

**Planning Law**

Code: 104249  
ECTS Credits: 6

Degree	Type	Year	Semester
2503710 Geography, Environmental Management and Spatial Planning	OB	2	2

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**Use of Languages**

Principal working language: catalan (cat)  
Some groups entirely in English: No  
Some groups entirely in Catalan: Yes  
Some groups entirely in Spanish: No

**Prerequisites**

It is not indispensable for students to have previous knowledge of Law. In the first issues, basic references will be made to the legal system, the rules classes and their hierarchy, the regime of distribution of competences between the different public institutions, the organization of public administrations and the judicial system.

**Objectives and Contextualisation**

The objective of the subject is that the student acquires a series of basic competences on the legal regime of the urban planning and territorial planning and of the protection of the environment, especially from the perspective of the instruments of planning put to the service of these disciplines. It is a matter that the student becomes aware of the relevance of the interrelation and interdependence of these public functions, which can detect, define and interpret the basic elements of the legal framework of territorial, urban and environmental planning, to analyze and use the Information and knowledge in a critical way, and that it can transmit this knowledge verbal, written and graphically, and using the new communication and information technologies.

For these purposes, the content of the subject is structured into four thematic blocks. In the first one, formed by Themes 1 through 4, it is a matter of exposing a general approach on the legal framework of urban and territorial planning and environmental protection and planning as well as the treatment given in the Spanish Constitution of 1978 and in the Statute of Autonomy of Catalonia, together with the study of how the incidence that environmental and territorial planning and planning have in the right to private property of those affected by administrative interventions is resolved.

The second thematic block, made up of Themes 5 and 6, is devoted to studying the most detached from the legal framework of territorial and urban planning. The regulation of the different instruments of territorial planning and the figures of urban planning will be exposed. Regarding these latter, attention will be given to urban classification and qualification, in the legal regime of the soil classes and in the approval and alteration of the plans.

The third block (Lessons 7 to 10) will provide a general overview of the legal regime applicable to various environmental subsectors that have independent regulatory treatment and regarding which planning technique plays a relevant role: protection of natural spaces, of biodiversity and landscape; the treatment of continental waters; the management of the coast and the coast and the protection of the marine environment; and the protection of the quality of the air.

In the last block of topics (Lessons 11 to 14), several aspects will be studied that are transversal to urban,

territorial and environmental planning: guarantee the participation of citizens in territorial and environmental matters, promote transparency and access to the information; Strategic environmental assessment of plans and programs; the impact of the Services Directive on the determination of the tourist, commercial and recreational territorial and environmental model, and the interrelation between environmental and territorial planning and sectoral regulations (roads, ports, airports and historical heritage).

In the last block of topics (Lessons 11 and 12) will study two aspects that are transversal to urban, territorial and environmental planning: guarantee the participation of citizens in territorial and environmental affairs, promoting transparency and access to the information; and the impact of the UE Services Directive in determining the territorial and environmental model relating to tourist, commercial or recreational uses.

## Competences

- Apply the basic regional, environmental and urban legal regulations for regional and environmental planning.
- Integrate the different social and environmental disciplines with a view to describing and interpreting the spatial dynamics linked to social, economic and environmental change.
- Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
- Use the scientific and professional language of the social sciences.

## Learning Outcomes

1. Describe the administrative cycle for the formulation, processing, approval, validity and management of urban planning structures.
2. Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
3. Understand the Spanish and Catalan regulations in force in relation to regional and urban planning.
4. Understand the bases of the legal framework for regional and urban planning.
5. Use the scientific and professional language of the social sciences.

## Content

Topic 1. General approach on the legal framework for urban and territorial planning

The evolution of the urban and territorial law. From the main urban planning techniques to challenges and current needs: sustainability, access to housing, the fight against corruption, transport and connectivity, social cohesion, improved governance, and mitigation and adaptation to climate change, among others. Urban and regional development of the EU.

Topic 2. General approach on the legal framework for protection and environmental planning

Evolution of environmental law. The international law of the environment. The relevance of EU environmental law. The objectives and guiding principles of European environmental action. The general programs of action of the EU in environmental matter.

