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Methods and Concepts of Land Management

Diversity, Changes and New Approaches

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Introduction

This publication includes papers based on presentations held at two symposia of the European Academy of Land Use and Development (EALD). The symposium of 2018 had the topic “Changes in Land Use Management Practices” and was organised at Riga Technical University. The symposium of 2019 took place at Vytautas Magnus University in Kaunas on the theme “Land Use and Land Development in the field of tensions between environmental, social and economic sustainability”. The peer-reviewed papers inform about investigations on the common subject “land-management” – due to the interdisciplinary nature of the EALD from very different positions. The spectrum of contributions covers regulations, governance and the implementation of land management along with the assessment of relevant data to support these tasks. Various approaches, methods, systems and understanding of the government’s role in the different states of Europe are highlighted. It can be said that Europe provides an experimental field for land management issues, enabling the most important processes when dealing with sustainability: to improve knowledge of new practices, to verify them and to learn from each other.

In the first part of the book, articles compare the diversity of planning systems and approaches in European countries. Two papers examine the significant shifts in territorial government and the planning style in several European countries. The following two inter-related contributions focus on urban redevelopment strategies of shrinking cities in Germany and Estonia. The final paper in this section compares the legal system for property formation of Finland and Sweden concerning the possibilities for digitalisation of land development processes:

- *Auziņš, Jürgenson* and *Burinskiené* give a comparative view of the dynamics of the spatial planning systems and practices in Latvia, Estonia, and Lithuania. The authors have identified significant changes since the 1990s. Using a common methodological framework, they explore policy, planning styles and tools, but also the scope and main objectives of changes in addition to the driving forces indicating main phases and causing turning points. The findings of the research document key trends involve the evolution of spatial planning in the Baltic countries.
- The paper of *Auziņš* presents and discusses the results of case studies, which have been elaborated by empirical research in seven selected countries. The systematic, logical and comparative analysis concerns the implementation of spatial development plans and the institutional performance. Results show transitions between command/control and consensus-oriented governances, shifts from formal institutionalised planning towards complementing informal planning arrangements and movements between supply-led and demand-led planning.
- *Hendricks* and *Tintera* gives an overview of housing redevelopment tools for local governments in the small Estonian city of Valga and compare these with tools applied to the towns with a similar shrinking and vacancy problem in Eastern Germany. Similar

Comparative Analysis of Spatial Planning Systems and Practices: Changes and Continuity in Baltic Countries

A comparative study of Latvia, Estonia, and Lithuania

Abstract

Evidence-based studies show meaningful changes in spatial planning if observing the evolution of planning systems and practices in Europe. Three Baltic countries over the last decades have witnessed considerable changes in institutional settings in this respect. The research emphasises on comparative analysis of Latvian, Estonian, and Lithuanian experiences through the evolution of spatial development planning in the light of dynamic changes in Europe since the 1990s. The purpose of the article is to give an overview and discuss significant changes and turning points in spatial planning systems and practices in Baltic countries, as well as to assess key trends of relevant related processes. Inspired by a profoundly conducted comparative European study, the common methodological framework has been used to gain evidence-based knowledge. Thus, (1) the scope and main objectives of changes, (2) driving forces causing changes by indicating main phases and turning points as well as (3) policy, planning styles, and tools are explored and presented through a comparative perspective in the article. The review of institutional settings, dynamic and comparative analysis and synthesis techniques as well as the logical-constructive and graphical methods are mainly employed for the study. The outcome of the research shows key trends in the evolution of spatial planning in Baltic countries. These trends represent a dynamic continuity of planning cultures and emphasise its significant impact on decision-making in land management practices.

