

PORTUGAL'S EXPERIENCE IN LANDSCAPE CONSERVATION AND PLANNING

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ABSTRACT

Motives: The landscape is one of the key resources that not only reflects the society's behaviour, but also affects the quality of life and well-being of citizens. Great care of landscape protection is visible in Portugal – a country with rich natural and cultural values. As a signatory of the European Landscape Convention, the country is obliged, among others, to integrate spatial planning with landscape issues.

Aim: The aim of this paper is to indicate Portugal's experience in implementing the European Landscape Convention in national legislation and public participation. Landscape protection is an important element of spatial planning at all levels there: national, regional and local.

Results: The experience of Portugal may be an interesting example for Poland, where, although in particular voivodeships the implementation of a new instrument that is landscape audit is being carried out, there are no documents at the national level.

Keywords: landscape, landscape conservation, landscape planning, landscape policy, Poland, Portugal

INTRODUCTION

In 2005, Portugal ratified the European Landscape Convention (ELC) (Decree No 4/2005, 2005) that obliges the Signatory States to “integrate landscape into their regional and urban planning policy”, among other obligations (European Landscape Convention, art. 5). ELC is the international treaty which is, for the first time, strictly devoted to landscape (Szeffler, 2021). In the light of the Convention, spatial planning, which in a way coordinates the implementation of public policies, helps achieve a balance between the satisfaction of society's needs and natural resources (Oliveira, 2019). According to the ELC, the protection

of landscape encompasses measures to conserve and maintain significant or characteristic features of the landscape so as to harmonise changes resulting from processes taking place in the environment as well as in the socio-economic sphere. Landscape planning is defined as a forward-looking and effective action to enhance, restore or create landscapes (European Landscape Convention). The objective of the present article is to present the experiences of Portugal – a country boasting rich natural and cultural assets – with regard to landscape protection and planning. It was assumed that these experiences can provide valuable guidelines for measures taken in this respect in Poland. The article also seeks to show the changes

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that have occurred in recent years in Portuguese legislation and in the involvement of this country and its population in the implementation of the European Landscape Convention.

MATERIALS AND METHODS

As part of the research, the legislation and literature on landscape protection and planning in Portugal were analysed. This subject matter has been studied by authors such as Wojciechowski (2008), Gonçalves and Curado (2017), David (2018) and Oliveira (2019). However, those were not comparative studies. The current report on ELC implementation in Portugal (Council of Europe, 2021) as well as websites and field studies, including the authors' own observations, were also analysed. Portugal's experiences with regard to landscape protection and planning were compared with Poland's experiences. Despite differences in the size of their territory, population and settlement structure, there are some similarities between these two countries. Both Poland and Portugal used to be superpowers, they broke free from undemocratic rule relatively recently, and are now members of the European Union, lying at the EU border. Both countries are also significant beneficiaries of EU funds and experience internal disparities between the east and west. The above-mentioned analysis was complemented with an examination of the involvement of the country and its inhabitants in the implementation of the European Landscape Convention through participation in the European Landscape Award and the establishment of Landscape Observatories. The study ends with conclusions and a presentation of good practices in landscape protection and planning.

Portugal is located in the western part of the Iberian Peninsula, on the Atlantic Ocean. It covers an area of about 92 thousand km². The country stretches about 560 km from north to south, and about 180 km from west to east. Most of Portugal's territory are uplands and mountains. In its northern, mountainous part, small agricultural farms and vineyards can be found. Central Portugal, between

the Douro and the Tagus rivers, is quite diverse. The coast is covered by pine forests and sand dunes, the eastern part largely consists of small and medium-sized farms and light industry, while Lisbon is the main centre of services and industry. The landscape in the south is undulating with some plains where large-scale livestock grazing and agricultural activity is conducted. Cork oak trees are abundant in the Alentejo Upland. The southernmost part of Portugal, a dry region with small farms, is a major tourist destination. Steep, rocky coastlines are a distinctive feature of the Algarve. Aside from the mainland, Portugal also has two autonomous regions – the Azores and Madeira (Solsten, 1993; Szot, 1996; Bajgier-Kowalska & Rettinger, 2011).

