# Deindustrialization and repurposing: King's Cross and Água Branca Urban Operation

Desindustrialização e refuncionalização: *King's Cross* e Operação Urbana Água Branca

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### Abstract

The production restructuring of Western metropolises in the last decades of the 20th century required national and local governments to debate and develop new urban planning instruments aimed at the physical and functional reconversion of spaces previously occupied by industrial activities. This article examines the cases of the King's Cross urban project in London and the Água Branca Urban Operation in São Paulo, both based on partnerships between the public sector and private initiative, particularly through the negotiation of urban assets. We found that in the international case, although elements of exclusion were observed, the design process aimed at integrated solutions for socio-environmental regualification. In the São Paulo case, the implementation process was characterized by the regulatory modeling of the space to the detriment of urban design.

**Keywords**: deindustrialization; urban policy; Água Branca Urban Operation; King's Cross Central Urban Project.

### Resumo

A reestruturação produtiva das metrópoles ocidentais, nas últimas décadas do século XX, exigiu dos governos nacionais e locais o debate e a elaboração de novos instrumentos urbanísticos voltados à reconversão física e funcional dos espaços então ocupados pela atividade industrial. Este artigo examina os casos do projeto urbano de King's Cross, em Londres, e da Operação Urbana Água Branca, em São Paulo, ambos pautados na parceria entre poder público e iniciativa privada, especialmente por meio da negociação de ativos urbanos. Constatamos que no caso internacional, embora se observem elementos de exclusão, o processo projetual mirou soluções integradas de regualificação socioambiental. No caso paulistano, o processo de implementação foi caracterizado pela prevalência da modelagem regulatória do espaço em detrimento do projeto urbano.

**Palavras-chave:** desindustrialização; política urbana; Operação Urbana Água Branca; Projeto Urbano King's Cross Central.





# Introduction

This article addresses how different urban project models have been structured for the physical and functional reconversion of specifics territories marked by the industrial activity, the decline of which was observed by the end of the 20th century, in two metropolises: London, with the King's Cross Central case and São Paulo, with the Água Branca Urban Operation (Operação Urbana Água Branca – OUAB). Although the corporative vision prevails in the international case, the structuring of the financial resources injection, the arrangements for the allocation and domain of the reconversion areas and the political and administrative organizational amplitude linked to planning and project design, define a far away model from that applied in São Paulo.

The examination of the different experiences, however, is not limited to a comparative exploration of urbanistic instruments, because the historic formation of the nations at the center and the periphery of the capitalism, by itself, requires contextual caveats, especially regarding the access to financial resources, the interest of corporations in participating in the transformation through forms of real estate and urban entrepreneurship and, mainly, the social and environmental challenges to be faced at different levels of political, administrative and budgetary commitment. Still, the thematic of political, normative and projective forms of intervention for the purpose of urban regeneration is, in both cases, anchored mainly in the attraction of private investments, on which are based different models and instruments, which will be examined here.

We initially explored the historic context of these industrial territories, starting from the premise that the process of industrialization,

never dissociated from commercial relations and the existence of the market (Lefebvre, 2019), is a determining factor in the emergence of modern urban planning, in response to the precariousness of urban life at the end of the 19th century, in the European case and particularly in London. The industrial production is linked to new technological structures, especially the railway networks, which dictated territorial transformations throughout the 19th century, along with the British State's sanitary experiences, associated with the creation of a national urban politic, until the beginning of the wars period of the 20th century. The Keynesian political apparatus formatted to guarantee social welfare in the post-war period, however, couldn't support the dispersion of productive activities due to the transition from a standardized Fordist production to a more flexible production linked to globalized capital, on the basis of neoliberal state politics, implemented on England and United States since the 1980s.

From that period onwards, the cities transformation are oriented by the actions of economic segments, driven by the permissiveness of national policy and aimed at urban entrepreneurship, submitting then to the planning based on the generation of wealth through the monopolistic use and profitability of land (Harvey, 2006), as an essential tool of the so-called growth machine (Logan & Molotch, 1987), which stimulates the attraction of private capital by national and local governments in competition at a global scale.

At the global south, and particularly in Brazil, late industrialization was not integrate a transformation process of social structures, but rather the intensification of social stratification due to labor relations, production and consumption guided by the strong hierarchical concentration of political and economic power, in an urban scenario of population concentration resulting from the formation of an industrial reserve army (Singer, 1973). In the productive and economic area, however, the industry of the São Paulo metropolis would have its leading role between the 1930s and 1970s and decline from then on, especially due to the territorial deconcentration of the activity, induced by the new elements of production and circulation of goods of the national economic policy and the diversification and expansion of productive and consumer markets on a global scale.

Although the intrinsic processes to the industrialization and deindustrialization of metropolises express different contexts of social constitution in the center and periphery of capitalism, the paths adopted in urban planning aimed at the physical and functional transformation of industrial territories follow a similar political-economic perspective in both cases, with different results. This approach is particularly related to the understanding that the (re)construction of cities consists of an opportunity to replace industrial productive activity mainly with tertiary and advanced tertiary activity with the appropriation of land valuation by historically hegemonic sectors, an constitutive action of the so-called corporative urbanism (Fernandes, 2013; Somekh; Balbim, 2023). The mean at which these substitution be supported, would be through adopt the concepts of large urban projects and strategic urban planning.

In the central economies of the west, the start of this process can be seen in several cases, such as Barcelona, Baltimore, London's Docklands, and the ZACs (Zones d'aménagement Concerte) in Paris. Importing and adapting this concept of intervention, experiences arise in Latin America, such as Puerto Madero in Buenos Aires, Porto Maravilha in Rio de Janeiro and in São Paulo with Urban Operations (Nobre, 2019).

