

THE FRENCH LAW OF SOLIDARITY AND OF URBAN RENEWAL, THE CONCEPT OF TRIALOGUE

1. THE DIFFICULTY OF MEETING THE URBAN NEEDS

In many occasions in his recent history, France has been obliged to put quickly into motion essential planning projects, especially as concerns housing. Quite often, so much time was spent on considering the objectives, the proceedings, and the means to bring into play, that the projects just failed.

The more flagrant example is the one of the reconstruction during the post-war period. The persons in charge at this time, nurtured by the great philanthropic theories of the beginning of 20th century, took a long time quitting theoretical thinking of the housing of the future, central for a new society, and turning to the hasty realization of “high-rise flats”, in a hurried response to the crucial needs of this time.

The same situation occurs today. Sure enough, a large legislative corpus has been put together, full of precepts and ambitious projects. But, on the other hand, striking needs for housing, complex land situations, difficult urban developments have still to be tackled. For example, immediate housing needs in the “Ile de France” area have risen up to 60 000 units, to which one has to add the needs of the 10 to 15 next years. Wastelands must be recovered, urban areas must be densified, and new neighbourhoods created. All these projects come up against the slowness of the three steps’ process of “thinking–deciding–implementing”.

Some projects however were successfully achieved during the rebuilding movement of the post-war period. They resulted from creative will, discarding all administrative constraints. All liberty was given to Auguste PERRET for the realization of the new urban structure of Le Havre (today registered in the World Heritage), to André LURCAT for reconstructing the city of Maubeuge, to Louis ARRETCHÉ for renovating the old town of Saint-Malo. More recently, under the aegis of Paul DELOUVRIER, new towns were established in the “Ile de France” region, taking over large areas from villages which, however not favourable to the projects, were eventually obliged to accept them.

2. THE AVAILABILITY OF A NEW LEGISLATIVE FRAMEWORK

Now, things have taken a new turn: various legal arrangements have been set up from 2000 to 2007, since the putting into effect of the “Law of Solidarity and of Urban Renewal” (*Loi Solidarité et Renouveau Urbain : Loi SRU*), which deeply modified the practice of urban planning.

New tools for planning and management have thus been given to the communities. An essential feature of the Law is to substitute an opening to long term developments of areas and towns to the short term perspectives of the past.

The concept of Sustainable Development is introduced. All the projects involved in present planning actions must come within this perspective. The “*Plan Local d’Urbanisme*” has replaced the old “*Plan d’Occupation des Sols*”, the “*Schéma de Cohérence Territoriale*” has succeeded the “*Schéma Directeur*”. Two principal steps have been taken: introducing the

long term prospects (the Project for Sustainable Development) and initiating a dialogue between all involved parties from the very beginning of the project. The achievement of the strategic project is a permanent objective, and the necessary steps must be put into effect.

The reality is however different from the claimed objectives. The weight of the regulations is overwhelming, particularly in stating the different levels of decision any project is to be subjected.