In mainland Portugal, there are 48 protected areas, 32 of which are of national significance, namely: one national park (Parque Nacional da Peneda-Gerês), 13 natural parks (Photo 1), nine nature reserves (Photo 2), 2 protected landscape areas and seven natural phenomena. At the regional and local level, there are two nature reserves, 13 protected landscape areas and one natural park. Furthermore, there is one privately owned protected area (Área Protegida Privada Faia Brava). Protected areas also exist in the autonomous regions of the Azores and Madeira (ICNF).

Portugal is also known for its vineyard landscapes (Pina, 2018) as well as fortress landscapes (Kuśnierz-Krupa, 2013). It should be stressed that 17 sites/areas in Portuguese territory have been inscribed in the UNESCO World Heritage List. They include the protected natural landscape area of Laurisilva of Madeira (1999) and 16 cultural site and landscapes: Central Zone of the Town of Angra do Heroísmo in the Azores (1983), Convent of Christ in Tomar (1983), Monastery of Batalha (1983) (Photo 3), Monastery of the Hieronymites and Tower of Belém in Lisbon (1983) (Photo 4), Historic Centre of Évora (1986), Monastery of Alcobaça (1989) (Photo 5), Cultural Landscape of Sintra (1995) (Photos 6), Historic Centre of Oporto (1996) (Photo 7), Luiz I Bridge and Monastery of Serra do Pilar (1996), Prehistoric Rock Art Sites in the Côa Valley and Siega Verde



Photo 1. Alvão Natural Park



Photo 2. Berlengas Natural Reserve



Photo 3. Monastery of Batalha



Photo 4. Monastery of the Hieronymites and Tower of Belém in Lisbon



Photo 5. Monastery of Alcobaça



Photo 6. Cultural Landscape of Sintra (The Palace of Monserrate)

All photos (No. 1–8) by K. Trykacz.



Photo 7. Historic Centre of Oporto, Luiz I Bridge and Monastery of Serra do Pilar



Photo 8. University of Coimbra – Alta and Sofia

(1998, 2010), Alto Douro Wine Region (2001), Historic Centre of Guimarães (2001), Landscape of the Pico Island Vineyard Culture (2004), Garrison Border Town of Elvas and its Fortifications (2012), University of Coimbra – Alta and Sofia (2013) (Photo 8), Royal Building of Mafra – Palace, Basilica, Convent, Cerco Garden and Hunting Park (Tapada) (2019), Sanctuary of Bom Jesus do Monte in Braga (2019) (UNESCO). It should also be mentioned that the UNESCO Intangible Heritage List comprises eight phenomena from Portugal, including Fado urban popular song (2011) and Cante Alentejano polyphonic singing (2014), closely linked with Portuguese landscape, forming its acoustic dimension, and constituting an important part of Portuguese identity. Lisbon is of particular value, inviting you to take a musical journey (Golemo, 2016). Aside from the cultural soundscapes, 20 sites featuring natural soundscapes were inventoried in Portugal in 2010–2012 (Sequeira, 2015; Torres & Oliveira, 2018).

RESULTS

Strong attention to landscape protection is evident in Portugal. As Wojciechowski (2008) observes, landscape is a key component of Portuguese national heritage whose status is enshrined in the Constitution. According to Art. 66 of the Constitution of the Portuguese Republic (CRP), the obligations of the State include regulating the territorial development in a way

that enhances the value of the landscape. The state is also obliged to protect landscapes of special value not only nature but also historical or artistic values (Constitution, 1976). However, as Oliveira observes, constitutional provisions have not been entirely reflected in practice. Rapid changes in the landscape have often occurred due to depopulation, urban expansion, development of transport infrastructure or tourism. The rules pertaining to landscape have been present primarily in two pieces of legislation: on environmental protection (Lei n.º 11/87) and on spatial planning (Lei n.º 48/98) (Oliveira, 2019).