If on a global scale national governments started to compete to attract private investments, using urban agglomerations as a setting for the installation of new tertiary activities in rise, remained for local governments the task of make viable attractiveness through changing the rules of planning and control of urban development and reorganization. Such change would be the explicit condition for the interest of the real estate sectors and would take place, fundamentally, in two ways, as pointed out by Eduardo Nobre (2019):

> 1) Through the deregulation and flexibilization of urban legislation and land use and occupation laws, in order to facilitate the attraction of new real estate developments;

> 2) Public funding of these projects, through several forms such as publicprivate partnerships, direct financing, subsidies, tax incentives, financial or usufruct concessions. (Ibid, p. 126)

So, the planning is now based on guidelines and strategic actions, similar to business logic (Arantes, Vainer e Maricato, 2000; Harvey, 2017). For the efficient of the strategies, in this context, negotiation would be the means to both attract real estate interests and to compensate for their impacts on the daily lives of the urban population directly or indirectly affected.

The municipal governments of London and São Paulo implemented specifics planning systems for the reconversion of certain industrial territories underutilized or already idle: the King's Cross Central urban project and the Água Branca Urban Operation (OUAB). We'll analyze here specifically three aspects of these systems: the structuring of urban reconversion policy; the forms of negotiation of urban assets; and the results of the implementation of the specific urban project instrument.

As well as consulting the extensive bibliography regarding the productive restructuring of metropolises, based on strategic urban projects, as already explained, the methodological path begins with a review of the applied literature, with emphasis on the in-depth studies by Peter Bishop and Lesley Williams (2016) on the construction of urban policy and the King's Cross intervention project and, in the case of the OUAB, the studies by Moraes (2010) and Barbosa (2016). To the composition of the set of political, legal and urban informations, for the London case, the authors made visits to the project and local academic sectors that provided material related to the implementation of the urban project, such as the "Construction News" (KXCP, 2024) and used legal devices and official documents made available on the websites of metropolitan and local governments. As for the case of São Paulo, we used preparatory and official documents available in the São Paulo Urbanismo Library, as well as OUAB management reports available on the website of the public company and the Municipal Department of Urban Planning and Licensing.

We conclude that in the London case the planning system induces the elaboration of urban projects, while in the São Paulo case there is no institutional modeling that favors the viability of these instruments beyond the extemporaneous forms of regulation of the parceling, use and occupation of lots and plots, in the normative molds of zoning.

## King's Cross: area of opportunity

The territory where the urban regeneration project known as King's Cross Central is developed consists in a portion of land of approximately 27 hectares, delimited by a set of roads (York Road, Midland Road) and by the railway lines that reach the international station of Saint Pancras (Eurostar) and the British national station of King's Cross, which is also part of the London subway network. The Regent's Canal crosses the area.

Established as an industrial and logistic territory by the end of the 19th century, to meet the demand for the food distribution, building materials and fuel, the locale began to perform vital functions for the city, receiving important interventions until the end of the century, such as gasometers and material and coal warehouses, as well as Saint Pancras station and the buildings of the Great Northern Hotel and Midland Grand Hotel, which would later form an architectural ensemble of national historical value. The surrounding districts would come to be home to the workers of the industrial facilities in ascension, but in precarious social conditions, especially of habitability, strongly marked by unhealthiness due to the structural problems of the industrial city. The occupation of the highly polluting activity and by the working population leads to the understanding of a series of social characteristics that are territorially precarious, seen as high poverty, prostitution and crime (LSE, 2024).

Until the middle of the 20th century, industrial functions would remain, while adverse environmental and socials conditions would intensify with the wars period. After the end of the World War II, the ownership of the King's Cross's lands was transferred to the public authorities by the Transport Act of 1947, on behalf of the British Railways (BR) and other government entities such as the National Freight Corporation (NFC). From then until the 1980s, with the modernization of logistics methods and the spatial and productive restructuring of the metropolis, industrial and storage structures became obsolete and many of the railway lines ceased to operate. With that, a process of relocation of the working class began, leaving the region with the reputation of a territory marked by drug consumption and commerce, prostitution and high crime rates, which would lead to landowner devaluation, attracting, in the next few years, the occupation of artists and activities of the so-called subculture.

The motivations, therefore, for planning the urban reconversion was given: the need to allocate obsolete public assets; to reverse the devaluation of the soil; to improve local and regional socio-environmental conditions; to refunctionalize rail transport infrastructures for the purpose of circulating people and no longer goods;<sup>1</sup> and to safeguard architectural heritage of historical and cultural value.<sup>2</sup> The central and local governments, following the national policy of economic development, in accordance with neoliberal principles, would act mainly on the fronts of the privatization of goods and services and urban deregulation as measures to attract market interests, inserting them into planning and negotiation procedures.

Firstly, they proceeded with the privatization of the railway infrastructure and the spatial portions needed to house the new international high-speed train service, whose terminal station would be Saint Pancras, but connected to King's Cross station and the subway. The King's Cross Partnership (KCP), created on 1996, would finance the urban regeneration projects. The land-owning companies, with secondary actions from the NFC, formed the London Regeneration Consortium (LRC), which sought to elaborate reconversion plans for the entire territory, commissioning them to renowned offices such as SOM and Norman Foster. However, given the actions of opposing groups against the plans and the dissatisfaction of the local councils,<sup>3</sup> in addition to the scene of economic inaccuracies in the 1990s, the formatting of the public-private partnership for the approval of the plans did not prosper. Bishop and Williams (2016) points out that the negotiations did not favor community interests, based mainly on economic development, with job creation and the provision of new housing, nor did they represent the interests of local real estate owners.

In the early 2000s, LCR established a new partnership to elaborate the physical and functional conversion plan, forming the King's Cross Central Limited Partnership (KCCLP) consortium.<sup>4</sup> The Argent and Saint George Company Group would be responsible for articulating a new plan in a participatory manner, with the ability to dialog with the Camdem Council, guaranteeing technical quality in terms of urban project and economic balance. For that, it would be necessary the constant articulation with the social control actors, financials and also with the historical patrimony protection organ: the English Heritage. The systemic negotiation with technical, economic and social actors is what defines the British planning system, based on the agreement of rules not previously defined. This system can be called discretionary planning (Booth, 1995).

