

/Dry Coat of Montenegro/
Montenegro
The Administration for Protection of Cultural Heritage
Number: UP II – 05 -342/2021 – 3

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MUNICIPALITY OF BUDVA

11.03.2022

06.332/21-951/2

03.03.2022

The Administration for Protection of Cultural Heritage, acting upon the request of the Secretariat for Urban Planning and Sustainable Development, the Municipality of Budva, number 06-332121-951/1 dated November 04, 2021 filed with this authority under the number UP/I-03-342/2021 dated November 8, 2021, for the issuance of conservation conditions for the change of conditions in the area for Sector 43 within the scope of the Spatial Plan of Special Purpose for the Coastal Area, in the immediate vicinity of the protected cultural heritage Ramparts with Bastions and the Old Town of Budva, based on Art. 102 paragraph 2 and Art. 101 paragraph 2 of the Law on the Protection of Cultural Heritage ("Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19), and in connection with Article 18 and Art. 46 paragraph 2 of the Law on Administrative Procedure ("Official Gazette of Montenegro No. 56/14, 20/15, 40/16 and 37/17), issues a

DECISION

I

Conservation project for changing the state of the area - arrangement of the bathing area, construction of coastal promenade, maritime traffic facilities and engineering facilities for beach protection, for sector 43, to be done according to the following conservation conditions:

1. Plan the subject promenade with respect for all found cultural, landscape and ambient values of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva;
2. The possibility of changing the coastline around the Old Town of Budva, filling and constructing new immovable buildings in the water area that is within the protected environment of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva is excluded;
3. Maintain the materialization of walking areas within the protected environment of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva with the repair of damaged parts of the pavement and its leveling;
4. In the immediate vicinity and along the border of the protected surroundings of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva, for the design of the walkway and its groundwork, an optimal conceptual approach **is proposed** depending on the ambient characteristics of the microlocations of the subject promenade;

5. For the materialization in the immediate vicinity and along the border of the protected environment of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva, **it is proposed** to use modern materials that can effectively achieve the transposition of traditional concepts (shaping, construction techniques and materialization) into the general context of the reconstruction of the subject promenade;
6. When choosing urban furniture in the subject area, take into account its simplicity and uniformity, as well as its harmony with the general environment of the Old Town of Budva and the real needs within the framework of the change of situation in the scope of the subject area;
7. When planning greening, provide seedlings which are characteristic of the local context.

II

The content of the conservation project must be harmonized with the Rulebook on the Detailed Content of the Conservation Project for the Implementation of Conservation Measures on Cultural Heritage ("Official Gazette of Montenegro" No. 61/18), which was adopted by the Ministry of Culture based on Article 103 paragraph 9 of the Law on the Protection of Cultural Heritage.

The project was carried out in accordance with these conditions, and created by a public institution established by the Government (Article 122 of the Law on the Protection of Cultural Heritage, "Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19) or a legal entity that has an appropriate conservation license (Article 106 of the Law on the Protection of Cultural Property, "Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19), it is necessary to submit, in analog and digital versions, with the prior consent to the Directorate for Protection of Cultural Heritage, and in accordance with Article 103 paragraph 7 of the Law on the Protection of Cultural Heritage.

Article 101 paragraph 2 of the Law on the Protection of Cultural Heritage also stipulates that if a building application or building permit is required for the implementation of conservation measures on an immovable cultural property, the regulations on space planning and construction of buildings are also applied.

Exposition

Acting upon the request of the Secretariat for Urban Planning and Sustainable Development, the Municipality of Budva, number 06-332121-951/1 dated 04.11.2021, filed with this authority under the number UP/I-03-342/2021 dated November 8, 2021, for the issuance of conservation conditions for the change of conditions in the area for Sector 43 within the scope of the Spatial Plan of Special Purpose for the Coastal Area, in the immediate vicinity of the protected cultural heritage Ramparts with Bastions and the Old Town of Budva, after a field visit, an inspection of the documentation and the submitted request, this authority states the following:

The Secretariat for Urbanism and Sustainable Development, the Municipality of Budva, on March 17, 2022, issued the Appendix to the Urban and Technical Conditions for the preparation of technical documentation for changes in the state of the area - the arrangement of bathing areas, the construction of a coastal promenade, maritime traffic facilities and engineering facilities for beach protection, for sector 43 number 06061-1013/3 dated 04.05.2019.

The subject change in the area is planned on the stretch Budva - Bečići, starting at the cadastral plot 2660 Cadastral Municipality Budva next to the Hotel Avala, across the square between the Hotel Avala and the Old Town of Budva, across the parking lot on Pisana to the end of the breakwater on cadastral plot 3054/3 and 3123 Cadastral Municipality Budva, along the walls of the Old Town of Budva from Pisana

to the city citadel, the subject stretch extends further from the square in front of the Hotel Mogren along the coast, around Zavala Cape to Bečići.

