

ID 1404 | EVALUATION OF THE INSTITUTIONAL FRAMEWORK AND POLICIES OF SPATIAL PLANNING IN GREECE

Vasiliki Charalampidou¹

¹National Technical University of Athens

vacharala1992@gmail.com

1 INTRODUCTION

The study, examination and classification issues relating to the planning process are imperative for today's society, which often faces significant territorial problems. As a field of expression of the various public policies, the actual space is regulated with certain tools that are activated and promoted by the planning legislation. In particular, regional planning as a strategic level may provide the necessary guidance, incentives and solutions to any kind of problem. Thus, the interdependence of the individual parameters constituting the planning process (policy - legislation – plans – spatial structure) and the circular route followed can be perceived.

2 THE ROLE OF LEGISLATION IN PLANNING

Urban planning is the subject matter of various sciences, namely, philosophy, sociology, political science, demography and law, resulting in issues of an interdisciplinary and complex nature. The implementation of urban planning comes as the result of two individual components, those of politics and legislation. Spatial planning, therefore, as a conscious attempt to modify the real world through implementing scientific methods or other means of making decisions, is a complex act including elements of scientific thought and political practice. (Kafkalas, 2015).

The latter involves, in the first place, policymaking and law regulations and secondly, the implementation of the urban planning policy. These two components are inextricable and interdependent. The legislation and in general the institutional framework aims at determining the operation of the authorities responsible for the urban planning policy, regulating the relations between the implementation tools – means (plans, projects) and providing guidelines and the basic orientation of any horizontal or sectoral policy to be followed. The term institutional framework entails all the legislative measures that define the rules followed by a human activity within the operational framework of a certain social group (Papapetropoulos, 2008). Urban planning is an activity regulated by the law as well (Papapetropoulos, 2004), and as the basic method of implementing state activity, it falls under a legal – institutional framework of state organisation none other than the Constitution itself (Melissas, 2002). Today, urban planning is not only a means but also the guiding tool of an active state policy. Urban planning is admittedly not a linear procedure, as it involves the setting of goals and the means to realise them.

In Greece, generally, the institutions, in the strict sense of the term, are the text of any kind of regulation (Laws, Decrees and other acts) also known as tools of the corresponding policy. Essentially though, the institutions reflect quite a few elements of a policy, on the one hand containing its goals and objectives and on the other hand specifying the majority of measures and the means of its implementation. The legislation provides the urban planning tools (plans) through which the goals and intended results are illustrated. When speaking of the Greek reality in particular, an abundance of plans yet a shortage of planning as a social and political procedure are mentioned (Beriatos, 2015). For this reason, the study, consideration and critique of the institutions is, at the same time, a study of the corresponding political and historical framework that they reflect (Beriatos and Papageorgiou, 2013).

3 BASIC ISSUES OF SPATIAL ORGANISATION IN GREECE

The uniqueness of the Greek space in terms of organisation and integrated approach is given, as, albeit being an inherently heterogeneous environment, its acquired characteristics and the anthropogenic intervention in it have intensified the problems and created several difficulties. It is, therefore, necessary that these spatial organisation issues which have arisen over time be analysed. The consideration of these

issues is essential as they are the ones taken into account and tried to be resolved by the latest spatial laws. The aforementioned issues are classified into six categories ranging from the most significant to the secondary ones according to the direct spatial imprint.

3.1 NETWORK OF SETTLEMENTS

The first and foremost category is that of the network of settlements. It is characterised per se by the spatial dimension and features the most crucial issues. This group differentiates itself from the next one as it mainly focuses on the role and functions of the settlements.

A recently observed phenomenon is that the competitiveness of the settlements has strengthened, instead of their complementarity, which partly depends upon urbanisation. This competitiveness, created at the expense of many settlements and cities, has not allowed satisfying exploitation of their potential. It is clarified that the competitiveness is not deemed unacceptable. It is, in fact, a beneficial course for every city or settlement, especially at a national level where all of them should be competitive towards foreign cities or settlements so as to be the first choice when it comes to investments, tourism, etc. In the case of the country itself it is important that there is complementarity so that the growth dynamics and comparative advantages of each settlement are exploited to the fullest. As a consequence, the country's growth will be balanced without considerable differences between metropolitan areas and rural settlements.

3.2 RESIDENTIAL RECEPTACLES AND AREAS OUTSIDE URBAN PLANNING ZONE

The second category focuses on issues of residential receptacles as well as issues of the areas that are outside the urban planning zone. Urbanisation, which has been observed worldwide but also nationwide over the last 50 years, has created several problems, as the tendency of the population to gather at urban centres is intensifying the pressure on the natural and built environment at a rapid pace. This has created great spatial needs not just for accommodation and infrastructure, but generally for establishing an integrated policy with specific measures and guidelines.

