

# The impact of EU regulations and policies on land use in cities

Lessons for the Urban Agenda for the EU and intergovernmental cooperation

Research Paper





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## Glossary

BE2024	Belgian EU presidency 2024
CEF	Connecting Europe Facility
CoR	European Committee of the Regions
COTER	European Committee of the Regions Commission for Territorial Cohesion Policy and EU Budget
DGUM	Directors-General for Urban Matters
DGTC	Directors-General for Territorial Cohesion
EC	European Commission
EEA	European Environment Agency
EP	European Parliament
ERDF	European Regional Development Fund
EU	European Union
EUI	European Urban Initiative
EUKN	European Urban Knowledge Network
JPI Urban Europe/DUT	Joint Programming Initiative Urban Europe/Driving Urban Transitions
JRC	Joint Research Centre
LAU	Local Administrative Unit
LPD	Legislation, Policies and Directives
NBS	Nature-based solutions
NNLT	No Net Land Take
NRL	Nature Restoration Law
NTCCP	Network of Territorial Cohesion Contact Points
NUTS 2	Level 2 in the nomenclature of territorial units for statistics
NUTS 3	Level 3 in the nomenclature of territorial units for statistics
OECD	Organisation for Economic Co-operation

	and Development
OFC	Other Forms of Cooperation
RED II/RED III	Renewable Energy Directive recast
REGI	European Parliament Committee on Regional Development
SML	Soil Monitoring Law
SUL-NBS	Sustainable Use of Land and Nature-based Solutions
TA2030	Territorial Agenda for 2030
TEN-E	Trans-European Networks for Energy
TEN-T	Trans-European Transport Network
TIA	Territorial Impact Assessment
TP	Thematic Partnership
UAEU	Urban Agenda for the EU
UDG	Urban Development Group

# 1. Executive Summary

The urban programme of BE2024 aims to strengthen the urban dimension in EU policies, emphasising a place-based approach, integrated spatial planning and urban governance in order to achieve European objectives.

While EU and national regulations and policies have been designed to promote the sustainable development of cities, implementing them in an effective and timely way is often a challenging task. This raises the question of what gaps exist which, if filled, would enable EU regulations and policies to be implemented more effectively and efficiently, and how the Urban Agenda for the EU (UAEU) and intergovernmental cooperation on urban matters can be instrumental to that effect.

The aim is to understand how EU legislation affects urban land use, identifying actionable lessons for uptake by the UAEU, and also to understand how it affects wider intergovernmental cooperation on urban matters. The analysis of key documents and policies, enriched by expert insights, makes it possible to scope the manifold impacts that selected EU policies can have on urban planning. By linking these insights with the arena of informal intergovernmental cooperation on urban matters, the analysis provides valuable considerations as to how the UAEU can enhance the effective and timely implementation of EU regulations and policies that affect (urban) land use and, by extension, urban and spatial planning.

The findings show that EU policies, which are needed as umbrella structures to achieve common targets, can have a substantial impact on land use and spatial planning. Implementation challenges may exist as a result of the 'stacking' of functions, linked to conflicting land-use demands, within the (limited) space available. At the same time, the directions taken by the land-use impact of key EU policies and regulations may diverge due to the fact that their objectives are translated differently in a spatial context. Five recommendations are proposed to facilitate a cross-sectoral debate on topics such as the role of intergovernmental cooperation in urban and territorial matters, increasing cooperation and the exchange of information regarding legislation with a high degree of spatial relevance.

## **2. Background**

### **2.1 Introduction**

The 2024 Belgian EU presidency (BE2024) on urban matters that was held during the first semester of 2024 commissioned the European Urban Knowledge Network (EUKN) to carry out this research, as part of a wider assignment to support the presidency's policy priorities on sustainable urbanisation and specifically on urban land use. By land use, this paper follows the European Environment Agency's definition of 'the socio-economic description (functional dimension) of areas: areas used for residential, industrial or commercial purposes, for farming or forestry, for recreational or conservation purposes, etc.' (EEA, 2004). In the context of this paper, land use is closely linked to spatial planning, which encompasses the management of land, involving collaborative efforts among governmental bodies, market actors, and civil society to shape the quality and trajectory of spatial development.

The urban programme of BE2024 aims to strengthen the urban dimension in EU policies, emphasising a place-based approach, integrated spatial planning and urban governance in order to achieve European objectives. Operating within the strategic framework of the New Leipzig Charter, the Belgian presidency prioritises the development of just, green, and productive cities. It also focuses on implementing the multi-annual working programme of the Urban Agenda for the EU (UAEU) and leveraging the achievements of the Spanish EU presidency in 2023.

The UAEU leverages multi-level governance collaborations on topics of relevance to sustainable urban transformations, involving urban authorities as a means of achieving Better Regulation, Better Funding, and Better Knowledge. The UAEU Thematic Partnerships (TPs) to date, have proposed a total of 140 actions addressing various policy areas. The Assessment Study of the UAEU, published in November 2019 by the European Commission (Ipsos Mori et al., 2019), confirms that one of the key values of the UAEU is knowledge about the way EU regulation directly impacts cities and urban authorities.



While EU and national regulations and policies have been designed to promote the sustainable development of cities, implementing them in an effective and timely way is often a challenging task. This raises the question of what gaps exist, which, if filled, would enable EU regulations and policies to be implemented more effectively and efficiently, and how the UAEU and intergovernmental cooperation on urban matters<sup>1</sup> can be instrumental to that effect.

The paper delves into the relationship between selected EU LPDs (legislation, policies and directives), land use and the implications for urban and territorial development. Two recent examples of pending environmental EU policies with consequential spatial impact on cities are the Nature Restoration Law (NRL) and the Soil Monitoring Law (SML), which are discussed more in depth in [section 3.3](#).

## **2.2 Research objectives & scope**

The aim of this paper is to understand how EU legislation affects urban land use, identifying actionable lessons for uptake by the UAEU, and also to understand how it affects wider intergovernmental cooperation on urban matters. The analysis of key documents and policies, enriched by expert insights, makes it possible to scope the manifold impacts that selected EU policies can have on urban planning. By linking these insights with the arena of informal intergovernmental cooperation on urban matters, the analysis provides valuable considerations as to how the UAEU can enhance the effective and timely implementation of EU regulations and policies that affect (urban) land use and, by extension, urban and spatial planning.

Initial findings were presented and enriched during the Urban Agenda Lab on 24 April 2024, which brought together representatives from 27 Member States, cities, European institutions, and other stakeholders. The consolidated findings will be presented at the joint DGUM-DGTC meeting on 25 June 2024.

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<sup>1</sup> The intergovernmental cooperation on urban matters in the EU provides the informal framework for the exchange on and setting of joint priorities in the urban realm among EU Member States, including key partners co-shaping European policies and initiatives with an urban dimension, such as EU institutions (EC, CoR, EESC) as well as stakeholders such as umbrella organisations and urban-related programmes (e.g. Eurocities, Council of European Municipalities and Regions, Eurotowns, JPI Urban Europe/DUT, EUKN, etc.). The rotating EU Council presidency co-chairs the meetings of the Urban Development Group (UDG) and Directors-General on Urban Matters (DGUM) jointly with the European Commission.

In sum, this paper:

- Analyses how the Action Plans of the UAEU Thematic Partnerships (TPs) relate to land use and how they address the implementation and cities' needs in terms of Better Knowledge, Better Funding, and Better Regulation;
- Maps how land-use issues are addressed within selected EU regulations and policies, such as the European Green Deal, the EU Biodiversity Strategy, the EU Soil Strategy and the Green Deal Industrial Plan, with a special focus on the Nature Restoration Law (NRL) and Soil Monitoring Law (SML);
- Assesses how current and future Thematic Partnerships and/or 'Other Forms of Cooperation' (OFC) could address the implementation of EU regulations and policies having an impact on land use.

## **2.3 Methodology & data collection**

The analytical approach comprises desk research and stakeholder engagement via group discussions. The desk research entails a document analysis of key documents on the UAEU and of EU policies, as well as the scoping of impacts of selected policies upon land use and spatial planning. It results in a mapping of land-use issues that exist in pending/announced EU legislation. This was complemented by the outcomes of three group discussions held in March 2024 with a total of 13 experts on the subject of land use, urban/spatial planning, environment, concrete EU legislation such as the NRL or the SML, and the UAEU, which helped cross-validate the desk research. A list of the experts who participated in the group discussions as well as the list of questions asked can be found in [Annex 1](#). In addition to those discussions, the Urban Agenda Lab that took place on 24 April 2024 provided additional feedback and input on the draft results and preliminary recommendations.

The documents consulted for this report are different in nature and can be distinguished by the following types:

- Grey literature such as non-binding informal agreements or initiatives such as the Urban Agenda for the EU, or background/policy documents on the spatial impact of EU legislation;
- Academic literature on the spatial impact of EU legislation;

- o Legislative documents.

The grey literature, which consists of the Urban Agenda Action Plans or policy documents on EU legislation and its impact on land use, form the heart of the desk research. Due to the limited scope of this research, the legislative assessment of spatial impact as adopted from existing academic studies carried out in this field (EEA, 2016; ESPON, 2020a; ESPON, 2020b; Evers & Tennekes, 2016; Ivanov et al., 2023) and no primary research was carried out to verify or update those findings. The legislative documents as such were merely consulted to complement or illustrate certain findings. In this regard, a focus was applied on pending legislative dossiers, which justifies the choice for two 'spotlights' on the NRL and SML (see [section 3.3](#)). This focus on pending and announced EU legislation was chosen in order to select files with strong strategic relevance and timeliness. As shown further below, the range of LPDs with a (potential) impact on land use is very broad and a full consideration of all relevant legislative files would have exceeded the scope of this research.

## 3. Analysis

This section is structured as follows. First, the UAEU Thematic Partnership (TP) Action Plans are presented and analysed in the light of their statements regarding land use, and information is provided on aspects of implementation. What follows is a broader overview of the impact of EU legislation on land use, as emerges from earlier research, alongside a mapping of how land-use issues are addressed in selected pending or announced EU legislation, focusing on the environmental policy field with the European Green Deal as the central policy framework. Lastly, a spotlight is placed on the Nature Restoration Law (NRL) and the Soil Monitoring Law (SML).

### 3.1 Land use in the Urban Agenda for the EU

#### 3.1.1 Urban Agenda for the EU – development phase and assessment (2016-2020)

The Urban Agenda for the EU was launched in May 2016 with the Pact of Amsterdam. It represents a new multi-level working method for urban policy, promoting cooperation between Member States, cities, the European Commission and other key stakeholders. Fostering an integrated approach and contributing to territorial cohesion, as well as involving urban authorities in the design of policies, the UAEU aims to contribute towards Better Regulation, Better Funding, and Better Knowledge for policy areas that substantially affect urban areas (UAEU, n.d.-a).

As reported in the Assessment Study of the UAEU (Ipsos Mori et al., 2019) for the period 2016-2019, the UAEU has been a 'qualified success' in supporting multi-level and multi-stakeholder governance. The flexible nature of the Thematic Partnerships (TPs) allowed them to act as a platform for dialogue and to leverage a bottom-up approach when addressing a diverse range of themes effectively. The Agenda is considered as having strengthened the urban dimension in policymaking and to be raising awareness of urban issues more widely. Its key impact manifests itself in providing input to EU legislative proposals and in generating recommendations or guidelines for improving local

implementation. Moreover, the many best practices, guides, toolkits, and roadmaps that are helping to improve the generation of knowledge, are regarded as having improved urban policymaking and having contributed towards more effective implementation both on an EU level and a national level.

Despite its achievements, a range of challenges with regard to the functioning of the UAEU in the period 2016-2019 are listed in the assessment, including uncertainty around the implementation of many actions due to a lack of direct control by TP members over the policy and/or legislative processes, uneven stakeholder engagement, limited outreach to non-participating stakeholders, insufficient internal communication and resource constraints, as well as limited guidance and coordination provided by the UDG and DGUM.

With the European Commission's proposal to establish a new governance framework for the UAEU as part of the European Urban Initiative (EUI) in the framework of the Cohesion Policy programming period 2021-2027, opportunities to further strengthen the UAEU's *modus operandi* arise. In fact, the EUI will 'generate additional effective interconnections and synergies between the activities of the EUI and of the UAEU and the intergovernmental cooperation' (EC, 2021a).