### The British planning system

The British planning system starts in 1947 with the Town and Country Planning Act, as a response to the social and economic development demands of the post-war period. It is based on an initial limitation of property rights which, faced with the construction of intervention plans, following urban control guidelines (historical heritage, urban landscape, environmental quality, among others), is reestablished after the effectiveness of the technical-design proposal, political agreement and public approval. It is important to mention that the British planning system has gone through different phases of modernization, with emphasis on the reform promoted by the approval of the Local Government Planning and Land Act in 1980 following a neoliberal agenda in which the state began to support the market, through deregulation, centralization, reduction of the powers of local

councils, limitation of public participation and planning initiatives led by companies, under the justification of reducing bureaucracy and improving conditions for global competitiveness (Prior, 2005; Tallon, 2010; Thornley, 1991). Even though some political initiatives aimed to the normative increasement in relation to forms of participation and improve social and environmental guarantees<sup>5</sup> in urban regeneration projects, especially from the 1990s onwards, in general, the reforms had a clear purpose of supporting the actions of the market without, however, changing the basic structure of the planning system (Thornley, 1991), operated by the discretionary model.

In contrast of the normative planning system, in the discretionary there is greater uncertainty regarding economic interests, especially those relating to real estate investments, as there is no complete preestablished urban regulation on which it is possible to make prior market assessments. The rules are defined in the urban plan or project, which may or may not be approved, and are generally linked to community interests in housing provision, urban mobility, environmental and ecological improvements and economic dynamism through the provision of jobs. Although the financial returns and profitability of (re)created spaces are a matter of frequent public concern, they are not a direct impediment to their approval (Bishop and Williams, 2016, p. 9).

The system, in this sense, presupposes a negotiation procedure that is structured in different spheres, according to the capacity of the planners to articulate the interests of the several segments involved, and according to the administrative and decision-making competence of each public entity. To the national government is given the task of consolidating urban policy, covering the general economic, social and environmental guidelines for development: the National Planning Policy Framework consists of the basic piece of legislation by which regional and local governments must be guided. In London, it is up to the Mayor to define the strategies of the City Plan, which guide the decisions and evaluations of the plans by the local authorities who, depending on the size or impact, can submit the decision to the metropolitan authority (Greater London Authority) or to the mayor, who has the power of veto.

The definition of territories that can receive intervention proposals, just like monitoring the elaboration and control of concluded projects, are the responsibility of the Local Planning Authority, composed by: elected councillors, representatives of residents, landowners and local civil entities; officers responsible for the technical evaluation of the proposals; Local Plans, which contain guidelines and basic rules to be followed by the proposals; Planning Permissions, responsible for issuing the authorization to proceed with the plans; Community Benefits Through Planning Obligations, in which measures are defined to mitigate the impact of the proposals for the benefit of the local population.

In the process of negotiation, evaluation and decision of a plan or project, as part of the procedures of the British planning system, entrepreneurs have the role to respond to community requirements with technical-design solutions that indicate the viability of the enterprise and, at the same time, to convince the economic and real estate segments of the viability and profitability of the business. In the process, it is common for state or socially

representative political fronts to act to ensure that the proposal does or does not prosper. In the case of King's Cross, the territory was already framed in the national urban policy for urban reconversion, as an area of opportunity for the creation of new subdivisions in idle industrial and railway areas, as provided for in the 2001 Territorial Planning Guide for the south-east of the country: "In setting local planning policy, councils have to comply with national and regional frameworks. National guidance had already identified King's Cross as a site where development should support London's position as global business and commercial centre" (Bishop and Williams, 2016, p. 63).

The negotiation process began in the 1990s, with the first urban redevelopment proposals presented, but only succeeded in continuing with the work of Argent<sup>6</sup> and Saint George, companies that formed a consortium for the purpose of planning and executing regeneration plans for the area. The Camden local authority would be responsible for formulating specific planning guidelines (United Kingdom, 2000; 2000a) of the area, bringing guidelines and requirements, especially regarding the minimum number of popular housing units, commercial and business uses, as well as defining guidelines for open spaces and roads.

### Urbanistic project as a negotiation process

After the first proposals were rejected and with the ascension of the Argent and Saint George group, the Camden Council established new guidelines for the functional reconversion of the territory, made viable by an administrative reorganization of analysis and decision by the institution, in 2000, of a new Local Government Act (United Kingdom, 2000b). This allowed a greater proximity between the entrepreneurs and the official technicians, as well as greater scope for negotiations with the social and economic agents of interest.

The guidelines document from the Local Planning Authority and the Camdem Council appeared as a technical-political piece that reflected not only the local concern with the quantity and quality of housing and public green spaces, with reducing criminality and improving mobility conditions, but also with the long execution period of this major urban project, which could mean decades of construction sites. Thus, the developer would be responsible for efficiency in execution, predicitng impacts minimization on the community throughout the works; the project should predict activities that would allow the concentration of jobs in the area, aimed especially at the population that, during the period of works, would be on school age; the developer should clearly answer whether the project would be more similar to the world's major tertiary centralities, such as Canary Wharf, or whether it would be compatible with the local urban morphological characteristic; and how it would articulate with Islington Council.

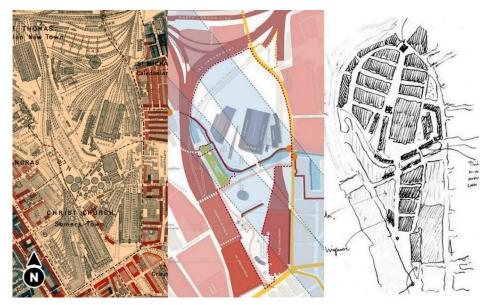
The consortium's first proposal came in 2001 with a document entitled "Principles for a Human City" (2001),<sup>7</sup> listing ten guiding principles for planning and intervention, based on opportunities for regional and national economic growth, equity, through the promotion of jobs and housing, and environmental, through the creation of green spaces and energy-efficient buildings and infrastructures. In response, months later, the Camden Council published the document "Towards an Integrated City",<sup>8</sup> endorsed by Islington Council, presenting its objectives for the area, with emphasis on the convenience of associating the physical and functional reconversion of the area with the opportunity for economic and social improvements from the local to the metropolitan scale.

