

Social and Economic Integration of Cultural Heritage.

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The title « Social and economic integration of cultural heritage » contains some ambiguities, in the sense that it seems to consider that cultural heritage needs to be integrated in a social and economic dimension. This means that the cultural heritage conservation policy has to be submitted to social and economic requirements. Such a conclusion is totally unacceptable today, even if it was the rule in some earlier periods.

To be able to know the past events, to be able to live in an old building and visit daily old monuments, to be able to rub against old structures, forms an important dimension of human life. A conscient preservation policy proceeds not only from the quality of life, but much more from the human rights: our descendants and we have the right to live in an environment respectful for as well the natural entities as the historical remains. This needs to be taken in account into both social and economical developpments.

We need to become conscious that old and new structures are not interchangeable. When an old building is destroyed, it is for ever: in the best cases, it can be replaced by something identic, but not authentic.

The best architect in the world can lead the construction of the most beautiful or the most excellent buildings in the world, but he is totally unable to settle something old. Only old buildings are reminding of the past. New buildings are like babies: they are charming but have nothing to tell, being unable to spin long yarns. Only old buildings are as interesting as old people.

Buildings are not confronted with a temporal deadline: they can subsist as long as they are not accidentally destroyed or as long as people decide to keep them up. This faculty is fundamental, and the decision to demolish an old valuable building, -whatever it is- needs to be taken in an historically and culturally conscious way.

The statement that in the context of town and country planning, it is « impossible to conserve everything (old buildings, natural sites,...) » is an untruth : actually, it is possible to conserve everything (providing that some economical habits should be changed), but it is not necessary to conserve everything.

So the real question is to know what must absolutely be conserved, and what may be destroyed. This final choice needs to be taken on non-economical criteria.

In Brussels, the decision to protect or not a valuable building is mainly taken after the estate has been acquired by a developer in view of demolishing it. The decision takes consequently in account the supposed benefits of the renewal, the claimed impossibility to refurbish the existing structures, the threats with legal proceedings, with blocking-up the situation and so on. In the best cases, when popular protest against demolition becomes too high, a compromise is found in the way the developer can go on, for so far he maintains or rebuilds the most valuable façades.

Brussels suffered too long of a « wait and see » policy: wait for what and where the developer will demand, and see who the developer is. That kind of policy of drift explains why the term « brusselisation » became synonymous of « senseless destruction of urban and cultural values in an historical town center ».

To promote an efficient heritage conservation policy, three things are necessary :

- 1 – A precise and steady law system, which can ensure non-reversible protection decisions and avoid endless legal proceedings.

- 2 – An efficient Government service able to bring the law into operation: drawing up the heritage inventories, proposing and applying the Government decisions, informing the Government of the right state of things, and of the most acute problems...
- 3 – A wilful Government, what in the first place means that the politicians should be correctly informed about the real problems and the actual values. This is the role of the Government's administration, but also of the press and the concerned Non Governmental Organisations

The State-of-the-Art in Brussels.

1. The Region of Brussels-Capital.

The region has a superficies of 160 square km and can be contained within a circle of 16 km diameter. It represents 0,5% of the total Belgian territory. It counts 1 million inhabitants, and more than 600 thousand employments.

This means that the region is very densely build : more than 75% of the ground is occupied by urban and semi-urban activities. The remaining surfaces are taken by public parks, green spaces, protected remains of rural sites, or forest.

Brussels has therefore no more free of building ground-plots: settling a new building signifies in most of the cases to demolish existing constructions.

During the 19th century the city grew from 100.000 inhabitants up to 800.000. The 19th century architecture therefore make up the main part of the Brussels heritage. This architecture is characterized by a great variety in form and style.

Since 1989 the Brussels Government is competent in town planning, environment, heritage conservation, housing improvement, public transports, road infrastructure,...

2. Heritage conservation.

The protection of cultural heritage occurs in two different ways: the Heritage Conservation Act and the Town Planning Act.

a – The Heritage Conservation Act of 04-03-1993 (Ordonnance sur la conservation du patrimoine).

The Belgian law, which stands on the Belgian Constitution of 1831, consider that the owner has the most extended rights on his real estate. The protection of a building or of a site includes a restriction of the owners rights, in the meaning that the owner is no more allowed to demolish the building or transform the site.

The procedure leading to the protection of a real estate is therefore very complex.

The first step is to establish a complete description of the different parts of the building that will be protected. The owner or the occupier of the place has the right to forbid entry to the civil servant in charge of the procedure. This is the first difficulty. When the description is valid, the Government opens the enquiry previous to the protection. Each owner of the estate must be notified about the enquiry by registered letter. Some estates are owned by several heiresses spreaded over the five continents and if one of them is not notified, the procedure is not valid. This is a second difficulty.