Complementing the Thematic Partnerships, the Ljubljana Agreement (under the Slovenian presidency of the EU, 2021) established the 'Other Forms of Cooperation' (OFC) which, to date, have not yet been explored in practice.<sup>2</sup>

### **3.1.2 Thematic Partnerships and their land use-related actions**

Thematic Partnerships (TPs) serve as the key delivery mechanism of the UAEU and include representatives of various governmental levels and stakeholders. The TPs in the UAEU's first phase (2016-2020/2022) have evolved through four generations. Each generation corresponds to the relevant EU Council presidency

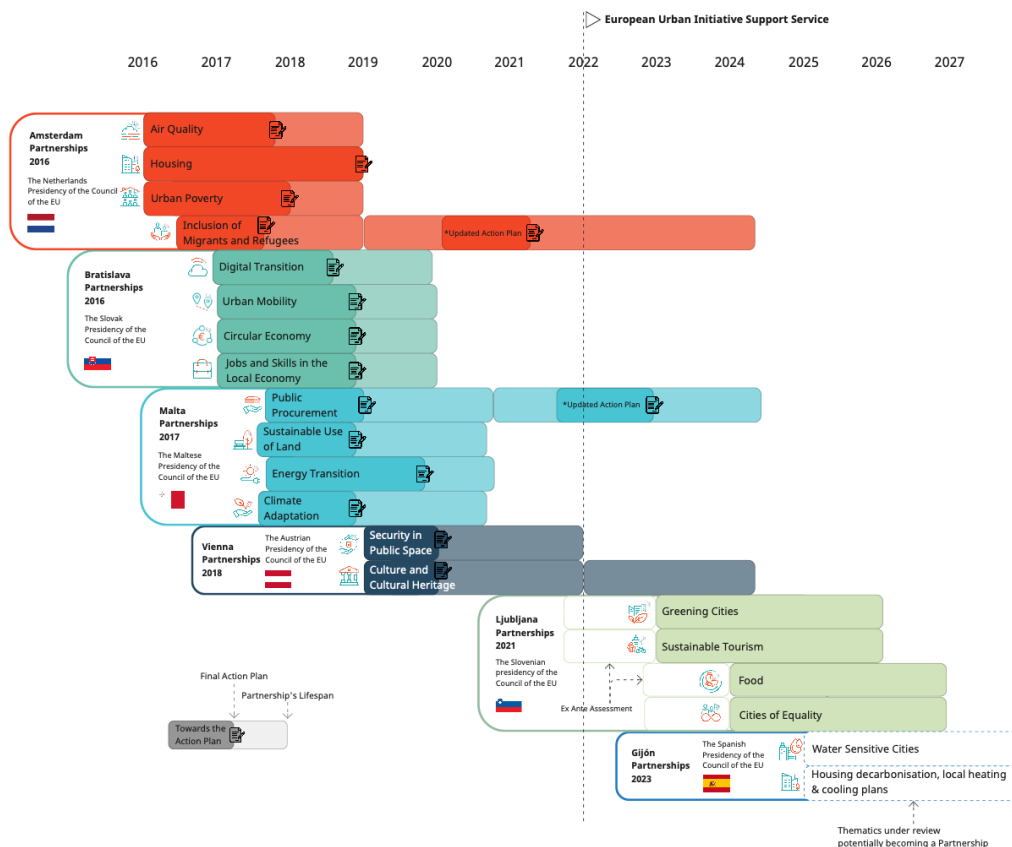
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<sup>2</sup> The Ljubljana Agreement states that 'When a more specific and targeted approach is needed, when an urban topic requires faster delivery, a targeted or quick response, a specific focus on one pillar, priority or emerging question can be pursued through other forms of multi-level and multi-stakeholder cooperation (OFC)' [https://ec.europa.eu/regional\\_policy/sources/brochure/ljubljana\\_agreement\\_2021\\_en.pdf](https://ec.europa.eu/regional_policy/sources/brochure/ljubljana_agreement_2021_en.pdf).

under which the Ministers responsible for urban matters officially acknowledged the start of these TPs. This includes the Dutch (2016), Slovakian (2016), Maltese (2017) and Austrian presidencies (2018). In the 2021-2023 period, a new generation took up the baton, with agreements on new TPs made during the Slovenian presidency (on Greening Cities, Sustainable Tourism, Food, and Cities of Equality) and on new themes under the Spanish presidency (1) Water Sensitive City and 2) Building decarbonisation: Integrated renovation programmes and local heating and cooling plans). Figure 1 summarises the timeline of TPs' multiple generations.

Figure 1: Timeline of the establishment of the Thematic Partnerships of the UAEU (UAEU, n.d. -b)

## What are the thematic Partnerships?



The TPs of the UAEU have resulted in a total of 114 actions proposed during the 2016-2020 period, with further actions being added by the TPs that continued after 2020 (and drafted new

Action Plans) as well as actions by new TPs that started in 2021-2023. The total number of 140 actions published to date address various policy areas and stakeholders and are usually linked to one of the three pillars (Better Knowledge, Funding, or Regulation). Summaries are available on the EUI website, under the 'Monitoring Tables of Actions'.<sup>3</sup> Within this context, this section provides an analysis of TP Action Plans that address land-use issues. The analysis also shows how these actions tackle implementation challenges and meet cities' needs for improved knowledge, funding and regulation. The analysis reveals that of the 14 TPs active in the period 2016-2022, a range of partnerships presented explicit<sup>4</sup> land use-related actions: Circular Economy, Digital Transition, Urban Mobility, Jobs and Skills in the Local Economy, Sustainable Use of Land and Nature-based Solutions, Climate Adaptation, Security in Public Space, and Culture & Cultural Heritage. Among the new generation of TPs, Sustainable Tourism and Greening Cities have developed such actions, five of which qualify as explicit. Figure 2 below illustrates the distribution of land use-related actions per category (explicit, implicit, or unknown) and per TP. All 19 'explicit' actions are listed in [Table 1](#) below. The 'implicit' actions as well as TPs that do not make any mention of land-use issues are summarised in [Annex 2](#).

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<sup>3</sup> The Monitoring Tables of Action are publicly available and can be accessed in the current or old versions (UAEU n.d.-e; UAEU n.d.-f).

<sup>4</sup> An 'explicit' addressing of land-use issues in an action is qualified as follows: the action refers to concrete facts or developments that directly relate to the physical use of space in urban areas and proposes solutions that address these concrete land-use issues in question. In contrast, 'implicit' addressing of land-use issues in an action is observed when the action refers to facts or developments that indirectly relate to the physical use of space in urban areas and when proposed solutions do not address concrete land-use issues either.

Figure 2: UAEU actions relating to land use (explicit, implicit, not, or unknown), based on final Action Plans of Thematic Partnerships

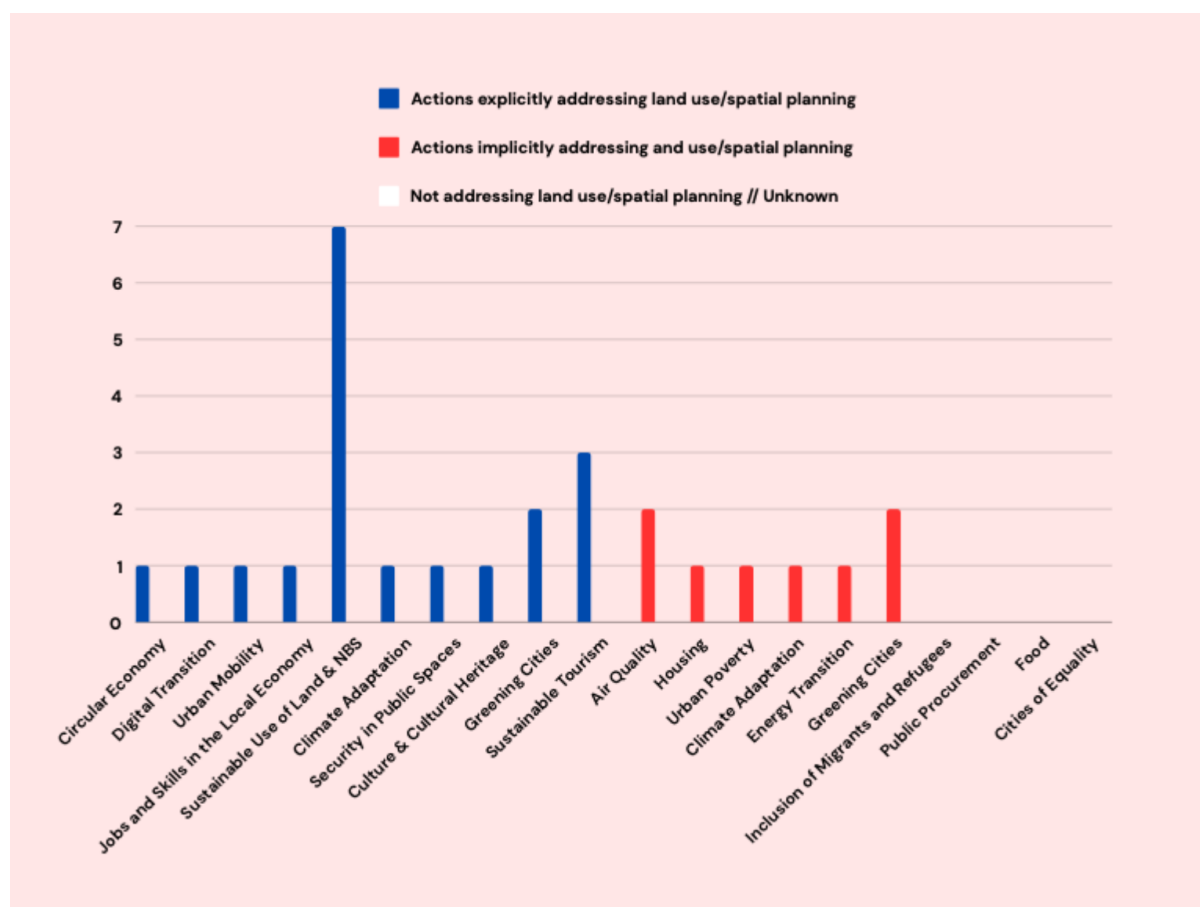


Table 1 - short: Overview of the Thematic Partnerships actions explicitly addressing land use (see full table in [Annex 2](#))

TP	Action Name
Circular Economy	<ul style="list-style-type: none"> <li>Manage the re-use of buildings and spaces in a circular economy</li> </ul>
Digital Transition	<ul style="list-style-type: none"> <li>Specify and monitoring of standardised Planned Land Use data for formal and informal urban planning participation processes</li> </ul>
Urban Mobility	<ul style="list-style-type: none"> <li>Developing guidelines on infrastructure for active mobility supported by relevant funding</li> </ul>
Jobs and Skills in the Local Economy	<ul style="list-style-type: none"> <li>Funding deprived areas</li> </ul>
Sustainable Use of Land and Nature-based Solutions	<ul style="list-style-type: none"> <li>Including land take and soil properties in impact assessment procedures</li> </ul>
	<ul style="list-style-type: none"> <li>Funding and financing guide for brownfield redevelopment</li> </ul>
	<ul style="list-style-type: none"> <li>Identifying and managing under-used land</li> </ul>
	<ul style="list-style-type: none"> <li>Indicators of land take</li> </ul>
	<ul style="list-style-type: none"> <li>Promoting FUA cooperation as a tool to mitigate urban sprawl</li> </ul>
	<ul style="list-style-type: none"> <li>Awareness raising in the areas of NBS and sustainable use of land (urban sprawl)</li> <li>Agreeing on common targets and indicators for nature-based solutions, urban green infrastructure, biodiversity and</li> </ul>



	ecosystem services in cities
Climate Adaptation	<ul style="list-style-type: none"> <li>• Analysis of national multilevel urban development and planning regulations with focus on climate adaptation</li> </ul>
Security in Public Space	<ul style="list-style-type: none"> <li>• Develop guidance for architectural spatial design and planning</li> </ul>
Culture & Cultural Heritage	<ul style="list-style-type: none"> <li>• Collaborative management to adapt and reuse spaces and buildings for cultural and social innovative development</li> </ul>
Greening Cities	<ul style="list-style-type: none"> <li>• Need for Green: Methodology for quantifying the demand for green infrastructure at local level</li> </ul>
	<ul style="list-style-type: none"> <li>• Reaching meaningful urban greening targets</li> </ul>
Sustainable Tourism	<ul style="list-style-type: none"> <li>• More resilient and sustainable destinations through diversification of tourism offer</li> </ul>
	<ul style="list-style-type: none"> <li>• Destinations for all</li> </ul>
	<ul style="list-style-type: none"> <li>• Strategies on Protection of Local Retail as an Asset for Tourism</li> </ul>

### 3.1.3 Summary: land use in TP Action Plans

The analysis explores how TP Action Plans address land-use issues in conjunction with implementation challenges and cities' needs for better knowledge, funding, and regulation. Several findings stand out:

1. Land use is dealt with by different partnerships to different degrees. **Ten TPs have presented explicit actions on land use, six TPs have (also) presented implicit ones** and two TPs (Urban Poverty and Public Procurement) have not addressed land use, according to the definition used in this research (see footnote 4). The TP concerning the Sustainable Use of Land and NBS stands out with a strong and highly differentiated focus on land-use issues, including urban and spatial planning and green infrastructures/NBS. This outputs from this TP can be used to inform current discussions on legislation or policies dealing with land use, soil quality, biodiversity, urban sprawl, etc. This could include discussions around new UAEU themes/TPs/OFC as well.
2. The majority of explicitly land use-related actions (13) are included within the Better Knowledge category, but many (8 actions) also address Better Regulation, with some mixed categories. Only 4 actions are related to Better Funding. One possible interpretation is that the implementation challenges and knowledge/data gaps seemed to be best addressed by Better Knowledge types of action from the TP's perspective.