In the context of the formulation of the urban normative, the negotiation between the Camdem local authority and Argent and Saint George went through debates about which of the two devices already expected could be adopted: the detailed application, predicting beforehand the urban design, as well as the project of all the buildings; and the guidelines proposal (outline application), where basically the percentage of uses is pre-defined. Considering the necessity of significant financial contributions prior to the formulation of the first project and the intention to negotiate the necessary uses to meet local expectations, a hybrid model was decided upon in which the consortium was granted a certain amount of flexibility, requiring the presentation of the urbanistic project (master plan) containing an illustration of the circulation routes, of the public spaces and of the constructive use by plots and by uses. This required the local authority to update the normative, with a new juridical understanding to this effect, but which found shelter in other cases in London, such as the Battersea urban project.

The developer consortium, however, would not only have the local authorities to negotiate with. The English Heritage, a British public agency for the protection of historical heritage, had already listed, in addition to the Great Northern Hotel and the German Gymnasium, a set of buildings<sup>9</sup> intended for preservation, as well as two conservation areas in the territory of intervention: the Regent's Canal, and King's Cross and Saint Pancras. The agency, not unlike what happens in other metropolises – including São Paulo – was described by political entities and real estate active in urban planning and projects as technically rigorous and quite inflexible (Bishop and Williams, 2016. pp. 61-65).

In the negotiation process with the entity, although, the respect for the technical intervention guidelines prevailed, which not only aim to the preservation of strategic visuals (Figure 1), regulated by the metropolitan authority, but the care taken with the landscape composition of the historic tissue based mainly on the tipping buildings and the Regent's Canal, which would also guide the structuring axis of the new urban layout and the limits of verticalization and constructive composition. Though drastic alternatives were presented, such as the relocation of some structures (gasometer n. 8, for example), the English Heritage Council and the consortium have achieved a certain balance, to the point of defining guidelines that would later make up the urbanistic project (masterplan), approved after public consultation.





Source: elaborated by the authors, based on the sources: on the left, Booth's Map of Poverty from 1989 (LSE, 2024); in the center: composition map of strategic visuals, buildings and structures listed by English Heritage in blue, Regent's Canal and, in dark brown, the railway infrastructures of Saint Pancras and King's Cross stations to the south (Allies and Morrison, 2024); on the right, an elaboration sketch of the urban project developed by the Allies and Morison Office (Ibid, 2024).

Other negotiating fronts would still be necessary. The metropolitan authority, in the form of the London Mayor, would make demands regarding the popular housing provision, even higher those defined in the Municipal Plan. For the definition of the urban project (masterplan), the demands in terms of expected population density would also be considered; definitions of the expected commercial, touristic, educational and assistance activities; transportation and mobility guidelines; responsibilities for the maintenance and use of public spaces; and the environmental impact and performance of the plan in its execution, considering the principles and leading guidelines previously negotiated. The consortium would hire a large group of specialized companies to elaborate it, such as Allies and Morrison (Allies and Morisson, 2024), Townshends and Porphyrios Associates.

The universe of demands and expectations would test the consortium's ability to guarantee the economic and financial viability of its execution. However, there was great effort especially by the local and metropolitan authorities to seek success, because it was a great opportunity for local restructuring that would ensure the favorable position of London in the global competitive scenario, mainly due to the attraction of companies and investments, this being one of the strategic objectives of the political and social fields involved, as indicated earlier in the document of the Camdem Council. The area of physical and functional reconversion of King's Cross would be, in this perspective, especially attractive because besides focusing on a locality marked by connectivity, mainly, rail modal (stations of King's Cross and Saint Pancras), of national and international relevance, would consist in a large territory

endowed with constructive potential of interest of the real estate market, which would manifest itself, above all, by the production of residential units and services aimed at the advanced tertiary sector.

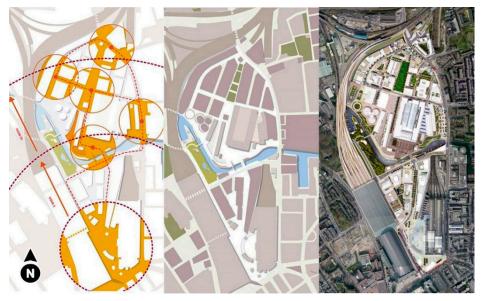
The urbanistic project (master plan) was then developed having as premises the relationship between the new blocks and the geometry of the implantation of the historic buildings from St. Pancras and King's Cross stations, the use of the free spaces adjacent to the Regent's Canal, and a central axis along the Granary Building and Coal Drops Yard, where a central system (boulevard) of free spaces and public uses would be located, and the intervention in the gasometer complex. In this complex, in particular, interventions in the listed structures were allowed for the construction of residential buildings inside them, with the exception of one, inside which an open space was provided. For the physical interventions in the territory, the English Heritage authorized the dismantling and subsequent reassembly of these structures, as well as the demolition of the Culross Building, a historic building which, if maintained, would harm the visual axis towards the Granary Building. On the side of King's Cross station, it would also be possible to build a new lobby for access the subway and train platforms, which would be modernized due to the implementation of the international highspeed train.

The height of the buildings in the new blocks should be compatible with preserving the ambience and visuals lines of the set of buildings and listed structures, restricting them to twelve storeys. The connections between the territory and the surrounding urban tissue and between the internal sectors went through an evaluation of the physical conditions of implantation and also of the psychological conditions of the users, who should understand the place as a fluid and non-segmented space, like an island in the city.

After the negotiation rounds, including public consultations, the urbanistic project would be consolidated in 2004 (Figure 2), but there would remains definitions about the intended use of the built and open spaces, as well as the management of the implementation and construction of the projects by Argent, as the owner of the area, in compliance with Section 106 of the Town and Country Planning Act of 1990 (United Kingdom, 1990). This resulted in the agreement between Camdem local authority and Argent, in which the minimum amount of residential

units was established, followed by specific percentages aimed at popular housing (in different modalities, including social renting or shared ownership) and student residences. It was also defined the forms of management of public spaces, the environmental and energetic performance of the development, and the networks of connection and of public transport and modals actives, in addition to guaranteeing the attendance to a minimum number of people in school age in the educational uses spaces created, adopting the principle that the new activities implemented should prioritize the local workforce and assure the permanence of residents until non-working age, guaranteeing their support through health and assistance equipment.

Figure 2 – Composition of images and maps for the elaboration of the King's Cross masterplan



On the left, a walkability study; in the center, a mass plan; and on the right, the final urbanistic project (master plan). Source: Allies and Morrison (2024).