One part of the subject area is within the boundaries of the protected environment of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva, and in the immediate vicinity of the planned promenade there is the immovable cultural heritage Napoleon's Bridge on Velja Voda and two potential cultural domains - the National Library Building and the Yugoslav River Shipping Building (Hygiene Institute). Part of the area covered around the town Ramparts of the Old Town of Budva: the square, the promenade along the northern walls of the Old Town, the parking lot at Pisana, an outdoor swimming pool, the aquatorium along the eastern walls of the Old Town, part of the beach on Brijeg od Budve, as well as part of the park, are included in the protected surrounding area of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva;

The existing promenade is made of different materials and equipped with architecturally uneven furniture, and most of the walking surface of the promenade is damaged, especially the part where the final works with square stone slabs are performed.

According to the Study on the Protection of CULTURAL HERITAGE FOR THE NEEDS OF DSL FOR "PART OF SECTOR 43-THE PORT OF BUDVA", chapter Protection measures:

Preserve the area along the eastern part of the ramparts with the Repeno Tower in its original state. Preserve the existing beach at the point of contact with the ramparts - the Repeno Tower in its original state. A change in the environmental regime in the lower zone of the ramparts could affect the stability of masonry structures and lead to accelerated deterioration;

Facility L - Breakwater The Project Task for DSL, and based on the Spatial Plan for Special Purposes for Morsko dobro, foresees the expansion of the capacity of the port of Budva. This presupposes a change in the volume of masonry structures in the water area, which expand the land at the detriment of the sea. The scope of these interventions must be limited to a measure that will not damage the characteristics of the wider area as a cultural landscape.

Measures and general conditions for buildings in the protected environment of the Old Town of Budva;

- to preserve and restore the existing green strip of land;
- to maximally expand the green strip of land along the promenade;
- to extend the promenade as necessary at the expense of the mainland. To carry out minimal expansions towards the sea in order to achieve a functional coastline;
- new buildings, predominantly for public purposes, should be planned with a height of P+1. Apply clean forms with flat roofs - walkable terraces. It is not allowed to form balconies that come out of the plane of the wall. Materials and details should be based on a contemporary expression of traditional construction techniques. Use neutral color designs.
- to extend the terraces of catering establishments to the border of the newly established green strip of land; part of the restaurant space next to the buildings can be formed as a groundfloor covered with a flat walkable terrace;
- over all flat terraces that are used for catering purposes, it is possible to cover with a modern interpretation of pergola (max. height 2.40) with creeper plants.

- as the entire underwater part of the protected area of the Old Town is a potential archaeological site, before any construction works, in accordance with the Law on the Protection of Cultural Heritage, **protective archaeological research** must be carried out.

- to obtain conservation conditions from the Administration for the Protection of Cultural Heritage for all construction interventions on buildings in the protected environment

Consequently, part of the subject promenade is located and borders the protected environment of the immovable cultural heritage Ramparts with Bastions and the Old Town of Budva, and in the immediate vicinity there is also one registered immovable cultural property and two possible immovable cultural properties, during the preparation of technical documentation, for changing the state of the area - the arrangement of the bathing areas, the construction of the coastal promenade, maritime traffic facilities and engineering facilities for the protection of the beach, for sector 43, it is necessary to comply with the stated conservation conditions.

Article 102 paragraph 2 of the Law on the Protection of Cultural Heritage ("Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19) defines that for the preparation of a conservation project for the implementation of conservation measures on immovable cultural domain for which a building application is necessary, i.e. a building permit in accordance with the law regulating space planning and construction of buildings, the Administration, at the request of the authority responsible for issuing urban and technical conditions, issues conservation conditions.

The content of the conservation project is specified in the Rulebook on the Detailed Content of the Conservation Project for the Implementation of Conservation Measures on the Cultural Heritage ("Official Gazette of Montenegro" No. 61/18).

The project was carried out in accordance with these conditions, and created by a public institution established by the Government (Article 122 of the Law on the Protection of Cultural Heritage, "Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19) or a legal entity that has an appropriate conservation license (Article 106 of the Law on the Protection of Cultural Heritage, "Official Gazette of Montenegro" No. 49/10, 40/11, 44/17, 18/19), it is necessary to submit, in analog and digital versions, with the prior consent of the Directorate for Protection of Cultural Heritage, and in accordance with Article 103 paragraph 7 of the Law on the Protection of Cultural Heritage.

According to what was stated, it was decided as in the enacting terms.

INSTRUCTIONS ON LEGAL REMEDY: You have the right to appeal against this decision to the Ministry of Education, Science, Culture and Sports, within 15 days from the day of its receipt, and it is submitted through this Administration.

ACTING DIRECTOR
Mladen Zagarčanin /signed/

round seal:
Montenegro, Cetinje
Administration for Protection of Cultural Heritage

Processed by:
Sofija Hajrizaj — architect

Submit to:

- The Municipality of Budva
- The Secretariat for Urban Planning and Sustainable Development;
- the case files.