The outputs typically take the form of guidelines, recommendations, handbooks, toolkits, etc. Their quality and comprehensiveness can be described as very high, and they can continue to add value to (expert) debates on the topics at hand. Contributions to the Better Funding pillar, though, are sparse, which begs the question as to why this area seemed harder for TPs to address.

3. Despite their quality, the **outputs' reach to broader stakeholder groups is slightly doubtful**. While being taken up by a specialist group of TP stakeholders, the broader societal and political impact and legacy of actions are difficult to determine. Most outputs are, however, retrievable from the online repositories of the UAEU and will form part of the EUI's new knowledge platform Portico.<sup>5</sup>

The **expert discussions** provided some additional assessments regarding the legacy of the TPs. For instance, the SUL-NBS TP's Handbook on the circular use of buildings has been very valuable and is still being used by some of the partners. However, other actions (such as the report on the inclusion of land take and soil properties in impact assessments (Vargas, 2019)) may have had limited impact due to their timing and the lack of a 'window of opportunity' at the time of publication (2019) for the EU level to effectively take up the recommendations.

## **3.2 Land use in EU policies and regulations**

It comes as no surprise that EU policies and regulations can affect land use in different European territories, including urban areas, in various ways. An overview report by the European Environment Agency (EEA, 2016) assesses the land impacts of these policy fields: Cohesion Policy; transport, energy & climate, and agricultural policies; as well as environmental policies (nature & biodiversity protection and water management). The report distinguishes between legislative requirements, funding, and strategic documents and policy guidelines as key mechanisms of EU policy impact.

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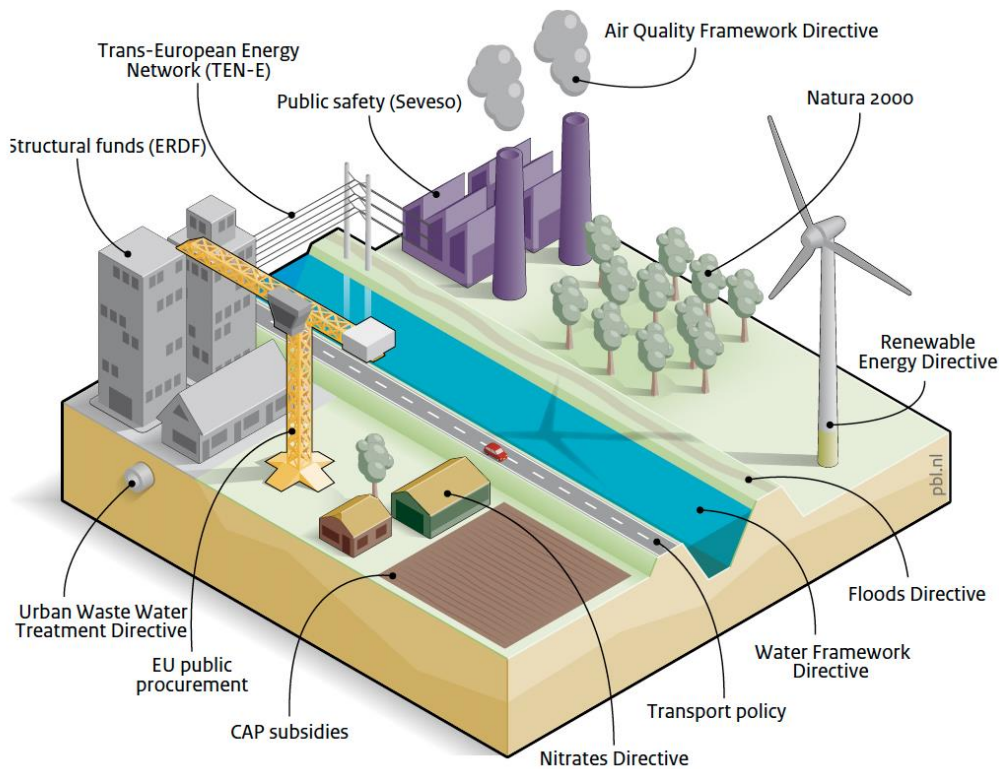
<sup>5</sup> To access the Portico homepage: <https://portico.urban-initiative.eu>.

In the case of the Netherlands, Evers & Tennekes (2016, p. 10) demonstrated how overlapping spatial impacts of EU policies leave 'few "empty spaces", or areas unaffected by EU policy' on the map. The authors (2016, p. 10) distinguish between six spatial 'impact types' of EU policy:

1. Area designation: areas or locations conferred with a special legal status [like Natura 2000]
2. Intervention areas: locations that require specific measures to be taken [such as with regard to air or water quality]
3. Spatial investments: areas and infrastructural networks that receive EU subsidies [such as ERDF or TEN-T investments]
4. Sectoral investments: spatial distribution of non-spatial subsidies [including those granted via the Common Agricultural Policy]
5. Generic rules: spatial policies or projects affected by general EU rules [on matters such as procurement and state aid rules]
6. Territorial cooperation: mandatory and voluntary schemes for cross-border cooperation [such as those linked to schemes like ERDF, Interreg, or specific LPDs].

In their overview, Evers & Tennekes (2016, p. 23f.) identify the following EU policy areas as particularly 'spatially relevant': Regional, Transport, Environmental, Energy & Climate, Agriculture, and Competitiveness Policy. Given the fact that different Directorates-General of the European Commission assume responsibility for these policy sectors and the related regulatory proposals, one can refer to a certain degree of 'institutional fragmentation [as] an important factor determining the influence of EU policy on spatial planning governance' (ibid, p. 23). The schematic view concerning the presence of different EU policies in the urban space in Figure 3 aptly provides a schematic overview of the different EU policies that potentially affect land use.

Figure 3: Hypothetical and schematic view of EU policies' presence in urbanised contexts (Evers & Tennekes 2016, p. 43)



Taking two specific examples, biodiversity and water management policy, the EEA (2016, p. 13) underlines the fact that those policies "can support actions that improve soil quality and combat land degradation, including measures to put green infrastructure in place". It critically adds: "A key challenge [...] is integration: notably, linking these land designation and planning requirements with spatial planning" (ibid.).

The ESPON SUPER project (2020) analysed land use in Europe from various angles in the period 2000-2018, including an EU policies analysis. Annex 2 of the project's final report (ESPON, 2020c) distinguishes between the following types of intervention for EU competences and activities influencing urban land use:

- Legislation (directives, regulations) ('sticks')
- Funding instruments and corresponding programmes ('carrots')
- Binding strategic document and policy guidelines ('sermons')
- Non-binding agreements, agenda and discourse ('sermons')

A key conclusion is that "[e]ven if the EU has no explicit competences in promoting sustainable land use, it is by no means

without influence with regard to urbanisation and land use development" (ESPON, 2020c, p. 59).<sup>6</sup> The SUPER project report brings together and updates existing findings – key EU-wide analyses being EEA (2016) and CoR (2018b) – to distinguish and describe EU activities in various policy areas with a direct or indirect impact on urbanisation and land use. A total of 59 factsheets created as part of the ESPON SUPER project provide a detailed account of various policies and their spatial impact (strong direct positive, strong indirect positive, weak direct positive, weak indirect positive, plus potential negative effects signalled).<sup>7</sup> Plotting the EU competences and activities in different policy areas against those areas' spatial impact, the following picture emerges:

- "Policy areas where **binding strategies and policy guidelines and non-binding agreements** are established on the EU level were mainly judged as impacting urban development and land use with a **strong direct or indirect effect**. This holds particularly true for the policy areas 'sustainable land use / soil protection', 'urban development' and 'regional development / sustainability'. These policy areas are directly addressing core fields of urbanisation.
- Policy areas focusing on **funding instruments** ("cohesion policy / funding', 'agriculture / rural development') were judged as having **either a weak or strongly positive** impact on urban development and land use **either weakly or strongly positive**. [...]
- The policy areas addressed mainly by **European legislation documents** [...] are judged as affecting urbanisation developments **weakly**. European legislation restricting land take in certain protected areas were judged as impacting urban development with a **strong indirect effect**." (ESPON, 2020c, pp. 66-67, emphasis added)

Recent years have been marked by an ambitious EU policy agenda, especially with regard to environmental, climate and energy policy and related legislation. At the same time, with

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<sup>6</sup> While taking EU policies and their impacts as its focus, the report also underlines the role of other levels of government in delivering more sustainable urbanisation. A practitioners' guide created as part of the project (ESPON, 2020a) includes specific recommendations for regional and local stakeholders (relating to densification, containment, regeneration, governance), the national level (relating to trade-offs, strategies and visions, legal devices, programmes and subsidies), as well as EU institutions (called sticks, carrots and sermons – see above).

<sup>7</sup> The corresponding factsheet tables (ESPON, 2020b; ESPON, 2020c, p. 96-155) provide comprehensive explanations of the impact direction and strength.

European elections taking place in June 2024 and a new Parliament and Commission mandate starting (2024-2029), there is a strong focus on closing pending legislative files and preparing EU regulations and directives for national implementation following their adoption and entry into force. The European Green Deal – being the “umbrella policy” that sets out the EU ambitions for emission reductions and climate neutrality’ (Ivanov et al., 2023, p. 13) and its related policies and legislation must be expected to be spatially impactful, whereas more comprehensive analyses of the strength and directions of this impact are needed. The Green Deal certainly includes an urban and regional dimension as it “recognises the key role local and regional governments have as [...] planning authorities for the ecological and economic transformation of their territories, partners of member states in developing and implementing policies, [...], actors in decarbonising their own buildings and services” (Eurocities & Energy Cities, 2024, p. 2).

EU policy impacts on land use can be categorised not only according to specific policies, but also per land-use category. While the present study does not focus on re-creating this for the current regulatory context, it summarises related findings and builds on them throughout the analytical discussion.

In a recent study based on foresight methodology, Ivanov et al. (2023) map the land-use implications of the Green Deal and the related EU Circular Economy Action Plan and Strategy, the EU Biodiversity Strategy, the Connecting Europe Facility (CEF), and the Europe Fit for the Digital Age policy in the Netherlands. In By considering land-use impact across the categories of 1) Transport (incl. waterways), 2) Built-up area-Residential, 3) Built-up area-Industrial area and offices, 4) Agriculture-Greenhouses, 5) Agriculture-Other, and 6) Woodland and nature, the authors find that the spatial impact of these policies differ in intensity and direction, and do not yield a coherent spatial footprint. Figure 4. summarises the findings of the study in this regard.

**Figure 4:** Estimated land-use impacts of key EU policies in the Netherlands (Adapted from Ivanov et al., 2023, p. 126)

	TRANSPORT (INCL. WATERWAYS)	BUILT-UP AREA RESIDENTIAL	BUILT-UP AREA INDUSTRIAL & OFFICES	AGRICULTURE - GREENHOUSES	AGRICULTURE - OTHER	WOODLAND AND NATURE
<b>European Green Deal</b>	EXPANSIVE	INCONCLUSIVE	RESTRICTIVE	EXPANSIVE	EXPANSIVE	EXPANSIVE
<b>EU Circular Economy Action Plan and Strategy</b>	RESTRICTIVE	NO IMPACT	EXPANSIVE	NO IMPACT	NO IMPACT	EXPANSIVE
<b>EU Biodiversity Strategy</b>	NO IMPACT	RESTRICTIVE	RESTRICTIVE	EXPANSIVE	EXPANSIVE	EXPANSIVE
<b>Connecting Europe Facility</b>	EXPANSIVE	EXPANSIVE	INCONCLUSIVE	NO IMPACT	INCONCLUSIVE	NO IMPACT
<b>Europe Fit for the Digital Age</b>	NO IMPACT	EXPANSIVE	EXPANSIVE	NO IMPACT	RESTRICTIVE	RESTRICTIVE

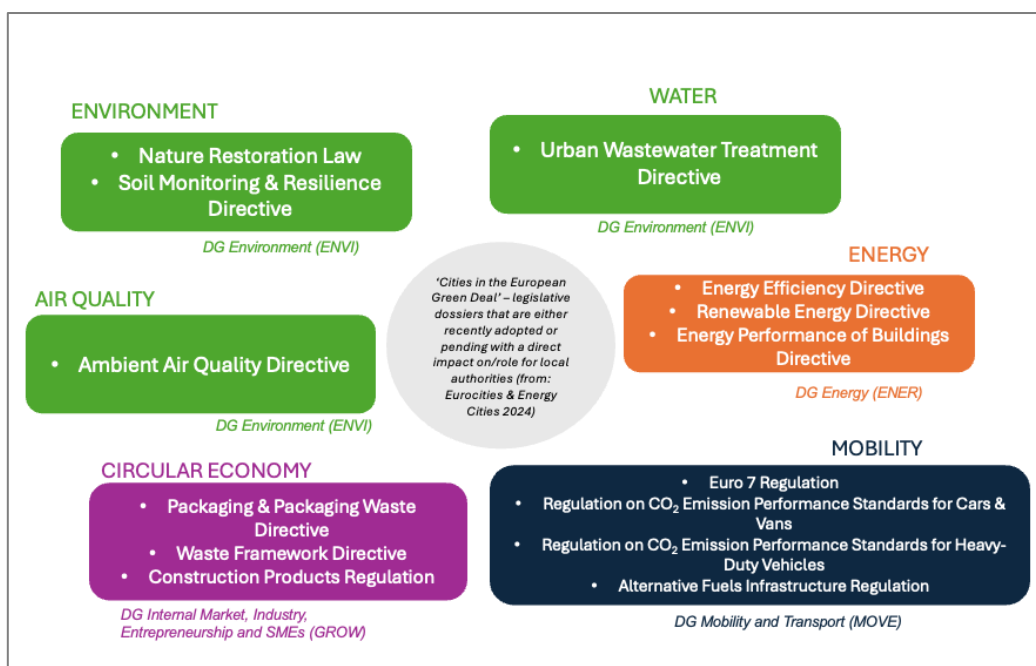
As emerging from the study,

- The Green Deal is estimated to expand the uptake of land for transport, agricultural, and woodland/nature land uses, while having a restrictive effect on industrial land uses.
- The EU Biodiversity Strategy, which “clearly stipulates direct land use effects by expanding agricultural and natural areas and restricting the expansion of the built environment” (Ivanov et al. 2023, p. 22), is largely in line with the Green Deal as far as estimated spatial impacts are concerned.
- The findings for the EU Circular Economy Action Plan and Strategy, however, are less conclusive (restrictive impact on transport and expansive impact on industrial and woodland/nature land uses).
- The spatial impact becomes diverse even when looking at the CEF and Digital Age frameworks. While the CEF implies more expansive transport and residential uses, the Digital Age policy favours more restrictive agricultural, woodland and natural uses.
- In summary, the authors warn of potential trade-offs, dilemmas, and implementation challenges in light of the diverse, partly competing, land-use pressures created by the high-level EU policies analysed.

