

# The Protection and Presentation of Historic Settlements and Cultural Landscapes

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## 1. PROTECTION

An outstanding feature of the Czech preservation of cultural heritage after the Second World War was the fact that, in addition to the protection and upgrading of individual cultural-heritage buildings, it focused on the identification, protection and integrated conservation (regeneration) of the environment in the settlements. This concerned, in the first place, the historic cores of towns. Followed the historic villages (from the seventies) and selected parts of cultural landscape (from the eighties).

As early as 1950, the government included, i.a., 30 urban conservation sites in Bohemia and Moravia (and 10 such sites in Slovakia) in the programme of the restoration of selected cultural heritage. This programme tried especially to prevent the dilapidation of selected historical centres of towns and provide for the repair of the mantles of buildings (roofs and facades) and the restoration of some important public and culturally important buildings.

The notion of conservation site was used for the most precious historic cores of towns and was laid down in the law 22/1958, concerning cultural heritage and being the first of its kind. In the course of time, 35 urban conservation sites have been selected in the Czech Republic and declared to be protected. A conservation site has always included the integrated territory of a historic town, usually defined by the line of its historic fortification, not only selected parts of a square or of streets. The 1958 law also made it possible to declare a protective zone round the conservation site, this zone being a wider territory where the regime is regulated in a way that is not threatening the basic urbanistic values of the conservation site. A synthesized view of the evolution of towns and their comprehensive protection has been applied here.

The law No. 20/1987, concerning the state preservation of cultural heritage, introduced another category of protection, namely the conservation zone, in addition to the conservation site. These two notions are defined by the law in the following manner:

According to Art. 5, the government of the Czech Republic may, by its decree, declare a territory whose character and environment are defined by a set of items of immovable cultural heritage or, as the case may be, of archaeological finds to be a conservation site as a whole and lay down the conditions for its protection,

According to Art. 6, the Ministry of Culture may declare the territory of a settlement or of its part where the share of cultural heritage is smaller, the historic environment or part of a landscape whole showing important cultural value to be a conservation zone and lay down the conditions of its protection,

According to Art. 17, if an immovable cultural heritage, a National Cultural Heritage a conservation site or a conservation zone require protection of their environment the respective District Office delimits a protective zone round them, where it may limit or prohibit certain activities or apply other suitable measures.

The legal protection of selected parts of settlements (towns and villages) and cultural landscape is the basic prerequisite for their preservation and artistic, technological and social rehabilitation.

It has been obvious since the early seventies that the whole structure of the settlements in the country has to be investigated and an inventory gradually made of all settlement wholes. The Czech Republic has some 15,000 settlement units, i.e. towns, villages, hamlets and lonely houses, of which there are some 1,000 historic settlements of the urban type

(municipalities that had town rights). Between 1972 and 1973, a register and categorization of all historical towns founded until 1850, comprising 924 items, was worked out in the State Institute for the Preservation of Cultural Heritage. In 1985, this register was updated and enlarged to comprise the towns founded until 1985. It included 1,200 historical towns in all. The main effort was directed at the transition to a broader and more differentiated conception of the protection of historical towns. In 1984, the Ministry of Culture approved the Conception of the Protection of Historic Towns, which proposed:

- to increase the number of 35 urban conservation sites by 5 other towns (with a strict regime of protection),
- to protect the most important parts of other 160 historic towns as conservation zones (with a more moderate, differentiated regime of protection) and
- to adequately protect the cultural values of other historical towns by means of layout (space) plans.

From 1987 to 1995, this conception was put quickly into effect and the number of conservation zones exceeded by far the original intention.

Similarly, from the early seventies, the State Institute for the Preservation of Cultural Heritage worked on a conception of the protection of village settlements. The first set of village conservation sites and conservation zones was selected and in the nineties, declared as such. The work on an overall inventory of the villages is being completed and will be the basis for an increase in the number of protected villages.

