

Winfried Schenk, Elena Tillmann

Cultural landscape



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References

One of the principles of spatial planning in Germany is the preservation and development of cultural landscapes. Inventories and regionalisation determine which landscapes are considered a concern of planning. Depending on the precise understanding of cultural landscapes, they will generally be landscapes that are characterised by cultural and historical elements and structures.

1 Cultural landscapes and spatial planning

The consideration of cultural landscapes within spatial planning has become significantly more important since the early 1990s. The term is now used at nearly all levels of planning. At the same time, the use of the term ‘cultural landscape’ emphasises the special cultural significance of these spaces compared to the term ▷ *Landscape*. The increasing importance of cultural landscapes for planning purposes is rooted in the accelerated change of spatial structures that has been observed, giving rise to a fear of the loss (Lenz 1999) and destruction of fauna and flora as well as the aesthetic quality of the landscape, the disappearance of anchor points for historical awareness and a sense of belonging, as well as general uncertainties about the future of cultural landscapes (▷ *Land use change*) (BMVBS/BBR [Federal Ministry of Transport, Construction and Urban Development/Federal Office for Building and Regional Planning] 2006).

The European level provides an important impetus for the consideration of the cultural landscape in spatial planning. The key document of European landscape policy is the European Landscape Convention (ELC) of the Council of Europe of 2000. This Convention stipulates that managing cultural landscapes is deemed a civic task with an obligation to register, assess and further develop them subject to active ▷ *Public participation*. Although the Federal Republic of Germany is not a signatory to the ELC, the Convention still has an impact on the handling of cultural landscapes from a planning perspective in Germany. For example, the network of cultural landscapes created as part of the ‘Regionale 2010’, a North Rhine-Westphalian structural promotion programme, aspired to break down the objectives of the European Landscape Convention to the Cologne/Bonn region (Molitor 2006).

In 1999, the ▷ *European Union* (EU) defined guiding principles and objectives in the form of the European Spatial Development Perspective (ESDP), which create an overall orientation framework for the ▷ *Spatial planning (Raumplanung)* of the member states (▷ *European spatial development policy*) (Hönes 2013: 16). While the ESDP is not legally binding, it has a spatial steering function (Huck 2012: 67) and describes the creative management and further development of the potential of cultural landscapes as an important responsibility of spatial planning policy. At the same time, it expresses the need to provide special protection for some exemplary historical cultural landscapes (European Commission 1999: 34 et seq.).

1.1 Cultural landscapes in the Federal Spatial Planning Act and in the Federal Government’s guiding principles for spatial planning

In Germany, the general principle (▷ *Objectives, principles and other requirements of spatial planning (Raumordnung)*) of taking the preservation of cultural landscapes into account in spatial planning was first expressed explicitly in 1998 in the Federal Spatial Planning Act (*Raumordnungsgesetz, ROG*) (▷ *Spatial planning law*) (Huck 2012: 111). This spatial planning principle was supplemented by the mandate to develop cultural landscapes in addition to the preservation mandate in the recast Federal Spatial Planning Act of 2009. Section 2(2) no. 5 of the Federal Spatial Planning Act now requires that ‘cultural landscapes are to be preserved and developed’. This principle is further elaborated in the Act as follows: ‘the defining features and cultural and natural monuments of historically significant and established cultural landscapes

must be preserved. The different types of landscape and uses of the territorial subdivisions must be planned and developed in line with the objectives of harmonic co-existence, of overcoming structural problems and creating new economic and cultural strategies. The spatial conditions must be created for ensuring that agriculture and forestry can make a contribution to protecting the natural living conditions in rural areas and to manage and plan nature and the landscape.’

