

Urgent call for protection of Luxembourg's architectural heritage

Compared with other countries, Luxembourg counts relatively few buildings which are protected under the framework of national heritage conservation. Over the past decades, a substantial part of the country's architectural heritage has vanished, falling victim to the booming real estate market, all in all, very little of Luxembourg's historical architecture has been preserved.

In July 2019 a draft law for the protection of cultural heritage was presented, which is, certainly, a step in the right direction. However, while this law is being reviewed and debated in the Parliament, the destruction of valuable architectural substance continues and seems to progress at an increasing pace.

This is why we, the undersigned, ask the Luxembourg's authorities to urgently undertake appropriate measures in order to prevent an irremediable loss of Luxembourg's architectural heritage:

1. Any building built before 1955 should be protected systematically. Demolition permits for these buildings should only be granted on an exceptional basis, after careful assessment of their architectural and historical value, which should be based on transparent and objective criteria in line with international standards in the field of heritage protection.
2. Architectural heritage should be considered as a whole. The current practice of protecting merely architectural elements, such as facades, or the outer shape of a building ("gabarit") should be abandoned. Whenever possible, entire ensembles should be protected against demolition or undue transformation.
3. The State as an owner of architectural heritage should play an exemplary role: protected buildings belonging to the State should be preserved in their integrity and, whenever possible, made accessible to the public.
4. The State should systematically intervene whenever the owner of a protected building fails to his or her obligation to preserve this building. Any person who deliberately damages or demolishes a protected building or allows it to fall apart should be sanctioned.
5. Access to information about construction, demolition and transformation projects should be generally facilitated. Information about larger construction projects which are likely to have an impact on the entire neighbourhood or which involve transformation or demolition of historical building substance, should be made available to the public proactively and well in advance. In the context of public consultations on these projects, various stakeholders, such as local dwellers, community groups and civil society organizations should be given the opportunity to express their concerns, which need to be properly addressed in the course of the decision-making process.
6. Protection of architectural heritage should also encompass vernacular architecture, such as washhouses, bridges, road crosses or walls. Appropriate measures for the conservation and valorization of these elements should be undertaken.
7. The State should undertake additional efforts to raise public awareness about the importance of preserving architectural heritage. Information about protected buildings should be easily available. Raising public awareness should begin at the level of the school education, and encompass organization of various public events throughout the year.

8. Information about subsidies for the preservation of old buildings should be made easily available to owners, municipalities, architects and craftsmen. Allocation of such subsidies should be conditional upon the respect of strict criteria, such as the type of work (transformation should not be subsidized), the choice of materials and techniques, and eventually the extent to which buildings are being made accessible to the public (for instance, in the context of the *Journées du Patrimoine*).

Background information

Luxembourg has very little historical architectural substance left. According to available information, merely 28,8% of the still existing buildings have been built before the end of WWII, and only 13,9% before 1920.¹

Several thousands of historical buildings are under protection, but for most of these buildings, the protection is merely granted via urban development plants (PAG),² which has proven ineffective, whenever an owner attempted to challenge the refusal to grant a demolition permit on this basis before Court.

Only 1457 buildings are currently protected at the national level by being listed as national monuments or by being included in the so-called *inventaire supplémentaire*.³ Many buildings, which have been considered as valuable by the *Service des Sites et Monuments Nationaux* (SSMN), are not protected at all.⁴

The estimated protection rate of 0,7% is far below than that of other countries.⁵ In Germany, for instance, 3% of buildings are protected as national monuments, another 10% are located in conservation areas, such as historic city centres.⁶ In the Netherlands, the city of Amsterdam alone

¹ Rohstoff Bauabfall, *Journal*, 16.03.17, available at: <https://www.journal.lu/top-navigation/article/rohstoff-bauabfall/>

² On 14 May 2020, 13 588 buildings were protected on local level. This concerns the situation in 51 municipalities which have updated their PAG. There is no information available about the remaining 51 municipalities (Service des Sites et Monuments Nationaux (SSMN): Patrimoine à protéger, 14.05.20)

³ The SSMN inventory actually shows, that approximately one proposal out of four was not retained by the municipalities. (ibid.) Moreover, in many cases, municipal protection only pertains to the main buildings, i.e., the accommodations of a farm, but not the barn, or the so-called “gabarit”, outer shape.