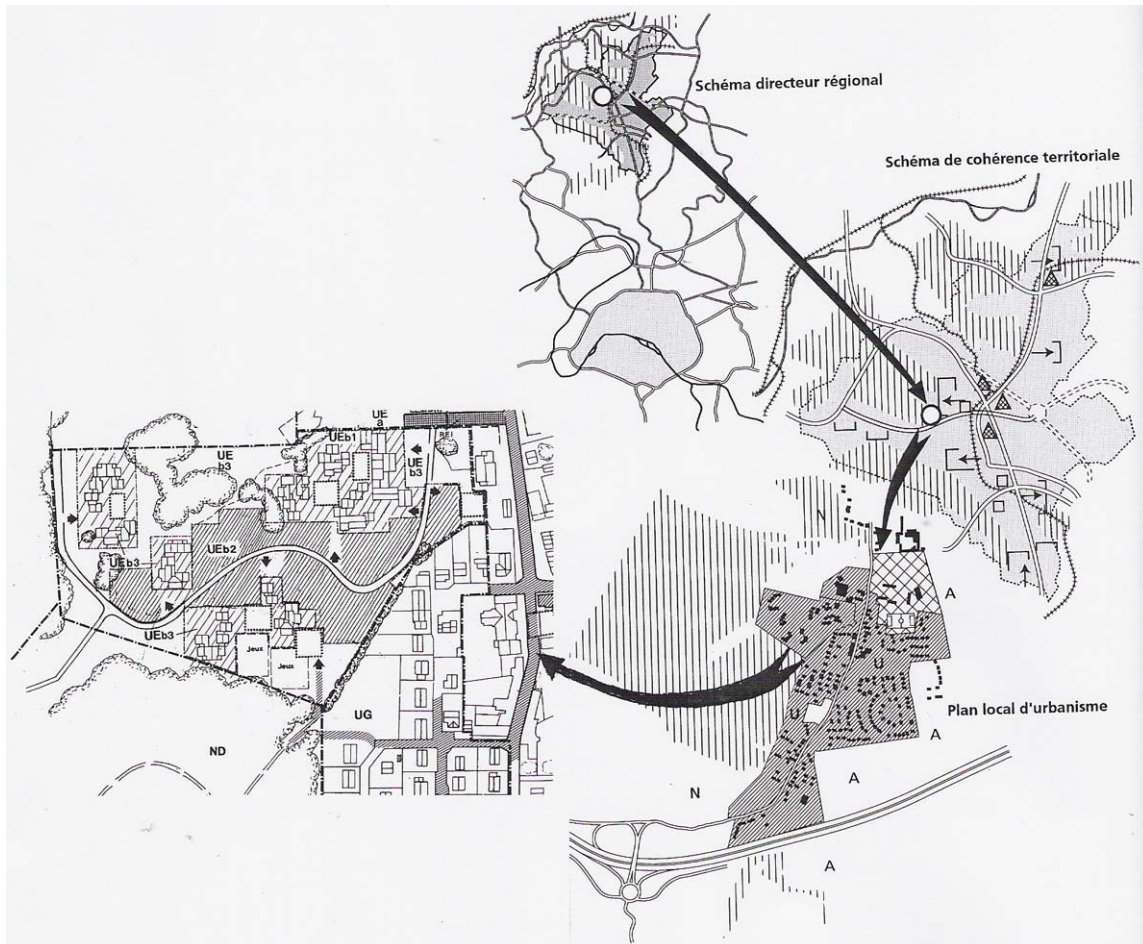


Figure 1. The long distance, from the regional scheme to the project

The construction of such a legal apparatus results in a whole spreading of rules, depending of the order of importance of the projects (Figure 1):

- First, the “*Réglement National d’Urbanisme*”
- Then the great projects which are absolutely imperative: “*Opération d’Intérêt National*” (as the establishment of a new town, the setting of “La Défense” neighbourhood, etc.) – “*Directive Territoriale d’Aménagement*” (a tourist station, a business district, etc.) – “*Projet d’Intérêt Général*” (the passage of a highway, a harbour project,)
- Finally: “*Schéma Directeur Régional* » (such as the ones for l’ Ile de France, la Corse, etc.) – “*Parc National*”– “*Parc Naturel Régional*”. – “*Schéma de Cohérence Territoriale*” for the level of an area or of a great town.

The “*Plan Local d’Urbanisme*” subjected to these regulations is the local development project *par excellence*, which results in specific area designs.

Let think of a project for creating a new district in a wasteland of an old urban centre. This project, essential for the creation of social housing and schooling facilities, can be therefore

considered as an important one. But, belonging to the “Local Development Project”, it is actually at the bottom of the regulations’ ladder to which it is subjected: the likelihood that it may be eventually carried out is not so good.

This superposition of precepts means that each grade obeys the immediately preceding and higher one. Between the global perspective of the regional plan and the implementation of an action of strategic interest, the gap is widening, making progressively loose any interest in the global perspective. The necessity of the councillors, the persons in charge, to answer precise regulations, leaves no place for creativity and innovation.

However, the new legislation has introduced new “tools” leading to the project, which could be put in use if better known.

The Project for Sustainable Development (“Projet d’Aménagement et de Développement Durable”, PADD) outlines the main features of the future organization of an area, as well as the precise actions involved. The responsible councillor has to think out the evolution of the built and natural framework of his town, to see that the needs for housing, activities, equipments will be satisfied in due time, a task which, of course, is full of uncertainties. He must also look after the management of resources’ balance.