The spatial development principle thus generally defines cultural landscapes as spaces to be developed. The use of the plural form indicates that there should be a number of different spatial units in Germany that can be demarcated according to such original, defining features. At the same time, the law selects particularly qualified, historically significant and established cultural landscapes that must be preserved, in line with the conservationist mandate of landscape protection, as being particularly valuable spaces with their defining characteristics and cultural and natural monuments (Schmidt/Hage/Galandi et al. 2010: 28). Using the defining statutory notions of ‘historical’ and ‘established’, the Federal Spatial Planning Act identifies specific territorial subdivisions of the cultural landscape where the conservation interest in principle takes precedence over other concerns (Hönes 2013: 17). The distinction between defining features and cultural and natural monuments means that ‘features’ do not necessarily have to be elements that are protected as monuments (Schenk 2006).

The guiding principle of the *conservation of resources, shaping of cultural landscapes*, which was established in 2006 by the Conference of Ministers for Spatial Planning (*Ministerkonferenz für Raumordnung, MKRO*) in the guiding principles and action strategies for spatial development in Germany (*Leitbilder und Handlungsstrategien für die Raumentwicklung in Deutschland*) (▷ *Guiding principles for spatial development*), is consistent with the statutory principle of preserving and developing the cultural landscape. This guiding principle reflects both the objective of preserving certain cultural landscapes and the objective of sustainable further development (Alltschekow/Eyink/Sinz 2006). The Conference of Ministers for Spatial Planning deemed the latter to be the real challenge (*MKRO* 2006: 25). Accordingly, cultural landscapes should be understood as a qualitative complement of traditional spatial development policy (▷ *Spatial development*) and the design of cultural landscapes as a characteristic that can actually be experienced and which is conducive to promoting a regional identity for inhabitants based on their environment. In terms of practical planning, the guiding principles of 2006 require the inclusion of cultural landscape planning in regional development strategies and the promotion of regional management and regional marketing strategies (▷ *Regional management*) (*MKRO* 2006: 25). Likewise, the draft of the new guiding principles and action strategies for spatial development passed by the Conference of Ministers for Spatial Planning in 2013 repeatedly relies on the guiding principle of *cultural landscape planning* and advances it in the sense of seeking a balance between the preservation of regional values and the new requirements for use and design. The efforts of the Conference of Ministers for Spatial Planning to work towards Germany signing the European Landscape Convention (*MKRO* 2013) is a new approach; this is consistent with similar efforts by the German Forum for Cultural Landscape (*Deutsches Forum Kulturlandschaft*), which was founded in 2007 (2013).

1.2 Cultural landscapes in federal state and regional planning

The spatially unspecific and generally phrased cultural landscape principle of the Federal Spatial Planning Act must be specified (section 2(1) of the Federal Spatial Planning Act) in spatial

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development plans as a specification for subsequent weighing and discretionary decisions (▷ *Weighing of interests*) (section 3(1) no. 3 of the Federal Spatial Planning Act) (Spannowsky 2010: 87; Werk 2012: 52 et seq.). This is primarily done at the levels of federal state spatial planning (▷ *Federal state spatial planning, federal state development*) and ▷ *Regional planning* (Battis 2014: 91).

At the level of the state-wide spatial development plans, the principle of preserving cultural landscapes in the Federal Spatial Planning Act can be rendered more concrete through a comprehensive structuring of the space into cultural landscape subdivisions, for which specific development objectives can then be defined (Huck 2012: 287 et seq.). An example of a classification in this sense is the cultural landscape-related paper about federal state spatial planning in North Rhine-Westphalia, which identifies 32 cultural landscapes, each with its own unique characteristics (*LWL [Regional Association of Westphalia-Lippe] / LVR [Regional Association of the Rhineland] 2007*).

