
THE HISTORY OF AESTHETIC CONTROL AND MANAGEMENT IN THE PLANNING SYSTEM, THE CASE OF TURKEY

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Urban aesthetics is a complex subject that needs to be evaluated in a city beyond its physical characteristics. As the built environment is the central part of human existence, and collectively coordinating individual decisions is the best management practice to add or change the environment, aesthetic control is necessary. Aesthetic control and management have been affected from the practice of urban planning in time. The aim of the paper is to discuss the approaches related to aesthetic control management depending on the change of the Turkish planning system within the historical process. In the study, aesthetic control and management depending on the practise of the Turkish planning system are analysed in four planning periods. The lessons to be taken from the Turkey case may be useful for countries facing the same dynamic development process.

Keywords

History, Aesthetic Control, Urban Planning, Regulations, Turkey

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INTRODUCTION

Aesthetics is often considered in usual sense of taste or art¹. According to the dictionaries, 'aesthetics' refers to the appreciation or criticism of the beautiful, the philosophy or science of taste or the perception of the beautiful². Traditional definitions of aesthetics refer to the perception of beauty in the arts and may imply extreme and intense feelings such as the sublime. Such definitions overlook smaller changes that people experience every day in their surroundings. It refers to favourable evaluative effects that are experienced in relation with the environment³.

As the built environment is the central part of human existence, and collectively coordinating individual decisions is the best management practice to add or change the environment, aesthetic control is necessary. Aesthetic control seeks to protect or enhance the quality of urban life by regulating the appearance of additions or alterations to the built environment⁴. Aesthetic control and management have been affected from the practice of urban planning in time.

The aim of the paper is to discuss the approaches related to aesthetic control management depending on the change of the Turkish planning system within the historical process. The lessons to be taken from the Turkey case may be useful for countries facing the same dynamic development process.

In the second section of the paper, literature background of aesthetic control and management in urban planning practices around the world is given. The third section is divided into three parts. In this section, aesthetic control and management depending on the practise of the Turkish planning system are analysed in four planning periods. The last section is devoted to general evaluation and conclusion.

LITERATURE BACKGROUND: THE HISTORY OF AESTHETIC CONTROL

Aesthetic control history has been closely related to the planning history of the countries. As Freestone⁵ explains the rapid urbanization that had been seen in some parts of the world during the 1800s caused many persons to become interested in the aesthetic development and regulation of cities, alongside other environmental issues. Perhaps the most well known manifestation of this concern was the 'City Beautiful' movement that arose in the United States, and which was premised on the belief that cities could indeed be made beautiful by public action⁶.

The early 19th century was the period of the rejecting of traditional design themes from largescale city plans. In this application the goal was the grid plans that required minimum governmental expenditure. Great industrial cities emerged during the Industrial Revolution around the same time. Deteriorating housing and living conditions as well as the decline of the open space caused attention of the public to the lack of state-centred political systems. These problems in the 19th century tried to be solved through zoning ordinances. Zoning was the primary tool to control the aesthetic character of development⁷. In time communities saw dull generic buildings with vast parking lots as the character of their cities and they started to look for ways for recreating more attractive and livable communities. In this regard various forms of aesthetic control were introduced.

From the 1920s to 1960s, urban governance whereas not entirely disregarding aesthetics issues but generally subordinated scientific-functional issues⁸. But urban design movement that the origins was North American urbanism within 1960s brought back a focus on the 'look and feel' of places in order to governance of the built environment⁹. The visual attractiveness of new urban objects like buildings, public spaces and so on been a central issue for urban designers while aesthetic and appearances issues were not the solely concern of them¹⁰.

The first wave of appearance codes and historic preservation codes emerged in 1970¹¹. These codes emerged in order to react to the destruction of older buildings, and their replacement with new ones¹². In the case of aesthetic control management, these codes just focused mainly on materials and colours of building facades that were restrictive and caused adverse effects of limiting creativity⁸. Billboard restrictions and landscape ordinances became communal by the 1980s, however the 1990s brought other interest areas in planning such as neighbourhood or “small-area” planning and special design districts as well as in codes that protect existing trees on land that was subject to private development¹³.

In recent years, public officials have enacted and courts generally have upheld a variety of forms of aesthetic regulation such as screening fences, the parking of recreational vehicles, the size, type and location of signs and billboards, and the architectural style of structures on the land that all have been held to be within the legitimate scope of police power regulation¹⁴.