The first crucial issue worth mentioning is the phenomenon of building outside urban planning zones which has been taking place for years within the Greek space. Meanwhile, in the last few years the logic adopted is the one suggesting the expansion of cities, in other words converting rural areas to residential ones. This is also related to urban sprawl, which denotes the dispersion of urban functions in extra-urban space, making the purely extensive residential growth clear. The unequal relation between the city and the province stems from the above and also from their fragmentary and not integrated attitude.

Within the urban environment, different problems arise such as either individual abandoned shells, or whole regions particularly in cities and metropolitan areas. The reasons behind them are more complex and closely linked to economic as well as social constituents. Finally, high building densities in cities do not operate in the framework of the compact cities' philosophy, while, along with the shortage of open space within the urban fabric, a fragile environment and poor quality of life are created.

3.3 INFRASTRUCTURE & ARTIFICIAL NETWORKS

Infrastructure is divided into two subcategories; the first is concerned with its existence and connectivity whereas the second is concerned with the state or lack of the infrastructure itself within a specific space. The spatial planning issue of infrastructure in Greece is related to the strengthening of the role systems and networks play in the national integration and interregional cohesion (Skayannis, 1994). The association of Greece with the rest of the Balkan countries over the last few years is deteriorating, as phenomena of introversion are currently being observed. Even though insularity is among the main characteristics of the country, it has not been exploited to the fullest. The island space has been the recipient of significant ramifications due to a delay in uniting different kinds of planning, in adapting the growth procedure and the planning as regards to the characteristic of insularity (Gianniris, 2012).

Except for everything mentioned above, the immense requirements in various forms of energy aiming at covering needs have caused serious problems. In Greece, the exhaustible forms of energy, namely the oil

and natural gas, are facing problems regarding their transportation, distribution as well as safety. On the other hand, even though the renewable ones require a lengthy period of time to be taken advantage of, they compensate by producing secondary sources of energy.

3.4 NATURAL ENVIRONMENT

The fourth – and last – category directly related to space, concerns the natural environment. The environmental stress in Greece derives both from extrinsic factors, else known as global phenomena, such as the acid rain or the greenhouse effect, and from intrinsic factors which are the most important and are examined here. Quite frequent is the destruction of biotopes and ecologically sensitive areas and forests, important for the flora and fauna of these areas and for the conservation of the ecosystems just because they were outside the urban planning zones or even because of unauthorised roadside construction. The environment was almost always considered a receptacle for residential growth or a base for greenery growth and recreation identifying it, to a great extent, with nature issues in cities (Coccosis, 2012).

Lastly, a supranational phenomenon worth mentioning and which has a direct effect on spatial planning is climate change. It is an issue in need of total and integrated dealing as its outcomes are bound to affect the global community significantly. Among the effects to be produced, the rise of sea levels is noteworthy because it is altering and transforming the borders between countries, or even worse, may eradicate whole states.

3.5 GROWTH ISSUES

This category of growth issues includes highly diverse issues, though it also has both a direct and indirect impact as regards to spatial planning. The productive structure, either of a smaller area or a whole country, is one of the most important constituents affecting its growth prospects.

Undoubtedly, the sectoral and structural policies are the ones determining the framework of action and development of the productive sectors and more generally of the economic activity. The long-term dependence of the productive base on the two main constituents of the primary and tertiary sectors, agriculture and tourism respectively, has spurred an inward-looking tendency in production and economy. More specifically, tourism is an ever-developing industry and simultaneously has diffuse geographical impacts (Getimis and Economou, 1992). The basic problem which has emerged in the Greek space is the inability to develop a polycentric system with considerably high and sustainable population and production figures in rural areas (Petrakos and Psycharis, 2004). In this direction, each city and the respective region as a whole, has to balance the intra-regional differentiation and extend its comparative advantage against the others.

3.6 ADMINISTRATIVE ISSUES

The following constitute an overview of the general aspects of administration and, secondarily, of specific points regarding the process of urban planning. First of all, centralisation and the difficulties in decentralisation affect the urban planning issues because at lower scales, where local authorities should naturally make the decisions about most of these issues, the decisions are actually made by the central authority. Even though the majority of the local authorities are able to take responsibility and be active, the lack of personnel and the inadequacy in specialised political institutions and bodies does not allow that.

