Planning for justice

A value-based framework to help spatial planners develop just housing strategies in Dutch regions

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Master track: Urbanism

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Delegate board of examiners: ir. Pierijn van der Putt

P5 Presentation

17January 2024

Injustices in housing

Van Gennip (2021)

Injustices in housing

“The housing crisis is real. […]
It is a crisis resulting from a series of poor policy choices.”

Mr. Balakrishnan Rajagopal

OHCHR (2023)

Injustices in housing

United Nations | UNITED NATIONS HUMAN RIGHTS OFFICE OF THE HIGH COMMISSIONER

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Mr. Balakrishnan Rajagopal

Special Rapporteur on the right to adequate housing

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SPECIAL RAPPORTEUR ON HOUSING

- Overview
- About the right to adequate housing
- Mandate
- International standards
- **Current mandate holder**

Mr. Balakrishnan Rajagopal (USA) assumed his function as Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, on 1 May 2020. He is Professor of Law and Development at the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT). A lawyer by training, he is an expert on many areas of human rights, including economic, social and

OHCHR (n.d.)

Injustices in housing

Housing and well-being inequality

Deficiencies in planning practice

Intergenerational justice and sustainability

Adaptation by author of Thissen and Content (2022)

Injustices in housing

Housing and well-being inequality

Deficiencies in planning practice

Intergenerational justice and sustainability

“Don’t back the losers, but pick the winners”

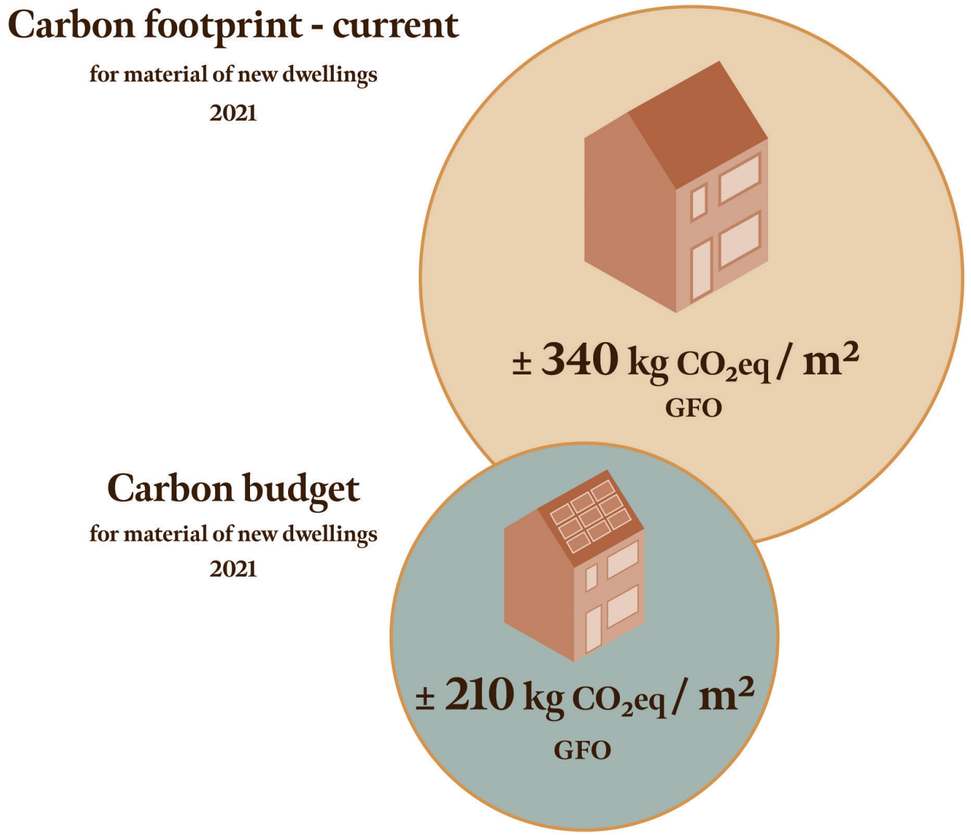
Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (2020)

Injustices in housing

Housing and well-being inequality

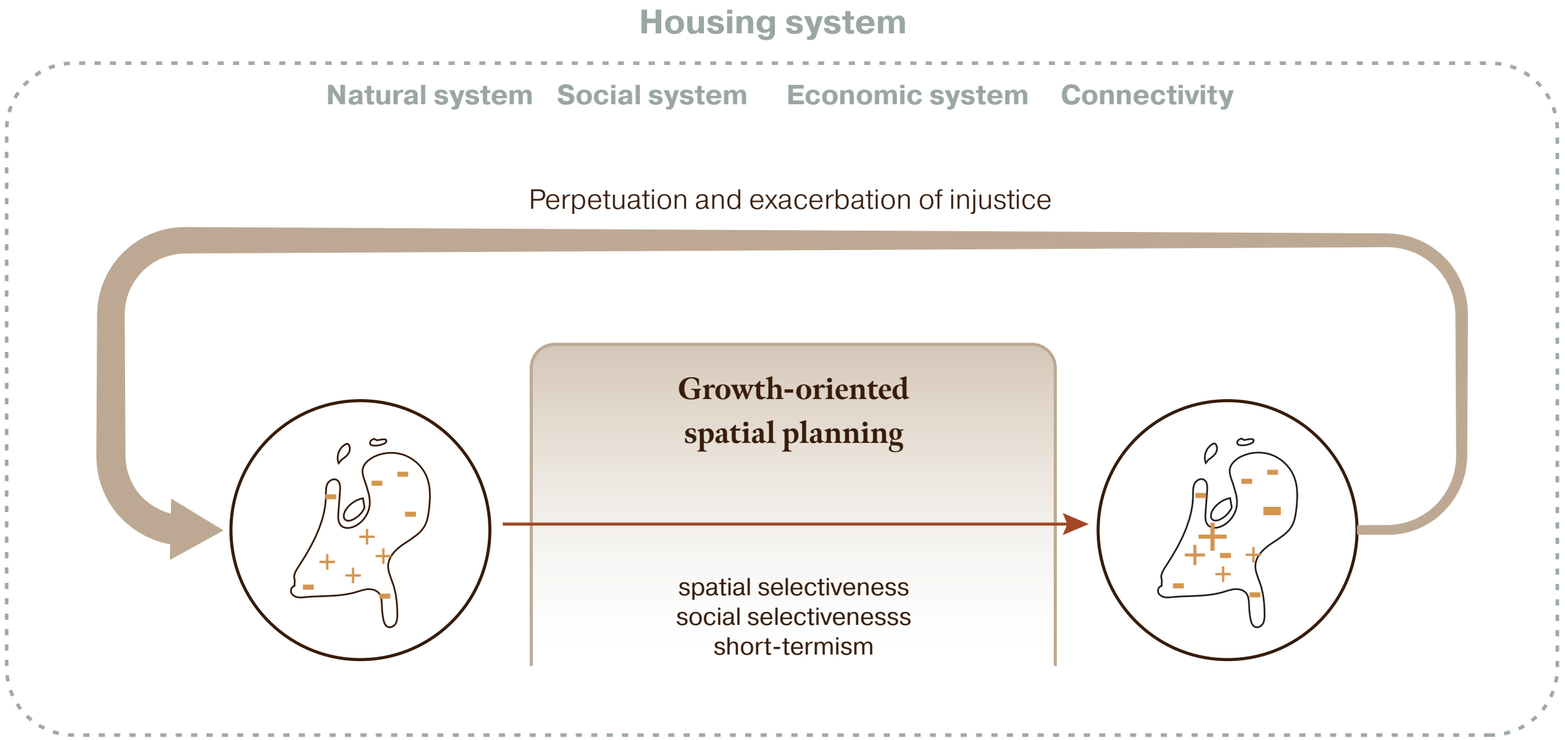
Deficiencies in planning practice

Intergenerational justice and sustainability



Adaptation by author of Hemelaar et al. (2022)

Problem



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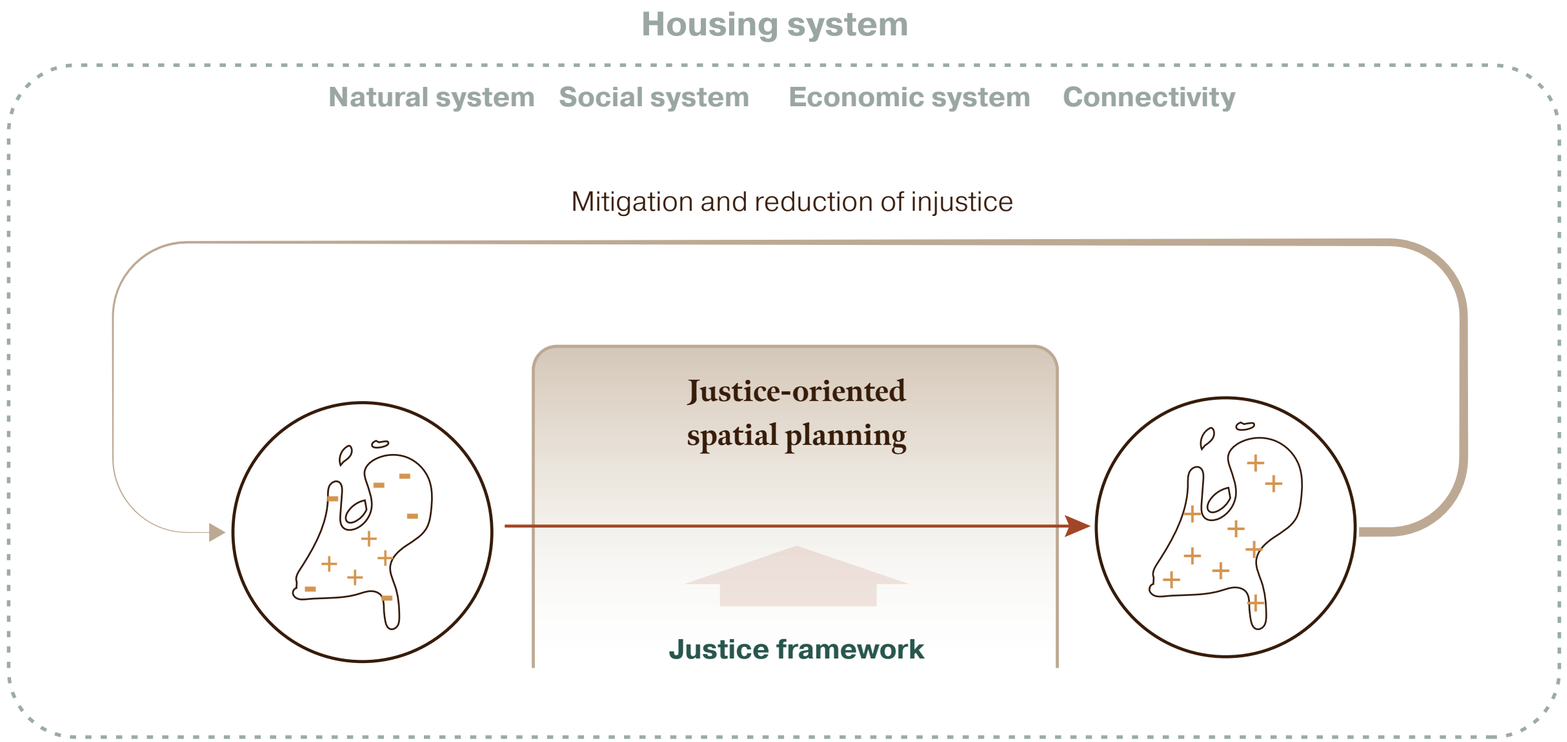
Research aim



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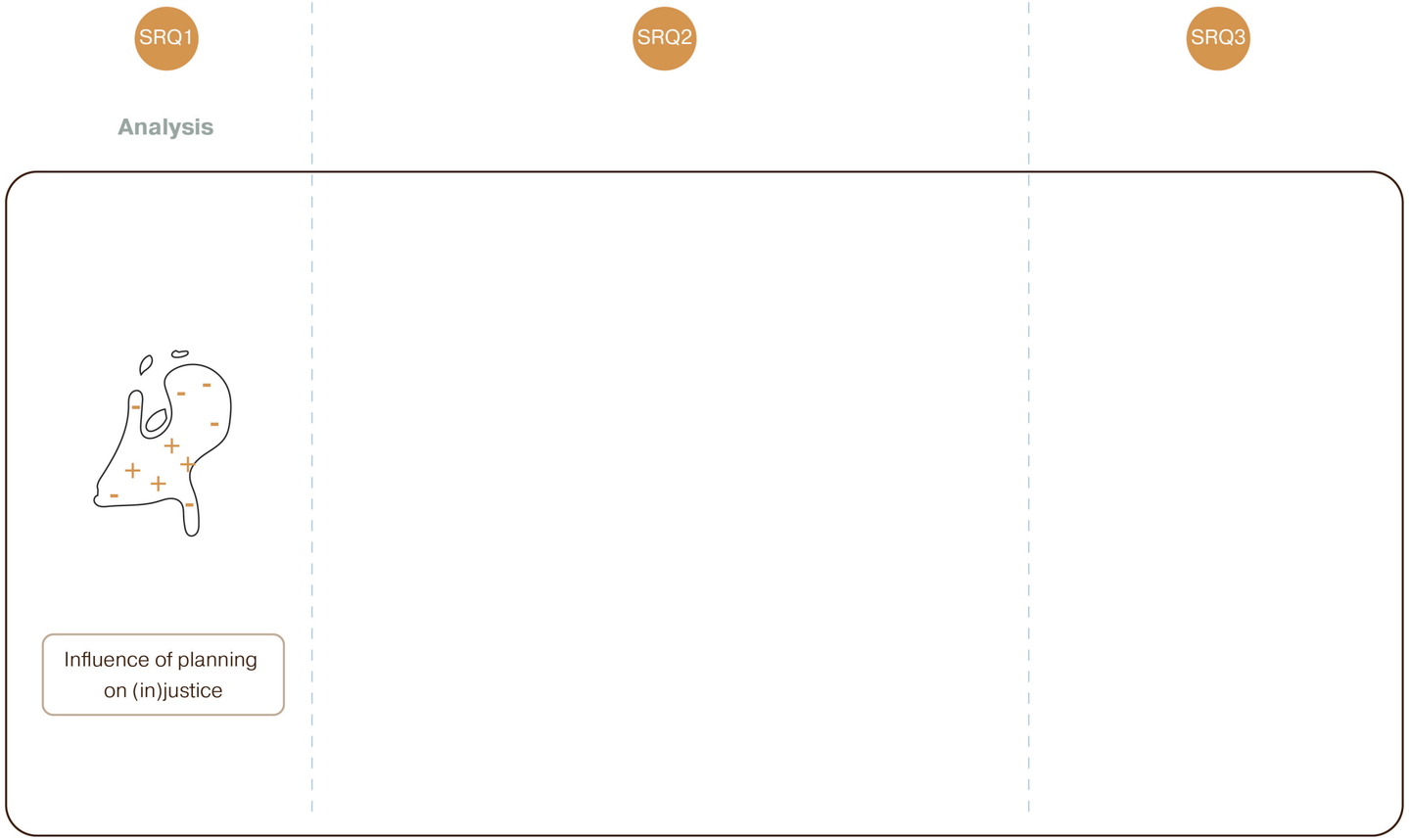
Research question

To what extent can a framework based on justice values help spatial planners design for justice in the housing domain in Dutch regions?

Research approach

SRQ1 To what extent are socio-spatial injustices in housing a result of contemporary planning practices?



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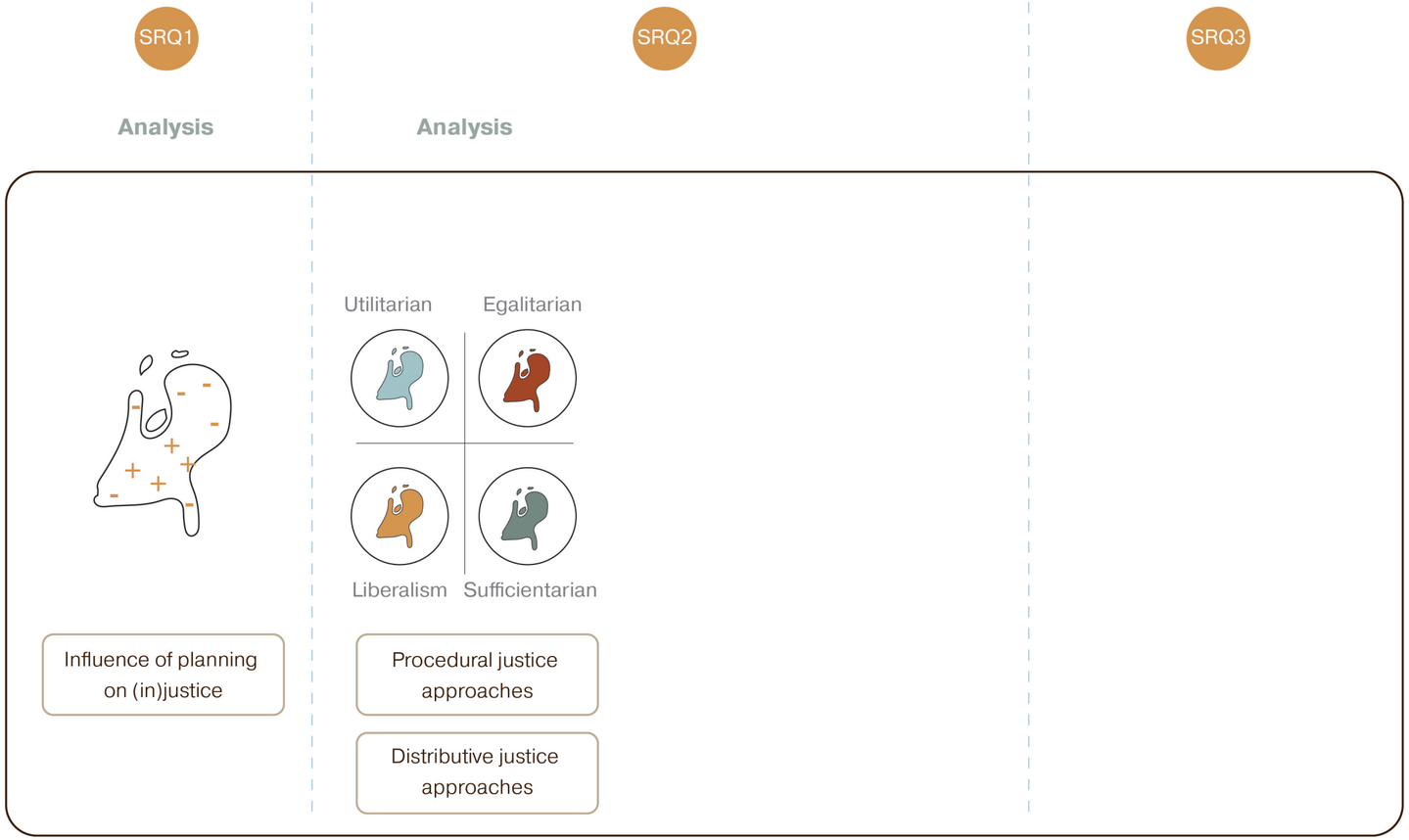
Research approach

SRQ2 What are the values behind different approaches of spatial justice and how can these values be operationalised for spatial planning?



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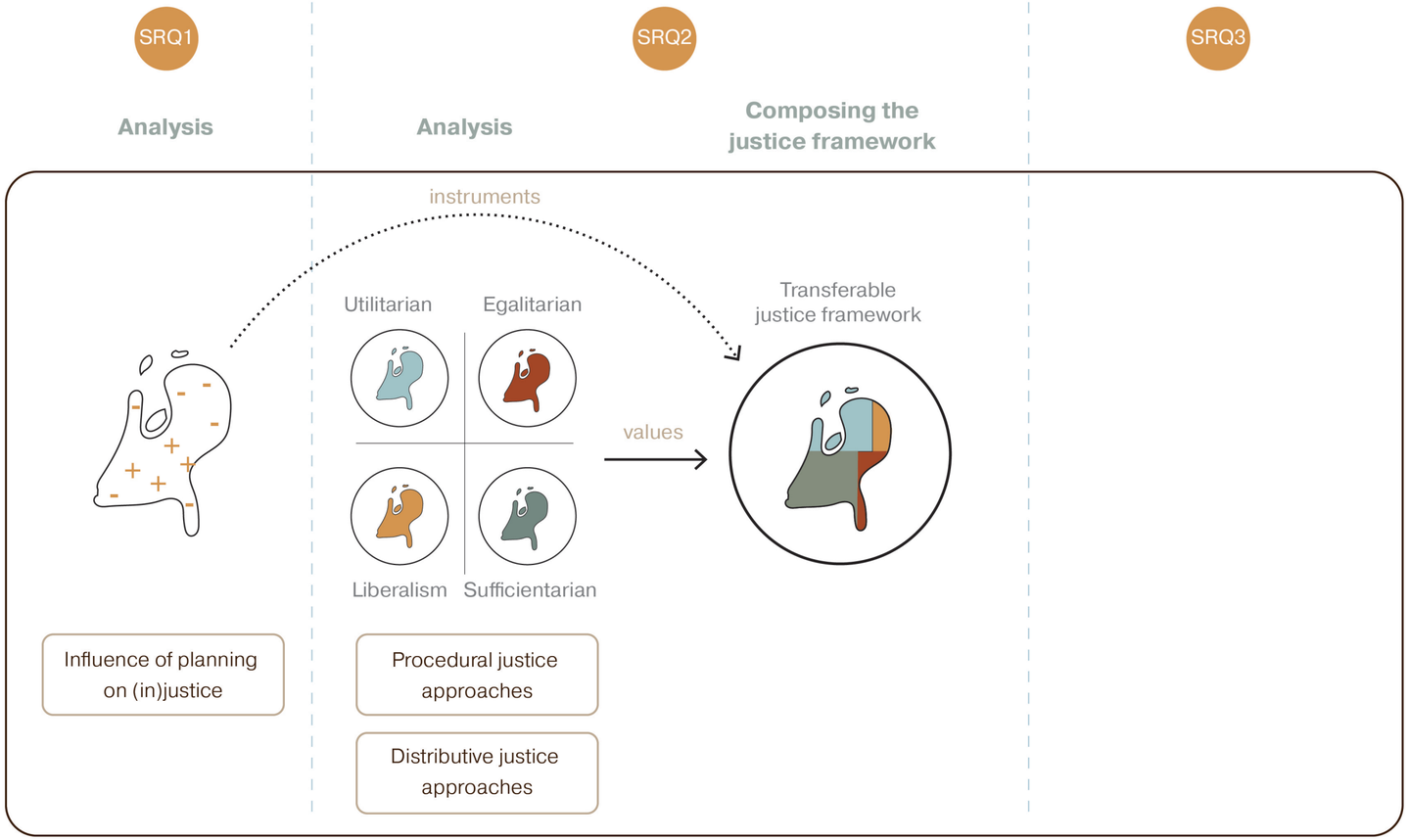

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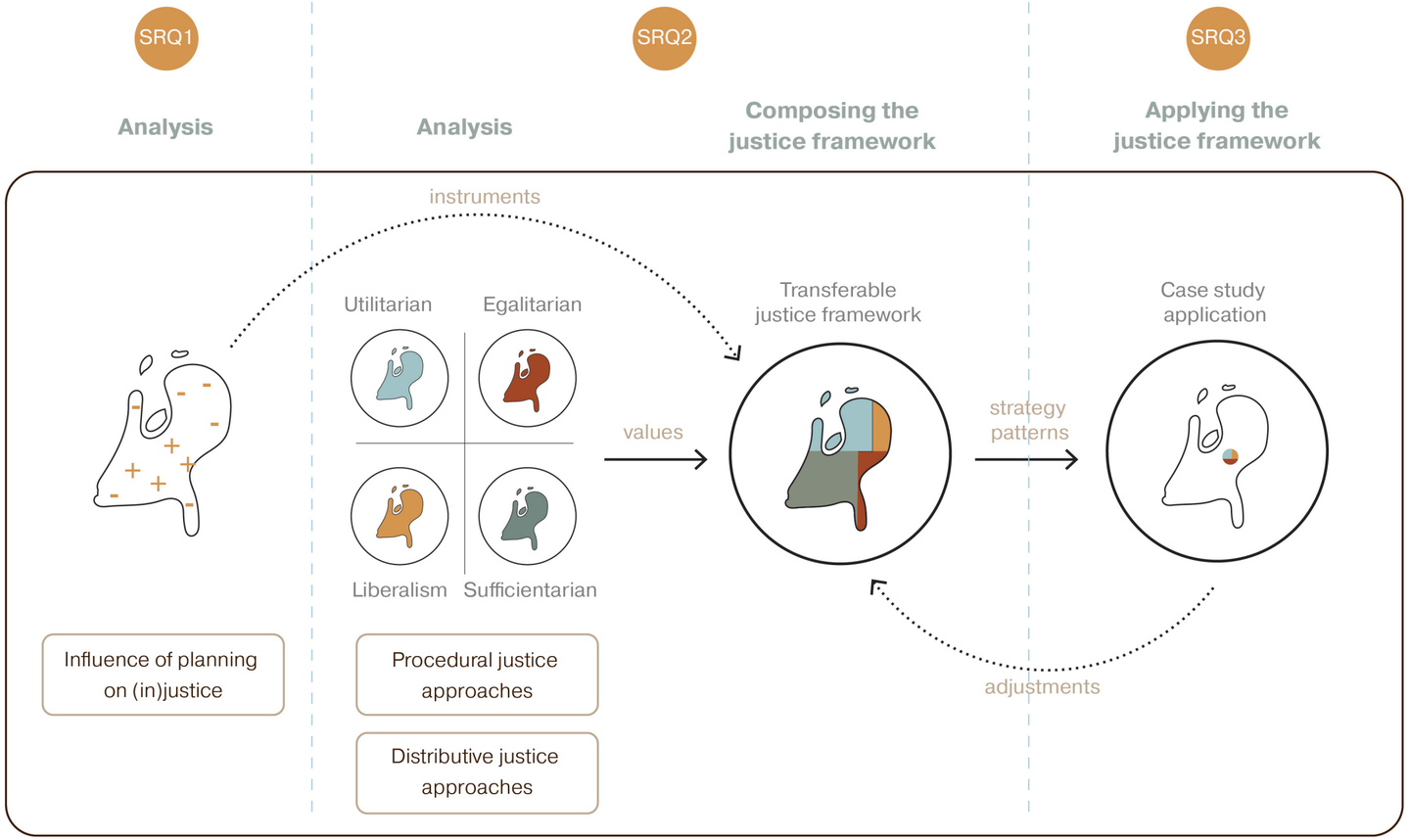
Research approach

SRQ3 How can a framework based on justice values result in a planning and design strategy when applied to a region in the Netherlands?



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Scope

Dutch context

Housing domain

- Injustices that can be influenced by spatial planning
- Plausible assumptions for other domains

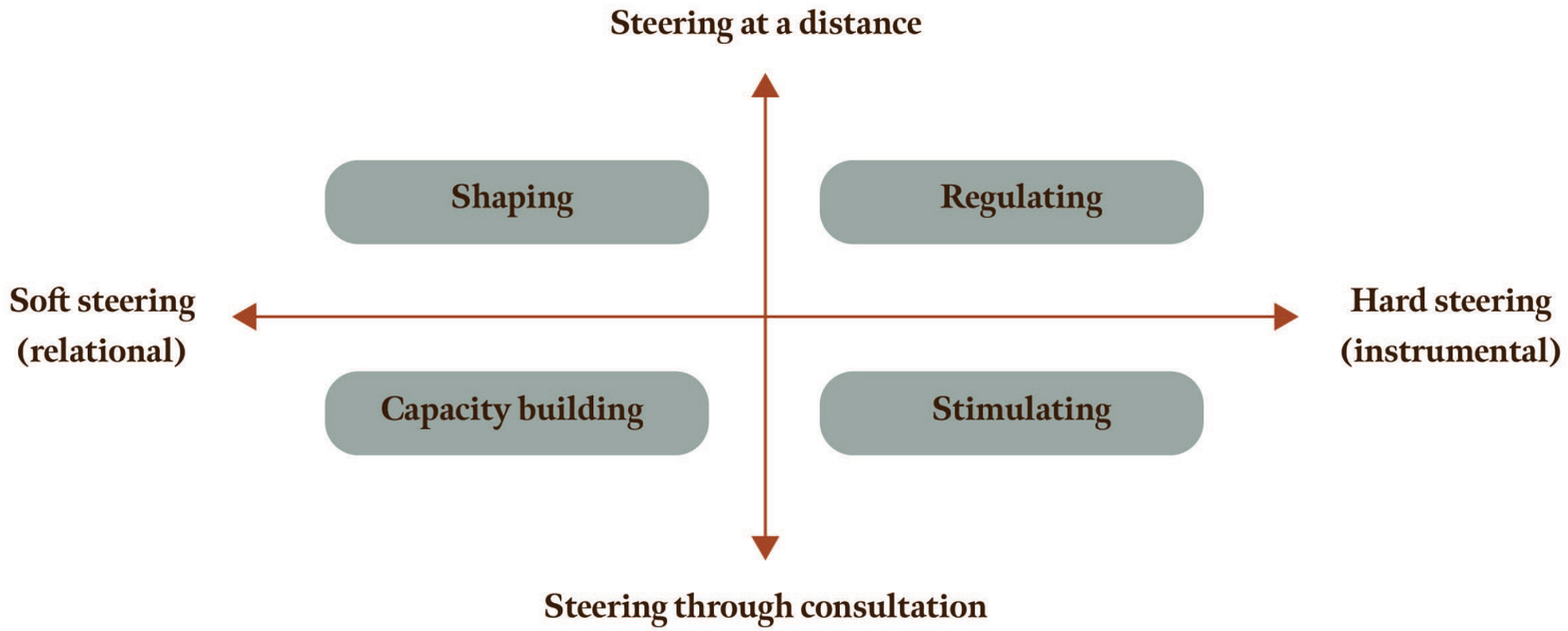
Regional scale

Testing in one region

The role of spatial planning

1. To what extent are socio-spatial injustices in housing a result of contemporary planning practices?

Steering instruments



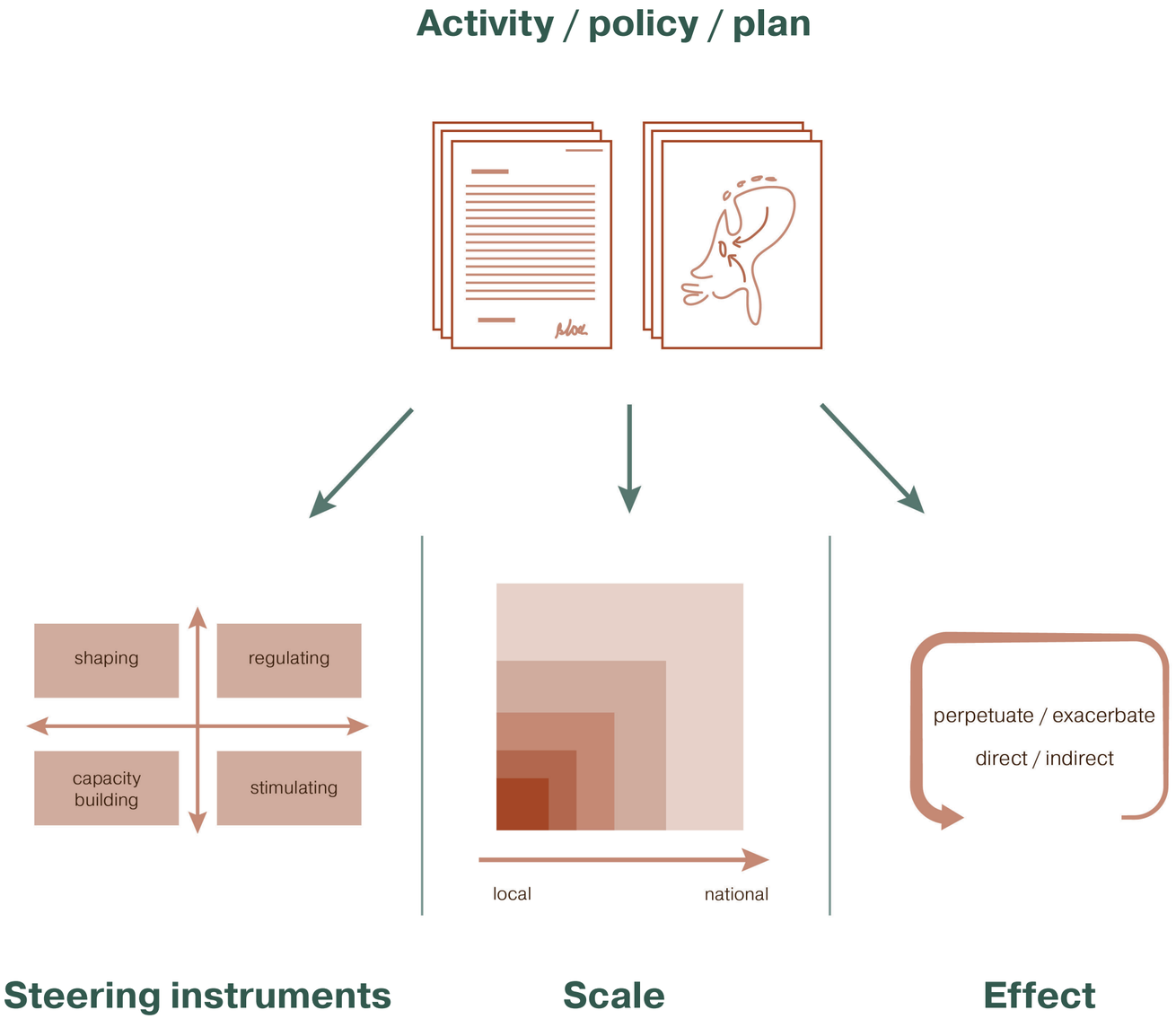
Adapted from Heurkens et al. (2015)

Policy analysis

Social selectiveness

Spatial selectiveness

Short-termism



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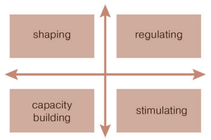
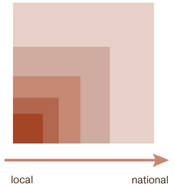
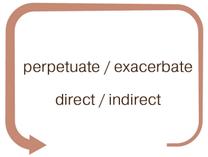
Results

Social selectiveness

Spatial selectiveness

Short-termism

 ***Instrument***	***Activity / policy / plan***	 ***Scale***	 ***Effect***
Shaping	Marketing cities to higher income groups (Van Veelen, 2022). Reflected in policy goals and targets for the share of (expensive) housing or even explicitly stating the need for 'more desirable groups' (Uitermark et al., 2007).	Local	Exacerbate/***perpetuate*** Direct / ***indirect*** New developments tend to be more exclusive. Less supply for a group that has limited options. Especially households that wish to enter the local housing market it is difficult to enter. Scarcity of middle-income housing can drive up the price.
Regulating	Limited regulation of rent prices (Hochstenbach, 2023).	All	***Exacerbate***/perpetuate Direct / ***indirect*** Limited regulation leads to excessive rent prices, resulting in high costs of living and increasing wealth disparity. Another effect is that this has increased the amount of houses in the private rent sector.
Stimulating	State-led gentrification (Uitermark et al., 2007).	Local	***Exacerbate***/perpetuate ***Direct*** / indirect Displacement of social renters. Place-based intervention instead of a people-based intervention.
Capacity building	Reliance on market actors to initiate development (Rydin, 2013).	Local	***Exacerbate***/perpetuate Direct / ***indirect*** Market actors have the objective to build more expensive housing, which is against the interest of these groups, who wish to have an affordable home.