Industrial and energy-related policies have also been found to have a potentially substantial spatial footprint. As stated by Ivanov et al. (2023), “[t]he energy transition is [...] expected to trigger more demand for land allocation for renewable energy projects unless

innovative solutions such as dual land use are explored" (p. 4). The EEA (2016, p. 12) notes that "TEN-E investments lead to direct land take and land fragmentation [and that] renewables targets that promote biofuels are linked to land-use changes, intensive agriculture and pressures on land degradation". The latest Renewable Energy Directive recast (RED III; Directive 2023/2413), which entered into force in November 2023, introduced a more ambitious EU-wide renewable energy target of 42.5% by 2030 (aiming for 45%), as well as 'new increased sector-specific targets for renewables in heating and cooling, transport, industry, buildings and district heating/cooling' (EC, 2024), which therefore implies both direct and indirect spatial impacts. Additionally, the Green Deal Industrial Plan and related Net-Zero Industry Act (2023), together with proposals for a European Critical Raw Materials Act and electricity market reform, represent the most recent step by the EU in an attempt to create a regulatory environment for an accelerated transition of the energy system. Figure 5 provides an overview of current legislative files (either having been just adopted or still pending as of 2024) in different policy sectors that are deemed highly relevant for local authorities, inter alia because of their direct or indirect impact on land use and urban/spatial planning.

**Figure 5:** Key pending or announced policies with high relevance for urban development (adapted from Eurocities and Energy Cities, 2024)





### **3.2.1 Local implementation challenges of EU policies & regulations**

Policies designed, negotiated, and decided upon at EU level<sup>8</sup> subsequently enter the implementation phase, where they meet the reality of varying local conditions, institutional environments, and multi-level implementation regimes. In those, Member States as well as local and regional authorities, play a key role, while the legislation jointly agreed at EU level provides the structuring framework. There is a large body of literature studying implementation rates, policy learnings and feedback mechanisms, as well as the necessary framework conditions for effective implementation. Against this backdrop, the EC set up the Better Regulation agenda, and “aims to improve the quality, legitimacy, simplicity and practicability of EU legislation by learning from practical implementation experiences” (Polman et al., 2020, p. 1).

In terms of implementational challenges relating to land use, several insights emerged from a high-level informal exchange organised by the EUKN EGTC, the Belgian Federal Public Planning Service for Social Integration, and perspective.brussels on 6 March 2024. In striving for a balance between economic and social development priorities, conflicts can arise as a result of competing land-use demands, such as integrating housing developments with industrial zones vis-à-vis increasing urban green spaces for enhancing biodiversity. Additionally, population growth, coupled with ageing demographics, has exacerbated land-use pressures in urban areas, resulting in veritable housing crises. The demand for more and affordable housing versus the ‘no net land take’ (NNLT) by 2050 principle illustrates a trade-off and potential tension between urban planning objectives and EU regulations that can result in complex implementation challenges.

Concerns also exist regarding two aspects: an accumulation of rules making prioritisation difficult and hampering place-specific implementation, coupled with a certain lack of flexibility in some EU regulations. This challenge is exacerbated in the case of contradictory directions of land-use impacts, and when short-term

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<sup>8</sup> The ‘Ordinary Legislative Procedure’ under the Treaty of Lisbon is the general rule for passing legislation at EU level. Legislation is adopted “jointly and on an equal footing by Parliament and the Council, with a legislative proposal from the Commission (normally for a regulation, directive or decision) and consists of up to three readings, with the possibility for the co-legislators to agree on a joint text – and thereby conclude the procedure – at any reading.” Informal tripartite meetings between representatives of EP, EC and Council, the ‘trilogues’, on legislative proposals may be organised at any stage of the Ordinary Legislative Procedure. More information can be found with the EP (EP, n.d.).

political agendas do not align with long-term spatial planning goals. Participants emphasised the need for attentiveness at EU level to potential implementation challenges. Such anticipation and proactive involvement can help mitigate tensions and enhance awareness of the territorial impact of policies. Thematic Partnerships of the Urban Agenda of the EU, working on specific urban challenges and opportunities, play a crucial role in exploring practical implementation solutions across various levels.

The **expert discussions**<sup>9</sup> provided additional insights into the spatial impact of EU policies and implementation issues. These are summarised below.

An important task of spatial planning is to create a space for dialogue between different users and uses of land. This requires the planning sector to know and understand the different sectoral policies involved. In that sense, the fact that planners are often unaware of the 'hidden world of (EU) policies' that impact planning itself is problematic. This calls for better, more transparent, and coherent information for planners on EU policies and potential implementation issues. A very large portion of EU LPDs touch on spatial planning and land use, due to the integrated and cross-sectoral nature of urban and spatial development. Impact can take different forms: it can be direct or indirect; and it can affect the governance, the content, and the practices of (spatial) planning. Despite the lack of a spatial/territorial planning competence at EU level, EU legislation – when implemented (sub)nationally – may result in a new layer of complexity, new visions, opportunities, challenges, frictions, etc. that can affect planning and effectively limit development opportunities that truly respond to cities' needs.

When sectoral policies contradict each other on the ground, this can create implementation challenges specifically for cities/local authorities. Urban areas and regions face the challenge to fit the 'stacking' of functions into the available, often limited, space. This requires planning in an environment characterised by a high degree of uncertainty and complexity. The residential, industrial and environmental functions in particular can be very difficult (sometimes almost impossible) to reconcile. Legislation could be more flexible to accommodate local contexts and be more effectively aligned with other sectoral policies. At the same time,

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<sup>9</sup> See section 2.3. on methodology & data collection.

greening and developing cities does not have to be a binary choice, and reconciling the two is the central task. In the context of the multi-level discussions on the NRL's targets and implementation in urban areas, the question "what is green" in urban contexts has been found to be only relatively simple (i.e. factors such as tree canopy cover, but also the quality of trees and the type or age of species planted, etc.). An example of contradictory impact was given regarding some urban investments (infrastructure, urban renovation) supported by Cohesion Policy that lacked coherence from one programming period to the next, given that concrete pavements built during one programming period were demolished in favour of green parks and NBS interventions in the next.

Common EU frameworks with binding targets, where appropriate, are key to reaching broader development goals and creating a level playing field for all EU Member States. In the context of degrading biodiversity and soil health, ambitious and effective EU legislation can fill a gap left by both national approaches (given the fact that only few EU countries have put in place land-take objectives, for instance), as well as by global agreements such as the Sustainable Development Goals, which do not necessarily pay close attention to soil protection. As such, EU policies should serve as umbrella structures that enable specific targets to be achieved in a coherent way. They can also provide a longer-term vision (such as the umbrella framework offered by the European Green Deal, including by means of the NRL proposal) to support national and local level decision-making to solve potential policy conflicts relating to land use.

### **3.2.2 Tools and approaches for assessing EU policies' impacts**

The EU's Better Regulation agenda (EC, n.d.) promotes evidence-based and transparent law-making, with the aim of simplifying and enhancing legislation while minimising undue burdens. It emphasises citizen and stakeholder engagement throughout the decision-making process. The Better Regulation guidelines (EC, 2021b) outline requirements for each step of the policy cycle, while the associated toolbox offers practical guidance about how these guidelines can be implemented effectively.

The Better Regulation toolbox provides advice for better

regulation in practice and on utilising different better regulation instruments, with a focus on impact assessments. These assessments are vital when evaluating the potential economic, environmental, and social impacts of policy proposals. They become mandatory whenever proposals are anticipated to have significant implications, entail substantial spending, or when the EC has alternative policy options to consider. The toolbox also underlines the significance of considering territorial impacts when evaluating EU legislation, acknowledging that the effects can vary significantly across local and regional levels and for public authorities. By carrying out Territorial Impact Assessments (TIA), the diverse needs and specific characteristics of EU territories can be more effectively addressed. The toolbox offers a step-by-step guide about determining the necessity of a TIA in legislative proposals or initiatives, providing practical insights into policy areas in which territorial impacts are relevant, such as transportation, climate and energy, cohesion, and emissions trading.

The ESPON TIA methodology – supported by a dedicated web tool – allows users to make an ex-ante analysis of the potential impact of EU policy options on the development of regions. Originally, “TIA development [...] took the form of bespoke *ex ante* evaluations requiring cumbersome research designs [...] [for] all European regions simultaneously” (Evers, 2024, p. 5). In recent years, ESPON introduced a more flexible TIA methodology that could be applied to any given policy proposal at any stage in the policymaking process, leading to the development of a ‘quick scan’ tool to create ‘impact maps’ based on expert assessments (ibid.). The tool makes it possible to perform a TIA for Europe as a whole, but can also focus on cross-border regions, urban areas and even on custom-made areas (ibid.).

ESPON has been producing reports on the impacts of the Common Agricultural Policy, TEN-T policy, research and development, and regional policy (Faludi, 2008; Evers, 2011). Furthermore, the European Committee of the Regions (CoR) has been drafting and using TIAs to analyse the potential asymmetric territorial impacts of EU policy and legislative proposals. Those include TIAs on Green Deal-related topics like

Climate neutrality<sup>10</sup>, Climate Targets<sup>11</sup>, Biodiversity<sup>12</sup>, or the Energy Performance of Buildings<sup>13</sup>. Also, as a sub-category to TIAs, the CoR has published four so-called Urban Impact Assessments to date: on the Energy Performance of Buildings (CoR, 2015), the Sharing Economy (CoR, 2016a), Skills Agenda (CoR, 2016b), and Implementation of the 2030 Agenda (CoR, 2018a). The CoR's 2018 opinion on the impact of the UAEU refers to the work done on '(territorial) urban impact assessments' in addition to more profound 'urban proofing [...] as a core element of the design of EU policy' (CoR, 2018a). The Renewed Territorial Impact Assessment Strategy of 2023 aims to provide CoR rapporteurs with relevant analysis and information to improve the territorial perspective of CoR opinions and to promote TIA among the European institutions as an important element of Better Regulation (CoR, 2023).

Despite inclusion in the Better Regulation toolbox, TIAs' (and, by extension, Urban Impact Assessments') use remains voluntary, and "is not conducted as a standard element of policy drafting" (Gaugitsch et al., 2020, p. 19), not least due to the perceived complexity and time-consuming character of TIAs (ibid.). As highlighted by an analysis performed for the CoR Commission for Territorial Cohesion Policy and EU Budget (COTER), the key obstacles to TIA deployment lie in technical limitations, lack of awareness, and policy process limitations (Gaugitsch et al., 2020, p. 17ff.). While technical limitations can be addressed by further integrating regional-level and even local-level (NUTS 2 or NUTS 3, LAU, or grid-level data) datasets across the EU to counter "the mismatch between data availability and the broad range of topics to be assessed in the EU policy and legislation context by TIA" (Gaugitsch et al., 2020, p. 17), awareness and policy processes require different types of actions.

As Evers (2024, p. 5) highlights, "there is sustained political support for conducting TIA-like assessments on EU policy proposals on a voluntary basis". Indeed, the Territorial Agenda 2030 addresses the link with TIAs as one of its pilot actions, called 'Understanding how sector policies shape spatial (im)balances' led by Poland (Territorial Agenda, n.d.), as well as by a new pilot action led by the Netherlands and to be implemented from mid-2024 onwards

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<sup>10</sup> CoR, 2019.

<sup>11</sup> CoR, 2021.