Landscape units occurring in mainland Portugal were identified and described as early as 2004. That study, prepared at the University of Évora, was commissioned by the Directorate General for Spatial Planning and Urban Development (Port. Direcção-Geral do Ordenamento do Território e Desenvolvimento Urbano). A similar study was prepared for the Azores in 2005. The identification of landscapes takes into account the lithology, morphology, hydrography, soils, land use, ownership structure, settlements and other variables such as climate and proximity to the ocean. The scale adopted in the studies is 1:250 000. In order to identify the present dynamics and trends in landscape changes in each landscape unit, various kinds of data broken down by municipality and parish were collected (demographics, infrastructure, recently afforested areas, burnt-out areas, areas encompassed by

agri-environment measures, etc.). For each unit distinguished, its potential, problems, planning instruments and guidelines for their management were identified, among other aspects (Correia et al., 2001; *Direção-Geral do Território: PNAP*). Furthermore, landscape subunits were distinguished for some units; these subunits are part of a given unit, but have some unique characteristics for at least one variable, e.g. morphology, height, land use, etc. While evidently different landscapes occur in some of the subunits, classifying them as separate units is not justified due to their small size. Besides, some “single components” were identified: although they cover a relatively small area, they stand out as entities in a landscape unit due to their distinctiveness, inner quality (or a disqualifying dissonance) and/or their influence on the unit. These include, for example, prominent elevations, viewpoints, buildings or groups of buildings (of high significance for landscape or those that are not integrated into their surroundings), areas of particular degradation, or large infrastructure facilities (Correia et al., 2001).

Following the ratification of the ELC in 2005, documents were prepared by Portugal's central administration that provided guidance on landscape integration at the individual levels of spatial planning (David, 2018). After all, space is shaped by spatial policy instruments, especially at the local level (Tataruch et al., 2019), As Gonçalves and Curado (2017) point out, Portugal was probably the first Signatory to present actions (at the municipal level) serving to implement the ELC. The above-mentioned constitutional objectives related to landscape protection are reflected, for example, in legislation on spatial planning. The 30 May 2014 Law on the general principles of spatial development and urban planning is of huge significance in this respect (Law no. 31/2014, 2014). It indicates spatial planning instruments at the national, regional, inter-municipal and municipal level described in the new regime of planning instruments (Decree-Law No 80/2015, 2015).

At the national level, the key spatial planning document is the National Spatial Planning Policy Programme (Port. Programa Nacional da Política de

Ordenamento do Território – PNPOT). It contains the basic guidelines for public policies. The PNPOT was amended in 2019 (Law no. 99/2019, 2019), but already its previous version adopted in 2007 (Law no. 58/2007, 2007) provided guidance on landscape protection and planning. According to PNPOT from 2007, landscape as a cultural and social asset is the fundamental dimension characterising not only the territory itself but also its planning. It is a dynamic component with economic potential arising from tourism and leisure. There is a great diversity of landscapes in Portuguese territory (see Fig. 1) even though they are quite degraded in some places, as mentioned in the PNPOT 2007.

The strategic objectives indicated in the PNPOT included the preservation of natural, landscape and cultural heritage resources. The detailed objectives (1.10) included “the protection and improvement of landscape and cultural heritage” that would be implemented through four priority measures, among which the key objectives are as follows: (a) implementation of the ELC, preparation and implementation of the National Programme for the Restoration and Enhancement of Landscape (Port. Programa Nacional de Recuperação e Valorização das Paisagens) and preparation of the National Policy for Architecture and Landscape (Port. Política Nacional de Arquitetura e Paisagem – PNAP) linked to spatial planning policy and (b) provisions of the act on cultural heritage (Port. Lei de Bases do Património Cultural) and promotion of links with spatial planning instruments (Law no. 58/2007, 2007). What is more, as Oliveira (2019) notes, 49 priority measures applied, directly or indirectly, to landscape.

