



THE ROLE OF LANDSCAPE HERITAGE IN INTEGRATED DEVELOPMENT OF RURAL AREAS IN THE CONTEXT OF “LANDSCAPE LEGAL REGULATION”

Adrianna Kupidura
Warsaw University of Technology

Abstract

In this paper we propose to look at rural landscape from the perspective of heritage. The issue of landscape is presented in the context of contemporary factors which result from the evolving approach both to the notion of heritage itself and to the rules of its conservation. It was noted that activities which identify not only the natural value of landscape but also its historic, cultural, visual, aesthetic and symbolic values, as well as activities which define a heritage community should become a permanent component of current works on integrated rural development.

Rural landscapes are cultural landscapes emerged as a result of a long interaction of environmental factors with the activities of a community living in a given area. In these landscapes traces of the past can be seen in a form of landscape patterns. Identifying and defining landscape heritage should be an important component of spatial planning processes.

Landscape is shaped on a local scale. In the spatial planning system existing in Poland it is local governments which are the authorities with the largest responsibility over spatial planning. The mere conservation of landscape resources without any measures which aim at planning and managing these resources is not sufficient as an effective management tool. In this paper we propose activities which serve to identify and assess the elements of landscape heritage of a given locality and which may be taken up by a local government interested in building a sense of local identity and creating a bond with the local area.

The observations we present are set against legal solutions introduced with the Law of 24 April 2015 on amending certain laws in connection with strengthening the landscape conservation instruments (Ustawa 2015).

Keywords: landscape, landscape heritage, rural landscape guides, integrated rural development, landscape legal regulation

INTRODUCTION

Today we observe a growing interest in landscape as an object of various scientific disciplines. Landscape is an important point of reference for a society interested in quality of life, consolidation of the European identity and creating conditions favourable to this objective (European Landscape Convention 2000). The landscape, being the product of many factors and processes, is a multidimensional phenomenon with a potential for intersection of different scientific perspectives and disciplines. The concept of landscape can be used as a platform allowing the integration of nature and culture, aesthetics and ideology, time and space, the tangible and the intangible.

Cultural landscapes of rural areas are subject to constant transformation which can have negative results for the landscape value (Bielska, Kupidura 2010, Kupidura et al. 2011). The condition of a landscape is a testimony to the level of civilizational development of the society inhabiting the area and forming its landscape, to its economical capacity and cultural aspirations, as well as to the condition of legal regulations.

Poland has a long experience of improving rural development instruments (Woch 2006, 2008; Kupidura et al. 2011, Ender et al. 2012). Measures focused on changing the land ownership patterns, carried out through traditional land consolidation processes, have been replaced with multifunctional and integrated measures aimed at rural development. In this paper we take a closer look at issues related to protection, planning and management of landscape resources of the countryside. It has been noted that identification and assessment of landscape understood from the perspective of heritage should become a vital component of studies and analyses preceding any development and revitalisation of countryside.

METHODOLOGY

The studies have shown a possibility to use the concept of landscape heritage (Kupidura 2013) for creating the character of a place and for building a sense of identity of a local community involved in the process of transforming the spatial structure of their local area. The observations presented in this paper are

based on the results of contemporary studies on the evolving heritage philosophy (Graham Howard 2008, Tomaszewski 2012, Rottermund (ed.) 2014, Ashworth 2015) and the changing approach to landscape seen in the legal regulations (European Landscape Convention 2000, Ustawa 2015). In this paper reference is made to theoretical works and to examples of practices related to integrated rural development (<http://enrd.ec.europa.eu/>, Ender et al. 2012). The studies conducted have allowed us to define a range of activities which serve to identify and assess the elements of landscape heritage of a given locality and which may be taken up by a local government interested in building a sense of local identity and in creating a bond with the local area.