<sup>12</sup> CoR, 2020.

<sup>13</sup> CoR, 2022.

called '(r)TIA - regulatory Territorial Impact Assessment'. A continuation of the territorial impact study of public policies carried out by Poland, the new pilot action is supposed to focus more on EU legislation. The rationale behind this relates to the fact that legislation is becoming more Europeanised and also increasingly touches upon spatial planning matters. The pilot action is supported and/or followed by various European partners (including Poland, Ireland, Germany, Slovenia, Austria, Sweden, University of Maastricht, CEMR, and CoR) and its first conclusions are planned to feed into the debate during the Polish Council presidency in the first half of 2025.

The **expert discussions** confirmed that TIAs can provide relevant and useful insights into territorial/regional impacts, including cross-border territorial impacts, and potentially negative externalities of EU policies. Various TIA methodologies that have been developed are being applied and further developed by scientists and experts in institutions such as ESPON, CoR, and the Commission (often jointly). However, the main question remains as to what kind of insights can be gained from such assessments and for what purpose. Based on that, the methodology can be tailored. In fact, and by sparking debate and bridging sectoral silos, the process itself can be the most valuable aspect of a TIA. By leveraging sharing and cooperation, a TIA can help align environmental and spatial planning goals. Ideally, its outcomes inform legislation and function as an early-warning system, helping to understand the impact of certain laws and regulations. Experts, however, voiced a need for greater detail in impact assessments, especially regarding the urban level, as well as for involving cities in the legislation process from the beginning. During the Urban Agenda Lab, experts added that the non-binding character of TIAs in the policymaking/regulatory process poses a challenge in two ways: when legislation is expected to have a spatial impact but no TIA is carried out, or when TIA findings are not adequately taken on board in the policy cycle.

### 3.3 Spotlights: Nature Restoration Law and Soil Monitoring Law

#### Nature Restoration Law

A recent example of a potentially highly impactful piece of EU environmental legislation is the proposal for the EU Nature Restoration Law (NRL) (COM(2022) 304 final)<sup>14</sup>, proposed in mid-2022. It includes targets for increasing green space and tree cover in urban areas, and, for the first time incorporates 'urban ecosystems' within European-level environmental legislation. This spotlight maps expected design and implementation challenges, opportunities, and bottlenecks regarding the NRL. The discussions take place against the background of political complexities relating to the law's adoption, once approved by the European Parliament. The Belgian presidency decided to withdraw the proposal for final voting by Member States, originally scheduled for 25 March 2024. Finally, on 17 June 2024, the Environment Council adopted the NRL as agreed by the European Parliament and in line with the agreement reached during the trilogue.

Article 8 of the proposed NRL (originally Article 6 in the EC's regulation proposal) on the 'Restoration of urban ecosystems' stipulates that Member States shall ensure that, by 2030, there is no net loss of urban green space and of urban tree canopy cover in urban ecosystem areas. Several exceptions were added during the readings of the legislative file in the European Parliament, Council and trilogue setting with the European Commission.<sup>15</sup> According to the revised proposal, for the post-2030 period, Member States are supposed to achieve an 'increasing trend' in the national urban green space area (including through the integration of urban green space into buildings and infrastructure) and an increasing trend towards urban tree canopy cover until a 'satisfactory level', to be determined by individual Member States in accordance with the principle of subsidiarity, was reached.

While acknowledging the need to restore biodiversity and invest in (urban) green and blue infrastructures, constructive comments have been voiced regarding the NRL's design and implementation. In a reaction paper, the main EU-wide urban umbrella organisation,

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<sup>14</sup> COM (2022) 304 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022PC0304>.

<sup>15</sup> Amongst the exceptions added were urban ecosystem areas where the urban green space in urban centres and urban clusters exceeds a share higher than 45% and a share of urban tree canopy cover of 10%.

Eurocities, in principle a strong supporter of the NRL's policy objectives, called for several adjustments to the law, including better alignment with the EU Biodiversity Strategy for 2030, greater flexibility in geographic scope, and a broader body of data complementing EU satellite data for determining green areas, among others (Eurocities and CEMR, 2023). As confirmed by the high-level informal meeting organised jointly by the EUKN and Belgian partners in March 2024, several urban and spatial planning delegates of Member States also had signalled concerns as soon as the NRL had been tabled. Their concerns largely related to conflicting land-use pressures (e.g. for affordable housing) and unintended side effects of implementing the law (e.g. possible urban sprawl). As the file came under the heading of environmental policy, its negotiation took place in the Environmental Council and was, as such, subject to formal procedures led by this policy arena's actors, with no involvement of the intergovernmental Council on urban matters.

Fittingly, one of the newly established UAEU TPs, on Greening Cities, focuses on potential implementation barriers and opportunities faced by cities in relation to the NRL and previous environmental legislation such as the EU Biodiversity Strategy for 2030. In specific terms, the TP has put forward an action on 'Reaching meaningful urban greening targets'. Originally, the action was called 'Urban Nature Restoration Plans – Implementation of NRL targets and Greening Infrastructure plans'. It was supposed to support and inform the multi-level implementation of the NRL, inter alia by co-determining the 'satisfactory levels' for urban green and tree canopy cover for the post-2030 period. With the NRL's adoption being halted, the Partnership decided to slightly adjust its focus during an internal meeting in early April 2024. The adjusted goal is to provide guidelines for national, regional and local authorities on how to meet any urban greening targets they set. The action aims to make recommendations for, and promote, the establishing of an EU-wide legislative framework on urban green space – to help stop the loss of green space and trees and to promote their steady increase in the future.

The **expert discussions** underlined that the NRL, in its formulation and early negotiation phase, could have benefited from earlier signalling of possibly problematic or contradictory land use impacts. However, it was also emphasised that, given the large



body of scientific evidence suggesting critical biodiversity loss in almost all ecosystems, the law represented an important and valuable attempt to promote the integration of nature and biodiversity into other policies and by doing so, to create a level playing field with shared objectives for ecosystem restoration across Europe. It was highlighted how EU policies can push standards and act as a catalyst for positive change, even if they are not perfect. The discussion added that the Greening Cities TP managed to achieve 'close to perfect' timing regarding some of its actions, e.g. on Urban Greening Plans.

Despite the politicised situation with the NRL and subsequent uncertainties, the Greening Cities TP stakeholders from various levels (EC services, cities, Member States) remain committed to their multi-level work in the spirit of nature restoration, aiming to de-risk investment in greening urban areas, make relevant funding more easily accessible (i.e. via Cohesion Policy), to contribute towards better and more accessible data and ready-to-use knowledge on urban greening and to provide key inputs on the ongoing policymaking process and implementation of the NRL's objectives.

Particular attention, according to experts, needs to be paid to the protection and enhancement of (existing and new) urban green spaces throughout densification processes, safeguarding their qualities. This raises the question of what constitute 'acceptable' levels of urban densification and can be understood as an 'education problem' that calls for a rapid transformation of existing curricula and dominant paradigms in the field of planning and architecture.

### **Soil Monitoring Law**

The SML, officially 'Directive on Soil Monitoring and Resilience', is a recent piece of legislation proposed by the European Commission in mid-2023, whose adoption will not be concluded before the new European Parliament and Commission's mandate, determined by the European elections in June 2024. Its main objective is to put a halt to soil degradation by introducing a common framework for Member States to monitor and eventually improve and restore their soils.

Soil and land use are inextricably linked. While the EU has

comprehensive environmental legislation on air and water quality in place, the quality and health of soils have long been an area regulated by means of Member States' own regimes, as well as soil-related implications of other EU policies, notably the Common Agricultural Policy. This spotlight maps potential land-use impacts as well as expected challenges, opportunities and bottlenecks in adopting and implementing the SML.

With the EU Soil Strategy for 2030, the EC introduced an ambitious approach towards protecting and ultimately restoring EU soils. When the Directive on Soil Monitoring and Resilience (COM(2023) 416 final) was presented in June 2023, it did not include binding quantitative targets nor an obligation to achieve the NNLT by 2050 target – which had been put forward by the EC for the first time in the Roadmap towards a Resource Efficient Europe of 2011 (Evers, 2024; Lacoere, 2023). Instead, it proposes that Member States should “avoid or reduce as much as technically and economically possible the loss of the capacity of the soil to provide multiple ecosystem services, including food production”, which is the only provision in the law that addresses land take explicitly (Lacoere, 2023, p. 67). Regarding land use, including in urban areas, the provision for Member States to establish a monitoring framework to monitor soil health and land take per soil district will be highly spatially relevant (Eurocities & Energy Cities, 2024, p. 9).

The expert discussions underlined that, with the law's focus shifting from 'Soil Health' to 'Soil Monitoring', the directive's ambition appears to have been reduced and unclarities remain. In addition, the European elections in June 2024 are expected to bring the negotiation process to a halt, which makes the outlook and timeline uncertain. The law does, however, hold potential to map and ultimately help restore soil quality across the EU and to contribute towards the codification and ultimate implementation of an NNLT policy. Besides common definitions, experts believe that quantitative goals on land take and soil sealing are required to fulfil this potential. Its potential land-use impacts, both direct and indirect, are assessed to be strong, by favouring or discouraging certain land development models.

Also, with regard to the NNLT objective, the SML has a key role to play. The expert discussion highlighted that there is no binding

NNLT policy yet, neither at EU nor Member State level, as shown in the ESPON policy brief on NNLT policy trajectories developed under the Belgian presidency on territorial cohesion (ESPO, 2024). Only five Member States – Austria, Belgium (Flemish and Walloon Regions), France, Germany, Luxembourg – have adopted NNLT strategies and targets of different sorts. The experts pointed out that cities and municipalities, often faced with high development pressures (as shown by real-estate and housing price developments), are key actors in any land take-related policies, also by virtue of their competence to develop zoning plans in most planning regimes. In summary, in the expert discussion, it was held that in view of ongoing land degradation, soil sealing and urban sprawl, there is an urgent need for a different land value system, in which soil is acknowledged as a common good. This would also relieve the pressure on urban nature, increase awareness of re-use and introduce nature-positive/regenerative thinking.

## 4. Findings and recommendations

Based on the results of the desk research/document analysis and complementary expert group discussions as well as Urban Agenda Lab, this final section aims to provide recommendations on:

- How the Urban Agenda of the EU (UAEU) via its current and future Thematic Partnerships (TPs) and/or 'Other Forms of Cooperation' (OFC) could tackle the issue of implementation of EU regulations and policies having an impact on land use.
- In what way intergovernmental cooperation on urban matters and the UAEU can provide an appropriate framework to more effectively address the issue of EU regulations having an impact on land use (and by extension urban development/planning).

### 4.1 Key findings

1. EU policies play an important role as umbrella structures that ensure that specific targets are achieved in a coherent way. This certainly applies to the investigated policies of the European Green Deal, which aim to support Europe's path towards climate neutrality. At the same time, many EU regulations and policies – especially in key policy fields such as regional/cohesion, environment, transport, energy & climate, agriculture and competitiveness – have a **substantial impact on land use**. Whether that impact takes place directly or indirectly: via different channels and intervention logics: regulations and policies affect **the governance, content and practices of spatial planning**.
2. The directions taken by the land-use impacts of key EU policies and regulations may diverge as their objectives are translated differently in spatial terms. This becomes visible, for example, at the interface between biodiversity, circular economy, digitalisation and transport policies. In part, their objectives require certain land-use categories to be more expansive and others more restrictive – while these requirements do not necessarily align. Challenges can arise from **gaps between EU regulations** – as they are being transposed into national and

sub-national law and measures – and policies and local-level implementation. In the case of urban areas, those often come down to the 'stacking' of functions within the available (limited) space, which is associated with conflicting land-use demands and the need to reconcile residential, industrial and environmental functions. Short-term political agendas can therefore get in the way of long-term spatial planning goals. Limited flexibility can exacerbate implementation challenges, as can mismatches between sectoral and spatial policy objectives, or between different sectoral policies (Evers & Tennekes, 2016).

3. As shown in section 3.1, **land-use issues have been explicitly addressed by a considerable number of UAEU Thematic Partnerships (TPs) created across the thematic spectrum** (10 out of 18 of TPs with a total of 19 explicitly land use-related actions). The results of the dedicated Sustainable Use of Land and Nature-based Solutions TP (which has devoted 7 out of its 9 actions explicitly to land-use/spatial planning issues) are highly interesting but seem, in part, to have been produced **at the wrong time to impact policymaking and regulation**. At the same time, several TPs (6 TPs, 8 actions) have addressed land-use issues implicitly in their Action Plans. Many have created interesting **outputs**, which are mostly retrievable via the new EUI website, including the *Portico* knowledge hub. Some, however, remain not (easily) findable and do not seem to have made their way to a larger interested public beyond the narrow circle of TP stakeholders.
4. **Territorial Impact Assessments (TIAs)** carried out by the European Commission (incl. JRC), Committee of the Regions, ESPON, as well as other parties are valuable tools with which to map potential impacts and identify externalities for various types of territories. Over time, an impressive scale of methodologies has been developed, which can be applied to different situations and knowledge needs – from purely quantitative modelling approaches to hybrid forms built on strong stakeholder involvement, or newer approaches that also consider regional spill-over effects (Herbst et al., 2024). As a key value added, the TIA creation process can play a functional part in and be supportive of silo-spanning policy debates (i.e.

between spatial and environmental policy). TIAs are, however, "not a mandatory element of the EU legislative procedure" (Gaugitsch et al., 2020, p. 19) and consequentially restricted in their contribution to actual policymaking.