1. Introduction

Spatial planning systems have been recognised as dynamic institutional technologies, which define corridors of action for planning practice (Reimer and Blotevogel 2012). Planning cultures reflect on the values, attitudes, mindsets, and routines shared by those who take part in planning activities (Fürst 2009). Recent comparative research emphasises dynamic changes due to the discourse of evolution of spatial planning across Europe. It underlines the specific and content-dependent variety and disparateness of planning transformation in selected countries (Reimer et al. 2014). The Baltic region is often understood as a single

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territorial unit, although it is made up of three independent states: Latvia, Estonia, and Lithuania. An examination of post-soviet countries in the Eastern part of Europe shows a societal transformation in which the social value of planning is recognised as a fundamental issue for debates (Nedovic-Budic 2001). Developing national spatial planning agendas after the collapse of the Soviet Union and restoring independence, the Baltic countries opened their planning debates to the European planning discourse and associated spatial planning principles, especially after their accession to the EU in 2004. Since then, also European knowledge, expertise, and structural funds were available to support the development of national spatial planning systems. The support involved several spatially relevant European spatial planning policies (e.g., ESDP, Territorial Agendas) and instruments (e.g., ERDF, ESF, Cohesion Fund). Under the ESPON projects, the integrated tools for European spatial development have been intended to apply (Faludi 2008). The paradigm of “Europeanization of spatial planning” may be seen as a consequence of the introduction of Territorial Agenda 2007 and European influence on planning systems. The Territorial Agenda 2020 under the specific objective of the ESPON EGTC 2020 and cooperation program focussed on gathering and analysis of European territorial evidence through an applied research project (ESPON 2018). Previously done research focussed on key trends and aspects, which influenced changes into spatial planning systems and practices in Europe (Auziņš 2018). Exploring the Baltic perspective and the engagement with European policies, some arguments have been provided that Baltic countries reflect a ‘culture of pragmatism’ in spatial development planning (Adams et al. 2014).

If considering similar historical evolution of three Baltic countries – Estonia, Latvia, and Lithuania, it should be necessary to develop a model of transformation design and to explain main phases and turning points when setting a time perspective by years since the restoration of independence in the 1990s. Therefore, a further complete study outcome due to ‘path-dependent evolutions’ could be designed and discussed. If considering above described topicality and the influence of European policies on Baltic spatial planning agendas, the authors of the research propose a *hypothesis* – there exist several other driving forces besides ‘Europeanization’ causing changes into spatial planning practices and discourses, which essentially do not differ among three Baltic countries. The *aim* of the study resulting from the drawn hypothesis is to explore the key trends and aspects which have influenced the changes in spatial planning systems and practices in Baltic countries. The *objectives* of the study to meet the aim are: (1) to identify the key trends and aspects influencing changes into spatial planning systems and practices based on profound literature review; (2) to analyse the outcome of comparative studies by using previously developed methodological framework and established criteria; and (3) to explore the evolution of Latvian, Estonian and Lithuanian spatial planning experience and to discuss it in the light of previously made comparative studies, which presents a novelty of the research. The review of scientific literature and legal instruments; the expert interview method; the dynamic and comparative analysis, and synthesis techniques have been employed as *research methods* for the study.

2. The scope and main objectives of changes

The transition from a planned economy to the incremental development of the market economy started simultaneously with the restoration of independence in 1990 in all Baltic countries. Also, the land reforms were a political priority. In particular, the land-use restrictions caused the formation of abandoned territories and fragmented holdings in many areas of Baltic countries. The implementation of land reform, to a great extent, delayed the establishment of first spatial planning legislation in all three countries (1994–1995). Changing regulations of land reforms also influenced changes in spatial planning systems. The implementation of land reform has been complicated. The restitution of land has made planning difficult. The land has been allocated between previous owners (before 1940) and their heirs through restitution and new owners through privatisation. The regulations of land reform have led the process in the way the planning aspect frequently disregarded (Jürgenson 2016:35). The neoliberal economic approach was promoted to enable plan demand-driven territories for new development. The attitude that “everything will be solved by the market” was often encouraged. Progressively reformed territorial governance influenced the locus of power and caused subsequent legal amendments and changes in planning systems. Economic crisis (2008–2009) and urban sprawl caused restrictions on incremental urban development and limitations of urban containment. The uncontrolled development of suburbs, e.g., over-planning of residential areas, lack of investments, and missing infrastructure, required essential changes to legal and regulatory planning documents (Palevičius et al 2019).

