

# The role of legal norms in sustainable urban planning

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**Abstract** – Sustainable urban planning plays an essential role in ensuring a balance between urban development and environmental protection, helping to increase the quality of life in communities. Legal norms are the foundation for the implementation of effective policies in this area, by regulating green spaces and sustainable land use. This study explores the national and European legislative framework on sustainable urban planning, analyzes the impact of the application of legal norms on the quality of the urban environment and proposes legislative and administrative solutions to improve existing regulations. The study highlights the need for more active involvement of local communities and more effective coordination between public authorities to ensure harmonious and sustainable urban development.

**Keywords** – *environmental protection, legal norms, sustainable urban planning, urban development.*

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## 1. INTRODUCTION

Sustainable urban planning is a strategic process of organizing and developing urban space, with the main objective of balancing the social, economic and environmental needs of communities. This concept involves the integration of sustainable practices in land use, transport, infrastructure, protection of natural resources and the creation of accessible and ecological public spaces [1]. By promoting harmonious development, sustainable urban planning contributes to improving the quality of life, reducing the impact on the environment and conserving resources for future generations [2].

The central elements of sustainable urban planning include protecting and expanding green spaces and urban biodiversity, efficient management of natural resources and reducing the ecological footprint, integrating local communities in decision-making processes, promoting sustainable mobility and climate-resilient infrastructure [3] - [5].

Sustainable urban planning is a complex field that integrates economic, social and ecological aspects, aligning with the objectives of sustainable development [6]. Legal norms play an essential role in this process, providing the necessary legal framework for regulating resource use and environmental protection, as well as for promoting a balance between economic development and social well-being.

An essential aspect in the analysis of urban sustainability is the use of financial strategies to support the circular economy [7], [8]. The study conducted by [9] explores the perspectives of the circular economy, emphasizing the importance of implementing financial strategies that facilitate the transition to a sustainable model. These strategies are

also relevant in urban planning, as they allow for an efficient allocation of resources and the reduction of negative environmental impacts [5].

Also, the approach to the impact of sanctions on financial indicators in the field of transport, analyzed by [10], reveals how legal regulations can influence the economic stability and sustainability of critical sectors [7]. Transport, being a key element in urban infrastructure, is directly influenced by policies and legal norms, which underlines the need for adapted regulation to support sustainability objectives [7].

Moreover, the development of sustainable business models is a priority in the context of the circular economy [11]. The study by [12] highlights a framework for improving these models, which can have direct applications in urban policies, by promoting initiatives that encourage the reuse and recycling of resources in urban communities.

At the same time, the assessment of ecosystem services, such as the case of the Danube Delta, carried out by [13], highlights the importance of protecting and valorizing natural resources in the context of sustainable development [14]. This type of analysis can guide urban planning to better integrate environmental elements and protect biodiversity in urban and peri-urban regions [1], [3].

## 2. THE IMPORTANCE OF LEGAL NORMS IN URBAN DEVELOPMENT

Legal norms represent the foundation for the implementation of sustainable urban planning, providing the necessary framework for regulating land use, protecting the environment and promoting inclusive urbanism. They provide public authorities with the necessary tools to ensure compliance with the principles of sustainability and to prevent practices that may deteriorate the quality of the urban environment [7], [8].

European legislation, through directives such as the Habitats Directive (92/43/EEC) [2] and the Land Use Directive (2004/35/EC), sets standards for the protection of biodiversity and the efficient use of land. At national level, laws such as Law no. 24/2007 on the regulation and management of green spaces in urban areas and Law no. 350/2001 on spatial planning and urban planning reflect Romania's commitments to integrate sustainability into urban development policies [15].

Without a clear and enforceable legal framework, urban planning initiatives risk becoming incoherent or ineffective. Therefore, legal rules ensure both compliance with sustainability principles and accountability of all actors involved.

## 3. EUROPEAN AND NATIONAL LEGISLATIVE FRAMEWORK FOR SUSTAINABLE URBAN PLANNING

The European Union promotes an integrated approach to sustainable urban development, providing a robust legislative framework for environmental protection and efficient land use [6].

The Habitats Directive (92/43/EEC) [2] is a fundamental legislative instrument aimed at protecting biodiversity by creating the Natura 2000 network, which includes protected areas of Community interest. The Directive imposes on Member States the obligation to protect and conserve natural habitats and species of wild flora and fauna, thus promoting the integration of biodiversity conservation principles into urban policies [2].

