69. On the Conservation Policy of the Waitan District, Shanghai

上海・黄浦地区的保全政策について

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Introduction

This paper discusses the scope of conservation policy in 1985 which shows the growing tendency of the Shanghai Government to conserve the western architecture in Shanghai city. The policy represents a turning point for Shanghai's politics which reevaluated the historic Waitan District, long regarded with partial disgrace due to its cosmopolitan/colonial interpretation. The study discusses the formation of the Waitan District (1842-1868), and the conservation policy of the area (1985-to-date), then specifies the relationship between the two eras. The parameter of analysis focuses on the historic uniqueness of land leasehold from the Chinese to the British governments on payment of land tax, which had been followed by the development of land use and urban form for the Port District (Waitan) located along the Whangpoo River. The study is summed up by comparing the differences and similarities between the formation of the district and the present conservation policy with its practical implementation, and therefore specifies the effectiveness of enforcing the conservation act on the case of Shanghai.

1. The Formation of the Waitan District (1842-1868)

The importance of the Waitan district has been expressed in its historic ownership, land use and urban form since the opening of Shanghai for foreign trade in 1842. There has been four main steps for the foreign land acquisition in the Waitan area. The first step was the Treaty of Nanking, August 29th, 1842. Article II of the treaty allowed foreign nationals with their families and establishments to settle in Shanghai for the purpose of carrying on their mercantile pursuits, without molestation or restraint. Based on this treaty, the first plan of the Waitan District was the layout map (figure 1) sketched by Shanghai’s first British Consul George...
Balfour in 1843. The reason of choosing this particular site was its easy access to both the existing Chinese town and the harbor along the Whangpoo River. The second step was the purchase of lands by the British from native Chinese owners in the Waigan area, so as to establish the projected plan of the British Consul. The third step was by the Chinese local authorities whom regarded the purchase of land by foreigners as illegal and not sanctioned by the laws of China, because all lands of China belong to the Chinese Imperial Majesty⁴. Therefore, a law was invented and proposed by the mandarins for the purpose of reconciliation of the standard law of China with the purchase of lands by foreigners which states: "A lease in perpetuity subject to an annual payment of land tax."⁵ Accordingly, despite the purchase of the Waigan area from the native Chinese proprietors, the British Government could only rent the area from the Chinese Government. The fourth step was the Land Regulations in 1845, where the British Consulate had re-rented lands in the Waigan area to foreign and Chinese nationals whom were called Land Renters⁶. This unique form of land ownership had shaped the nature of the Waigan District’s formation (figures 2a & 2b).

The creation of the land use pattern for the Waigan District was indicated in the Land Regulations. The regulations specified a committee on roads and jetties consisting of three merchants. The new roads of the settlement had an average width of 25 feet, based on a regular grid.⁷ The foreign merchants demanded to make commercial use of the river front (The Bund)⁸ for warehouses and offices. However, the regulations prohibited building within 30 feet of the river front, which space was to be kept as a towpath for the use of Chinese trackers pulling boats upstream.⁹ The residential use was zoned behind the river front. The major node created in the 1840’s was the racecourse enclosing public recreation ground to represent a lung for the foreign population which had reached 90 in 1845 (figure 3a).¹⁰ Later, the urban form of the river front (The Bund) was extended by more than double its original 30 feet, and has become the Yangtze Road lined to the
landward by hotels, banks, trading houses, and public buildings, but on the riverside by public parks and floating wharves. Since then, the issue of the river front has become a unique element for Shanghai, and maintained as the city's major recreational space.\(^1\)

Nevertheless, the Chinese population in the Waitan area had reached 300,000 by the year 1860 for residential and retailing activities. This had been met by legislative reform to handle the settlement's crowding through the foundation of International Municipal Council since 1862.\(^2\)

Thus, the settlement became largely developed to form a unique pattern of land use between natives and foreigners in the same area, matured and enlarged in 1868 (figure 3b).

2. The Conservation Policy of the Waitan District (1985-To Date)

The ordinance of conservation policy since 1985 by the Shanghai Government designates parts of the Waitan District as Conservation Areas (figure 4). This implies for the areas designated to be protected from redevelopment schemes which do not respect the urban form such as the street pattern, building heights, and character of facades. Also individual buildings of special historic interest are listed in the preservation ordinance of excellent architecture in Shanghai\(^3\). The listed building program is applied according to four grades which are: 1. Grade I for preserving the building's exterior, structure, plan, interior, and site plan. 2. Grade II for preserving the building's exterior, structure, basic plan, interior characteristics, but parts of the interior may change. 3. Grade III for preserving the building's exterior and structure. 4. Grade IV for preserving the image of the building's exterior.\(^4\) The Conservation Areas of the Waitan District have listed buildings of Grade II and Grade III. However, the actual situation shows skyscrapers of different character for facades in the Conservation Areas such as the Wen Hui Building in 1990 and others developed in the river front Conservation Area (figure 5). If this redevelopment process continues, the whole area will change in character on the inverse of the conservation policy.

The reason why those skyscrapers came into existence under the policy of Conservation Area
lies on the new policy of investment in Shanghai\textsuperscript{15} which encourages redevelopment schemes defined as: "Projects in the real estate sector which can develop large scales of land or can demolish old, shabby, deteriorated buildings and build new ones in the urban areas ..."\textsuperscript{16}. Accordingly, the old buildings of the Waitan District are subject to redevelopment under the policy of investment. Therefore, there is contradiction between the Conservation Area Policy and the Investment Policy which affects the conservation of the urban form of the historic Waitan District. It is recommended to designate the whole district of the Waitan as one Conservation Area, and to control the application of new polices of investment in the district so as to prevent different building heights and character.