As a precise definition of the principle of the preservation of historically significant and established cultural landscapes in a specific spatial context first requires a determination of these cultural landscape areas (Huck 2012: 288), which is generally not possible at the level of federal state spatial planning due to the size of the planning space, it appears more appropriate to make this determination at the more immediate local and problem-related level of regional planning (Goppel 2010: 307; Schumacher 2012: 112; Werk 2012: 53). Such inventories are available in North Rhine-Westphalia in the form of papers on cultural landscapes in the regional plan for the Ruhr region (*LVR/LWL 2014*) and Düsseldorf (*LVR 2013*) as matters that must be taken into account when drawing up the regional plans. In Thuringia, historically significant and established cultural landscapes are already a legally effective component of the regional plan for Eastern Thuringia (*Regionale Planungsgemeinschaft Ostthüringen [Regional Planning Association for Eastern Thuringia] 2012*) based on studies of the cultural landscape projects for Eastern Thuringia (Schmidt 2004).

It should be generally noted ‘that at the level of spatial planning components of plans and the respective framework conditions tend to be elaborated [for the purpose of preserving and developing the cultural landscape] as part of the overall spatial strategy. The concrete project level is not conducive to spatial planning’ (Werk 2012: 60).

1.3 Correlations with other areas of law

The principle of the preservation of historically significant and established cultural landscapes is closely linked to other areas of law, in particular to the law on the preservation of monuments, nature conservation law and environmental impact assessment law at the national level as well as the international level, e.g. in regard to the UNESCO World Heritage Sites.

Conservation of historic buildings and monuments

A legal framework for the conservation of historic buildings and monuments (▷ *Conservation of historic buildings and monuments/heritage management*) is provided by the references to cultural landscapes in the laws on the conservation of historic monuments (*Denkmalschutzgesetze, DSchG*) in some of the federal states (Brandenburg, Saxony-Anhalt and Schleswig-Holstein) and by instruments, such as heritage areas (section 5 of the Act on the Conservation of Historic

Monuments of North Rhine-Westphalia [*DSchG NRW*] or similar constructions through which cultural landscapes can be registered (Weiss 2008; Gunzelmann 2009). The Association of State Monument Conservators (*Vereinigung der Landesdenkmalpfleger*) in the Federal Republic of Germany defines the historical cultural landscape from the perspective of heritage management as ‘part of the current cultural landscape, which is characterised by elements and structures of a historical, archaeological, art historical and cultural historical nature. In historical cultural landscapes, elements, structures and areas from different historical periods may co-exist side by side and mutually affect each other. Elements and structures are deemed to be historical if they no longer arise, are created or continued in the present day for economic, social, political or aesthetic reasons, in other words, if they originate from a past historical period’ (Gunzelmann/Viebrock 2001: 1).

Nature conservation

The Federal Nature Conservation Act (*Bundesnaturschutzgesetz, BNatSchG*) (▷ *Nature conservation*) formulates the following objective: ‘To permanently secure the diversity, uniqueness and beauty as well as the recreational value of nature and the landscape, historically significant cultural landscapes, including their cultural, architectural and heritage sites, must be protected against disfigurement, urban sprawl and other impairments’ (section 1(4) sentence 1 of the Federal Nature Conservation Act). Unlike the objective of the Federal Spatial Planning Act, the objective of the Federal Nature Conservation Act focuses on the protection aspect and identifies particularly qualified, historically developed cultural landscapes as protected assets to be protected from disfigurement, urban sprawl and other impairments (Schmidt/Hage/Galandi et al. 2010: 17; Huck 2012: 191 et seq.; Tillmann 2014: 827; Tillmann 2016: 53 et seq.). As the statutory determination of an objective as such does not entail a direct legal consequence, the objective must be achieved by means of the implementation options provided for by the law (Wolf 2012: 64). To this end, the Federal Nature Conservation Act provides for area-specific ▷ *Landscape planning* (sections 8-12 of the Federal Nature Conservation Act), the project-related ▷ *Impact mitigation regulation* (sections 14 et seq. of the Federal Nature Conservation Act), as well as area-specific conservation areas (sections 20-30 of the Federal Nature Conservation Act), with the latter option allowing in particular for the designation of landscape conservation areas (section 26 of the Federal Nature Conservation Act; ▷ *Conservation areas under nature conservation law*; ▷ *Conservation areas under water law*) and in individual cases of national natural monuments (section 24(4) of the Federal Nature Conservation Act) for cultural and historical reasons (Breuer 2010: 9; Tillmann 2014: 828; Tillmann 2016: 138 et seq.).