Moving on to particular details, overregulation concerning spatial planning is a prevalent characteristic of the Greek reality. It definitely is a serious problem as the large number of laws is the reason behind inconsistencies, ambiguity and sometimes conflicting views. For this reason, a lack of legal certainty has emerged (Economou, 2015). In addition, the lack of monitoring in the process of urban planning is becoming noticeable because the regional as well as local bodies do not participate at all in monitoring and evaluation. They are the results of a deficit in integrated policy, which is evident in some cases, such as the late and gradual completion of the national land registry and the lack of coordination between sectoral policies and authority.

4 COMPARISON OF INSTITUTIONAL FRAMEWORK AND POLICIES

Although the general philosophy of urban planning is the same among the European countries, there are, indeed, some significant differences which, in the case of Greece, may serve as an example. After studying the current trends in urban planning in Greece, it is felt that over the last few years the concepts of spatial planning and space regulation have been redefined, while particularly focusing on spatial organisation and issue “resolution”, both subjects of the two principal spatial planning laws, namely Law 2742/1999 ‘Regional planning and sustainable development and other provisions’ and Law 4269/2014 ‘Regional and urban reform - Sustainable development’, which shall directly respond to these. Through close examination and comparison of these Laws, it becomes apparent whether and how each of them addresses the above analysed spatial planning issues.

The difference between the two Laws is evident even by just examining their structure (Table 1). L. 2742/1999 is structured in six chapters, whereas L. 4269/2014 expands in only two chapters, of which the first has five subchapters. It is also noted that L. 2742/1999 applies exclusively to spatial planning, in contrast with L. 4269/2014, which refers as a whole to the reform of the urban planning system, while at the same time, the categories as well as the land use content are described in detail in its second part.

Law 2742/1999	Law 4269/2014
Chapter A	Chapter A
Objectives and Guiding Principles of Spatial Planning	Urban and Regional Planning
Chapter B	Part A1
Spatial planning tools	Basic concepts and structure of the spatial planning system
Chapter C	Part A2
Means of spatial planning	Strategic spatial planning
Chapter D	Part A3
Mechanisms for implementation, control and support of spatial planning	Regulatory spatial planning
Chapter E	Part A4
Administration and management of protected areas	Digitisation and electronic recording of institutional geospatial data - Codification of spatial and urban planning legislation
Chapter F	Part A5
Transitional Repealed and Final Provisions	Final Transitional and Repealed Provisions
	Chapter B
	Categories and Content of Land Uses

Table 1 - The structure of the two laws.
Source: Law 2742/1999, Law 4269/2014, Own elaboration.

The whole structure of L. 2742/1999 seems more mature when it comes to the urban planning process and reveals the integrated approach in that sector. The framework Law is the one that set the implementation mechanisms of spatial planning (Gourgiotis and Tsilimigkas, 2016). L. 4269/2014, though, is mostly aimed at reforming as a process, instead of preventing and then resolving accumulated problems. Chapter A is the core of the present law, as it points out the new integrated urban planning system of the country, which meets the modern needs, is responsible for remedying issues and conflicts between laws upon implementation of previous frameworks and aims at conserving the man-made, natural, residential and cultural environment, by avoiding further conflicts and overlapping of the different levels of planning. Chapter B attempts to update land uses mentioned in the P. D. of 23.02.1987, due to significant changes in modern lifestyles and new socioeconomic data.

It is useful that reference be made to the urban planning systems promoted by the two laws so that the reform and the changes made can be understood, emphasising though on a higher and strategic level. The lack of spatial planning over the years has led to a convoluted and unclear institutional framework. Whilst the smallest, in terms of land area, countries tend not to have many plans, Greece does, and in addition to that, the system reflexes are not of any help. L. 2742/1999 adopts a two-way harmonisation between spatial planning and developmental planning. It is characterised by a clearly more intense orientation in strategic planning, which is manifested in two ways; firstly, it covers issues such as the

international role that are of a horizontal nature, and secondly, it adopts a guiding attitude regarding sectoral issues (Economou, 2009).

In 2014 an attempt was made, through L. 4269/2014, to cover such weak spots by reducing the number of planning tools at every level. Strategic spatial planning features plans of an executive and guiding nature while master planning features plans of regulatory terms. At the same time, L. 4269/2014 relates spatial and urban planning both to the developmental planning of the country and to the guidelines and directives of the European Union, promoting three geographical levels and five planning categories. The comparison of the two Laws, regarding not only their structure but also their content, revealed some very important evidence referred to below.

4.1 STRENGTHS AND WEAKNESSES – SHORTCOMINGS

Assessing the basic spatial planning legislation (L. 2742/1999 and L. 4269/2014) and composing any policies that stem from it leads to useful observations concerning the shortcomings and weaknesses in spatial planning techniques and in the country's priorities.