The Strategic Environmental Assessment Directive (2001/42/EC) sets requirements for the integration of environmental considerations into development plans and programmes, including urban planning. The main objective is to identify and prevent negative impacts of planning on the environment, promoting a sustainable approach to land use.

The Sustainable Land use Directive (2004/35/EC) emphasises the need for rational use of land, preventing land degradation through soil conservation measures and the protection of natural resources [11]. This contributes to reducing the ecological footprint of urban development and protecting fertile land and water resources.

These directives form the basis for national regulations in the Member States and ensure the harmonisation of protection standards at European level.

In Romania, national urban planning legislation supports the principles of sustainability through specific regulations on land use and the protection of green spaces.

Law no. 350/2001 on spatial planning and urbanism establishes the general framework for the development of urban plans, integrating environmental protection requirements [15]. Urban planning documents, such as the General Urban Plans (PUG) and the Zonal Urban Plans (PUZ), include specific provisions for the creation and maintenance of green spaces.

Law no. 24/2007 on the regulation and management of green spaces regulates the use and management of urban green spaces, emphasizing their importance for the quality of life and health of the population [8]. Among other things, the law imposes the obligation to include green spaces in all urban plans and to comply with minimum standards of green area per capita [16].

G.O. no. 195/2005 on environmental protection, amended and supplemented, integrates European requirements for environmental protection into the urban planning process, establishing clear obligations for pollution prevention, biodiversity conservation and the sustainable use of natural resources [17].

These national regulations reflect Romania's commitment to comply with international and European standards, promoting urban development that meets both current and future needs [18].

International legislation plays an essential role in creating a unified regulatory framework, promoting the harmonization of national norms with global sustainability standards. International conventions and multilateral treaties provide clear directions for integrating environmental and sustainable urban objectives into national policies.

The UN 2030 Agenda for Sustainable Development, through Goal 11 ("Sustainable Cities and Communities"), encourages states to adopt measures to create inclusive, safe and sustainable cities, emphasizing the efficient use of resources and the increase of green areas [19].

The Aarhus Convention (1998) promotes public access to information and citizen involvement in the decision-making process, including in the field of urban planning [20].

The Convention on Biological Diversity (1992) supports the protection of ecosystems and the sustainable use of natural resources, and is an important benchmark for sustainable urban planning.

By adapting national legislation to these international standards, states can ensure integrated urban development that responds to current challenges and contributes to the achievement of global sustainability goals. This harmonization allows the implementation of coherent and effective policies that protect the urban environment and promote the quality of life [14].

#### 4. GREEN SPACES AND LAND USE IN THE CONTEXT OF SUSTAINABLE URBAN PLANNING

Green spaces are essential components of a healthy urban environment, playing a vital role in improving air quality, reducing noise pollution, regulating temperature and

promoting the well-being of residents. Regulations regarding the creation and maintenance of these spaces are fundamental for sustainable urban planning [6].

At the European level, the Habitats Directive (92/43/EEC) [2] and the Birds Directive (2009/147/EC) impose on Member States the obligation to protect and expand green areas that support biodiversity [21]. The Natura 2000 network includes valuable urban habitats, underlining the importance of integrating green spaces into built environments.

In Romania, Law no. 24/2007 on the regulation and management of green spaces provides clear standards for the creation and maintenance of public and private green spaces. The law includes obligations for local authorities to maintain a minimum green space area of 26 sq m/inhabitant and to implement projects for the expansion of green areas.

Other normative acts, such as Law No. 350/2001 on spatial planning and urbanism, require the inclusion of green spaces in all urban plans and the observance of quality standards for them.

Sustainable land use is essential to ensure a balance between urban development and the protection of natural resources. This involves the integration of standards and good practices that maximize the efficiency of land use and minimize the impact on the environment.

The Strategic Environmental Assessment Directive (2001/42/EC) emphasizes the importance of integrating sustainability into land use planning [21], through environmental impact assessment and the adoption of preventive measures. The Contaminated Land Remediation Directive (2004/35/EC) also encourages the reuse of degraded areas to reduce pressure on unused land [22].

The implementation of regulations on green spaces and land use faces a number of obstacles, which limit the effectiveness of these policies. Local authorities often face budgetary constraints, which leads to poor maintenance of existing green spaces or the impossibility of developing new ones. Urban regeneration projects are expensive, requiring financial support from the government or European funds, and the increasing demand for land for residential and commercial construction leads to a reduction in the areas intended for green spaces. In many cases, economic interest prevails over sustainability objectives, despite existing regulations [22].