AESTHETIC CONTROL WITHIN THE HISTORY OF TURKISH URBAN PLANNING

From the 19th century, with the effect of Westernisation, there have been some changes in Turkish cities. In this part, aesthetic control and management depending on the practice of urban planning during the late Ottoman Empire until the 21st century has been described.

URBAN PLANNING AND AESTHETIC CONTROL MANAGEMENT IN THE LATE 19TH CENTURY UNTIL 1950

In the 19th century, the effect of Westernisation with the starting of modern projects emerged from the economical and institutional changes in the Ottoman Empire by the 1840s. Trade relationships were formed with the British Empire, France, Austria, and Russia¹⁵. The diffusion process of planning dependent upon these exchanges was defined and codified by the Tanzimat reform or Ottoman reforms of 1839. Meaning literally ‘arrangements’, Tanzimat declaration was aimed at renovating, reorganizing, becoming more corporate and up to date in all facets of the public sector in order to turn the capital city into a modern city. The supporters and drivers of the Tanzimat were of the view that to live like Europeans, one had to behave like Europeans¹⁶. Actually that was the period of Westernisation. The economical successes and military and scientific advancements of European nations intrigued Ottoman leaders¹⁷. According to Tekeli¹⁸, the urbanisation began just after the 1850s. The urbanisation process began once the modernisation period that Tekeli¹⁹ named as “shy modernisation” in the Ottoman society. Turkey first went through urban transformation in this period and the main transformative factor was fire. Cities constructed out of wood caught on fire in large proportions, and making plans for renewing them was necessary.

The first plans that had been made in the 1850s were in the form of local plans for fire areas. The main priority of the time-in-town planning was solving the issue of large areas laid waste by fires and earthquakes that frequently ravaged the city²⁰. Regulations (*nizamname*) that were the first written text on urban spatial arrangements²¹ or planning and design guidelines of the time, shared some planning and construction principles about buildings and roads. Material and height structure, expropriation of property rights, prevention of the exposed fire and use of tramway as a new transport system were among these principles. Accordingly, to reduce to a minimum fire risk, these principles reflected health principles rather than aesthetic concerns in general.

The most appreciate example of planning was the development of Istanbul, the capital of the Ottoman Empire in the 19th century. For this aim, foreign planners who had never seen Istanbul were invited from Europe. These planners experiences were solving the problems of European cities that had emerged by industrialisation, such as haphazard growth, pollution, ill housing and transportation. So, Turkish planning practice started with the same

concerns as the industrialised cities which was ‘aesthetic concern’²². As a result the ‘Beautiful Istanbul’ plan was designed by the chief architect of Paris, Joseph Antoine Bouvard, in 1902. Criticism was about the plans focused on fragmented nature and the lack of a holistic concern for the entire city²³. The largescale applications of European capitalism entered the city through the public transport system in the adoption of new technologies and materials at this time²⁴. In this term, the legal sources related to urban planning such as the Building Regulations of 1848, the Road and Building Regulations of 1864 and the Building Law of 1882 came into force. In these legal sources, there were no provisions directly related to aesthetic control management. However, there were rules related to the façade, height and form of buildings, the materials to be used and the width of the roads. These rules were brought for the beauty of the cities (especially for Istanbul) and the public health.

With the pronouncement of the Republic in 1923, urban planning and development got importance in the presence of the government. Turkey went into social, economic and spatial regenerations. The period was called the Modernisation of the country. There were two main aims of the Turkish Republic in the 1920s: to constitute / form a nation state space in the country and to organise the cities as places of modernity²⁵.

In the 1930s planning practices concentrated on street layout, building blocks and public open spaces. In the same period the foreign planers were dealing with zoning, transportation hierarchy and variety in legend²⁶. The major affects of modernity in Turkey’s planning was happened in Istanbul’s plan that designed by Henri Prost French Planner at 1936. The most constant phrase in these plans was ‘beautiful and contemporary city.’ Although not defined specifically, town silhouette and natural assets of the city had been taken into account in the plans too. Moreover, some of the planning ecoles were be preferred by the Republican cadre. Because of the works on European municipal management models and urban planning, there were ideological formations that supported Camillo Sitte’s view²⁷. The main reason for this was Sitte’s respective attitude toward nature, historical urban fabric and the morphology of a city. The respect towards nature and history was the general perception of the world in the Early Republican State²⁸.