Regional programmes are prepared (Port. programas regionais) at the regional level (NUTS 2), within the remit of the Commissions for Coordination and Regional Development (CCDR) in Portugal (Decree-Law No 80/2015). Although the existing Regional Spatial Development Plans (Port. Plano Regional de Ordenamento do Território – PROT) were prepared based on the previous legislation, they were approved after the ELC came into effect (Table 1). Regional programmes comprise the identification

of landscape units among other items (Decree-Law No 80/2015). A revision of a PROT according to the applicable legislation will strengthen the landscape-related matters, which will also enable their subsequent implementation at the local level (Oliveira, 2019). Furthermore, in recent years, landscape studies have become part of the municipal plans required by the CCDR (David, 2018).

Table 1. Regional Spatial Development Plans in Portugal

CCDR	PROT	Date of enactment
Norte	PROT da Região do Norte	2009
Centro	PROT do Centro	2011
Lisboa e Vale do Tejo	PROT da Área Metropolitana de Lisboa	2002
	PROT do Oeste e Vale do Tejo	2009
Alentejo	PROT do Alentejo	2010
Algarve	PROT do Algarve	2007

Source: own preparation based on CCDR Alentejo; CCDR Algarve; CCDR Centro; CCDR Lisboa e Vale do Tejo; CCDR Norte.

A key PNPOT 2007 objective with regard to landscape protection and planning was achieved in 2015 when the PNAP was adopted. A special Monitoring Commission for Architecture and Landscape (Port. Comissão de Acompanhamento da Arquitetura e da Paisagem) was established to monitor the PNAP. Its powers included monitoring the implementation of measures and actions included in the PNAP. Furthermore, the commission is responsible for reporting on the progress and assessing the implementation of the PNAP as well as issuing recommendations and expert opinions concerning architecture and landscape (PNAP).

The PNAP identifies the major challenges related to architecture and landscape, including those related to strong urbanisation, cultural heritage or nature conservation. It also indicates the principles, based on which the PNAP should be implemented, such as the right to high quality landscape, sustainable development or public participation. The following key objectives were stipulated in this document:

- improving the quality of life of the Portuguese people;
- sustainable development (including urban areas);
- protecting and promoting Portugal's cultural heritage;
- promotion and dissemination of territorial civic culture;
- improving the competitiveness of the national economy and promoting Portugal and Portuguese culture in Europe and worldwide (PNAP).

The implementation of the PNAP depends on several actors. According to its assumptions, it is the responsibility of the government (sectoral policies), regional and local authorities (adaptation to national guidelines), society (public participation process, avoiding the degradation of space), entrepreneurs (primarily in the agricultural, forestry, real property and construction industry), academic sector (expanding and transferring knowledge) and specialists (sustainable development). What is crucial for the implementation of the PNAP is an action plan identifying the financial framework for this policy (PNAP).

The five key objectives of the PNAP mentioned above have been expanded into 23 detailed objectives. It is difficult to list all of them here, but they are concerned with, for example, the inclusion of landscape in spatial and urban planning as well as sectoral policies; revitalisation; conservation practices; environmentally friendly urban development; mitigation of the effects of intensive urbanisation and tourism; rural landscape (protection of natural heritage and systems of agricultural production); raising civic awareness; public participation. These objectives are to be implemented with the aid of strategic measures (e.g. establishment of a network of PNAP partners), legislative measures (improvement of legislation, development of instruments enabling the active participation of the public), informational and educational measures (organisation of events, training, competitions, inclusion of landscape topics at various levels of non-specialist education) (Plano de Ação da PNAP, 2020).