5. There seems to be little involvement of planning experts when discussing and preparing EU regulations and policies impacting land use/spatial planning. This is exacerbated by perceived knowledge and information gaps regarding 'the hidden world of (EU) policies' that affect planning. Equally, the intergovernmental cooperation on urban matters and territorial cohesion forums (i.e. UDG, NTCCP, DGUM and DGTC) are not heavily involved in or even informed of EU regulations and policies impacting land use/spatial planning, which limits meaningful multi-level discussions on these issues, including in the context of the UAEU. There is room for a greater degree of structural exchange and information sharing within the informal intergovernmental cooperation on urban matters and territorial cohesion, as well as between sectoral Council configurations and the related expert groups regarding EU regulations and policies impacting land use.

## **4.2 Key recommendations emerging from the research process**

Recommendation 1: Provide adequate scope for information and exchange on EU regulations with impacts on land use, spatial planning and urban development within intergovernmental cooperation on urban matters. This includes internal operations such as adjusting meeting agendas as well as cooperation with other sectoral intergovernmental cooperation forums and Council configurations.

The UAEU and informal intergovernmental cooperation on urban matters being key vehicles for understanding better the (potential) impacts of certain EU policies on urban areas, their activities deserve continuous reinforcement and investment. Exchanges, especially as they touch upon overlaps between spatial/urban planning and other policy fields, should be extended to include territorial and other sectoral policy fields and their respective

cooperation forums.

For fruitful contributions by the UAEU designing and implementing EU legislation, all key stakeholders (incl. TP coordinators, EC partners, EUI and Member States via UDG and DGUM) need to be mindful of timing regarding specific dossiers, to provide leadership accordingly and to support TPs with the necessary legal and procedural expertise. To address the issue of fragmented information and timing, the UDG and DGUM meeting agendas should provide regular overviews or updates on upcoming regulations and policies impacting land use and spatial/urban planning (as applicable and informed by the relevant Presidency programme as well as European Commission work programme). In the same vein, regular presentations by relevant sectoral Commission DGs on proposed regulations impacting land use and spatial/urban planning should be organised during UDG and DGUM meetings. DGUM members would therefore be in a position to discuss those regulations and policies – and if timely, even issue recommendations/inputs.

In specific terms, Council presidencies could organise joint sessions between UDG/DGUM and their equivalents in other relevant Council configurations, provided such joint sessions are mentioned in the presidency programme. Also, the Action Plans of TPs should be presented and discussed in expert groups of other Council configurations according to the topic of the TP (e.g. environment, transport, competitiveness). Cooperation and joint back-to-back meetings between the urban and territorial forums (NTCCP/DGTC) should be pursued to an even greater degree – leading by example as regards silo-spanning information exchange and cooperation. The European Parliament, the European Committee of the Regions and the European Economic and Social Committee with their relevant committees and commissions are key partners as well. Concrete cooperation on specific regulatory dossiers could be sought with, for example, the EP's Regional development (REGI) committee and Urban Intergroup as well as the CoR's COTER Commission, in a more systematic way.

Disseminating the knowledge shared is equally important, allowing relevant stakeholders outside of the mentioned forums to profit from it. An EU-wide dashboard with policies and legislation having a territorial impact would be a useful device for cities,

Member States and planning professionals alike. The inclusion of individual cities and/or national umbrella organisation of municipalities, possibly on a rotating basis, in UDG/DGUM meetings, is a suggestion to be explored.

**Recommendation 2: Strengthen and systematise the role and advisory function of Territorial Impact Assessments (TIAs) in their various forms.**

The value of TIAs has been underscored by several stakeholders in the expert group discussions, high-level meetings and Urban Agenda Lab alike. There is a long list of TIAs being carried out in various policy fields, following different methodologies with distinct advantages and drawbacks (see section 3.1). The Territorial Agenda 2030 addresses the link with TIAs as one of its pilot actions, entitled 'Understanding how sector policies shape spatial (im)balances'. As highlighted by an analysis performed for the European Committee of the Region's COTER Commission, the key obstacles for TIA deployment lie in technical limitations, a lack of awareness, and policy process limitations (Gaugitsch et al., 2020, p. 17ff.). While technical limitations can be addressed by further integrating regional-level and even local-level (NUTS 2 or NUTS 3, LAU, or grid-level data) datasets across the EU to counter "the mismatch between data availability and the broad range of topics to be assessed in the EU policy and legislation context by TIA" (Gaugitsch et al., 2020, p. 17), awareness and policy processes require different types of actions.

Despite inclusion in the Better Regulation toolbox, the use of TIAs (and, by extension, of Urban Impact Assessments) remains voluntary and "is not conducted as a standard element of policy drafting" (Gaugitsch et al., 2020, p. 19), not least due to the perceived complexity and time-consuming character of TIAs (ibid.). The inclusion of a simplified TIA as part of standard, obligatory, impact assessment procedures could constitute a way forward. Equally, existing TIA approaches should be made more accessible to relevant stakeholders, especially in the case of 'easier' methods such as the ESPON Quick Scan (ibid.).

In the UAEU context, closer cooperation with the main knowledge providers in the TIA field (and, by extension, with Urban Impact Assessments), such as ESPON, CoR, and JRC can lead to improved



awareness and, potentially, to the application of these tools in the context of TPs or OFC, depending on the thematic area and stakeholder demand in question.

**Recommendation 3: Explore in specific terms how Other Forms of Cooperation (OFC) could support the UAEU alongside Thematic Partnerships by starting a pilot OFC relating to the spatial dimension of EU regulations.**

Established in the Ljubljana Agreement (2021), OFC have not yet been explored in practice. If set up and organised well, they do offer significant potential to provide early input to relevant dossiers in a multi-level way, including key stakeholders and cities. Starting a pilot OFC is therefore a precondition for understanding the value of this format and prepares the ground for developing it further.

Several concrete applications of an 'OFC pilot' are conceivable and have been suggested:

1. OFC could function as a multi-level workshop co-lead by the EC and the presidency, in order to discuss a (draft) legislative proposal deemed to have high spatial relevance with various stakeholders, including cities.
2. OFC could be a suitable format in which to investigate and build upon existing TIAs (see recommendation 2).
3. OFC could also be used as 'test fields' specifically activating smaller and medium-sized cities to exchange experiences with concrete policy challenges, involvement in EU projects, as well as on implementation issues.

Some key conditions for OFC – also in contrast to TPs – have been set or suggested, such as: a fixed timeframe (max. 18 months according to Ljubljana Agreement); focusing on one clearly defined topic; a certain flexibility in terms of working method and approach; the transparency of the process; mindfulness with regard to not replicating other bodies or tackling issues that could be dealt with (more effectively) by a TP; the need for a clear demand expressed by UAEU stakeholders (UDG/DGUM members); clearly defined roles and responsibilities; the availability of adequate expertise.

Naturally, the compilation of an OFC should be carried out in close coordination between the presidency and the EC/EUI, following a swift and pragmatic procedure that is less complex than for putting together TPs.

**Recommendation 4: Increase TP and OFC focus on land use/spatial planning by building on and re-assessing existing work within the Urban Agenda for the EU.**

In order to facilitate continuous value creation by the informal and voluntary UAEU process, re-opening themes that have been 'concluded' should be considered. This could function in the context of both TP and OFC and would allow key themes to be revived with new partners, new knowledge and under new framework conditions.

Regarding the thematic cluster of land use and urban/spatial planning, the actions of the Sustainable Land Use and Nature-Based Solutions TP, as well as several others (see section 3.1.2), are highly valuable sources of inspiration, knowledge and concrete outputs. This could help enhance the sustainability of TPs' actions or even support their implementation by fostering uptake by other stakeholders and thematic experts. Conversely, themes that had not explicitly considered land-use or planning aspects could be re-opened to embrace this focus (this is a conceivable prospect, particularly in relation to housing, air quality, climate adaptation or energy transition related topics).

In terms of process, transparency is key; 'reviving' themes should be carried out in close coordination with the key UAEU stakeholders. Equally, a fit-for-purpose knowledge repository is important to ensure easy access to TPs' outputs. Ex-Ante Assessments that are carried out by experts on new UAEU themes, commissioned by the European Commission/EUI, provide a comprehensive knowledge base for newly established TPs/OFC. Whenever new themes are expected to have a clear land-use/spatial planning component, EAA can provide concrete knowledge and guidance on that dimension, drawing from 'concluded' TPs' work – both as a cross-cutting theme and a potential focus area. Clear, tangible links with the Commission's Fit4Future platform, in which Member States and stakeholder

organisations partake<sup>16</sup>, as well as (new) funding mechanisms are also important for timeliness and impact. The Presidency, for its part, can support this process by ensuring that regular reflections/analyses of the UAEU's outcomes are performed. Where possible, the presidency should create cross-linkages with the Territorial Agenda and its pilot actions.

**Recommendation 5:** In order to make the Better Knowledge strand more impactful, TPs should even address knowledge gaps on data more effectively by means of strong cooperation with key European partners in the field.

Given the ongoing need for standardisation, comparability, robust data as well as practical monitoring frameworks and tools in policy fields relating to land use and urban/spatial planning, the UAEU's knowledge function can be continuously used to inform and improve implementation of EU policies.

When defining actions in the field of Better Knowledge, TPs should cooperate closely with key knowledge partners such as JRC, Eurostat, ESPON, OECD, JPI Urban Europe/DUT, EU agencies, etc. Vice versa, the EUI as well as intergovernmental cooperation bodies (UDG, DGUM) should actively support the establishment of reinforced cooperation of that type, as it would lead to a targeted and effective contribution to the knowledge (gaps) on trends, data and scales. Where Better Knowledge actions touch upon awareness and capacity building, close cooperation with urban programmes such as URBACT should be sought, in line with the Pact of Amsterdam.

An important aspect of 'better data' lies in coordinating EU indicators with national indicators (achieving common methodologies and definitions to allow comparisons between Member States) while balancing the need for standardisation with the subsidiarity principle. Also, both urban and territorial aspects of data need to be considered adequately and, most often, in combination.

It has been suggested that knowledge development of this type,

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<sup>16</sup> The Fit4Future (F4F) platform is a high-level expert group supporting the EC in its efforts to simplify EU laws and to reduce related unnecessary costs. Part of the Regulatory fitness and performance (REFIT) programme, F4F examines whether existing laws can achieve their objectives efficiently. See: [https://commission.europa.eu/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof/fit-future-platform-f4f\\_en](https://commission.europa.eu/law/law-making-process/evaluating-and-improving-existing-laws/refit-making-eu-law-simpler-less-costly-and-future-proof/fit-future-platform-f4f_en).

including the aspect of interpreting data adequately, is very complex and can therefore take place in a more suitable way within a TP rather than OFC. Specific support via the EUI (in the form of thematic experts and inter-TP coordination) might therefore be needed when addressing complex data-related issues.

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# Annex 1.