The systematic evaluation of selected parts of cultural landscape was begun in the eighties and the first 17 landscape conservation zones have been declared during the last 5 years. This process is far from being completed, because the conception foresees the protection of 72 landscape ensembles. The selection of landscape zones is being carried out mainly according to the criteria concerning their cultural, not special natural values in contrast to the completely independent network of national parks, wildlife preserves and protected wildlife areas, which has been established according to the special law concerning the state protection of nature.

The present conception of the protection of settlements and landscapes is already fully representative. It contains all the important elements of settlements and landscapes in the Czech Republic, namely:

- 40 urban conservation sites and 209 urban conservation zones,
  - 61 village conservation sites and 164 village conservation zones,
  - 1 landscape conservation site and 17 landscape conservation zones,
  - 12 archaeological conservation sites,
- i.e. 125 conservation sites and 389 conservation areas in all.

The ensemble consisting of protected settlements and selected parts of landscape contains 515 items.

## **2. INTEGRATED CONSERVATION**

The development of towns during the 19th century and the effort to organize it led, especially from the 1890s, to the development of a special branch, namely land-planning. In the period between the First and the Second World Wars, the Czech town-planners applied the principles expressed in the 1933 Athenian Charter while preferring the functional organization of the territory. After the Second World War, during the existence of the totalitarian political system and central planning (1948-1989), the economic policy was directed at the extensive development of towns due to the growth of industry and at the building of housing estates round their perimeters. The historical centres were becoming dilapidated, but paradoxically preserved the authenticity of the built-up area and this allowed their regeneration. The specialized State Institute for the Reconstruction of Historical Towns

and Properties was drawing up layout plans for the historic cores of towns during 35 years. Although this was a monopoly, a qualified professional angle was guaranteed in the cognition of historical ensembles and in the approach to their regeneration. The legal basis for the town-planners' activity was the law No. 84/ 1958, concerning land-planning, and the subsequent law No. 50/1976, concerning land-planning and the construction code, amended between 1990 and 1998.

As a broader organizational and social system, land-planning deals with the functional use of the territory, its organization and the coordination of the development. It also creates prerequisites for ensuring permanent harmony between all natural, cultural and civilization values on a given territory with regard to the care of the environment, including the heritage preservation.

Three types of land-planning documentation are decisive for the development of the territory and the protection and regeneration of its historically important parts:

- the layout plan of a large commune, dealing with the territory of several local councils or districts,
- the layout plan of a commune, dealing with the territory of the whole commune and
- the regulatory plan, dealing with part of the territory of a commune, in most cases that of its centre.

For the protection of cultural heritage and protected territories (conservation sites and conservation zones), the executive bodies of the state preservation of cultural heritage give their binding opinions when land-planning working papers are being drawn up and when land-planning documentation is being drawn up and approved. The regime, including the limits and regulatory conditions, is an important final output. If the demands concerning the elements of cultural heritage are reflected in these documents, the protection of the cultural-historical elements is duly provided for. However, in practice, different situations may arise. The interests of the state preservation of cultural heritage are taken into account sometimes to a larger extent and sometimes to a lesser extent and some compromises are come to.

There are no specific regulations for the planning of new house-building in towns. The law concerning land planning and that concerning the state preservation of cultural heritage are in force and allow the definition, in the assignment, of the principles and conditions of new development on a territory.

During the previous ten years, a still greater decentralization of the powers of the land-planning bodies has been carried out than laid down by the law No. 50/1976.

Land-planning has the following bodies:

- the communes, which order and approve their layout plans and regulation plans,
- the District Offices, which have the competence of the superior land-planning body for the communes,
- the Ministry of Local Development, which draws up and approves the layout plans of large territorial wholes (these layout plans were approved previously by the government).

The assessment of the layout plan and regulation plan of a commune is ensured in a democratic form with the participation of all the citizens who are owners and of the respective bodies of public administration.

The town and parish councils formulate their development policy usually for their election period. Within the meaning of the governmental ruling No. 209/1992, the towns with protected historical cores have drawn up their Programmes of the Regeneration of Urban Conservation Sites or Urban Conservation Zones. These programmes are linked in a certain way with the organization of the grant policy of the state.