Environmental Impact Assessment

As part of the environmental impact assessment (EIA) under the Environmental Impact Assessment Act (*Umweltverträglichkeitsprüfungsgesetz, UVPG*) by which the impact of a project on the environment is determined, described and assessed (section 1 of the Environmental Impact Assessment Act), cultural assets (section 2(1), sentence 2 no. 3 of the Environmental Impact Assessment Act), the landscape (section 2(1), sentence 2 no. 2 of the Environmental Impact Assessment Act) and their reciprocal effects (section 2(1), sentence 2 no. 4 of the Environmental Impact Assessment Act) are listed as protected assets that must be taken into account; accordingly, cultural landscapes should be considered in the course of the environmental impact assessment (Huck 2012: 21 et seq.). In part, cultural landscapes are also classified directly as ‘cultural assets’

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worthy of protection if they are 'defined as attesting to human activities of an ideal, spiritual and material nature, which as such are significant for the history of humankind and can be described and localised as things, spatial arrangements or as locations in the cultural landscape' (Gassner/Winkelbradt/Bernotat 2010: 265).

UNESCO World Heritage Convention – World heritage landscapes

With the 1992 extension of UNESCO's World Heritage Convention (WHC) (▷ *World heritage, world natural heritage*) to include cultural landscapes, the discussion was elevated to the level of public international law. Cultural landscapes are considered by UNESCO as an expression of the regional, specific conjunction of natural and human impacts and comprise diverse manifestations that are caught between human activities and natural potentials. The WHC distinguishes between three types of cultural landscape: (1) aesthetic landscapes created by humans (parks and gardens), (2) cultural landscapes that owe their distinctive character to the interaction of humankind with nature, with a distinction being made between living and fossil landscapes, (3) cultural landscapes, which are valued for the religious, spiritual, artistic and historical associations that inhabitants ascribe to them. In this sense, the cultural landscapes of the gardens around Potsdam and Muskau and the 'associative cultural landscape' of the middle section of the Rhine river were declared to be world heritage. In 2014, the Conference of Ministers for Cultural Affairs (*Kultusministerkonferenz, KMK*) included additional cultural landscapes in the tentative list of the Federal Republic of Germany (caves of the oldest Ice Age art in the Ach valley and in the Lone valley near Ulm; alpine and pre-alpine meadows and moor landscapes in the vicinity of Garmisch-Partenkirchen (*KMK* 2014).

2 Cultural landscapes in science

Landscape is 'a central, much-used and therefore extremely ambiguous concept within both European policy and in intellectual history of the last millennium' (Hauser/Kamleithner 2006: 74). One of the reasons for this is that the term has repeatedly been reinterpreted. In the medieval period, the notion of *landscapewas* first associated with a political or natural space inhabited by the native, politically active population of a given area of land. From the early modern period, the reification of a section of space painted from an aesthetic perspective was objectified in the form of landscape painting, and eventually, the late 19th century saw an idealisation of the 'beautiful' agrarian landscape from an anti-urban perspective (Schenk 2013). These viewpoints were expanded by deconstructionist ideas in the course of the *cultural turn*. As a result, the current understanding of the cultural landscape ranges from an essentialist perception oriented towards material structures and ideas of conservation to participatory and constructivist notions, which perceive the cultural landscape as the result of discourses and the actions of stakeholders, i.e. as a communicated message (Fürst/Lahner/Pollermann 2005; Gailing/Röhring 2008; Leibenath/Gailing 2012). In the view of the above, Gailing and Leibenath (2012) deem it impossible to arrive at a reliable, universal and consistent definition of a (cultural) landscape; hence, they believe that academics and planners, who use these terms, must position themselves in this regard. To obtain an overview of the diversity of the various notions of the (cultural) landscape, Gailing and Leibenath (2012) identify key features of these varying notions, which can occur in various combinations. The opposing poles of these features define them as conceptual pairs (Gailing/Leibenath 2012;