Comparing, therefore, the two Laws, both positive and negative conclusions can be drawn. L. 2742/1999 has a time frame of fifteen years, while L. 4269/2014 includes both medium-term and long-term goals. Furthermore, an observation worth mentioning is that the former Law entails a spatial assessment of the present spatial planning state, which at least from a legal – technical viewpoint, has to be referred to only in its Explanatory Report. In contrast, L. 4269/2014 justifiably does not include this spatial assessment in its final version. The Law's strengths include the reduction of urban planning levels, their distinction into strategic and regulatory levels and the inclusion of specialised plans within the integrated spatial planning system as well as the quick amendments in certain plans. On the other hand, some significant deficiencies of the most recent Law are detected mostly in the area of the coordination and harmonisation between different leveled plans (vertical harmonisation) and same leveled ones (horizontal harmonisation) (Giannakourou, 2015). In general, the central mechanism used essentially to monitor the process of urban planning and the harmonisation of individual levels is absent here.

4.2 CRITICAL EVALUATION

4.2.1 GENERAL OBSERVATIONS

Overall, the question of whether and to what extent the new system has tackled the weaknesses of the previous one has not been adequately answered. The fact that it reduces the number of plans from seven to four in relation to the previous system is an advantage, time, however, is absolutely necessary for such reforms. Fortunately, quick amendments are provided for in certain plans. The flexibility in real estate development gives room for private investments that may act as a driving force of economic recovery. A proper attempt is being made to associate spatial planning with developmental planning, a fact that was missing from the already existing institutional texts on urban planning.

On the contrary, though, the essential and properly drawn up specifications were not issued in a timely manner. The ones issued until that time had several inconsistencies and deficiencies in terms of policy. Moreover, there is no content in the spatial planning levels and the relations between them are practically absent, as is the role played by the specific spatial and urban plans. In addition, there is a universal need to clarify the role and responsibilities of all those engaged in the spatial planning system, apart from the responsibilities to launch and approve plans. In any case, such deficiencies in conjunction with the financial crisis imply the risk of non-implementation.

The new legislation introduces a concept in urban planning based on the top-down approach, something that could potentially cause serious problems to the spatial planning process and its effectiveness (Portokalidis & Zigorou, 2015). The Regional and Urban Reform is in need of a plan and system with specific objectives, axes and actions, mechanisms to monitor and evaluate findings, as well as the establishment of appropriate alliances at an institutional and socioeconomic level.

4.2.2 MORE SPECIFIC OBSERVATIONS

Regarding issues at a national level, the 'General Framework of Spatial Planning and Sustainable Development' is the one giving the priorities and strategies required for the integrated spatial development and sustainable planning of the national space, however, it is so general a plan that it lacks flexibility and speed. The new Law is estimated to set as a prerequisite the quantification of the National Spatial Policy's objectives and axes, while at the same time, the coordinating role that regional planning plays will have to be determined in relation to the national policies which have spatial impact. In other words, it will have to be predicted that this specific policy and the National Development Strategy should be mutually supportive and coordinated. At a regional level, a holistic approach to spatial planning is observed as the interactions from municipal developments are taken into account, thus simplifying the planning of said level.

5 URBAN PLANNING AMID CRISIS

Despite the lack of financial resources, the inaction, conservatism, the wait and see approach and the embarrassment in front of new challenges that the Greek reality faces, the recently adopted L. 4447/2016 'Spatial planning - Sustainable development' is expected to cope with them and make up for the weaknesses of the previous one. With a slightly different scope regarding the plans, it includes a forecast of the new sectoral policies concerning the conservation of the cultural landscape, the natural environment and the land policy. At the same time, the financial and national growth strategy and the community policies that influence the structure and growth of the national space are taken into account along with those about the environment and territorial cohesion. In addition, digital technologies for land use are exploited (Network Natura 2000, Forest maps, National Cadastre, Archaeological Cadastre) and a new geospatial database with an integrated reference to institutional texts and monitoring by the competent bodies, in order for projects and investments that are in progress or delayed due to possible conflicts and incompatibilities to disentangle. Generally, the new Law's urban planning system is characterised by an attempt to be more flexible in planning.

However, during the economic crisis, spatial planning is losing its executive nature in the name of growth. The question as for whom and depending on which goals the planning takes place remains, while another thing worth noticing is the large number of spatial regulations and provisions with a direct or indirect spatial impact in accordance with the managing of the financial crisis the Greek society is experiencing (Klabatsea, 2017). A shift, therefore, from the spatial expression of the crisis to its management through spatial planning has occurred. This is because overcoming the socioeconomic crisis was attempted with financial terms. Finally, there are fewer attempts towards safeguarding the public interest and an incompatibility between incentives in legislation and the results of regulations exists as well.