Sub-question conclusion

Influence through steering instruments

Some spatial planning practices contribute to injustices

- Active policy

Some processes are out of the scope of spatial planners

- Lack of policy

Influence could be used differently

Justice approaches

2. What are the values behind different approaches to spatial justice and how can these values be operationalised for spatial planning?

Justice theories

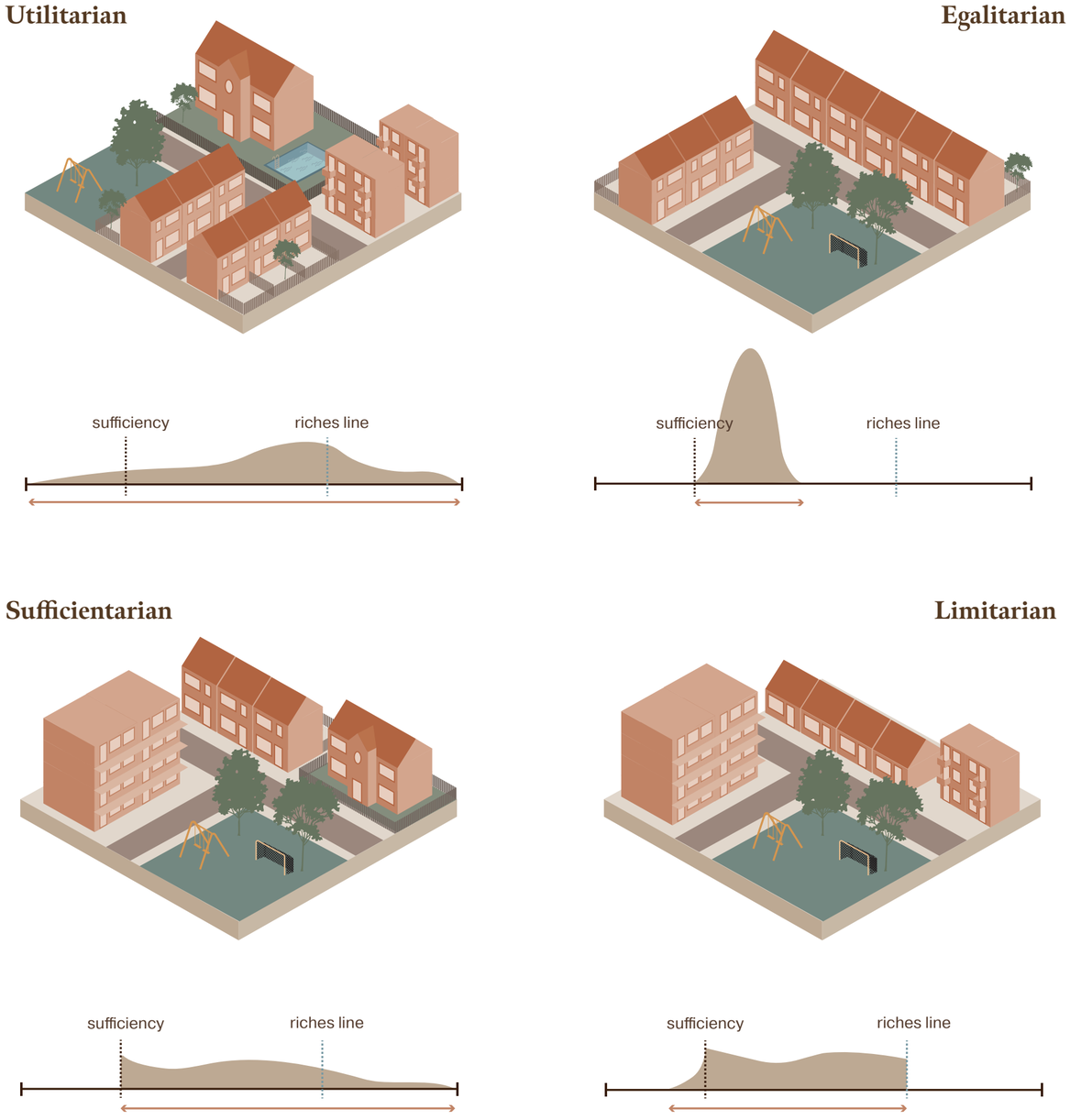
Distributive justice

- Utilitarian
- Egalitarian
- Sufficientarian
- Limitarian

Capabilities approach

Procedural justice

- Liberalism
- Communicative turn
- Advocacy



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Instrument	*Approach*	*Key values & principles*
Distributive justice	*Egalitarian*	• Equality • Everyone should have the same
	Utilitarian	▪ Utility maximization ▪ Maximum for the biggest possible group
	Sufficientarian	• Everyone should have enough (lower limit) • Basic human needs • Equity
	Limitarian	• Limitation of excess (upper limit) • Urgent unmet needs
	Capabilities approach	• Actual capability of use • Agency
Procedural justice	*Liberalism*	• Individual rights and freedom • Entitlement • Legitimacy
	Communicative turn	• Inclusion of stakeholders in the process • Consensus
	Advocacy planning	• Representation of marginalised groups • Equity

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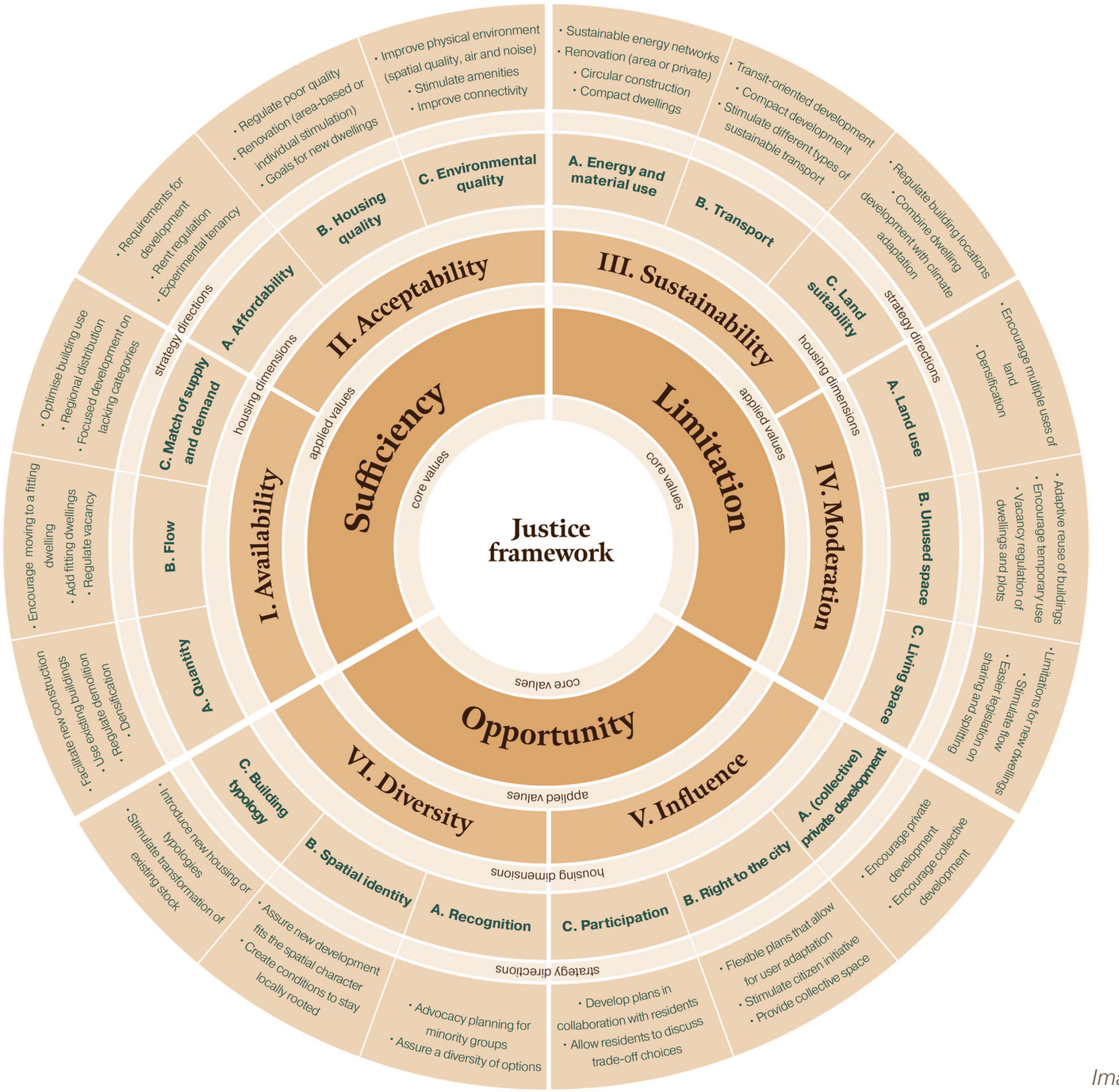
Instrument	*Approach*	*Key values & principles*	*Why?*
Distributive justice	*Egalitarian*	• Equality • Everyone should have the same	
	Utilitarian	▪ Utility maximization ▪ Maximum for the biggest possible group	
	Sufficientarian	• Everyone should have enough (lower limit) • Basic human needs • Equity	• Potential wide support • Human needs as minimal goal
	Limitarian	• Limitation of excess (upper limit) • Urgent unmet needs	• Responds to short-termism • Deals with scarcity of space
	Capabilities approach	• Actual capability of use • Agency	• Relation to housing domain • Support for agency
Procedural justice	*Liberalism*	• Individual rights and freedom • Entitlement • Legitimacy	
	Communicative turn	• Inclusion of stakeholders in the process • Consensus	• Policy support • Current practice
	Advocacy planning	• Representation of marginalised groups • Equity	• Professional influence • Intergenerational justice

Justice framework

2. What are the values behind different approaches to spatial justice and how can these values be operationalised for spatial planning?

The justice framework



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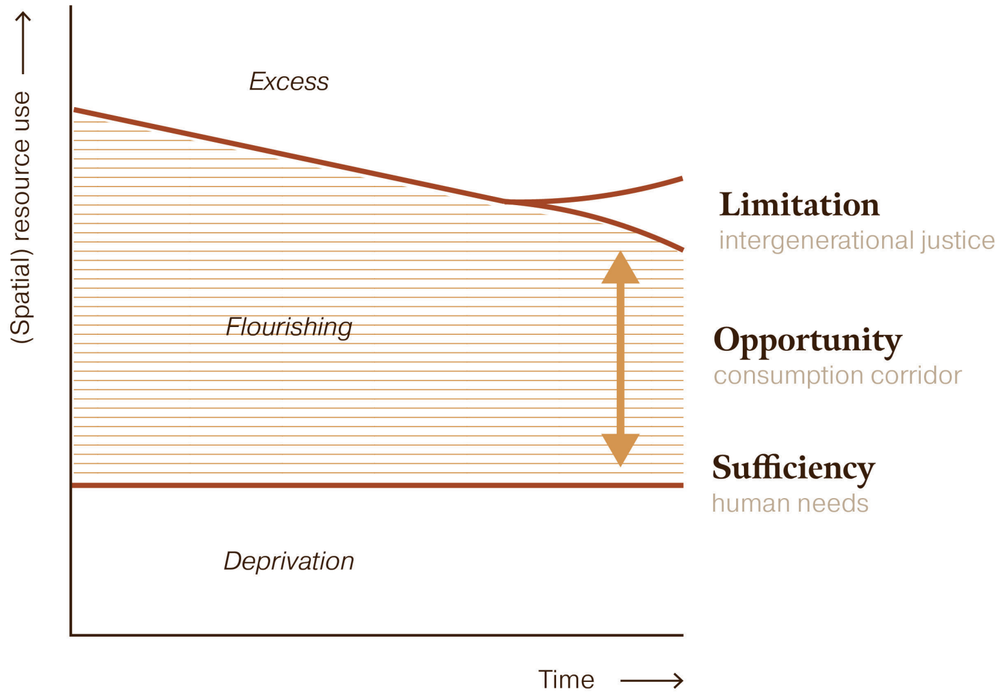
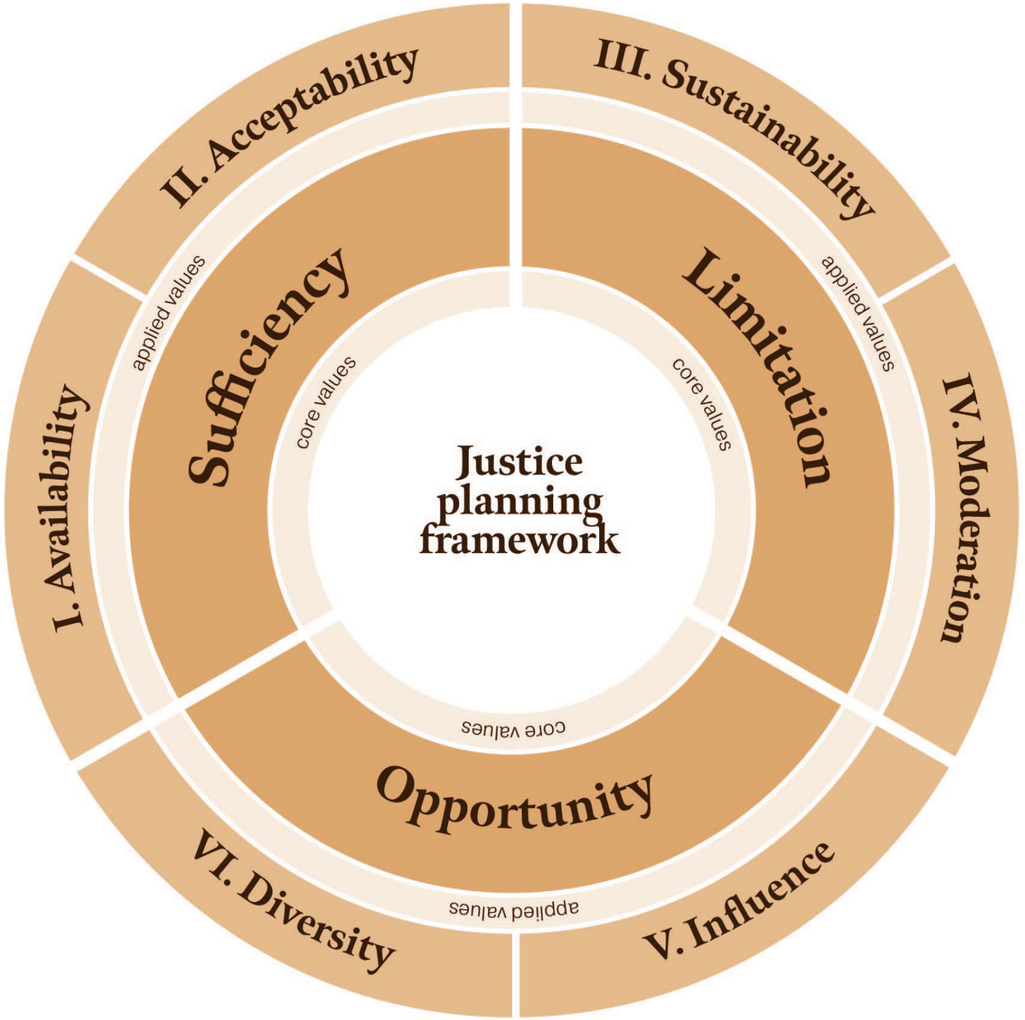
Core of the justice framework





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Core of the justice framework

I. Availability The number of dwellings should be enough. Demand and supply should match.

II. Acceptability

III. Sustainability

IV. Moderation

V. Influence

VI. Diversity

Image by author

Core of the justice framework

I. Availability The number of dwellings should be enough. Demand and supply should match.

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VI. Diversity Housing policy should recognise different demands and provide different real opportunities.

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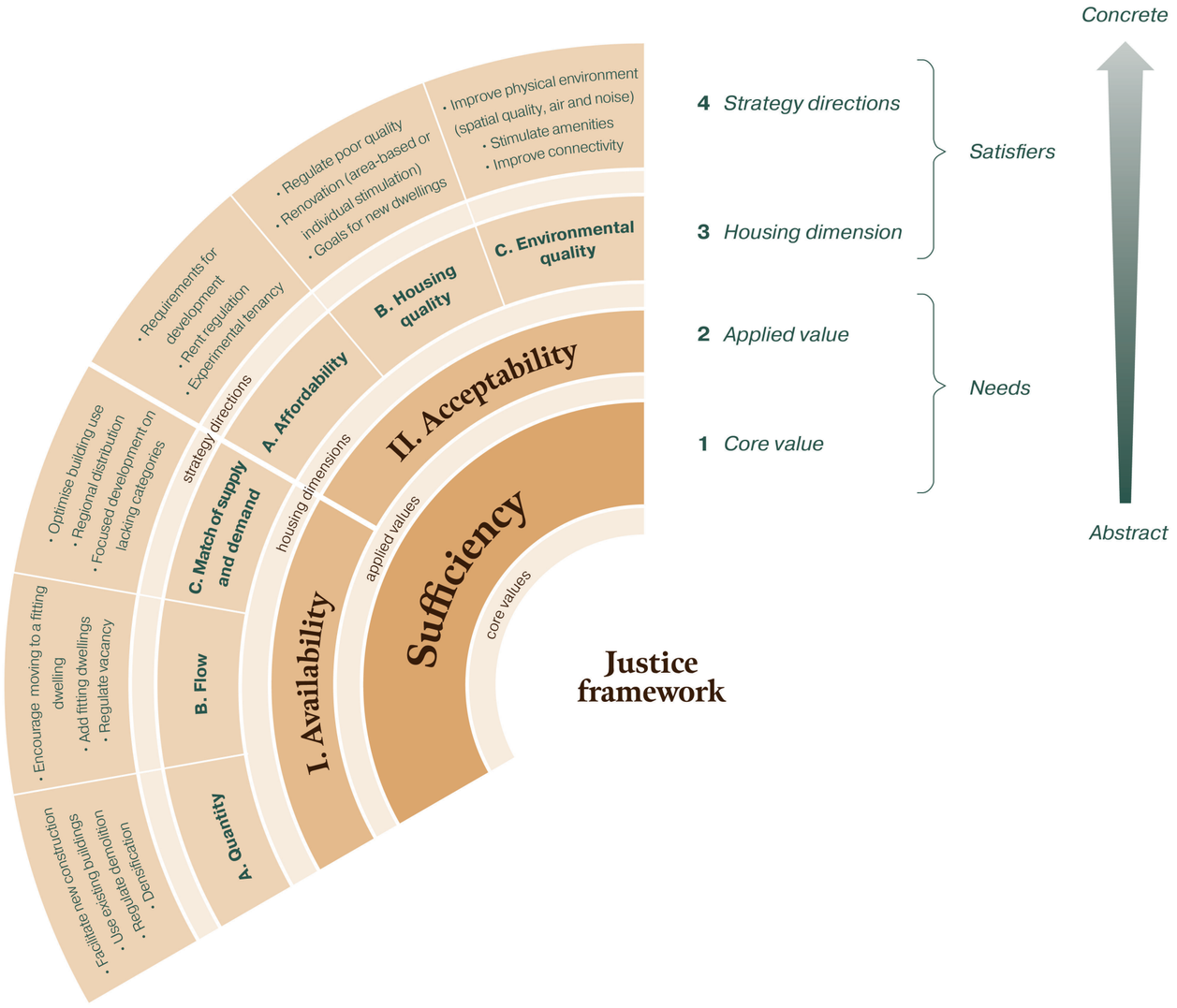
Structure of the justice framework



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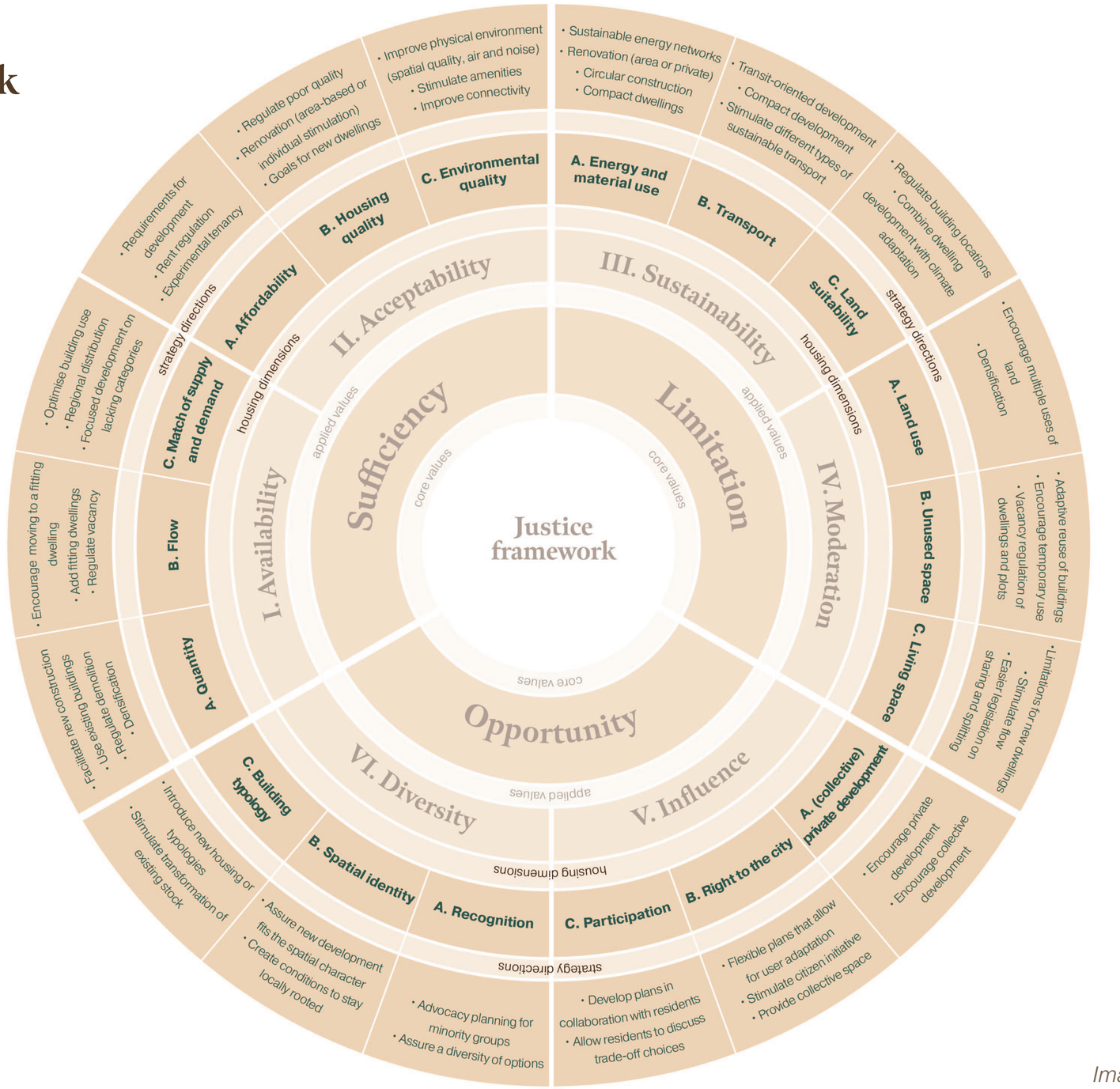
Outer rings of the justice framework

Third ring: housing dimensions

- Research scope

Fourth ring: strategy directions



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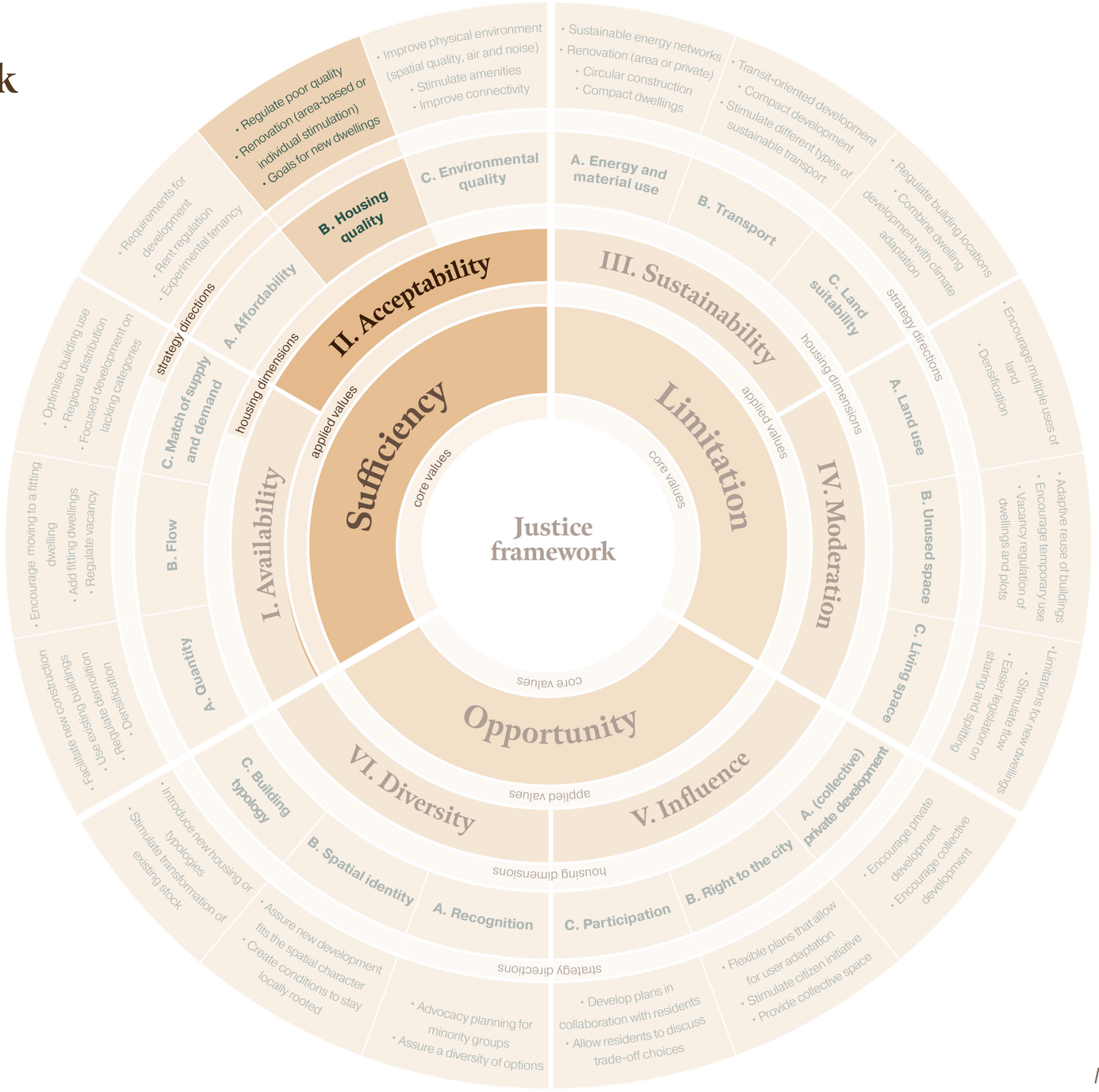

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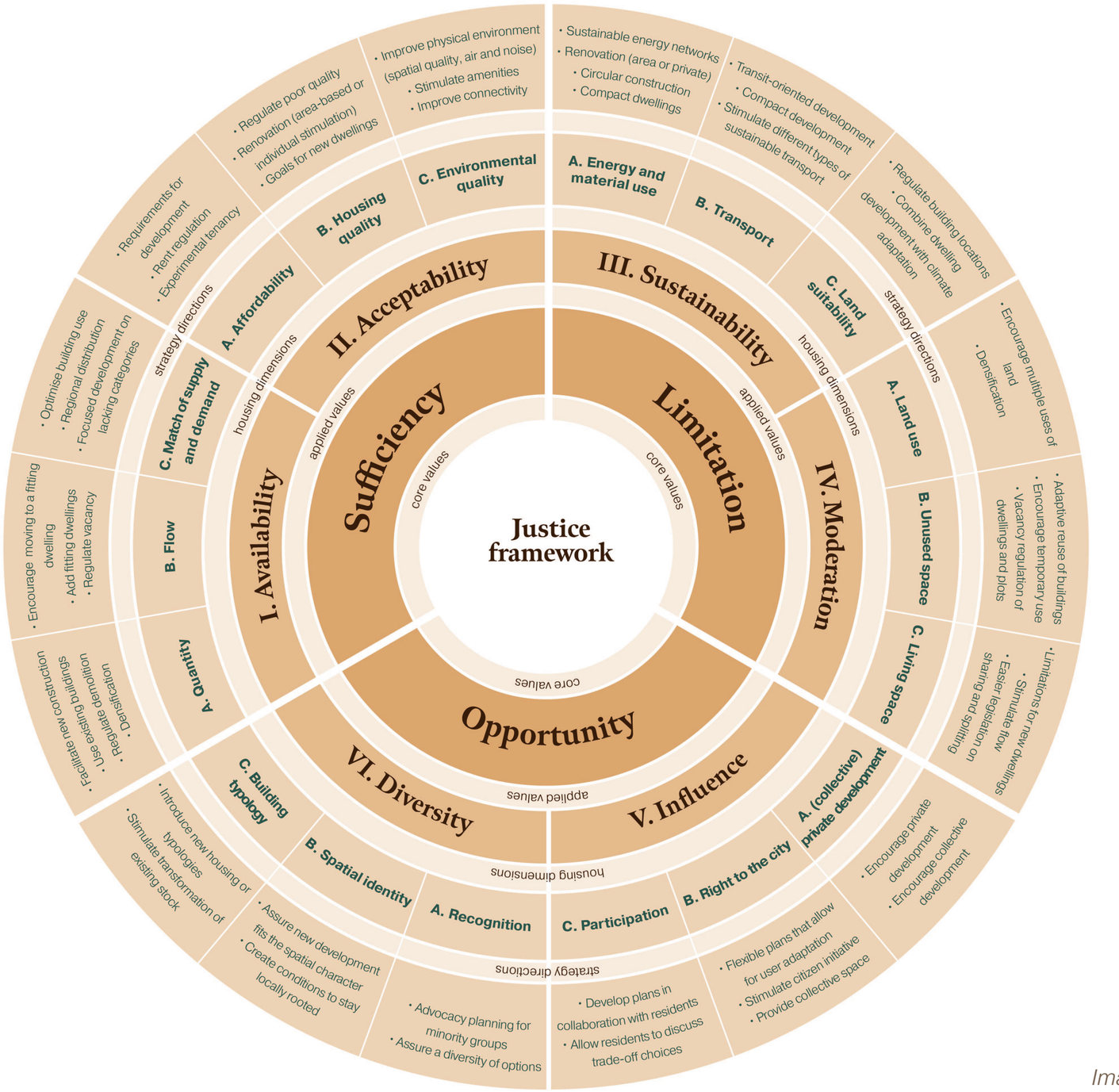
Complete justice framework



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Case study analysis

3. How can a framework based on justice values result in a planning and design strategy when applied to a region in the Netherlands?