The conservation policy specifies no conservation of land use for the Waitan District. In the meanwhile, the guide to trade and investment in Shanghai specifies the transfer of land use as: "economic activities relating to the development of land and buildings through the grant and assignment of land use rights for valuable consideration."\textsuperscript{17} This land use guideline is vague and too general. For example, it does not explain the meaning of the term "valuable consideration", and there is no specification for land use policy in the urban areas such as the historic Waitan District. Also the term "economic activities" specifies no economic policies for land use in the urban areas regarding the investment criteria. Therefore, it is recommended to include the issue of tourism for land use development which can match with the historic Waitan District. The direct expenditure of tourists in the Waitan will prevent the economic regeneration of the area from leaking outside, and the income can be recycled in the same conserved area to form a continuous process of investment, thus defining the economic land use role of the Waitan.

The conservation policy in Shanghai has considered the issue of the river front’s urban form in the Waitan District. This is clearly demonstrated by listing many historic buildings along the open space of the river front, but little has been done for the usage of the open space itself. Still heavy vehicular circulation along the

\begin{figure}[h]
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\includegraphics[width=0.8\textwidth]{figure4.png}
\caption{Conservation Areas in The Waitan District.}
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\begin{figure}[h]
\centering
\includegraphics[width=0.8\textwidth]{figure5.png}
\caption{The River Front Conservation Area in 1991.\textsuperscript{18}}
\end{figure}
Yangtze Road is causing a sharp edge rather than a conserved recreational open space for the river front. Therefore, the enforcement on building preservation shows no impact on the outdoor environment. This implies the need for retreating the river front to prevent its urban form from vehicular circulation, and thus conserving the issue of the river front.

3. Comparison

The discussion about the historic formation and the current conservation policy of the Waitan District in Shanghai concludes key issues compared as follows:
1. There is a contradiction between the Conservation Area policy which protects the urban form and character of areas in the historic Waitan district, and the investment policy which encourages redevelopment of old buildings without urban form criteria. This has led to new redevelopment different in urban form from the Waitan area.
2. The land use of the Waitan District which had developed by compromising foreign and native nationals to form a unique land use pattern is not considered in the conservation policy. There is no land use regulations specified for the historic Waitan District, and is left for speculative land use development under the vague guideline termed “transfer of land use for valuable consideration” without economic regeneration policy such as the issue of tourism which can match with this historic zone.
3. The issue of the river front (The Bund) which was the major recreational space of Shanghai is encountered in the conservation policy. Also the preservation ordinance of excellent architecture in Shanghai lists the majority of historic buildings located along the Waitan’s river front. However, the conservation policy contradicts with the usage of the river front’s open space which is used by the vehicular traffic along the Yangtze Road, to cause sharp edge in need of retreat for more pedestrian amenities.

Notes:

1. In Shanghai, the authorities specify the term ‘Conservation’ to protect the environment of areas, while the term ‘Preservation’ is used for individual buildings to be listed in the preservation ordinance of excellent architecture in the city.
2. 除人周·章明「上海近代建築史稿」上海三聯書店, p.3.
5. Ibid, p.4.
8. In Shanghai, the term ‘Bund’ at its early stage was the towpath used by trackers along the shore of the Whangpoo River. Later, the development of buildings and streets on the riverside during the 19th century had made this zone referred to as the Bund area.
9. Rhodas Murphey, Shanghai Key to Modern China, Cambridge Massachusetts, Harvard University Press, 1953, p.34.
11. Rhodas Murphey, op. cit., p.35.
15. The new policies of investment in Shanghai had started since 1978 based on modernization policies after the Chinese cultural revolution. Since then, the Shanghai Municipal Government has made efforts to improve the policies of investment so as to build Shanghai into one of the international economic, financial and trade centers.
18. Dates of buildings on The Bund are documented in Shanghai City Government and Yokohama City, A Guide to Shanghai’s Modern Architecture, Shanghai, 1992, pp.10-14. The names of buildings on The Bund and their dates are as follows (previous names of buildings are bracketed):
3. Police Department’s Traffic Control Office (Banque de L’Indochine): 1914.
15. Shanghai Fuxuehui Fahu Zizun Fuwu Zhongxin (previous name unknown): Unknown.
16. Labor Union Office (Bank of Communications): 1940.
17. The Shanghai Custom House: 1925.
18. The Shanghai City Government Building (The Hong Kong and Shanghai Banking Corporation): 1923.
24. The Dongfeng Hotel (The Shanghai Club): 1912.

Figures:
Figure 1: The British Consul George Balfour in 1843, Public Record Office, London.
Figure 2a & 3a: Original map surveyed in 1854 by F. E. Youet, Plans (Far East) Limited, Shanghai.
Figure 2b & 3b: Map surveyed and published in 1868 by order of the Municipal Council of Shanghai, Nissen and Parker Lhuo, London.
Figure 4: Shanghai Urban Planning Review, Shanghai, 1991, p.3.
Figure 5: Shanghai Urban Planning Review, Shanghai, 1991, p.15.