Informed of the result of the enquiry, the Government takes a decision about the protection of the estate. If it becomes protected, the owners have to be notified again, in order to enable them to introduce a claim against the decision in the case they do not agree with. This happens rarely, and since 1993, only one claim has been won by an owner.

The complexity of the procedure explains why only few estates are listed today. Actually, before 1989 when the Brussels Government became competent, less than 200 estates were protected. Today, we exceed 2000 monuments and sites.

The final aim is supposed to turn around 18.000 estates, which represents about 6% of the total number of real estates in the Brussels region.

The important increase in decisions shows the wilful policy of the Government, but for better results the administration should need to engage more people and this is not possible, due to the determination of the same Government based on budgetary reasons to engage no civil servant more.

Actually, in order to ensure the foresaid results, and due to the lack of personnel, the Government service had to stop with drawing up further heritage inventories. This can have dangerous outcomes: a conscious and efficient protection policy can only be based on large, widely diffused and scientifically proven inventories. It's a well known that in human societies as well as in the political spheres, « what is not known, does not exist ».

It's a simple truth: it is impossible to take a decision about a valuable building when you don't know neither if the building exists, nor if it is valuable, especially when you have no opinion about what is important and what is not.

Today, less than 10% of the Brussels territory is covered by an inventory, and we pay private art historians to pursue the task. Nevertheless, we hope and expect that we will soon engage more people.

It must be added that the Heritage Conservation Act provides that the inventories should take a legal and official form, submitted to the Government's agreement.

Today, we think that it is an error and that the inventories must stay a scientific implement : an inventory can never be completely achieved and must stay continuously open for further inscriptions, in order to take in account the new discoveries and the evolution of the cultural interests or meanings.

As will be seen, an incomplete legal inventory can be worse than no inventory at all: as a matter of fact, the owner of a non recorded valuable building can take argument of the situation and consider his estate as lacking any value « because it does not appear in the inventory ». In such a case, it's quite impossible for the authority to plead the forgetting or the inachieved work.

– Grants and permits.

Carrying out restoration or transformation works on a protected estate needs an « heritage permit » delivered by the Brussels Government. Upkeep works may be executed without any permission. Heritage permits are delivered according the advice of the Commission of Monuments and Sites. The Brussels Government pays grants to the person who carries out upkeep or restoration works, so far they were previously authorised by an heritage permit. Transformation works give normally no right to grants. The grant's amount is 40% for private owners or actors and 80% for public institutions (excepted federal institutions or foreign Governments).

Annually the Brussels Government spends about 10 million Euro in grants, which represent less than 1% of the total regional budget. This means that the number of the protected buildings may increase without drawing along a dramatic overload of the regional budget.

The high amount of the grants, gives a very good control on the quality of the works. It gives the Government the possibility to impose alternative restorations technics (for example to restore and reinforce in a softly way existing wooden structures instead of replacing them with concrete).

The Government pays also for special forestudies, which do not make part of an architect's normal mission. Those forestudies may concern stability and engineering problems as well as specific restoration problems linked to stonework, prewar concrete, wall paintings, leaded glass, crockery, cast iron, and so on.

They are committed to private contractors or to the Belgian « Royal Institute for Artistic Heritage ».

b – The Town Planning Act of 29 – 01 – 1991.

Planning permits are delivered by the local authorities – the communes – according to the advice of the regional authority. They need to be conform to the regional plan, and to the local or particular plans, so far they exist.

The regional plan contains cultural heritage zones, wherein demolishing a building can be refused for cultural, historic or aesthetic reasons.

In those zones, a demolishing demand is submitted to a public inquiry and to the advice of the « concertation commission ». This commission brings together the representatives of five different local and regional institutions involved with town planning, heritage and environment. The commission hears – both and together – the opponents and the authors of the demand. After deliberation it gives advice to the authority, which can refuse a demolition permit.

The procedure revealed to be very efficient, allowing to avoid the disparition of many valuable buildings in Brussels.

According to the Town Planning Act, the Heritage Conservation Act provides also that the demolition demand concerning estates recorded in the regional inventory are also submitted to public inquiry and advice of the concertation commission.

If the inventory doesn't exist, the act enjoin to consider all the buildings erected before 1932. When there is a doubt about the value of the building, the advice of the Commission of Monuments and Sites may be required.

3. Heritage and estate value.

When urban or semi-urban valuable entitees become protected by the Heritage Conservation Act, or the Town Planning Act (CHE – zones, local plans ...), we generally observe an increase of the real estate value and a consequent enhancement of the building. Abandoned buildings are acquired by new owners and kept up. In Brussels most of the people own their housing, and stay inside for the whole life. Nobody should acquire a family house in a district which risks to be partialy demolished or deeply transformed by inappropriated constructions. This seems to be an evidence, but it can explain why, during the sixties and seventies, when it was quite possible to settle office towers, parkings and highways even in the most historic and qualityful sites of the city, Brussels lost more than ten thousand inhabitants a year.

