



Public decision making for heritage conservation: A Hong Kong empirical study



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ABSTRACT

This study aims to investigate the objective factors that determine heritage conservation decision makings. A probit regression model, fed with land value data obtained by the residual valuation method, was used to evaluate data sets for 155 built heritage sites designated as statutory monuments or administratively graded by the Antiquities and Monument Office in Hong Kong. Five refutable hypotheses were tested. Although a building at a larger site has a higher chance to be designated a graded heritage building than one at a smaller site, the chances of it being designated a grade heritage building were statistically higher for an older building than for a newer one; not lower for sites under zoning for non-private uses and lower for a privately owned building than a government building; and above all higher for a site with higher property value. The results as a whole dispute the presumption of other researchers, who argued that planning decisions in general, or conservation planning decisions in particular, were dominated by a pro-market sentiment in favor of economic benefits. They form a discussion on the relevance of statistical inquiry for heritage conservation.

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1. Introduction

Unlike development controls, the burgeoning theoretical literature on heritage conservation has not paid much attention to the properties of decision making using a statistical approach. Good exceptions are the works by Yau (2009) and Wang and Zeng (2010). The quantitative approach in “cultural economics” has not extended to decision making of heritage authorities. This paper uses a probit model to examine 155 sets of non-aggregate data, which are available to the public and, hence, verifiable, on the decisions of a heritage authority to evaluate five empirically refutable hypotheses about conservation in a well-known laissez faire market economy in China.

The uniqueness of the modeling exercise is that it was backed by a professional property valuation exercise that is wanting in the cost-benefit analysis of heritage conservation. The choice of study area and method used should shed light on many suppositions about development policies in Hong Kong due to its economic

performance. Good examples are the views that land use planning in Hong Kong tends to favour economic interests (Ng, 1997), that Hong Kong has been too dependent on land and property development (Hopkinson, 2002). Haila (2007) describes Hong Kong as a “property state” where land is scarce, real estate has an important role in the functioning of the whole economy. The views of Henderson (2001), Teather and Chow (2003), and Ng (2008), which were persuasive, although, without any rigorous factual backing, can easily lead one to believe that properties with higher values do not stand much of a chance of being conserved. In fact, they are countered by analytical and empirical academic, as well as consultancy studies, on the actual working of the planning system, which revealed that the system increases transaction costs and delays development – which, in itself, is not pro-market (Chan et al., 2012; Lai, 1997; Lai & Ho, 2008; Staley, 1994). The time is ripe to verify, inter alia, these subjective judgments as spurs to the use of statistical and valuation techniques in heritage polemics. Thus, in light of the different views, this study aims to investigate the objective factors that determine historical building designation by the Government. It attempts to further investigate the popular beliefs that the economic costs of conserving architectural heritage sites outweigh all cultural benefits when policymakers decide on

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conservation funding allocation.

2. Heritage research context

It is not intended to generate consensus among various international preservation organisations in different countries over *what* is worth preserving (ICOMOS, 1987, 1994; UNESCO, 2009). Some heritage theorists have argued that built heritage tends to be preserved mainly for economic purposes rather than for its own cultural merits (Jokilehto, 1999; McKercher & du Cros, 2002; McKercher, Ho, & du Cros, 2004). Yet, others hold that heritage buildings contain non-economic values, particularly, cultural and social values including collective memory (Assmann, 1995), sense of place (Stubbs, 2004) and cultural identity (Lowenthal & Binney, 1981).

Statutory historic building preservation sits uneasily with the capitalist imperative (Larkham, 1996, p.3) and the demand for redevelopment. The balance between conservation and redevelopment has not been easy to achieve (Delafons, 1997; Hunter, 1996), and research on conservation in developing countries has focused on high development pressures, rapid population growth, and a low priority placed on cultural heritage (Binh, 1998; Engelhardt, 1998; Kong & Yeoh, 1994; Sangachhe, 1998; Steinberg, 1996). More advanced cities like Hong Kong also share some of these problems, especially because of its limited space and soaring property values.