The final consolidation of the agreement occurred in 2006 through the final version of the King's Cross Section 106 (United Kingdom, 2006), drawn up by the Camden local authority, the Transport Secretary, Argent and the other shareholder owners. From the initial objectives presented by the consortium, of the total 27 hectares of reconversion, 15% was expected for taxiways and 15% for open spaces; in the final agreement of 2006, the percentage for taxiways remained at 15% and the percentage for open spaces changed to 32% (Bishop and Williams, 2016, p. 208).

After the final approval, the urbanistic project will be executed by the consortium.<sup>10</sup> The total investments, which in 2016 reached the amount of three billion pounds (Bishop and Williams, 2016, p. 208), evidenced the broad effort of the private and public sectors in this particular reconversion process. The "Construction News" report (KXCP, 2024),

released every four months by KXCP, for 2024 shows that most of the planned built area has already been consummated. The modernization of the international transport infrastructure, jointly with the incoming of large companies such as Google and Facebook and the occupation of the University of the Arts in the Granary Building, suggest the success of the enterprise in maintaining the positioning of the metropolis of London in the global competitiveness scene, one of the main objectives of the political and economic spheres that constitute the initiative for reconversion. Furthermore, despite the instability and repercussions of the 2008 economic crisis, the project's execution followed the agreed stages, guaranteed by a clear institutional and administrative model with a vision committed to the best environmental performance and the adequate safeguarding of the historical heritage.

	Initial goal	2006 final agreement	%	Observations
Total building	n/c	743,224m²	100	Approximately 2.75 times the area of 27 hectares
Offices	325,160m²	416,205m²	56	
Commerce and Leisure	46,451m²	81,754m²	11	
Culture / Education / Hosting	9,290-46,451m²	66,890m²	9	
Residences	n/c	178,373m²	24	As well as 246 units in the northern por- tion, 67 in St. Pancras Chambers and 650 to student housing, totaling 2,663 units
Residential units	3,000 units	1,700 units		excluded the number of student houses
Private units	65% of total	57-53% of total		excluded the number of student houses
Popular housing	35% of total	43-47% of total		excluded the number of student houses

### Destination of Urban Project Areas

Source: elaborated by the authors based on data from the business plan proposed in 2000 by Argent, considering the objective scenario (Bishop and Williams, 2016, p. 70), King's Cross Section 106 (2006) and the KXCP website (2024a).

Although the King's Cross Central urban project was drawn up on the basis of a broad negotiation model, involving public and private interests, in order to achieve a balance between economic attractiveness and community benefits, the technical-political process and its results are not immune to criticisms. Minton (2016) highlight that the financialized housing production model tends to exclude the local population, privileging outside investors who may not even be residents of the area. Moore (2016) inquire about the real beneficiaries and the interests of the private action and the scalar policies involved in the elaboration of the urban planning, which would be "made by the planners, for the clients of the planners" (Ibid, 2016, p. 355), relegating the population directly affected to a secondary participation. Both indicates to the need to review the policies for the development and management of projects such as King's Cross, in order to guarantee and improve the performance of the collective and democratic powers.

# Água Branca: reconversion strategy

The Água Branca territory corresponds to the floodplain area on the left bank of the Tietê river, near the mouth of the Água Branca and Água Preta streams, where agricultural production farmstead were set up until the end of the 19th century. With the rectification of the Tietê River, it became a place of intense flow of people and goods, intensifying in the subsequent period - until the decade of the 1930s - due to the expansion of productive activities within the city and to other regions of the state of São Paulo, benefited by the presence of the Sorocabana Railroad. However, the occupation of the areas was difficult due to the characteristics of the soil and the frequent occurrence of floods.

The occupation of the Barra Funda and Água Branca neighborhoods between the railway and river banks during the industrial period (between the 1930s and 1970s) was marked by the installation of important industrial plants, such as Indústrias Reunidas Francisco Matarazzo (IRFM). During this period, with the roads expansions, transpositions along the railway and the river were implanted, but there were no major advances in terms of soil loting, opening ways, or installation of adequate infrastructure, so that, until the 1970s, there were still large undivided plots or underused land, without approved streets layout, constituting a large neighborhood of incomplete urbanization (Barbosa, 2016; Meyer, Grostein and Biderman, 2013; Moraes, 2010).

In the last decades of the 20th century, industrial activity in the region weakened, leaving obsolete factory structures or warehouses to occupy storage and logistics activities. In addition, much of the large set of lands in the floodplain region, resulting from the straightening of the river, "remained public property, and part was transferred, donated or subject to a concession of use" (Ibid, 2010, p. 74). Some challenges persisted and some presented themselves from them on, such as solutions on the drainage system and the soil contamination by the past use.

This characteristic scenario of the region would be propitious for the implementation of a new action strategy, which would be manifested by the Água Branca Urban Operation, while an urbanistic plan, through which a functional reconversion was expected allied to the reorganization of the occupation and urbanization patterns, marked by large properties established in the industrial period, in the process of obsolescence. The instrument was initially implemented in 1995 (PMSP, 1995), with changes in 2013 (PMSP, 2013), but the idealization of the urban planning principles on which it would be based dates back to the 1970s, a period in which the spheres of urban planning in São Paulo began to study and debate property rights and the right to build, with a perspective of their limitation by the collective interest and, based on this, to propose new regulatory instruments that would later be incorporated into national urban policy.

# São Paulo's policies and urban planning

The specific legislation of the urban operation emerged after the consolidation of the called by the municipal planning system, established essentially by the Master Plans and Zoning Laws, from the beginning of the 1970s. Prior to this period, urban regulation was fundamentally based on a composition of partial laws that delimited territories according to their functionalities, designed to preserve property rights and real estate values (Feldman, 2005; Nery Jr., 2005).