3. Driving forces causing changes by indicating main phases and turning points

Gradual development towards a market economy 1994–2004 was supported by increasing foreign investments in all Baltic countries. After joining EU in 2004, in line with the “Europeanization” of spatial planning, consequently, the introduction of ESDP and Territorial Agenda as well as the implementation of regional policy instruments, i.e., ERDF, ESF, Cohesion Fund, have seen as drivers that influenced changes into spatial planning agendas in Baltics significantly. As a consequence of administrative-territorial reforms: the number of local municipalities was increased from 40 to 60 already in 2000, but 10 counties were abolished later in 2010 in Lithuania; the number of local municipalities was diminished from 546 to 119 and the regional planning level represented only by 5 planning regions since 2009 in Latvia; the number of local municipalities was diminished from 213 to 79 only in 2017 but rapidly, at the same time abolishing the counties, in Estonia. The economic crisis 2008–2009 and incremental urban development caused essential amendments in planning legislation. New Spatial Development Planning Law was adopted to improve planning practice in 2011 in Latvia. Uncontrolled suburban development and the planning of overflows promoted the study for better planning practice in 2010 in Estonia. It brought together necessary amendments in planning regulations as well as boosted the adoption of the renewed Planning Act in 2015. Similarly, the economic crisis and uncontrolled suburban development, as well as the planning of overflows, led to the adoption of the new Law

on Territorial Planning in 2014 in Lithuania. Following, new institutional settings, e.g., in the form of regulations, were introduced to promote qualitative changes and improvement of spatial planning practices in Baltic countries.

3.1 Evolution of spatial planning in Latvia

Initially (since 1990), priority was given to the implementation of land reform, which delayed the establishment of first institutional settings (in 1994) for spatial planning. The spatial planning system and practice developed gradually with significant changes in institutional settings in 2004 and 2011. Spatial Development Planning Law (2011) determined new institutional settings for spatial planning agenda and aimed qualitative changes into spatial planning practice. Since then, the shift towards a strategic spatial planning approach can be argued, as all three planning levels (national, regional, and local) have strategies. Since the administrative-territorial reform (2009), physical planning with legally binding parts of the local government plan has been practiced. The planning style can be characterised as decentralized, integrated, and comprehensive spatial planning with a tendency of centralization for recognising the priorities of national and regional scales. Weak cooperation among stakeholders, public activity, and participation increases slowly.

Meanwhile, the qualitative improvement of planning practice can be seen since 2013. Thus differences in the design of local development plans among municipalities are limited, and application of GIS solutions for planning are promoted. Statutory planning exists only at the local/municipal level. Thus local government spatial plans (comprehensive plans), local plans (cover the part of the area of a municipality), and detailed plans (include the area of the development site) are elaborated. Additionally, the planning documents at the local level are concerned with a sustainable development strategy and development program. National and regional levels have guiding development strategies. Figure 1 shows the evolution of the spatial planning system, including the main phases and turning points since 1990 in Latvia (Auziņš 2018).