CONTEMPORARY UNDERSTANDING OF HERITAGE. RURAL LANDSCAPE AS THE ELEMENT OF HERITAGE

Contemporary approach to heritage reflects the change in opinions and trends which has taken place over the last years. Today, instead of protecting individual monuments, protection is extended over urban or rural landscape complexes or even entire cultural landscapes. The focus shifts from noticing only tangible aspects of heritage, including cultural and natural heritage (UNESCO 1972) to noticing also its non-tangible aspect expressed in preservation of tradition, customs or unique practices of arranging space (UNESCO 2003). The temporal extent of heritage also increases to include the remnants of all former historical periods including also the elements of modern culture. In addition, the scope of activities taken up by public services with regard to heritage resources is not only limited to their protection but also to heritage planning and management (Ashworth 2015). The concept of heritage shifts from the sphere of culture to the sphere of public policy and becomes an important aspect of spatial planning processes. As a result heritage becomes an area of interest of many experts active in land management and spatial planning, not only: architects, historic preservation officers and art historians but also politicians at different levels of administration, developers, city planners and spatial planners, landscape architects, economists, geographers. When going from heritage protection to heritage planning and management, the attention of researchers is increasingly drawn to social issues and to how the value of heritage is perceived by the society.

Heritage may be perceived from many different angles and this is how it is often presented in literature. The historic, social and spatial context of heritage has also become of interest to researchers (Czepczyński 2004). Historic context refers not only to the history of a place but also to the history of the social group that lives there. Social context depends on ethnic and national context but also on the age and sex of the inhabitants and on the social class they belong to. Spatial context can manifest itself through the way in which we use and transform

landscape and how we create a relationship with our place of living in order to make it meaningful and important. Spatial context manifests itself in a sense of local identity.

Rural landscapes which are cultural landscapes emerged as a result of a long interaction of environmental factors with the activities of a community living in a given area have also begun to be perceived as heritage. These landscapes show traces of the past in the form of landscape patterns (understood as a set of traits specific to the look of a studied cultural landscape). Landscape patterns have been shaped by environmental conditions and anthropogenic factors such as the changing economic models, social orders, settlement policies and existing farming models. The patterns which can be discerned in the rural landscape may be connected to large spatial formations such as expanses of farmland which are a reminiscent of historic ownership structure, as well as the types of countryside architecture but they also can be expressed in functional and spatial relations between environmental features, large and small architectural structures and other components. Cultural landscapes with their historic structures and spatial relations connected with farming determine local identities and make part of the cultural heritage of Europe.

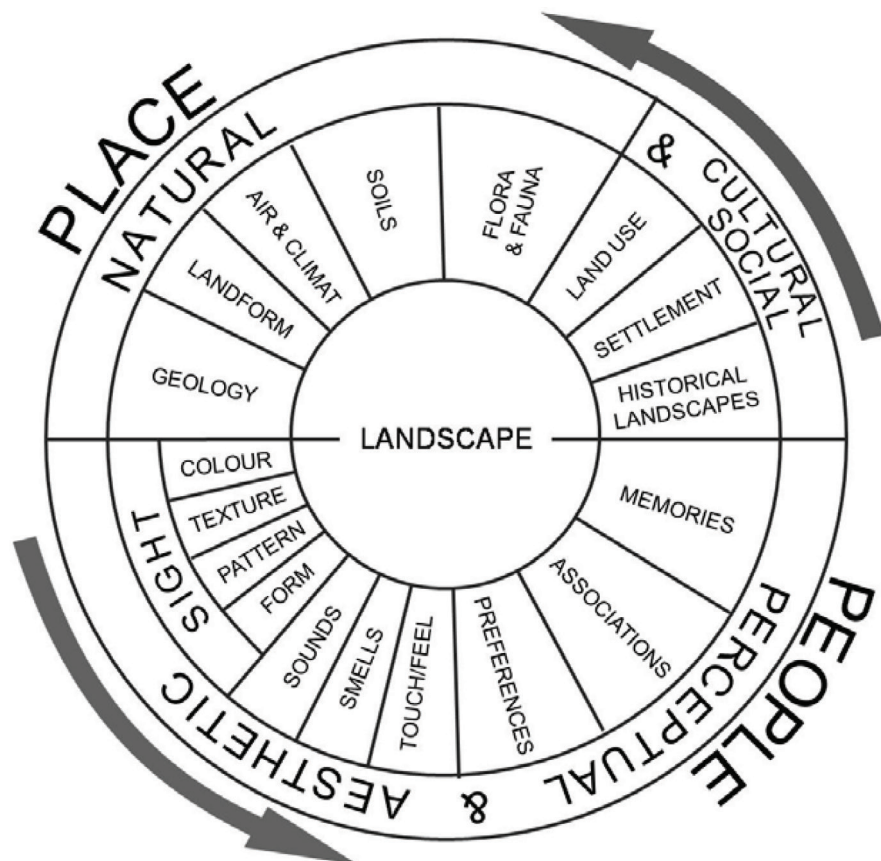
IDENTIFICATION AND ASSESSMENT OF LANDSCAPE HERITAGE AND CATALOGUES OF GOOD PRACTICE AS AN ESSENTIAL ELEMENT OF INTEGRATED RURAL DEVELOPMENT