Although the technical planning staff has been addressed on several occasions, with the support from federal agencies such as Serfhau and resorting to consultancies in order to develop ample plans such as the Basic Urbanistic Plan (Campos; Somekh, 2008), the city's growth has manifested itself in a socially and territorially exclusionary way: while the growing low-income social class increasingly settled in the peripheries of irregular, informal or incomplete urbanization, to the dominant classes remained the protection of the territories they occupied, for example of the residential neighbourhoods plotted along the lines of garden cities, and those where the process of modernization through sprawling – and regulated<sup>11</sup> – verticalization also proved to be exclusionary (Somekh, 2014). To the industrial sectors, the functional zoning remained, which preserved the characteristics of their occupation, even in the period when changes in occupation patterns were already being observed due to the process of productive restructuring, as an example of the classification of portions of the metropolitan railway and riverfront by the General Zoning Law of 1972 (PMSP, 1972), as Z6 -Predominantly Industrial Use Zone, effective until its revision in 2004.

The first propositions destined to the functional reconversion of the industrial spaces in the Barra Funda region appear in a discreet way, but articulated with the planning of urban transformations, associated with residencial real estate production and the expansion of commercial and tertiary activities, in the context of the 1985 Master Plan, when there is the first mention of the Água Branca Urban Operation (OUAB). From this period onwards, studies intensified by the Municipal Planning Department (Secretaria Municipal de Planejamento – Sempla) and the Municipal Urbanization Company (Empresa Municipal de Urbanização – Emurb) to implement an instrument capable of restructuring the territory in order to accommodate new uses through mechanisms for concession of construction rights with the participation of the private sector, from which the execution of a program of road works and infrastructure, especially macro-drainage, would be financed.

The prediction of the instrument remains in the 1991 Master Plan, allowed the submission of the OUAB law project sanctioned in 1995. The context of the law's implementation in the consolidation of the municipal planning system, however, is not simply associated with a global trend of urban reconversion of industrial territories, but also with new forms of state action in urbanistic interventions. This is about the adoption of new strategies associated to the urban projects, which bring with them the discourse of the necessary participation of the private sector, attracted by the state through the flexibilization of the regulatory apparatus and the negotiation of urban assets, expressed fundamentally in the differentiation of land use indexes and the onerous concession of additional construction potential (Del'Arco, 2021), based in the land delineation concept, through instruments like the Onerous Granting of the Right to Build (Outorga Onerosa do Direito de Construir - OODC) and, later, of the Additional Construction Potencial Certificates (Certificados de Potencial Adicional de Construção – Cepac).

In national urban policy, these instruments, as well as others relating to the social function of urban property – the result of struggles for urban reform – became part of the legal and political institutes of the City Statute (Brasil, 2001). From this point on, the OUAB and other urban operations in São Paulo find solid legal bases to proceed and adjust, according to the guidelines defined by the necessary update of the municipal planning system in order to comply with the guidelines of national urban policy. The Strategic Master

Plans (Planos Diretores Estratégicos – PDE) of 2002 and 2004 and the Land Parceling, Use and Occupation Laws (Leis de Parcelamento, Uso e Ocupação do Solo – LPUOS) of 2014 and 2016, would allow the consolidation of the regulatory system by zoning in an extensive way (Montandon, 2022), preserving the specific regulation of the territories of Urban Operations. One of the differences between the milestones of the 2000s and 2010s decades, in short, is the articulation of new forms of territorial transformation, through the consolidation of transformation instruments in areas of structural relevance to the metropolis under the mobility, population densification, productive and environmental aspects.

# Água Branca Urban Operation: project or regulation?

Initially, the OUAB, operated by Emurb "with the participation of owners, residents, users and investors in general" (PMSP, 1995), was intended to carry out the necessary works in the area in order to enable the desired functional transformation. Such transformation, meanwhile, was envisioned in the perspective of creating a new tertiary district, close to the city center and with greater infrastructure offers and macro-accessibility, as an alternative to the growth vector of this segment in the south of São Paulo, specifically in the areas of Faria Lima and Berrini Avenues (Castro, 2006; Emurb, 1991; Maleronka, 2015; and Bartalini, 2015 apud Barbosa, 2016).

Occupying a total gross area of approximately 487 hectares, the intervention perimeter is cut off by the CPTM metropolitan railway axis, interconnected to the Barra Funda intermodal terminal, by the east-west road axis of Marquês de São Vicente and Francisco Matarazzo Avenues, and by Antarctica and Pompéia Avenues, which compose the connection system to the Marginal Tietê expressway and to the northern part of the city. The landowner tissue is composed by large blocks and undivided plots of land of public and private property, mostly occupied by industrial structures, administrative and institutional centers of government agencies and sport clubs.

Due to the extension of the area, the land delineation, ownership and predominant use of soil, the initial urbanistic plan predicted its division into sectors and subsectors (Image 3), each followed by a specific refunctionalization strategy. The general guidelines consisted of highways redevelopment, seeking new connections and barrier transpositions; the provision of social interest housing; the creation of green and institutional areas; and the encouragement of changes in land occupation patterns. The induction of the real estate sector's participation would take place mainly through onerous permissions relating to exceptions to the urban indices defined in the zoning, limited to stocks of building potential for residential and non-residential uses.<sup>12</sup> Other financial mechanisms for compensating private participation in the execution of urban improvements could be applied, besides the Transfer of Construction Potential (TPC) in the case of interventions on listed buildings.

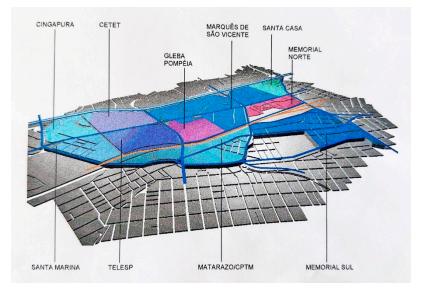


Figure 3 – OUAB sectors

Source: Emurb (1995).

Regarding the interventions in protected industrial heritage stands out in this period of OUAB one in particular. The so-called Matarazzo/CPTM sub-area housed the factory complex owned by the IRFM, which was deactivated in the beginning of the 1980s decade, being subject to the opening of a listing process by the state heritage protection agency - the Council for the Defense of Historical, Archaeological, Artistic and Tourist Heritage (Condephaat) - in 1985, which did not prevent the demolition of almost all of it. In view of the irreversibility of the damage, the agency ordered, in 1993, the complete preservation of the only remaining structure, the Casa das Caldeiras (House of Boilers) (Lessa, 2015).