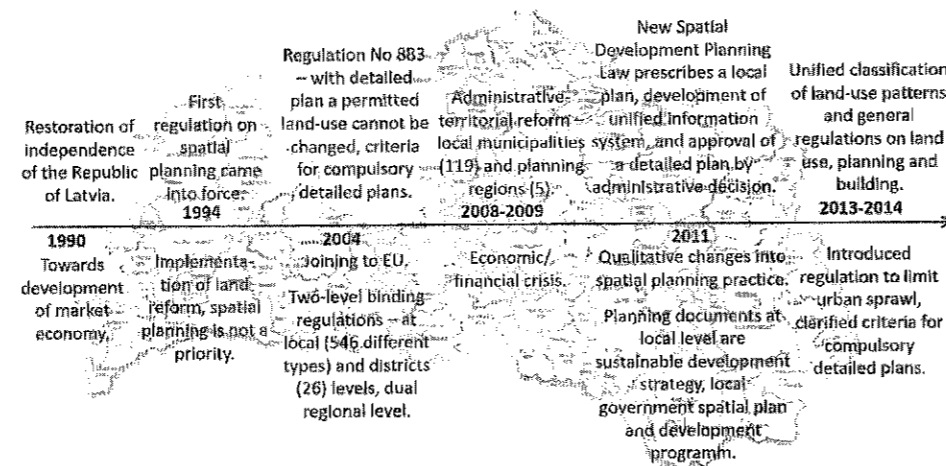


Figure 1: The evolution of spatial planning in Latvia.

3.2 Evolution of spatial planning in Estonia

After the restoration of independence in 1990, there has been established a two-level self-government system in Estonia: (1) parishes, small towns, and towns were on the lower level of self-government; (2) fifteen counties and six republican towns were on the higher level of self-government. Priority was the implementation of land reform but not spatial planning. In 1994, it went over the one level self-government system: parishes, small towns, and towns. The county-level moved under state responsibility. In 1995 the Planning and Building Act was adopted. Afterwards the discussions ended with separate Law on Territorial Planning. Since that time, there are four levels of plans in Estonia: national spatial plan, county-wide spatial plan, comprehensive plan, detailed spatial plan (two last are on the local government level). At the same time, the work on the general plan of the territory of the Republic of Estonia was started. In 1996 was the beginning of the voluntary administrative reform at the local government level. The Estonian government has encouraged and promoted the voluntary process of merging local governments throughout recent decades to establish local governments with the enormous territory and number of inhabitants. Nevertheless, it has not had a significant influence on the local government system as a whole. The central government supported (monetary support) the voluntary joining since 2004. However, the result was not as good as it was expected. Only 71 local governments joined and formed 30 new local governments in the period 1996–2014. Local governments' number decreased to 213 (it was 254).¹

In 2000 the general plan of the territory of the Republic of Estonia with the perspective until 2010 and its action plan was approved. In 2002 separate laws: The Planning Act and Building Act were adopted. Estonia acceded to the EU in 2004 and adapted to EU standards. In 2008–2009 economic/financial crisis brought out many problems that occurred concerning the development areas. The development stopped in many areas. Some of them were partly developed as there were few houses already constructed but without the necessary infrastructure. Many developers have bankrupted. It has understood that the Planning Act needs to be renewed (needs the introduction of qualitative changes). In 2010 the study (led by the Ministry of Justice) for the preparation of planning and building law and its explanatory letter were carried out. The survey covered the overview of planning law and practice in different countries (Germany, Italy, Slovenia, Ireland, Finland, and Denmark). In 2012, the general plan of the territory of the Republic of Estonia 2030+ and its action plan was approved. In 2015 renewed (separate), both laws Planning Act and Building Act were adopted. In 2017 rapid administrative-territorial reform was performed. It consisted of voluntary and compulsory parts. Because of this reform, the number of local governments has decreased to 79 (there were 213), and the county-level abolished. Nowadays, local governments consist of urban and rural areas. Figure 2 shows the evolution of the spatial planning system, including main phases and turning points since 1990 in Estonia.

