MCHM LAWYERS

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Abogados

# LIQUID ARCHITECTURE VS. STONE LAWS: THE LEGAL CHALLENGE OF NOMADIC HOUSING

## ADMINISTRATIVE LAW

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## CAN I INSTALL "CAPSULE HOMES" ON RUSTIC LAND IN ANDALUSIA?

💬We live in a liquid era. We work from the cloud, consume on-demand content, and increasingly seek lifestyles that don´t tie us to a 30-year mortgage in a fixed location. In this context, Capsule Homes (like those we develop at our division LAB ALMERÍA DESIGN & BUILD) are not just an architectural product; they are a statement of intent. They are the desire for freedom and sustainability brought to life.

🔒However, as jurists, we encounter an inevitable friction: technology and society move by jet, while Urban Planning travels by steam train.

The "Movable Property" Paradox

The great current legal debate lies in the definition of "home." Our Civil Code and Land Laws (LISTA in Andalusia) were written with bricks and mortar in mind. For traditional law, a dwelling is something that "takes root" in the ground.

But what happens when the home arrives on a truck, rests without aggressive foundations, and can leave tomorrow? We face a zone of regulatory friction. The administration tends to protect rustic land by banning everything, fearing the proliferation of substandard housing. It is an understandable stance, but one that often clashes with the reality of high-quality, efficient, and eco-friendly prefabricated constructions.

It is not "wild urbanism," it is evolution

At MCHM Abogados, we advocate for an evolution in the interpretation of the rule. The industrialization of housing is not the enemy of urban planning; it is its future. However, freedom does not mean anarchy. Just because a house is "transportable" does not exempt its owner from their duties to the community and the environment. Water, waste, and visual impact must be regulated.

Our Vision: The Necessary Bridge

Our position is unique. Being in the factory (LAB) and in the courtroom (MCHM), we understand that the solution is not to ban innovation, but to channel it. The future of urban law involves creating intermediate legal figures that allow for the installation of light, reversible, and sustainable housing solutions, without the bureaucratic rigidity of a five-story concrete building.

Until the law changes, our mission is to build that bridge: using current legal tools (performance projects, rural tourism, public interest) so that innovation has a safe place to land.

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