6 CONCLUSIONS

The challenges that the field is facing are immense. Owing to the various short-term as well as long-term prospects that are provided by spatial planning, the already existing natural and anthropogenic environment is very likely to become sustainable. It should be made clear that the challenges – changes mentioned above essentially relate to the structures and procedures of spatial planning. The short-term prospects involve the urban planning tools and more specifically the monitoring of Regional Plans, as this scale makes it easier for any changes and transformations to be perceived, so as to use feedback for this particular planning process through feedback itself. Collecting data from every Region may serve as input for determining criteria, based on which, the guidelines of the respective plans can be evaluated. The fact that urban planning is static could not be further from the truth. In fact, it has to have an immediate response to current needs. For instance, the fact that the new Partnership Agreement 2014 - 2020 contains several specific references that consider urban planning a prerequisite, means that every Ministry has to participate in a joint "spatial discussion" (Gourgiotis, 2015).

The long-term prospects, on the other hand, are mainly concerned with the more general structures of the urban planning system. The criteria to be established and the evaluation of the plans' guidelines may contribute to the production of certain monitoring indicators. These indicators will concern not only the quantitative characteristics of every spatial unit, such as employment figures or the per capita GDP, but also the qualitative ones, such as the state of the road network, always related to the spatial dimension.

Besides, there are also other policies, mainly European, such as the growth strategy called 'EUROPE 2020', which includes mandatory indicators. The construction of a database, which is essential to be renewed and updated on a regular basis, is a planning infrastructure that together with the completion of the national land registry will eliminate any rigidities of the system and accelerate the procedures. It is a sufficient and necessary condition, of course, in the long term that the institutional framework of spatial planning be, now, single and coded without any inconsistencies and deficiencies. Only under this condition can the system be considered modernised and integrated.

BIBLIOGRAPHIC REFERENCES

- Beriatos, E. (2015) The residential Aids and design culture: Texts for spatial planning, urban planning, environment, development, local government. Athens: andy's publishers. (in Greek)
- Beriatos E. and Papageorgiou M. (2013) Spatial and environmental planning: Development and protection. Teaching notes. Volos: University of Thessaly. (in Greek)
- Coccosis, H. (2012) Policies for the environment in cities. In Economou, D. and Petrakos, G. (ed.) The Development of the Greek Cities: Inderdisciplinary approaches in the urban analysis and policy. 4th ed. Volos: University Publishing of Thessaly, pp. 481-490. (in Greek)
- Economou, D. (2009) Spatial policy. Teaching notes. Volos: University of Thessaly. (in Greek)
- Economou, D. (2015) Problems and perspectives of spatial planning policy in Greece. Presentation to the Postgraduate Program Seminar. Department of Planning and Regional Development. University of Thessaly. (in Greek)
- Getimis P. and Economou D. (1992) New geographical inequalities and spatial policies in Greece. URPD - TOPOS, (4), pp. 3-44. (in Greek)
- Giannakourou, G. (2015) A First, Overall, Overview of Changes in the Spatial Planning and Planning System - Thoughts and Concerns. Environment & Law, (1), pp. 1-8. (in Greek)
- Gianniris, E. (2012) Developmental planning and management of the Greek island space. In Beriatos, E. & Papageorgiou, M. (ed.) Regional Planning - Urban Planning - Environment in the 21st Century: Greece - Mediterranean. Volos: University Publishing of Thessaly, pp. 179-188. (in Greek)
- Gourgiotis, A. (2015) Spatial planning; a precondition for the country's development. Presentation to the Postgraduate Program Seminar. Department of Planning and Regional Development, University of Thessaly. (in Greek)
- Gourgiotis, A. and Tsilimigkas, G. (2016) A new approach to spatial planning in Greece. Aeihoros (26). (in Greek)
- Kafkalas, G. (2015) Sustainable city as an evolutionary process. In Vitopoulou, A., Gemenetzi, G., Giannakou, A., Kafkalas, G. and Tasopoulou, A. Sustainable Cities. Athens: Kallipos Repository. Retrieved from <http://hdl.handle.net/11419/2227> (in Greek)
- Klabatsea, I. (2017) The Crisis of the Planning and the Planning of the Crisis. Presentation to Undergraduate lesson Restrictial and beneficial factors of planning for the prospect of sustainability. School of Architecture, National Technical University of Athens. (in Greek)
- Melissas, D. (2002) Fundamental issues of planning law. Athens - Komotini: Sakkoulas. (in Greek)