*Table 2: Participants in expert group discussions*

Name	Function	Date
Liviu Bailesteanu	Director at the Ministry of Development, Public Works and Administration, Romania	28/03/2024
Heather Brooks	Environment Policy and Projects Advisor at Eurocities; Partner Greening Cities TP	28/03/2024
Benjamin Caspar	Team Leader, Urban Environment Policy, DG ENV, European Commission; Partner Greening Cities TP	20/03/2024
Cristina Clotet Ollé	Head of Technical Cabinet at INCASÒL (Catalan Land Institute); Partner Greening Cities TP and former partner Sustainable Use of Land and NBS TP	20/03/2024
David Evers	Senior Researcher at Netherlands Environmental Assessment Agency PBL and ESPON contact point (Netherlands)	20/03/2024
Anne Franklin	Scientific analyst at the Brussels Institute for Statistics and Analysis (perspective.brussels)	20/03/2024
Gordana Kolesarič	Senior Adviser at Municipality of Maribor (SI); Association of Urban Municipalities of Slovenia; Partner Greening Cities TP	25/03/2024
Peter Lacoere	Lecturer/Researcher at HOGENT University of Applied Science and Arts, DRUM research centre on sustainable land use and mobility, Flanders	28/03/2024
Roselyne de Lestrage	Policy Officer Nature, Biodiversity and Forest, Brussels Environment, BE EU24 presidency team	28/03/2024
Tomaž Miklavčič	Undersecretary at the Ministry of Natural Resources and Spatial Planning (Slovenia)	28/03/2024
Nicolas Rossignol	Assistant Director - Research & Policy at ESPON	25/03/2024
Kati Skippari	Head of Environmental Protection Unit at City of Tampere (FI); Eurocities WG green areas and biodiversity; Partner Greening Cities TP	25/03/2024
Joanna Śliz	Counsellor at the Ministry of Development Funds and Regional Policy (Poland); Former coordinator Sustainable Use of Land and NBS TP	25/03/2024

*Table 3: List of questions asked in expert group discussions*

Name	Function
Introduction and background	<ul style="list-style-type: none"> <li>Short discussion on the perception of the way EU regulation/policies can impact land use, specifically within urban contexts (participants' experiences).</li> </ul>
Discussion of land-use impact of selected EU policies/regulations	<ul style="list-style-type: none"> <li>Key policies to discuss: European Green Deal and related strategies/legislation: Green Deal Industrial Plan, Biodiversity Strategy, Soil Strategy, Soil Monitoring Law, Nature Restoration Law, RED III, etc. (focus will be determined together with participants).</li> <li>What makes those regulations/policies particularly impactful or relevant regarding land-use challenges in general and in urban areas in particular? What makes this land-use impact relevant from participants' professional points of view?</li> </ul>

	<ul style="list-style-type: none"> <li>• How are specific urban land-use challenges addressed in these policies, e.g. urban sprawl, green space preservation and biodiversity restoration?</li> </ul>
Implementation challenges and instruments	<ul style="list-style-type: none"> <li>• What are the main implementation challenges, emerging from your practice, relating to specific regulations/policies?</li> <li>• For urban/regional authorities: How do you deal with implementation challenges and trade-offs, e.g. between greening, densifying and expanding urban areas?</li> <li>• Are there successful instruments addressing these implementation challenges (such as Territorial Impact Assessments, Implementation Reviews, 'urban proofing'/urban impact assessments, etc.) and what are your experiences with them?</li> </ul>
Role of the Urban Agenda for the EU and intergovernmental cooperation	<ul style="list-style-type: none"> <li>• How can intergovernmental cooperation mechanisms, such as the Urban Agenda for the EU, be leveraged to improve the effectiveness of EU regulations (with an impact on land use)?</li> <li>• How effective have the Thematic Partnerships been in addressing land-use issues and implementation challenges?</li> <li>• Are there good practices from current or previous Thematic Partnerships that could be replicated or scaled up to improve land-use governance?</li> <li>• Which specific actions or initiatives should be addressed by future Thematic Partnerships to better address implementation challenges of EU regulations related to land use?</li> <li>• What improvements or adjustments could be made to enhance the role of Thematic Partnerships or future 'Other Forms of Cooperation' in supporting better knowledge, funding and regulation regarding land use?</li> </ul>

*NB: not all issues were addressed equally in all group discussions. Experts were invited to respond to (parts of) questions that relate to their own experiences and to 'opt in and out' of discussion topics as applicable. Questions per discussion part were indicative.*

## Annex 2.

Table 4 - full Table 1: Overview of the TPs actions explicitly addressing land use

Action	Reference to land use/urban planning	Implementation challenges	Better Regulation – Better Knowledge – Better Funding	Output
Explicit reference to land use				
Circular Economy TP				
Manage the re-use of buildings and spaces in a circular economy	The potential of urban circular re-use of space and buildings to reduce land use.	<ul style="list-style-type: none"> <li>• High cost of environmental remediation and redevelopment.</li> <li>• Political opposition.</li> <li>• Lengthy process of approving plans/ restoration process.</li> <li>• Poor economic interest.</li> </ul>	Better Knowledge: <ul style="list-style-type: none"> <li>• Clarify the term 'under-used spaces' in urban areas.</li> <li>• Increase collaboration and strengthen knowledge.</li> </ul>	<ul style="list-style-type: none"> <li>• A handbook providing tools and knowledge to implement effective urban re-use strategies, jointly drafted by the CE and SUL-NBS TPs.<sup>17</sup></li> </ul>
Digital Transition TP				
Specify and monitoring of standardised Planned Land Use data for formal and informal urban planning participation processes	Current legislation lacks provisions for unrestricted access to city-generated data, hindering effective urban planning.	<ul style="list-style-type: none"> <li>• Financial constraints.</li> <li>• Lack of knowledge among cities in implementing digital participatory platforms.</li> </ul>	Better Regulation: <ul style="list-style-type: none"> <li>• Analyse whether the INSPIRE PLU data model is able to meet the requirements for digital harmonised data formats and data exchange formats for spatial land use (zoning) plans in cities.</li> <li>• Determine the suitability of the INSPIRE PLU data model.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish guidelines for standardised spatial planning data exchange.</li> <li>• A transferable model for setting up a participatory urban planning platform.</li> <li>• A digital harmonised data exchange format for the exchange of digital planning data between actors involved in planning processes.</li> <li>• Outcomes of this action can be found on the UAEU website's library section.<sup>18</sup></li> </ul>
Urban Mobility TP				
Developing guidelines on infrastructure for active mobility supported by	Active mobility infrastructure depends on settlement structures and land available.	The absence of European standards or recommendations.	Better Knowledge and Better Funding: <ul style="list-style-type: none"> <li>• Provide guidance as well as optimising the allocation of public funds.</li> </ul>	<ul style="list-style-type: none"> <li>• The development of European quality design guidance for walking and cycling infrastructure.</li> </ul>

<sup>17</sup> Barberis et al., 2019.

<sup>18</sup> UAEU, n.d.-c.

relevant funding				<ul style="list-style-type: none"> <li>• An overview of the entire EU financial period.</li> <li>• These guidelines can be found on the UAEU website's library section.<sup>19</sup></li> </ul>
<b>Jobs and Skills in the Local Economy TP</b>				
<b>Funding deprived areas</b>	Deprived areas could be fostered as a resource for the creation of jobs. → Reusing brownfield land for economic growth.	Challenge of rehabilitating urban land and buildings, particularly in Central and Eastern Europe.	<b>Better Funding:</b> <ul style="list-style-type: none"> <li>• Improve capacities and knowledge for successful implementation.</li> <li>• Advocate for an enhanced funding mechanism               <ol style="list-style-type: none"> <li>(1) To strengthen the desegregation principle within EU urban areas.</li> <li>(2) For the regeneration of deprived brownfield areas.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• Creating new financing facilities.</li> <li>• Amendments to EU funding regulations.</li> <li>• Broader terms for 'revitalisation of deprived areas'.</li> <li>• Capacity-building initiatives.</li> <li>• There is no further output available for this action on the UAEU website's library section.<sup>20</sup></li> </ul>
<b>Sustainable Use of Land and Nature-based Solutions TP</b>				
<b>Including land take and soil properties in impact assessment procedures</b>	Improve impact assessments to support the objective of reducing land take.	<ul style="list-style-type: none"> <li>• Defining the scope of an impact assessment.</li> <li>• Doubts about application of the relevant Directives (Strategic Environmental Assessment [SEA] &amp; Environmental Impact Assessment [EIA]).</li> <li>• Lack of experience in implementing the SEA.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>• Improve the coherence and effectiveness of impact assessment procedures, ensuring sustainable land-use practices are integrated into urban development planning processes.</li> </ul>	<ul style="list-style-type: none"> <li>• Achieve a clear and explicit reference to land take into the SEA and EIA Directives and the associated guidelines and methodologies.</li> <li>• Guidebook with recommendations.<sup>21</sup></li> </ul>
<b>Funding and financing guide for brownfield redevelopment</b>	Brownfield redevelopment holds immense potential in curbing land take and preventing urban sprawl.	<ul style="list-style-type: none"> <li>• Insufficient information on accessing EU-level funding.</li> <li>• Uncertainty regarding costs.</li> <li>• Limited awareness about available mechanisms.</li> </ul>	<b>Better Knowledge and Better Funding:</b> <ul style="list-style-type: none"> <li>• Enhance knowledge on brownfield redevelopment and facilitating access to funding.</li> </ul>	<ul style="list-style-type: none"> <li>• Funding and financing guide for brownfield redevelopment.<sup>22</sup></li> </ul>
<b>Identifying and managing under-used land</b>	Foster a more flexible approach to land use, mitigating pressure on	The absence of direct EU competence in spatial planning and territorial organisation within Member States	<b>Better Knowledge:</b> <ul style="list-style-type: none"> <li>• Enhance knowledge dissemination and awareness among stakeholders,</li> </ul>	<ul style="list-style-type: none"> <li>• A mapping layer to identify under-used urban sites.</li> </ul>

<sup>19</sup> European Cyclists' Federation & DG MOVE, 2020.

<sup>20</sup> UAEU, n.d.-d.

<sup>21</sup> Vargas, A., 2019.

<sup>22</sup> UAEU, n.d.-g.

	greenfield development and avoiding urban sprawl and land take.	leading to relatively weak EU policies/ instruments.	including the public sector, investors and developers.	<ul style="list-style-type: none"> <li>• A final Guideline Document, providing strategies for effective management and redevelopment of under-used land. It appears that there is no output available for this action on the UAEU website's library section.<sup>23</sup></li> </ul>
<b>Indicators of land take</b>	Enhance understanding and measurement of land take.	<ul style="list-style-type: none"> <li>• No consistent way of defining/mapping land take across governance levels.</li> <li>• Discrepancies between EU and national/regional land-take definitions.</li> </ul>	<p>Better Knowledge:</p> <ul style="list-style-type: none"> <li>• Enhance understanding and measurement of land take.</li> </ul>	A comprehensive set of indicators or a composite index of net land take, incorporating various factors to better assess environmental impacts from spatial planning.
<b>Promoting FUA cooperation as a tool to mitigate urban sprawl</b>	Mitigate urban sprawl and improve the sustainable use of land.	Fragmented administrative structures in Functional Urban Areas (FUA).	<p>Better Knowledge:</p> <ul style="list-style-type: none"> <li>• Raise awareness of the long-term costs of urban sprawl.</li> <li>• Provide access to relevant data.</li> </ul>	<ul style="list-style-type: none"> <li>• Establishing regulatory and fiscal incentives frameworks and gather data, good examples and recommendations in one easily accessible format.</li> <li>• A video was produced, setting out the various benefits of FUA cooperation,<sup>24</sup> as well as a Guidebook.<sup>25</sup></li> </ul>
<b>Awareness raising in the areas of NBS and sustainable use of land (urban sprawl)</b>	Enhance awareness and comprehension of NBS principles at all levels of society.	<ul style="list-style-type: none"> <li>• Novelty of NBS concepts and complexity of terminology.</li> <li>• Variations in awareness levels among city practitioners and decision-makers.</li> <li>• Investment barriers.</li> </ul>	<p>Better Knowledge:</p> <ul style="list-style-type: none"> <li>• Enhance awareness and comprehension of NBS principles at all levels of society.</li> </ul>	<ul style="list-style-type: none"> <li>• Simplify language, map activities and improve communication strategies.</li> <li>• Engaging with European organisations in existing NBS related projects.</li> <li>• Utilising visual instruments to</li> </ul>

<sup>23</sup> UAEU, n.d.-d.

<sup>24</sup> UAEU 2020-March 10.

<sup>25</sup> UAEU, 2021. The video and the Guidebook will be made available on the Portico website of the EUI.

				illustrate the impacts of urban sprawl. • Glossary on NBS. <sup>26</sup>
<b>Agree on common targets and indicators for nature-based solutions, urban green infrastructure, biodiversity and ecosystem services in cities</b>	Promoting the adoption of NBS, Urban Green Infrastructure, biodiversity and ecosystem services in urban areas.	<ul style="list-style-type: none"> <li>• Lack of universal targets and performance indicators for NBS, Urban Green Infrastructure, biodiversity and ecosystem services.</li> <li>• Targets/indicators vary across scales and locations.</li> <li>• Difficult to integrate in urban planning.</li> </ul>	<b>Better Knowledge:</b> <ul style="list-style-type: none"> <li>• Create a system that allows for mutual benchmarking and inspiration, understandable by citizens, politicians, administrators, businesses and developers.</li> </ul>	<ul style="list-style-type: none"> <li>• Drafting a basic plan.</li> <li>• Conducting workshops.</li> <li>• Establish a collaborative effort with existing projects to develop a relevant, understandable, easily adaptable and implementable set of targets and indicators for cities.<sup>27</sup></li> </ul>
<b>Climate Adaptation TP</b>				
<b>Analysis of national multilevel urban development and planning regulations with focus on climate adaptation</b>	Review and update multilevel regulatory tools relating to urban development and planning and strengthen linkages between climate and urban plans.	<ul style="list-style-type: none"> <li>• Lack of participatory tools for multilevel governance.</li> <li>• Lack of capacity of national and local authorities.</li> <li>• Underestimation of urban planning in national adaptation strategies.</li> <li>• Planning systems, pursuing long-term objectives versus short-term political cycles.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>• Enhance urban planning regulations to effectively tackle climate change challenges.</li> <li>• Collect and analyse existing multilevel regulatory tools.</li> </ul>	<ul style="list-style-type: none"> <li>• Case studies, best practices and recommendations for multilevel regulatory frameworks and operational programmes at the national level.</li> <li>• It appears that there is no output available for this action on the UAEU website's library section.<sup>28</sup></li> </ul>
<b>Security in Public Space TP</b>				
<b>Develop guidance for architectural spatial design and planning</b>	Integrate security features into urban design.	<ul style="list-style-type: none"> <li>• Vulnerability of public spaces to various threats (natural disasters and criminal activities).</li> <li>• A lack of guidance material that showcase the benefits of including a safety and security in the planning and design phase.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>• Foster knowledge-sharing and capacity-building among local and regional authorities and promote security-conscious design practices.</li> </ul>	<ul style="list-style-type: none"> <li>• Project fiches, operational platform, visual case studies and guidance materials outlining essential principles for security-conscious urban design.</li> <li>• The guidance material includes recommendations and provides 10 rules of</li> </ul>

<sup>26</sup> Foundation for Urban Innovation et al., n.d.