¹ Administrative-Territorial reform. Ministry of Finance; <https://www.rahandusministeerium.ee/et/kov/haldusreform>; <https://www.rahandusministeerium.ee/en/objectivesactivities/local-governments-and-administrative-territorial-reform/administrative>

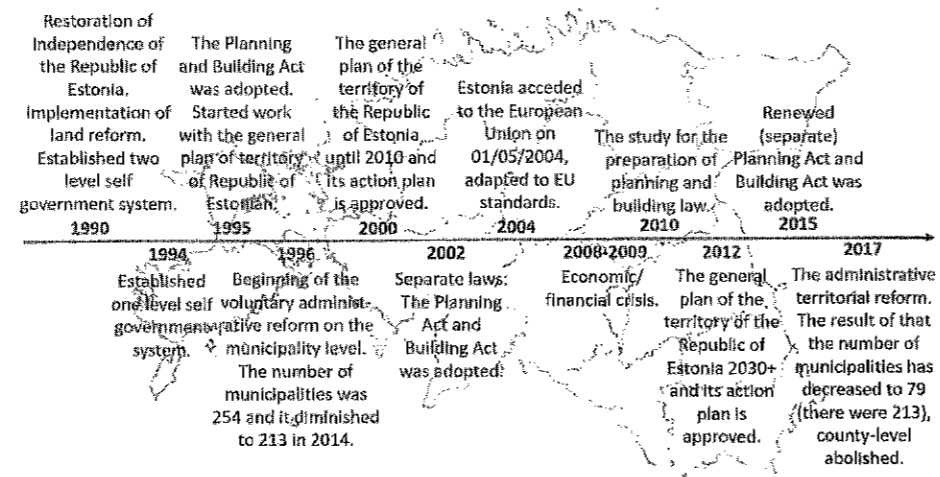


Figure 2: The evolution of spatial planning in Estonia.

3.3 Evolution of spatial planning in Lithuania

Likewise, in both other Baltic countries, also in Lithuania after the restoration of independence, spatial planning was not the priority because of urgent implementation of the land reform. In 1995, the first version of The Law on Territorial Planning was issued. In 2000, the administrative-territorial reform was started in Lithuania: the number of municipalities increased to 60 (before there had been 40) and ten counties were established. In 2002, the general plan of the territory of the Republic of Lithuania with the perspective until 2020 was approved. Lithuania entered to the EU in 2004 and adapted EU standards. In the period from 2007 until 2009, the planned county plans and tourism projects at the national level, as well as the municipal comprehensive plans, were carried out with the EU support massively. In 2010, the next administrative-territorial reform eliminated counties. During 2011–2012, the national spatial plan (BP) and the municipal comprehensive spatial plans of the territory of the Republic of Lithuania as well as the border project were mass-produced. In 2014, the new version of The Law on Territorial Planning came into force, and the planning in both urban and rural areas was separated. Accordingly, since then, the architects were responsible for urban planning (in towns) but land managers for planning in rural areas (in villages). The regulations regarding mandatory quarterly detailed planning and limitation of planning procedures (in the direction of its reduction) were enforced. The monitoring of the implementation of the different plans have been provided and advanced information systems for planning documents developed (e.g., TPDRIS – territory planning documents registration information system, TPSIS – territory planning monitoring information system, TPDR – territory planning documents register). After 2014, the planning legislation was gradually modified when taking into account the spatial planning practice. The provisions of the new spatial planning system have been introduced. Since 2018 till now a new national spatial plan (LRBP) is being prepared, thus reflecting on the next version

of spatial planning system and planning instruments (e.g., general plan (GP) and strategic planning) in Lithuania.