Originally, the PADD led straight to “specific orientations” and to the actions involved. Completely watered down by new laws, it remains today only for the picture. How to have councillors, persons in charge of following up the projects, concerned by this stylistic composition? On the other hand, nothing prevents the planner from making it an educational instrument during all the steps of the project, in demonstrating that immediate concerns are not to compromise the future.

The Local Development Plan (“Plan Local d’Urbanisme”) defines the organization of the different functions of an area, at the scale of a district or of an urban area. The notion of project’s area was therefore introduced, taking into account, beyond the regulations and in a real strategic view, the conditions of an area’s development. The global perspective of the PADD is thus translated into the process of a project (Figure 2).

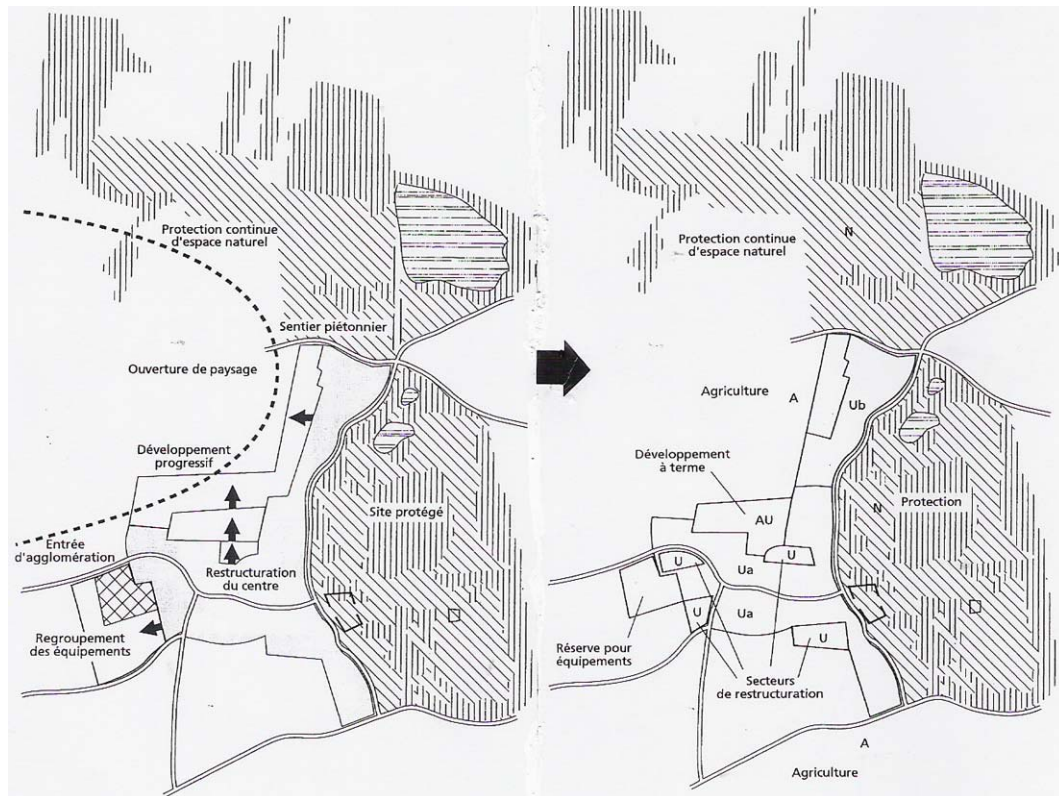


Figure 2. From the Sustainable Development Plan to the Regulation Plan

We can take as an example the case of a town, located near Paris on a downstream bank of the Seine River. The future of this town is frozen: the local area is fully occupied as social housing schemes have occupied, since 1970, the last agricultural lands of the plateau. The Local Development Plan leads to projects that must be implemented without delay, such as:

- restoring an old neighbourhood, a planned action for improving housing conditions,
- restructuring the North entry of the town around sportive equipments, in a flooding prone area,
- developing a terrace setting on an hillside historic site, dating back from the 18th century,
- establishing a sailing harbour, on the Seine bank, as a continuation of an established tourist tradition (Figure 3).

These are as many projects, duly registered, involving land problems, infrastructures' construction, and costs to be assessed. For implementing these projects, a long process has to be followed, with regulations establishing zoning, rules and constraints. The very achievement of the project, and its innovating character, might be compromised in due course.

Facing that situation, the town planner has an imperative part to play:

- inserting the projects within the whole perspective of the PADD.
- steering them in order that decisions come to reality.
- finally, at the end of the process, defining the rule serving the project.