It is not hard to understand the logic of many (Delafons, 1997; Hunter, 1996) that the development potential of a plot of land can conflict with its cultural legacy. As soon as the government claims a piece of property as “heritage,” the redevelopment rights of its owners are subject to constraints (Lichfield, 1988). Some argue that heritage designation causes economic harm to property owners and others with an economic interest in the property concerned, and such interests may conflict with the values the designated heritage may project. However, other heritage researchers held that historic building conservation does not necessarily conflict with urban development (English Heritage, 1999; Kearns & Philo, 1993; While, 2006). They argued that heritage conservation and urban economic development can coexist and synergistically support each other (Amit-Cohen; 2005; Antoniou, 1984). Heritage is increasingly used as a cultural, social, and political resource and as a way to legitimize government and governing ideologies (Throsby, 2001; Tunbridge & Ashworth, 1996). This view is acceptable to the economists only if there are innovations that can promote both heritage conservation and economic use of the heritage sites (Lai & Lorne, 2006).

Is privately-owned built heritage harder to conserve than public-owned one? Typically, the former is considered economically driven and dependent on the property market, while the latter is more affected by political and social concerns. Both are invariably constrained in their uses. Therefore, no conclusive statement was made in the past debate over whether privately-owned historic buildings face more or fewer challenges in their conservation efforts than publicly-owned buildings.

With a view to shed light on the diverse views and unknowns mentioned above, this case study empirically analyzes the designation of historic buildings using the statistical technique of probit regression to find out if in Hong Kong official conservation decisions were driven by market or non-market concerns and whether land values did matter that much. It has a focus on land value, which is determined by the terms of the government land lease as modified by statutory zoning. Building age, site area, land

tenure are also important variables. The case study area is Hong Kong, which is subject to high development pressures on its infrastructure and suffers from a limited supply of land. By identifying the actual criteria used by the Antiquities and Monument Office (AMO) for the declaration of monuments in Hong Kong, this paper should contribute to better conservation research by putting it on a solid quantitative basis not found in any previous literature and scrutinizes the cliché about the preference of the Hong Kong Government for growth.

3. Urban development and land use planning context

Most of Hong Kong's property developments are concentrated in less than 15% of the territory, and this, combined with Hong Kong's fast population and GDP growth and the prosperity of many in China, have pushed up land prices. A dearth of developable land provided the incentive for a high-rise and high density built environment in which many pre-war buildings in the urban areas were redeveloped to maximise the plot ratios under the government provisions. The government controls the supply of land and for development and redevelopment. And it is well known that a lion share of her its annual fiscal income comes from land premiums.

There are several institutional land use features operating in Hong Kong that invariably affect the development potential of land and land value of a site. First, Hong Kong has a contractual planning system based on its leasehold system, which has been in place since 1841 (Lai, 1998, 2005, 2010). The government auctions off land rights to private individuals on a lot-by-lot basis. The land purchaser is allowed to develop the land in accordance with pre-specified (i.e., planned) development conditions that defines uses, building heights, development intensity, design and disposition, and other conditions on individual lots. While the older land leases have fewer development restrictions, the modern ones tend to be very restrictive and are designed according to administrative development plans to ensure that each development complies with modern planning standards.

Second, super-imposed on this contractual planning system is an obligatory statutory zoning that can remove some, if not all, redevelopment rights based on the land lease or require the permission of the Town Planning Board (TPB) to exercise the existing rights. This statutory zoning tends to reduce the valuation of the land.

Third, the government normally will not “resume” (i.e., take) private ownership of properties or licences without cash compensation or if it is not broadly understood to be in the public interest. This means that conserving private built heritage by way of government land resumption entails a high level of government expenditure to compensate affected owners for their loss of development potential. This could impede the declaration of monuments (Chu & Uebergang, 2002; Conservancy Association, 2003).

4. Conservation of built heritage in a property state

Economic growth and property development were represented by researchers to be the dominant ideologies in Hong Kong since the British colonial period from 1841 (Hopkinson, 2002; Lau & Kuan, 1988; Lu, 2009). Heritage conservation was advocated to Hong Kong in the mid 1970's and the government enacted the *Antiquities and Monuments Ordinance* in 1976. The government policies of 1998 and, 1999 advocated more positive action on conservation

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