Landscape understood as heritage allows the integration of different forms of heritage: cultural, natural, tangible and intangible. When understood as heritage, landscape will describe not only the physical (tangible) surroundings but also space as experienced by individuals and social groups (Kupidura 2013). Interpreting landscape from the perspective of heritage will focus on attributing it a symbolic dimension.

Such approach to landscape is present in the model approach to landscape resources management which has been developed in Great Britain for many years (Tudor 2014). Landscape is identified through environmental and cultural characteristics of an area which make up its tangible heritage but also through elements of intangible heritage connected with how landscape is experienced by the society (Fig. 1).

In the processes of integrated rural development landscape may be understood as an area perceived and experienced by individuals, the character of which is a result of the activity and interaction of natural and human factors and which is a unique spatial structure in which historical processes, symbols and

cultural meanings are encoded (Kupidura 2013, see also: European Landscape Convention 2000, Raszeja 2007, Ustawa 2015).



Source: Figure adapted by author from Tudor (2014)

Figure 1. What is landscape?

The starting point for identifying landscape heritage should be a discussion among community which will lead to interpreting heritage by landscape creators and users who may be defined as – following the concept proposed by the Council of Europe in Convention on the Value of Cultural Heritage for Society (Council of Europe 2005) – a „heritage community”. Such community may include both social movements and organisations, as well as interdisciplinary teams of experts representing different disciplines involved in spatial planning. This group should not be limited to the local community.

A key issue related to the interpretation and definition of landscape heritage will be to determine the historical, cultural, aesthetic, symbolic and natural values of a landscape (Kupidura 2013). These values should be defined and described as part of integrated rural development by defining and describing (Kupidura 2013):

- to what extent landscape patterns, which constitute traces of human activity in landscape, have survived,
- to what extent specific cultural and natural landscape patterns as the elements of landscape evolution are representative for a given area,
- to what extent specific cultural and natural landscape patterns are unique for (rare) or typical of a given local area, region or country,
- the wealth of historic tradition present in the landscape (including intangible heritage).

The results of conducted works should be presented in a form of a study of landscape heritage resources of a given commune. The process of integrated rural development seems to be a perfect occasion to prepare such landscape heritage study which could be then used by the local government when taking decisions on spatial management.

Based on the study of landscape heritage resources of the commune the local government could prepare catalogues of good practice focused on different landscape-related themes in spatial planning. Catalogues of good practice would be a type of how-to books for land owners and would contain guidance on how to design new residential developments in housing areas. Starting from selection of right locations for locating housing sites, through examples of site development and management, architectural forms of buildings preferred in a given area, roof proportions, types of preferred finishing materials and colours of buildings to a site layout, front gardens layout, design of small architecture structures, examples of fences which match the local landscape. Catalogues of good practice would also recommend preferred methods of modernisation of existing buildings. Such catalogues could also include good practice of public space planning in rural areas. Such rural landscape guides are developed by local governments and public services in Great Britain or in France and are available for download at the websites of local commune authorities.