The action plan for each detailed objective indicates actions along with their timetable and entities responsible for carrying them out. These actions included the establishment of landscape guidelines in the context of sectoral policies as well as spatial development plans and programmes (2018, central and regional administration) or strengthening landscape problems in regional spatial development plans (2018–2020, regional administration) (Plano de Ação da PNAP, 2020).

As it has been mentioned already, in 2019 the first amendment to the National Spatial Planning Policy Programme was adopted. This amendment enabled the implementation of PNAP provisions and transposition of these provisions to the regional and local levels. Already at the diagnostic level, the Programme makes it possible to notice the changes that occurred in the 1995–2015 period and, consequently, the trends and problems affecting Portugal's landscape (Oliveira, 2019). The Programme also draws attention to enhancing Portugal's potential through landscape. The operational objectives encompass, for example, the incorporation of issues related to the protection and improvement of landscape quality, assessment and monitoring landscape transformations at the national and regional level. The enhancement of landscape as a distinguishing characteristic (hallmark) of both urban and rural spaces as well as landscape protection is also mentioned in the objectives (Law no. 99/2019, 2019). As Oliveira (2019) indicates, the inclusion of topics directly or indirectly related to landscape in the PNAP makes it possible to implement them later in documents drawn up at the regional and local level and to increase efficacy in this respect.

In 2020, a legal system concerning landscape transformation was also established (Port. regime jurídico da reconversão da paisagem) by means of two fundamental instruments: Programmes of Landscape Organisation and Management (Port. Programas de Reordenamento e Gestão da Paisagem – PRGP) and Integrated Landscape Management Areas (Port. Áreas Integradas de Gestão da Paisagem – AIGP). They are concerned with areas with a high fire hazards. The PRGP is a sectoral programme whose main

objective is risk prevention and adaptation to climate change, and its principles are binding to all public entities. The AIGPs, on the other hand, created under the PRGP, are aimed at managing fire-prone areas so as to make them more resilient to extreme events, at promoting revitalisation and adapting these areas to climate change. The initiative to establish an AIGP may come from various entities that may submit an appropriate proposal to the Directorate General for Territory (Port. Direção-Geral do Território) (Decree-Law No 28-A/2020). 47 AIGPs have been established pursuant to the decree (Order No 7109-A/2021) (Fig. 1).

Among the landscape measures, it is also worth mentioning the work of the Azores region where the Regional Directorate of Environmental Protection (Port. Direção Regional do Ambiente dos Açores) prepared the Regional Landscape Strategy (Port. Estratégia Regional de Paisagem) and implemented the Information System to Assist Landscape Management in the Azores (Port. Sistema de Informação de Apoio à Gestão da Paisagem dos Açores) (Oliveira, 2019).

However, the key role in the implementation of the ELC is played by the local level (Oliveira, 2019). Spatial planning at this level is within the remit of the municipalities (Port. municípios). The basic document encompassing the entire area of a municipality is the general spatial development plan (Port. plano diretor municipal – PDM). Furthermore, a municipality can draw up urbanisation plans (Port. plano de urbanização – PU) and detailed plans (Port. plano de pormenor – PP). The latter may assume one of the three special forms:

- a plan of intervention in rural areas (Port. plano de intervenção no espaço rural), that establishes the mechanisms for the protection of natural and cultural landscape;
- a detailed plan of city revitalisation (Port. plano de pormenor de reabilitação urbana), prepared for areas of revitalisation or areas of historic centres;
- detailed protection plan (Port. plano de pormenor de salvaguarda), that encompasses areas of exceptional historical and cultural value (Decree-Law No 80/2015).