Case study selection

Selection on four criteria

Housing injustices

Size differentiation

Intermediary zone

Institutional cooperation

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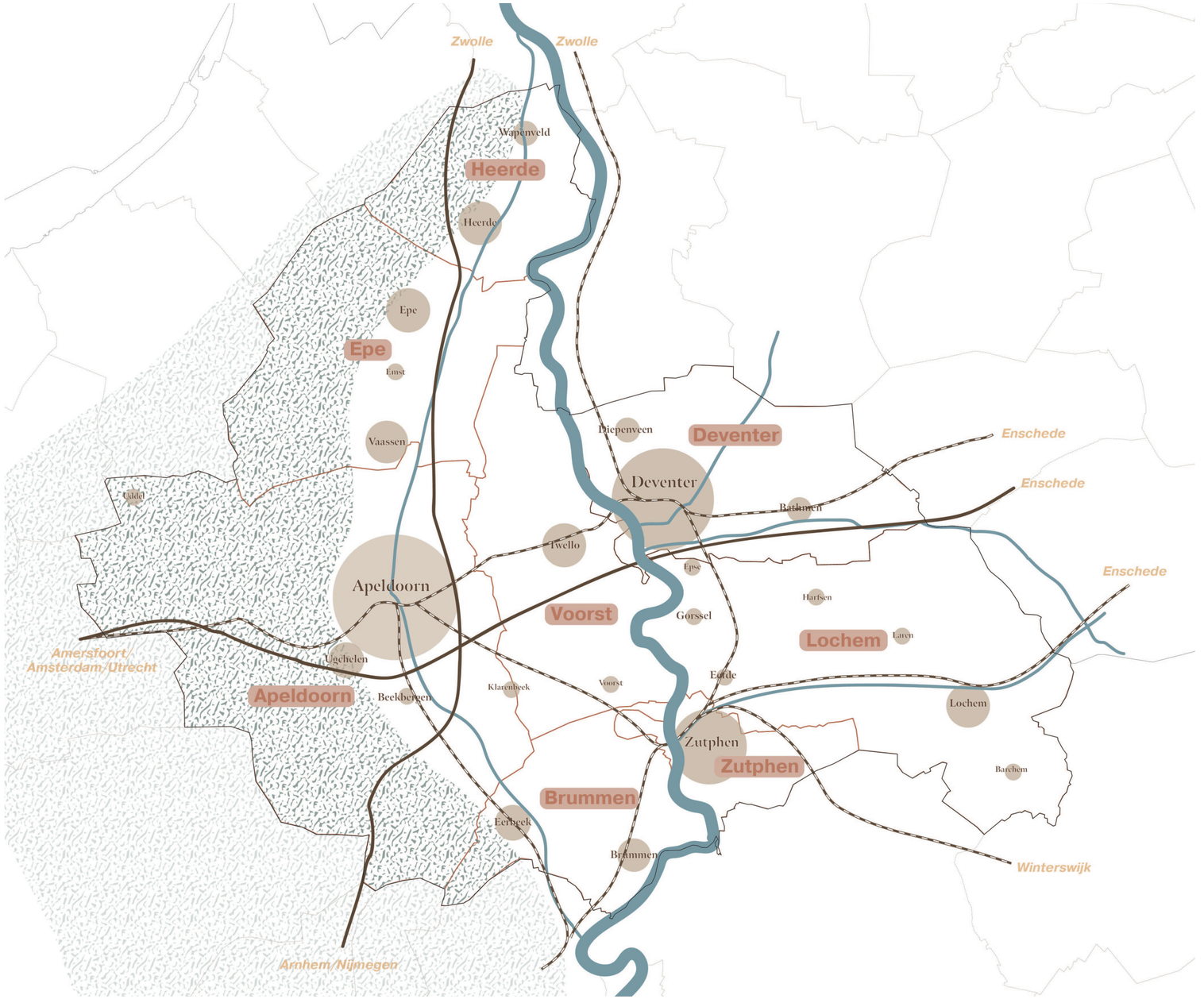
Choice: Stedendriehoek

‘Regio Stedendriehoek’

- 8 municipalities
- 2 provinces



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Analyses

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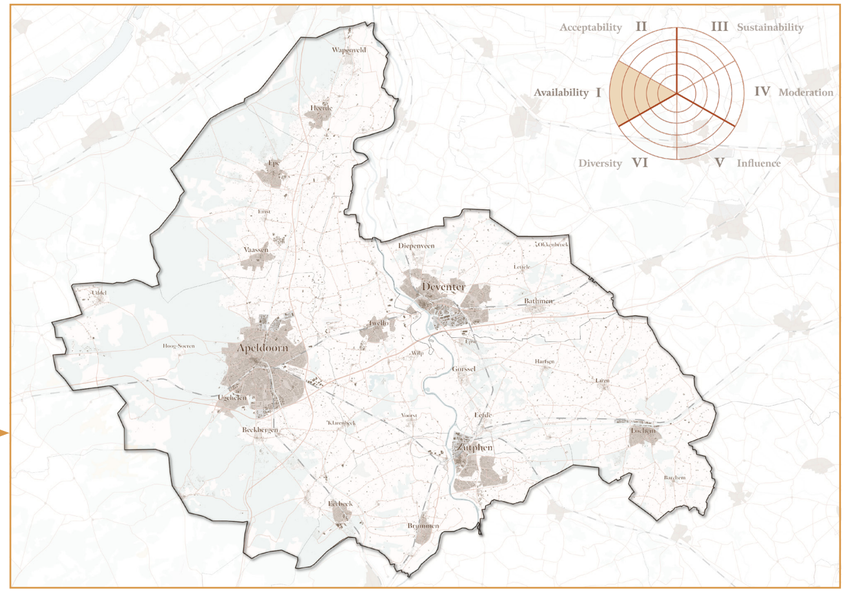
Analyses

A. Land use
B. Unused space
C. Living space



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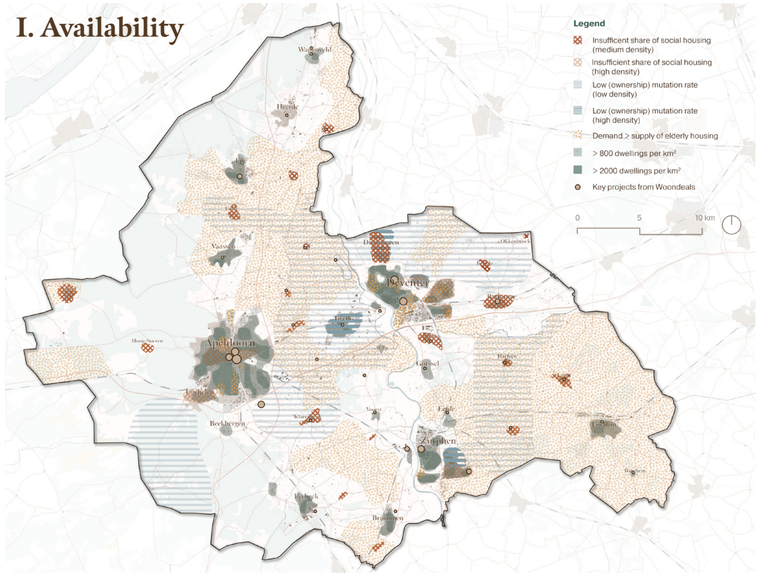
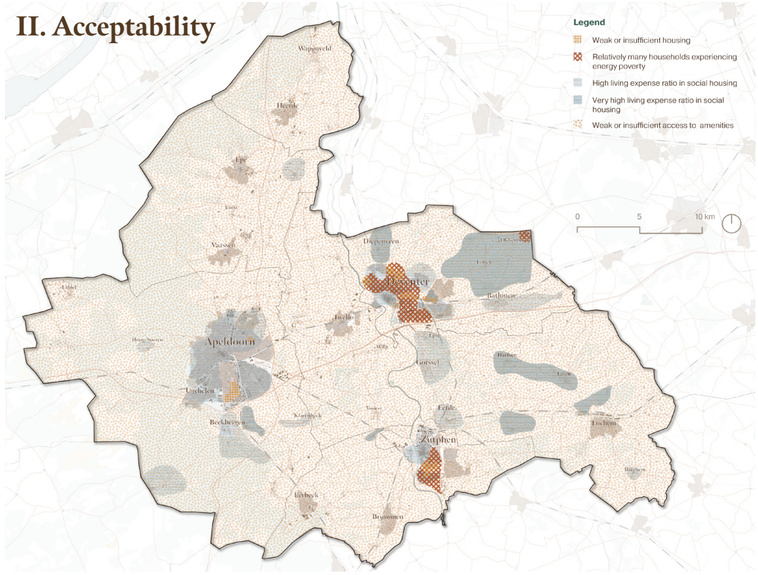
Sufficiency

I. Availability

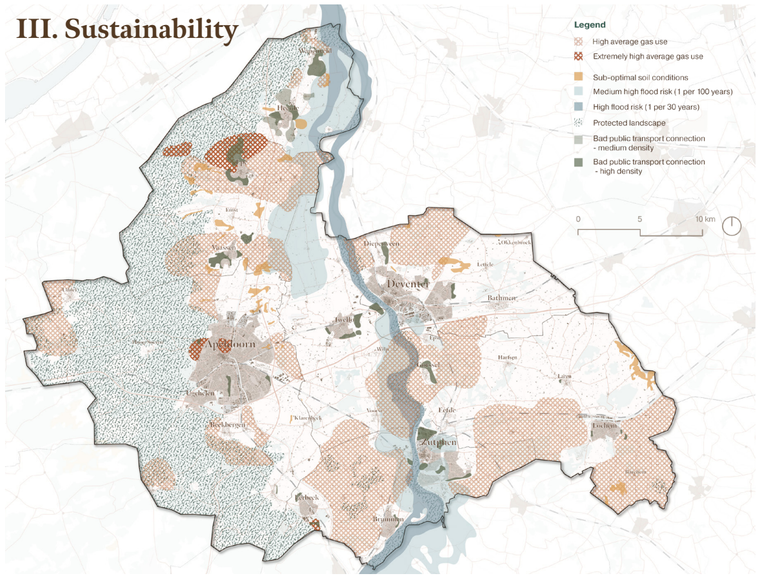


II. Acceptability

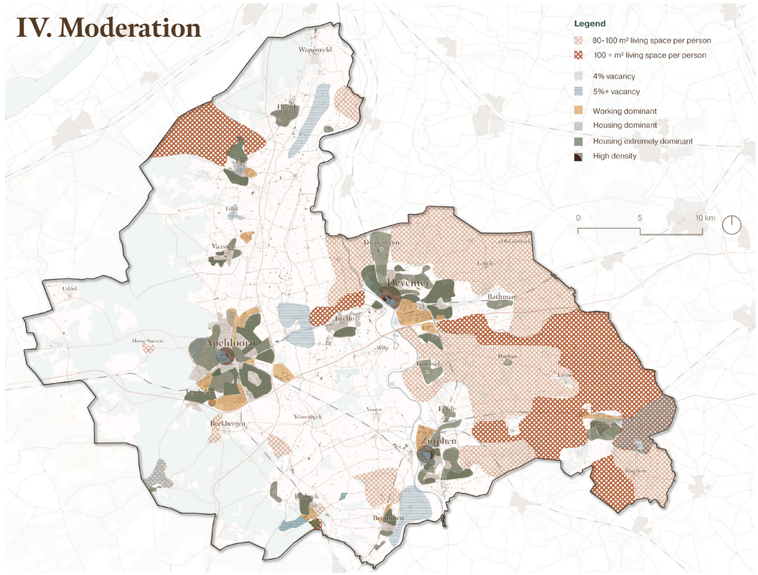


Limitation

III. Sustainability



IV. Moderation

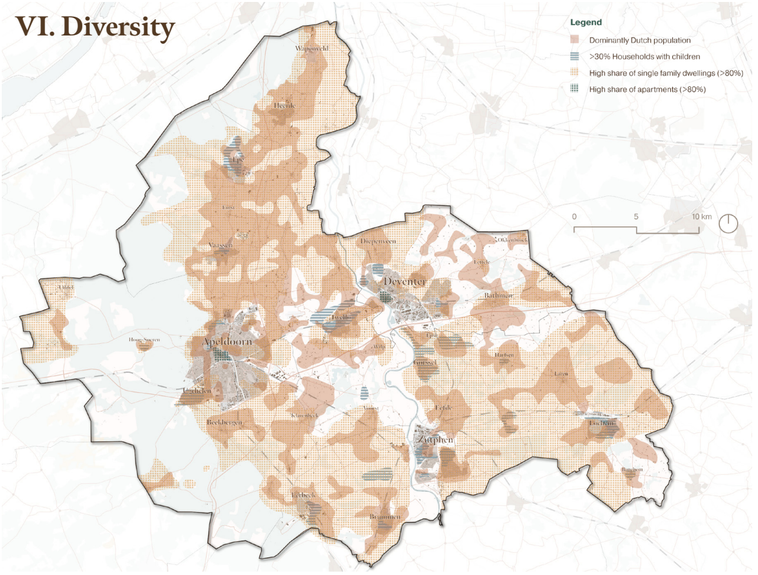


Opportunity

V. Influence

non-spatial

VI. Diversity



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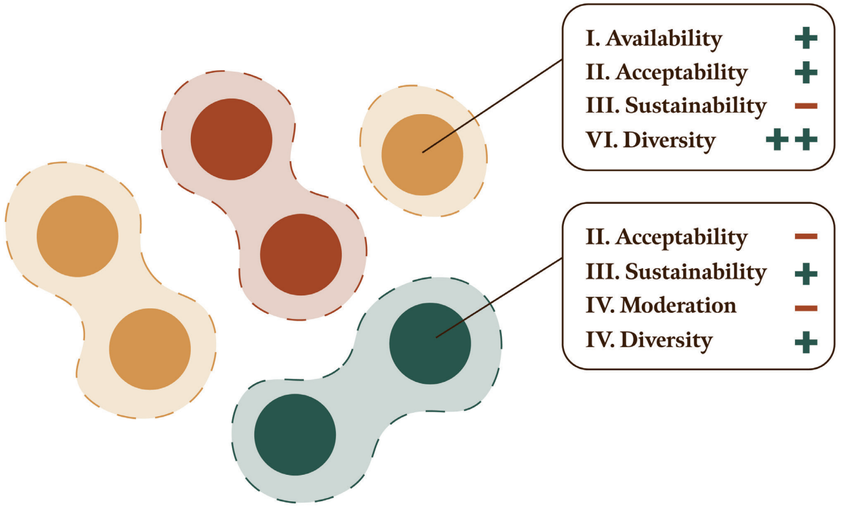
Clustering

Places with similar injustices

- Based on patterns observed in analysis



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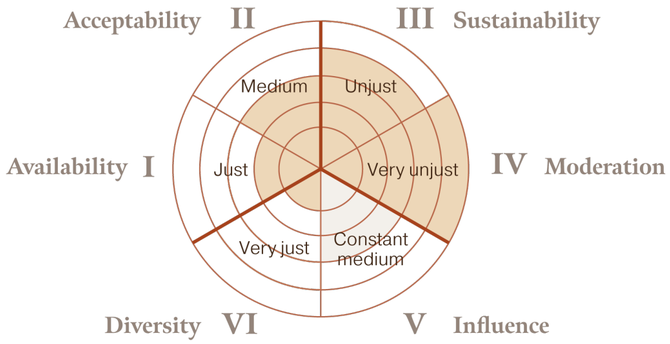
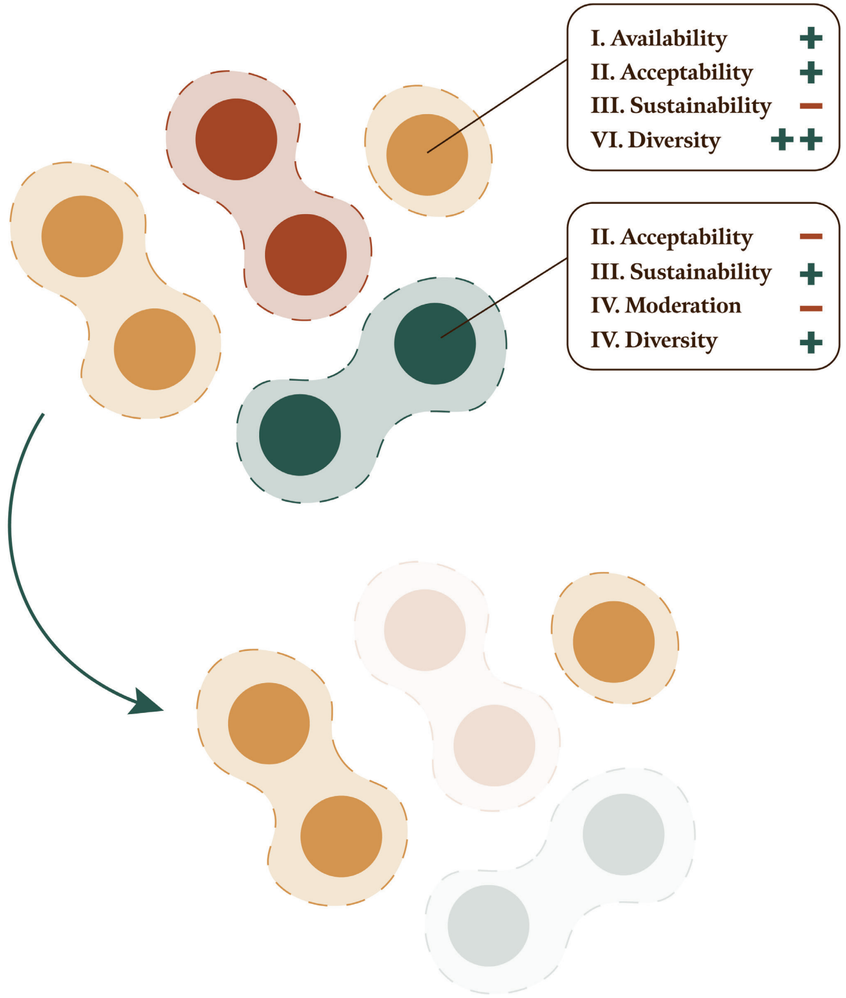
Clustering

Places with similar injustices

Wind rose

- Qualitative assessment
- High score = comparatively more unjust





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Clustering

Spaces with similar injustices

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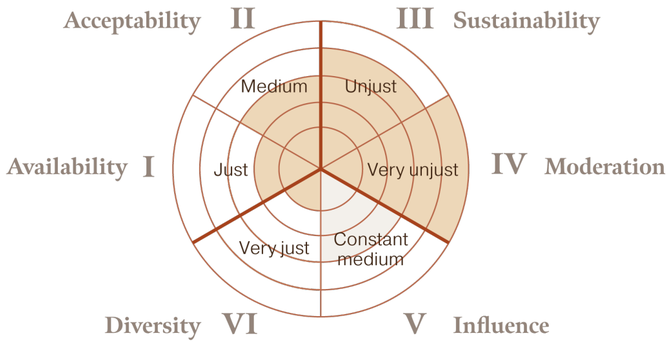
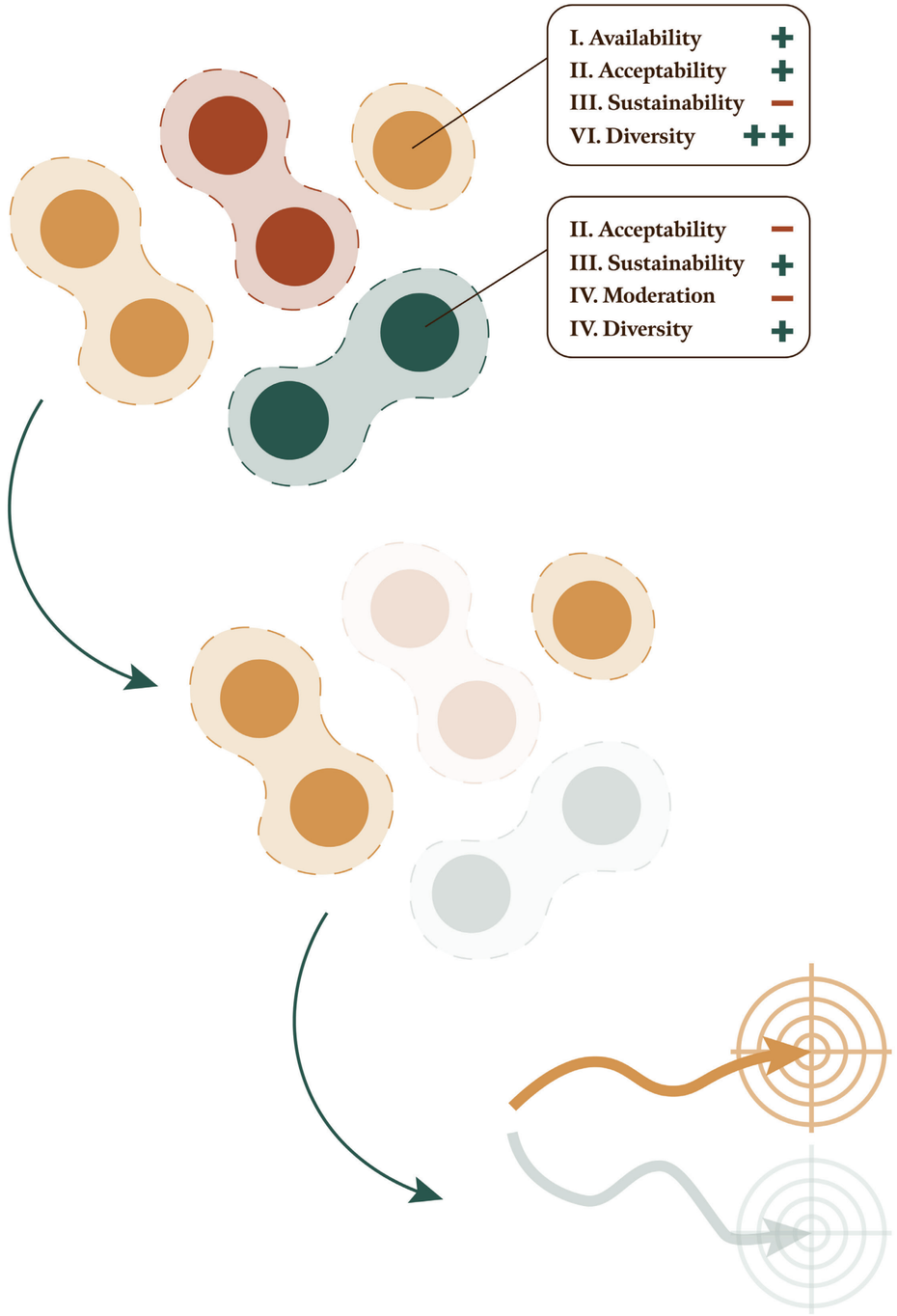
- Qualitative assessment
- High score = comparatively more unjust

Respond through strategies





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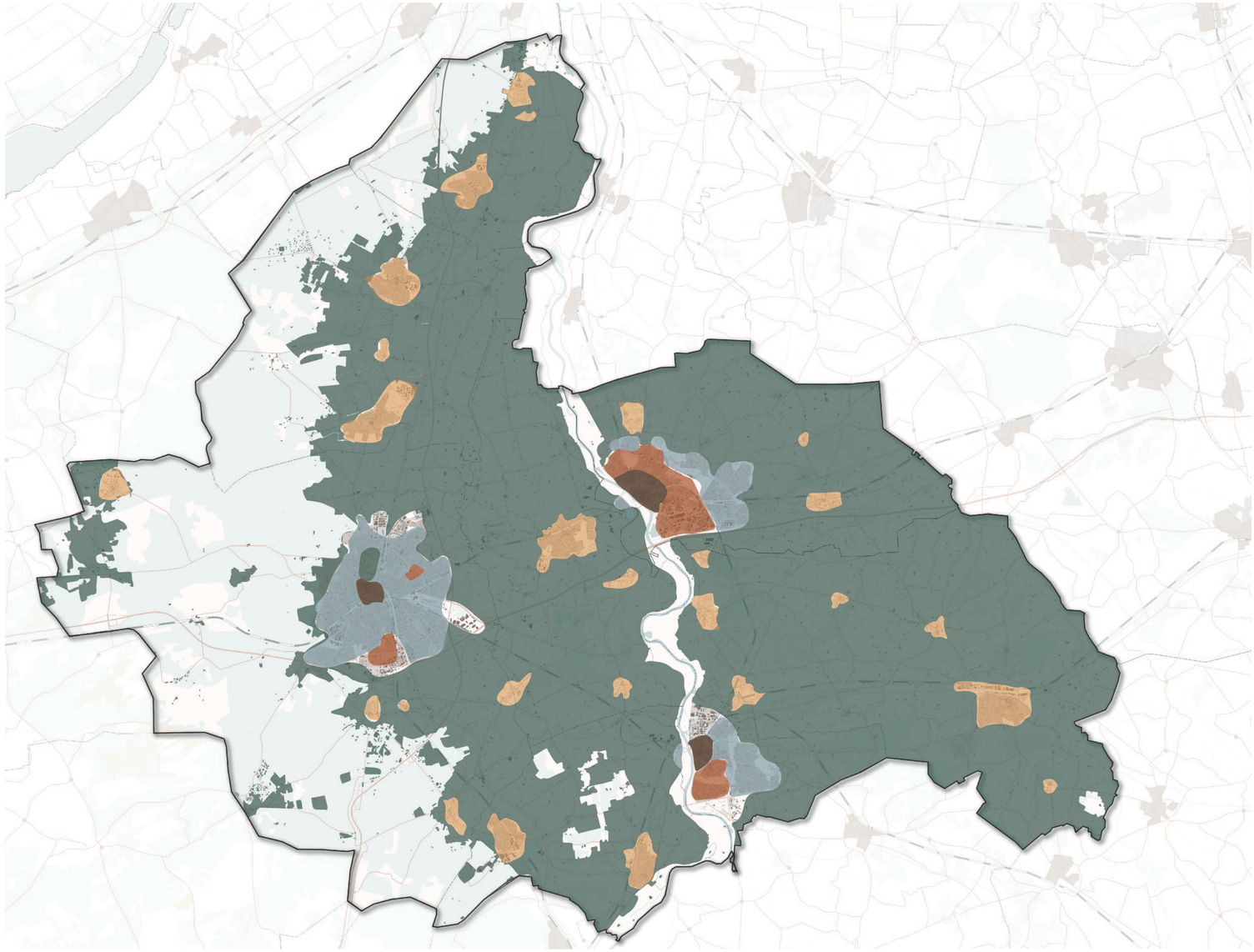
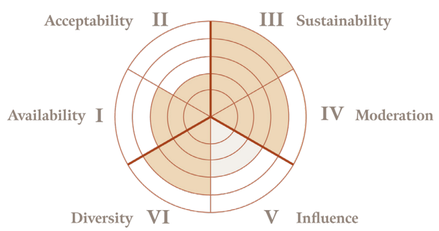
Clustering

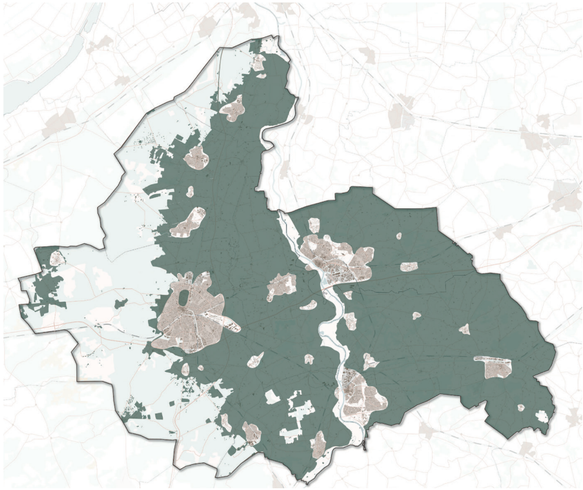
5 clusters

- Excluding uninhabited areas



Cluster 1: Rural and Rich





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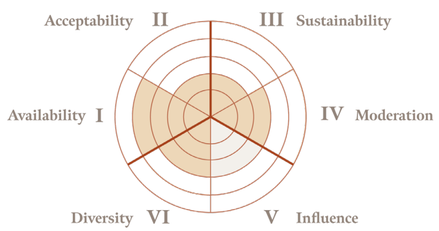
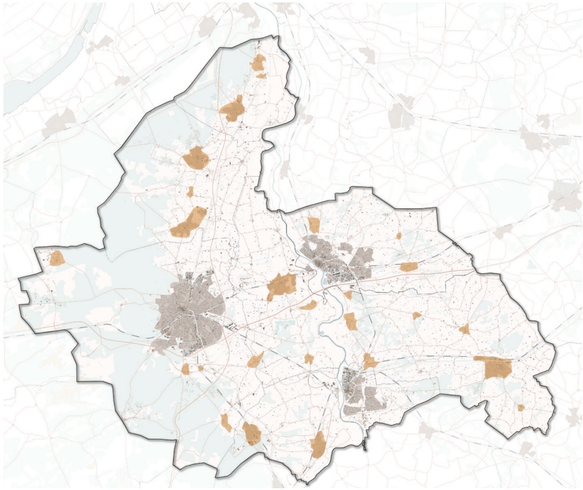
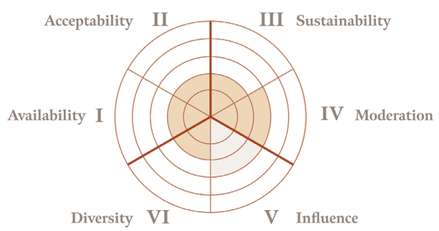
Cluster 2: Central villages