Insufficient collaboration between central, regional and local authorities creates gaps in the implementation of regulations. Urban and environmental protection plans are not always harmonized, which leads to contradictory or ineffective decisions. The lack of environmental education and awareness of the benefits of green spaces prevents the involvement of local communities in their protection and expansion.

Although European and national regulations provide a solid framework for the protection of green spaces and sustainable land use, their implementation requires sustained efforts to overcome obstacles. Better coordination between authorities, increased public and private investment and the active involvement of communities in the decision-making process are essential. Only through an integrated approach can the goal of a healthy and sustainable urban environment be achieved.

## 5. THE IMPACT OF LEGAL NORMS ON THE URBAN ENVIRONMENT AND LOCAL COMMUNITIES

Legal norms play a key role in influencing urban environment quality indicators. Through specific regulations, they contribute to monitoring and improving essential parameters for a healthy and sustainable urban environment.

Urban planning and land use legislation limits emissions generated by industrial activities, transport and heating. For example, the integration of urban green spaces into development plans contributes to the reduction of air pollutants, such as fine particles (PM<sub>2.5</sub>, PM<sub>10</sub>) and nitrogen oxides (NO<sub>x</sub>).

Legal norms require the creation of natural noise barriers, such as parks and green areas, which reduce noise pollution. Urban plans often include measures to reduce noise in residential and commercial areas.

National and European regulations promote the protection of natural habitats in the urban environment, supporting species diversity. The creation and maintenance of green spaces, urban gardens and ecological corridors are essential measures in this regard.

Legal regulations directly influence the well-being of local communities by creating an urban environment conducive to economic and social development. The main benefits include: access to green spaces, protected by legislation, improves the health of the population, reducing the risks of respiratory and cardiovascular diseases. At the same time, they provide opportunities for recreational activities and sports.

Urban planning norms that encourage efficient land use, the creation of public spaces and environmental protection contribute to the overall improvement of living conditions in cities.

By regulating equitable access to urban resources, legislation reduces social disparities. Regulated public spaces serve as meeting and interaction points for diverse communities.

European legislation, such as the Aarhus Convention [20], requires public involvement in decision-making regarding urban development, promoting civic responsibility and transparency of authorities.

Last but not least, the impact of tourism on the environment, investigated by [23], highlights the need to involve all stakeholders in the process of regulation and urban planning. In the case of tourist areas, such as the Romanian seaside, the adoption of clear and effective legal norms can contribute to reducing the negative effects of mass tourism and promoting a sustainable development model [24]. In conclusion, legal norms represent a fundamental tool in the process of sustainable urban planning, facilitating the implementation of economic strategies, environmental protection and community involvement [25], [26]. The integration of the conclusions from the analyzed research provides a solid basis for the development of sustainable policies and practices in the urban environment.

## 6. CONCLUSIONS

Legal norms have a significant impact on the quality of the urban environment and the well-being of communities. They provide a solid framework for the protection of green spaces, efficient land use and citizen involvement in decision-making. The consistent application of these regulations can transform cities into greener, more inclusive and more sustainable spaces. However, success depends on cooperation between authorities, communities and the private sector.

To ensure sustainable urban planning, it is necessary to adapt and strengthen the current legislative framework by adopting a framework law for sustainable urban planning that would integrate all existing regulations on land use, environmental protection and urban development. This could include mandatory targets related to minimum green areas, the use of renewable energy in buildings and the reduction of the ecological footprint of

cities. Also, the updated legislation on green spaces - Law No. 24/2007 could be amended to introduce stricter requirements for the maintenance and expansion of green spaces, including the obligation of ecological rehabilitation plans for cities with a deficit of green areas. Improving sanctions for non-compliance by introducing higher fines and other sanctions for the destruction of green spaces or for inappropriate use of land would increase compliance.

Legislative changes, efficient administrative tools and active citizen involvement are the basis for sustainable urban planning.

Adopting these measures can transform the urban environment into a greener, more inclusive and more resilient space, significantly contributing to increasing the quality of life and protecting resources for future generations.

Integrating legal rules, supported by efficient administrative tools and public-private partnerships, is the path to a sustainable urban future. It is essential that authorities, citizens and companies collaborate to transform cities into greener, more inclusive and more resilient spaces, responding to both current needs and those of future generations.

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