Some important laws were enacted in this term. Municipal Law No. 1580 and the Municipalities Buildings and Roads Law No. 2290 were among them. In the Law No. 1580, main duties of the municipalities were to take care of public health and welfare. Municipalities Buildings and Roads Law No. 2290 would bring the obligation of an urban plan for all municipalities. The municipalities had to make or have a firm prepare the urban plan for five years. In this period, city planning was based on the creation and development of the public spaces in the cities. In the term of aesthetic control and management there were no direct issues inside the laws. The importance and vitality of urban planning in the formation of the Republic was conceived. With all, the Republican cadre’s perception of both urban planning and governance was totally about health, and the main concern was health rather than aesthetics.

URBAN PLANNING AND AESTHETIC CONTROL MANAGEMENT BETWEEN 1950 AND 1980

Between 1950 and 1980, the emerging of industrial cities by economical development and industrialisation policies caused internal migration from rural to urban areas. After the post-Second World War until 1980 following economical growth in the context of political development, the urban population increased rapidly. Economical growth brought spatial expansion, industrialisation, foreign aid and debts within the Marshall Plan²⁹ of the United States, a liberal economical model increased with investment in the economy and agricultural modernisation and mechanisation the move to multiparty democracy³⁰. Adnan Menderes, prime minister, explained his vision of a contemporary city: “Essential to the needs of the residents, the roads and avenues are vitally important”³¹ that explained the need for the reconstructing of major junctions and squares. According to Menderes,³² the plans should contain large, handsome squares and wide avenues. The prominent interventions in this term included the complete demolition of inner-city neighbourhoods to build transport arteries such as the opening of Vatan,

Millet and Atatürk Boulevards in Istanbul's Historical Peninsula and to open up views of the silhouette of major monuments such as Suleymaniye and Eminönü Mosques³³. In accordance to aesthetic control management in planning practices there was an important objective inside Menderes's opinion, beautifying the city as well as solving the traffic problems. Also, the projects in this term caused major concern about the conservation of the historic environment³⁴ by putting forward the city's monuments.

By increasing internal migration, housing stocks were inadequate and technical and social infrastructure problems emerged. So the main issue of the time was the increasing housing demand. Most of the cities' newcomers had found the solution by making 'gecekondu' - illegal housing or squatting.

In order to prevent illegal housing development in the cities, the Urban Planning Law No. 6785 was enacted in 1956. According to this law, for all buildings to be constructed inside the municipality's boundary, the municipality's permission is required. Also Article 25 of the law described the guidelines and construction regulations including building height, total floors, depth and overhang, using compatible materials with the environment, parcel façade, parcel size and the maximum construction zone inside the parcel.

In this term, informal development processes became fully commercialised as both *gecekondu* (squatter housing) and the illegal subdivisions spread in urban areas rapidly in a more favourable political and institutional framework³⁵. The first attempts at the area-based housing renewal focused on the rehabilitation of squatter housing areas. The upgrading policy included selective demolition in squatter housing areas, infrastructure programmes, and preventive measures and rehabilitation plans based on the 1966 Law on Squatters (Law No.775)³⁶. This law served as a definition of prevention zones that were in areas reserved in development plans in order to prevent squatters, opened a new channel for the maintenance and improvement of buildings and provision of infrastructure. The renewal of existing housing areas helped to improve the quality of life for residents without necessarily having to build new housing³⁷. However, the law remained insufficient on the prevention of the pressure on the built environment of squatter housing areas that affects the aesthetic value of cities.

URBAN PLANNING AND AESTHETIC CONTROL MANAGEMENT BETWEEN 1980 AND 2000

The main feature of this period was the emergence of neoliberal policies. This caused transformation from state centred economic development to market based economic development³⁸. After 1980, planning and control practice in the international and global relations level began to lose its 'top-down' centralised nature in Turkey. Neoliberalism reconstitutes relationships between public institutions and key actors of the market, reducing the activity of government and encouraging non-government agencies and individuals and motivating civil society to take on more activities previously done by government. In this term the Metropolitan Municipality Law No. 3030 was enacted in 1984³⁹. In this law the main duties, responsibilities and authorities of metropolitan municipalities were defined. However, this law did not bring any provisions related to aesthetic control management.

The 1980s created a second wave of internal migration. The rapid and uneven spatial growth within cities and between cities was largely a result of migration from rural areas where population declined in absolute numbers during the 1980s. Large cities such as Istanbul, Ankara and Izmir received the lion's share of migrants⁴⁰. The new population established themselves either in vacant historic housing in central locations or periphery areas of the cities. This change led to both an increase in the density of the cities and an expansion in size of the cities. The growth of central business districts related with the transportation facilities, high-rise headquarters of companies, luxury housing, and increasing car ownership were the outcomes of this globalisation process of the 1990s⁴¹.