Topic 3. The treatment of urban planning, territorial planning and the environment in the Spanish Constitution of 1978 and the Statute of Autonomy of Catalonia

The rights contemplated in the Spanish Constitution and the Statutes of Autonomy referring to the environment and territorial planning. The distribution of competences on planning, urban planning and environmental protection. The administrative organization. The entities that collaborate with the administration.

Topic 4. The incidence of planning and environmental and territorial planning in the right to private property

The regime of territorial and environmental public actions that negatively affect the right to private property. The constitutional configuration of the right to property. The social function of private property and the delimiters actions not subject to compensation. Public actions that require the use of forced expropriation.

#### Topic 5. The legal framework for territorial planning

The configuration and the principles of the planning of the territory. The instruments of territorial organization. The general territorial plan. The partial territorial plans. Sectorial territorial plans. The territorial directors plans.

#### Topic 6. The legal framework for urban planning

The general principles of urban action. The figures of urban planning and its principles of articulation. The general urban planning and the derivative. The urban classification and qualification. The legal regime of the soil classes. Approval and alteration of the plans.

#### Topic 7. Planning of protected natural areas. The protection of biodiversity and landscape

The networks of protection of natural spaces. Natural areas of special protection. The Plan of Spaces of Natural Interest of Catalonia. The Natura 2000 network. The conservation of biodiversity. The catalogs and plans for the recovery and conservation of threatened species. Landscape protection, management and planning instruments.

#### Topic 8. The planning of continental waters

The water cycle. The objectives of the Water Framework Directive. The state of the masses of water. The uses of water. The hydrological plans of the basins. The dumps. The sanitation system.

#### Topic 9. The planning of the coast and the protection of the marine environment

The problems that have affected and affect the protection of the coast. The demarcation and protection of goods of public domain maritime-terrestrial. The easements that record private coastal areas. The city planning directors plans of the coastal system. The coastal management plan. The plans for the management of seasonal uses. The protection of the marine environment. The plans and strategies of adaptation of the coast and the coast to the climatic change.

#### Topic 10. Planning in the protection of air quality

The very significant adverse effects of air pollution on human health and the environment. The potentially polluting activities of the atmosphere and the relationship of atmospheric pollutants. The airquality strategies. State, autonomous and local level plans to prevent and reduce air pollution. The Action Plan for the improvement of air quality, 2020 horizon (PAMQA). The short-term action plans. Local plans for large municipalities and agglomerations.

#### Topic 11. Public participation, transparency and access to environmental and territorial information

The right to inquire. Public participation in the conformation of the urban, territorial and environmental policies. Transparency and access to information: active and passive supply or at the request of citizens. Popular action on urban and environmental issues.

#### Topic 12. The planning and planning of uses and Directive 2006/123 / EC, of 12 December, on services in the internal market (Bolkestein Directive)

The objectives of the Bolkestein Directive. Its impact on the design of the commercial, tourist and recreational model of cities. The establishment of restrictions on the establishment of service activities through urban planning.

## **Methodology**

In order to develop the teaching activities, a combination of master class, case study and practical and dynamic approach is used, and a climate is pursued in which an active attitude of the students is present, attracting their attention and interest both at the same time Be attentive, concentrated and can participate. For each subject that forms the content of the subject, a list of "key questions" is produced, which should help students to detect the basic and most important aspects of each topic, and at the same time, they will be useful in order to study and Detect possible exam questions. This list is uploaded to the virtual campus and also the written version is delivered to each student in the session where the subject begins, so that they can read. And when the teaching of the subject is finished, students must re-read the key questions, and they must be able to respond mentally to as many questions as possible. If they can do this they mean that during the sessions they have taken advantage of the time and learned the key aspects of each topic.

The structuring of themes and teaching is also a fundamental aspect. Each topic includes a schematic or script of the aspects that will be dealt with, a script that is also made available to students, both through the virtual campus and written sheets that are given in class.

The classroom computer is used to project all the material that serves as a teaching instrument: diagrams, normative precepts, statements of sentences, news, images, etc. On the virtual campus, there is a lot of educational material available to students: schemes, dispositions, sentences, material developed by the same public administrations and other institutions, etc. When in the bibliography, students are encouraged to use a manual; Therefore, in the teaching guide and in the program of each subject, two or three are recommended.