In the last years, too much regulation, too short term perspectives for area developing in our country, have resulted in many harm-full effects:

- neglecting the needs to be satisfied, that the projects aimed to fulfil.
- underrating the urban space, which is perceived only through rules, leaving aside structure and coherence.

- insufficient thinking about the advantages of densities, leading to sprawling residential suburbs.

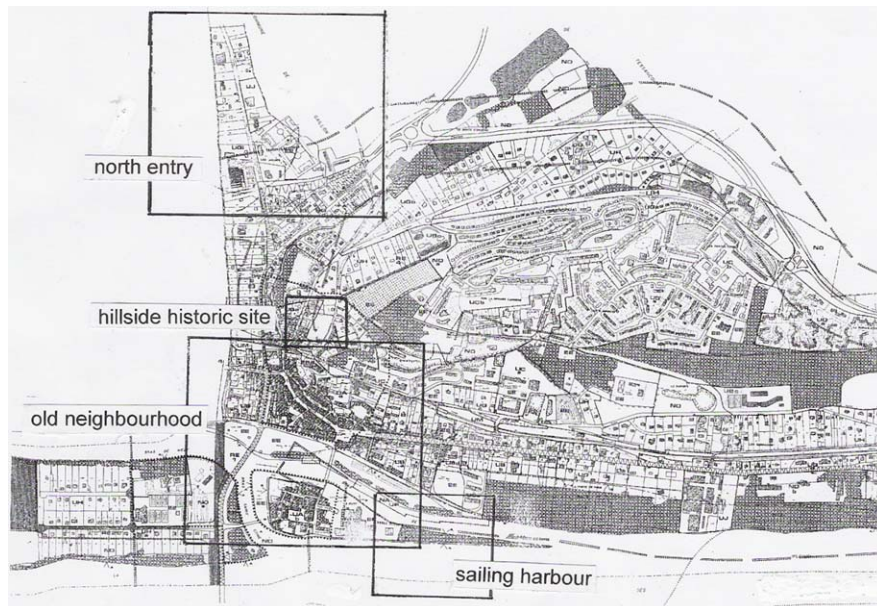


Figure 3. The projects led by the Local Development Plan

3. SETTING UP COHERENT PLANNING UNITS

Through the thirty to forty years of past regional planning, practices have shown that inherited administrative limits have never been challenged. However, on the physical basis of the urban groupings inherited from history, economic development and exchanges have promoted real regional identities. The new boundaries of the studied areas, which are thus appearing, are to be assessed and defined.

A wider scope for embracing whole areas permits a better apprehension of the future of large territories. To that effect, Territorial Coherence Plans correspond to these larger projects and proposals have been made by members of concerned delegation:

- questioning existing regional boundaries, at the whole French country level.
- applying this rationale to the more meaningful projects of the leading scheme for the "Ile de France" region, particularly as concerns the continuation of the establishment of new towns. This, of course, requires further thinking, on a more important scale.
- demonstrating the reasoning at work through the units' grouping of the Great East of Paris, providing a fresh look on the evolution of a regional economy open to cross-border exchanges.

At a smaller scale, three examples can demonstrate the need to create the same coherent planning.

First, take the example of a group of districts constituting the "SEINE AVAL" unit. Previous leading schemes had created barriers ignoring the unity of the two banks, making necessary to review the whole project for long time perspectives, and leading to the grouping of the concerned districts. This grouping will permit a better integration of the different actions undertaken for the developing the whole river area.

The second example is the one of the "Plaine de France" in the Val d'Oise. The unity of this whole area is re-established beyond the boundaries of the concerned different leading schemes. The new planning approach must join together several projects (Figure 4):

- a network of small towns and villages, close to a forest border
 - expanding economic activities near the ROISSY-CHARLES-DE-GAULLE airport
 - preserving several privileged sites, located within a neighbouring Regional Natural Park
- If these three units were considered separately, a serious problem of coherence would appear, within the context of the new leading scheme of the "Ile de France" region. In that case, the basic line would be how to conciliate the impact of one of the most active centre of the regional economy with the quiet environment of neighbouring villages.