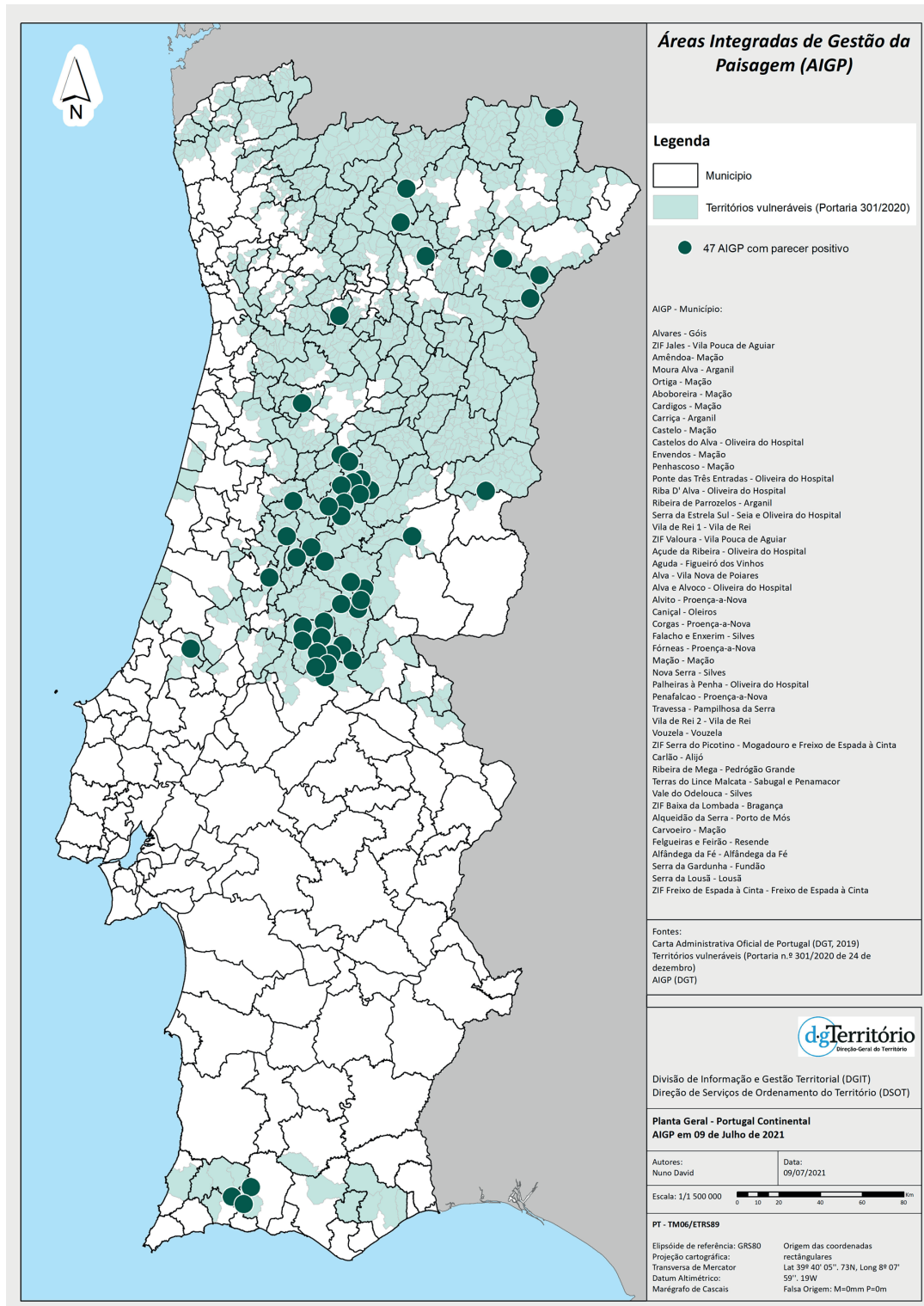


Fig. 1. Integrated Landscape Management Areas (Port. Áreas Integradas de Gestão da Paisagem – AIGP)
 Source: Direção-Geral do Território.