When appropriate, the teacher will allocate about fifteen minutes of a class to allow students to answer the surveys of evaluation of teaching performance and evaluation of the subject.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

## Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Explanations of the topics	25	1	3, 4, 1
Presentation of the material	25	1	3, 4, 1
Type: Supervised			
Preparation of tests and exercises	24	0.96	3, 4, 2, 5
Type: Autonomous			
Readings of books, articles and other materials	20	0.8	3, 4, 1
Realization of exercises and practices	20	0.8	2, 5
Study for tests	30	1.2	3, 4, 1, 2, 5

## Assessment

1. Periodically, the students will do readings, works, exercises and / or practices on the subjects studied and will be given to the teacher on the set date. The mark of the exercises, works and / or practices that can be evaluated equals 30% of the final mark (3 points out of 10). WILL NOT BE RECOVERABLE, that is, there will be no possibility that, in order to pass the exam grades, students will do some work or exercise.

2. The students will realize a partial exam type test corresponding to the half of the syllabus, of liberatory character, in the date that will be fixed in the first weeks of class, equivalent to 35% of the final note (3,5 points about 10). In case of failing this partial exam, the student will have to examine the subject on the day of the final exam. The other half of the syllabus will be the subject of a final exam, equivalent to 35% of the final grade (3.5 points out of 10). There will be an average between the marks of the partial and the final exam, except when one of these marks is decompensated.

3. For those students who have not passed the partial exam, the final exam will be equivalent to 70% of the final grade (7 points out of 10).

4. The attitude of each student in class will also be taken into account in the evaluation: in case the student speaks repeatedly with other classmates once the session has started, he/she will not pay attention to the explanations (e.g. pending laptop contents not related to the sessions) or ignore the ban on having the mobile phone on the table, the teacher will "put" negative points on the respective students. Each negative point will be equivalent to - 0.25 negative points.

5. The final mark will result from adding the mark of the exercises and evaluable works to the marks of the exams, and from subtracting the negative points that the teacher has put to the students who have had an inappropriate attitude in the classes, according to as provided in point 4.

6. Only students who have obtained a final grade equal to or higher than 3 points (out of 10) will be able to take the resit exam.

7. On carrying out each evaluation activity, lecturers will inform students of the procedures to be followed for reviewing all grades awarded, and the date on which such a review will take place.

8. Students will obtain a "Not assessed/Not submitted" course grade unless they have made more than 50 % of the assessment items.

In the event that tests or exams cannot be taken onsite, they will be adapted to an online format made available through the UAB's virtual tools (original weighting will be maintained). Homework, activities and class participation will be carried out through Teams. Lecturers will ensure that students are able to access this virtual tool.

Summary table of evaluable activities

1r. Partial exam: 35% of the grade

2n. Partial exam: 35% of the grade

Evaluable works: 30% of the grade

Negative points: each point will be 0.25 on the final grade

Plagiarism

The copying or plagiarism of material, both in the case of works and in the case of exams, constitute a crime that will be sanctioned with a zero to the activity. In the case of recidivism, the entire subject will be suspended. Let's remember that a "copy" is considered a work that reproduces all or most of the work of one or the other company / a. "Plagiarism" is the fact of presenting all or part of a text of an author as its own, without mentioning the sources, be on paper or in digital format. See UAB documentation on "plagiarism" at: [http://wuster.uab.es/web\\_argumenta\\_obert/unit\\_20/sot\\_2\\_01.html](http://wuster.uab.es/web_argumenta_obert/unit_20/sot_2_01.html).

And in the event of a student committing any irregularity that may lead to a significant variation in the grade awarded to an assessment activity, the student will be given a zero for this activity, regardless of any disciplinary process that may take place. In the event of several irregularities in assessment activities of the same subject, the student will be given a zero as the final grade for this subject.

## Assessment Activities

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Title	Weighting	Hours	ECTS	Learning Outcomes
Exercices and works	30 %	1.5	0.06	2, 5
Final test	35 %	2.25	0.09	3, 4, 1, 5
Partial test	35 %	2.25	0.09	3, 4, 1, 2, 5

## Bibliography

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[www.iagua.es](http://www.iagua.es) Web sobre el sector del agua

<http://water.europa.eu/> Web sobre el sistema d'informació d'aigua d'Europa

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## **Software**

7-Zip

Adobe Acrobat Reader DC

Google Chrome

Microsoft Edge

Microsoft Office

Mozilla Firefox

VLC media player