⁴ RTL quotes as a figure of 28 000 buildings which have been deemed as valuable from the point of view of architectural heritage conservation (Ofgerappt heescht fort fir ëmmer, *RTL*, 8.03.10, available at: <https://www.rtl.lu/news/national/a/1146587.html?fbclid=IwAR1KXp0gDIFIZCmHzfUFZkiWSJ2Tee-ihR0vOIIYVzIRsxFbodDp9K-HEdQ>)

⁵ Bröckelnde Identität, in : *Revue*, N°35/2016, 31.08.2016, available at: <http://www.revue.lu/brockelnde-identitat/>

⁶ Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit (2014): Die besonders erhaltenswerte Bausubstanz in der integrierten Stadtentwicklung, Berlin, August 2014, available at: https://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/bauen/wohnen/denkmalshutz.pdf?__blob=publicationFile&cv=2)

has 9 000 national and municipal listed monuments and six nationally protected conservation areas, including its historic city centre.⁷

In Luxembourg, a large variety protection criteria and inconsistencies in their application have contributed to numerous cases of valuable historical buildings being either modified to a point that their original substance can no longer be recognized or even completely demolished. Among recent examples is the row of houses in *rue Jean L'Aveugle* in Limpertsberg, which were intentionally damaged while the procedure leading to their national protection was still underway. Confronted with the demolition request of a real estate developer, the City of Luxembourg had refused to protect these buildings in the first place and later opposed to the Minister of Culture's call for their protection.⁸ An *art déco* villa at the corner of avenue du X Septembre and boulevard Pierre Dupong, also known as Villa Marx, was classified as a national monument back in 2016, but the new owner willing to replace the historical building with a block of apartments to capitalize the prime location in Belair, contested that decision and won the court case. Despite public protest and broad media coverage, this beautiful villa will soon disappear.

Even though the current law on the protection of architectural heritage⁹ already foresees the possibility for the State to intervene, should an owner fail to fulfil his/her obligation to maintain a protected building, we see multiple examples where owners of protected buildings simply let their properties fall apart (in the hope to ultimately obtain a demolition permit), without incurring any penalty or prosecution. For instance, in Boevange-sur-Attert, the birthhouse of Joseph Hackin, a famous French archeologist and Resistance fighter of Luxembourgish origin, falls apart. In Rollingen/Mersch, the main building of the so-called Hurtenhaus, a farmhouse, whose origins have been traced back to the 17th century and which is extensively described in the *Letzebuurger Baurenhaus* by Georges Calteux, is suffering the same fate.

Contrary to the expectations, the State as an owner does not always lead by example. This is well demonstrated with the castle in Eisenborn, which once hosted a religious congregation, but has been falling apart since its purchase by the Luxembourgish State.

All three buildings mentioned above are listed national monuments.

Spurred by an unprecedented upsurge in real estate prices and a high demand for construction land, demolition of existing housing has accelerated dramatically over the last decade.¹⁰

⁷ City of Amsterdam : Policy : Listed Monuments (without date), available at :

<https://www.amsterdam.nl/en/policy/policy-culture-arts/listed-monuments/>

⁸ Maisons du Limpertsberg : la bataille se poursuit, *Le Quotidien*, 4.06.19, available at:

<https://www.lequotidien.lu/luxembourg/maisons-du-limpertsberg-la-bataille-se-poursuit/>; Rue Jean

l'Aveugle: Nein zum Denkmalschutz, *Luxemburger Wort*, 2.07.19, available at:

<https://www.wort.lu/de/lokales/rue-jean-l-aveugle-nein-zum-denkmalschutz-5d1a5b25da2cc1784e34711e>

⁹ Texte coordonné de la loi modifiée du 18 juillet 1983 concernant la conservation et la protection des sites et monuments nationaux, article 10 - 13, available at : [Texte coordonné de la loi modifiée du 18 juillet 1983 concernant la conservation et la protection des sites](#)

¹⁰ This goes out from a survey by the *Observatoire de l'Habitat*, which shows that the average surface which was rebuilt in residential areas, thus implying the demolition of another building, increased by more than 25 percent. (from 21 to 29 ha per year). (Observatoire de l'Habitat: La construction de logements, entre

Civil society organizations active in this field have estimated that some 100 valuable buildings are being demolished every year, while 50 more are left to fall apart.¹¹

The common practice of protecting or preserving only some parts of a building (such as the main building of farmhouses or façades) is not in line with international standards in the field of heritage conservation, which consider a building as a whole and even recommend the preservation of its surroundings.¹² The barn of a farmhouse may be considered as less valuable from an architectural point of view, but without it, the historical function of the entire building cannot be understood.