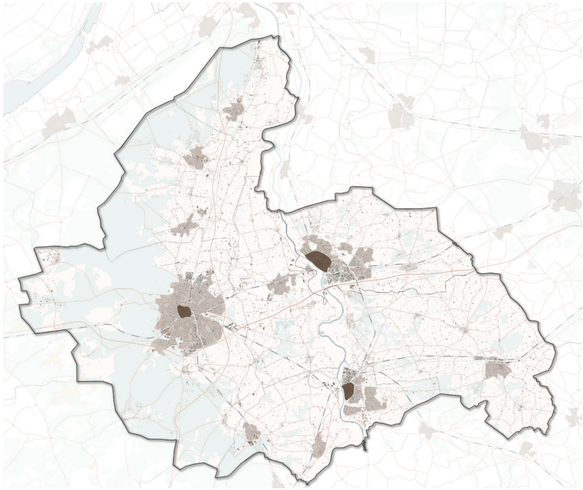




Images by author

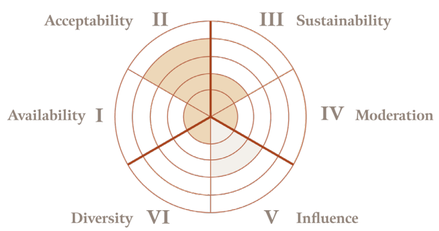
Cluster 3: City Centres

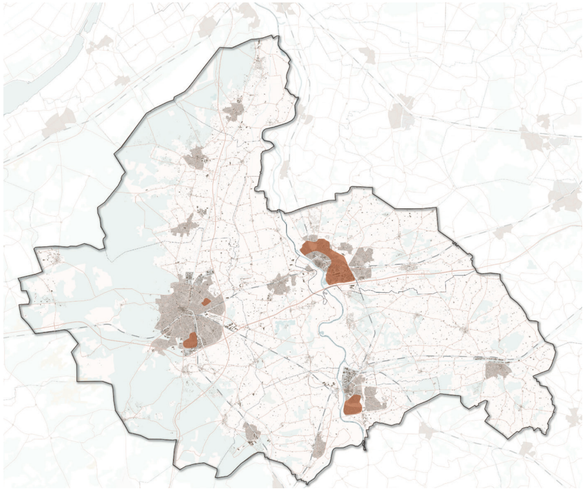




Images by author

Cluster 4: Struggling neighbourhoods





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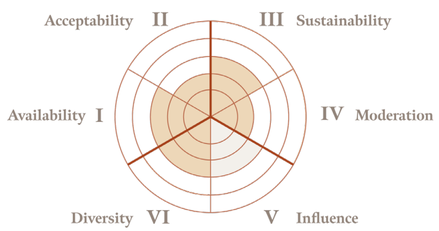
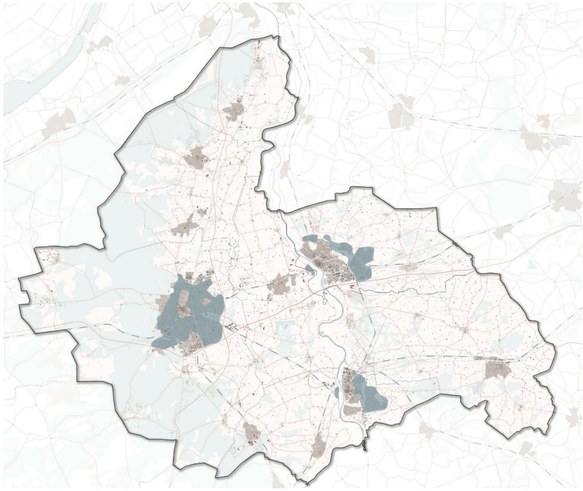
Cluster 5: Suburbs

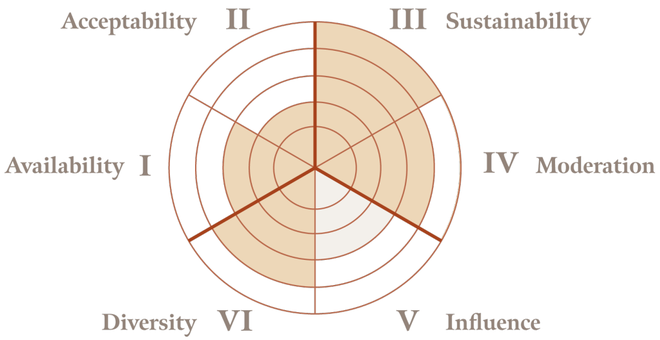




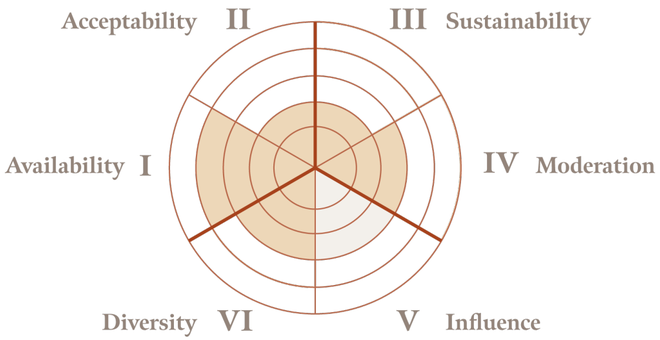
Images by author

Cluster characteristic

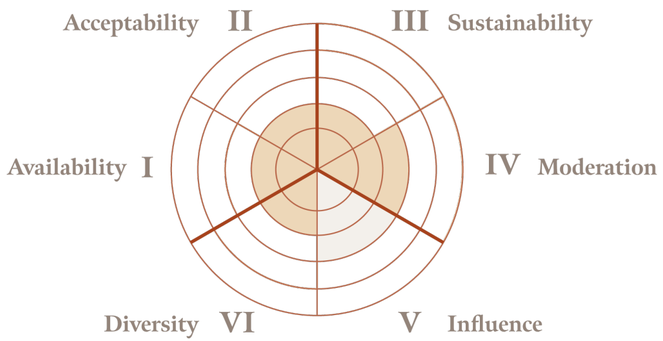
1. Rural and Rich



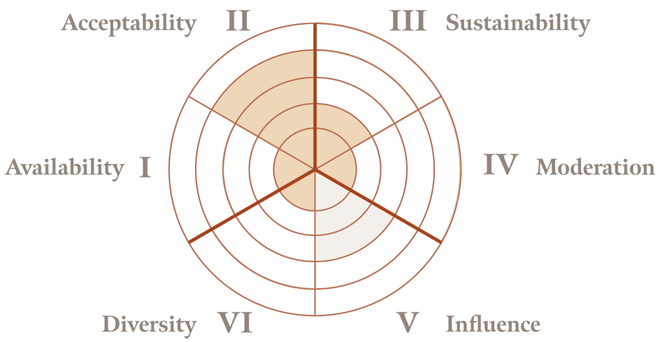
2. Central Villages



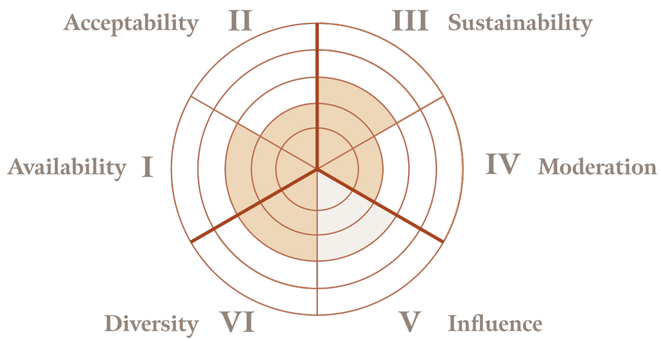
3. City Centres



4. Struggling Neighbourhoods



5. Suburbs



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Application to two clusters

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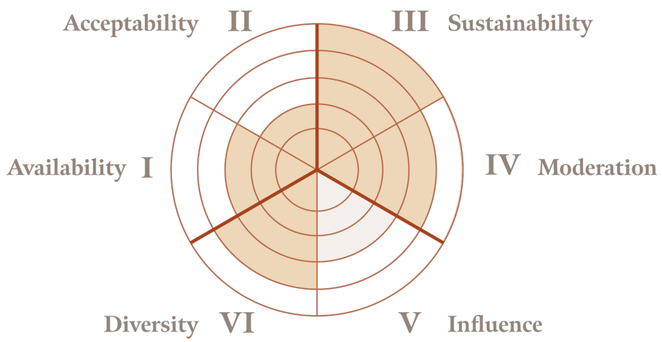
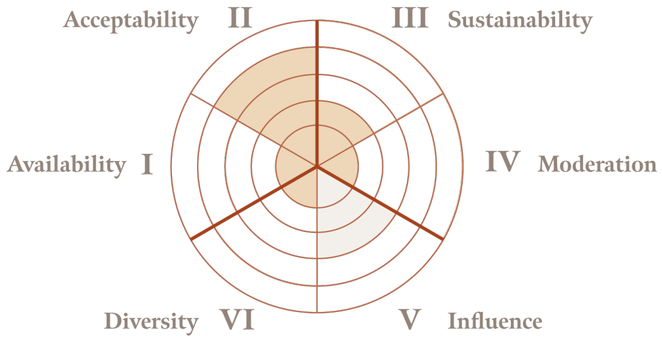


2. Central Villages

3. City Centres

4. Struggling Neighbourhoods



5. Suburbs

Images by author

Cluster strategies

Strategy patterns

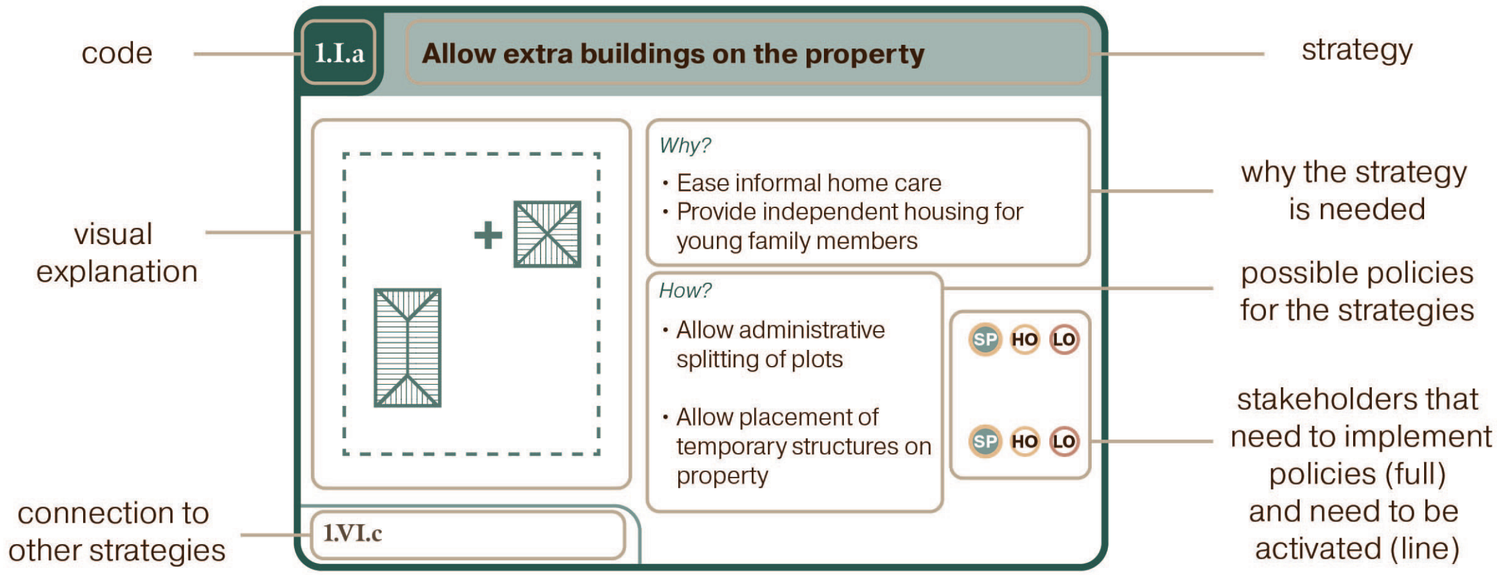
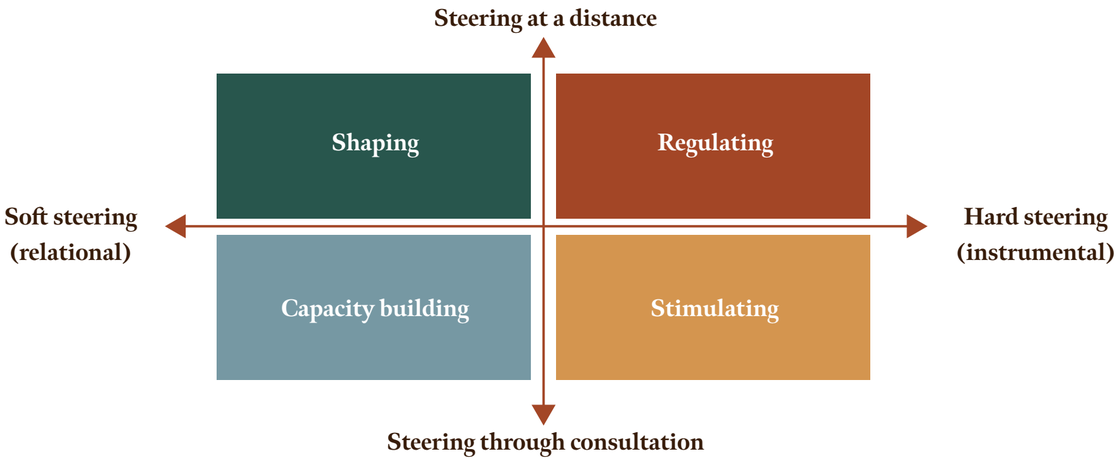
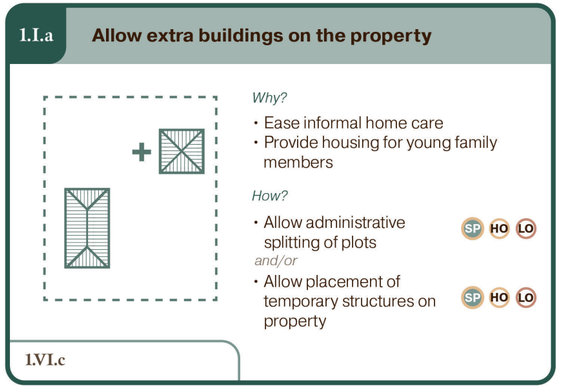
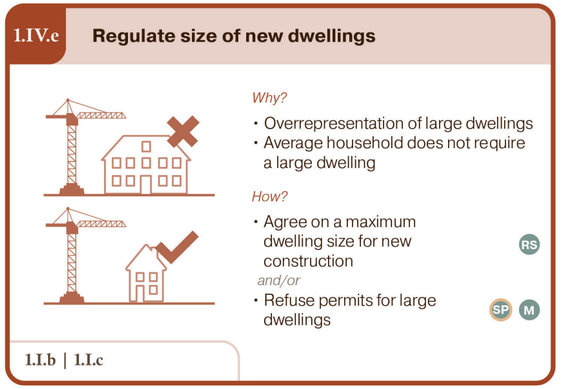


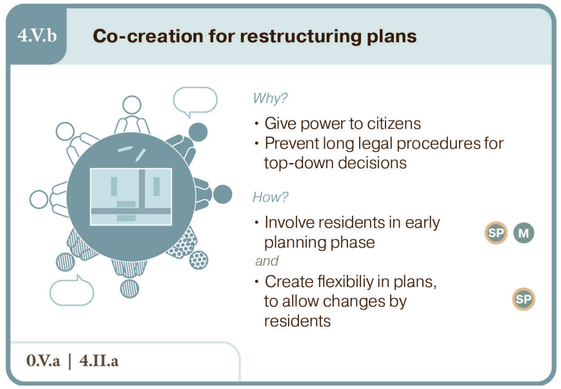
Image by author

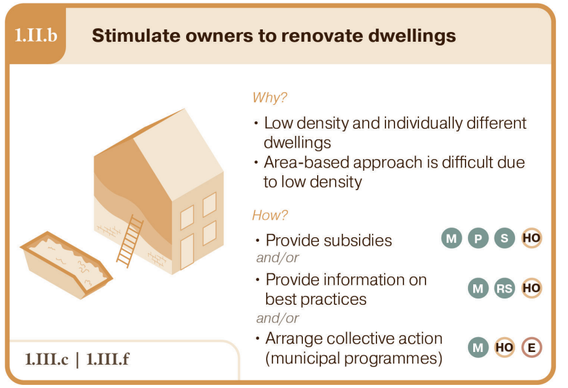
Strategy patterns





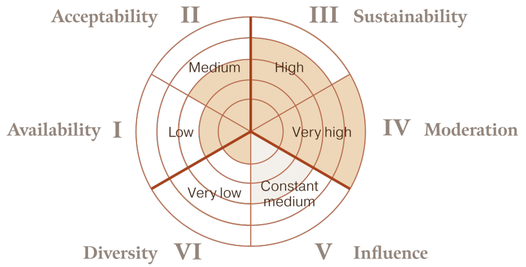






Images by author. Bottom: adaptation from Heurkens et al. (2015)

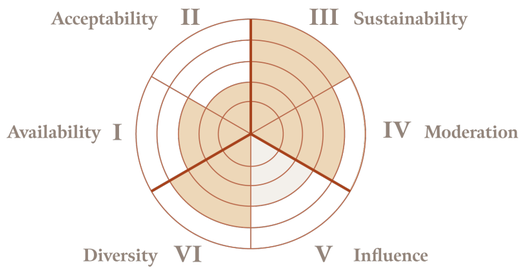
Cluster strategies



I	II	III	IV	V	VI
Availability	**Acceptability**	**Sustainability**	**Moderation**	**Influence**	**Diversity**

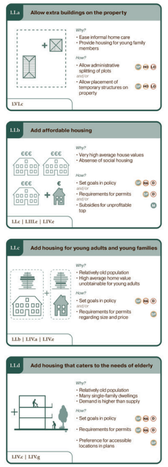
Images by author

Cluster strategies



1. Rural and Rich

I Availability



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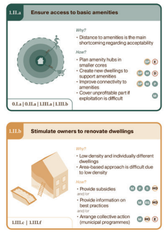

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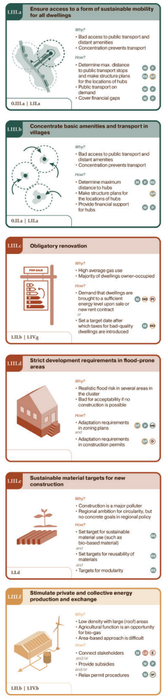

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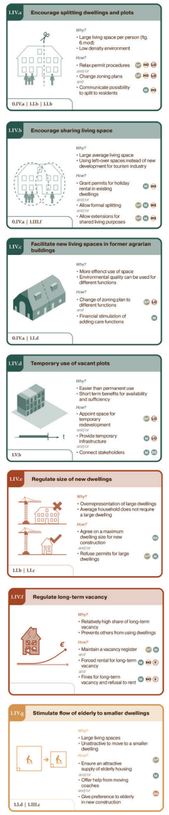
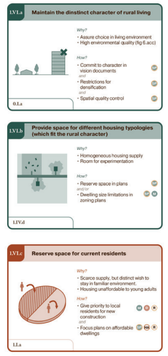


V Influence

VI Diversity



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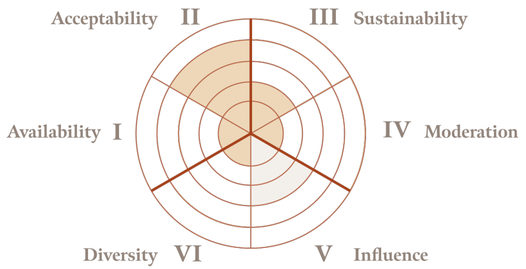
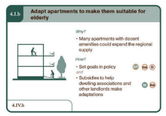
Cluster strategies



4. Struggling Neighbourhoods

I Availability



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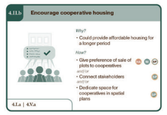
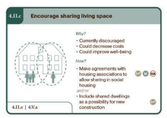
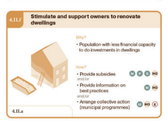


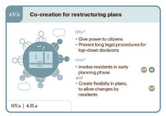


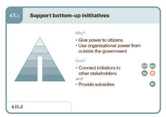


III Sustainability

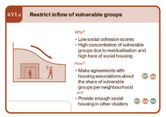
IV Moderation

V Influence





VI Diversity



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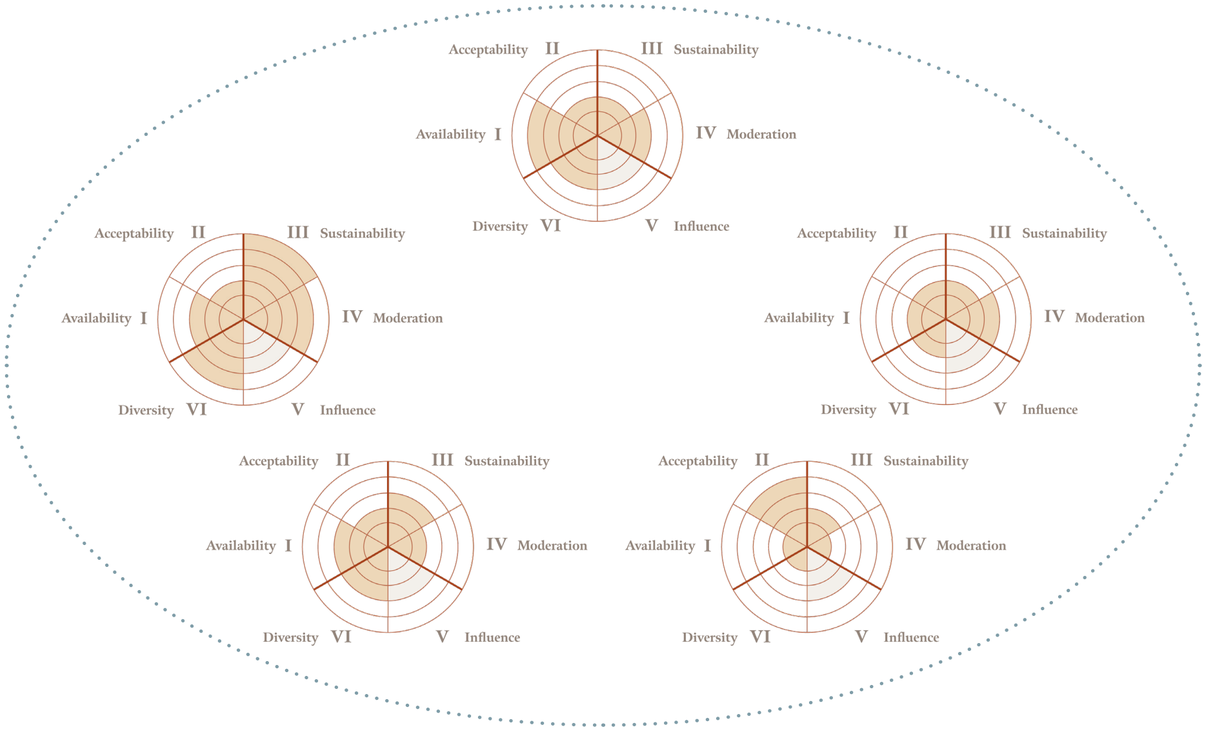
Cluster strategies

Inter-cluster strategies



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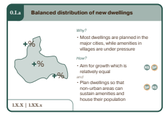
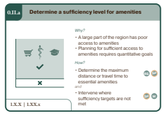
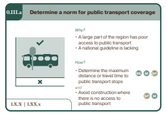


II Acceptability



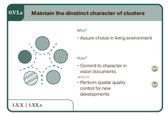
III Sustainability



IV Moderation

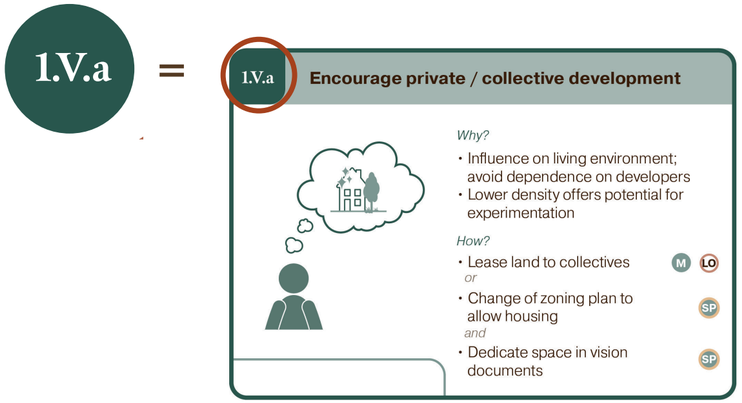
V Influence

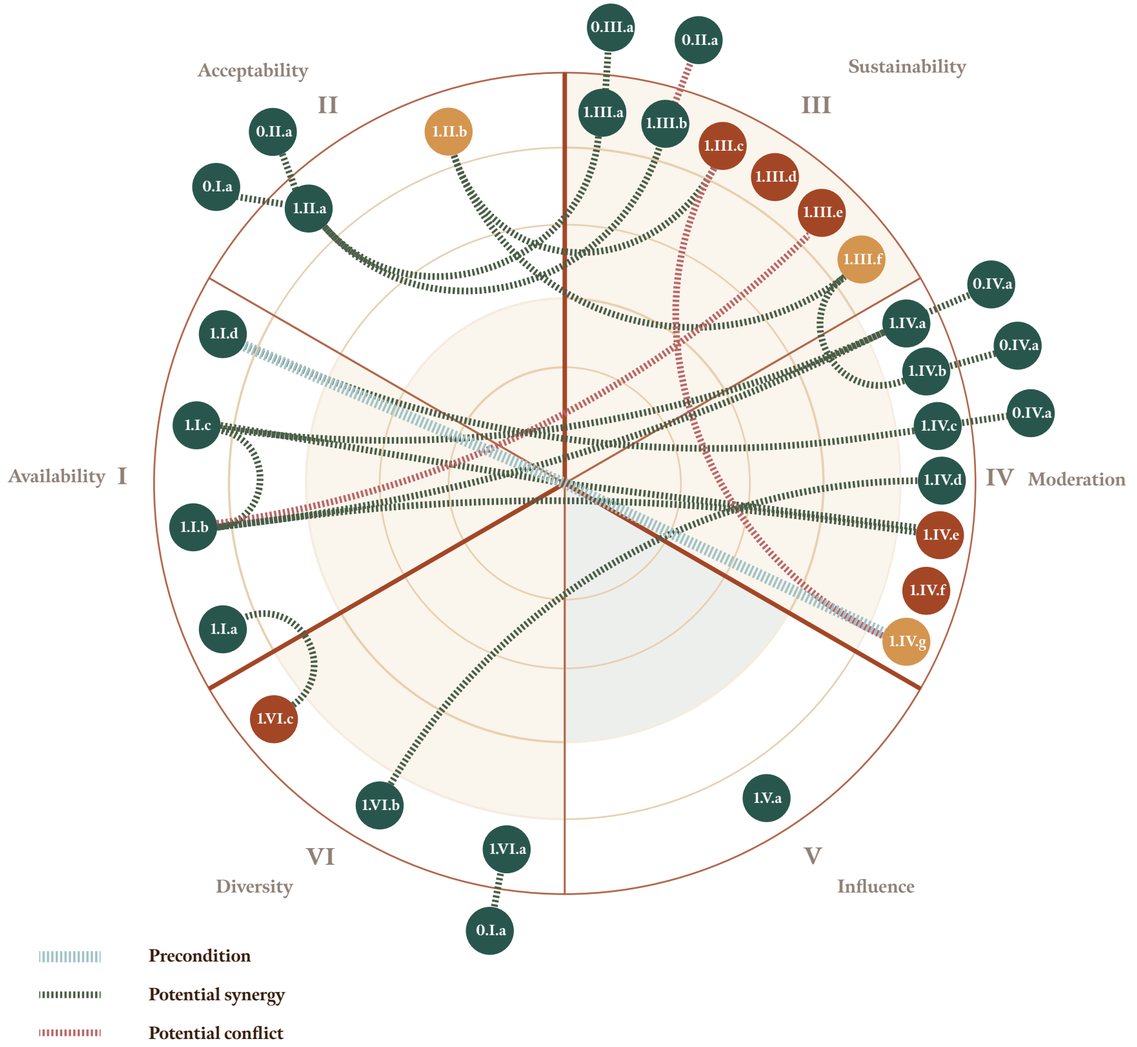
VI Diversity



Images by author

Synergy and conflicts between strategies



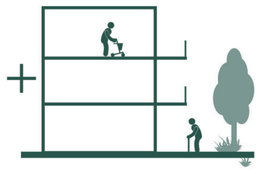


Images by author

Synergy and conflicts between strategies

Precondition

1.I.d **Add housing that caters to the needs of elderly**



Why?

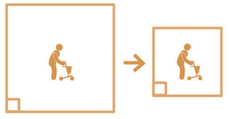
- Relatively old population
- Many single-family dwellings
- Demand is higher than supply

How?

- Set goals in policy — SP HA D
- Requirements for permits — SP HA D
- Preference for accessible locations in plans — SP

1.IV.c | I.IV.g

1.IV.g **Stimulate flow of elderly to smaller dwellings**



Why?

- Large living spaces
- Unattractive to move to a smaller dwelling

How?

- Ensure an attractive supply of elderly housing — SP

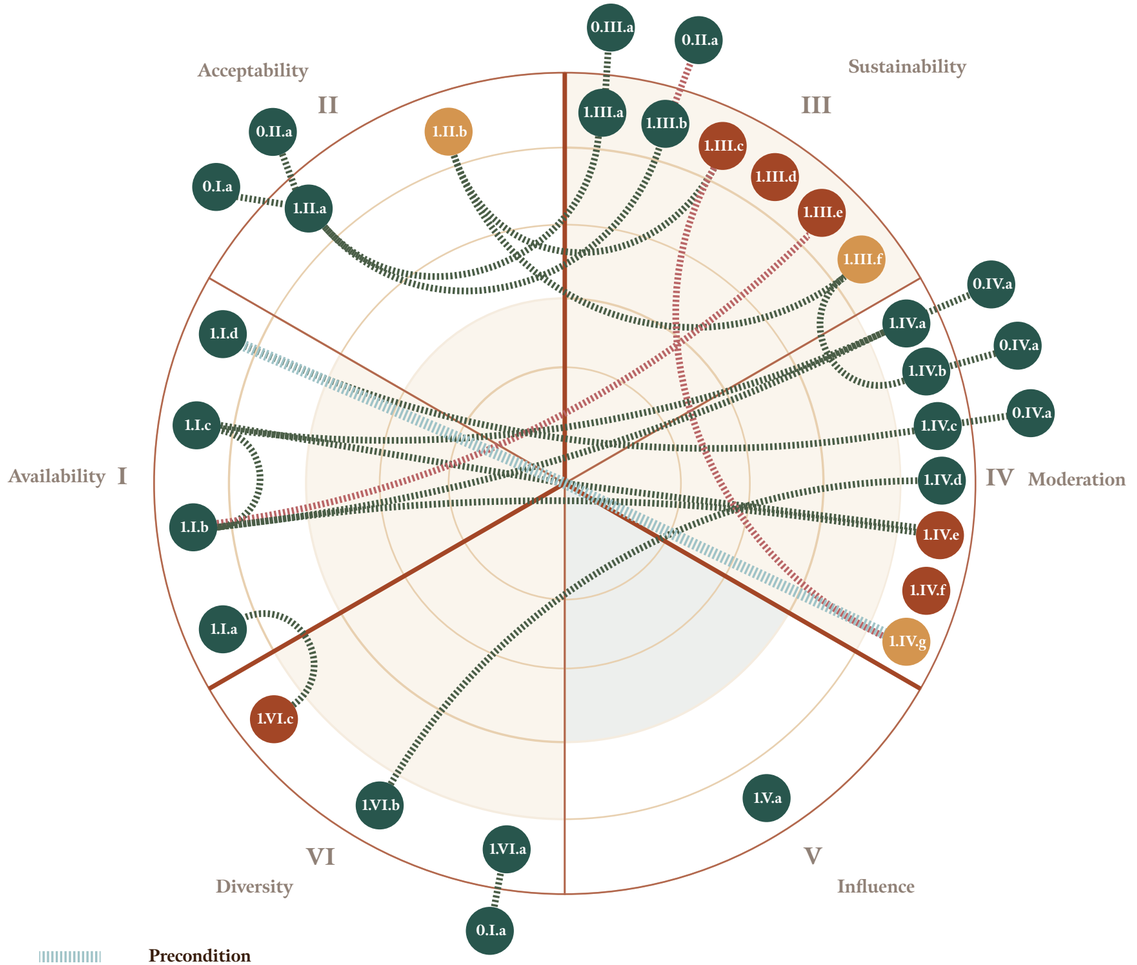
and/or

- Offer help from moving coaches — M

and/or

- Give preference to elderly in new construction — HA

1.I.d | 1.III.c



Images by author

Synergy and conflicts between strategies

Synergy

1.IV.a **Encourage splitting dwellings and plots**

Why?

