



## COURSE DESCRIPTION

### Administrative law for urban planning and cultural heritage

**SSD: DIRITTO AMMINISTRATIVO (IUS/10)**

DEGREE PROGRAMME: ARCHITECTURE AND HERITAGE (P53)  
ACADEMIC YEAR 2023/2024

## COURSE DESCRIPTION

TEACHER: BRIGANTE VINICIO  
PHONE:  
EMAIL: [vinicio.brigante@unina.it](mailto:vinicio.brigante@unina.it)

## GENERAL INFORMATION ABOUT THE COURSE

INTEGRATED COURSE: U4008 - INTEGRATED COURSE OF HERITAGE MANAGEMENT  
MODULE: U4101 - Administrative law for urban planning and cultural heritage  
TEACHING LANGUAGE:  
CHANNEL:  
YEAR OF THE DEGREE PROGRAMME: II  
PERIOD IN WHICH THE COURSE IS DELIVERED: SEMESTER I  
CFU: 4

### REQUIRED PRELIMINARY COURSES

Design studio for archaeological heritage

### PREREQUISITES

Knowledge of the basic elements of urban planning and cultural heritage law

### LEARNING GOALS

The course aims to provide useful insights into the relationship between land governance and cultural heritage protection, with reference to the various legal, provvedimental and contractual instruments that can help improve the aforementioned relationship

### EXPECTED LEARNING OUTCOMES (DUBLIN DESCRIPTORS)

#### Knowledge and understanding

The student must show knowledge and understanding of issues related to the complex dynamics that guide land-use government activity and its consequences for the protection and enhancement

of cultural heritage. The student should be able to apply the legal concepts learned and knowledge related to the course syllabus to the specific needs arising from the practical cases discussed in class; ability to find concrete solutions to practical cases. Students should demonstrate the ability to find effective solutions to the legal problems identified, according to the specifics and purposes of the legal discipline considered applicable in the case; basic interdisciplinary skills to solve problems of medium complexity in urban planning and cultural heritage law.

### **Applying knowledge and understanding**

The student must be able to resolve and know the links between administrative decision-making of a planning nature and the protection of the cultural heritage, including through a critical reading of administrative and constitutional caselaw.

## **COURSE CONTENT/SYLLABUS**

The objective of the course is to provide general knowledge of city planning and cultural heritage law at the national level. First and foremost, the course aims to provide some general legal concepts of land use planning. The subject of urban planning will be approached through the foundations and tools of legal analysis, taking into account the study of the legal profile of spatial government. Starting from a reconstruction of the subject, the subject of land use planning in all its aspects will be studied. In detail, the general principles of urban planning and programming will be analyzed, including with reference to "differentiated protection," in the context of the main urban functions of land government; municipal and regional land planning; administrative procedure to elaboration and development of an urban plan; land use planning; the territorial coordination plan and the general regulatory plan; municipal urban planning tools and procedures ; integrated planning; the urban plan; the detailed plan; conservation policies for historic centers; constraints to protect differentiated interests; and the urban implementation plan. Second, the course contains a basic-level description of the main legal issues pertaining to cultural heritage.

M.R. Spasiano, M. Calabrò, G. Mari, F. Gambardella, P. Tanda, A.G. Pietrosanti, *Fondamenti di diritto per l'architettura e l'ingegneria civile*, Napoli, 2020;

A. Boeri, G. Bertoli, D. Longo, *Cultural heritage as driver for urban regeneration: comparing two processes*, in *Ecology and environment*, vol. 217, 2018, pp. 587-598;

I. Allegro, A. Lupu, *Models of public private partnership and financial tools for the cultural heritage valorisation*, in *Urbanistica Informazioni*, Special Issue, 2018, pp. 1-5;

C. Ventura, G. Cassalia, L. Della Spina, *New models of public-private partnership in cultural heritage sector: sponsorships between models and traps*, in *Procedia - social and behavioral sciences*, 223, 2016, pp. 257-264;

P. Dubini, L. Leone, L. Forti, *Role Distribution in public-private partnerships: the case of heritage management in Italy*, in *International Studies of Management & Organizations*, vol. 42, 2, 2012, pp. 57-75.

## **READINGS/BIBLIOGRAPHY**

Course materials consist of (i) lecture slides, (ii) articles and essays, and (iii) student notes. In particular, the articles and legislation given in class will be made available on the lecturer's website.

### TEACHING METHODS OF THE COURSE (OR MODULE)

The course is organized into 20 face-to-face lectures and in-depth seminars on key topics. Each topic will be covered by providing an overview of the topic itself, an explanation of general principles, and an indication of the most relevant information at the level of detail. Each lecture includes discussions on the concepts covered, with the aim of stimulating students to engage in a comparison and critical evaluation of the systems presented and their procedures and mechanisms. The course includes jurisprudential analysis and normative interpretation of the main sector legislation, including the General Law on Administrative Procedure, Consolidated Law on Construction and the Code of Cultural Heritage and Landscape (Legislative Decree No. 42 of January 22, 2004)

### EXAMINATION/EVALUATION CRITERIA

#### a) Exam type

- Written
- Oral
- Project discussion
- Other

#### In case of a written exam, questions refer to

- Multiple choice answers
- Open answers
- Numerical exercises

#### b) Evaluation pattern

Final grade, because of the outcomes and skills demonstrated in the discussion of the project as well as the themes and elaborations from the different modules, will be weighted on the CFUs of each teaching and thus composed as follows: Heritage Estimation and Evaluation 50%; Administrative law for urban planning and cultural heritage 50%.