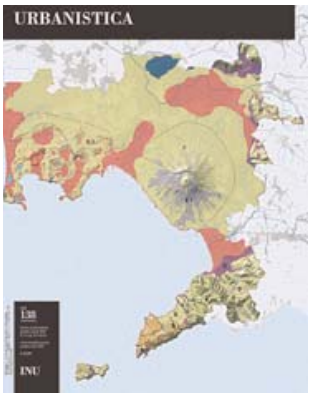

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Towards sustainable land use in Germany: reviewing the German experience with antisprawl policies and tools

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During the 1990's, the continuous land consumption for urban purposes received growing attention in the German urban and environmental planning debate. In 2002, the federal government adopted its first sustainability strategy titled 'Perspectives for Germany' (Bundes regierung 2002). One of the strategy's goals is to reduce the rate of conversion of non-urban to urban land uses from 130 hectares in 2000 to 30 hectares per day in 2020. This so called '30-hectares goal'.

In spite of numerous policy initiatives on the federal and state level, land consumption for urban purposes remains high. As in other developed countries, land use change in Germany can be characterized as a transition of a compact urban form to a more and more dispersed urban land use pattern with moderate or even low urban densities (urban sprawl). Researchers claim that this process increases automobile travel rates, and causes efficiency losses of urban services such as public transport or sewer systems (Schiller/Siedentop 2005). Furthermore, urban sprawl is seen as one crucial contributor to landscape.

There is general agreement on the key drivers of further land consumption

- the increase in households accompanied with further land demand for housing;
- preferences of households for sub-urban or rural living environments;
- the growing use of the private car, supported by relatively low transportation costs and public subsidies for the suburban transportation infrastructure;
- new forms of industrial and service production.

Traditional drivers like population and job growth or motorization are losing their explanatory power. The advanced demographic and economical transition - associated with deindustriali-sation and population decline - leaves many cities with large amounts of underutilised or vacant industrial and residential land. One could assume that Urban shrinkage should discourage urban growth because fewer residents require fewer housing units, less urbanised land and less infrastructure. However, in Germany three major factors work against this logic:

- the ongoing demographic trend towards smaller households, counterbalancing the negative effect of population decline on housing demand;
- the fiscal competition between communities to attract new inhabitants and companies, fuelled by tax regulations and public subsidies for the provision of newly urbanised land for housing as well as for industrial and commercial land uses;
- 'planning routines' of local land use planners that favour greenfield development over brownfield projects, where brownfield development is perceived as more complicated and riskful, and a strong preference for low density housing especially in suburban and rural regions with low land prices.

Even in regions with a significantly negative population balance, the process of land conversion to urban uses doesn't come to rest (Figure 2; see Siedentop/Fina 2008).

There is a broad consensus among political stakeholder that an effective anti-sprawl policy covers three general goals, namely:

- the quantitative reduction of land consumption for urban purposes;
- the management of land use pattern in order to preserve an infrastructure-efficient urban form and to protect the open countryside from scatter or leapfrog developments;
- the avoidance, mitigation or compensation of ecological damages caused by urbanization.

However, the debate on how to achieve these goals remains controversial. Many experts argue that a more restrictive 'top-down' regulation of local land use policies is needed. Others claim that the constitutionally protected right of municipalities to decide on their own where and to what extent land is to be made available for building has to be acknowledged.

Germany's 'anti-sprawl armoury'

The national government has very limited power to regulate land use and urban development. Spatial planning itself is exercised by state governments and regional planning authorities (regional planning) as well as by municipalities (local land use planning). Therefore, a considerable variety of planning philosophies and operational performance can be observed among the 16 German states.

From an 'anti-sprawl' perspective, the most important planning policy instruments on the level of states and municipalities are the following (see tab. p. 88):

- Comprehensive development plans on the state and regional level set binding provisions for municipalities and sector planning authorities. The latter refers to the protection of ecologically sensitive areas and the location of new development in central places and near mass transportation. Furthermore, some state and/or regional development plans comprise quantitative caps as maximum values for land conversion from non-urban to urban uses;
- Comprehensive development plans on the municipality level with integrated landscape plans aim to protect environmentally sensitive areas from urban development;
- The Federal nature protection act spells out the obligation of municipalities and sector planning authorities to avoid, mitigate and compensate ecological damages as a result of building and land use change. Based on the experience that negative effects may still persist after mitigation, the law has adopted a compensation principle, envisaged as counterbalancing the impacts of land use change (to urban uses) on natural assets and landscapes.

Discussion

Germany has been relatively successful in preserving rural landscapes from uncontrolled building activities. Due to the strict prohibition of building in the open countryside ('Außen-bereich'), the problem of scatter developments outside urbanized areas is significantly lower than in many other European countries. A second success story is a comparatively effective protection of environmentally sensitive areas from further urban development. However, it is obvious that instruments of negative planning ('where not to build') are much more effective than 'positive planning' ('where to build', 'how much to build'). The state governments clearly failed in reducing the overall land consumption. Today there is a broad consensus amongst planning experts that the '30-hectares goals' cannot be reached without a massive reform of urban land use practices. Some scholars suggest the implementation of economic instruments in order to implement economic

incentives against further sprawl. Proposals range from land use tax regulations with different rates according to ecological damages (Bizer 2000) to tradable development rights between municipalities with a fixed amount of total development for a state or region (Köck et al., 2008). Other scholars prefer 'soft policies' that attempt social learning of stakeholders without legally binding restrictions (e.g. information strategies, voluntary commitments). Arguments in this direction point to the fact of massive opposition of local policy makers against any form of top-down regulation.
Up to now only one point seems to be undisputed - the German debate on effective strategies and instruments towards sustainable land use is an ongoing one.