needs and goals of urban development, therefore declaring them null and void. Affected stakeholders now had the choice to go to court, with the risk to have to wait five or six years until the sentence is passed, causing serious financial problems to nearly each one of them. The municipality made a counter offer: If the developer transfers part of the land to the municipality construction will be permitted. This ‘agreement achieving system’ worked out well, many years the municipality did not pay for properties designated to infrastructural facilities and affordable housing.

A further important step towards financing urban development was the introduction of a development contribution scheme (*cuota de urbanización*) with regard to the provision of public infrastructural facilities benefitting urban development. The contributions to be paid were approximately 325 EUR per housing unit or per square meter of industrial or commercial development. Although they were collected right from the early 1980s, they did not become legal until 1987, when the Urban Development Plan was passed. In the meanwhile developers accepted them as a kind of ‘revolutionary tax’ because they quickly recognized that an adequate provision of public infrastructural facilities clearly benefitted the sales prospects of their housing units. (Heitkamp 1997, 2008)

Of course local authorities were conscious about the fact that, in political terms, the chosen procedure was highly questionable, but they responded that it was extremely effective, giving the municipality the capacity to determine the contents and the direction of urban growth (Heitkamp 1997, 2008). Today, after more than 25 years of urban development under the banner of urban planning conventions, all challenges of urban restructuring are met. In 2004 the municipality has been distinguished with the National Prize for Urban Development, awarded by the National Housing Ministry. In 2008 95% of urban development measures were executed in the framework of urban planning conventions. “The system is settled, each developer knows the rules valid in Fuenlabrada.”³ And the rules are highly demanding.

³ Interview with the Mayor of Fuenlabrada, April 2008.

The urban development plan permits a maximum of 35 housing units per hectare of building land. According to the municipality only 11 units can be promoted at the prevailing market price; a share of the total area⁴, equivalent to 8 - 11 housing units, is transferred to the municipality and is reserved for affordable housing. The municipality sells the land to housing cooperatives, which, in part, have been founded by the very active neighbourhood associations. Flats built by housing cooperatives can only be bought by persons who are registered as a resident at the local registration office, do not exceed certain income limits and/or belong to special population groups (young households, single parents, etc.). Another share of the total area, equivalent to 14 - 16 housing units, is transferred to the municipality, which, in return, pays hundred percent for servicing the new building land, financing it by selling some of the properties. For cost reasons some of the civil engineering work is executed by municipal enterprises, so that private utility companies only install the technical infrastructure.

The applied regulatory system for urban development and housing land provision shows a remarkable balance between housing production and urban development, offering sustainable results from a spatial, financial and social point of view. In times of intense property speculation it provides for a high percentage of new affordable housing units, which is in itself an outstanding characteristic of social sustainability.

England – the benefits of centralised planning

The differences between land consumption as a measure of sustainable urban (and regional) development in Germany and England are blatant. While in the year 2001, 40ha/year/100,000 residents were consumed in Germany (not considering residential areas), the corresponding statistic in England was merely 12.7ha. The re-use of abandoned land within municipalities is on the increase in England and has achieved an astounding level of 55%, while in Germany the increase of land for housing and transport is almost completely based on the conversion of agricultural land (Haaren/Nadin 2003: 349).

The dissimilarity can be traced to the different planning systems. C. v. Haaren and V. Nadin (2003) point to the emphasis on recycling brown fields and unused plots within towns, to the tradition of ‘Green Belts’, and to the different taxation system. Henderson (2006) stresses the high degree of policy coherence concerning the concentration of new development in and around regional centres which is

⁴ Total area = 1 hectare

instrumental to reduce traffic and optimise on infrastructure and services. Consequently, “the appropriateness of regulatory responsibilities and powers on the local level has to be assessed in the light of its capacity to fund basic services and infrastructure” (Kreibich 2006: 180).

The strongly centralised planning system in England puts the municipalities in a position where they have to implement planning decisions made in London, leaving them little powers to follow their own interests. Implementation of a plan depends on its congruence with ministerial planning policy; municipalities cannot insist on getting their plans approved.