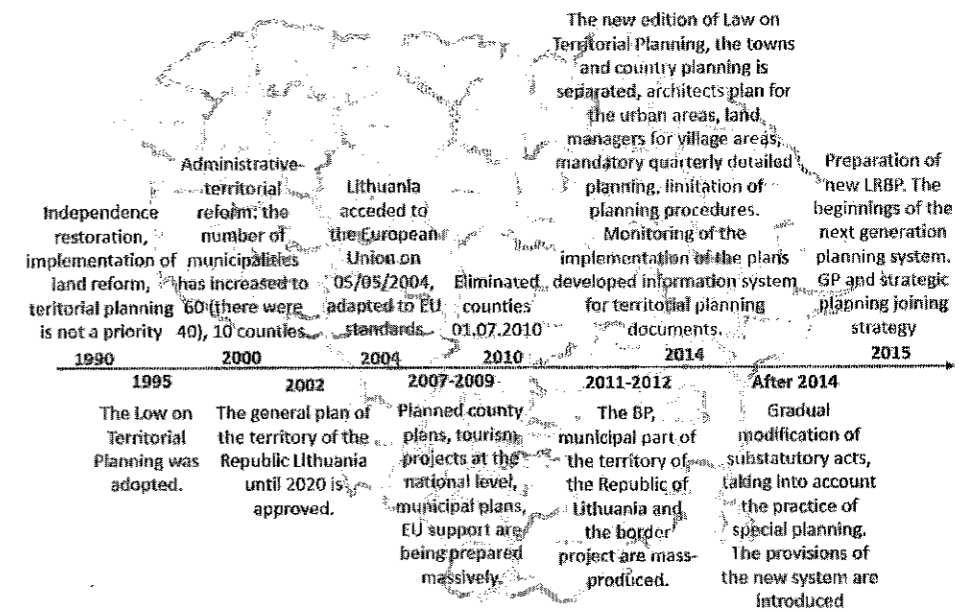


Figure 3: The evolution of spatial planning in Lithuania.

4. Policy, planning styles and tools

In Latvia, all three planning levels have strategies. Since the administrative-territorial reform (2009), physical planning with legally binding parts of the local government plan has been practiced. Statutory planning exists only at the local governmental (municipal) level. Thus, local government spatial plan (comprehensive plan), local plan, and detailed plan are elaborated. Additionally, the planning documents at the local level are concerned with the sustainable development strategy and development program. National and regional levels have guiding development strategies. The changes in institutional settings and planning instruments step-by-step ensured qualitative improvement of spatial planning practice since 2013, thus limiting differences in the design of local development plans among municipalities and promoting the application of GIS solutions for planning.

In Estonia, since adopting the Planning and Building Act (1995), there are four levels of spatial plans: national spatial plan, county-wide spatial plan, comprehensive plan, detailed spatial plan. Two last is at the local government level, and in addition to these plans, there has been the strategic plan (development plan) introduced for providing planned measures and financial resources at the municipal level. The national spatial plan has been more of a strategy. The county plan has been between the strategy and land use planning; it is still the central governmental level. Two lower levels that are under the responsibility of local government define mostly the planned land use. The planning logic is that the plan of the higher

level gives the directions, and lower levels specify these directions. At the same time, the plan of the lower level provides possibilities to make changes in the plan of a higher level. The responsible ministries for spatial planning at the central governmental level changed several times. The planning system is gradually being improved, mainly because of the economic crisis. The analysis of the spatial system initiated in 2010 finalized with the renewed planning law in 2015. The consolidation of the local governments since 2017 should improve the planning capability at the municipality level.

In Lithuania, the reflections of the implementation of land reform on spatial planning have emerged from the first planning law in 1995. Strategic and spatial (territorial) planning have been separated from each other. Planning took place at three levels: national, regional, and municipal. Strategic plans included planning measures and financial resources. Spatial planning documents were arranged for the particular territory. The plans of different levels had to complement and detail each other from the local to the national level. The sophisticated plan may change the procedure to a shorter time, simpler and more understandable. The public participation is a part of the planning process. The spatial planning system has gradually been improved and serious changes took place in 2014, with the entry into force of the new version of the planning law. Several information systems are being developed that serve the process of preparing the planning documents (e.g., TPDRIS, TPSIS, TPDR). The monitoring of planning documents becomes mandatory; the specific indicators are improved. Planning levels had changed state, municipal and locality. The level of the region is treated as part of the state territory. The separate regional level does not exist anymore. Thematical maps are made on the GIS platform. Statutory acts were gradually modified, like technical regulation and recommendation, taking into account the practice of spatial planning. The regulations of the new planning system have been introduced. In 2018, the preparation of a new national Lithuanian territory general plan (LRGP) started, reflecting the next generation of planning system. General plan (GP) and strategic plan connect into joining strategy, developed like comprehensive integrated and orientated to land-use. In all levels, the drawings of the main plan is a land-use plan. The increase of GP status will have some influence on a political decision. All ministries of the Lithuanian government are participating in its preparation. The national level has guiding development strategy and development programs.