- Large living space per person (fig. 6.mod)
- Low density environment

How?

- Relax permit procedures SP HO LO

and/or

- Change zoning plans SP HO LO

and

- Communicate possibility to split to residents M HO

0.IV.a | 1.I.b | 1.I.b

1.I.b **Add affordable housing**

Why?

- Very high average house values
- Absense of social housing

How?

- Set goals in policy SP HA D

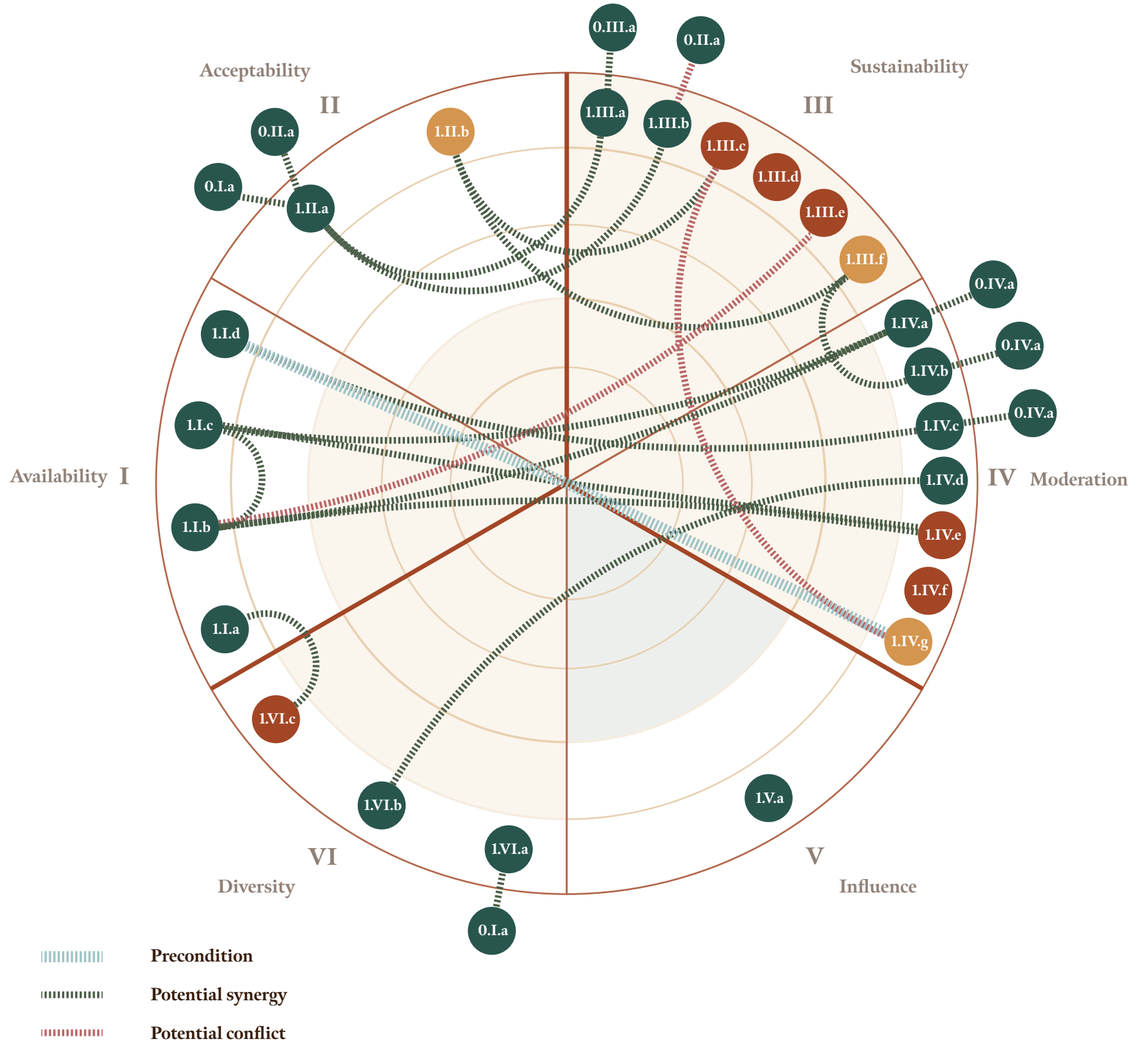
and/or

- Requirements for permits SP D

and/or

- Subsidies for unprofitable top M

1.I.c | 1.III.e | 1.IV.e



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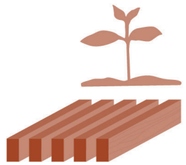
Synergy and conflicts between strategies

Conflict

1.III.e Sustainable material targets for new construction



Why?

- Construction is a major polluter
- Regional ambition for circularity, but no concrete goals in regional policy

How?

- Set target for sustainable material use (such as bio-based material) — RS

and

- Set targets for reusability of materials — RS

and

- Targets for modularity — RS

1.I.d

1.I.b Add affordable housing

Why?

- Very high average house values
- Absense of social housing

How?

- Set goals in policy — SP HA D

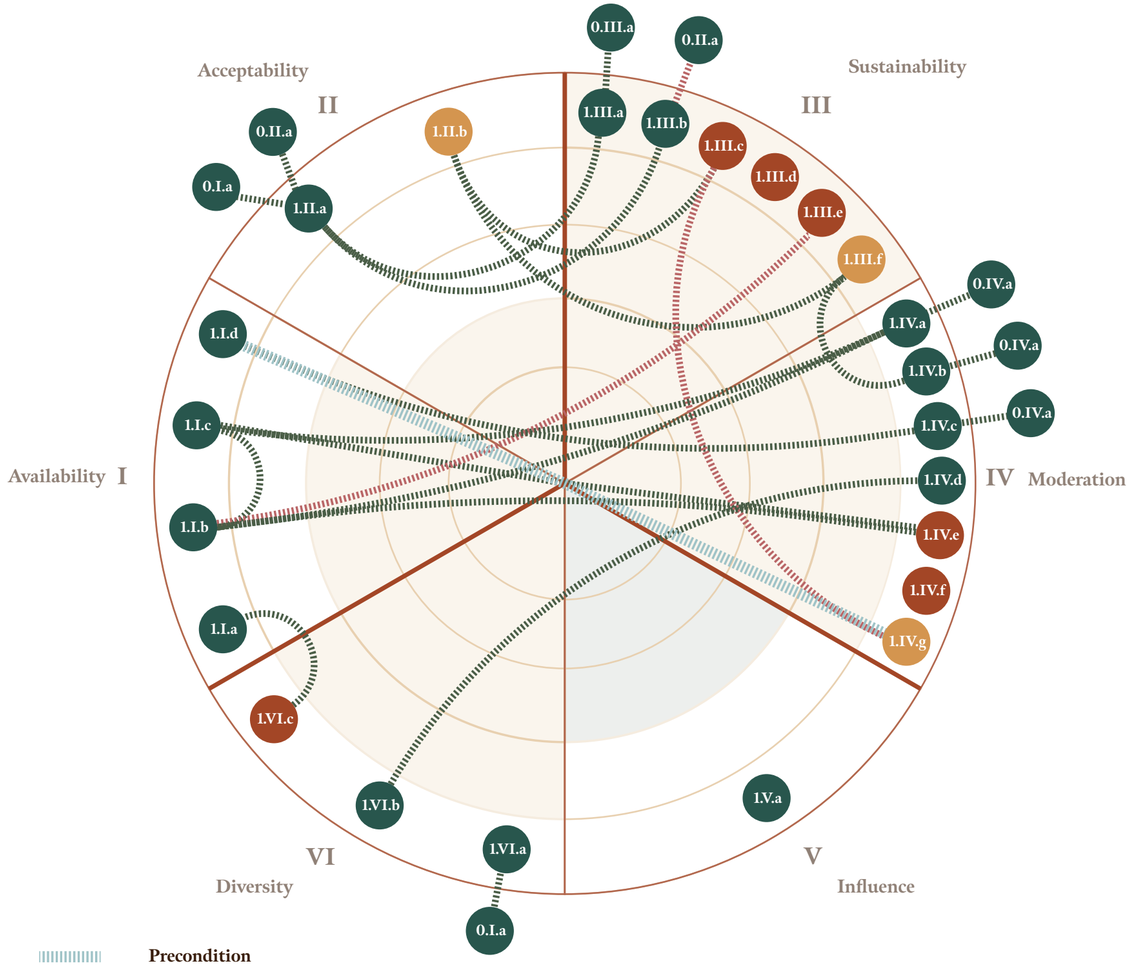
and/or

- Requirements for permits — SP D

and/or

- Subsidies for unprofitable top — M

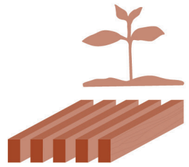
1.I.c | I.III.e | I.IV.e



Images by author

Applied values as assessment tool

1.III.e **Sustainable material targets for new construction**



Why?

- Construction is a major polluter
- Regional ambition for circularity, but no concrete goals in regional policy

How?

- Set target for sustainable material use (such as bio-based material) RS

and

- Set targets for reusability of materials RS

and

- Targets for modularity RS

1.I.d

	I Availability	II Acceptability	III Sustainability	IV Moderation	V Influence	VI Diversity
1.I.a				+	+	+
1.I.b		+	-			
1.I.c		+	-			+
1.I.d			-	+		+
1.II.a						
1.II.b			+			
1.III.a		+				
1.III.b		+				
1.III.c	-	+			-	
1.III.d	-					
1.III.e	-			+		
1.III.f		-			+	

	I Availability	II Acceptability	III Sustainability	IV Moderation	V Influence	VI Diversity
1.IV.a	+		+			+
1.IV.b	+		+			+
1.IV.c	+		+		+	+
1.IV.d	+					
1.IV.e			+			
1.IV.f	+	+				
1.IV.g	+					
1.V.a						+
1.VI.a		+				
1.VI.b					+	
1.VI.c		+			-	

Same applied value

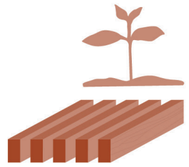
\+ Additional needs satisfaction

\- Additional need dissatisfaction

Images by author

Applied values as assessment tool

1.III.e **Sustainable material targets for new construction**



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- Regional ambition for circularity, but no concrete goals in regional policy

How?

- Set target for sustainable material use (such as bio-based material) RS

and

- Set targets for reusability of materials RS

and

- Targets for modularity RS

1.I.d

+

1.IV.a **Encourage splitting dwellings and plots**

Why?

- Large living space per person (fig. 6.mod)
- Low density environment

How?

- Relax permit procedures SP HO LO

and/or

- Change zoning plans SP HO LO

and

- Communicate possibility to split to residents M HO

0.IV.a | 1.I.b | 1.I.b

	Availability I	Acceptability II	Sustainability III	Moderation IV	Influence V	Diversity VI
1.I.a				+	+	+
1.I.b		+	-			
1.I.c		+	-			+
1.I.d			-	+		+
1.II.a						
1.II.b			+			
1.III.a		+				
1.III.b		+				
1.III.c	-	+			-	
1.III.d	-					
1.III.e	-			+		
1.III.f		-			+	

	Availability I	Acceptability II	Sustainability III	Moderation IV	Influence V	Diversity VI
1.IV.a	+		+			+
1.IV.b	+		+			+
1.IV.c	+		+		+	+
1.IV.d	+					
1.IV.e			+			
1.IV.f	+	+				
1.IV.g	+					
1.V.a						+
1.VI.a		+				
1.VI.b					+	
1.VI.c		+			-	

Same applied value

\+ Additional needs satisfaction

\- Additional need dissatisfaction

Images by author

Applied values as assessment tool

1.IV.a **Encourage splitting dwellings and plots**

Why?

- Large living space per person (fig. 6.mod)
- Low density environment

How?

- Relax permit procedures — SP HO LO
  and/or
- Change zoning plans — SP HO LO
  and
- Communicate possibility to split to residents — M HO

0.IV.a | 1.I.b | 1.I.b

	Availability I	Acceptability II	Sustainability III	Moderation IV	Influence V	Diversity VI
1.I.a				+	+	+
1.I.b		+	-			
1.I.c		+	-			+
1.I.d			-	+		+
1.II.a						
1.II.b			+			
1.III.a		+				
1.III.b		+				
1.III.c	-	+			-	
1.III.d	-					
1.III.e	-			+		
1.III.f		-			+	

	Availability I	Acceptability II	Sustainability III	Moderation IV	Influence V	Diversity VI
1.IV.a	+		+			+
1.IV.b	+		+			+
1.IV.c	+		+		+	+
1.IV.d	+					
1.IV.e			+			
1.IV.f	+	+				
1.IV.g	+					
1.V.a						+
1.VI.a		+				
1.VI.b					+	
1.VI.c		+			-	

Same applied value

\+ Additional needs satisfaction

\- Additional need dissatisfaction

Images by author

What does this look like in practice?

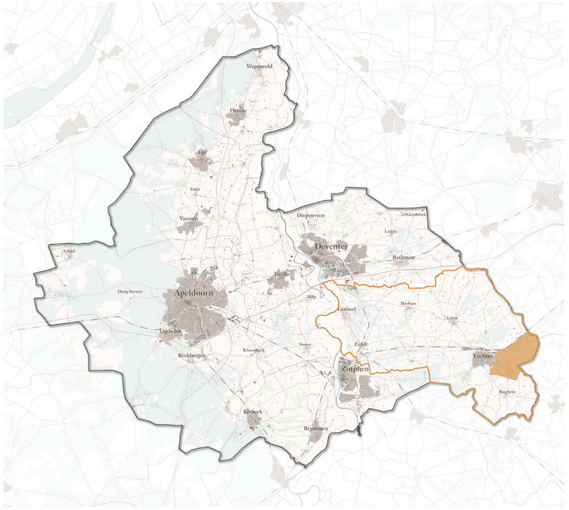
Impression of the Rural & Rich cluster

Image by author

Illustrative case: Zwiep & surroundings

550 inhabitants

210 dwellings



Images by author

Pattern application

Place-specific patterns

Area-specific patterns

Patterns throughout

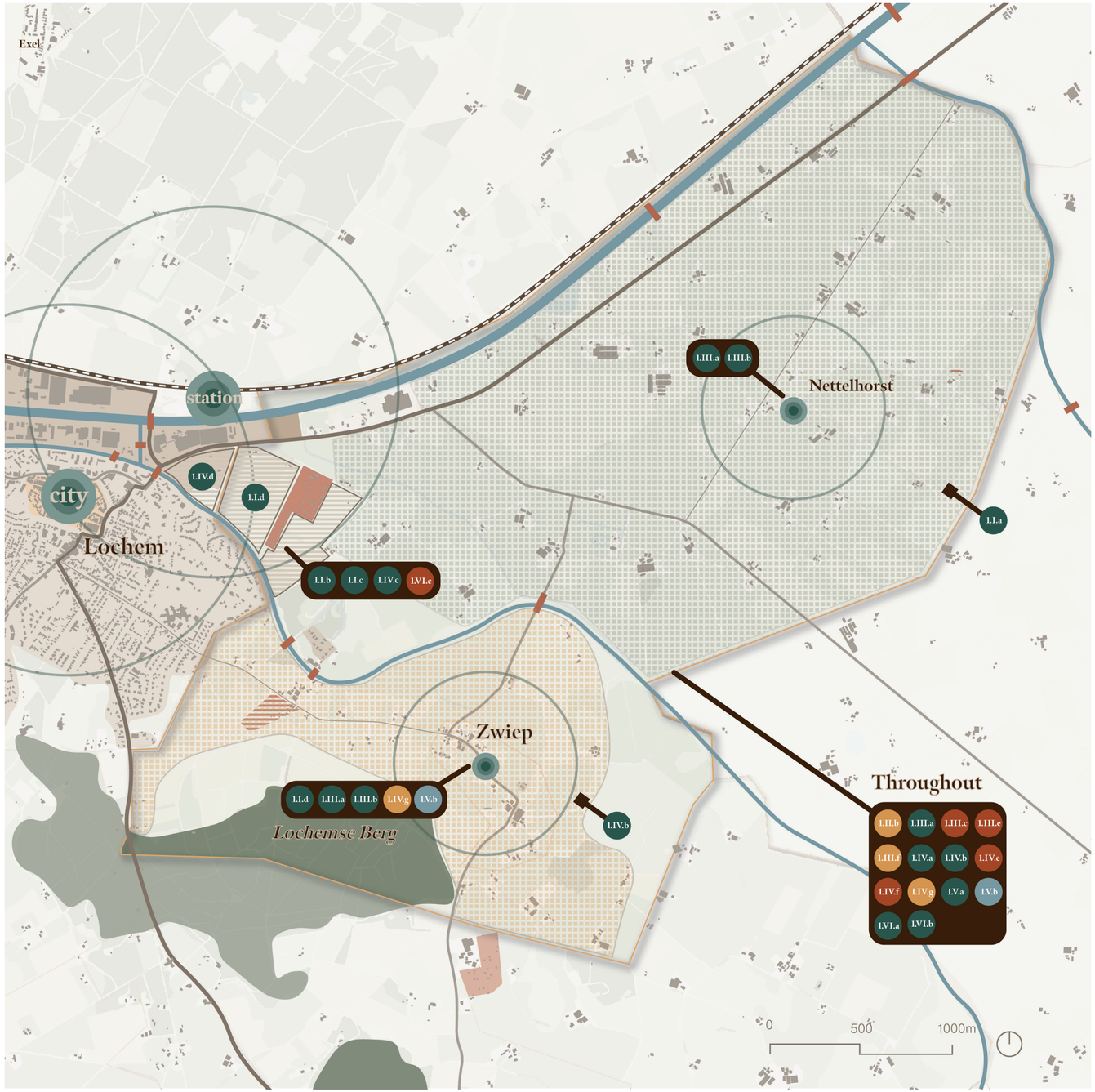


Image by author

A potential just future

Zoom-in: Nettelhorst

1.II.b **Stimulate owners to renovate dwellings**

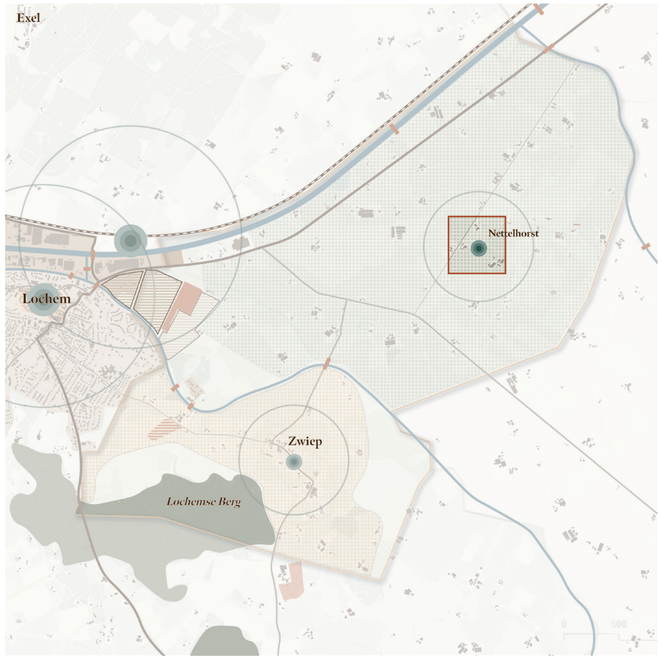
Why?

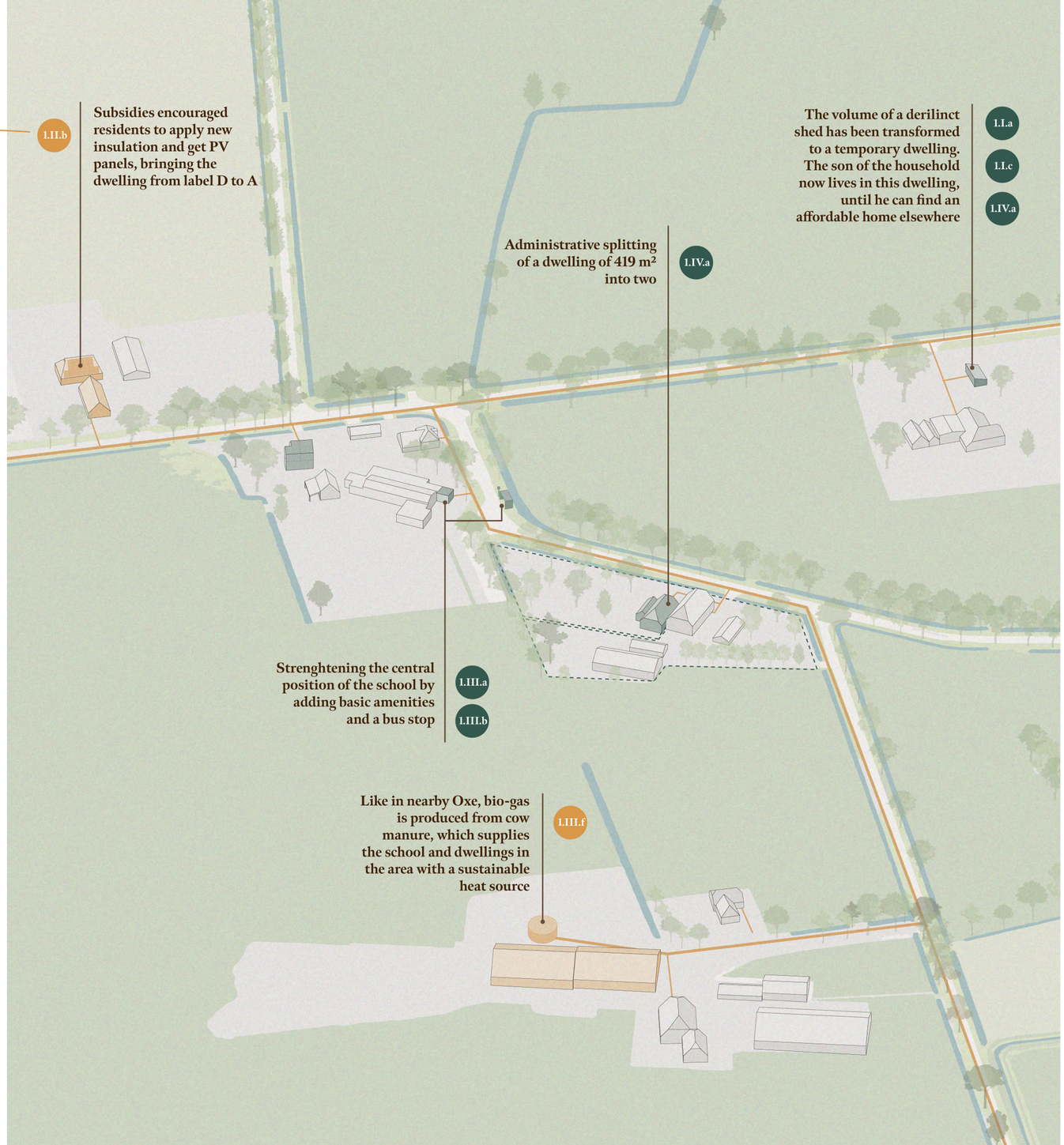
- Low density and individually different dwellings
- Area-based approach is difficult due to low density

How?

- Provide subsidies (M P S HO)
  and/or
- Provide information on best practices (M RS HO)
  and/or
- Arrange collective action (municipal programmes) (M HO E)

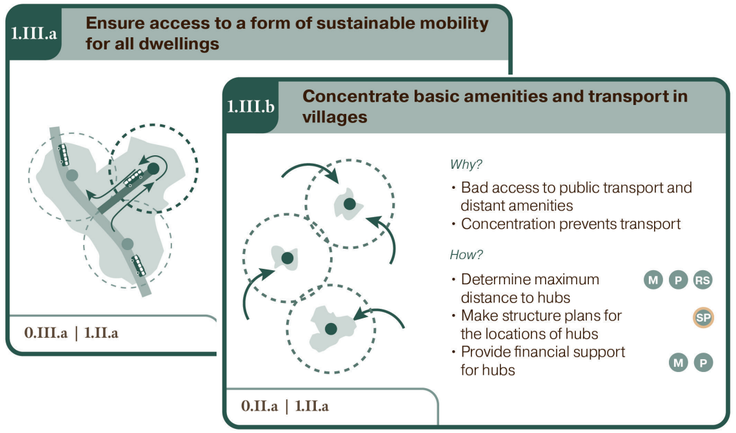
1.III.c | 1.III.f

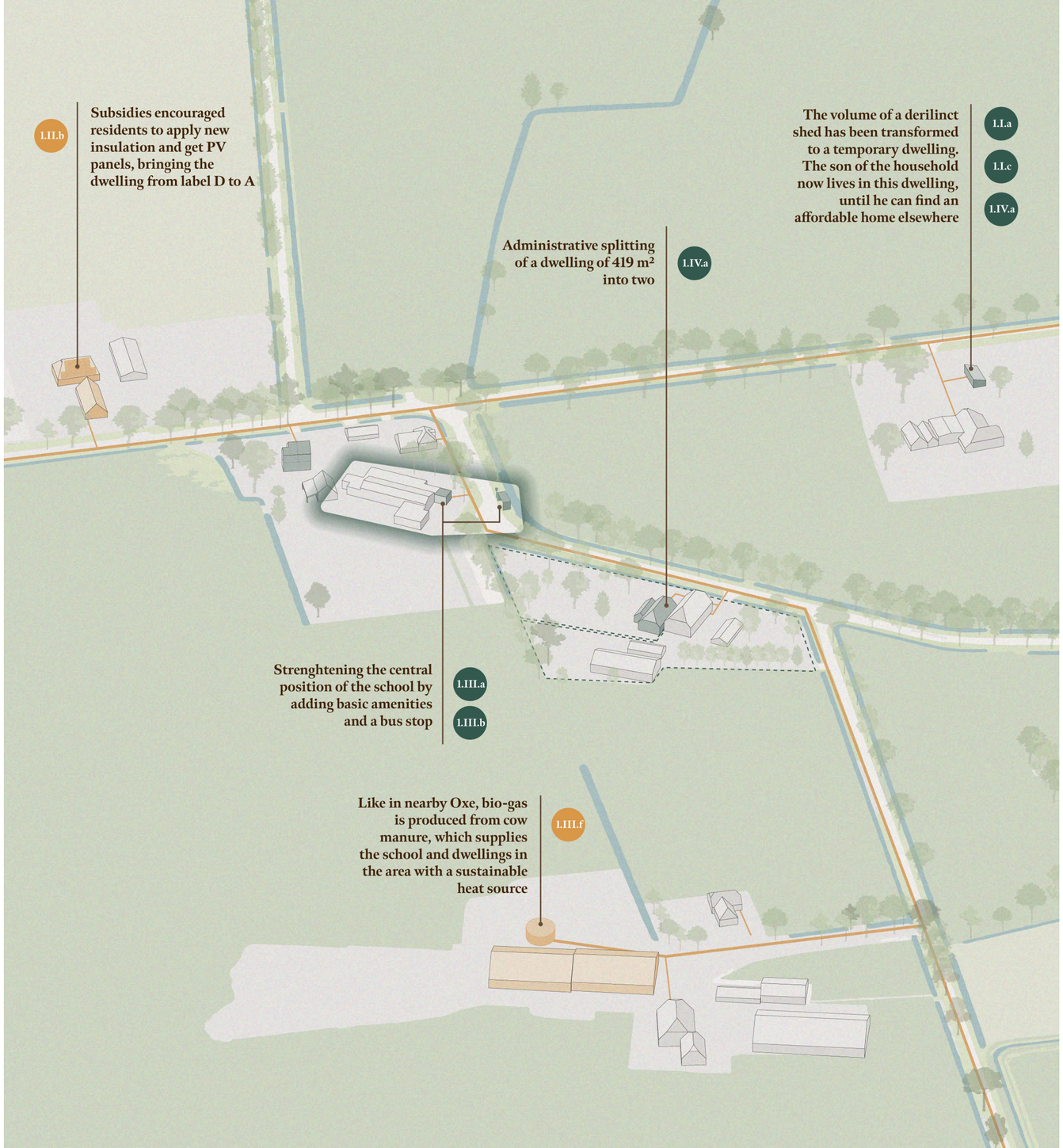




Images by author

Zoom-in: Nettelhorst





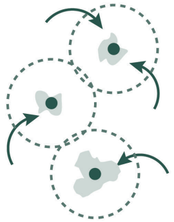
Images by author. Top left: Google Maps

Zoom-in: Nettelhorst

1.III.a Ensure access to a form of sustainable mobility for all dwellings

0.III.a | 1.II.a

1.III.b Concentrate basic amenities and transport in villages



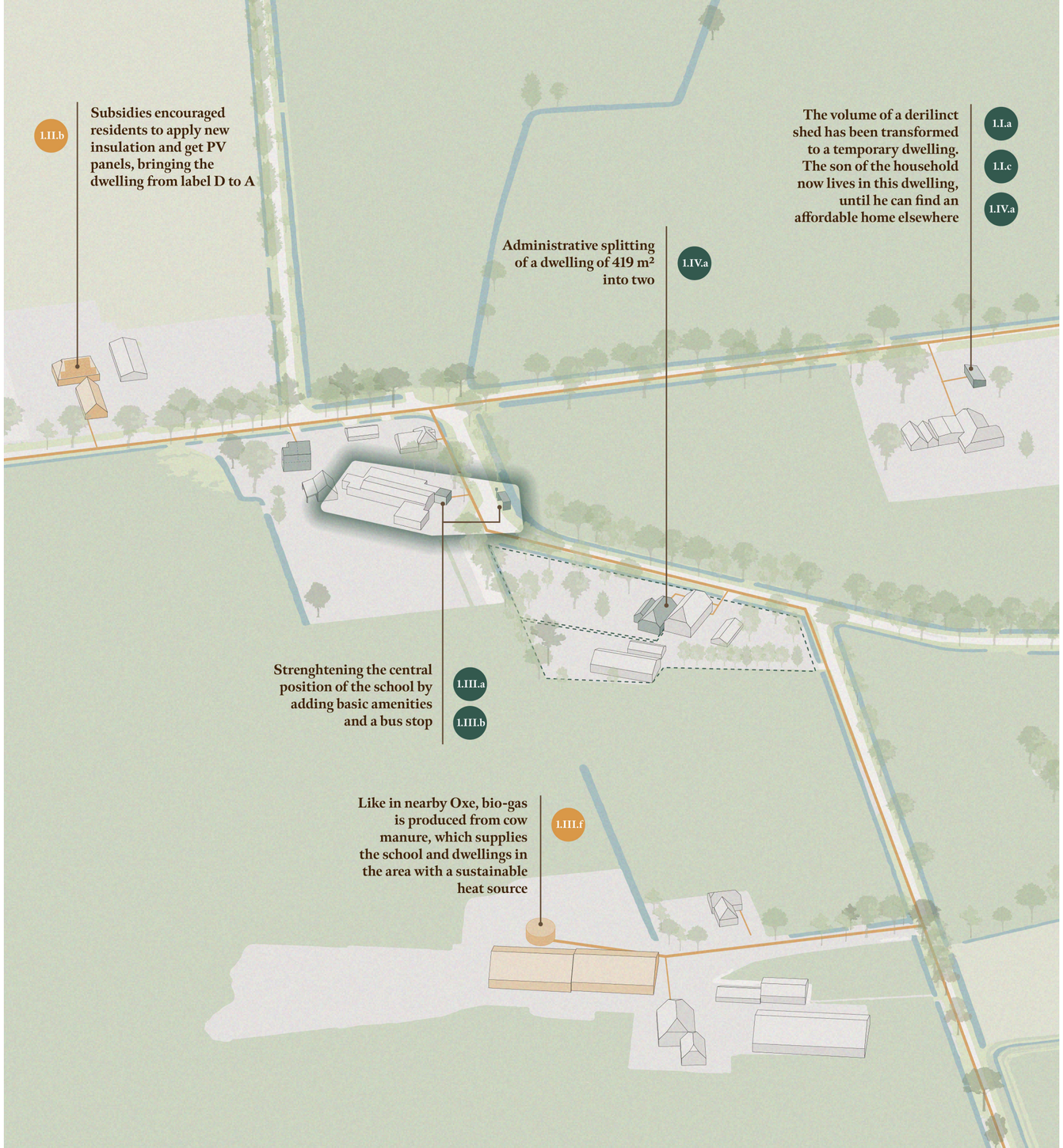
Why?