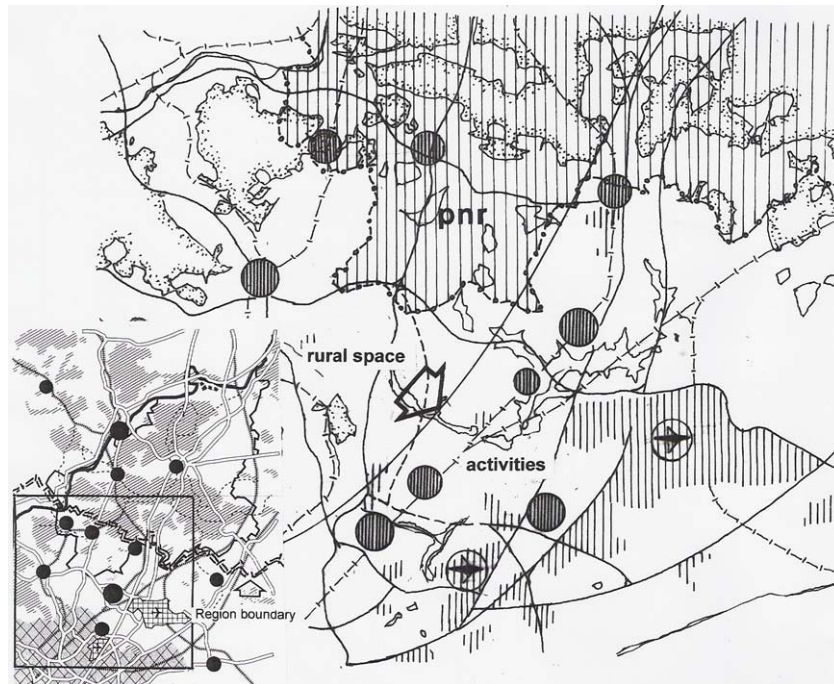


Figure 4. The unity of the whole area beyond the boundaries of three leading schemes

The third example is the general problem encountered when establishing an "entry" for National Parks. The problem is the one of considering a valley, or a natural area, as a whole, but at the same time differentiating the different stages leading to the central area. As such the development project of this key area is constrained not only by the unity of the physical settings, but also, and maybe more importantly, by the presence of a human community living nearby. There lies the very source of the notion of "peripheral area" introduced by the 1960's law devoted to the Parks.

All development regional studies are therefore put into question as concerns their boundaries. A new distribution of areas is to be done, free from the limits inherited from history.

Then a complete calling into question of urban studies is in order. The new tasks involved require an adequate training of the planner and of the responsible persons of concerned departments, based on experience and giving his due importance to the planner. This is also to be part of the education given to councillors.

4. A NEW READING OF THE URBAN SPACE

The common practice, always repeated when zoning and applying the related regulations, makes us easily forget the structure of the built areas, the quality of the spaces open to the public, of the paths where life takes place, with its roundups, exchanges, changing from one hour to the next.

In most of the studies, the space is often considered as devoid of life, as a mere frontier between built areas and future developing zones.

This space must not be looked upon as a void: it's there that life takes place, around community facilities, developing privileged bounds between its members. How to take into account that important characteristic of the urban space?

As concerns communal studies, this new approach could be achieved through the following ways:

- thinking the built areas as moving around spaces and paths
- observing the real life taking place at any time.

Before distinguishing the different areas to regulate, the project must proceed to this new reading of the urban space, thinking out the life it's able to generate.

An example can be the one of a little town in a hilly area. It has at its disposal a large network of public spaces that link up the different facilities. There, life displays several facets: the daily life, the feisty events, the tourist life. In these ways, space is lived very differently. Such observations must lead to the development of the neighbourhoods corresponding to these different aspects of life, with the suited facilities. The structure of the old centre, around the principal square, can be read easily. In the same manner, the potential development of the other neighbourhoods will follow the same reading according to their particular life features.

In this way, each project must take shape by rereading the urban space (Figure 5).

Without that rereading, the project approach of the same areas which would be only concerned by conforming itself to the regulations, would remain a mathematic exercise, allowing building rights without an in depth knowledge of the life and potentialities of the different neighbourhoods.