similarly: Heiland 2010; Trepl 2012). A positivist or physical-material concept of landscape can be distinguished from a constructivist notion of landscape (Fürst/Gailing/Lahner et al. 2008: 27; Heiland 2010; Gailing/Leibenath 2012; Schenk 2013: 29). In line with a positivist/physical-material notion, a landscape is perceived as a specific, existing section of the surface of the earth as an objectively perceivable object (Heiland 2010: 279; Gailing/Leibenath 2012: 96), which is also described as a 'real object' (e.g. Becker 1998: 45). A constructivist perspective of landscape, on the other hand, does not understand 'landscape' to be something objectively given, but the result of an ongoing, individual perception and assessment process, which is essentially defined by social interaction and social discourse (Heiland 2010: 280; Gailing/Leibenath 2012: 96). In addition, a distinction can be drawn based on a descriptive or a normative understanding of landscape (Heiland 2010: 281; Gailing/Leibenath 2012: 99). In the descriptive understanding, a landscape, or the construction of a landscape, is analysed and described without relying on any normative claim (Heiland 2010: 280 et seq.; Gailing/Leibenath 2012: 99). A normative understanding, on the other hand, is generally associated with the instrumentalisation of certain protection or development objectives for the landscape. A distinction must be made, moreover, between holistic and element-oriented notions of landscape (Fürst/Gailing/Lahner et al. 2008: 26 et seq.; Gailing/Leibenath 2012: 100). While holistic concepts of landscape – in line with Humboldt's views – understand it to be a comprehensive entity or totality, 'which unites material structures and mental representations and serves as an interface between culture and nature or between physical-material and intangible aspects' (Gailing/Leibenath 2012: 100), the element-oriented approach deconstructs landscapes into individual elements or structures as their distinguishing features. These distinguishing features are defined in accordance with the normative orientation of the respective understanding of landscape, which means that certain elements and structures of landscape are highlighted, while others tend to be blanked out (Gailing/Leibenath 2012: 100). In order to be able to correctly assess the relevant concept of cultural landscape, the notion of *culture* as part of the composite term *cultural landscape* must be examined as well. At the same time, essentialist concepts rather rely on an agrarian notion of culture, as etymologically derived from the passive past participle *cultus* of the Latin verb *colere* (to cultivate). Deconstructionist approaches are based on an open, conflicting notion of culture, which also allows for urban and suburban spaces to be understood as cultural landscapes. As any landscape in central Europe is imprinted by human culture, and is in fact per se a construct, the terms *landscape* and *cultural landscape* are in fact tautological (Leibenath/Gailing 2012: 71 et seq.). However, to emphasise the role of humankind in the shaping of spaces from a historical perspective, the term *cultural landscape* is used in a planning context as a strategic pleonasm, which is associated with a normative assessment (Heiland 2010: 279). Culture, in this context, can be understood as a 'distinguished, desirable way of life' (Gailing/Leibenath 2012: 102), meaning that only landscapes that are considered in some way as particularly 'good' are termed a cultural landscape (e.g. Curdes 1999: 333; Wöbse 1999).

Accordingly, the specific notions of cultural landscape frequently differ fundamentally in their institutional relationships with sectoral policies and scientific disciplines, from which they derive legal and technical explanations of the cultural value of the landscape and varying approaches to cultural landscapes from a planning and methodological perspective.