- Bad access to public transport and distant amenities
- Concentration prevents transport

How?

- Determine maximum distance to hubs — M P RS
- Make structure plans for the locations of hubs — SP
- Provide financial support for hubs — M P

0.II.a | 1.II.a



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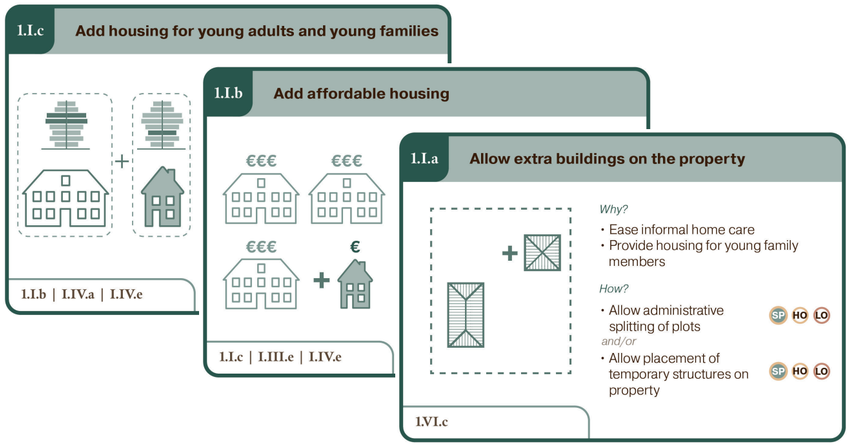
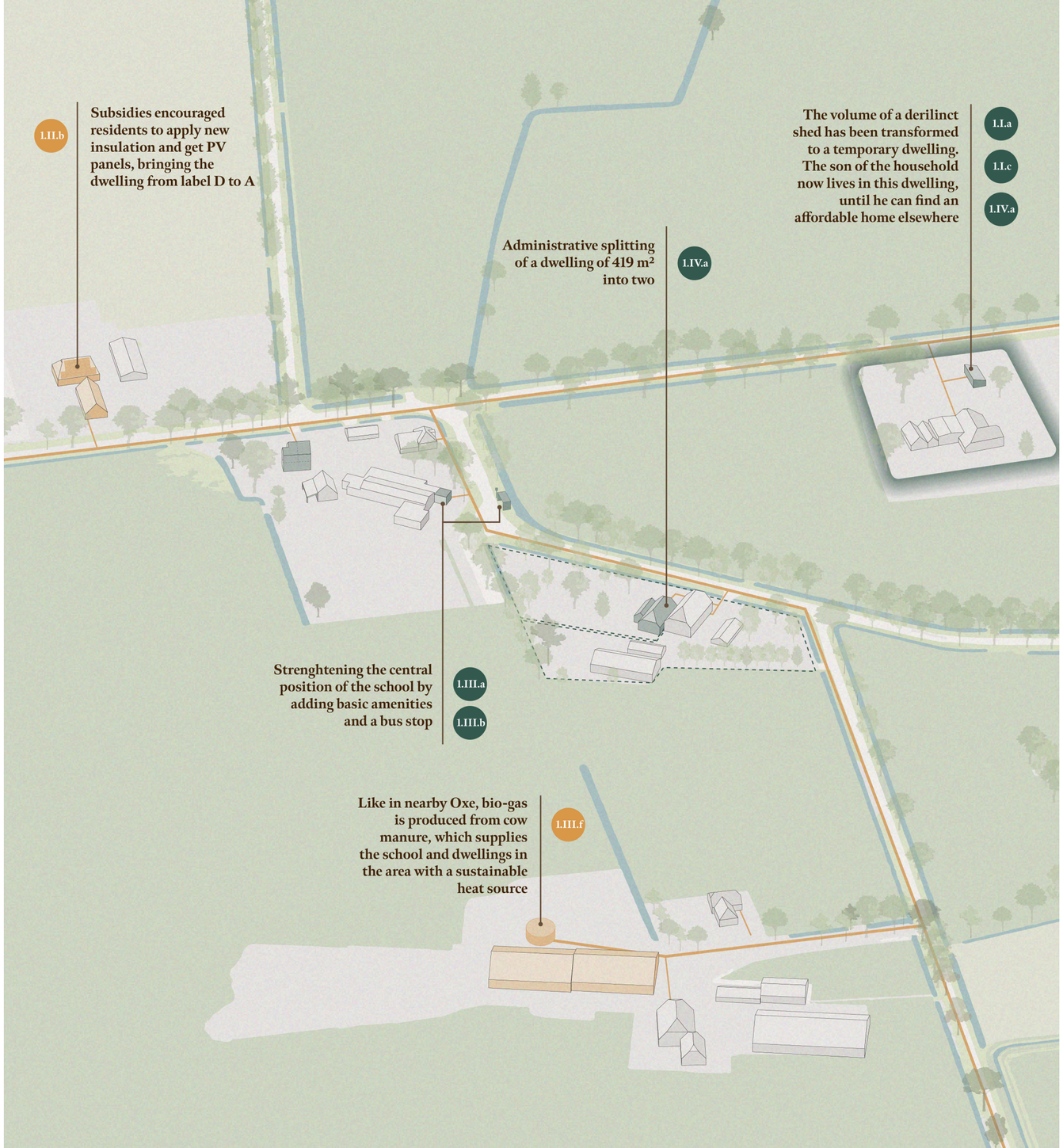
Zoom-in: Nettelhorst





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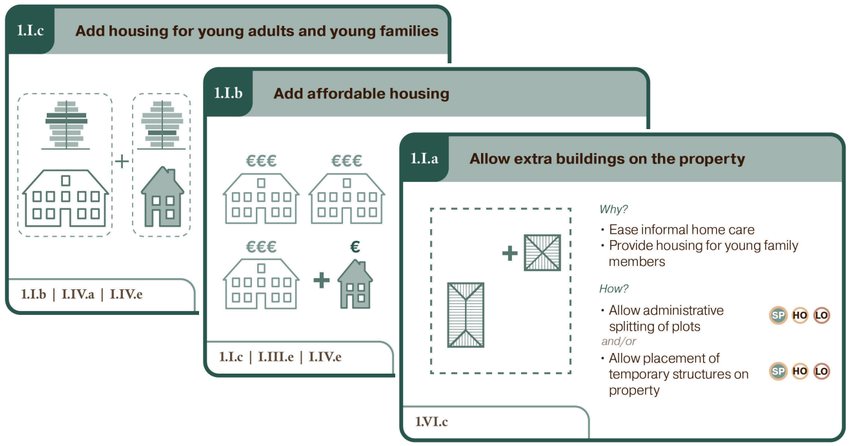
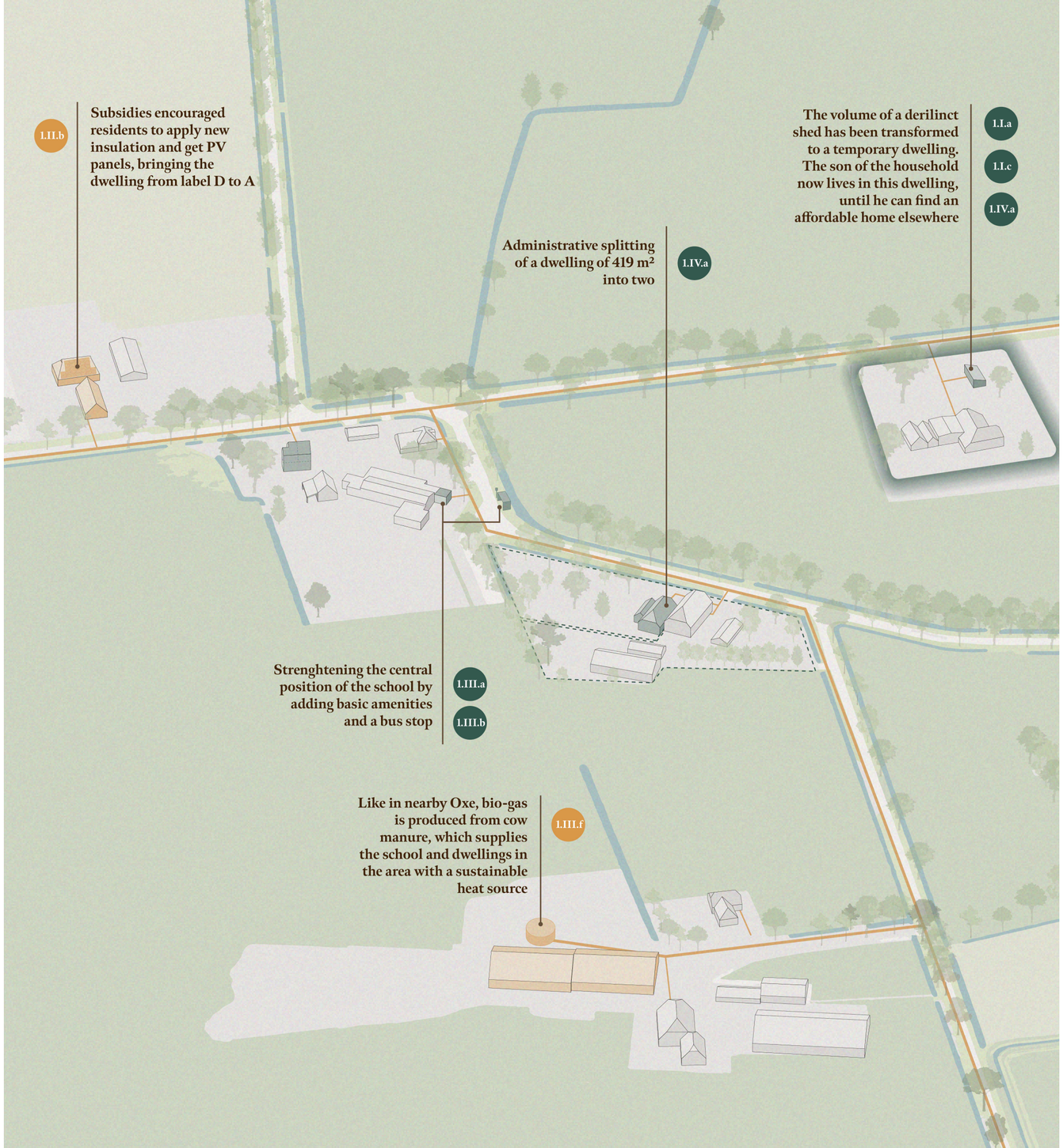
Zoom-in: Nettelhorst





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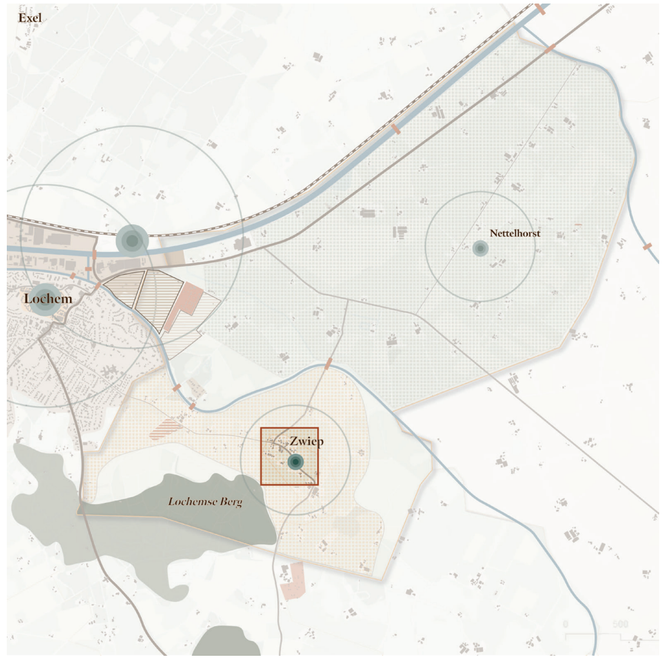
Zoom-in: Zwiep



Images by author

A small part of land with an agrarian function which was not in use is transformed to dwellings in the zoning plan. A small collective bought the land and developed three circular buildings

I.III.c
I.IV.a
I.V.a
I.I.d

A former garage and guest house has been transformed into a new dwelling, which now houses a couple who moved to the region for its quiet atmosphere

I.IV.a
I.I.d

A dwelling of 644 m² has been transformed upon sale into three dwellings. A ground floor apartment is now in use by a one of the elderly residents from Zwiep

The new residents had to insulate their new home, because it had a label F when they bought it. With a subsidy from the municipality it became label A!

I.III.c

I.IV.b

Tourists love to come to this new B&B because the owners make time to show guests around

A part of the plot has been formally split. In the former barn, a new dwelling is created and is bought by a young couple

I.IV.b
I.I.b
I.I.c

I.II.b

Subsidies stimulated the residents to improve the energy label from F to B

With some government funding, the restaurant has transformed a part of their building into a community room where once a week a general practitioner has a walk-in hour. He can even get their by bus!

I.III.a
I.III.b

The residents have received a permit for starting a small B&B in the guest house

I.IV.b

Most days of the year B&B Zwiep is used by walkers and cyclists

I.IV.b

Zoom-in: Zwiep

1.IV.b Encourage sharing living space

0.IV.a | 1.III.f

1.IV.a Encourage splitting dwellings and plots

Why?

- Large living space per person (fig. 6.mod)
- Low density environment

How?

- Relax permit procedures SP HO LO
  and/or
- Change zoning plans SP HO LO
  and
- Communicate possibility to split to residents M HO

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1.III.c 1.V.a 1.I.d

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1.IV.a 1.I.d

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1.IV.b 1.I.b 1.I.c

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1.III.a 1.III.b

Images by author. Top left: Google Maps

Zoom-in: Zwiep

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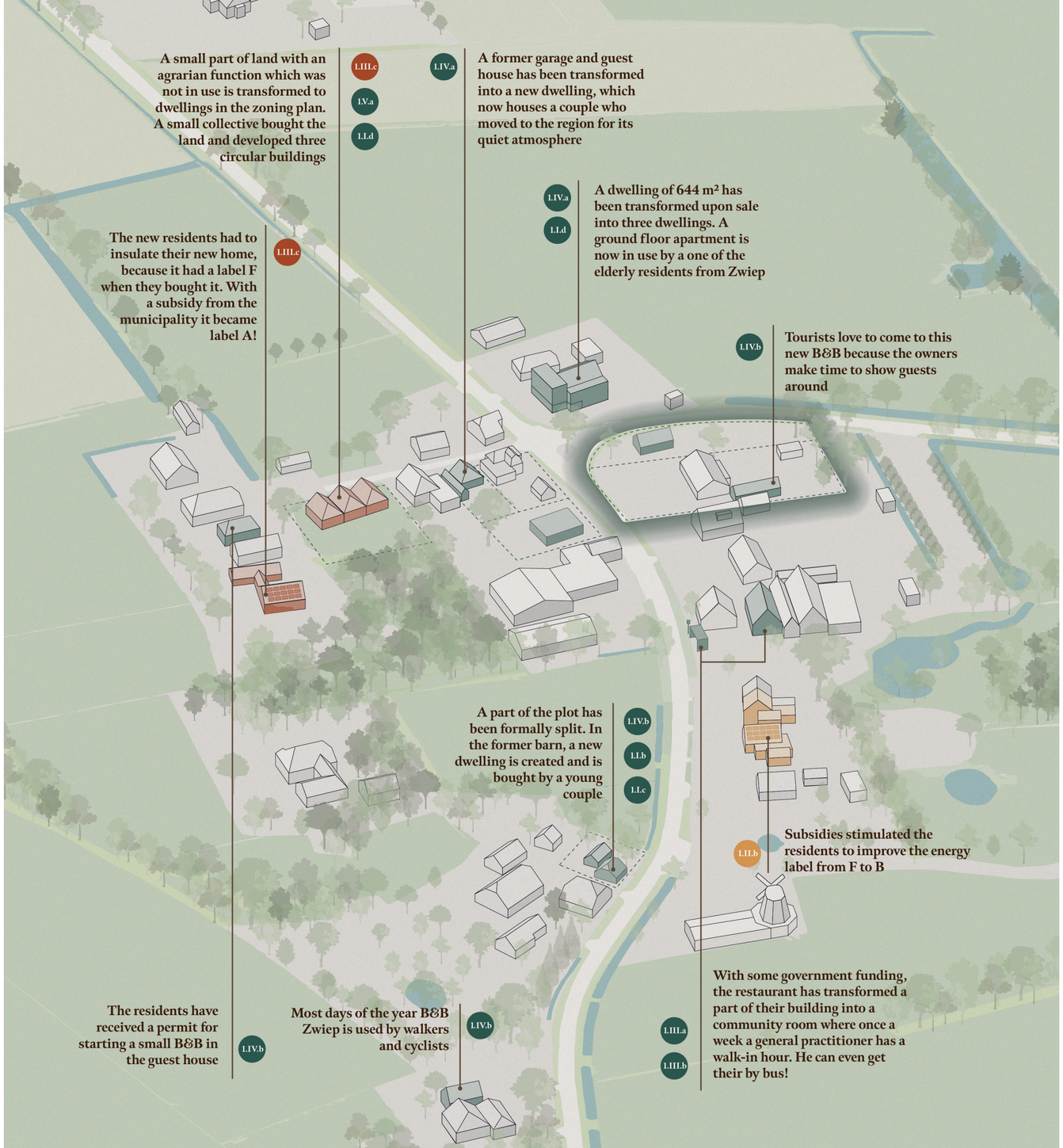
0.IV.a | 1.I.b | 1.I.b



Images by author. Top left: by author, based on Google Maps

Zoom-in: Zwiep

1.IV.g Stimulate flow of elderly to smaller dwellings

1.I.d | 1.III.c

1.II.b Stimulate owners to renovate dwellings

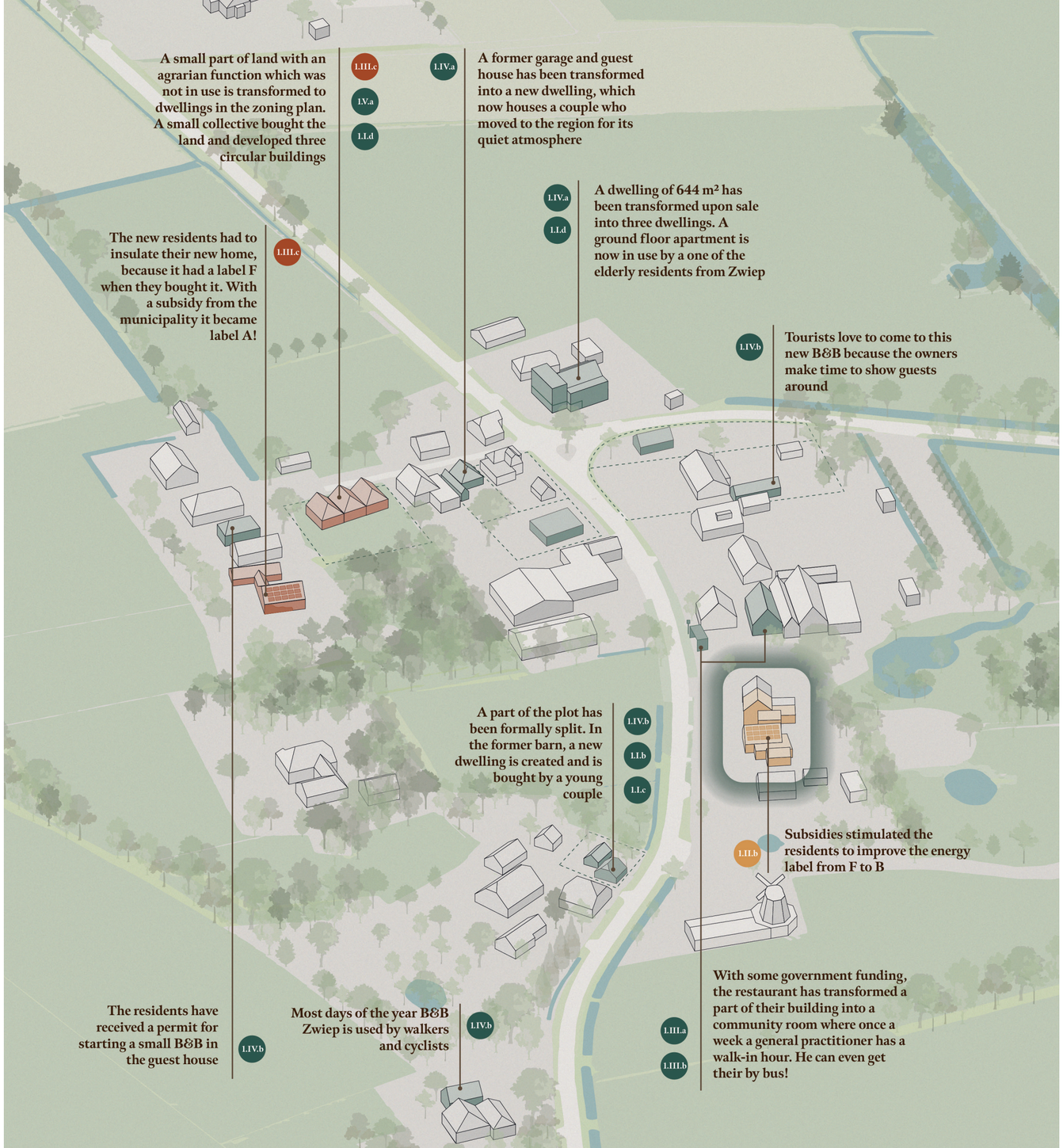
Why?

- Low density and individually different dwellings
- Area-based approach is difficult due to low density

How?

- Provide subsidies (M P S HO)
  and/or
- Provide information on best practices (M RS HO)
  and/or
- Arrange collective action (municipal programmes) (M HO E)

1.III.c | 1.III.f



Images by author. Top left: Google Maps

Zoom-in: Zwiep

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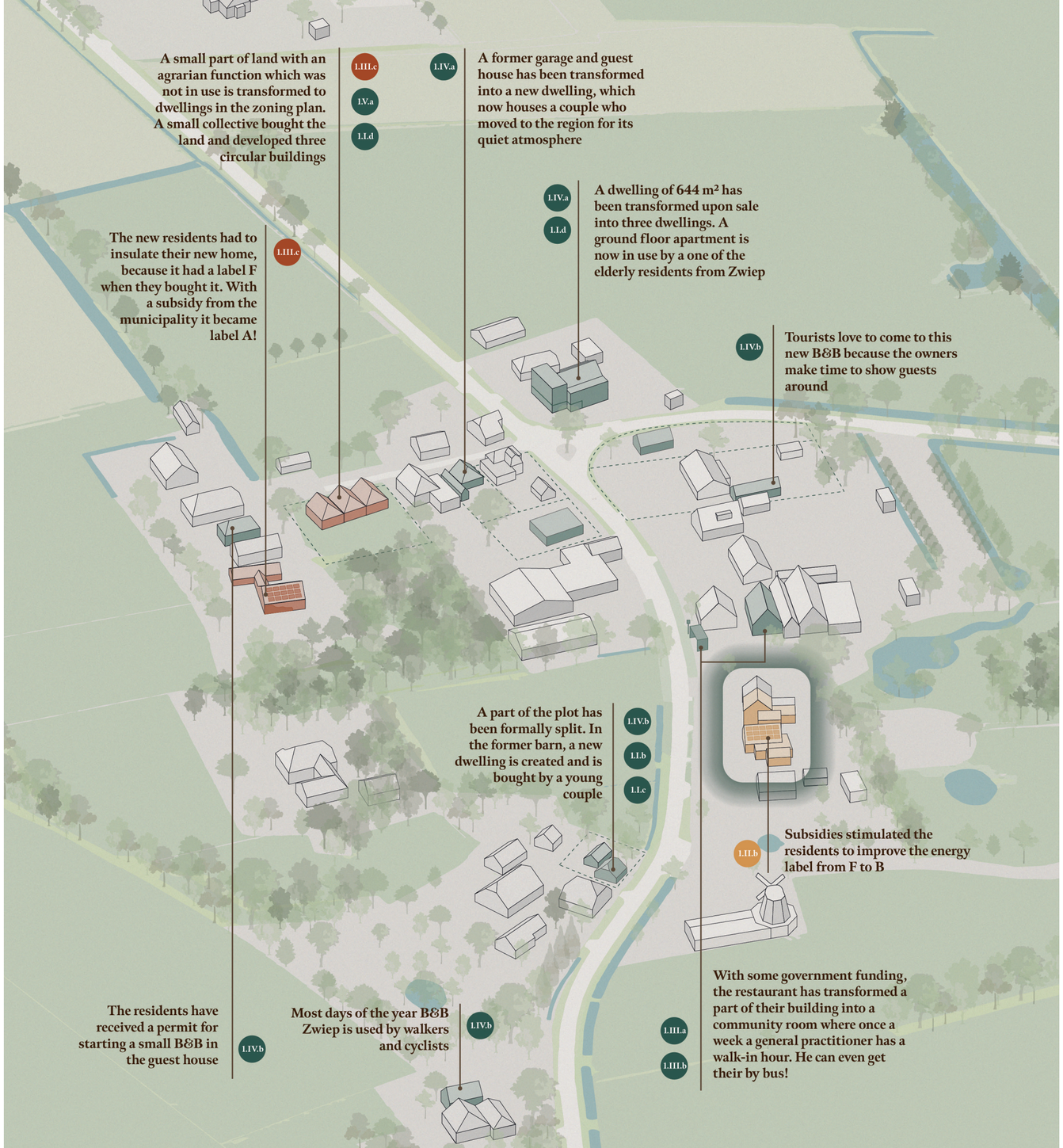
1.III.c | 1.III.f



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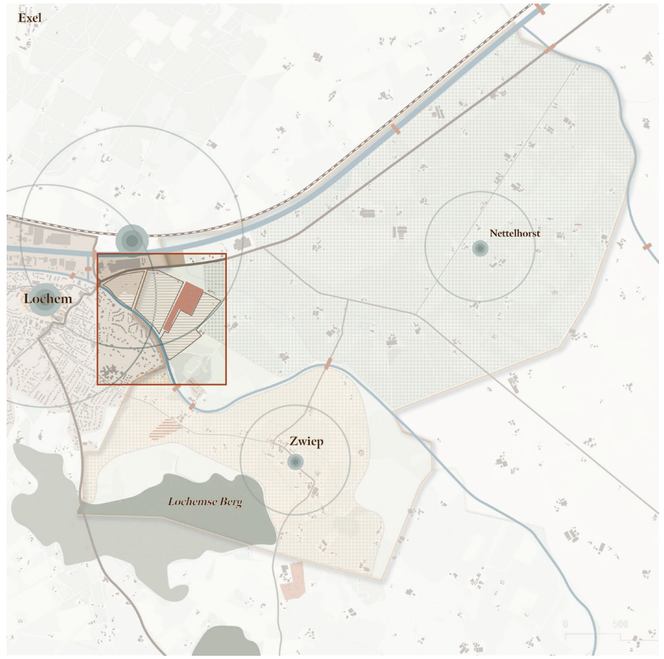
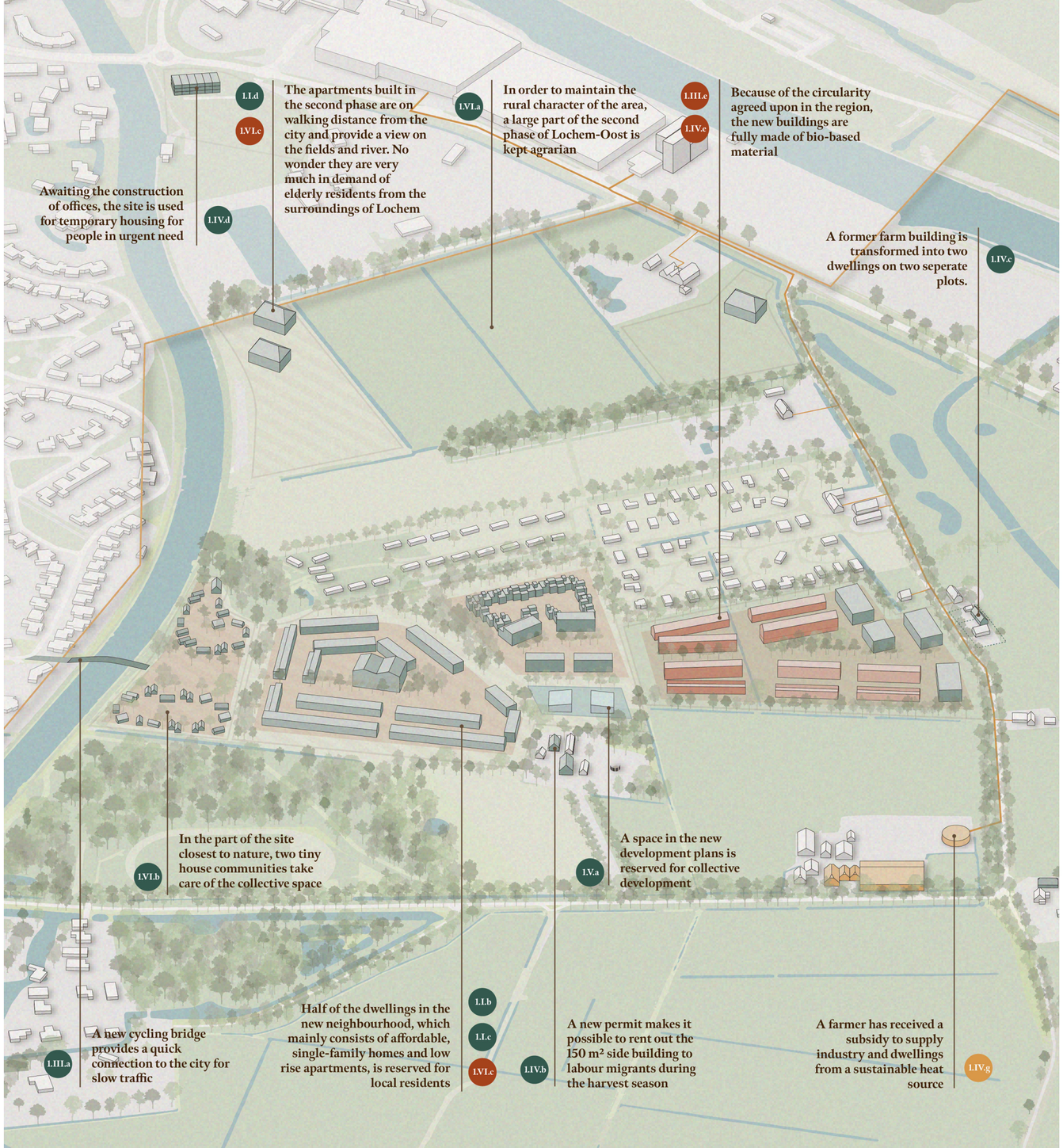
Zoom-in: Lochem-Oost