For the land, there were already negotiations between the government and the real estate sector for the construction of a commercial and services complex integrated with the future Água Branca CPTM station, which was also seen as a strategic project in Emurb's studies for OUAB (Emurb, 1991). However, the project did not succeed, remaining to the owners of the area the proposal and negotiation with Condephaat of a large project composed by a shopping center and thirteen corporative towers, of which only four were made feasible and built (Figure 4), in accordance with the permits issued by Emurb regarding the indexes of exploitation, use and occupation of the soil. After its restoration, the Casa das Caldeiras was converted into an event space.

Figure 4 – Artistic conception of the Água Branca Business Center, with an indication of the Casa das Caldeiras



Fonte: Emurb (2000).

This would be the only significant intervention by the private sector in the first period of the OUAB, which did not meet the expectations of attracting the tertiary sector. At the beginning of the 2000s, after the approval of the PDE-2002, Sempla and Emurb start debating the reformulation of the instrument, due to its poor performance in achieving the objectives for which it was formulated. Abandoning the intention of the creation of a new tertiary centrality, the first strategy was to establish an urban project that included multiple uses, predominantly residential, including social housing, based on the reparcelling of industrial glebes.

The first plan was for an Olympic park to occupy the floodplains of the Tietê and Pinheiros rivers, as part of São Paulo's candidacy proposal for the Olympic Games, but with the loss of the bid, it did not prosper (Barbosa, 2016). The second intention was selected through a national competition promoted by the Institute of Architects of Brazil (IAB) and the city government, entitled Bairro Novo (New Neighborhood), in which road and public transport solutions were to be provided, considering integration with train and subway modals; public spaces and the environmental recovery of the Tietê River; building systems on public and private land in new morphological and typological configurations (Alvim, Abascal e Moraes, 2011, p. 226).

However, the winning project was not successful, mainly due to the lack of financial resources from the OUAB, but also due to the complex task of dealing with the landowner and environmental conditions. Part of the privately-owned glebes was allotted following the formal rites laid down in ordinary legislation and in accordance with EMURB guidelines.<sup>13</sup> Meanwhile, the attempts to develop an urban project, in addition to an urbanistic plan, led to the revision of the OUAB law, also considering the new devices introduced for municipal urban policy in the PDE-2002, in view of the approval of the City Statute.

After studies developed by Emurb and the municipal planning departments, the Água Branca Consorciated Urban Operation Law (Lei Operação Urbana Consorciada Água Branca – OUCAB) was approved (PMSP, 2013), grounded on the hierarchization of building and population densities from a new road layout and the updating of guidelines and urbanistic devices who have ceased to linked to the zoning flexibility, to establish their own regulation of the parceling, exploitation, use and occupation of land. Therefore, the idea of the urban project was replaced by a regulatory system of the urban development. It was also included the device for negotiating the additional constructive potential by Cepac, based on technical and financial viability and environmental impact studies, similar to the Faria Lima and Água Espraiada Consortium Urban Operations, with participative financial management.

Although there are still urban projects for public property plots, such as the reurbanization of Subsector A1, aimed at housing production of social interest, the new consorciated category of the instrument consolidated a specific planning model that more closely resembles the named normative model (Rolnik and Lopes, 2016), in which the rules of physical and functional transformation by the government are defined prior to private participation, as occurs in the ordinary legislation of zoning, pushing away the possibility of developing a specific urban project of physical rearrangement and refunctionalization. The private adhesions, in this sense, appear in a fragmented way in the territory, following only the regulatory dispositions of the plan and limited to the environmental and landowner constraints.

In the current model in the Água Branca territory, the interest of the private sector, without which the plan's objectives may not be achieved, is, among other factors, conditioned by the perspective of real estate valorization, which can be dynamized as the investments in structural and local improvements occur. A possible contradiction can be noted immerged in the model, since, in the logic of negotiating urban assets, especially in the figure of the sale and negotiation of additional potential, the Consorciated Urban Operation only provides financial resources for such investments if there is prior interest from the market. As opposed to what happens in the other consortium operations in São Paulo, OUCAB does not show the same interest and dynamism in this sector.

Although the results of the OUAB are expressively more promising than those of the OUCAB, the data shows that, considering the duration of the instrument and the comparison with other consortiated urban operations, whose revenue exceeds billions of Reais, the performance of private participation through verified adhesions in the consumption of construction potential is weak. Of the total funds invested, Nobre (2019) suggests that most were applied in urban improvements and roadworks (79%), while projects, construction of social housing and expropriations reached 7%.<sup>14</sup> It is also noted that Cepac auctions of OUCAB did not have the expected adhesion of the real estate and financial sector (PMSP, 2024).

*	Estimated stock (m <sup>2</sup> )		Available	stock (m²)	Approximated consumption (%)				
	R stock	NR stock	R stock	NR stock	R stock	NR stock			
Ouab	300,000	900,000	2.33	388,211	100	56			
Oucab	1,350,000	500,000	1,321,725	500,000	0.39	0.00			
	Fundraising* (R\$)								
Ouab		1,174,8	Total:						
Oucab		241,06	1,415,891,359						

### OUAB and OUCAB summary table

\* \*By OODC, Cepac and Net Financial Revenue (Receita Financeira Líquida).

Source: elaborated by the authors based on December 2023 data available on the OUCAB website of SP-Urbanismo (2023).

# Final considerations and reflections

The case of King's Cross is, on one hand, considered successful because it demonstrates the ability to elaborate an urban project that responds to environmental issues and the protection of historical industrial heritage, in an integrated way between the public and private sectors, as well as guaranteeing technical action in line with the demands of the political-social and economic-real estate segments. On the other hand, it is critically considered as a result of a process in the core of central capitalism, of socio-spatial exclusion and financialization of urban assets with negative reflections on the daily lives of residents and local users. However, the specificities of the territory itself and the political-institutional structure within the British planning system were favorable to the completeness of the project.