Essentialist and conservationist notions of cultural landscape are advanced primarily through protective planning measures aimed at heritage management and nature conservation (Gunzelmann/Schenk 1999). They justify the value of a cultural landscape based on its significance as historical testimony, its age and state of conservation, its historical function or regional

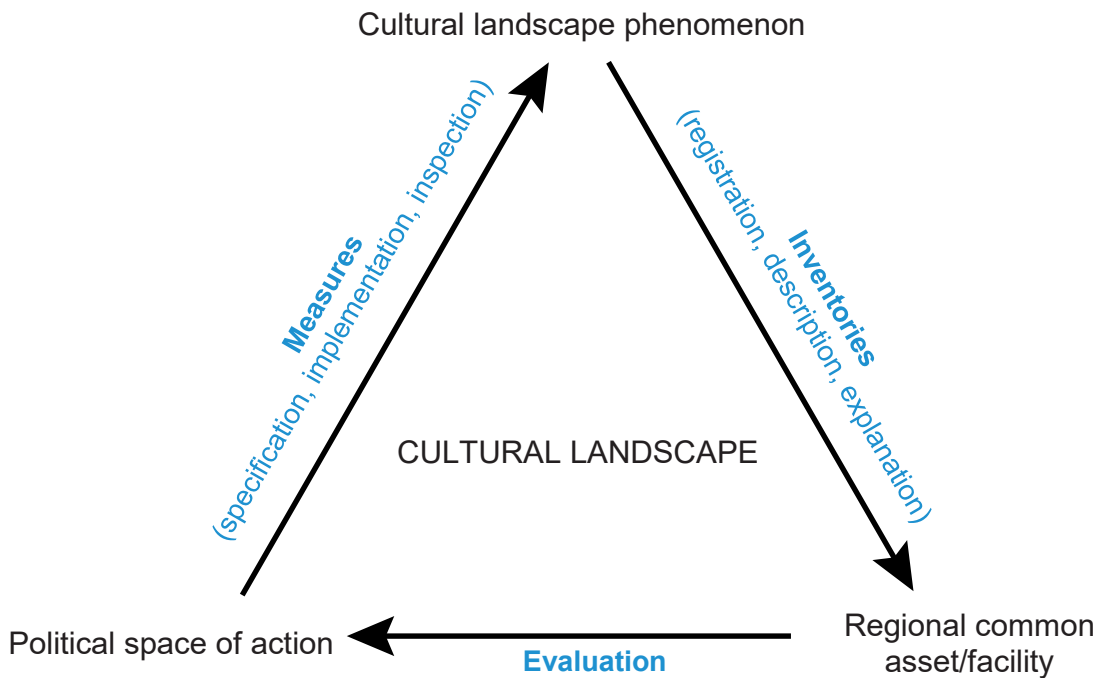
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specificity. Scientific justifications in this regard are provided in particular by the disciplines of history and cultural studies, such as archaeology, the history of art, agricultural history or historical geography.

The explicitly constructivist notions of cultural landscape have hitherto lacked an institutional framework with corresponding scientific disciplines which could contribute to the operationalisation of cultural landscapes. Initial attempts are found most frequently in the social sciences, which interpret cultural landscapes as spaces of perception and discourse in accordance with the premise that cultural landscapes are those spaces that people perceive and designate as such. This approach is primarily concerned with the analysis of the discourse on cultural landscapes. In this sense, tangible structures are signs that must be interpreted primarily symbolically and that are associated with statements by certain groups. Diffusely defined natural, cultural and/or identity- and discourse-related spaces with a broad range of stakeholders would turn into action spaces by talking about cultural landscape as part of regionalisation processes.

The notion of cultural landscape conservation, which is put forward by the geographic sciences, offers a mediating approach between the essentialist-conservationist and discursive-constructivist understandings of cultural landscape (Schenk/Fehn/Denecke 1997). It is based on a three-step process, made up of inventories, evaluation and measures, which is illustrated by the process triangle of cultural landscape conservation in Figure 1.