A general building amnesty was issued in 1983, followed by a number of amendments until 1989 to upgrade existing settlements and to prevent new informal processes. These policies do not prevent new illegal settlement formation^{42 43}. The policies have also tended to encourage haphazard urban sprawl on public and private land, without any provision for social or infrastructure services⁴⁴. The legalisation affects the social, economic and politic structures of cities⁴⁵.

There was another important law that determined the macro form of the city. It was the Reconstruction Law No. 3194 that was enacted in 1985. This law changed the planning system in two aspects. The first one relates to the delegation of the planning authority. The Reconstruction Law has ensured the delegation of the planning authority from the central government to the local government on the one hand and empowered central government units to use their planning authority by leaving an open door to special-purpose laws on the other. The effects of the latter have increased more over time^{46 47}. The second one involves the adoption of a deregulation policy. Deregulation is ensured by a delegation of the planning authority to local governments to a certain extent due to an increase in the efficiency of the local policy on approval processes of plans⁴⁸.

URBAN PLANNING AND AESTHETIC CONTROL MANAGEMENT FROM 2000 AND UNTIL NOW

The main feature of the current era is the attempt to reduce public spending and support of private investment. There are some legal sources that deal with the aesthetic and control management of the cities especially in the recent years. These can be divided into three main groups.

First of them is the ‘Reconstruction Law’ No. 3194 and its regulations. This law regulates the development of an urban built environment. In the case of aesthetic control management there are some items in the Reconstruction Law: Regulation upon Planned Fields and Regulation on Making Spatial Plans. In 2013, a rule was added to Title 8 of the Reconstruction Law No. 3194 with Law No. 6495. According to the rule, the emphasis is on the establishing of an ‘architectural aesthetics commission’. The commission is responsible for deciding as to whether urban projects are expressing original ideas. The commission has the right to make changes on the buildings that do not express the original ideas without asking to the project owners.

Also, in Article 10 of the Regulation upon Planned Fields, which was prepared based on the provisions of Reconstruction Law no.3194, municipal councils must be authorised to bring the rules for aesthetic, colour, roofing and insulating covering of the buildings and the use of local materials for construction of buildings and for consideration of the regional architecture. Legislation, which gives greater powers to the municipalities, was reserved. Relevant authorities with the participation of related public institutions may set up aesthetics committees of expert architecture⁴⁹. Another regulation that was prepared based on the articles of the Reconstruction Law No. 3194 is the Regulation on Making Spatial Plans, prepared in 2014. According to this regulation, urban design guidelines must be prepared in line with the urban design projects. These urban design guidelines must be prepared in practical guidance and advice in the nature of the spatial planning system with the aim of gaining the meaning and identification and image of the space, to increase the aesthetic and artistic value and to fit the integrity of the structures.

Second of them is the special purpose laws. The ‘Law on the Conservation of Cultural and Natural Property, No. 2863’ as one of the special purpose laws came into force in 1983 and brought the rules related to aesthetic control management for conservation areas. In this law, ‘Boards of Conservation’ have been established to register the assets which are to be preserved as well as urban sites, archeological sites and natural sites, to define the temporary conditions of development until the approval of the plan and to approve the ‘Conservation-Aimed Development Plan’. Also, ‘Boards of Conservation’ evaluates the suitability of the building projects in urban sites.

Another special purpose plan that deals with aesthetic control and management is Bosphorus Law No. 2960 that was enacted in 1983. The purpose of the law is to protect and develop the cultural and historical values and natural beauty of the Istanbul Bosphorus Area by considering public welfare and to specify and regulate planning legislation to be applied in order to limit structuring that would increase the population in this area. The main issue of aesthetic control management in the law is to protect the natural aesthetic and architectural features of the Bosphorus in its general appearance.

Law No. 6306 on the Restructuring of Areas under Risk of Natural Disasters⁵⁰ is another important special purpose law that was enacted in 2012. Although there are no direct provisions about aesthetic control management of the areas under the law, when the Ministry of Environment and Urbanism approves the plan, the Ministry must take into consideration the congruity with the whole of the cities and the effect on close surroundings, provision of social and technical infrastructure, urban patterns and liveability.