The need for additional housing

Population growth and the need to create additional housing is regularly used as an argument to justify demolition of historical buildings.

Over the last decades, Luxembourg's population has indeed been steadily growing. Between 2010 and 2017, the relative population growth has been 2.3% per year.¹³ In line with different growth scenarios, STATEC has estimated the annual need for additional housing units between 5653 and 7526.¹⁴ However, according to a BCEE (Banque et Caisse d'Épargne de l'État, BCEE), only 2891 housing units per year have been delivered since 2010.¹⁵

However, the population growth alone is not the only factor explaining the need for additional housing. Another factor is the changing living patterns and the increasing number of single or two

consommation foncière et reconstruction de terrains. Etude sur le Grand-Duché de Luxembourg entre 2010 et 2016, Dossier thématique, February 2019, p. 19) For the whole period (2010-2016), 27 percent of the new buildings were built on surfaces, which were already built before. (ibid., p. 20. Unsurprisingly, this is particularly the case in the City of Luxembourg and other regional centres. (ibid., p. 22)

¹¹ Kein Platz für sBauerbe, *Revue*, (without references), available at: <http://www.revue.lu/kein-platz-furs-bauerbe/>

¹² **Article 5**

The conservation of monuments is always facilitated by making use of them for some socially useful purpose. *Such use is therefore desirable but it must not change the lay-out or decoration of the building.* It is within these limits only that modifications demanded by a change of function should be envisaged and may be permitted.

Article 6

The conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and colour must be allowed.

ICOMOS (International Council on Monuments and Sites): International Charter for the conservation and restoration of monuments and sites (The Venice Charter 1964), IInd International Congress of Architects and Technicians of Historic Monuments, Venice, 1964, adopted by ICOMOS in 1965 (our Italics), available at : https://www.icomos.org/charters/venice_e.pdf

¹³ Decoville, Antoine/Feltgen, Valérie : Diagnostic du développement territorial, juin 2018, available at: https://amenagement-territoire.public.lu/dam-assets/fr/strategies_territoriales/monitoring_ivl/2018-Diagnostic-territorial.pdf.

¹⁴ STATEC : Projections de long-terme du STATEC, in : STATNEWS N° 14, 24.04.19, available at : <https://statistiques.public.lu/fr/actualites/population/population/2019/04/20190424/20190402.pdf>

¹⁵ BCEE : Der luxemburgische Immobilienmarkt: die aktuellen Marktpreise (Teil II), 21.10.19, available at: <https://www.bcee.lu/de/blog/expertenrunde/der-luxemburgische-immobilienmarkt-die-aktuellen-marktpreise-teil-ii/>

person households. With an average size of 144 sqm, Luxembourg is also among the countries with the largest accommodation sizes in Europe, where the average size is 105 sqm.¹⁶

Luxembourg is currently experiencing an unprecedented boom in the construction sector. However, construction of housing units is rivalry with other real estate projects.¹⁷ With several large construction sites recently finalized, Luxembourg has reached 1,2 million sqm of shopping centres. With 169 sqm commercial surface, per inhabitant Luxembourg finds itself at the top in Europe.¹⁸

Already in 2016 only slightly more than two thirds of the constructed surface was devoted to housing, the rest being split between industry and infrastructure.¹⁹

Another non-negligible factor which explains if not the housing shortage, then the upsurge in prices, is the attractiveness of Luxembourg residence status for the world's wealthiest²⁰ and the growing number of institutional investors seeking high return on investment in the ever-growing local real estate market.²¹

A recent study by the *Observatoire de l'Habitat* has shown that the country's constructible land is mainly concentrated in the hands of a small group, among whom are rich heirs and institutional investors. Today, only 1% of the country's population holds one quarter of the available land.²²

One may well argue, that the densification, which happens when a formerly built surface is being rebuilt, contributes to resolving problem of housing shortage. However, in the short term it rather nurtures it. The best evidence of this is the high number of buildings staying empty over years in anticipation of their demolition.²³ The total number of such old buildings abandoned intentionally has been estimated at 15 000 for the whole country, and 3 900 in the City of Luxembourg alone.²⁴

¹⁶ PWC : Luxembourg Real Estate 2020: Building blocks for success, (without date) available at : <http://www.corporatenews.lu/en/archives-shortcut/archives/article/2015/04/the-luxembourg-real-estate-landscape-to-thrive-by-2020-according-to-pwc>

¹⁷ Luxembourg, champion des surfaces commerciales, *RTL*, 13.01.20, available at : <https://5minutes.rtl.lu/actu/luxembourg/a/1454184.html>

¹⁸ Ibid.