Protecting architectural entities ensure a return of inhabitants, the maintain of qualityful districts, and offers to the inhabitants the access to excellent housing, often of a better quality than the today's production.

Things change with an isolated protected building: when an estate is the sole protected estate of its neighbourhood, the measure can in some cases be perceived by the owner as an unfairness and bring on block – up situations. In such cases, protection don't lead necessarily to an increase of estate value.

4. Heritage and investment.

The main threat on protected estate proceeds from inadequate investments in the estate.

- Insufficient investments leads to the decay of the estate. When such a case is established, the Government can initiate upkeep works, and recover the occurred expenses from the refractory owner. The Heritage Conservation Act allows also the Government to expropriate the estate, but this never happened in absence of a political will (and of a sufficient amount inscribed on the regional budget).

- Inappropriate investment is far more dangerous for valuable buildings. Some owners want absolutely to demolish their estate, because of :

- they acquired the estate at a very high cost, and refurbishing it couldn't ensure a sufficient return ;
- they want to locate an important investment, and even if refurbishing the estate should ensure a good return, the investment shouldn't be high enough to bring in a consequent profit ;
- they want to develop a program which cannot, in a profit saving way, be installed into the existing structures.
- The new functions previewed for an old valuable building need to be carefully adapted to building, and not the contrary.

So the main objective of an efficient heritage conservation policy is to avoid inappropriate investment. This means that the rules must be clearly expressed in order to give the best guarantees to those who want to invest in cultural heritage and protected areas, and also to those who want to invest in new developments, outside the foresaid areas.

The history shows that the best conserved old buildings were often owned during very long periods by persons who had just enough money to keep them up, and no money enough to modernise or even to demolish them.

Some of those buildings were even abandoned during decades before being reused in a rendering way.

Therefore, we must not be afraid of the fact that a old valuable building stays inoccupied during, perhaps, very long periods. Most of the old constructions were build « for the eternity » and can easily survive that kind of situation. In Brussels, we often protected, and sometimes totally restored, old abandoned buildings, without knowing what to do with them. In most of the cases, we found a well adapted use after a few years.

Unfortunately, in some cases we couldn't obtain from the Government a decision to protect. This needs to be considered as a defeat. Most of the valuable lost buildings were demolished perhaps only ten years too early. In a fast evolving society, new interests and new possibilities can appear, being able to give a new life to old - casually surviving – constructions.

5. Heritage and restorers knowledge.

During the last years, some old protected buildings collapsed in Brussels, due to inappropriate « restoration » works. This is the most dramatic indication that architects and engineers are generally not prepared to lead sharp interventions on old structures.

In Belgium, no special formation is required for architects or engineers involved with restoration works. The Brussels Government has thereby no legal capacity to impose a specific formation.

6. Heritage and modern life.

Modernising and adapting protected buildings to modern standards of safety and comfort are accepted so far the interventions respect the original « way of working » balance of the existing structures.

Traditional technologies are preferred to up-to-date technologies, which long term consequences are not known. For example replacing wooden structures by concrete, or single glazed windows by double glazing are never accepted.

Obtrusive or fashion inspired interventions must be avoided. New adds should respect the shape and the technological logic of the existing, in the way to « sing with the choir ». They shouldn't be perceptible in a first sight : legally protected estates are not a place for so-called « architectural creativity ». Traditional forms and technics must be preferred. Obviously, the main threat arises from small inappropriate interventions like, for instance, the changing of original woodwork or cast-iron balconies by standardized industrial products, the removing of façade plastering, and so on ...

Those interventions often mean an important loss of value for qualityful architectural estates.

7. Heritage and publication.

It seems absolutely important that numerous and widely spreaded publications throw light into the history of local or regional entities, into the quality of the remaining valuable buildings or structures, and into the best way to restore them.

The publication of scientifically established inventories is essential.

It is also of the highest importance that the Government let clearly know the headlines of its conservation policy.

This can serve as conclusion to the present paper: economy and social requirements can only integrate, or be integrated into heritage conservation when the regulations are distinctly settled.

Developers and investors need absolutely to know where conservation is the hard and fast rule and demolition unacceptable, also where urban renewal is the rule and conservation exceptionally required.

Brussels has a long experience in ignoring the foresaid principles.

Recent experiences indicate that economical structures can share with heritage conservation so far the rule should be the same for everyone.

Nevertheless, it sometimes is necessary to repeat that economy is supposed to serve human values and not the contrary.