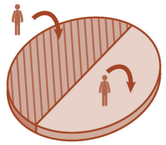
Images by author

Zoom-in: Lochem-Oost

I.VI.a Maintain the dinstinct character of rural living

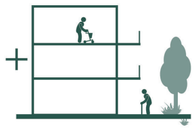
0.I.a

I.VI.c Reserve space for current residents



I.I.a

I.I.d Add housing that caters to the needs of elderly



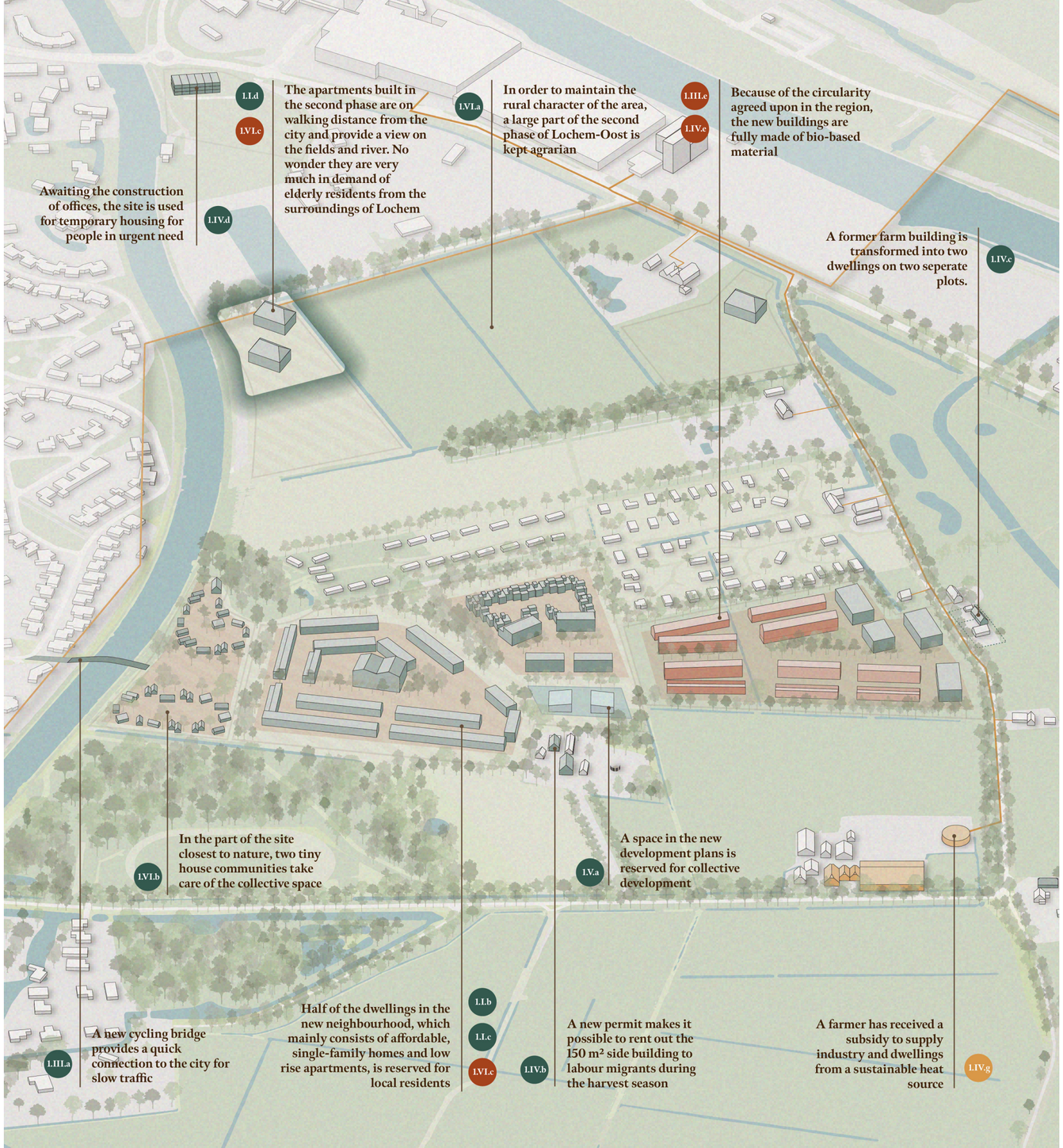
Why?

- Relatively old population
- Many single-family dwellings
- Demand is higher than supply

How?

- Set goals in policy — SP HA D
- Requirements for permits — SP HA D
- Preference for accessible locations in plans — SP

I.IV.c | I.IV.g



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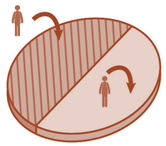
Zoom-in: Lochem-Oost

1.VI.a Maintain the dinstinct character of rural living

0.I.a

1.VI.c Reserve space for current residents



1.I.a

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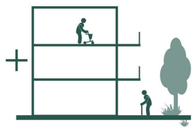

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How?

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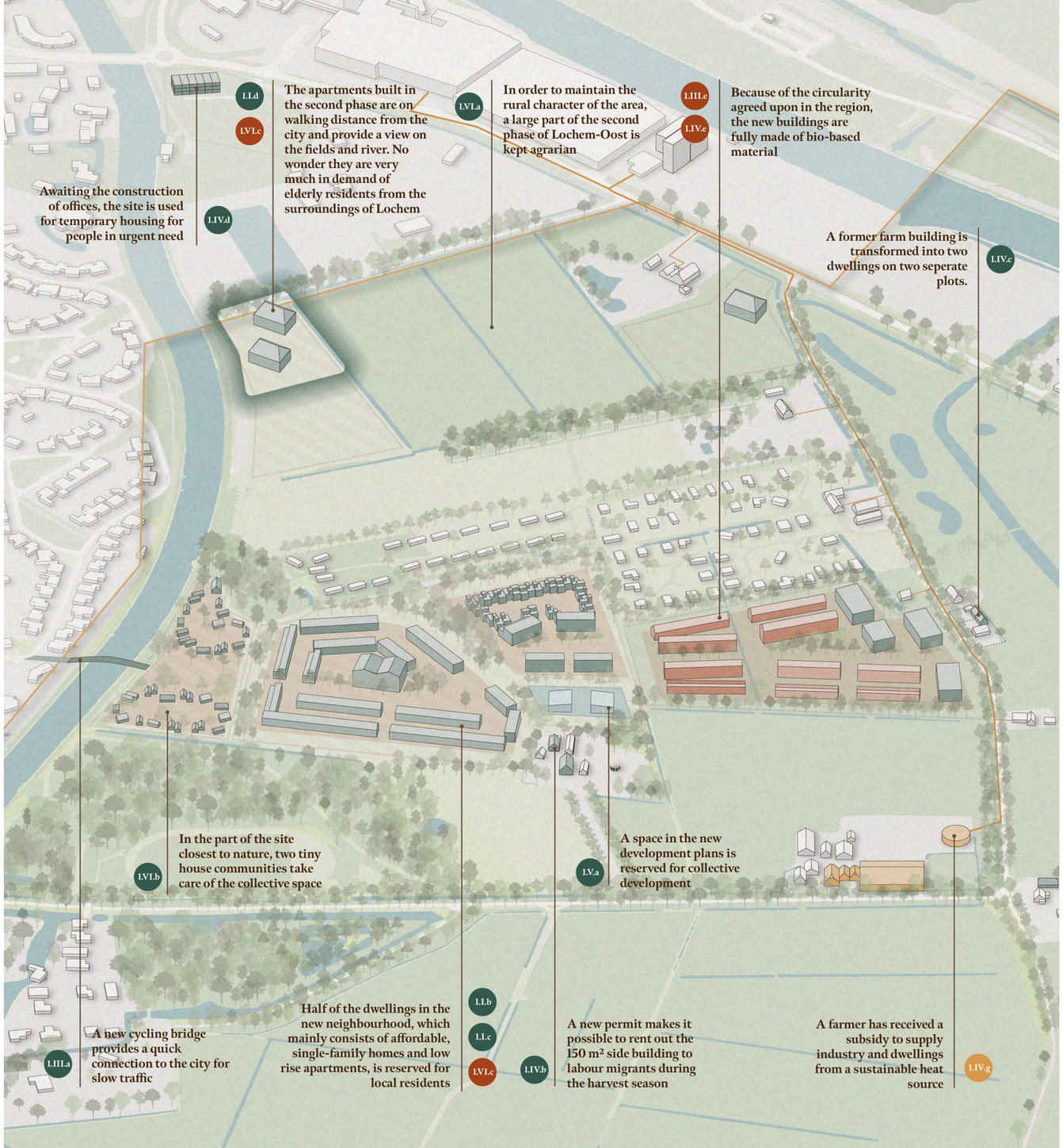
- Requirements for permits — SP HA D
- Preference for accessible locations in plans — SP

1.IV.c | I.IV.g



Images by author. Top left: by author, based on Google Maps

Zoom-in: Lochem-Oost

1.VI.b **Provide space for different housing typologies (which fit the rural character)**

Why?

- Homogeneous housing supply
- Room for experimentation

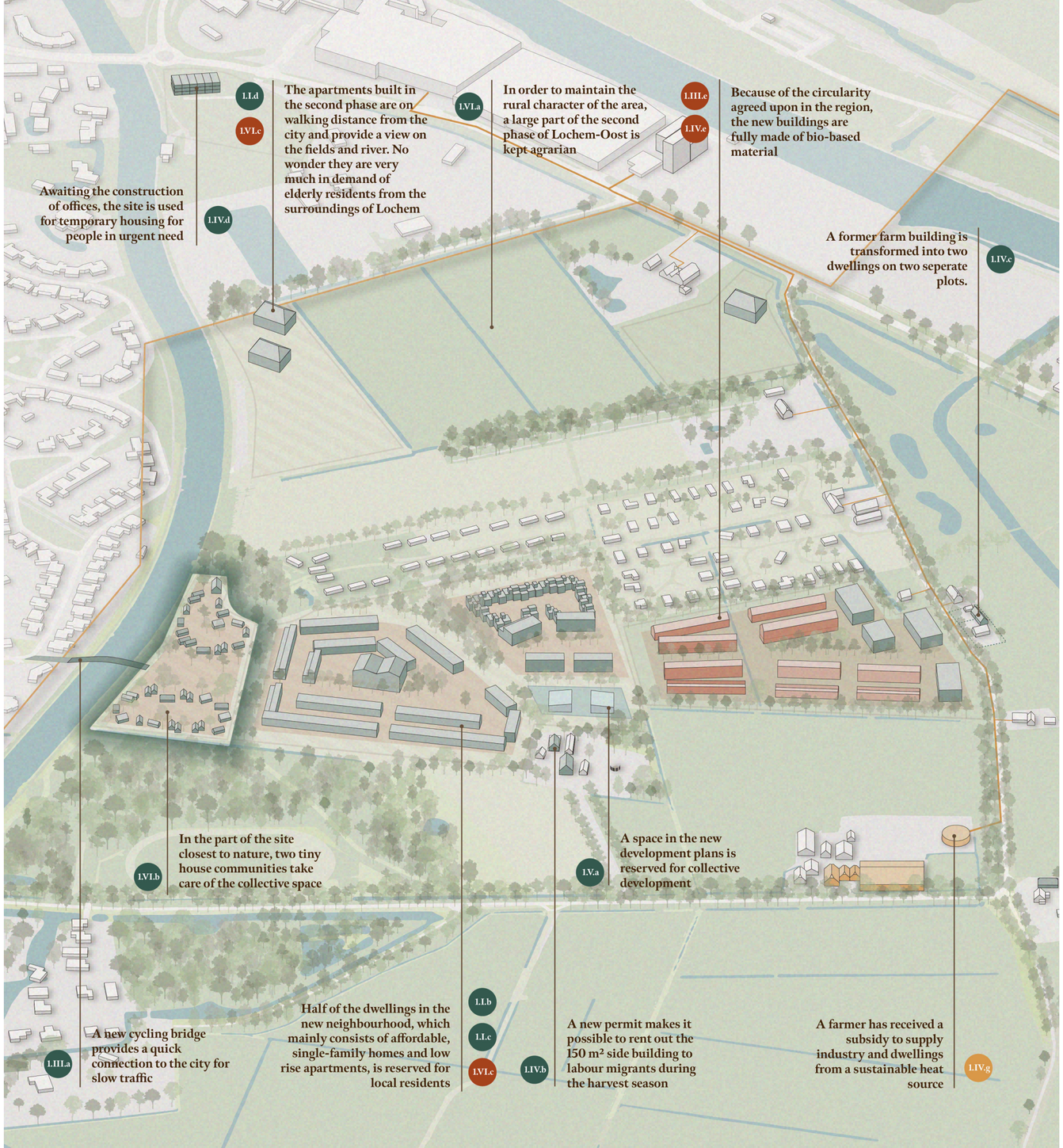
How?

- Reserve space in plans (SP)

and/or

- Dwelling size limitations in zoning plans (SP) (M)

1.IV.d



Images by author. Top left: Google Maps

Zoom-in: Lochem-Oost

1.VI.b **Provide space for different housing typologies (which fit the rural character)**

Why?

- Homogeneous housing supply
- Room for experimentation

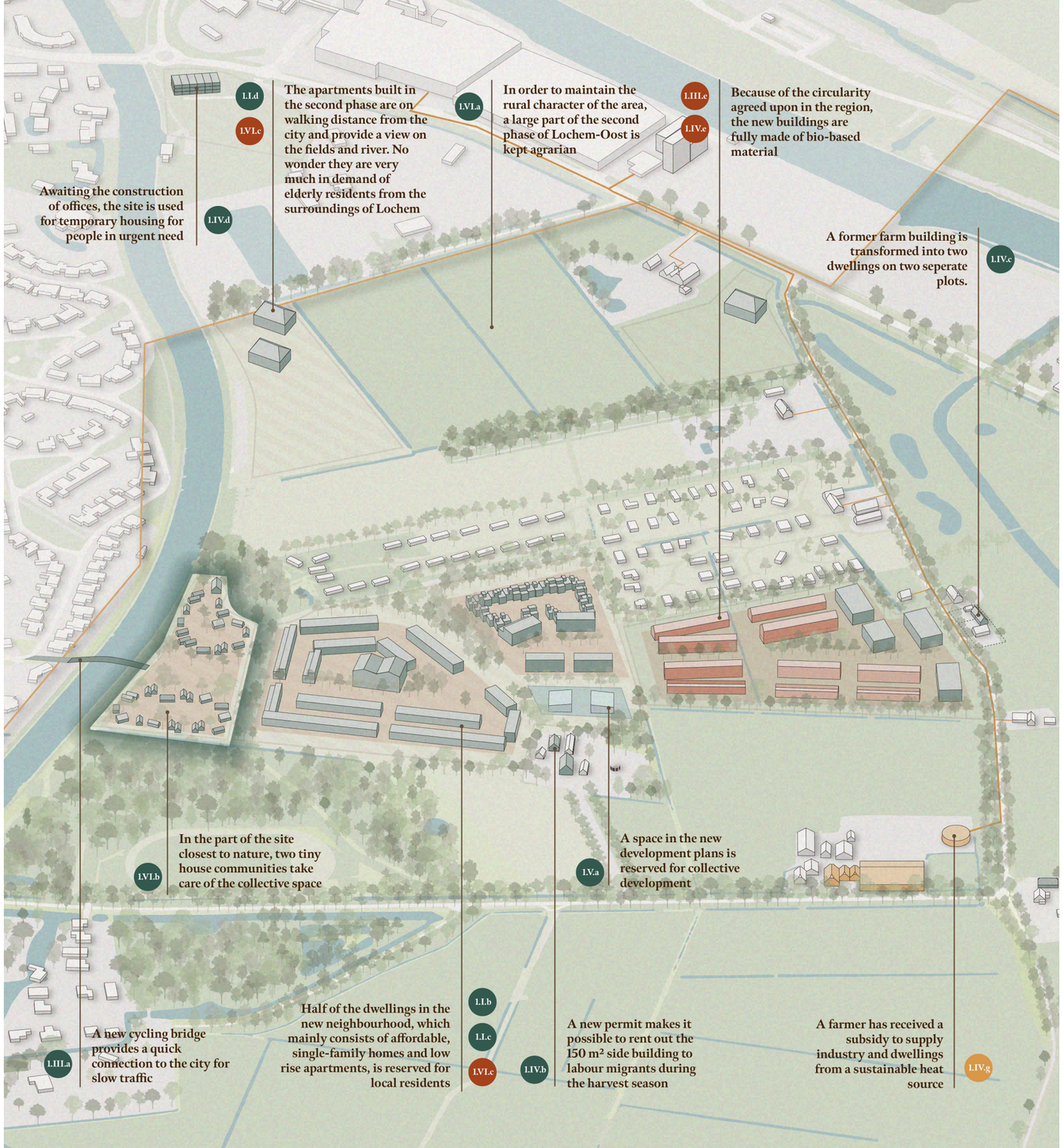
How?

- Reserve space in plans (SP)

and/or

- Dwelling size limitations in zoning plans (SP, M)

1.IV.d



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Impression of the Rural & Rich cluster - a potential just future

Image by author

Impression of the Struggling Neighbourhoods cluster

Image by author

Illustrative case: Oranjekwartier

2.465 inhabitants

1.301 dwellings

Images by author

Illustrative case: Oranjekwartier

Place-specific patterns

Area-specific patterns

Patterns throughout

Image by author

Zoom-in: Oranjekwartier

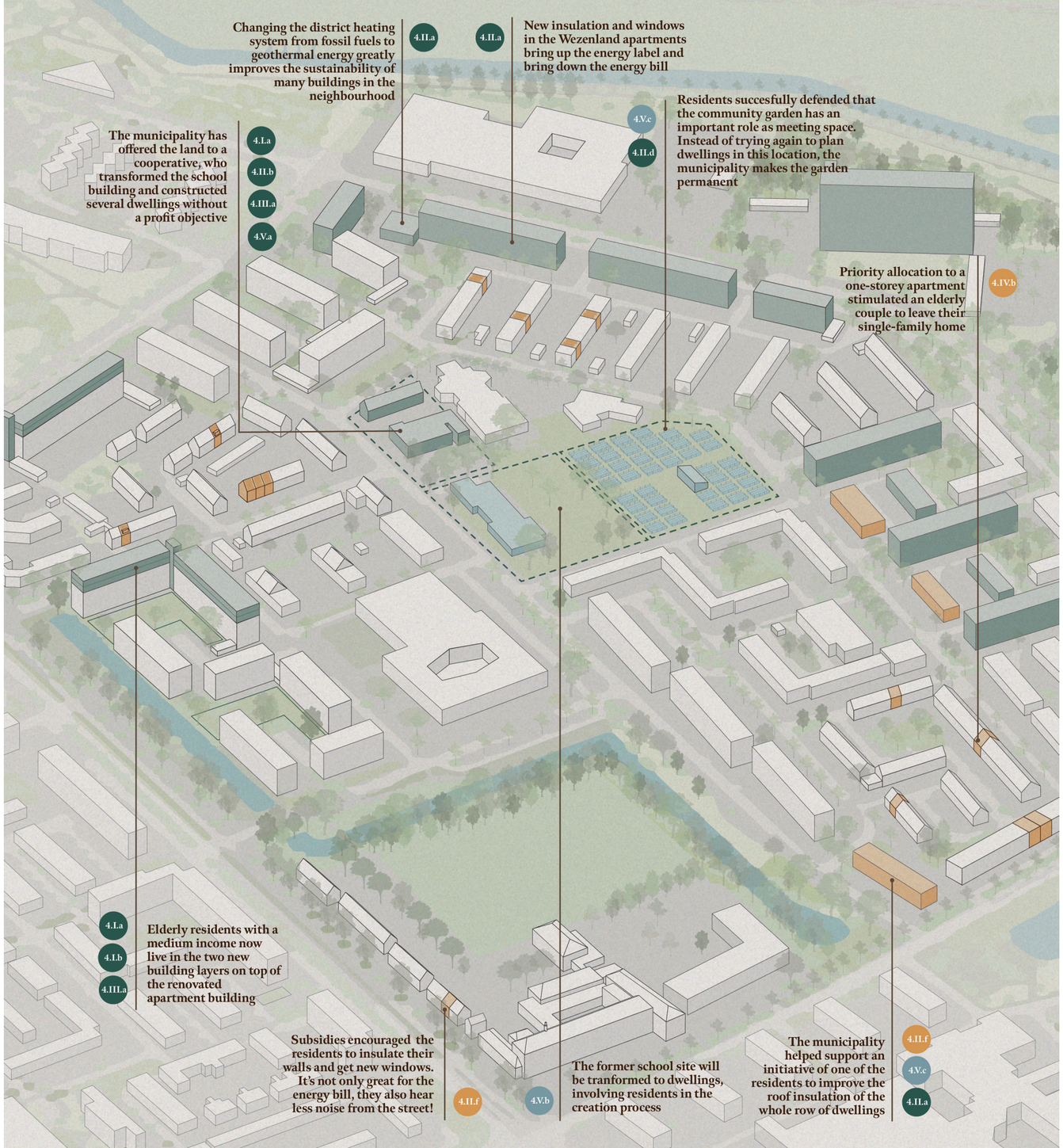
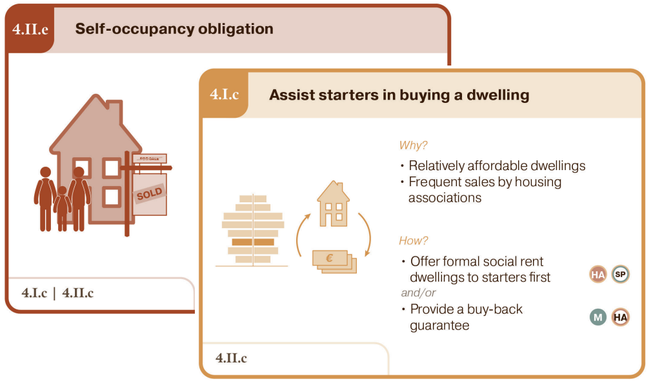
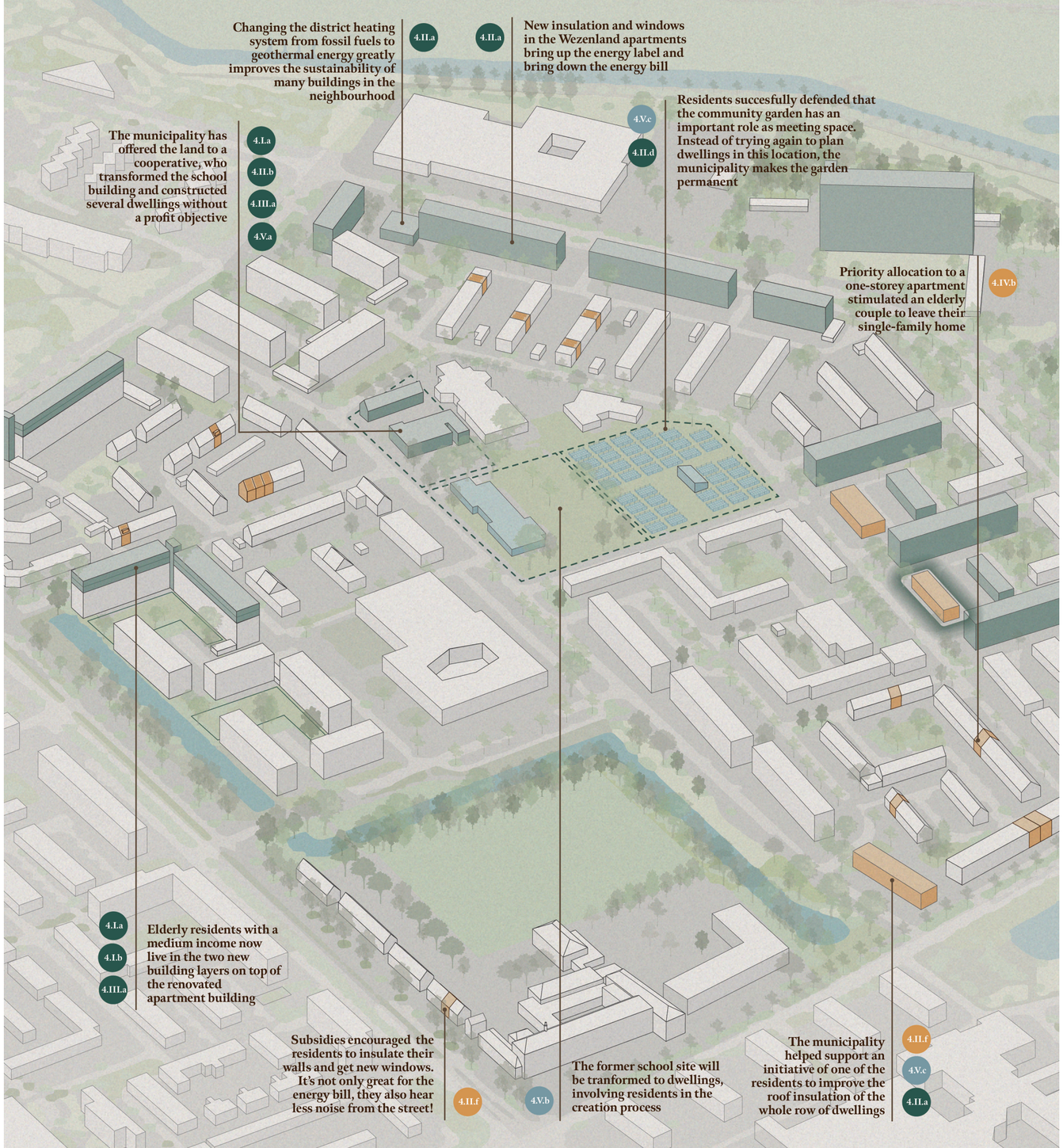


Image by author

Zoom-in: Oranjekwartier





Images by author. Top left: Google Maps

Zoom-in: Oranjekwartier

4.II.c Self-occupancy obligation

4.I.c | 4.II.c

4.I.c Assist starters in buying a dwelling

Why?

- Relatively affordable dwellings
- Frequent sales by housing associations

How?

- Offer formal social rent dwellings to starters first HA SP

and/or

- Provide a buy-back guarantee M HA

4.II.c

4.II.a Changing the district heating system from fossil fuels to geothermal energy greatly improves the sustainability of many buildings in the neighbourhood

4.II.a New insulation and windows in the Wezenland apartments bring up the energy label and bring down the energy bill

4.I.a 4.II.b 4.III.a 4.V.a The municipality has offered the land to a cooperative, who transformed the school building and constructed several dwellings without a profit objective

4.V.c 4.II.d Residents succesfully defended that the community garden has an important role as meeting space. Instead of trying again to plan dwellings in this location, the municipality makes the garden permanent

4.IV.b Priority allocation to a one-storey apartment stimulated an elderly couple to leave their single-family home

4.I.a 4.I.b 4.III.a Elderly residents with a medium income now live in the two new building layers on top of the renovated apartment building

Subsidies encouraged the residents to insulate their walls and get new windows. It's not only great for the energy bill, they also hear less noise from the street!