CONSERVATION, PLANNING AND MANAGEMENT OF RURAL LANDSCAPE IN THE CONTEXT OF THE NEW LEGAL REGULATIONS

In the majority of EU Member States landscape is perceived as an important component of surroundings which has impact on quality of life. Landscape

is shaped on a local scale. In Poland it is local governments which are the entity with the largest responsibility for spatial planning. The landscape is an object particularly difficult to manage. Everyone who owns real estate is also the owner of a section of landscape. Owners manage the landscape to the extent of their legal title and share of land. The extent of their title depends also on the type and function of the real estate they own, but also on the land surface and the cubic capacity of their buildings (Kupidura 2013). Property law allows for free disposal of the owned section of landscape within the framework of applicable laws.

In many countries, care for the quality and condition of landscape which is the heritage handed down to us by previous generations, is the responsibility of the state. The landscape in Western culture is treated as a common good. The protection of the common good should be socially acceptable. In the face of the current cultural and legal situation in Poland, the recognition of the primacy of the common good over the individual's right to dispose of one's property appears to be extremely difficult to achieve in the context of the landscape quality. That would require the acknowledgement of the primacy of landscape values over individual consumer goods in the spatial planning process.

In Poland, there is no single authority responsible for the overall management of space and landscape with all its constituent elements. A characteristic feature of the Polish law in this regard is a sectoral approach and scattered legal provisions affecting the shape of landscape. What is also characteristic is the supremacy of protective measures over the actions aimed at planning and managing landscape resources. In 2015, a law on amending certain laws in connection with strengthening the landscape conservation instruments was introduced (Ustawa 2015) which was the first attempt to implement the provisions of the European Landscape Convention, ratified by Poland in 2005. The Law's goal is to identify, assess and define the related hazards and is aimed at prioritising the conservation of landscape. The Law introduces for that purpose a new instrument – a landscape audit. The landscape audit's goal is to enable the creation of connections between priority landscapes and the local spatial policy. As part of the audit, the following actions shall be carried out: identifying the landscapes which are present in the entire area of the voivodeship, determining their characteristics and assessing their values. Its aim is to identify priority landscapes and to determine the boundaries of protected landscapes. The audit will also define the hazards for the protection of priority and protected landscapes, the recommendations and conclusions concerning the development and protection of these areas and recommend the local house design forms within priority landscapes. The audit conclusions are to be implemented through the intermediary of spatial development plans at the level of voivodships, studies of land use conditions and spatial planning directions at the level of communes and through local spatial development plans.

The Law also introduces a new instrument for the landscape management amending the existing regulations related to the issues of advertisements, fencing and small structures – the so-called Law on advertisement which is optional – its implementation will depend on the decision of a given commune. The Law allows the introduction of an advertising fee, the imposition of administrative penalties, and facilitates the application of the Code of Offences and the application of legal provisions aimed at preventing building disfigurement.

Both instruments will have an impact on rural landscape. New legal provisions regarding landscape and its conservation (landscape audit) focus mainly on the landscapes of exceptional value, and not on everyday landscapes, as it is called for in the European Landscape Convention(2000). Developing guidelines and recommendations at the level of voivodships may become a starting point for discussion on the landscape heritage of rural areas.

SUMMARY AND CONCLUSIONS

Interpreting landscape from the perspective of heritage may become a point of reference for analysis and discussion on spatial management. It influences the way in which landscape is perceived and treated in land management and farming works. The heritage perspective allows the decision-makers to go beyond the environmental dimension and to identify historic, cultural, aesthetic and symbolic value of landscape. The catalogues of landscape heritage resources could become the starting point for a discussion with inhabitants of a given area on building a sense of local identity and developing a bond with their living space and a sense of responsibility for their everyday landscape. Landscape should be a space subject to constant negotiation. If we consider that landscape is an element of our common heritage, collective property, then taking care of its condition, sustainable development, harmony and aesthetics will be visible in the local government's spatial policy, in local regulations adopted and in administrative decisions made, and first and foremost in how real property owners make decisions on the use and layout of their plots. Landscape heritage may be used by local governments as a medium to transmit ideas, policies and practices and as a platform of mediation in spatial planning projects carried out as part of integrated rural development.

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Eng. Adrianna Kupidura PhD, DSc
Warsaw University of Technology
Department of Spatial Planning and Environmental Sciences
Plac Politechniki 1
PL 00-661 Warsaw
Phone: +22 234 5970
e-mail: a.kupidura@gik.pw.edu.pl

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