<sup>27</sup> Zulian et al., n.d.

<sup>28</sup> UAEU, n.d.-d.



				thumb for local and regional authorities. <sup>29</sup>
<b>Culture &amp; Cultural Heritage TP</b>				
<b>Collaborative management to adapt and reuse spaces and buildings for cultural and social innovative development</b>	Rehabilitation of underutilised sites while also combatting urban sprawl.	<ul style="list-style-type: none"> <li>• Inconsistent application.</li> <li>• Limited financial and/or human resources.</li> <li>• Regulatory hurdles.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>• Propose regulatory enhancements to support collaborative management practices for repurposing abandoned spaces and buildings.</li> </ul>	<ul style="list-style-type: none"> <li>• Building on the handbook of the CE and SUL-NBS TPs on sustainable and circular reuse of spaces and buildings (see above).</li> <li>• Practical toolkit<sup>30</sup> for local authorities to facilitate the implementation of reuse projects.</li> </ul>
<b>Greening Cities TP</b>				
<b>Need for Green: Methodology for quantifying the demand for green infrastructure at local level</b>	Addressing the need for green infrastructures at the local level while meeting national greening targets.	The need for systematic understanding of the demand for urban green infrastructure to effectively address environmental, social and economic challenges.	<b>Better Knowledge:</b> <ul style="list-style-type: none"> <li>• A tool for evidence-based decision-making in urban planning processes.</li> </ul>	<ul style="list-style-type: none"> <li>• The expected output* is a guide or handbook, aiding urban planning decisions.</li> </ul>
<b>Achieve meaningful urban greening targets</b>	Increasing urban green spaces in towns and cities.	The EU Biodiversity Strategy for 2030 calls for an increase in urban green space and green infrastructure and requires ambitious urban greening plans to support this.	<b>Better Knowledge and Better Regulation:</b> <ul style="list-style-type: none"> <li>• Provide guidelines, exchange of knowledge and good practices.</li> <li>• Recommend and promote the establishment of an EU-wide legislative framework.</li> </ul>	<ul style="list-style-type: none"> <li>• Guidelines for national, regional and local authorities.</li> <li>• Recommendations for an EU legislative framework.</li> <li>• The expected outputs* include research, workshops, a set of indicators and a final guidebook to aid implementation.</li> </ul>
<b>Sustainable Tourism TP</b>				
<b>More resilient and sustainable destinations through diversification of tourism</b>	Decongest destinations, effectively redistributing tourist flows in time and space, addressing seasonality and activating different local	Cities' ability to adapt to trends (over-tourism and unequal geographical distribution; high degree of seasonality) varies significantly.	<b>Better Knowledge and Better Regulation:</b> <ul style="list-style-type: none"> <li>• Collect information on practices in urban destinations.</li> <li>• Highlight lessons learned and drafting</li> </ul>	The expected outputs* are: <ul style="list-style-type: none"> <li>• Handbook compiling the good practices, recommendations and case studies.</li> <li>• Workshops to promote the</li> </ul>

<sup>29</sup> Franke et al., 2021.

<sup>30</sup> Lanzoni et al., 2021.

offer	assets and urban areas.		recommendations.	handbook, test recommendations, convey lessons learned and explore good practices. • Promotional videos to raise awareness of local communities.
<b>Destinations for all</b>	Ensure accessible tourism infrastructures, facilities, products and services.	<ul style="list-style-type: none"> <li>• Inaccessibility of tourist destinations (infrastructure, services and products).</li> <li>• Local economy and local population benefits are often disregarded.</li> <li>• Lack of cooperation with local disability organisations.</li> </ul>	Better Regulation and Better Knowledge: <ul style="list-style-type: none"> <li>• Identify good practices for better implementation of EU level accessibility regulations (such as new EU legislation (Directive on the European Disability and Parking Cards)).</li> </ul>	<ul style="list-style-type: none"> <li>• Handbook on tourism for all in urban destinations.</li> <li>• Presentation of best practices.</li> <li>• Workshops on implementation and promotion of accessible tourism.</li> <li>• Promotional videos to raise awareness of local communities.</li> </ul>
<b>Strategies on Protection of Local Retail as an Asset for Tourism</b>	Counter the 'monoculturalisation' of city centres due to increasing number of visitors, which negatively impacts local economies and retail infrastructures.	<ul style="list-style-type: none"> <li>• Despite a shift in travelling habits after Covid-19, mass tourism and souvenir business still represent a wide share of tourist commercial activities.</li> <li>• Local tourism ecosystem are mostly SMEs, with dispersed ownership structures.</li> </ul>	Better Knowledge: <ul style="list-style-type: none"> <li>• Adequate regulatory actions at local and regional level to limit the number of tourist shops and restaurants in the historical centre, in line with EU regulations.</li> <li>• An awareness raising campaign to inform visitors about more socially and environmentally responsible behaviour.</li> </ul>	<ul style="list-style-type: none"> <li>• Best-practice report on the retail economy in tourist destinations.</li> <li>• Webinars to present good practices.</li> <li>• Catalogue of business promotion in the city centre.</li> </ul>

\* NB: The expected output refers to the fact that the newest TPs have not yet entered their actions' implementation stage. The Action Plans provide timelines for each action.

**Table 5:** Overview of the TPs actions implicitly addressing land use, without any reference to it, or with unknown data to determine

Implicit reference to land use				
Action	Reference to land use/urban planning	Implementation challenges	Better Regulation – Better Knowledge – Better Funding	Output
<b>Air Quality TP</b>				
Better air quality planning	Integrate air quality planning into urban planning.	<ul style="list-style-type: none"> <li>• Better coordination among governance levels and within cities to overcome division of responsibilities (regional/national levels) and impact (local level).</li> <li>• Need for access to knowledge and experiences.</li> </ul>	Better Regulation: <ul style="list-style-type: none"> <li>• Better governance when creating Air Quality Action Plans as required by Art. 23 of Directive 2008/50/EC</li> </ul>	<ul style="list-style-type: none"> <li>• A Code of Good Practices for cities' air quality action plans in cooperation with experienced cities, promoting dissemination of best practices between different governance levels and between cities.</li> </ul>
Better focus on the protection and on the improvement of citizens' health	Encourage cities to prioritise citizens' health in strategic planning and interventions relating to air quality.	<ul style="list-style-type: none"> <li>• Current spatial planning is based on approaches that do not fully reflect adverse health effects of pollution.</li> </ul>	Better Knowledge: <ul style="list-style-type: none"> <li>• Developing additional indicators specifically for measuring health impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate air quality outcomes into existing funding mechanisms and urban planning processes early on.</li> <li>• Mapping existing tools, conducting case studies, developing new instruments and disseminating results.</li> </ul>
<b>Housing TP</b>				
Monitoring system for affordable housing in the European Union	Need for affordable building ground and strategic urban planning for efficient housing delivery.	<ul style="list-style-type: none"> <li>• Absence of an official EU mandate in the housing field.</li> <li>• Lack of a monitoring system for the different strands of EU policy that influence housing provision and funding at EU level.</li> </ul>	Better Knowledge: <ul style="list-style-type: none"> <li>• Assist policymakers to make informed decisions regarding housing policies and investments.</li> <li>• Enhance data collection and analysis.</li> </ul>	This action aims to improve investment in affordable housing by reducing uncertainty and risk that stem from the lack of data. However, no further outcomes relating to this action are currently available in the UAEU

				website's library section. <sup>31</sup>
<b>Urban Poverty TP</b>				
<b>Strengthen the desegregation principle in EU urban areas</b>	Supporting national and local governments in assessing and adapting their planning and investment strategies to address this issue.	<ul style="list-style-type: none"> <li>Urgent need for more explicit tools to combat segregation.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>Enhance and mainstream the desegregation principle within EU fund regulations, recognising the intricate challenges of segregation within European cities.</li> </ul>	<ul style="list-style-type: none"> <li>Creating tools for mapping segregation levels.</li> <li>Providing recommendations for regulatory actions and fund utilisation.</li> <li>A 'Checklist for cities to address residential and educational segregation of Roma'.<sup>32</sup></li> </ul>
<b>Climate Adaptation TP</b>				
<b>Better regulation to boost NBS at European, national and local levels</b>	Promoting Nature-Based Solutions (NBS).	<ul style="list-style-type: none"> <li>Need for more concrete targets and actual implementation.</li> <li>NBS is not integrated into current EU legislation.</li> </ul>	<b>Better Regulation:</b> <ul style="list-style-type: none"> <li>Enhance the regulatory framework to promote NBS at European, national and local levels.</li> </ul>	<ul style="list-style-type: none"> <li>A review of EU instruments and legislation to identify opportunities for integrating NBS into existing directives.</li> <li>Implementation at the EU level<sup>33</sup> and at the national, regional and city levels.<sup>34</sup></li> </ul>
<b>Energy Transition TP</b>				
<b>Guidance on energy master planning for cities</b>	Cities can help to decrease global emission and cooperate to work on one single energy master plan.	<ul style="list-style-type: none"> <li>Limited support for developing master plans for local energy systems.</li> <li>Competence of local authorities.</li> <li>Inter-sectoral cooperation.</li> <li>Citizen involvement.</li> <li>Data availability.</li> </ul>	<b>Better Regulation and Better Knowledge:</b> <ul style="list-style-type: none"> <li>Provide guidance and support for cities in developing energy master plans.</li> <li>Adapt the governance of the energy system.</li> </ul>	<ul style="list-style-type: none"> <li>Supporting document assisting cities in energy master planning, practical guidance materials and recommendations to leverage EU funding resources, raise awareness and disseminate knowledge.</li> <li>It appears that there is no output available for this action on the UAEU website's library section.<sup>35</sup></li> </ul>
<b>Greening Cities TP</b>				

<sup>31</sup> UAEU, (n.d.-d).

<sup>32</sup> Somogyi et al., 2020.

<sup>33</sup> Naumann et al., 2020.

<sup>34</sup> De Luca et al., 2020.

<sup>35</sup> UAEU, (n.d.-d).

<b>Indicator System for Urban Nature Plans</b>	Measure and monitor progress in urban greening.	Need for local authorities to actively promote urban renaturation and biodiversity to mitigate climate change effects.	Better Knowledge and Better Regulation: <ul style="list-style-type: none"> <li>• Provide tools to understand and assess the impact of urban greening policies.</li> <li>• Establish a set of themes and indicators for integrated assessment and harmonisation.</li> </ul>	The expected outputs* include handbooks, workshops, events and multimedia materials to promote the indicator system among European cities.
<b>Strengthening structural funding for urban green infrastructure</b>	Increase urban green infrastructure (GI).	Although existing EU policies recognise the importance of GI, its financing is not always prioritised.	Better Funding and Better Knowledge: <ul style="list-style-type: none"> <li>• Increase the availability of structural funding for urban GI.</li> <li>• Facilitate access to information on EU funding opportunities.</li> </ul>	The expected outputs* include: <ul style="list-style-type: none"> <li>• Earmarking EU funds.</li> <li>• One-stop shop tool to streamline access to information on funding opportunities.</li> <li>• Position paper with recommendations to the EU Commission.</li> <li>• Coalition to advocate for recommendations.</li> </ul>

No reference to land use

#### Inclusion of Migrants and Refugees

The TP focuses on the mid- and long-term view of integration and inclusion of migrants and refugees. It identified multiple topics that need to be addressed in order to ensure successful integration and inclusion, such as housing. Besides this, there are no actions addressing land use or urban/spatial planning.

#### Public Procurement

The TP aims to enhance public procurement strategies to achieve social, economic and environmental objectives in EU urban areas. It does not address land use or urban/spatial planning in its Action Plan.

Unknown reference to land use\*\*

#### Food TP

This TP has not presented its (draft) Action Plans yet. It is therefore not possible to assess whether any actions address land use and in what way. The Ex-ante Assessment [REF] on this topic highlights 'access to land' and 'public land management' as potential priorities for the TP. 'Access to land' would refer to the use of a broader food system perspective in order to ensure long-term sustainability and optimal land use while 'public land management' would enable a coordinated and integrated approach that considers factors such as land use, zoning, community engagement and food system planning.

#### Cities of Equality

This TP has not presented its (draft) Action Plans yet. It is therefore not possible to assess whether any actions address to land use and in what way. The Ex-ante Assessment [REF] emphasises the importance of planning and managing urban spatial development in relation to equality in urban areas and its effective implementation. Inclusive urban planning would address land use or urban spatial planning through actions focusing on housing, accessibility, mobility, public spaces, city infrastructure, resilience and spatial segregation.

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