Figure 1: Process triangle of cultural landscape conservation



Source: Tillmann 2016: 40 based on Schenk/Fehn/Denecke 1997

The notion of cultural landscape conservation commences with the preparation of a systematic

inventory of visible linear, spatial and selective/point-by-point elements and structures with the help of cultural landscape registers (see also Burggraaff/Kleefeld 1998; Gunzelmann 2001; Schenk 2006, 2011: 15 et seq.); for this purpose, the Regional Association of the Rhineland and of Westphalia-Lippe developed ‘KuLaDig’ (Culture. Landscape. Digital.) as a digital information system for cultural landscapes. In a second step, the recorded elements and structures are positioned within larger regional connections and assessed, whereby criteria such as age, state of conservation or regional specificity, depending on the administrative or legal background and social weighting, can be modified on a case-by-case basis. Measures in the form of protection and management strategies are derived based on the above and continuously evaluated. Even though cultural landscape conservation is linked to specific spatial structures, the notion is based on a discursive constructivist understanding of cultural landscape as a regional common asset, which is shaped through the contributions of a large number of stakeholders, often with very diverse and changing values and perceptions. For this reason, the focus is not placed on the search for conservation methods or a deliberate modification of a landscape, but instead on the recourse to whatever the participants perceive as worthy of preservation. Therefore, the benchmarks regarding what is to be protected must be continuously recalibrated.

3 Cultural landscapes in practice

The two mandates of the principles for cultural landscapes under spatial planning law set out the different tasks for spatial planning, i.e. the conservation of historically significant and established cultural landscapes with their defining characteristics and cultural and natural monuments on the one hand, and the diverse landscape types and uses of the territorial subdivisions with the aim of achieving a harmonious co-existence, of overcoming structural problems and of shaping and advancing new economic and cultural strategies on the other hand. This means that a comprehensive registration, analysis and evaluation of historical cultural landscape elements and structures as defining features of those landscapes are needed (Schenk 2006, 2011), that the entire area spanned by cultural landscapes must be demarcated and its regional specificities identified, (Werk 2012: 59) and that regional development strategies must be elaborated.

This is tested in the Model Projects for Spatial Planning (*Modellvorhaben der Raumordnung, MORO*) (BBSR 2012: 146 et seq.; BBSR 2014). The Model Project for Spatial Planning ‘Integrated river landscape development – An evaluation of the Neckartal green belt’ and the ‘Moselle Landscape Network’ initiative are examples of this. Based on the assumption that the landscape heritage located there presents particular development potential for the greater region, including in the sense of a starting point for sustainable tourism-oriented settlement and infrastructure development, the aim is to advance the integrated development of the river landscape at the level of the greater region constituted by the triangular border area of the Moselle river. In connection with flood protection and low-water prevention, this issue was in principle addressed by the Model Project for Spatial Planning’s research area ‘designing river landscapes – interactions between preventive flood protection and regional cultural landscape design in river landscapes’ (*Flusslandschaftsgestaltung – Wechselbeziehungen zwischen vorbeugendem Hochwasserschutz und regionaler Kulturlandschaftsgestaltung in Flusslandschaften*) (2008–2009). All of this fits in with the general demand for cautious further development of cultural landscapes (BBSR 2012: 11).

Cultural landscapes are also given practical consideration in the landscape development strategy for the Upper Franconia-West region (Büttner/Leicht 2008). Various other practical examples are also provided in the publications of the Association for Heimat and Environment in Germany (*Bund Heimat und Umwelt e. V., BHU*).

4 Suburban spaces as cultural landscapes

In view of the history and etymology of the concept and term 'landscape', it still seems rather strange to include suburban spaces (▷ *Suburbanisation*) in the understanding of cultural landscapes. Yet, this notion is specifically expressed in the guiding principle of spatial planning 'conservation of resources, *shaping* of cultural landscapes' that was created by the Conference of Ministers for Spatial Planning of 2006. On this basis, a Working Group at the Academy for Territorial Development (formerly known as the Academy for Spatial Research and Planning) examined if and how much added value would result from considering suburban spaces as cultural landscapes (Schenk/Kühn/Leibenath et al. 2012). The added value is essentially the possibility to acknowledge the historical context of such spaces as well as their significance for local identity, their aesthetic qualities and wealth of structures. This can only be achieved through the development of adapted spatially-relevant measures.

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