4.II.f

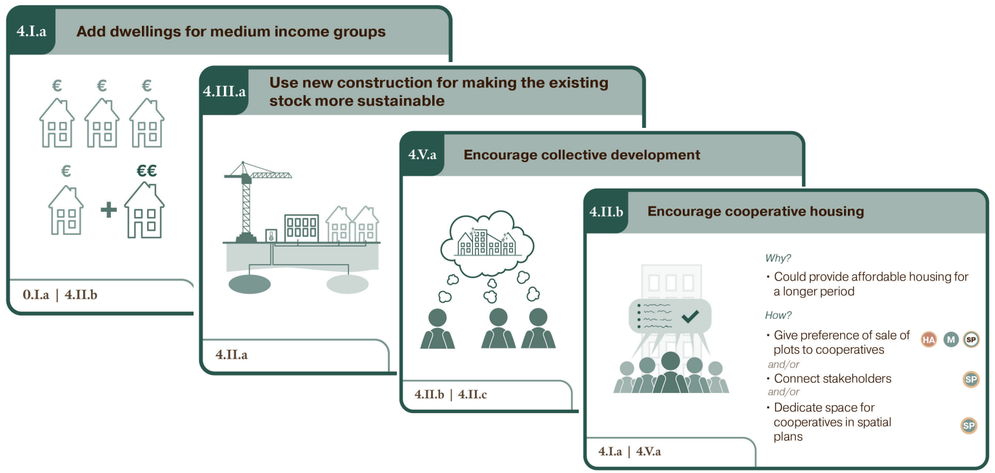
4.V.b The former school site will be tranformed to dwellings, involving residents in the creation process

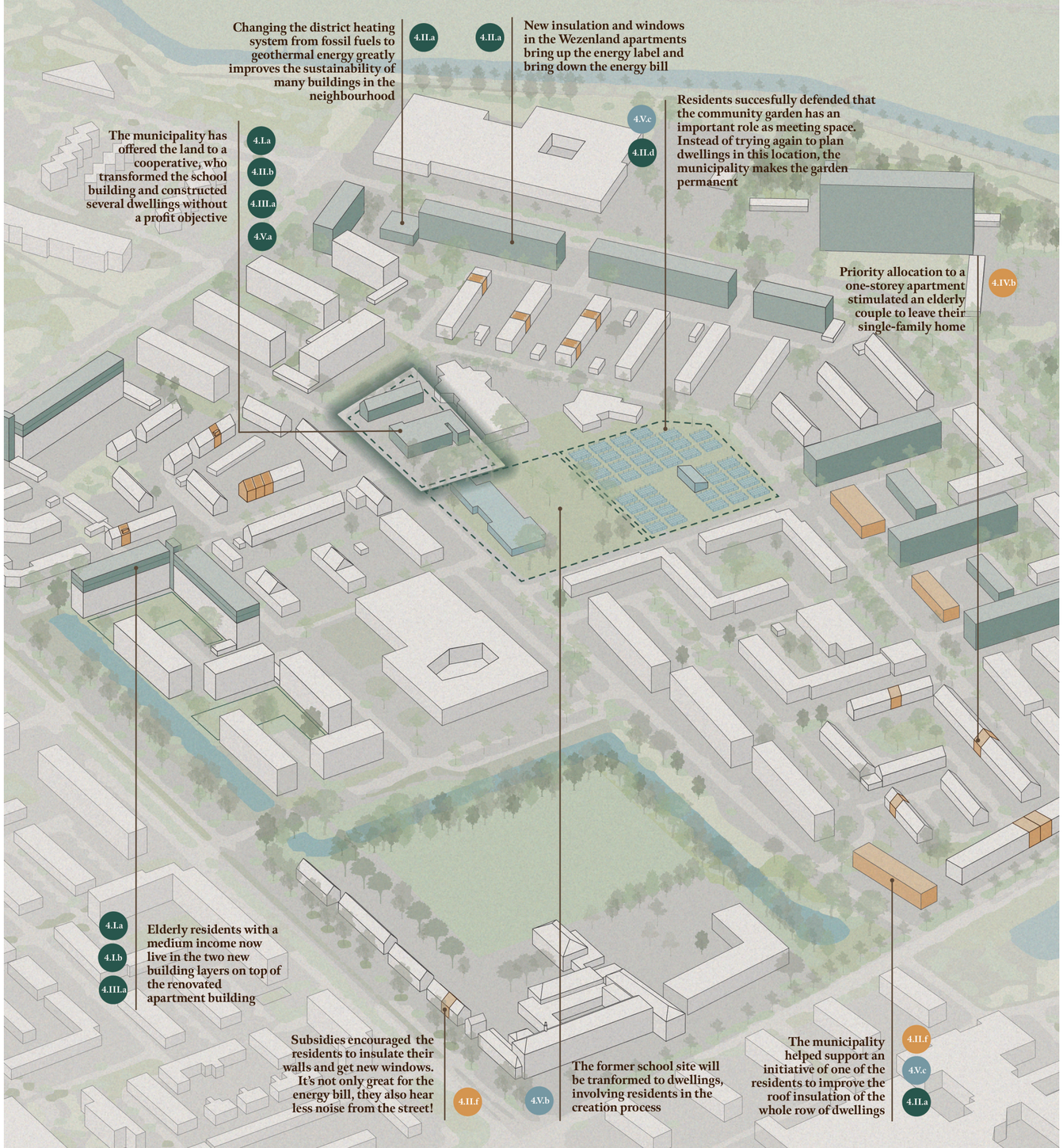
The municipality helped support an initiative of one of the residents to improve the roof insulation of the whole row of dwellings

4.II.f 4.V.c 4.II.a

Images by author. Top left: by author, based on Google Maps

Zoom-in: Oranjekwartier





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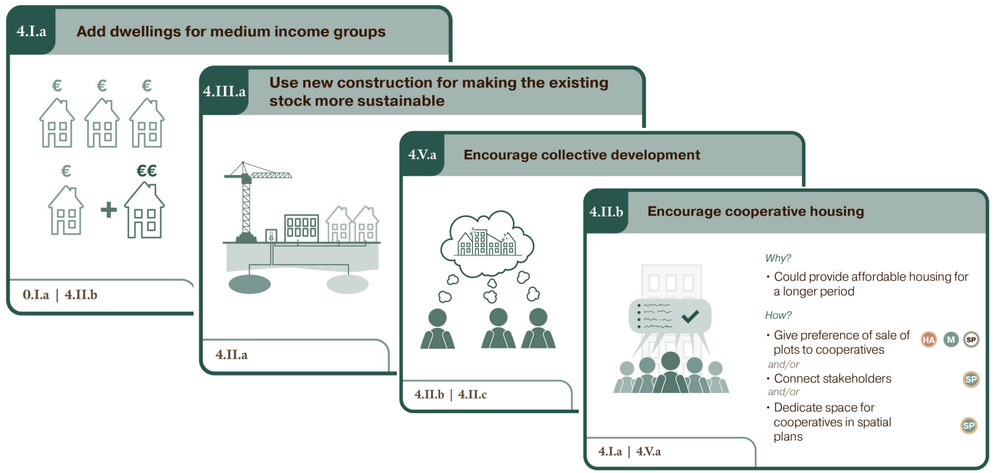

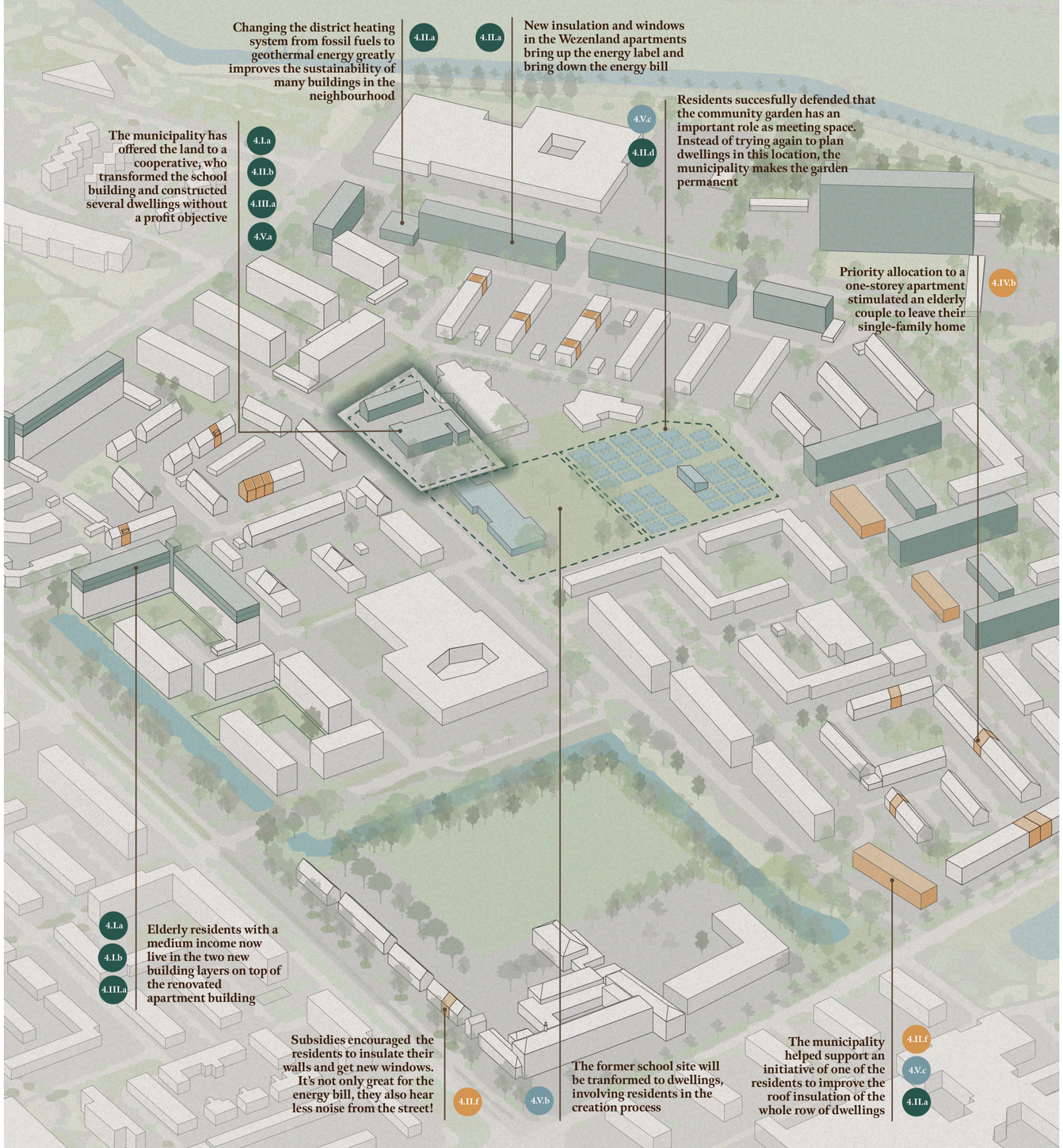

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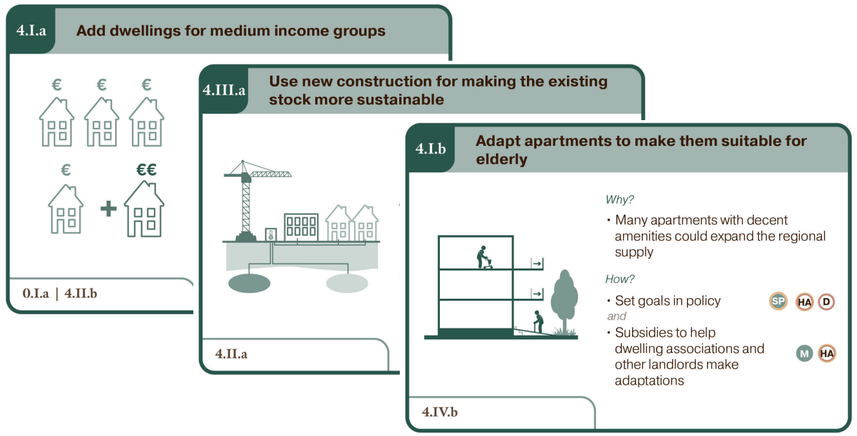

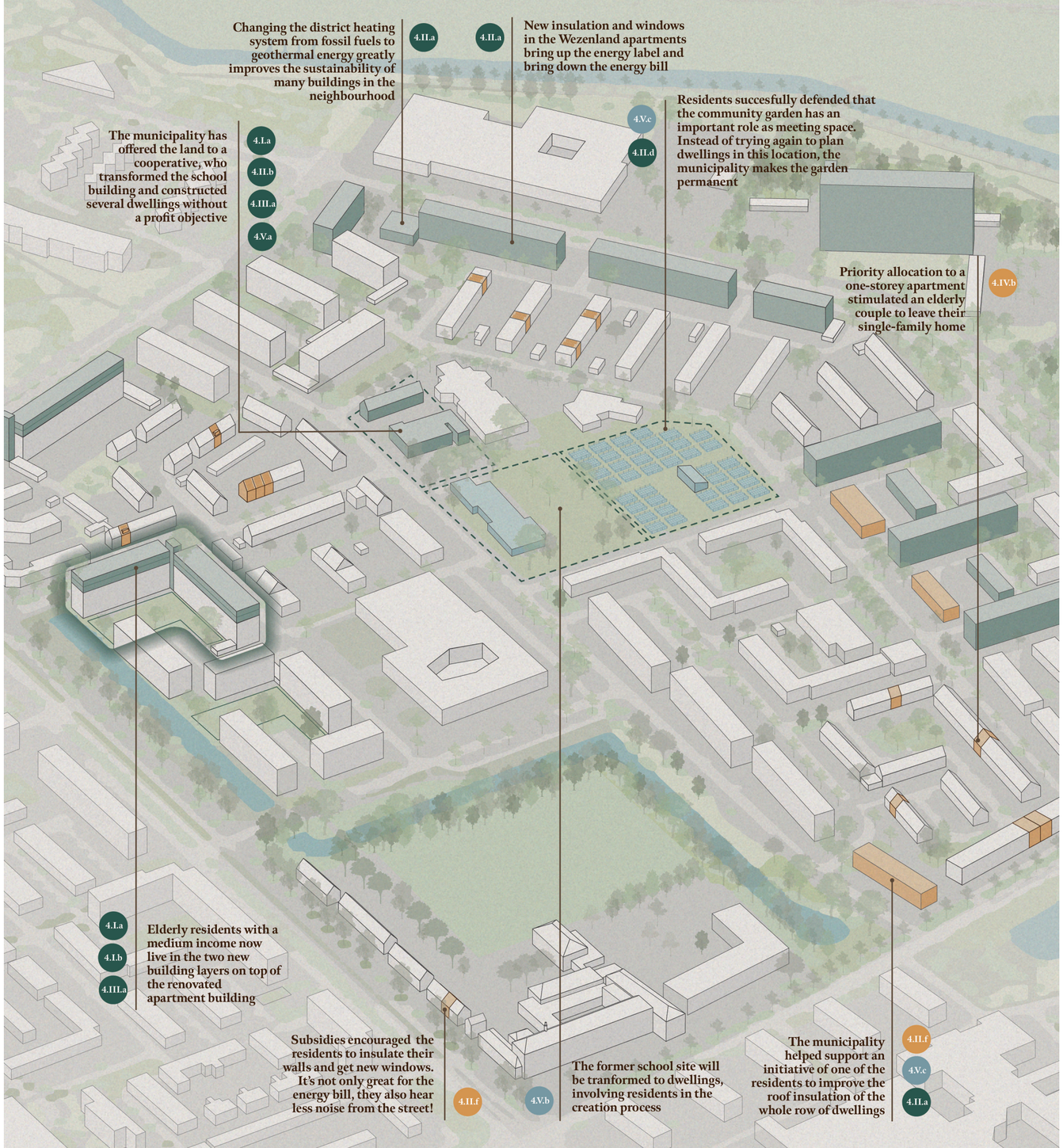

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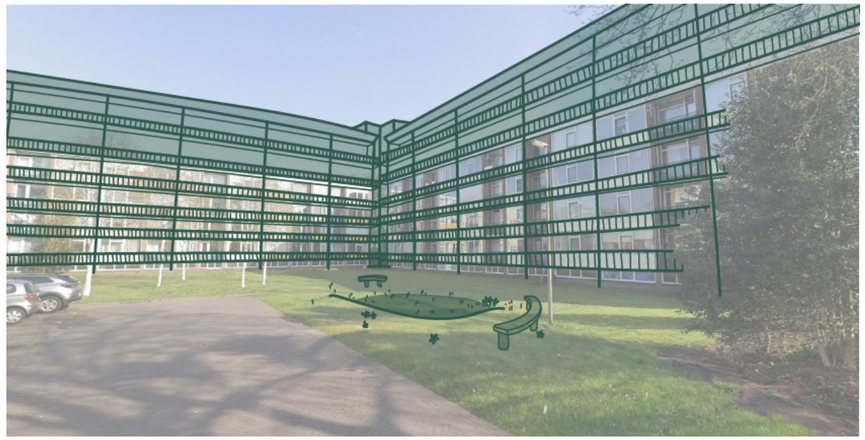

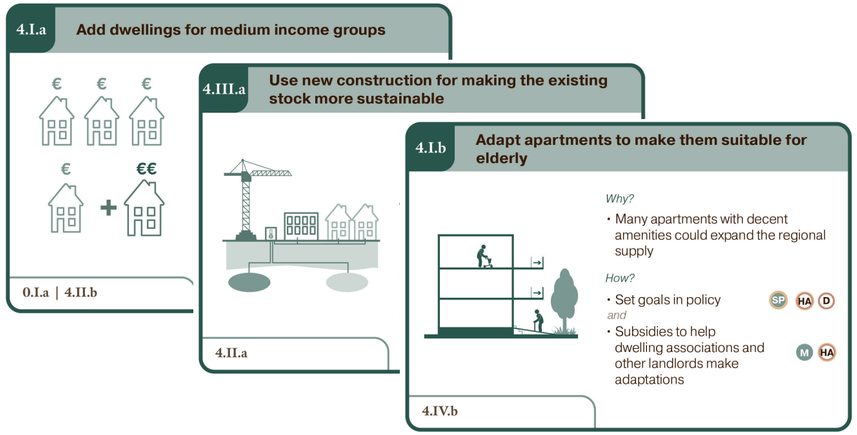

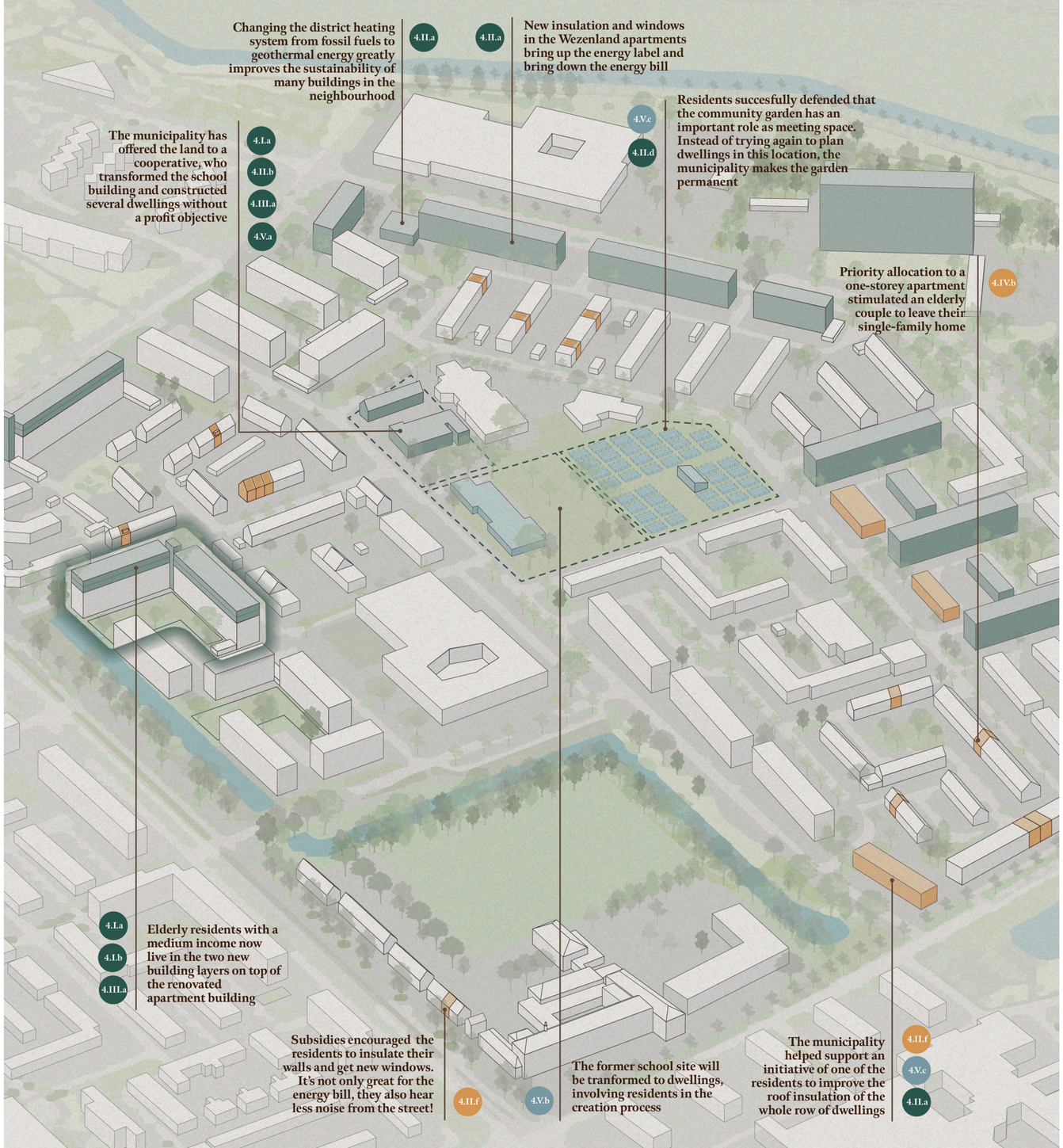

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Impression of Zwiep and surroundings - a potential just future

Image by author

Conclusion & Reflection

Conclusion

To what extent can a framework based on justice values help spatial planners design for justice in the housing domain in Dutch regions?

Spatial planners

- Spatial planners guide developments of other actors

Justice framework

- Summarising justice theories
- Both for analysis and for strategy development
- Broad spectrum of justice

The justice framework as an analysis tool

Benefits

- Domain focus
- Structured by applied values and housing dimensions
- Wide range of injustices
- Both for spatial analysis and policy analysis

Limitations

- Availability of data indicators
- Data in low density areas
- Applied value of Influence is not spatial

Image by author

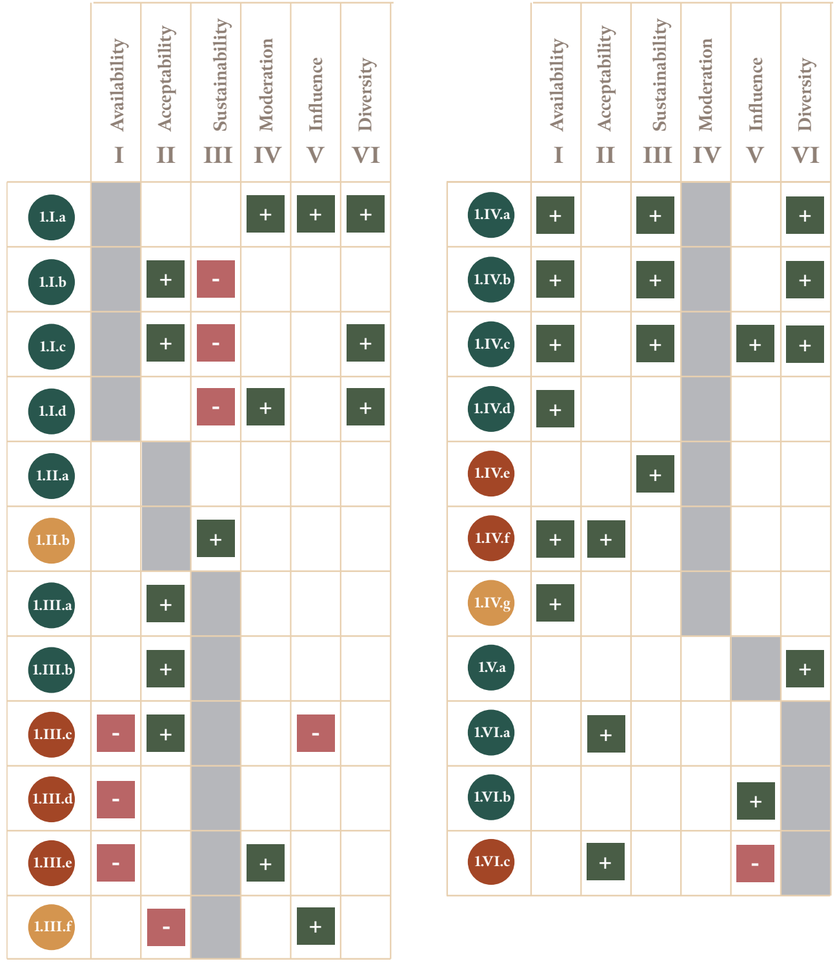
The justice framework as a design tool

Benefits

- Analysis informs strategies
- Clustering gives overview
- Applied values can structure strategy development
- Assessing strategies with applied values

Limitations

- Domain focus
- Priorities and trade-offs between clusters
- Requires additional input from spatial planners



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Conclusion

Limitations

- Only tested by myself

Future research

- Further development of the justice framework
- Application to practice and other domains

Policy recommendations

- Important to be explicit about values in design
- Develop norms for sufficiency and limitation

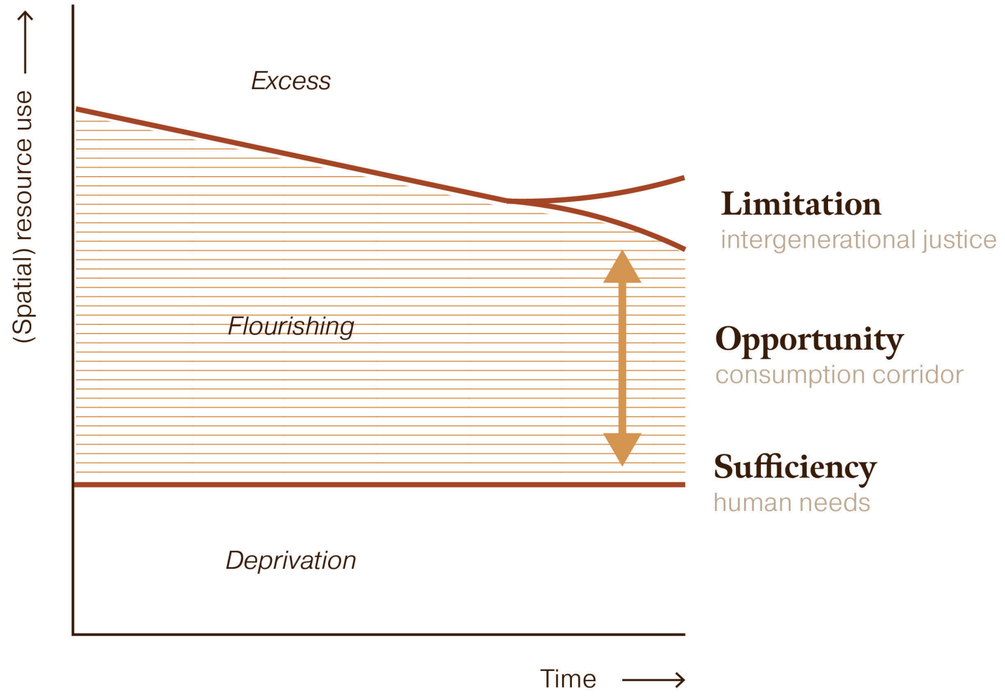
Individual reflection

Transferability

- Core and applied values are very well transferable
- Process can be repeated

Appropriateness

- Norms of sufficiency and limitation are not determined
  - ◊ Flexibility to adapt to different socio-political contexts
  - ◊ But: this can weaken the intentions
- Spatial planners have some independence



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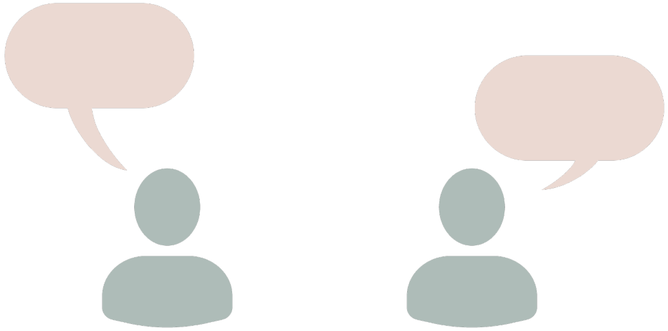
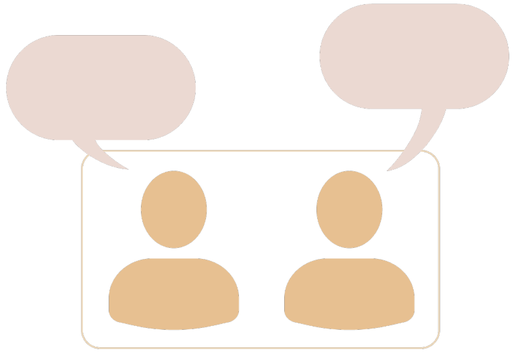
Reflection from practice



Public sector



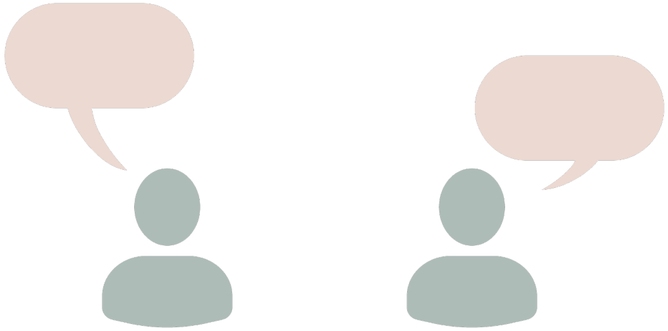
Private sector

Semi-structured interviews

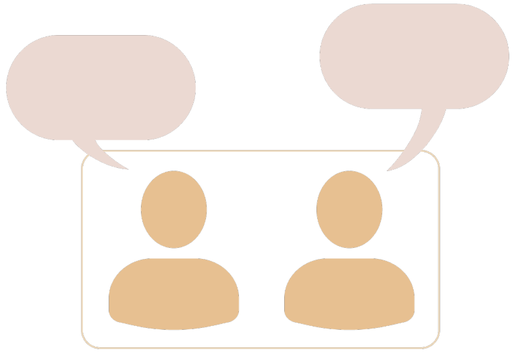
Reflective

Image by author

Reflection from practice



Public sector



Private sector

Language

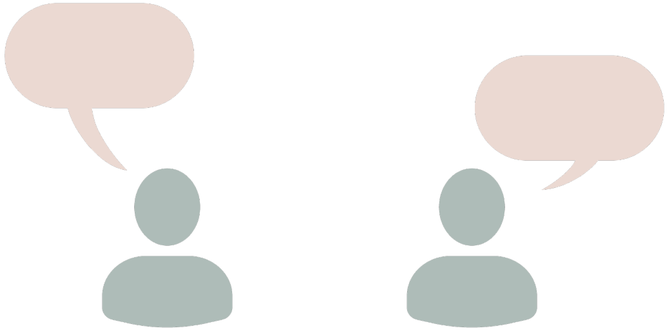
- Dutch
- Keep a positive formulation
- Simple explanation

Application

- Municipal scale more likely
- Strategies: housing visions & environmental visions

Image by author

Reflection from practice



Public sector

Private sector

Forces to take a broad perspective

- ‘Where do we want to go as a municipality?’

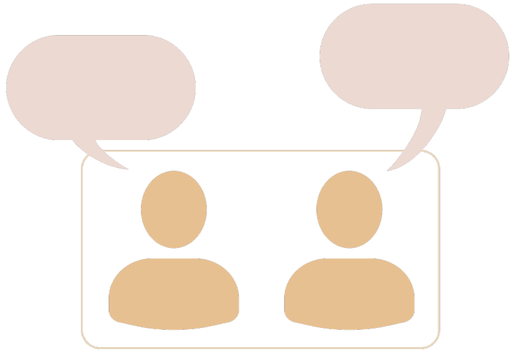
Focus on assessment

Internal use only

Image by author

Reflection from practice

Public sector



Private sector

Application

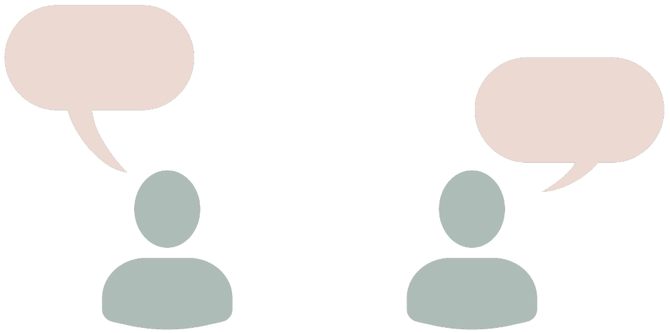
- Focus on strategies
- Patterns as a discussion tool

Connected to current debates

- ‘de basis op orde’
- ‘kansen voor iedereen’
- ‘niet alles kan in een beperkte ruimte’

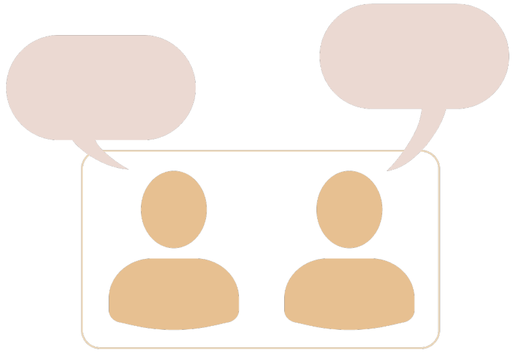
Image by author

Conclusion & improvement

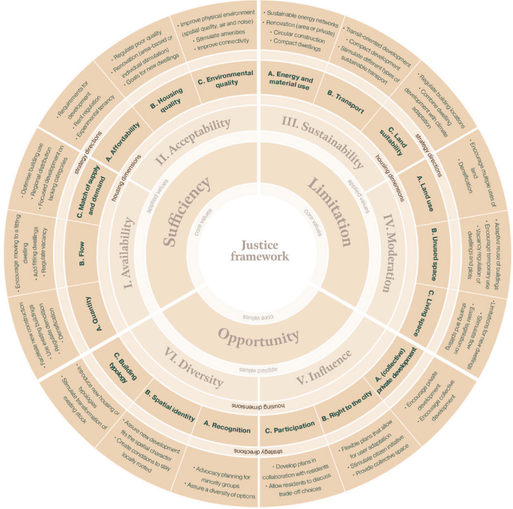


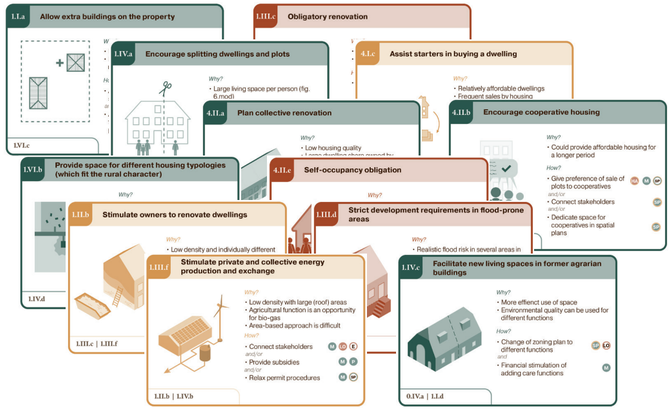
Public sector

	I Availability	II Acceptability	III Sustainability	IV Moderation	V Influence	VI Diversity
1.I.a				+	+	+
1.I.b		+	-			
1.I.c		+	-			+
1.I.d			-	+		+



Private sector





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Thank you!

OHCHR (n.d.)

Planning for justice

A value-based framework to help spatial planners develop just housing strategies in Dutch regions

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P5 Presentation

17January 2024

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