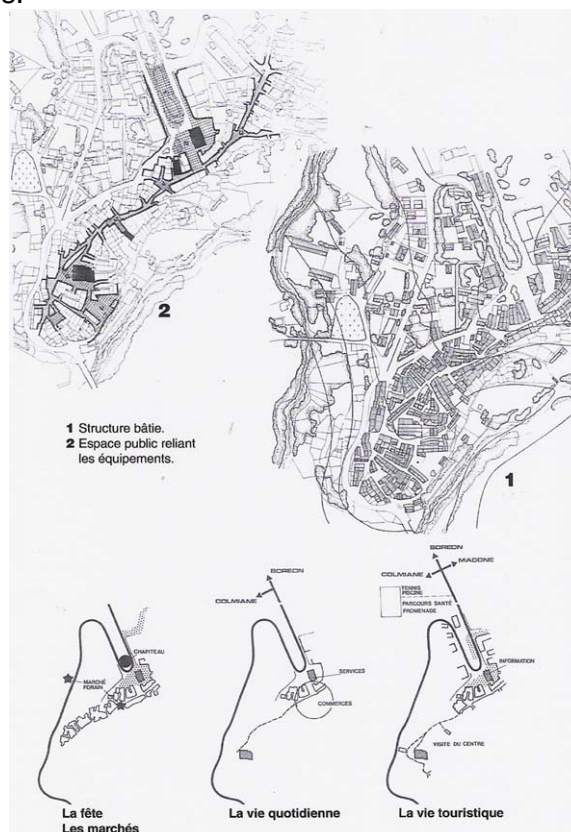


Figure 5. The life in public spaces – the opposite of a regulation approach

5. RECOVERING THE SPIRIT OF CONSULTATION

The new legislation, requiring a consultation process, induces new tasks in the project approach. That means, from the first stages on, evaluating the situation, stressing the stakes, and explaining the setting up of the project, before its very implementation. The residents of the different neighbourhoods, the representatives of trade associations, members of concerned organisations, etc. are all invited to take part to the consultation process. As concerns a communal project, this consultation takes place before any decision, submission to different organs, and before the public inquiry.

This is an opportunity for the planner for acting as a practical teacher, beyond any theoretical premise. Precise actions are mentioned: the construction of facilities, the establishment of a great infrastructure, the redevelopment of industrial waste lands, etc.

That concerns especially the implementation's requirements: land problem, legal context, financial assessment, etc. implying a very sharp knowledge of each case. Discussions are to be initiated among the different actors, and the necessary conclusions properly taken.

Almost seven years have passed since the promulgation of the law, and lessons are to be drawn. Different situations can occur:

- the simple account of a situation and the setting out of the resulting project, without alternative
- the presentation of the different facets of the project, followed by a debate leading to its justification
- the possibility of challenging the project, each actor having the possibility of appealing against the proposals.

This last case is rarely considered, as it would put forward actors whose reactions are difficult to foresee, rendering a constructive meeting quite difficult.

We can take the example of a village located at the door step of a great rural area. Different fields are at stake and several groups may be constituted:

- rural farmers that would make known, at the very first, that they cannot manage the protected spaces
- tradesmen and craftsmen, keen about protecting the quality of the village centre, but at the same time worried if a centre of activities was to be established outside the built-up area
- associations willing to preserve and develop the existing facilities.

Instead of stepping into general ideas and schemes, the consultation must develop well defined projects that are the core of the growth strategy of this village, such as:

- a grouping of young farmers in an estate bought by the district
- the revival of the central square with the organisation of commercial premises
- the building of a new stadium, with games grounds around, in the vicinity of the secondary school located at the entry of the village.

CONCLUSION

All that preceded has been mentioned in order to support moves favouring the implementation of essential actions, without lingering on rules that are only means for the project achievement.

Barriers must be removed and a new approach promoted:

- assigning new sizes for the development's units,

- putting the study of project's areas at the centre of the Local Plan,
- focusing on those who live in the concerned areas for a new reading of the urban space
- consulting without formalism and going straight to the project.

All the construction of regulations, burdened by half a century's old practices, is to be put into question. However, in that respect, one has to recognize that the new texts of law open possibilities that councillors and services have still not fully put in use.

As planners, our opinion is that all our past ways must be called into question. We have to innovate and educate. Assuredly, a new path is opened in front of us.

NOTA: all illustrations are designed by b. AUBERT. The Figures 1, 2 and 5 are taken from CAILLAUD, Martine and AUBERT, Bernard (2007) *Les projets d'urbanisme en 80 questions*, Paris: Editions Le Moniteur.