¹⁹ Les logements occupent moins de 7% du territoire, *RTL*, 26.10.17, available at : <https://5minutes.rtl.lu/laune/actu/a/1089721.html>

²⁰ Luxembourg compte 403 personnes « ultra-riches », *RTL*, 9.03.20, available at : <https://5minutes.rtl.lu/actu/luxembourg/a/1480417.html>. According to PWC, the wealth of 22 percent of the Luxembourgish households exceed 1 mio. € (PWC, op.cit.).

²¹ PWC, Luxembourg Real Estate 2020: Building blocks for success, French : Les fondations du succès. See also : Chambre des salariés: Note « LOGEMENT », février 2020, available at : <https://www.csl.lu/bibliotheque/publications/1972da7b1b.pdf>

²² Observatoire de l'Habitat : Le degré de concentration de la détention du potentiel foncier destiné à l'habitat en 2016, in : *La Note de l'Observatoire de l'Habitat* N°23, available at : <https://statistiques.public.lu/fr/publications/autresacteurs/series-ceps/noteobservatoirehabitat/2019/23-2019/index.html>

²³ The survey by the *Observatoire de l'Habitat* actually shows that the density of the rebuilt surfaces is generally, considerably higher, than before. (Observatoire de l'Habitat: La construction de logements... , p. 26)

²⁴ Les logements vides détestent les taxes, *Luxemburger Wort*, 15.10.19, available at : <https://www.wort.lu/fr/luxembourg/les-logements-vides-detestent-les-taxes-5da49d44da2cc1784e34d9b4>

Even though the combined process of demolition and reconstruction ultimately leads to an important increase of available housing, which is essentially the result of a greater density, the equivalent of more than one third of the newly created accommodation had been destroyed.²⁵

Taken together, the impact of abandoning and ultimately demolishing old and quite often valuable housing substance, may have a significant negative impact in terms of available and affordable housing.

Obviously, housing shortage is a complex problem which cannot be resolved by demolishing old houses. Quite the contrary: the practice of easily granting demolition permits further nurtures real estate speculation. Old houses are almost automatically replaced by apartment blocks, where in many cases, the price of one single apartment reaches the price of a simple one-family home in the same municipality. This, in turn, has an impact on the price of old houses, which become unaffordable for average wage-earners²⁶ and are therefore almost automatically demolished or let fall apart.

Ecological aspects

Contrary to common beliefs, ecological concerns are not a valid argument that could justify demolition of old buildings. Quite the opposite: old buildings were generally built by taking into account the local climate conditions. Although not generally associated with a low energy performance per se, old farm houses, for instance, usually have thick walls which protect against the cold in winter and against excessive warmth in summer.

The German architect Hans-Joachim Ewert has demonstrated that, from the point of view of final energy consumption, i.e. construction and maintain, the energetic rehabilitation of an existing house is always to be preferred to a demolition and new construction, even of a passive house.²⁷

The main ecological impact of a building actually occurs during the construction process. Old buildings bear a huge amount of the so-called „grey energy“. Grey energy refers to the sum of energy required for the production, transport, storage and recycling.²⁸ A study by the *Fachhochschule Burgenland* showed that the amount of grey energy required for a passive house by far exceeds the amount of energy required for its heating. In the worst case scenario, the grey energy of a passive

²⁵ Observatoire de l'Habitat: La construction de logements ..., p. 27

²⁶ According to the President of the *Chambre Immobilière*, Jean-Paul Scheuren, prices for old buildings in Luxembourg are exceptionally high. Quote: „Wir sind das einzige Land in Europa, wo die Preise von Altbauwohnungen, also von „Secondhand“, zwischen 82 und 85% vom Neupreis liegen. In Deutschland sind es etwa 50 %.“ (Ein ganz normaler Immobilienmarkt (Interview) in: *Forum* 330, juin 2013, available at: <https://www.forum.lu/article/ein-ganz-normaler-immobilienmarkt/>)