The owners of the cultural heritage items are responsible for their preservation. The communes, which supervise the state of the buildings, are responsible for the preservation of conservation sites and conservation zones. The communes are responsible for the

preservation and development of the settlements and have their own revenues and powers to do this. The communes draw up and approve the land plans and issue generally binding by-laws defining the regime of activities on the respective territory.

Since 1989, after the political and economic life of the state had been liberalized, the urgent problem of the regulation of the spontaneity of investment in the town centres and of the channeling of the owners' interests has arisen. Therefore, the regulating measures for land development and the regeneration of individual buildings need to be made more thorough. In land planning. This means the effective application of the requirements of the state preservation of cultural heritage in conceiving the individual layout plans of towns. "Plans for the principles of the protection of territories in view of their cultural heritage" have been applied of late, which specify the values of buildings and other elements in the territory and the possibilities of the building adaptation of individual buildings and their wider environment.

### **3. THE ROLE OF AGENCIES AND SPECIALIST ORGANIZATIONS**

To avoid losses in the cultural value of heritage during the permanent process of its maintenance or renewal, the state applies the following means:

- 1) the legal regulation of all building or other changes of the state of cultural heritage,
- 2) the specialist consulting service provided free of charge and
- 3) grants that may be given or not.

The activities concerning the points 1) and 3) are carried out by state authorities - in the first case by the District Offices and in the second by the Ministry of Culture. The activities concerning the point 2) are pursued in the regions by nine specialist Institutes for the Preservation of Cultural Heritage which have been established for this purpose and by the State Institute for the Preservation of Cultural Heritage, which is superior to them in specialist matter (but not organizationally). All these institutes are founded and financed by the Ministry of Culture. They have staffs consisting of qualified historians, art historians, architects, archeologists and technologists (about 350 specialists in total), archives with plentiful geometric and photographic documentation of cultural heritage and relatively large technical libraries. The main purpose of the regional institutes is to give advice on the everyday practical preservation of cultural heritage in the field while the main purpose of the State Institute of the Preservation of Cultural Monuments is scientific research, the philosophy and methodology of the preservation of cultural heritage, the taking of its inventories, the keeping of the Central List of Cultural Heritage and the education of G.C.E. holders in the conservation of cultural heritage.

The role of the voluntary civic societies and associations has been increasing greatly since the fall of the totalitarian regime in 1989. Founded in 1900, the Club for Ancient Prague has the most important tradition. Eminent historians, architects and town-planners are its members even today so that its authority is great. Neither the state authorities nor the local councils can make light of its initiatives. In parallel, an association called Pražské Gremium [the Prague Society] operates in the capital and has a wider sphere of interest: besides the protection of historic values, it makes efforts to improve the culture, and increase the level, of new development, limit increasing car traffic and solve this problem sensitively, protect the green areas and create new ones and so on. After 1989, associations with similar bearings have been set up or activated in a whole number of other historic towns. They represent a large moral and technical potential and are an important ally, but also a critic, and sometimes even an opponent, of the state authorities and specialist institutes. Flexibly, they set up pressure groups and lead campaigns against the insensitive interventions in the historical structures of their towns, especially if they feel that the system of the state protection of cultural heritage is failing. The most important voluntary organization is the Association of

Historic Settlements in Bohemia, Moravia and Silesia, whose members are the mayors, town-clerks and elected representatives of more than 170 historic towns. The Association has become an important political force, lobbying especially for the consideration of the protection of the towns and the preservation of architectural cultural heritage as national priorities by the parliament and the government and for the non-annulment and non-curtailement, even in economically unfavourable years, of the state grants for the preservation of cultural heritage. Apart from that, the Association makes efforts to propagate its goals maximally and influence the public. Every year, on the occasion of the International Day of Monuments and Sites, the Association awards its prize and gives a special grant to the most active town. Proceeding in agreement with the Ministry of Culture, the Association organizes the inauguration of the Days of European Heritage Days and opens the items of cultural heritage in its towns to the public free of charge.