

LA CONTRIBUCIÓN DE LA LEGISLACIÓN URBANÍSTICA AL CONTROL DE LA ESPECULACIÓN DEL SUELO. CONCRECIÓN EN LA COMUNIDAD VALENCIANA.

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ABSTRACT

The intense process of elevation of the housing prices in Spain during the real estate "boom" and at the time of the start of the 2008 crisis, has brought to light again the role of the soil in such a process, and in particular the relationship between soil - dwelling and speculation: is the shortage of land driven by speculation that causes higher housing prices; or it is the expectation of continuing of the latter lifting which exerts pressure on land prices and encourages speculation? In the center of this issue is the characterization of the soil, which can be not comparable to a perfect and efficient market in the terms in which economic theory defines them and that throughout this study we are going to check.

The research takes as the main object of study the Spanish urbanistic legislation and part of the analysis of the treatment that she does on the land speculation, since the beginning of the new real estate cycle of 1994 until the current crisis of 2008.

Work that develops tries to give some general ideas of the evolution of this period and its influence on urban development, taking only State law while competencies in housing and urban development belong to the autonomous communities, but not for this reason, a detailed study of such a situation in the Valenciana.

Con community to renounce this research intends to identify the possible effects or results of urban development in the current market legislation of the soil, how through their different ways of management and normative regulation, has been able to influence the price and the value of soil and if analysed conclusively speculation in land control.

Aspects such as non-substitutability between soils located at different locations; or recent political positions, associated with the recent urban developments, describing it as a scarce resource, or claims, as "the soil is the major cause of the rise in prices, should avoid speculation", and not forgetting the importance that in the past two decades has given to article 47 of the Constitution proclaims the right of Spaniards to decent and adequate housing and instructs the public authorities do so through cash relevant standards that regulate the soil and avoid speculation, has led us to the need to consider the study research on the imminent need for control, the land speculation and if the legislative powers have been able to carry out this mission. Deepen to study if throughout the planning processes of the last two decades and the new laws have been effective regulation, to non-intervention. Through the law of soil and other laws have known trying to give solutions to this approach and response.