²⁷ BUND (2018) Abreißen oder sanieren?, *Ökologisch Bauen & Renovieren 2018*, available at: https://www.bund-bawue.de/fileadmin/bawue/Dokumente/Themen/Klima_und_Energie/OEkologisch_Bauen_und_Renovieren_2018_Graue_Energie_Abreissen_oder_sanieren.pdf and https://www.bund.net/fileadmin/user_upload_bund/publikationen/bund/bund_oekologisch_bauen_und_renovieren_2018.pdf

²⁸ Ibid.

house could exceed by hundred times its annual energy consumption. However, the estimated lifecycle of a newly built house lies well below one hundred years.²⁹

While old houses were mostly built with natural materials and materials sourced locally and easily recycled, new buildings generally rely on the use of complex material whose recycling generates unprecedented and unresolved problems. In Germany, Styropor or Polystyrol, the cheapest and most commonly used insulation material, was once classified as dangerous construction waste as it contains HBCD (Hexabromcyclodecan) as a fire-retardant, but due to the shortage of specialized incineration sites, this classification was subsequently lifted.³⁰

The production of concrete, one of the main building materials of our times, is extremely energy-intensive. According to Chatham House, concrete production process is the source of about 8% of the world's total carbon dioxide (CO²) emissions, which is just slightly below the impact produced by the global agriculture business (12% of CO² emissions), but more carbon footprint than that of the aviation industry (2.5%).³¹

Due to their important consumption of grey energy, construction of buildings which are not being made of natural and renewable materials, should not be pursued. French NGO NégaWatt is advocating for the improvement of the energy efficiency of existing buildings versus the acceleration of the demolition and reconstruction cycles.³²

Common interest

In 2020, the Luxembourgish government budgeted 23 038 865 € for the tourism sector. This makes 0,11% of the total State budget.³³ Alongside with its beautiful natural landscapes, Luxembourg's cultural and architectural heritage have great potential to attract tourists to the country.³⁴

However, Luxemburg's cultural heritage cannot be limited to the UNESCO-protected fortress, the old town of Luxembourg and the *Sprangpressioun*. It encompasses the country's industrial heritage, its distinctive churches and bridges. It includes Luxembourg's houses, whether modest or spacious, urban or rural, with their eclectic diversity being testimony of the country's checkered past and the talent of their creators.

²⁹ Ibid.

³⁰ Neue Verordnung in Kraft: Styropor kein Sondermüll mehr, in: *Bauratgeber* (without date), available at: <https://www.bauratgeber-deutschland.de/hausbau-ratgeber/ausbau-renovierung/daemmung/daemmstoffe/neue-verordnung-styropor-kein-sondermuell-mehr/>

³¹ Chatham House: *Making Concrete Change: Innovation in Low-carbon Cement and Concrete*, Chatham House Report, June 2018, available at : <https://reader.chathamhouse.org/making-concrete-change-innovation-low-carbon-cement-and-concrete>, see also: Climate change: The massive CO² emitter you may not know about, *BBC*, 17.12.18, available at: <https://www.bbc.com/news/science-environment-46455844>

³² Association NégaWatt : Scénario NégaWatt 2017-2050, janvier 2017, Dossier de synthèse, available at :

³³ Ministère de l'Économie : De Budget 2020, available at : <https://budget.public.lu/lb/budget2020/am-detail.html?chpt=depenses&dept=5§=47>

³⁴ Luxembourg, patrimoine mondial de l'UNESCO, available at : <https://www.visitluxembourg.com/fr/que-faire/art-culture/patrimoine-unesco>

Cultural heritage is also part of a national identity. An identity can have many facets which could be summarized as the feeling of belonging. Luxembourg's architectural heritage reflects the differences of styles and periods, the differences of locations and occupations, social diversity and variety of taste and creative ideas. Between the house of a peon in Ösling and the villa of an industrialist in the Minette there are is a huge array of differences in conception, function, adaptation to the surrounding environment, social codes ; the entire cultural dynamic of the country are encoded in stone.

The so-called Venice Charter as one of the key documents in the field of heritage protection, qualifies historical monuments as living witnesses of the past. With their disappearance, a huge panel of Luxembourg's history and culture is irremediably lost.