Third of them is the administrative laws. Aesthetic control and management under the administrative laws can be evaluated by three laws: the Metropolitan Municipality Law No. 5216, the Municipality Law No. 5393 and the Special Provincial Administrations Law No. 5302.

The Metropolitan Municipality Law⁵¹ No. 3030, which was in effect in 1984, was abolished and the new Metropolitan Municipality Law No. 5216⁵² was issued in 2004. A two-tier metropolitan model was implemented in the administration of metropolitan areas. When Law No. 6360 came into force in 2012, the number of metropolitan municipalities was increased to 30 and the borders of the metropolitan municipality and the borders of the province overlapped each other. The law gives some rules on the duties of the metropolitan municipality related to aesthetic control management. In this title, the duties related to making the boulevards, streets and main roads, their maintenance and repair were given to the metropolitan municipality. Also, the metropolitan municipality put provisions related to the buildings that have façades in the determined areas in accordance with the urban design projects. Also, the metropolitan municipality determines where the announcements and advertisements will be placed in the cities and their size and shape.

The Municipal Law No. 5393⁵³ was enacted in 2005. According to the 15th title of the Municipality Law, the municipality has the right to determine a standard related to the announcement and advertisement billboards. Also, according to the 73th title of the Municipality Law, the municipalities have the right to make façade renovation of the buildings, and to create special lighting and landscaping in suitable parts of the city. The Special Provincial Administrations Law No. 5302⁵⁴ was enacted in 2005. There are no direct provisions about aesthetic control management of the areas under the law.

CONCLUSION

The planning history of Turkey in the last century proves that changing political and economic circumstances on both national and international levels causes the change in the formation of the planning process. As discussed in the article, the urban planning approach and planning practices have strongly been under the influence of economic, political and social circumstances as well as the international movements of the period. By pronouncement of the Republic in 1923 until now, modernisation, industrialisation, globalisation and neoliberal policies started with alternations in the social and spatial structures of Turkey.

When aesthetic control management is evaluated depending on Turkish planning history, an important change is seen to have started during the term between 1980 and 2000. At with previous terms, the aesthetic control management were quite limited. For example, during the period between the late 19th century until 1950, the aesthetic control management had focused much more on the issues related to 'public health' and 'urban

beautification'. At the time between 1950 and 1980, aesthetic control and management were to be considered to provide 'zoning regulations' and 'construction regulations'. For aesthetic control and management, different ways were used together at the same time after 1980.

After the 2000s, due to the effects of globalization and neoliberal policies, aesthetic control and management have become much more important. At this time, the legal arrangements for aesthetic control and management were made in three main areas. The first of them is the legal arrangements that were made in the Reconstruction Law and Regulations. The second is the legal arrangements that were made with the Special Purpose Laws. The third includes the legal arrangements in the Administrative Laws. Despite such a wide framework after the 2000s, it can be seen that there is no integrity for aesthetic control management, and there is a fragmented structure in Turkey. It is clear that the current aesthetic control and its management need a holistic approach.

POLICY TRENDS	LATE 19TH CENTURY UNTIL 1950	1950-1980	1980-2000	2000 UNTIL NOW (CURRENT TERM)
Political context	Westernisation/ Modernisation	Rural-urban wave, Industrialisation, Multi Political Democracy	Globalisation, Neoliberal movement	Globalisation, Neoliberal movement
Planning system	Dividing the city into sub regions, Beautification of Istanbul	Provide accessibility and connection between the cities	Mega projects	Mega projects, Urban renewal at the parcel scale and at the area scale
Aesthetic control management system	Solving the issue of fire and earthquake of the cities. Public health	Construction regulations Zoning regulations	Construction regulations Statutory Plan Notes depend on local physical plans Case by case evaluation by Conservative Boards within the scope of Law No. 2863 and Law No. 2960	Construction regulations Statutory Plan Notes depend on local physical plans Case by case evaluation by Conservative Boards within the scope of Law No. 2863 and Law No. 2960 Suggestion of the architectural aesthetics commissions Using of design guidelines
Influential legal sources	The Municipal Law (1580), The Municipalities Buildings and Roads Law (2290)	Urban Planning Law (6785)	Metropolitan Municipality Law (3030) Special-purpose Laws	Reconstruction Law (3194) Regulation upon Planned Fields, Regulation on Making Spatial Plans Law No. 6306

TABLE 1 Policy trends that influence the evaluation of aesthetic control management

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Tables and Figures

Table 1. The table is arranged by the authors