In the Água Branca area, the attempts to implement an urban project with a comprehensive design, from the point of view of socio-environmental demands and economic dynamization strategies based on spatial and functional reconversion, were frustrated by the difficulties of the urban tissue, which did not receive satisfactory responses from the municipality's administrative and political machinery. The joint planning between public authorities and private sectors nor did it prove efficient, remaining to the limited instances of social participation the control of the investments prioritization from the meager financial resources earned by both OUAB and OUCAB.

The regulatory planning prevailed. The specific zoning linked to a desirable urban design, as well as the expectation of interventions by the economic and real estate sector in private spaces, are the main elements that can currently structure the transformation of the territory. Thus, gradually, OUCAB continues to receive proposals for fragmented adhesions in the space, which are subject to building and urbanistic control, based on specific regulations; and to the remaining historical heritage, the control by the protection agencies. In this scenario, each project on the plots or glebes is an ordinary, almost isolated project, which can barely compose the set of necessary environmental and urban improvements only achieved with an integrated institutional management.

It cannot be affirmed, however, that the completeness of the King's Cross reconversion project represents the triumph of the British planning system or of the discretionary model, since material realizations do not always mean a reasonable balance between socioenvironmental benefits and private incomes,<sup>15</sup> nor can it be sustained that the modeling could be replicated in different contexts, such as in São Paulo. The Brazilian urban policy, based on constitutional principles, in theory does not grant the private sector the same levels of freedom to act in urban planning as in British policy, even though, in fact, the results of the Urban Operation instrument have shown the concentration of financial benefits for private real estate developers and the socialization of the costs of its slow implementation (Castro, 2006; Nobre, 2019).

What is deduced from the examination of cases it is synthesized in the understanding that the expected for the physical and functional reconversion of the formerly industrial territories consists in a strategic of public-private participation for reduction of inequalities by providing housing and through attracting economic activities potentially generating employments. However, in the London case, even with the interest of large corporations, the social balance in the space is latent; and in São Paulo, the idea of reconfiguring a territory by aiming for results similar to an urban project in the core of capitalism (Ferreira, 2008; Arantes, Vainer and Maricato, 2000), tends to intensify social asymmetries and reduce the possibilities of functional and spatial restructuring, leaving the application of extemporaneous forms of space regulation.

In view of the cases of King's Cross and Água Branca, excepted the immense disparities in terms of economic conditions and historical and social constitutions between them, guestions need to be asked about the innovations in urban policy and the modeling of planning systems. If, in the urban project, there is the potential for collective and integrated construction of the space, but there is uncertainty about what will be agreed, in the regulatory system, we know what can be done, but there is uncertainty about when (and if) it will happen. Either one or the other, the main beneficiaries, more often than, are not those who most needed, but those who have historically concentrated the gains from (re)urbanization.

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## Notes

- (1) Between the end of the 1980s and the mid-1990s, the British government committed itself to a billionaire funding for the construction of the tunnel (Channel Tunnel Rail Link - CTRL Act, 1996), to accommodate the international high-speed train (Eurostar) whose terminal would be located at Saint Pancras Station.
- (2) In one of the first actions to recognize the region's architectural and landscape values, the local community, represented by the Camden and Islington councils, sought the preservation of an architectural complex deteriorated in 1977, as an attempt to avoid a reconversion project induced by the non-maintenance of the buildings by the owners (Bishop and Williams, 2016, p. 25).
- (3) Like the King's Cross Railway Lands Group (KXRLG) and Camden and Islington Local Councils.
- (4) Later, with the leaving of Saint George company, it would be renamed King's Cross Central Partnership (KXCP).
- (5) Andrew Tallon (2010) highlight the attempts to reorient the urban policy, based on reducing social disparities, after the arrival of the Labour party in government (New Labour Government), between the late 1990s and the 2000s, but brings a critical view that, despite the procedural and normative apparatus of planning for regeneration of territories, the results still promote debates about what they promote in terms of the processes of gentrification, governance, financing, among others.
- (6) The real estate company specialized in projects and regional planning. It was purchased in 1997 by Hermes, the manager of the British Telecom pension fund, which allowed a significant initial financial contribution for the development of the King's Cross urban project (Bishop and Williams, 2016, pp. 39-40).
- (7) Based on the applied literature (Bishop and Williams, 2016) and the official documents available on the Camden local authority website (King's Cross Opportunity Area Planning & Development Brief, 2004), the 10 principles would be: 1) Robust urban structure; 2) Lasting place; 3) Accessibility and local/regional integration; 4) Vibrant mix of uses; 5) Use of architectural heritage; 6) Job provisions;
  7) Commitment to long-term success; 8) Involvement and inspiration; 9) Safe deliver; 10) Clear and open communication.
- (8) Based on the applied literature (Bishop and Williams, 2016) and the official documents available on the Camden local authority website (King's Cross Opportunity Area Planning & Development Brief, 2004, the document would point to: 1) London as a global city; mixed use, comprehending commerce, leisure and culture with strong connections between residential and tertiary uses; composition of different architectural styles and respect for heritage; quality design; environmental enhancement (Regent's Canal); principles of sustainability; public safety.
- (9) Especially the buildings: The Granary; Eastern Coal Drops at King's Cross Goods Yard; and Gasholder No. 8 (United Kingdom, 2024).
- (10) The King's Cross Central Partnership (KXCP) consortium is composed of Argent owners (50%), London & Continental Railways Limited LCRL (36.5%) and DHL Exel (13.5%).
- (11) Law n. 1571/1975 (Somekh, 2014).
- (12) For residential use, 300,000m<sup>2</sup>, and 900,000m<sup>2</sup> for non-residential use.

- (13) The approved project, known as Jardins das Perdizes, provided that part of the glebe would be destined for green and institutional areas and the rest for mixed use, mostly residential. There was a huge debate about the design solution presented, as it posed risks to the viability of the ABUO's urbanistic plan, but, faced with the perspective of weak private investment in the ABUO, the public authorities had to give in to the alternative brought by the owner of the area who complied with the legal dispositions (Alvim, Abascal e Moraes, 2011; Barbosa, 2016).
- (14) The author (Nobre, 2019, p. 234) applied data from the 2018 financial summary of the Água Branca Urban Operation available on the SP-Urbanismo website.
- (15) In reality, it is argued that there is a significant asymmetry between these indicators (Minton, 2016; Moore, 2016).

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