English communes can, different from Germany, not generate own revenue with additional inhabitants on new housing land; rather they receive most of their revenue through direct transfers from central government. As a consequence Henderson (2006) detects a growing role of the private sector in financing housing land development.

Haaren and Nadin (2005: 350) would, however, refrain from classifying the English planning as ‘top-down’ because of the high degree of participation which central government grants regional and local bodies. In addition the municipalities have much room for modelling and adapting the development concepts within the Regional Planning Guidance, a regionally integrating planning strategy.

Conclusions

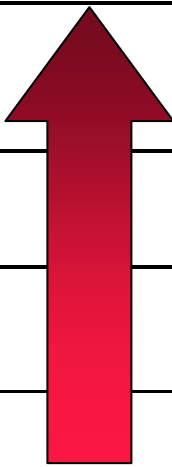
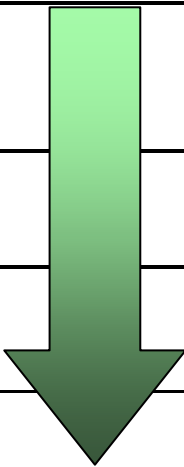
Reviewing the different empirical evidence collected in the urban periphery of Madrid, in German cities and in England a clear paradoxon appears: In general terms the degree of sustainability in urban growth regulation seems to correlate positively with the degree of centralisation of the planning system in place (fig. 1). Nevertheless there are exceptions to the rule, as the case of the municipality of Fuenlabrada clearly shows.

The empirical evidence points to considerable success in tallying rapid urban growth with sustainability principles in municipalities in the Madrid agglomeration by achieving high housing densities, planning for mixed land-use and providing efficient public transport. In the peri-urban municipalities in the Munich region the well-intended objectives spelled out in their urban development programmes contradict sharply with large-scale low density development even at locations without access to rapid transit.

The findings suggest that devolving planning authority to the local level does not necessarily foster sustainable urban development. Rather, the influence of intervening variables like communal finance regulations and political majorities

has to be accounted for. Strong governance in balancing the demand for new housing land with the aim of sustainable urban development does not limit itself to exercise statutory authority in regulating urban growth. The findings suggest that sustainable responses to urban growth should be based on acknowledging the influence of varied forces and intervening variables like communal finance regulations, political majorities and/or opportunities. Also the need to apply proactive policy tools which are “framed by long-term strategies to achieve wider societal goals based on the principles of sustainability and spatial fairness” (EC 2008: 6-7) was observed.

Figure 1: Country comparison: Sustainability of urban growth regulation

Country	Level of decentrali- sation	Sustainability	Comments
D			Communal planning authority, ‚Eigenbedarf‘ (‘local demand’)
E			Large regional disparities in implementation
F			Inter-communal co-operation under high centralisation
GB			Central enforcement of sustainability (‘top-down’)

Source: authors’ design

While a growing role of the private sector in financing housing land development can be observed in all of the countries studied, the real drivers of change are manifold: In England the strongly centralised planning system restricts municipalities in following their own interests in urban development, whereas in Spain and Germany municipalities benefit from near absolute planning authority. This enables municipalities to counterfeit regional planning objectives, especially in the dynamically growing peri-urban fringe. They are subjected to a continuous competition for inhabitants, employees and companies with their neighbours. In this regard the production of housing land is essential, placing at the same time significant responsibility on local authorities. Opening up the local land market to attract new residents who will increase the tax base is mostly legitimate but proves

to be incoherent in view of sustainable development. And weak regional plans cannot conceal the negative effects of fierce competition between almost autonomous local municipalities.

Municipalities like Fuenlabrada provide important clues how local authorities can be a key enabler of change in urban development, pursuing sustainable growth, “giving equal, affordable [...] access to such basic human rights as land and shelter, [which] are the preconditions for the development of sustainable places and communities” (EC 2008: 8). Although the municipality is not entirely representative for the Spanish situation, as the Granada example shows, it represents a very interesting case for public-private partnership being at the centre of decision making, while the power of definition of future urban development is clearly in the hands of the local authorities.

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