It is worth stressing that in 2011, a methodological handbook was prepared for municipalities to help them implement the ELC after revising the PDM (d'Abreu et al., 2011), which – as Gonçalves and Curado (2017) observe – is unique and noteworthy on a European scale. At present, numerous municipalities perform a revision of general plans, taking into account the identification of local landscape units along with their characteristics (David, 2018).

The visible concern for participation in landscape management and monitoring its changes is manifested, for example, in the landscape observatories established in Portugal (Oliveira, 2019). A noteworthy example is the Tagus river landscape observatory whose objectives include knowledge sharing. As part of this observatory, a repository of knowledge on the Tagus river landscape and a photographic observatory has been created (Oliveira & Olmo, 2015). This observatory is part of a network of landscape observatories, each having a different scope of interest, mainly related to the scientific community, local associations and municipal and regional structures, with the goal of supporting development and monitoring landscape. Many of them also conduct activities aimed at raising the landscape awareness of citizens (Direção-Geral do Território).

It is also worth noting the involvement of the public in submitting landscape projects in the competition for the National Landscape Award whose winner represents Portugal in the European Landscape Award competition. Three editions of this national competition have been organised thus far: in 2012, 2018 and 2020. A total of 60 proposals have been submitted (8 in the first, 27 in the second and 25 in the third edition), including proposals to make geopark landscapes available to the public, proposals to create landscape strategies, landscape observatories and laboratories, areas of protected landscape, etc. (Direção-Geral do Território: PNAP). Efforts undertaken in the Azores are worthy of attention too. The winners were selected from the submitted proposals, and the following projects represented Portugal in the European Landscape Award competition: Herdade da Contenda, a tale of resilience for nature (Session 7, 2020-2021), Land-

scape of the Pico Island vineyard culture (Session 6, 2018-2019), Furnas Landscape Laboratory (Session 3, 2012-2013). The latter two come from the Azores. The projects were recognised for, among other things, their innovative landscape policy related to spatial planning, the protection of traditional landscapes and the revitalisation of cultural heritage resources with a strong involvement of local residents.

CONCLUSIONS

The present study has found that Portugal is a country where landscape protection and planning are a significant part of the State's activity. The protection of landscape as an important component of heritage is closely linked with spatial planning at the national, regional and local levels. The identification of landscapes conducted at the turn of the 21st century for the entire country was a starting point for further actions that were intensified following the ratification of the European Landscape Convention (ELC). The adoption of the national landscape policy, integrated into spatial planning, has undoubtedly been one of such actions. However, the key role in the implementation of the ELC is played by the local level. It is worth highlighting the methodological handbook prepared for municipalities to help them implement the ELC and the obligation to perform landscape studies as part of municipal plans. What is also noteworthy is the well-developed public participation in landscape management, for example in the form of the involvement of the public in the submission of projects/activities in the National Landscape Award competition. The Autonomous Region of the Azores is extremely active in landscape planning and protection, with a Regional Landscape Strategy, an Information System to Assist Landscape Management in the Azores, and numerous projects submitted for the landscape award.

Portugal's experiences presented here can serve as an example for Poland even though it is not possible to transfer everything to a different environment. Poland is currently working on a landscape audit to identify and assess landscapes for the whole

country by region (voivodeships). Unfortunately, there is no binding landscape policy at the national, regional or municipal level. Landscape studies are prepared on an optional basis. The Act on amending certain acts in conjunction with the enhancement of landscape protection tools, introduced in 2015 (Act of April 24, 2015) has modified several legislative acts and introduced instruments to implement the ELC, as intended by the lawmakers. The landscape audit mentioned above is one of these instruments. Furthermore, work is underway to overhaul the spatial planning system. Without the completion of these measures, landscape protection and planning at the local level is hampered. It is also necessary to continuously work towards increasing the public awareness of the value of landscape. These efforts can result in greater involvement of local communities in landscape protection and, subsequently, a greater interest in submitting exceptional projects for the landscape award. The present article largely refers to the national level. In the near future, the authors plan to expand their analysis to include the local level along with case studies.

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