5. Conclusions

After the restoration of independence (since 1990), the land reformation policies dominated over spatial planning policies in all Baltic countries. In urban areas, the continuation of a general blueprint planning functions was observed as well. However, the scope of spatial planning broadened gradually from physical planning towards more institutional design, and the techniques evolved from just land-use zoning to more dynamic and process-oriented, including public participation and cross-sectoral debates. The planning systems may be seen as rather heterogeneous; however, the planning practices involve a lot of similarities in the discourse of the Baltic planning experience. Thus, it must be stated that

the spatial planning developed decentralised, integrated and comprehensive but still land-use oriented with the tendency of centralisation for recognising the priorities of national and regional scales. Public activity and participation raised slowly even systematically, cooperation among stakeholders and capabilities of the local governments need improvements.

The scope and main objectives of changes are mainly the same in all Baltic countries, and the main driving forces causing changes differ basically with implementation periods and outcomes of administrative-territorial reforms. Reforms, economic crisis, and restructuring as well as institutional arrangements, challenges of globalization and 'Europeanization' of spatial planning agendas, basically influenced changes into planning systems and practices. The tendency of the last couple of years shows a shift towards the qualitative improvement of planning design and planning practices. The application of GIS solutions and databases supports a spatial planning process and monitoring. A monitoring system and information technology database become the main instruments for spatial planning. The introduction of more strategic planning approach becomes visible, and some initiatives towards informal (complementary) planning mode and related tools could be of great significance. Public participation and publicity in spatial planning processes become essential elements concerning the preparation of planning tools. It is the most significant change in planning practice comparing with the initial post-soviet period. Nowadays, it is possible to find maps of different scales on the web and to use them for no limited needs.

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Armands Auziņš*

Comparative Analysis of Spatial Planning-Implementation Practices and Territorial Governance

An outcome of the case studies in selected countries

Abstract

Over the past decades, significant changes in spatial planning policies and territorial governance have been observed across Europe. The analysis of comparative perspectives helps to understand the evolved practices and to use its outcome for cross fertilisation and shaping of spatial and territorial development policies. The study is concerned with an outcome of case studies regarding spatial planning-implementation practices and territorial governance in selected countries. The case studies within developed framework emphasises on (1) territorial governance issues and possible arrangements, (2) applied procedures, modes, planning tools and techniques, and (3) reasonable qualitative assessment of the planning environment and implementation of plans. A systematic, logical and comparative analysis of the outcome of consolidated evidence gathering concerning the implementation of spatial development plans and institutional performance is used for the research. The key results of the research show meaningful movements between command/control and consensus-oriented governances, shifts from just formal institutionalised planning towards complementing informal planning arrangements as well as movements between supply-led and demand-led planning in differently experienced countries.

1. Introduction

Spatial planning is a continuous process, however, the plans are elaborated and accepted considering foreseeable its implementation perspective (Auziņš 2017). Approaches to spatial planning vary considerably throughout the world, reflecting historical and cultural developments as well as geographical and economic conditions (Williamson et al 2010: 176–177). Recently conducted comparative studies on spatial planning systems and practices in Europe show considerable dynamic changes concerning the evolution of spatial planning and territorial governance over past decades (Reimer et al 2014; Auziņš 2018). The studies about European comparative perspectives (e.g. ESPON EGTC 2020: COMPASS, papers of AESOP 2017; 2018) demonstrate focus more on spatial planning systems than practices and more general scales than local planning experience (Auziņš 2019).

Research about spatial planning practice relates to exploring different planning cultures. A planning culture reflects on “an equivalent to the values, attitudes, mind-sets and routines

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